

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:17 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, 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 19, 2013.

APPROVAL OF MINUTES

Council President Matthews entertained a motion to approve the Minutes of the Regular Meeting of April 16th, 2014 and Bid Minutes of April 29th for the 2014 Road Improvement Program. Moved by Council Vice President Bertollo, seconded by Councilman Bennett. On roll call, all voted yes

PUBLIC COMMENT (Agenda Items Only)

Council President Matthews opened the meeting to the public. He stated if anyone desired to be heard, please raise your hand to be recognized, come forward to the microphone 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 Wojtecki. On roll call, all voted yes.

PRESENTATION:

John Sharo, Department of Emergency Medicine at Valley Hospital stated on behalf of Valley Hospital it is his honor to be able to donate tourniquet kits to the Hawthorne Police Department. Accepted by Mayor Goldberg and Police Chief McAuliffe.

ADOPTION OF ORDINANCES:

ORDINANCE NO. 2112-14

AN ORDINANCE TO CREATE TWO NEW BUSINESS DISTRICTS KNOWN AS THE - B-3 AND B-3A ZONES, TO ENCOURAGE RETAIL/COMMERCIAL REDEVELOPMENT

Public Hearing

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2112-14 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Daniel Steinhagen – Firm of Beattie Padovano, Montvale (representing Hawthorne Deserves Better)

On behalf of HDB, he thanked the Council and Attorney Pasquale for allowing them to participate in the drafting of this ordinance. Mr. Steinhagen questioned section (2) of the ordinance, the last paragraph referring to the maximum square footage permitted in the zones. He wanted to clarify that if a developer comes in with an application that exceeds the maximum building area it would require a use variance from the zoning board of adjustment. Attorney Pasquale responded “Yes, that was the intention and we indicated in multiple directions it is a hard cap. It is a 30,000 sq. ft., maximum and anyone who wishes to exceed that amount would need a use variance because it is a prohibited structure.”

Joe Osborne – 112 Cedar Avenue

Mr. Osborne thanked the Council and the related Boards for the many months of work on this ordinance and working with them. Major concerns have been addressed and resolved. This ordinance replaces the ordinances that we believe were shaped more by the promise of a specific ratable than by the broad community vision. Your idea of expanding the B3 Zoning to the Wagaraw corridor is a welcome one. And best of all, this final ordinance applies to both sides of town in a broad, consistent and fair way. During the Walmart application, there were strong opinions from both sides, preserving Hawthorne’s small town feel, not wanting big box development, the need to encourage retail, traffic concerns, the safety of our residents and Police Officers, the aesthetics of new businesses development and hours of operation. Those issues are all addressed in this ordinance. He stated he knows a few of the council fought in good faith for the Walmart project and you felt betrayed by the manner in which they exited Hawthorne. You might be gratified to learn that Walmart is now the worst supermarket in America. He added as his Irish Grandmother would say “I am glad to see them pack”. The extra out reach you did for the workshops leading up to this ordinance between Nixle, the website, the newspaper, and the council meetings was outstanding. The first workshop was just about the best example of a public meeting that he has ever seen. Ordinary folks are gratified tonight to see changes big and small that they requested at this microphone becoming law and that includes me. He wrapped it up by observing not all conflicts end up with such a positive result as this ordinance. The fact that we are here is proof that the system can work when the parties work together in good faith. Thank you for your services and your anticipated vote for this ordinance. Council President thanked Mr. Osborne and stated he heard what he said and the Council and the rest of the organizations are here to work for the people in Hawthorne as well as work with the people of Hawthorne. Positive comments are always welcome and negative to a point as long as it is constructive and we are glad we could accommodate.

Richard Thomas, (presenting PRT Realty)

Mr. Thomas stated he had a few concerns regarding parking for existing buildings along the Goffle Road Corridor. In respect to the properties with-in the ordinance with the parking spaces that drive straight in and back straight out onto Goffle Road, he noticed in the design criteria they expect there to be buffers of

landscape type structures, and asked whether existing business will be grandfathered. Council President Matthews stated this is a map going forward with redevelopment designed for a more cohesive look and that is why we came up with design standards. None of the existing buildings and property owners is forced to do this and should not be hurt by this. If you chose to do so this; this is what we would like the design standard to be. Secondly, Mr. Thomas stated he owns a property on 104 Wagaraw Road which has not been leased since Shotmeyers Brothers moved in 1999. He had submitted some plans for a two story structure and now with the new ordinance, he would like to entertain a retail space and if he was to go forward with the two story structure is it possible for residential units to be allowed on the 2nd story of the building. Council President Matthews stated, at this point that would be a variance since you're in an I-zone (industrial) area. Mr. Thomas added the ordinance states the sidewalks should be stamped concrete with running bond and cory red in color, he was wondering if there was any flexibility because our experience with a brush concrete finish is a slipping hazard and things of that nature. Attorney Pasquale stated the design standards unlike the 30,000 sq. ft. which is a hard number; gives a lot more flexibility to the board. Therefore, if you came to the Board and explained that this will be a much better fit for my property for the feel, the look and a lot more in line with the other properties in the neighborhood, you're not talking about a use variance, you talking about a simple design criteria waiver, which is a much lower standard. Councilman Lane addressed Attorney Pasquale and asked wasn't that put in? At some point in time down the road there wouldn't be uniformity. Attorney Pasquale responded the goal is uniformity, however at the same time it is flexible enough to allow variation where it makes sense. Mr. Thomas continued and asked would there be flexibility on the landscape section which states parking rows longer than 20 parking spaces shall have a six foot wide landscape island. In some instances the square footage property is not large enough to facilitate that and limitation on 2 or 3 spaces per tenant might not work out in some of my designs. Council President Matthews stated with your existing properties you are fine for what you have; you don't have to do that if it does not fit. Mr. Thomas asked if it was a demolition and a new construction would it fall within the new criteria. Attorney Pasquale stated if it was going to be along the lines of the permitted B3 uses, like a retail operation the answer would be yes, however, once again you can't make an ordinance one size fits all, therefore there will be instances where you purposely set things up as waiver request.

Council President Matthews asked if anyone else desired to be heard on this ordinance. Seeing none, Council President Matthews entertained a motion that the public hearing on Ordinance No. 2112-14 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 Wojtecki, seconded by Councilman Lane. On roll call, all voted yes.

ORDINANCE NO. 2113-14

AN ORDINANCE TO AMEND CHAPTER 45, ENVIRONMENTAL COMMISSION, AND CHAPTER 220, FEES, OF THE CODE OF THE BOROUGH OF HAWTHORNE SO AS TO AUTHORIZE THE CREATION, MANAGEMENT AND MAINTENANCE OF A COMMUNITY GARDEN BY THE ENVIRONMENTAL COMMISSION AND SETTING FORTH FEES TO BE CHARGED FOR UTILIZATION OF THE SAME

Public Hearing

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2113-14 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. 2113-14 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 by Councilman Wojtecki who asked Administrator Maurer if the ruts left by Nissan at the Ambulance Corps parking area, had been taken care of. Administrator Maurer stated "yes". On roll call, all voted yes.

OLD BUSINESS

Councilman Lane asked the Administrator for an update regarding the rent from Nissan. Administrator Maurer stated they are up-to-date. Regarding the cars parking on 204 Wagaraw Road, he stated he called the police twice on Saturday. Mayor Goldberg stated he is happy to say that cars are leaving there and as part of the negotiation, they brought their rent up-to-date. There are car carriers constantly taking vehicles out and no new vehicles are coming in. Mayor Goldberg added Nissan has a signed lease with Bogota and that is where the vehicles are going to be stored. The owners apologized for any problems they have caused and have acknowledged they are facing fines. Councilman Lane asked Administration for an update on the Premio noise situation. Administrator Maurer stated they are moving forward with correcting the units found to be creating the problem by their noise consultant. He stated he does not have a specific schedule, however will follow up. Council President Matthews asked to give a two week time limit. Councilman Lane requested a copy of the noise consultant's report. Mayor Goldberg added to Premio's credit they did step up and paid for the noise study and indicated to us they are going to remedy the problems. They are trying to be good corporate citizens in that respect. Councilman Lane stated he would like this fixed as soon as possible as summer is coming. Councilman Lane asked about the update on the signs and painting of the curbs on Rea & 5th Avenues. Mayor Goldberg stated it is scheduled but pending for a few days of dry weather. Councilman Lane asked if we can give two weeks as the residents have been patient. Mayor stated he has no problem with that. Councilman Lane asked whether the junk yard on the Churchill Furniture property which Code Enforcement Officer Turner had been addressing, has been corrected. Administrator Maurer will follow up. He asked whether the truck traffic survey and report for Braen Avenue to Valley Street to Lafayette Ext. has been received from the police department as yet. Mayor Goldberg stated he will get an update on the status of the report. Lastly, the status of the outstanding items report for 55 Westervelt property he had requested. Administrator Maurer will follow up. Councilman Lane reported the construction on Rock, Goffle and Braen Ave will begin next week, as soon as Lincoln Avenue is paved. He thanked Dr. Boswell and the Mayor for all the work they put into this project.

Councilman Bennett asked the status of replacing the stop sign missing at the intersection of Forest Ave and Central Ave and that it will also need the yellow striping. Administrator Maurer stated it is dependent upon warm and dry weather and then we will get a crew out there to do all painting and striping at once. Councilman Bennett asked why the screening around the Pan Chemical property was removed. Mayor Goldberg stated they requested not to put it back up, and we gave them a one-month to see whether they kept the property up which they have about two weeks left before we revisit the issue.

Councilman Sinning stated he sees a lot of dead trees still in the park but does not see Downes Trees working on this. Dr. Boswell stated they are working on this; also every tree has a two year warranty so any tree that died will be replaced. Councilman Sinning stated the front screen on the dumpster at the 7-11 store has been down for weeks. Mayor Goldberg stated he will have that checked out tomorrow.

Councilman Wojtecki asked Dr. Boswell whether the repair of the asphalt on May Street is going to be done. Dr. Boswell stated “yes”. Councilman Wojtecki stated we have not finished the punch list and PSE&G has already dug a hole. Dr. Boswell stated there is nothing we can do about that. Whenever there is a smell of gas they punch holes. Dr. Boswell added we give them a list of every road that is going to be being paved at least a year in advance. We asked them if they need to do anything with upgrading their lines to do it before we begin the paving. Councilman Wojtecki asked if we can request a report to see if there was any reported smell of gas in the past year in that area. He stated if there was reported smell of gas and they did not act upon it and then we paved the road after we spend thousands of municipal dollars it’s such a waste of money. Police Chief McAuliffe will follow up. Councilman Wojtecki asked if the drainage issue in the park had been addressed. Dr. Bowell stated they are meeting tomorrow in regards to that situation. Councilman Wojtecki stated the homeless gentleman at Dunkin Donuts is still begging. Chief McAuliffe stated when a patrol car goes down there he disappears, when they leave he comes back, however we will continue to work on the situation. Councilman Wojtecki added his clothes are in the back. Lastly there was a yellow international truck parked on Thomas Road south overnight. The gentleman was there when I left the firehouse in the evening and he was still there when I was on my way to work the next morning. He added when he leaves this meeting on his way down Grand Ave, there will be one or two trucks parked there as well. Chief McAuliffe will follow up.

NEW BUSINESS

Councilman Lane asked Administrator Maurer if he was able to find out who did the markings on the driveway and roadway at the DPW & Ambulance garage property. Administrator Maurer he is still researching.

PUBLIC HEARING:

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Amendment of Liquor License Application for 105 Mohawk Ave t/a Jiggles, to 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 Amendment of Liquor License Application for 105 Mohawk Ave t/a Jiggles be closed, moved by Councilman Bennett, seconded by Councilman Wojtecki. On roll call, all voted yes.

ADMINISTRATIVE AGENDA PRESENTED BY MAYOR GOLDBERG:

PROCLAMATION:

CLICK IT OR TICKET

Whereas, there were 545 motor vehicle fatalities in New Jersey in 2013; and

Whereas, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

Whereas, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

Whereas, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

Whereas, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 19 – June 1, 2014 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

Whereas, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 91% to 92%; and

Whereas, a further increase in seat belt usage in New Jersey will save lives on our roadways;

NOW THEREFORE BE IT RESOLVED, be is resolved that the Mayor and Council of the Borough of Hawthorne declare their support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 19 – June 1, 2014 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

Mayor Goldberg expressed his condolences to Mayor Randy George in North Haledon. His wife Lynn after lengthy and courageous struggle with breast cancer passed away. Both Randy & Lynn trace their roots to Hawthorne and the condolences from the entire Borough go out to the George Family and their three daughters. We hope they find some peace in the upcoming days. As we talked about the cars at 204 Wagaraw Road they are now on their way out of the property. The fines are still pending. He describes this situation as a noble idea that just didn't work out. Shred Day produced a record amount of paper; 6.38 tons compare to last year's 4.13 tons. We feel the location at the municipal building was a better location, easier in and out and we plan on doing it again next year. He is going to talk to the County about expanding this event into other things. On May 1st both corners of Tuxedo Avenue were named for two men that died in World War II. Their houses were cattycornered to each other and they died two months apart in 1944. Hawthorne resident Paul Chepurko wrote about our men lost called "Small Town Big Sacrifice" and his book signing is scheduled at the Boy and Girls Club from 11am to 2pm on Flag Day. We are getting ready for our next street naming also on Flag Day, June 14th over at the two corners of Frederick Avenue. Memorial Day services at 12noon in front of the Municipal Building followed by our great parade full of bands and entertainment.

REPORTS:

Director of Revenue and Finance Hewitt

Just a reminder we are in our 2nd tax quarter, if you do not pay on-time your interest reverts back to the 1st of the month. The grace period extends to the 12th since the 10th falls on a Saturday. To date we have brought in \$12.3 million. Our annual audit began on Friday and now they are reviewing our proof of taxes. Ms. Hewitt wants to inform the residents that our auditing firm is conducting "comps" which means they go into our computer and take random peoples water and tax bills and send them a notice asking if this is the actual amount that you paid last year. This is part of the auditing procedures to make sure we are not putting down phony numbers and for the protection of the public.

Borough Attorney Pasquale

With the B3/B3A zoning ordinance now adopted we will be seeking a stipulation of dismissal of the lawsuits that have been filed, and by June 4th we should have an end to that litigation. Regarding the 7-11 matter, a conference took place on Friday as we have been haggling with the form of order. Mr. Cook suggested to the court that perhaps if they cut back the hours of operation, the court could allow them to open up a 7-11 convenience store. Based upon the evidence that was already presented, Judge DeLuccia said he really didn't think so. Basically if there would be any application for any other use at that property including another 7-11 application with different hours, it would have to start from the beginning. The litigation should be wrapped up with-in the next two weeks. Tax appeals hearing date is scheduled for the beginning of June and they are going to be heard all in one day. Attorney Pasquale stated we had a significantly lower number of appeals this year on the residential side. He and Tax Assessor Tim Henderson, will work on these when he gets back from his honeymoon.

Borough Engineer Dr. Boswell

1. May Street.

The handicap ramp corrections have been made. Before signing off on the changes, we would like to observe during a rain event to confirm water is not ponding. Currently, rain is expected on Thursday.

2. Cornell Avenue Sewer Repairs.

Montana’s lining subcontractor (Entech) has not been responsive with meeting the previous schedule. A new schedule has not been provided. Montana is investigating an alternate subcontractor for the completion of this part of the project.

3. 2014 Road Resurfacing Program and Mohawk Avenue.

Bids were received for the 2014 Road Improvement Program on April 29, 2014. The apparent low bidder is Rockborn Trucking & Excavation, Inc. of Wharton, NJ. We recommend the Borough consider awarding the Base Bid plus Alternates A and B to Rockborn Trucking in the amount of \$716,711.75, pending certification of funds by the Chief Financial Officer.

The MBE/WBE and Section 3 Contract Solicitation and Commitment Statement forms, which were required prior to award, have been submitted to the Borough.

4. Rock/Braen/Goffle Intersection.

Passaic County held a pre-construction meeting on Wednesday, April 23rd. The contractor is expected to begin the project on Monday, May 12th.

5. Goffle Brook Bank Stabilization.

Downes has been addressing any remaining work and punch list items including bio-engineering. The County has scheduled a walk thru on Wednesday to review the walking paths.

6. Water System Improvements.

The Borough is looking for sources of funding.

7. Band Shell.

The proposed newspaper bid advertisement has been submitted to the clerk. The proposed schedule is:

Advertise Public Bids	May 9
Receive Public Bids	May 28
Select Qualified Contractor	Award June 4
Pre-Construction Meeting	Week of June 9
Construction Commences	June 30
Construction Ends	Sept. 15

8. Rea Avenue Bridge.

The County has requested signed mylars for the project which were provided on April 11th.

9. 2012 and 2013 Road Resurfacing Program.

2012 RP (and Forest Ave) sidewalk assessments:

As-built quantities are completed. Commissioners still need to walk the properties.

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.

No change.

11. Lincoln Avenue Speed Limit.

Our office has informed the Administrator that the initial request to Passaic County to lower the speed limit on Lincoln Avenue must be provided by the Borough.

12. Little Franklin Field Parking Lot.

The silt fence has been removed. There are some grass areas which still need to be addressed, though they may have been damaged during snow moving operations. The contractor will be contacted to apply some additional top soil and seed to this area. The decorative “street lamps” are still at the site.

13. Library Roof.

The Community Room’s shingle roof needs replacement due to shingle deterioration. The standing seam metal roof is porous, allowing water to get behind the roof and build up behind the membrane. The Borough is investigating funding.

14. Lincoln Avenue Handicap Ramps.

For the intersection of Lincoln and Hillside, the angle of the truncated dome mats (detectable warning surfaces) to the crosswalks are OK for all ramps. The slopes of the ramps are also fine. The only problem observed was at some of the ramps, the detectable warning surfaces were located within the curb instead of behind the curb.

15. Sargent Manhole.

DPW went to residence and did not observe any manhole noises. Asphalt crew resealed some cracks where the manhole was already asphalted over. We are investigating other potential noise abating options.

Mayor Goldberg added he and Administrator Maurer were at the site for the bandshell and tweaked the location where it lines up better to where the Hawthorne Day bandshell goes. It is less intrusive and it doesn’t interfere with the soccer field, lacrosse field or the baseball field. Council President Matthews asked where he relocated it. Mayor Goldberg explained they squared it up to the building where the portable stage was. Council President Matthews asked if the committee was informed. Administrator Maurer stated it is back to where we originally had it in the design process therefore didn’t feel it had to go back to the committee. Council President Matthews asked Dr. Boswell to send a copy of the sketch he prepared to the committee.

Borough Administrator Maurer

He and Fire Chief Speranza had a kick off meeting with the Fair Lawn officials regarding the shared service agreement for fire apparatus repair and maintenance. Our final grant application for our Generator Grant was submitted on-line. The review appraiser is reviewing the initial appraisals for the CDBG-DR Buy-out Program. The award for the relocation consultant contract is on for tonight’s agenda and RFP’s for environmental consultant and surveyor will go out this week. We already held two evening registrations for pool, summer recreation and tennis programs. The next one is Tuesday, May 20th from 6:30-8:30pm in the municipal building. The County did not pave the first two blocks of Lafayette Avenue Ext. because the borough has to repair a short section of sewer line which is scheduled for next week. When they do the paving for Goffle Road in that area they will include that section so it will get done this summer.

Mayor Goldberg stated he and Council Vice President Bertollo attended a retirement dinner last night for High School Principal Barry Cohen who retired at the end of April. He had 15 years in the Borough, 10

years as the Athletic Director and 5 years as Vice Principal/Principal. He had a profound effect on our children as well as the adults. He will be missed and we wish him well.

Questions for the Administration

Councilman Lane asked who will be supervising the sewer line on Lafayette Avenue Ext. to ensure the compaction testing is done so in a year from now we do not have a trench where it's settling. Dr. Boswell stated he certainly can, however in the past the DPW has taken that upon themselves. Mayor Goldberg stated he will talk to the engineer regarding the cost of compaction testing.

Councilman Mele asked whether the Library roof will be fixed the proper way this time. Dr. Boswell stated we never fixed the shingles part or the standard seam metal roof part. It is approximately \$30,000 to repair it the proper way and Administrator Maurer is working on the funding.

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

ORDINANCES FOR INTRODUCTION:

ORDINANCE NO. 2115-14

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE BOROUGH OF HAWTHORNE SO AS TO INCLUDE IN THE B-3 ZONE ADDITIONAL LANDS

BE IT RESOLVED, that Ordinance No. 2115-14 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 June 4th, 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. 2115-14, moved by Council Vice President Bertollo, seconded by Councilman Mele. Council President Matthews stated as we discussed in the work section this includes the (1) property to the B-3 Zone along Lafayette Avenue Ext., behind Paul's Motors. On roll call, all voted yes.

RESOLUTIONS...

CONSENT AGENDA: R87-14 through R96-14 & R98-14 through R100-14:

R 87-14 Introduced by Councilman Mele

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated April 17, 2014 and May 2nd, 2014.

April 17th, 2014

CURRENT FUND	WT 888889	308,144.61
WATER OPERATING FUND	WT 888889	44,616.95
OTHER TRUST II FUND	WT 888889	8,557.12
TOTAL PAYROLL		361,318.68
CURRENT FUND TO PAYROLL/FICA	WT 888889	6,145.58
WATER OPERATING FUND TO PAYROLL/FICA	WT 888889	10,000.00
TOTAL FICA		16,145.58
May 2 nd , 2014		
CURRENT FUND	WT 888889	251,125.68
WATER OPERATING FUND	WT 888889	40,340.99
OTHER TRUST II FUND	WT 888889	9,182.17
TOTAL PAYROLL		300,648.84
CURRENT OPERATING FUND TO PAYROLL/FICA	WT 888889	0
WATER OPERATING FUND TO PAYROLL/FICA	WT 888889	13,353.03
TOTAL FICA		13,353.03

R 88-14 Introduced by Councilman Mele

WHEREAS, there is a need to establish a change fund in connection with the selling of badges for the Municipal Pool.

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to draw a check against the Current Fund as follows:

Josh Kabrel \$150.00

BE IT FURTHER RESOLVED, that the change fund so established is to be turned over to the Treasurer immediately following the termination of duties in this connection.

R 89-14 Introduced by Councilman Mele

WHEREAS, the Memorial Day Parade in the Borough of Hawthorne will take place this year on Monday, May 26, 2014, and organizations that will be performing in the parade require payment immediately following the parade.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized to draw checks against the Current fund in the amounts, and for the organizations, listed below, and that these checks be distributed after their services have been performed.

Hawthorne Caballeros Alumni	1,100.00
Hawthorne Caballeros	1,150.00
Hawthorne High School Band	700.00
NY Skyliners Drum & Bugle Corps	2,500.00
Reilly Raiders Drum & Bugle Corps	2,500.00
Fusion Drum & Bugle Corp	1,500.00
Uptown String Band	1,500.00
Passaic High School Marching Band	1,500.00
1 st New Hampshire Volunteers	300.00

Military Transport Association	650.00
Passaic High School Naval ROTC	200.00
Passaic County Tech ROTC	200.00
Paramus Catholic High School Band	300.00

R 90-14 Introduced by Councilman Mele

WHEREAS, the Borough of Hawthorne has need of relocation services for the CDBG DR Buy-out of flood-damaged properties, and has solicited proposals for this purpose, and the administration has recommended acceptance of a contract with:

Phillips Preiss Grygiel, LLC
33-41 Newark Street
Hoboken, NJ 07030

In the amount of \$3,150.00 per tenant and \$2,600.00 a Workable Relocation Assistance Plan as required by State law for two displaced residents as indicated in the Request for Proposal and additional services at the hourly rate of \$125.00 for Michael Jovishoff, PP and \$90.00 for staff.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited appraisal services subject to the certification of availability of funds from the Chief Financial Officer, in the amount of \$8,900.00, and the hourly rate if any additional work is required, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract between the Borough of Hawthorne and Phillips Preiss Grygiel, LLC in a form approved by the Borough Attorney.

R 91-14 Introduced by Councilman Mele

WHEREAS, the Borough of Hawthorne has a need for a bucket truck for the signal division of the Road Department of the Department of Public Works, and the Administration has located a used truck that has been inspected by the Borough and deemed to be in good condition and viable for our needs;

WHEREAS, the vendor, TNT Equipment Sales & Rentals, Inc. has offered the sale of this used truck to the Borough of Hawthorne in the amount of \$18,500.00 which is significantly below the cost of a new vehicle; and

WHEREAS, the amount of the sale 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, all necessary Pay to Play paperwork has been received by the Borough and filed with the Municipal Clerk.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the purchase of the above mentioned vehicle from TNT Equipment Sales & Rentals, Inc. subject to the certification of availability of funds from the Chief Financial Officer, and required approvals of the Purchase Order by the Director of Public Works and the Borough Administrator.

R 92-14 Introduced by Councilman Mele

WHEREAS, there exists a need for engineering services for the construction of a Band Shell in the Borough of Hawthorne at a cost not to exceed \$18,700.00.

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 \$18,700.00 for design and

inspection of the Band Shell, 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.

R 93-14 Introduced by Councilman Mele

WHEREAS, on April 29, 2014, the Borough of Hawthorne received bids for the 2014 Road Improvement Program in the Borough of Hawthorne authorized by Ordinances #2105-14 and 2106-14; and

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

Rockborn Trucking & Excavation, Inc.
12 Taylor Road
Wharton, NJ 07885-1502

in the amounts as follows: Base Bid - \$591,455.50
Alternate A - \$72,486.25
Alternate B - \$57,770.00

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited lowest responsive bidder, in the total amount of \$721,711.75.00, 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 Rockborn Trucking & Excavation, Inc. in a form approved by the Borough Attorney when these conditions have been met.

R 94-14 Introduced by Councilman Mele

MANAGEMENT TO ACCEPT FUNDS FROM A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2013 OF EMERGENCY MANAGEMENT AGENCY ASSISTANCE PROGRAM FUNDING AND FOR THE CHIEF FINANCIAL OFFICER OF THE BOROUGH OF HAWTHORNE TO AMEND THE BUDGET AND CERITFY THE AVAILABILITY OF FUNDS.

WHEREAS, the Borough of Hawthorne, Office of Emergency Management has been awarded Emergency Management Agency Assistance Subgrant Program (“EMAA”) from the New Jersey State Police Office of Emergency Management Agency available for successful applicants funded through the FY2013 Emergency Management Performance Grant for the dates of July 1, 2013 through June 30, 2014; and

WHEREAS, the Subgrant, consisting of a total amount of \$10,000.00 (including \$5,000.00 Federal Award and \$5,000.00 Local Matching Funds) which the Hawthorne Office of Emergency Management will satisfy with the Office of Emergency Management’s existing salaries and wages.

BE IT RESOLVED, by the Hawthorne Mayor and City Council that the Hawthorne Borough Administrator, the Hawthorne Chief Financial Officer and the Hawthorne Emergency Management Coordinator are hereby authorized to sign the required Grant Application/Subgrant Award Document with the New Jersey State Police, Office of Emergency Management.

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the New Jersey State Police Office of Emergency Management, the Passaic County Office of Emergency Management; the Director of the Division of Local Government Services; the Hawthorne Office of Emergency Management, the Hawthorne Borough Administrator, and the Hawthorne Chief Financial Officer.

R 95-14 Introduced by Councilman Mele

WHEREAS, the County of Passaic, through its Department of Senior and Disability Services and Veterans' Affairs, operates Congregate Nutrition Sites at various locations throughout the County, providing meals to eligible Senior Citizens, including one at the Hawthorne Ambulance Corps Building located on Goffle Road in the Borough of Hawthorne; and

WHEREAS, the said Ambulance Corps building is owned by the Borough of Hawthorne and utilized by the County of Passaic in accordance with an Interlocal Agreement executed by the County of Passaic and the Borough of Hawthorne; and

WHEREAS, there is mutual benefit to be derived from the arrangement insofar as citizens of the municipality and county receive an important service, the Borough of Hawthorne receives remuneration for making available its facility, and the County of Passaic has been able to continue to offer this program to county residents at a cost less than that it was required to pay if it was to continue at the site formally utilized by the County of Passaic, all in furtherance of the objectives of the Interlocal Services Act, NJSA 40:8A-1, et. seq.; and

WHEREAS, the Passaic County Board of Chosen Freeholders has adopted a resolution agreeing to extend the said Interlocal Agreement for an additional one year term upon the same terms and conditions as the existing agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that it does authorize and approve of the execution of an extension of a shared services agreement with the County of Passaic, allowing for use of the Ambulance Corps Building on Goffle Road in connection with its Congregate Nutrition Program, with payment as set forth therein, and subject to review and approval of such agreement by the Borough Attorney.

R 96-14 Introduced by Councilman Mele

WHEREAS, Evad Been, LLC, is the owner of plenary retail consumption liquor license 1604-33-002-005 which it utilizes in connection with a licensed premises operating under the name Jiggles; and

WHEREAS, Evad Been, LLC, has submitted an application for an expansion of the licensed premises so as to include a storage area located in the basement of the premises to the Division of Alcoholic Beverage Control (ABC), said application being subject to municipal review and approval by the governing body of the Borough of Hawthorne; and

WHEREAS, the applicant has submitted, in support of its application, all required documentation so as to support the expansion of the premises, said documentation having been reviewed and approved as to form and content by the Clerk in consultation with the Borough Attorney; and

WHEREAS, the record reflects that basement storage was previously permitted at the subject premises however by inadvertence the applicant failed to indicate the same on the most recent renewal of said license requiring amendment to the same in the form of this application; and

WHEREAS, the applicant caused to be published and served notice of a hearing wherein the said expansion was to be considered by the Municipal Council of the Borough of Hawthorne, the same being satisfactory in the opinion of the Borough Attorney; and

WHEREAS, the Municipal Council conducted a public hearing regarding the expansion of the said liquor license to include basement storage on May 7, 2014; and

WHEREAS, the Municipal Council finds, based upon the review of the Clerk and Borough Attorney that it may approve the expansion of the licensed premises subject to the terms of this resolution;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that it does hereby approve the application of Evad Been, LLC for an expansion of licensed premises so as to include the basement storage area specifically identified in the application submitted, it being strictly understood that the expansion shall only permit storage of alcoholic beverages in such area and not in any way otherwise represent an expansion of the demised premises; and

BE IT FURTHER RESOLVED, that such approval and consent is subject to any required review and approval by the ABC and compliance with all rules and regulations established by the State of New Jersey and Borough of Hawthorne pertaining to such license.

R 98-14 Introduced by Councilman Mele

WHEREAS, the Municipal Council of the Borough of Hawthorne previously undertook a search so as to identify and retain the services of a grant writer having expertise in researching availability of funds, identifying needs of the Borough and pursuing the same on behalf of the Borough; and

WHEREAS, as a result of such search, the Municipal Council awarded a contract to Capital Alternatives of New Milford to serve as grant writers in the Borough of Hawthorne; and

WHEREAS, the Borough, based upon recommendation of the Borough Attorney, had determined that it may award a contract without necessity of public bidding in accordance with the Local Public Contracts Law, it being the opinion of the Borough Attorney that the same constitutes Extraordinary Unspecified Services, that being services that are specialized in nature, requiring expertise, training and experience, including a proven track record in the area in question; and

WHEREAS, of the Borough of Hawthorne has determined to continue its relationship with Capital Alternatives and has determined to award a contract for grant writing as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the anticipated cost of such services, as certified by the Municipal Clerk, is anticipated to exceed \$17,500 per year, thereby requiring compliance with the terms of NJSA 19:44-20.5, et seq.;

NOW THEREFORE IT IS HEREBY RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does retain

Capital Alternatives Corporation,
Demarest House
618 River Road,
New Milford, NJ 07646

to provide grant writing and related services, all in accordance with the proposal submitted by the said company annexed hereto and incorporated by reference; and

BE IT FURTHER RESOLVED, that the Municipal Council does authorize the Mayor and Clerk to execute and deliver the aforesaid contract as and for the act of the Borough of Hawthorne, subject to receipt of a Business Disclosure Entity certification and Determination of Value, the same to be placed on file with a true copy of this resolution as well as compliance with all terms of NJSA 19:44-20.5, et seq; and

BE IT FURTHER RESOLVED, that the ward of contract is subject to review of the contract by the Borough Attorney and modification as he may determine appropriate as well as verification of funds as may be required by the Chief Financial Officer.

R 99-14 Introduced by Councilman Mele

**AUTHORIZING THE BOROUGH OF HAWTHORNE TO APPLY TO THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION FOR TRANSPORTATION ALTERNATIVE
PROGRAM FUNDING**

WHEREAS, the Borough of Hawthorne, County of Passaic, State of New Jersey desires to apply to the New Jersey Department of Transportation for grant funding under the Transportation Alternative Program; and

WHEREAS, the Downtown Revitalization along Diamond Bridge Avenue, Lafayette Avenue and Grand Avenue (Phase 2) project meets all the criteria necessary to receive funding under the Transportation Alternative Program; and

WHEREAS, the Downtown Revitalization along Diamond Bridge Avenue, Lafayette Avenue and Grand Avenue (Phase 2) project will encourage alternative modes of transportation, enhance the travel experience, improve open space and smart growth, and improve the quality of life for the residents of Hawthorne Borough and

WHEREAS, the Borough of Hawthorne agrees to assume a commitment for maintenance of the project after construction is completed; and

WHEREAS, the Borough of Hawthorne fully supports the proposed Transportation Alternative project, and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Hawthorne, County of Passaic, State of New Jersey authorizes the Mayor to submit an electronic grant application identified as TA-2012-Hawthorne Downtown Revitalization (Phase 2)-00067 to the New Jersey Department of Transportation for funding under the Transportation Alternative Program on behalf of the Borough of Hawthorne.

R 100-14 Introduced by Councilman Mele

BE IT RESOLVED by the Mayor and Council of the municipality of HAWTHORNE that application is made to the Commissioner of Transportation for aid under the Transportation Alternatives Funding program for:

Hawthorne Downtown Revitalization Project – Phase 2

WHEREAS, the Council has determined that such application(s) should be prepared by Capital Alternatives Corporation, the grants specialists engaged by the municipality for assistance in such matters.

RESOLVED, that Capital Alternatives Corporation is authorized to prepare, assemble, and submit the necessary documentation on behalf of the municipality of HAWTHORNE for the stated project(s).

Council President Matthews entertained a motion to approve Resolutions R87-14 through R96-14, and R98-14 through R100-14 moved by Councilman Mele, seconded by Councilman Lane. Discussion by Council Vice President Bertollo who asked Administrator Maurer to make sure the OSHA inspection is done and is up-to-date on the bucket truck before we make the sale. Administrator Maurer stated he will have them check that when they pick it up. On roll call, all voted yes.

OFF-CONSENT AGENDA: R 97-14

R 97-14 Introduced by Councilman Mele

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 \$4,878,790.00.

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	23,000.00
Mayor/Council	
Salaries & Wages	4,100.00
Municipal Clerk	
Salaries & Wages	11,500.00
Financial Administration	
Salaries & Wages	19,000.00
Revenue Collection	
Salaries & Wages	7,800.00
Tax Assessment	
Salaries & Wages	5,000.00
Legal Services	
Salaries & Wages	2,000.00
Planning Board	
Salaries & Wages	2,500.00
Board of Adjustment	
Salaries & Wages	2,100.00
Construction Code	

Salaries & Wages	17,800.00
Code Enforcement	
Salaries & Wages	8,500.00
Uniformed Police	
Salaries & Wages	430,200.00
PEOSHA	
Salaries & Wages	1,700.00
Police Dispatchers	
Salaries & Wages	15,700.00
Fire Department	
Salaries & Wages	1,900.00
Fire Safety	
Salaries & Wages	13,800.00
Prosecutor	
Salaries & Wages	3,500.00
Streets & Roads	
Salaries & Wages	34,500.00
Sewer System	
Salaries & Wages	18,500.00
Board of Health	
Salaries & Wages	12,100.00
Board of Recreation	
Salaries & Wages	3,500.00
Swimming Pool	
Salaries & Wages	1,000.00
Library	
Salaries & Wages	61,500.00
Municipal Court	
Salaries & Wages	15,000.00
Public Defender	
Salaries & Wages	500.00
Administration	
Other Expenses	5,000.00
Financial Administration	
Other Expenses	5,000.00
Engineering	10,000.00
Planning Board	
Other Expenses	2,000.00
Board of Adjustment	
Other Expenses	200.00
Construction Code	
Benefits & Costs	10,000.00
Group Insurance	250,000.00
Uniform Fire Safety	
Other Expenses	1,000.00
Shade Tree	
Other Expenses	10,000.00
Sewer System	
Other Expenses	21,000.00

Garbage & Trash Removal	50,000.00
DPW Administration	
Other Expenses	5,000.00
Vehicle Maintenance – Police	7,000.00
Swimming Pool	
Other Expenses	15,000.00
Board of Recreation	
Other Expenses	20,000.00
Field & Park Maintenance	10,000.00
IT Services	10,000.00
Public Events	14,000.00
Electric & Gas	20,000.00
Street Lighting	10,000.00
Telephone	5,000.00
Sewer Charges	300,000.00
Gasoline & Diesel	20,000.00
Tipping Fees	60,000.00
Social Security	20,000.00
Unemployment Insurance	5,000.00

WATER OPERATING

Salaries & Wages	45,000.00
Other Expenses	100,000.00
Lab Testing	5,000.00
Group Insurance	50,000.00
Social Security	10,000.00

Council President Matthews entertained a motion to approve off-consent resolution R97-14 moved by Councilman Mele, seconded by Councilman Vice President Bertollo. On roll call, all voted yes.

REPORTS OF SPECIAL COUNCIL COMMITTEES:

Councilman Lane – For the Month of April the Ambulance Corps responded to 85 calls, 49 medical calls, 18 trauma calls and 4 site calls.

Councilman Mele – Councilman Mele thanked Administration and the Municipal Alliance for Senior Night at the high school play and dinner. Over 100 seniors attended, the students were wonderful and the play was excellent. Project Pride has purchased new containers for the town which should be placed out and about before Memorial Day. Lions Club and Project Pride will be planting on May 17th at 8am at Pocket Park, corner of Lafayette and Diamond Bridge Avenues.

Councilman Bennett – As a member of the Public Safety Committee, he would like to give credit to our Police Department, particularly those who are involved with our Junior Police Academy. Last Saturday they took the kids down to the firing range and let them fire the weapons and handle them. He stated in New Jersey it is kind of odd, you want to operate a motor vehicle you have to demonstrate knowledge and efficiency, however there is no such law that requires a level of proficiency and knowledge to buy a gun. What he saw Saturday impressed him. These Officers took their time with these kids, taught them respect for the weapons, how they should be handled properly, what not to do, how to fire them. He added it is a good possibility some of these youngsters will grow up and want to own a gun or take up shooting. They are staring out with a lot more knowledge then he did when he purchased his first

weapon. Councilman Bennett added, he give these Officers credit for taking the time in doing that, they taught the kids at a very young age respect for a weapon, they taught them this is not a toy, and he feels this is very valuable experience you have given these youngsters. Junior Police Academy graduation is tomorrow at 7:00pm at the Boy & Girls Club which he will be attending to show his support for this program.

Council Vice President Bertollo – To reiterate Councilman Bennett’s words in regards to The Junior Police Academy, Sergeant Knepper and Detective King do a great job. It is a partnership with the Municipal Alliance, the Boys & Girls Club and the Police Department. This year is one of the largest groups with 96 children participating. The nice thing about this program is you can participate as a 6th, 7th and 8th grader. While the pistol range is the highlight of the program, the real mark hits home when they visit the county jail. They cover a whole gamut of Police operations. It’s a great program. Also, for 5th graders going into 6th grade, there is the Leadership Camp which is another terrific program, there is already about 85 children signed up, they average about 140/150 which is about 90% of the incoming 6th graders. This is a great partnership with the BOE, Police Department, the Borough, National Army Guard, and a whole host of other organizations who participate.

Councilman Sinning – The Ordinance Committee met briefly yesterday and voted on the changes to the B3/B3A zoning ordinance.

Councilman Wojtecki – Called upon Paul Giardino, Chairman of the Shade Tree Commission to give the shade tree committee report. Mr. Giardino reported on Friday April 25th, was Arbor Day; the Commissioner did a great job coordinating with Jefferson School Principal & Students and the planting of a cherry tree. Unfortunately he was out of town and was not able to attending, however he heard it was a beautiful. The following day was Cel-Earth-Bration Day where they gave away a tree, which went very well also. We finished the planting of 90 trees in the Borough in March/April, they have received some calls of concern that some trees might be dead. He has been promised they are late blooming types that have not popped their leaves as yet, however, if they are dead they will be replaced. They are looking for locations to plant the remaining 75 trees, if anyone needs or would like a tree on a public right-away by their home, please forward your address to him.

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 Councilman Mele, seconded by Councilman Bennett. 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
CURRENT FUND			
1ST NEW HAMPSHIRE VOLUNTEERS	17100	300.00	PUBLIC EVENTS O/E
ACCLAIM INVENTORY LLC	17101	2,500.00	GENERAL ADMIN O/E
ACTION DATA SERVICES	17102	812.45	FINANCIAL ADMIN O/E
AGL WELDING SUPPLY CO, INC	17103	154.30	STREETS & ROADS O/E

AMERICAN TRAFFIC & STREET SIGN	17104	331.85	PUBLIC EVENTS O/E
AMERICAN WASTE & TEXTILE CO	17105	182.50	STREETS & ROADS O/E
ANJEC	17106	340.00	ENVIRONMENTAL COMMITTEE O/E
ANTHONY DE LALLO	17107	85.00	POLICE DEPT O/E
ASCAP	17108	218.15	GENERAL ADMIN O/E
BEST CLEANING SERVICES	17109	1,300.00	DPW ADMIN O/E
BOSWELL ENGINEERING, INC	17110	7,830.50	VARIOUS
CAROL CHAMBERLIN	17111	50.00	GROUP INSURANCE O/E
CHARLENE ELVIN	17112	805.25	VARIOUS
CINTAS FIRST AID AND SAFETY	17113	393.21	VARIOUS
COMMUNICATION SPECIALISTS	17114	1,675.04	VARIOUS
CONEXION PRINTING	17115	403.00	SWIMMING POOL O/E
COUNTY OF PASSAIC	17116	3,903,759.60	COUNTY TAX
COUNTY OF PASSAIC-OPEN SPACE T	17117	58,890.33	OPEN SPACE TAX
DELL GARDEN CENTER	17118	54.77	MUNICIPAL ALLIANCE
DONALD TURNER, SR	17119	100.00	GROUP INSURANCE O/E
DOWNES TREE SERVICE, INC.	17120	5,750.00	SHADE TREE COMMISSION
DTS SERVICES LLC	17121	12,250.00	STREETS & ROADS O/E
DUNKIN DONUTS/SHARON DONUT INC	17122	66.00	MUNICIPAL ALLIANCE
EXTEL COMMUNICATIONS, INC	17123	275.00	DPW ADMIN O/E
FIFTH AVENUE LANDSCAPING	17124	650.00	STREETS & ROADS O/E
FIREFIGHTER ONE LLC	17125	100.14	VEHICLE MAINT FIRE DEPT
FORT MILLER FAB3 CORP.	17126	78.02	STREETS & ROADS O/E
FREMGEN POWER EQUIPMENT INC	17127	18.00	SHADE TREE COMMISSION
FUSION DRUM & BUGLE CORP	17128	1,500.00	PUBLIC EVENTS O/E
GARDEN STATE HGWY PROD, INC	17129	96.70	STREETS & ROADS O/E
GOLD TYPE BUSINESS MACHINES, GRAINGER, INC	17130 17131	2,625.00 67.55	POLICE DEPT O/E LOCAL CODE ENFORCEMENT
GROENEWAL RAMSEY DOOR, LLC	17132	1,550.00	DPW ADMIN O/E
HAWTHORNE AUTO BODY, INC	17133	495.30	VEHICLE MAINT ROAD
HAWTHORNE AUTO LAB	17134	1,760.14	VARIOUS
HAWTHORNE CABALLEROS	17135	1,150.00	PUBLIC EVENTS O/E
HAWTHORNE CABALLEROS ALUMNI	17136	1,100.00	PUBLIC EVENTS O/E
HAWTHORNE FIRE DEPT	17137	54.25	FIRE DEPT O/E
HAWTHORNE HIGH SCHOOL BAND	17138	700.00	PUBLIC EVENTS O/E
HAWTHORNE MUNICIPAL COURT	17139	152.77	MUNI COURT
HAWTHORNE PRESS INC	17140	1,191.96	VARIOUS
HAWTHORNE ROLLER HOCKEY ASSN	17141	2,050.00	BOARD OF REC
HENRY'S PLUMBING & HEATING INC	17142	105.50	SEWER SYSTEM O/E
HESS CORPORATION	17143	9,146.30	VARIOUS
HOME DEPOT SUPPLY	17144	69.93	VARIOUS
HUDSON-ESSEX-PASSAIC COUNTY	17145	925.00	ENGINEERING SERVICES O/E
JERSEY CHEMICALS INC	17146	3,068.58	SWIMMING POOL O/E
JERSEY ELEVATOR INC	17147	154.26	DPW ADMIN O/E
JOHN DEERE LANDSCAPE	17148	1,397.46	MAINTEN OF PARKS

JOSH KABREL	17149	150.00	CHANGE FUND
LANGUAGE LINE SERVICES	17150	65.04	MUNI COURT
LIFESAVERS INC	17151	228.96	POLICE DEPT O/E
LORRAINE POWELL	17152	60.30	MUNICIPAL ALLIANCE
LOUISE SIANO	17153	50.00	GROUP INSURANCE O/E
M & B SEPTIC SERVICE, LLC	17154	238.00	VARIOUS
MARY JEANNE HEWITT	17155	99.09	VARIOUS
METLIFE	17156	305.68	GROUP INSURANCE O/E
MILITARY TRANSPORT ASSOC	17157	650.00	PUBLIC EVENTS O/E
MUNIDEX, INC	17158	4,428.80	VARIOUS
NEW TECH TECHNOLOGY SERVICES	17159	80.85	IT SERVICES
NICHOLAS TAFURI	17160	50.00	SHADE TREE COMMISSION
NJ MEADOWLANDS COMMISSION	17161	2,420.94	TRANSFER STATION
NO JERSEY MUNI EMPL BNFT FUND	17162	107,686.00	GROUP INSURANCE O/E
NY SKYLINERS DRUM	17163	2,500.00	PUBLIC EVENTS O/E
NY SUSQUEHANA & WESTERN RAILWA	17164	1,075.50	SEWER SYSTEM O/E
P & A AUTO PARTS, INC	17165	270.00	VARIOUS
PAETEC	17166	1,579.28	TELEPHONE CHARGES
PARAMUS CATHOLIC HS BAND	17167	300.00	PUBLIC EVENTS O/E
PASCACK DATA SERVICES	17168	3,320.00	IT SERVICES
PASSAIC CNTY PROS OFFICE	17169	500.00	POLICE DEPT O/E
PASSAIC COUNTY 200 CLUB	17170	250.00	FIRE DEPT O/E
PASSAIC COUNTY TECH ROTC	17171	200.00	PUBLIC EVENTS O/E
PASSAIC HS MARCHING BAND	17172	1,500.00	PUBLIC EVENTS O/E
PASSAIC HS NAVAL ROTC	17173	200.00	PUBLIC EVENTS O/E
PAT SCANLAN LANDSCAPING, INC	17174	20,430.00	SHADE TREE COMMISSION
PHYLLIS WOOLDRIDGE	17175	100.00	GROUP INSURANCE O/E
POSTMASTER-PATERSON	17176	220.00	DPW ADMIN O/E
REILLY RAIDERS DRUM &	17177	2,500.00	PUBLIC EVENTS O/E
RIDGEWOOD PRESS	17178	975.00	PUBLIC EVENTS O/E
RT OFFICE PRODUCTS	17179	388.92	VARIOUS
SCHWAAB INC	17180	73.50	GENERAL ADMIN O/E
SHOTMEYER BROS FUEL CO	17181	121.66	STREETS & ROADS O/E
SIR SPEEDY, INC	17182	553.05	MUNICIPAL ALLIANCE
SIRCHIE FINGERPRINT LABS	17183	154.77	POLICE DEPT O/E
STAPLES	17184	219.38	VARIOUS
STORR TRACTOR CO	17185	131.80	MAINTEN OF PARKS
TANIS HARDWARE	17186	481.59	VARIOUS
TREASURER, STATE OF NEW JERSEY	17187	50.00	REVENUE COLLECTION O/E
UPTOWN STRING BAND	17188	1,500.00	PUBLIC EVENTS O/E
US BANK EQUIPMENT FINANCE	17189	159.00	MUNICIPAL CLERK O/E
VERIZON	17190	1,563.47	VARIOUS
VERIZON WIRELESS (N)	17191	344.09	POLICE DEPT O/E
W.B. MASON CO INC	17192	88.66	VARIOUS
TOTAL CURRENT		\$ 4,186,997.14	

GENERAL CAPITAL

BOSWELL ENGINEERING, INC	3327	31,285.25	VARIOUS
L&P INTEGRATORS	3328	<u>650.00</u>	SANITARY SEWER MAIN IMPROV
TOTAL GENERAL CAPITAL		\$ 31,935.25	

WATER OPERATING

A-VAN ELECTRICAL	9676	16.05	WATER UTILITY O/E
ACTION DATA SERVICES	9677	203.11	WATER UTILITY O/E
AGRA ENVIRONMENTAL SVC	9678	2,332.50	LAB TESTING WATER
AQUARIUS IRRIGATION SUPPLY,INC	9679	19.36	WATER UTILITY O/E
BOB'S TIRES & WHEELS INC	9680	624.00	WATER UTILITY O/E
BOSWELL ENGINEERING, INC	9681	6,000.00	WATER UTILITY O/E
CINTAS FIRST AID AND SAFETY	9682	111.31	WATER UTILITY O/E
COMMUNICATION SPECIALISTS	9683	10.98	WATER UTILITY O/E
FOLEY POWER SYSTEMS INC	9684	997.53	WATER UTILITY O/E
HACH CO	9685	768.32	WATER UTILITY O/E
HAWTHORNE AUTO LAB	9686	914.24	VARIOUS
HENRY'S PLUMBING & HEATING INC	9687	67.01	VARIOUS
HESS CORPORATION	9688	30,252.61	WATER UTILITY O/E
HOME DEPOT SUPPLY	9689	146.74	WATER UTILITY O/E
L&P INTEGRATORS	9690	100.00	WATER UTILITY O/E
NO JERSEY MUNI EMPL BNFT FUND	9691	60,000.00	GROUP INSURANCE EMPLOYEES
RT OFFICE PRODUCTS	9692	22.45	WATER UTILITY O/E
STAPLES	9693	43.89	WATER UTILITY O/E
TANIS HARDWARE	9694	148.65	WATER UTILITY O/E
USA BLUE BOOK INC	9695	1,471.42	VARIOUS
VERIZON	9696	<u>576.03</u>	WATER UTILITY O/E
TOTAL WATER OPERATING		\$ 104,826.20	

WATER CAPITAL

L&P INTEGRATORS	1055	<u>2,000.00</u>	CAPITAL EQUIPMENT
TOTAL WATER CAPITAL		\$ 2,000.00	

OTHER TRUST II

ALERT GRAPHICS	4817	1,770.00	VARIOUS
AMERICAN HOSE CO INC	4818	249.65	RECYCLING
AMERIMARK, INC	4819	616.20	RECYCLING
ANTHONY FRANCO'S RISTORANTE	4820	95.98	RECYCLING
BOB'S TIRES & WHEELS INC	4821	596.00	UCC PENALTIES
CARL MOTTOLA	4822	80.30	UCC PENALTIES
CARPET CYCLE, LLC	4823	250.00	RECYCLING
COMMUNICATION SPECIALISTS	4824	14.64	RECYCLING
ENVIRONMENTAL RENEWAL, LLC	4825	200.00	RECYCLING
F D R HITCHES LLC	4826	32.93	RECYCLING

FULL CIRCLE TIRE RECYCLING	4827	79.00	RECYCLING
GILBEY'S EMBROIDERY CO	4828	2,762.50	RECYCLING
MARY JEANNE HEWITT	4829	29.74	VARIOUS
P & A AUTO PARTS, INC	4830	18.43	RECYCLING
PABCO INDUSTRIES	4831	512.00	RECYCLING
RIZZO'S REPTILE DISCOVERY LLC	4832	500.00	RECYCLING
SHOTMEYER BROS FUEL CO	4833	60.84	RECYCLING
TANIS HARDWARE	4834	23.77	RECYCLING
THOMAS ZACONIE	4835	<u>73.15</u>	UCC PENALTIES
TOTAL OTHER TRUST II		\$ 7,965.13	

BUILDERS ESCROW

BOSWELL ENGINEERING, INC	5206	905.00	300 LINCOLN AVE 120/13
BOSWELL ENGINEERING, INC	5207	7,013.75	HRYNCEWICH 287/7,8,9
BOSWELL ENGINEERING, INC	5208	4,796.50	233 CENTRAL AVE, LLC
BOSWELL ENGINEERING, INC	5209	905.00	NEXUS PLASTICS, INC
BURGIS ASSOCIATES, INC	5210	1,588.75	NEXUS PLASTICS, INC
BOSWELL ENGINEERING, INC	5211	1,583.75	BE A BETTER YOU 202/21
BOSWELL ENGINEERING, INC	5212	181.00	JOSEPH MEI 148/3
BOSWELL ENGINEERING, INC	5213	2,081.50	CHRISTIAN HEALTH CARE
BURGIS ASSOCIATES, INC	5214	<u>471.25</u>	CHRISTIAN HEALTH CARE
TOTAL BUILDERS ESCROW		\$ 19,526.50	

OTHER TRUST I ESCROW

ANTHONY J. CALI	7054	<u>2,804.42</u>	RES BE CLOSEOUT
TOTAL OTHER TRUST I ESCROW		\$ 2,804.42	

TOTAL BILL LIST **\$ 4,356,054.64**

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.

Victor Terraglia – 50 Ridge Road

Mr. Terraglia inquired how much money have we spent on repairs to the Library roof and why can't it be fixed once and for all. Dr. Boswell explained it has been done on a spot basis to try to keep it as inexpensive as possible and now it's time some major areas specifically the shingle roof and the standing seam metal roof, be replaced. He recommended replacing the shingle roof two years ago but there was a lack of funds, so it was just caulked. Dr. Boswell stated we can certainly fix it, however there are limited resources in any Municipality and Hawthorne is no exception. Hawthorne will get to it when they can afford it. Mr. Terraglia asked why we can't bond this project. Council President Matthews stated the reason we do not bond it is because we like to do as much in budget as we can so we do not have the out of budget expenses coming down in the future. The \$30,000 is something that we are going to try to incorporate into our budget so this is not hanging over our heads in the future. He added, there are six

different roof surfaces on the library roof, not just one flat area. You have different materials, different slopes, internal & external drainage. Mr. Terraglia asked again how much money had we spent so far and what is the cost to replace the entire roof. He feels the public should know that maybe we need to bond this instead of putting band-aids on it yearly. Council President Matthews stated we are not putting band-aids on it; we are replacing sections at a time. Dr. Boswell stated 2 out of the 6 sections have been replaced permanently and there are no issues with those. Secondly, Mr. Terraglia asked what is going on with the manhole cover which he has been hearing for far too long. Councilman Wojtecki remarked that manhole cover was put in place the year the new Lafayette Hills sewer systems were added. Council President Matthews stated we have fixed it; there was representative from the borough who went to the resident's house and did not hear the noise the resident heard. We are trying one more last ditch effort to rectify the problem. Mr. Terraglia spoke of the Pan-Chemical factory and stated to the best of his knowledge, they are no ordinances requiring a property owner to shield the property with a tarp over the fence. He is aware the Mayor is giving them a month's trial without the tarp, however, the month is almost over and that tarp is not going to be put back up because whenever there is a wind storm it comes down. Council Vice President Bertollo stated there was an agreement made many years ago with Mr. Cook to block the eye sore of that building. There are ordinances about painting the building and that building is in need of painting and a lot more work down there. The screening hides a multitude of infractions and he agreed with us at that time and that is why the screen (tarp) needs to be there. The screen would not come down if was strapped to the fence correctly and this has nothing to do with an ordinance. Mr. Terraglia stated there is an ordinance regarding property maintenance and it has to be enforced across the town not just to a single property owner. If there are property maintenance violations they are being addressed, there are no violations there. Attorney Pasquale stated that is not true, first of all this building should have come down and we have in an effort to work with the property owner not to compel him to knock down the building, but instead allowed them to shield the building while they attempted trying mediation of the ground water and sale of the property. It was a benefit to this owner that we allowed this to happen instead of making him knock it down and now to come forward and to say there are no ordinances where we can force an ordinance to take the building down. Attorney Pasquale stated the screen has to go back up. Councilman Lane stated there was a negotiation settlement between both parties that were agreed to; which was part of the screening. Moving on, Mr. Terraglia stated he hears a lot of complaints about trucks parked overnight and feels it is not the end of the world if a truck is parking overnight. Councilman Wojtecki stated they leave there engines running over night that causes noise and it's against the law. A discussed ensued. Mr. Terraglia brought up the Nissan cars issue. Council President Matthews stated he is violating our zoning laws, end of story. Lastly, Mr. Terraglia questioned outside storage. Council President Matthews replied that we do not allow it. Mr. Terraglia questioned why "Giant Tires" has tires stored outside. Mayor Goldberg stated they are considered pre-existing. Attorney Pasquale interjected that we have on many occasions went to Giant Tires and told them the situation is out of control and asked them to pull it back to which they have been cooperative.

Cindy Frank, 74 6th Avenue

Ms. Frank thanked Councilman Lane for his work he has been doing in Ward 4 on Utter Avenue with the noise and the trucks. She stated she had to call the police for three trucks parked in a row; she appreciates the work the Council is trying to do there to get that taken care of. She stated there was talk about making parking on one side only of Utter Avenue. She stated maybe there should be a traffic study to see if trucks should not be allowed to make a left onto Fifth Ave. Councilman Lane stated he and the Mayor had a meeting with a number of property owners about the parking on 5th Avenue. The Police came up with different criteria, which will be enforced shortly. Council President Matthews stated we are working on it and will continue to follow up.

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

ADJOURNMENT

At 8:51 p.m. Council President Matthews entertained a motion to adjourn the regular meeting, moved by Council Vice President Bertollo, seconded by Councilman Bennett. On roll call, all voted yes.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE ON **WEDNESDAY, MAY 21st, 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