

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:05 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..... | John N. Bertollo |
| Council Vice President | Frank E. Matthews |
| Councilman | Bruce Bennett |
| Councilman..... | John Lane |
| Councilman | Dominic Mele |
| Councilman | Garret Sinning |
| Councilman..... | Joseph Wojtecki |
| Borough Administrator | Eric Maurer |
| Borough Attorney..... | Michael J. Pasquale |
| Director of Revenue and Finance..... | Mary Jeanne Hewitt |
| Borough Engineer | Stephen T. Boswell |
| Borough Clerk..... | Lori DiBella |

FLAG SALUTE

Council President Bertollo 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 18, 2014.

APPROVAL OF MINUTES

Council President Bertollo entertained a motion to approve the Minutes of the Regular Meeting of February 4th, 2015, moved by Councilman Wojtecki, seconded by Councilman Sinning. On roll call, all voted yes.

PUBLIC COMMENT (Agenda Items Only)

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

ADOPTION OF ORDINANCES: None.

OLD BUSINESS:

Councilman Wojtecki asked Administrator Maurer if he had an answer regarding a summons given to a resident on Westervelt Avenue. Administrator Maurer stated he had a lengthy conversation with the resident; she is still not happy with the summons however he feels she appreciated the discussion. Regarding the comments she claims were made by the Patrolman, she did not have the name officer and was supposed get back to him.

Councilman Lane asked Administrator Maurer as public property when the repairs of the garage doors at the Ambulance Corps building are to be completed. Councilman Wojtecki objected to Councilman Lane asking that question. Attorney Pasquale stated to Councilman Lane you are a member of the Ambulance Corps therefore you should not be speaking on their behalf, the question should be asked by another Councilman. Council President Bertollo asked the question. Administrator Maurer stated he was not aware that it was not repaired and will follow up. Councilman Lane continued, he still has not received the quotes for the cameras. Administrator Maurer handed him two quotes and is still waiting for the third one. Councilman Lane asked Dr. Boswell if he had a conversation with the County regarding the light box on Warburton Avenue. Dr. Boswell stated he met with the contractor, they found there is a slope behind the box which can be a hazard; therefore instead of rotating the box they devised a piano hinge that will go on the door, which will give them full access to the cabinet. Lastly, Councilman Lane asked if there is any update on the meeting with PSE&G regarding road opening permits and the potholes

on Goffle Road. Administrator Maurer stated he and Public Works Director Scully met with PSE&G's Regional Manager and the person from PSE&G who handles the road opening permits to go over our road opening permits process/procedures. Apparently they have been following procedures for their scheduled work however they have not been doing it regularly for their emergencies. We are going to go back and get the permits retroactive, everything else going forward they will keep up with. Council Vice President Matthews asked what the process is for Hawthorne road emergencies. Administrator Maurer stated for emergencies according to the ordinance they are supposed to call the Police Department when they go out and then file the permit on the next business day, our point of contact now knows this is the procedure to follow. Council President Bertollo asked who will be responsible for handling this process. Administrator Maurer stated it will go through the DPW administrator's office.

NEW BUSINESS:

Councilman Wojtecki stated there has been a stop sign in an orange bucket between Utter & Lafayette Avenue's for about 2 weeks. Administrator Maurer will follow up.

Councilman Sinning stated there was a stop sign down on Goffle Road near Route 208. Council President Bertollo stated that was reported to the NJDOT.

Councilman Lane asked the administrator why we have the town putting brine down on county roads and Route 208? Administrator Maurer stated he was not aware they were putting it down on Route 208; however we have done some county roads or portions of, for the public's safety since the cost is minimal. Council President Bertollo added they discussed this in the DPW meeting and decided since the cost to make a mixture of brine is less than \$600 and we have emergency vehicles using these roads let's just do it. Administrator Maurer added he wants to work with the County to put an Interlocal Agreement in place. Councilman Lane continued; the County Road Program indicates the repaving for Rea Avenue from Lafayette Ave to Goffle Road and does that mean they are going to repave and mill over the bridge repair they did this past summer? Administrator Maurer stated he is guessing probably not. Councilman Lane stated that is a concern of his since it is not paved properly and asked Administrator Maurer to look into this with the County. Administrator Maurer responded stating he did refer that to the County; however we can't govern them and the way they do their paving. Council President Bertollo suggested we invite a DPW County representative to a Borough DPW committee meeting to hash out some of these issues.

Councilman Mele commented in his opinion he feels the brine system is working as the roads are down to the pavement.

ADMINISTRATIVE AGENDA PRESENTED BY MAYOR GOLDBERG:

~ Passaic County's 2015 "My County Poster Contest" ~

Every year the County Clerk has a poster contest where they invite 4th graders throughout Passaic County to submit entries. This year we were very fortunate that we had three winners out of the 12 months and one was a 1st place winner. We have four honorable mention winners as well. Mayor Goldberg invited Richard Spirito, Jr., Superintendent of Schools, Alex Clavijo, School Board President and Council President Bertollo to join him as the present the students with certificates:

Amanda Skinner, Jefferson School, January and the 1st Place Winner

Makayla Perez, Roosevelt School, May

William Yi, Hawthorne Christian Academy, June

Honorable Mention:

Joshua Dalgetty, Hawthorne Christian Academy

Ivana Terranova, Jefferson School

Bryan Gonzalez, Roosevelt School

Yazmin Martinez, Washington School

Mayor Goldberg continued, he is looking forward to reading to the students for reading week. He thanked the DPW, Police Department, Fire Department, and Ambulance Corps during the last couple of weeks the weather has been really bad, it's been cold and they have been out doing their job as if it was sunny and 80 degrees. They have been out at night so when we get up in the morning the roads are drivable and our residents are safe. Hawthorne is blessed with great volunteers, great professionals and he is grateful to all of them and it makes him proud to be the Mayor.

REPORTS:

Director of Revenue & Finance Mary Jeanne Hewitt

Ms. Hewitt stated to address something that was mentioned before; there is an open purchase order for the ambulance corps garage door that has not been paid. The invoice that is on tonight's bill list is for an

overhead motor. The tax quarter ended and we brought in \$11,560,000. Our delinquent number including prior year delinquencies are \$1,824,000 and delinquent notices have been sent out.

Attorney Michael Pasquale

InSpa does remain closed for business. There was an indication from the attorney representing InSpa they were going to court last Friday to try to get an injunction to allow the business to reopen. No Judge has taken up the case at this point; the matter is still in the appellate division. We filed our papers today in opposition to any relief they are seeking. Don Turner Code Enforcer, John Pallotta Borough Official and the Police Department will continue to monitor. One approval of a tax appeal settlement is on the agenda this evening. Tim Henderson and he continue to whittle down the numbers. County Tax Board will be coming in shortly; because our tax base is stable at this point our numbers will continue to diminish on the number of appeals. At the next meeting you should have a liquor license transfer. February 26th is the Lions Club Pasta Dinner all proceeds go to scholarships for Hawthorne Students.

Engineer Dr. Stephen T. Boswell

1. Washington Avenue (2014 NJDOT).
Certified payrolls were delivered directly to the Administrator from the contractor. The contractor will address the punch list items in the spring.
2. 2014 Road Resurfacing Program and Mohawk Avenue.
Final payment has not yet been paid. The contractor will address the Peach Tree Court ponding during warmer weather.
3. Rock/Braen/Goffle Intersection.
Designs to add a northbound left turn lane for Goffle Road are being developed.
4. Band Shell.
The Borough is determining if there is enough money available for the project.
5. Library Roof.
Once the weather conditions improve, the contractor is expected to begin the roof replacement. A pre-construction meeting will be scheduled closer to the time when the work is expected to begin.
6. Streetscape Project.
Plans and specs were re-submitted per the DOT's comments the first week of February. We anticipated hearing back from the DOT later this week. Our project advisor at the DOT indicated the probable timeline for final federal authorization will be sometime around the end of March/beginning of April. The approval process for the Categorical Exclusion Document (CED) typically takes between 1 to 3 months.
7. 2013 Road Improvement Assessments.
The Borough's Assessment Committee has to review our quantities and conduct site inspections in the spring.
8. Central Avenue Drainage Study.
Our Report has been submitted to the Administrator.
9. Preliminary I/I Study.
The proposal has been revised accordingly and submitted to the Borough. The Borough is not expected to authorize this work until after the 2015 Budget has been adopted.
10. Warburton Bridge.
The utility pole has not been relocated by PSE&G and the electrical meter box has not been addressed.
11. Wagaraw Road Pump Station.
The Borough plans to provide a purchase order to Colonnelli this week for this work.
12. 2015 Road Resurfacing Program.
Plans are being prepared and are expected to be ready to bid before the end of March.

Administrator Maurer

The R45 and R46 are two resolutions for the CDBD-DR flood property buy-out program which need pass for administration to proceed. The funding is in place and we are looking to do our first purchase within the next month. The antenna lease tenants on the Longview Tank completed their build-outs and have begun transmitting. There have been issues with signals interfering upon those using microwave.

There will be a conference call next week with all parties to try to mediate in their effects to find a solution.

Questions for the Administration

Councilman Mele asked Dr. Boswell whether the new lane on Goffle Road is going to cost us money? Dr. Boswell stated “no” it’s a county project.

Councilman Sinning asked Administrator Maurer if this has been a problem before on the Longview Tank? Administrator Maurer stated “no”, the issue here is with microwaves, basically there are three new tenants that are aiming from the same location here to the same location 7 miles away in Mahwah.

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

INTRODUCTION OF ORDINANCES:

ORDINANCE NO. 2131-15

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

BE IT RESOLVED, that Ordinance No. 2131-15 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 March 18, 2015, 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 Bertollo entertained a motion to approve Ordinance No. 2131-15 moved by Council Vice President Matthews, seconded by Councilman Mele. On roll call, all voted yes.

ORDINANCE NO. 2132-15

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF HAWTHORNE TO REVISE AND REPLACE CHAPTER 220, FEES, SECTION 3, PUBLIC WORKS, PARKS AND RECREATION, SO AS TO AMEND RATES FOR SUMMER RECREATION PROGRAM

BE IT RESOLVED, that Ordinance No. 2132-15 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 March 18, 2015, 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 Bertollo entertained a motion to approve Ordinance No. 2132-15 moved by Councilman Bennett, seconded by Councilman Lane. On roll call, all voted yes.

RESOLUTIONS...

CONSENT AGENDA: MR 60-15; R 38-15 through R 48-15:

MR 60-15 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:

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.

1. 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.

2. The parking space will be located on the East side of No. 15th Street, beginning 2 feet south of the South driveway edge of 54 No. 15th Street. The marked parking stall shall extend 22 feet south, thus being located directly in front of 54 No. 15th Street. A handicap parking sign shall be installed along the East curb line 13 feet south of the South driveway edge of 54 No. 15th Street. The property, 54 No. 15th Street, is identified as Block 61 Lot 7 on the Borough Tax Map.

3. 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 38-15 Introduced by Councilman Mele

Borough of Hawthorne payroll dated February 6, 2015.

| | | |
|--------------------------------------|----------|----------------------|
| CURRENT FUND | WT888889 | \$265,318.55 |
| WATER OPERATING FUND | WT888889 | \$ 40,842.37 |
| OTHER TRUST II FUND | WT888889 | \$ 16,194.44 |
| GENERAL CAPITAL FUND | WT888889 | \$ - |
| TOTAL PAYROLL | | <u>\$ 322,355.36</u> |
| CURRENT FUND TO PAYROLL/FICA | WT888889 | \$ 14,298.05 |
| WATER OPERATING FUND TO PAYROLL/FICA | WT888889 | \$ - |
| TOTAL FICA | | <u>\$ 14,298.05</u> |

R 39-15 Introduced by Councilman Mele

WHEREAS: Tax Sale Certificate #2012-01 was sold on October 23, 2012 in the amount of \$4,180.92 on Block 2 Lot 15 then assessed to Est. Daniel Oliver & Oliver, Ellen 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 Jan. 23, 2015 in the amount of \$34,643.11, said lienholder is entitled to a refund including the amount of the lien \$4,180.92, penalty of \$83.62, search/ recording fee of \$55.00, legal fees of \$1,415.00, subsequent taxes of \$22,914.40 and interest of \$5,994.17 for a total of \$34,643.11 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 \$34,643.11 to reimburse the lienholder for the lien, penalty, fees, subsequent taxes and interest and a check from the Other Trust I account for \$7,800.00 for Premium paid.

R 40-15 Introduced by Councilman Mele

WHEREAS: Tax Sale Certificate #2013-02 was sold on October 17, 2013 in the amount of \$1,968.65 on Block 4 Lot 7 then assessed to Brain, Thomas & Janice said lien was originally purchased by US Bank-Cust for Pro Capital III, LLC TLSG 50 S 16th St. Ste 1950, Philadelphia, PA 19102, and

WHEREAS: said lien was redeemed on January 20, 2015 in the amount of \$19,320.07, said lienholder is entitled to a refund including the amount of the lien \$1,968.65, penalty of \$39.37, search and recording fee of \$55.00, subsequent taxes \$14,842.72 and interest of \$2,414.33 for a total of \$19,320.07 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 US Bank-Cust for Pro Capital III, LLC in the amount of \$19,320.07 to reimburse the lienholder for the lien, penalty, subsequent taxes and interest and a check from the Other Trust I account for \$20,000.00 for Premium paid.

R 41-15 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 \$2,860,519.00 from the Current Fund and charged to School Taxes Payable for February 2015.

R 42-15 Introduced by Councilman Mele

WHEREAS, the Borough of Hawthorne has a need to purchase Fire Fighter PPE Ensembles; and

WHEREAS, Fire Fighter One has been awarded a State Contract #A80946 for the purchase of the Fire Fighter PPE Ensembles; and

WHEREAS, the administration recommends the utilization of this contract, and the amount to be encumbered for this purpose is \$32,985.00.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited state contract purchase for this purpose subject to the certification of availability of funds from the Chief Financial Officer. This is to ratify the action taken on December 17, 2014.

R 43-15 Introduced by Councilman Mele

WHEREAS, the Borough of Hawthorne has a need to purchase Scott 804722-01 45-Minute Carbon Cylinder Assemblies; and

WHEREAS, AAA Emergency Supply Co., Inc. has been awarded State Contract #A80964 for the purchase of the Scott Carbon Cylinder Assemblies; and

WHEREAS, the administration recommends the utilization of this contract, and the amount to be encumbered for this purpose is \$135,630.00, with a trade-in credit in the amount of <\$7,875.00> for a total of \$127,755.00.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited state contract purchase for this purpose subject to the certification of availability of funds from the Chief Financial Officer. This is to ratify the action taken on December 17, 2014.

R 44-15 Introduced by Councilman Mele

RESOLUTION AUTHORIZING APPLICATIONS TO THE COUNTY OF PASSAIC FOR THE COUNTY'S 2015 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 as an eligible project the repaving of Vincent Street; and

WHEREAS, it is in the best interest of the Borough of Hawthorne to apply for grant funds for this project;

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 Vincent Street Repaving and, if awarded funds, the Borough shall implement activities in accordance with all applicable federal, state and local laws and regulations.

R 45-15 Introduced by Councilman Mele

RESOLUTION AUTHORIZING ESTABLISHMENT OF A RE-SETTLEMENT INCENTIVE FOR PROPERTY OWNER/OCCUPANTS WHO AGREE TO SELL THEIR PROPERTIES UNDER THE BOROUGH OF HAWTHORNE'S COMMUNITY DEVELOPMENT BLOCK GRANT – DISASTER RECOVERY GRANT PROGRAM FOR THE ACQUISITION AND DEMOLITION OF FLOODPRONE RESIDENTIAL PROPERTIES

WHEREAS, Borough of Hawthorne received a grant of federal Community Development Block Grant –

Disaster Recovery (CDBG-DR) funds through the New Jersey Department of Community Affairs and the County of Passaic to be used for the purpose of acquiring and demolishing flood-prone residential property near the Passaic River; and

WHEREAS, the appraised values of the properties are not high enough to allow offers sufficient for certain property owners to agree to sell their properties that are targeted for acquisition; and

WHEREAS, the program allows establishment of a Resettlement Incentive, applicable equally to all owner-occupants, who agree to sell their properties; and

WHEREAS, the Borough Administrator recommends establishment of a Resettlement Incentive of \$25,000.00 per property for this purpose as sufficient to allow the project to be completed as planned; and

WHEREAS, to establish a Resettlement Incentive for the CDBG-DR project, the Mayor must submit a Letter of Intent to the County of Passaic; and

WHEREAS, the Borough's CDBG-DR grant has a sufficient budget to pay Resettlement Incentives while completing the objective of acquiring and demolishing the three target properties.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne that the establishment of Resettlement Incentive for the CDBG-DR project is authorized in the amount of \$25,000.00 per property for owner-occupants who agree to participate in the program.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to submit to the County of Passaic a Letter of Intent to establish this incentive.

R 46-15 Introduced by Councilman Mele

RESOLUTION AUTHORIZING EXECUTION AND RECORDING OF DEED OF EASEMENT WITH RESTRICTIVE COVENANTS FOR THE PRESERVATION OF OPEN SPACE UPON ACQUISITION OF FLOOD PRONE PROPERTIES IN ACCORDANCE WITH COMMUNITY BLOCK GRANT DISASTER RECOVERY PROGRAM

WHEREAS, the Borough of Hawthorne has received funds by way of grant through the federal Community Block Grant – Disaster Recovery program (CDBG-DR) for the acquisition of certain identified flood prone properties along the Passaic River; and

WHEREAS, as a condition of receipt of such funds, the Borough is required to execute and record deeds of easement with restrictive covenants as to each such property, preserving the same for open space;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Clerk be and hereby are authorized to execute and record the aforesaid deeds of easement with restrictive covenant in accordance with the terms and conditions of the CDBG-DR program and the requirements of any other federal or state agency providing funding for the acquisition of such lands.

R 47-15 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 for the properties listed below 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, in accordance with the memo submitted herewith and made a part hereof.

| <u>Property Owner</u> | <u>Property Address</u> | <u>Block and Lot</u> |
|-----------------------|-------------------------|----------------------|
| SBG Realty | 290 Lafayette Avenue | 104, 19 |

R 48-15 Introduced by Councilman Mele

RESOLUTION AUTHORIZING PAYMENT OF PURCHASE PRICE FOR FLOOD PRONE PROPERTY, BLOCK 18, LOT 1, 3-11 PASSAIC AVENUE

WHEREAS, the Borough of Hawthorne has received funds by way of grant through the federal Community Block Grant – Disaster Recovery program (CDBG-DR) for the acquisition of certain identified flood prone properties along the Passaic River; and

WHEREAS, the Borough of Hawthorne, based upon appraisal conducted in accordance with the protocols established by the CDBG-DR program, has entered into an agreement with the owner of Block 18, Lot 1, known as 3-11 Passaic Avenue, to purchase an identified flood prone property at a total price of \$181,673.65; and

WHEREAS, the property is subject to a mortgage which needs to be satisfied from such sale price, the precise sum to be calculated at such time as a closing of title takes place, payment of any other liens or encumbrances that may arise that are the responsibility of the seller, and payment of any realty transfer tax, if applicable, the same to be deducted from sums due the seller; and

WHEREAS, the balance of any sales proceeds are to be distributed to the seller; and

WHEREAS, the Borough Attorney, Michael J. Pasquale, will be representing the Borough of Hawthorne in the purchase of said property and act as settlement agent in terms of pay-off of the existing mortgage, payment of any other liens that may arise that are the responsibility of the seller, payment of any realty transfer tax and payment of sale proceeds, with all expenses of the Borough to be paid directly to all vendors by way of separate vouchers;

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer is authorized to issue payment to Michael J. Pasquale, Esq., Attorney Trust Account, to act as settlement agent regarding the above referenced transaction, in the sum of \$181,673.65, with proof as to all disbursements to be provided to the Treasurer upon completion of said transaction and all performed in accordance with the terms and conditions of the CDBG-DR program and the requirements of any other federal or state agency providing funding for the acquisition of such lands.

Council President Bertollo entertained a motion to approve consent agenda resolutions MR60-15 and R38-15 through R48-15 moved by Councilman Mele, seconded by Council Vice President Matthews. On roll call, all voted yes, with the exception of Councilman Lane and Councilman Wojtecki who abstained from R42-15 and R43-15.

OFF-CONSENT AGENDA: R 49-15:

R 49-15 Introduced by Councilman Matthews

WHEREAS, an emergency has arisen with respect to the amounts allocated in the 2015 Temporary Operating Budget and/or the 2015 Temporary Water Operating Budget other expenses due to the permanent budget not yet being adopted, and the 2015 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 2015 pursuant to the provision of N.J.S.A. 40A:4-20 including this resolution total \$598,300.00.

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 | 16,000.00 |
| Mayor/Council | |
| Salaries & Wages | 500.00 |
| Municipal Clerk | |
| Salaries & Wages | 3,500.00 |
| Financial Administration | |
| Salaries & Wages | 4,900.00 |
| Revenue Collection | |
| Salaries & Wages | 2,300.00 |
| Tax Assessment | |
| Salaries & Wages | 1,600.00 |
| Planning Board | |
| Salaries & Wages | 700.00 |
| Construction Code | |
| Salaries & Wages | 1,700.00 |

| | |
|------------------------|------------|
| Code Enforcement | |
| Salaries & Wages | 2,400.00 |
| Uniformed Police | |
| Salaries & Wages | 155,000.00 |
| PEOSHA | |
| Salaries & Wages | 600.00 |
| Police Dispatchers | |
| Salaries & Wages | 1,400.00 |
| Fire Safety | |
| Salaries & Wages | 2,100.00 |
| Prosecutor | |
| Salaries & Wages | 1,100.00 |
| Streets & Roads | |
| Salaries & Wages | 70,000.00 |
| Sewer System | |
| Salaries & Wages | 5,000.00 |
| DPW Admin | |
| Salaries & Wages | 6,200.00 |
| Board of Health | |
| Salaries & Wages | 3,900.00 |
| Swimming Pool | |
| Salaries & Wages | 4,000.00 |
| Library | |
| Salaries & Wages | 13,800.00 |
| Municipal Court | |
| Salaries & Wages | 800.00 |
| Public Defender | |
| Salaries & Wages | 300.00 |
| Administration | |
| Postage | 2,000.00 |
| Fire Department | |
| Other Expenses | 15,000.00 |
| Streets & Roads | |
| Other Expenses | 25,000.00 |
| DPW Administration | |
| Other Expenses | 30,000.00 |
| Vehicle Maintenance | |
| Police | 3,000.00 |
| Streets | 20,000.00 |
| Board of Health | |
| Other Expenses | 20,000.00 |
| Swimming Pool | |
| Other Expenses | 25,000.00 |
| Board of Recreation | |
| Other Expenses | 5,000.00 |
| DCRP | 2,500.00 |
| WATER OPERATING | |
| Salaries & Wages | 48,000.00 |
| Lab Testing | 5,000.00 |
| Group Insurance | 50,000.00 |
| Social Security | 15,000.00 |

Council President Bertollo entertained a motion to approve off-consent agenda resolution R49-15 moved by Council Vice President Matthews, seconded by Councilman Lane. On roll call, all voted yes.

REPORTS OF SPECIAL COUNCIL COMMITTEES:

Councilman Sinning – The Library Board met last Wednesday, there is a new electric sign outside which was provided through the help of “The Friends of the Library”. We purchased a stand-alone computer just for that purpose and we are training 3 to 4 employees to operate the computer and sign. Anyone interested in putting a message on the sign may call the library, once approved, they will add to the messaging. We are also looking into doing this remotely in case of an emergency closing.

Council Vice President Matthews – For the Finance Committee members, we will be scheduling Monday meetings for the next (3) Mondays, February 23rd, March 2nd and March 9th. We are looking to introduce our budget on March 18th. On February 23rd we will meet with the Fire Department and the Board of Recreation, March 2nd with the DPW and March 9th the Library and any miscellaneous departments.

Councilman Bennett– The Public Works Committee met last night, most of the discussion revolved around our snow removal efforts. To date their expenses for the snow removal program is \$161,119. The budget they have requested is \$296,505. Last year we spent a total of \$226,000 which as you all remember was a harsh winter. We started out with a fully loaded salt dome of 600 tons and we are down to approximately 100 tons and more is on order. Regarding the brine system it is a learning experience, it going to be awhile before we fully have it mastered. One of things they learned is when it is cold out (less than 20 degrees) you can't put it down, it will freeze on the roads, you can't put it down when it starts to rain, it will wash away. It's going to take some time, by next winter we will have it down. Delivery on our new truck is expected to come in about 3 weeks. The ordinances for the 2015 Road Program should be ready by March 4th for adoption. The Central Avenue problem Dr. Boswell touched upon, comes down to the problem we have seen before - the piping is too small to handle the flow. There are two approaches we can take to fix it. One being replacing the entire length of the pipe for about a ½ million dollars or we can replace the smallest section of the pipe which should help alleviate some of the problem at a cost about \$25,000. The County Road Program for 2015 - the County is proposing paving the westbound lane of Diamond Bridge Ave from Lincoln to RR, Rea Ave from Lafayette Avenue to Goffle Road & Goffle Road northbound lane from Goffle Hill to Warburton Ave. The Hawthorne pool - the hair and lint strainer needs to be replaced at a cost of approximately \$7,000-\$8,000. Finally a word of caution to all our residents, you know how cold it has been out there recently, our water department has been dealing with a number of calls of cracked/broken water meters that are frozen, therefore try to keep the temperature in the area of your water meter up.

Councilman Lane – The Rabies Clinic will be held on May 12th at the Ambulance Corps building. The Board of Health in conjunction with the Chamber of Commerce is sponsoring a Health Fair at the Library on March 22nd from 11am-2pm. Medical professionals from the borough will be there. On March 29th from 11-4pm at the Ambulance Corps building, the fundraiser “Fight for Autism” with blue hair strands takes place. Mayor Goldberg added that dog licenses were due at the end of January, if you have not renewed as yet you will have to pay a late fee of \$15.00.

CORRESPONDENCE: None.

MISCELLANEOUS: None.

BILLS:

Council President Bertollo entertained a motion to approve the bill list, and forward them to the Treasurer for payment, moved by Councilman Mele, seconded by Councilman Sinning. Council Vice President Matthews questioned what the bill was for in regards to the Ambulance Corps bill that was brought up earlier. CFO Hewitt explained as per the purchase order it was for an overhead motor. On roll call, all voted yes, with the exception of Councilman Lane and Councilman Wojtecki who abstained from bills pertaining to the Fire Department and Council President Bertollo who abstained from bills pertaining to Downes Tree Service.

| VENDOR | CHECK# | TOTAL | DESCRIPTION |
|-------------------------------|--------|----------|----------------------|
| CURRENT FUND | | | |
| A-VAN ELECTRICAL | 18527 | 261.57 | DPW ADMIN O/E |
| AAA EMERGENCY SUPPLY CO INC | 18528 | 4,193.26 | FIRE DEPT O/E |
| ACTION DATA SERVICES | 18529 | 849.71 | FINANCIAL ADMIN O/E |
| AGL WELDING SUPPLY CO, INC | 18530 | 116.33 | SEWER SYSTEM O/E |
| AMERICAN HOSE CO INC | 18531 | 525.32 | VEHICLE MAINT ROAD |
| BCB JANITORIAL SUPPLY CO INC | 18532 | 277.90 | DPW ADMIN O/E |
| BEACHSTONE SEPTIC | 18533 | 800.00 | SEWER SYSTEM O/E |
| BERGEN/PASSAIC REGISTRAR ASSN | 18534 | 20.00 | BOARD OF HEALTH |
| BOB'S TIRES & WHEELS INC | 18535 | 2,280.00 | VEHICLE MAINT POLICE |
| BRAEN STONE INDUSTRIES, INC | 18536 | 110.25 | STREETS & ROADS |
| CABLEVISION | 18537 | 507.44 | SWIMMING POOL |
| CAMPBELL - ERS | 18538 | 1,445.00 | SEWER SYSTEM O/E |
| CAMPBELL FIRE EQUIPMENT | 18539 | 1,372.74 | FIRE DEPT O/E |
| CHIEF FIRE EQUIP CO | 18540 | 489.00 | POLICE DEPT O/E |

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|--------------------------------|-------|----------------------|-------------------------|
| CHRYSLER JEEP DODGE OF PARAMUS | 18541 | 964.87 | VEHICLE MAINT ROAD |
| CMRS-FP | 18542 | 4,000.00 | GENERAL ADMINISTRATION |
| COUNTY OF PASSAIC | 18543 | 32,835.18 | COUNTY TAXES PAYABLE |
| COUNTY OF PASSAIC-OPEN SPACE T | 18544 | 484.80 | OPEN SPACE PAYABLE |
| DAVE STERN INC | 18545 | 708.00 | VEHICLE MAINT ROAD |
| DIESEL TRUCK SERVICE, INC | 18546 | 1,546.00 | VEHICLE MAINT ROAD |
| DOWNES TREE SERVICE, INC. | 18547 | 220.00 | VEHICLE MAINT ROAD |
| DRAGER SAFETY DIAGNOSTICS, IN | 18548 | 236.50 | DDEF GRANT |
| ETHICS LAW CONSULTING SERVICES | 18549 | 950.00 | PEOSHA |
| FDR HITCHES LLC | 18550 | 115.47 | VEHICLE MAINT ROAD |
| FED EX | 18551 | 30.16 | DPW ADMIN O/E |
| FUTURE SANITATION INC | 18552 | 39,375.00 | GARBAGE & TRASH |
| GALLS, INC | 18553 | 690.00 | POLICE DEPT O/E |
| GROENEWAL RAMSEY DOOR, LLC | 18554 | 1,595.00 | DPW ADMIN O/E |
| HARRIS UNIFORMS | 18555 | 2,122.45 | POLICE DEPT O/E |
| HAWTHORNE FIRE DEPT | 18556 | 825.00 | FIRE DEPT O/E |
| HAWTHORNE PRESS INC | 18557 | 279.24 | MUNICIPAL CLERK |
| HFD #1 | 18558 | 83.58 | FIRE DEPT O/E |
| LIFESAVERS INC | 18559 | 1,979.64 | POLICE DEPT O/E |
| LORI DIBELLA | 18560 | 279.97 | GROUP INSURANCE |
| MICHAEL KAUFMANN | 18561 | 50.00 | FINANCIAL ADMIN O/E |
| NFPA | 18562 | 1,395.00 | UNIFORM FIRE SAFETY |
| NIXLE LLC | 18563 | 3,000.00 | EMERGENCY MGT |
| NJ STATE LEAGUE MUNICIPALITIES | 18564 | 165.00 | REVENUE COLLECTION O/E |
| NJ TRANSIT | 18565 | 802.00 | SEWER SYSTEM O/E |
| NO JERSEY MUNI EMPL BNFT FUND | 18566 | 205,412.00 | GROUP INSURANCE |
| P & A AUTO PARTS, INC | 18567 | 605.30 | VEHICLE MAINT ROAD |
| PUBLIC SERV ELEC & GAS | 18568 | 26,083.85 | ELECTRIC & GAS |
| REED SYSTEMS INC | 18569 | 833.46 | STREETS & ROADS |
| ROBERT POLITO LANDSCAPING | 18570 | 1,650.00 | STREETS & ROADS |
| RONNIE GONZALEZ | 18571 | 360.00 | GROUP INSURANCE |
| RUTGERS - CENTER FOR GOV'T SER | 18572 | 638.00 | MUNICIPAL CLERK |
| STANDARD SPRINGS, INC | 18573 | 385.00 | VEHICLE MAINT ROAD |
| STATE LINE FIRE & SAFETY INC | 18574 | 166.60 | FIRE DEPT O/E |
| SUNOCO SUNTRAK | 18575 | 5,678.80 | BULK PURCHASE GASOLINE |
| SUPER SEER CORP | 18576 | 377.80 | POLICE DEPT O/E |
| TREASURER, STATE OF NEW JERSEY | 18577 | 50.00 | MUNICIPAL CLERK |
| TRIMBOLI & PRUSINOWSKI LLC | 18578 | 105.00 | LEGAL SERVICES |
| TURNOUT UNIFORMS | 18579 | 458.90 | UNIFORM FIRE SAFETY |
| V.E. RALPH & SON, INC | 18580 | 1,921.40 | POLICE DEPT O/E |
| VALLEY PHYSICIAN SVCS INC | 18581 | 280.00 | FIRE DEPT O/E |
| VERIZON | 18582 | 405.61 | TELEPHONE CHARGES |
| VERIZON WIRELESS (N) | 18583 | 1,187.80 | POLICE DEPT O/E |
| VITAL COMMUNICATIONS, INC. | 18584 | 510.00 | TAX ASSESSOR O/E |
| WASTE MANAGEMENT OF NJ | 18585 | 33,785.83 | TRANSFER STATION |
| WEIGHTS & MEASURES FUND | 18586 | <u>50.00</u> | BOARD OF HEALTH |
| TOTAL CURRENT | | \$ 388,926.73 | |
| GENERAL CAPITAL | | | |
| COMMUNICATION SPECIALISTS | 3385 | 7,300.00 | SAFETY COMMUNICATIONS |
| HAWTHORNE PRESS INC | 3386 | <u>42.90</u> | 2013 SIDEWALKS & APRONS |
| TOTAL GENERAL CAPITAL | | \$ 7,342.90 | |
| WATER OPERATING | | | |
| ACTION DATA SERVICES | 10017 | 315.71 | WATER UTILITY |
| AGL WELDING SUPPLY CO, INC | 10018 | 58.17 | WATER UTILITY |
| AGRA ENVIRONMENTAL SVC | 10019 | 3,912.50 | LAB TESTING |
| BOB'S TIRES & WHEELS INC | 10020 | 322.00 | WATER UTILITY |
| CABLEVISION | 10021 | 93.02 | WATER UTILITY |
| CMRS-FP | 10022 | 4,000.00 | WATER UTILITY |
| ESC ENTERPRISES, INC | 10023 | 1,575.00 | WATER UTILITY |
| L&P INTEGRATORS | 10024 | 355.00 | WATER UTILITY |

| | | | |
|-------------------------------|-------|---------------------|---------------|
| P & A AUTO PARTS, INC | 10025 | 35.58 | WATER UTILITY |
| POST & KELLY ELECTRIC CO, INC | 10026 | 975.00 | WATER UTILITY |
| PUBLIC SERV ELEC & GAS | 10027 | 10,609.64 | WATER UTILITY |
| SUNOCO SUNTRAK | 10028 | 599.87 | WATER UTILITY |
| VERIZON WIRELESS (N) | 10029 | <u>244.08</u> | WATER UTILITY |
| TOTAL WATER OPERATING | | \$ 23,095.57 | |

OTHER TRUST II

| | | | |
|--------------------------------|------|---------------------|---------------|
| STATE OF NJ - DEPT OF LABOR | 4978 | 1,804.83 | TRUSTEE |
| MARK TOMAT | 4979 | 3,200.00 | RELOCATION |
| AQUARIUS IRRIGATION SUPPLY,INC | 4980 | 23.83 | RECYCLING |
| BELMAR SPRING WATER COMPANY | 4981 | 22.17 | RECYCLING |
| CAMBRIA AUTOMOTIVE CO INC | 4982 | 503.44 | RECYCLING |
| CARL MOTTOLA | 4983 | 58.30 | UCC PENALTIES |
| DIESEL TRUCK SERVICE, INC | 4984 | 120.00 | RECYCLING |
| ED PEPE | 4985 | 85.00 | UCC PENALTIES |
| GILBEY'S EMBROIDERY CO | 4986 | 565.00 | RECYCLING |
| STONEFIELD INVEST FUND II, LLC | 4987 | 34,643.11 | TRUSTEE |
| TANIS HARDWARE | 4988 | 432.00 | RECYCLING |
| THOMAS ZACONIE | 4989 | 61.05 | UCC PENALTIES |
| US BANK-CUST PRO CAPITAL III | 4990 | 19,320.07 | TRUSTEE |
| VERIZON WIRELESS (N) | 4991 | 81.36 | UCC PENALTIES |
| VITAL COMMUNICATIONS, INC. | 4992 | <u>75.00</u> | UCC PENALTIES |
| TOTAL OTHER TRUST II | | \$ 60,995.16 | |

DOG DEDICATED

| | | | |
|----------------------------|------|--------------------|---------------------|
| NJ DEPARTMENT OF HEALTH | 6123 | <u>1,215.00</u> | STATE OF NEW JERSEY |
| TOTAL DOG DEDICATED | | \$ 1,215.00 | |

OTHER TRUST I ESCROW

| | | | |
|-----------------------------------|------|---------------------|-------------------|
| STONEFIELD INVEST FUND II, LLC | 7062 | 7,800.00 | TAX SALE PREMIUMS |
| US BANK-CUST PRO CAPITAL III | 7063 | <u>20,000.00</u> | TAX SALE PREMIUMS |
| TOTAL OTHER TRUST I ESCROW | | \$ 27,800.00 | |

TOTAL BILL LIST **\$ 509,375.36**

PUBLIC COMMENT

Council President Bertollo 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.

Elaine Tolomeo, 243 Ninth Avenue

Regarding the change of the speed limit on Rock Road, what did we have to do with the county to change that? Attorney Pasquale stated Rock Road is not a county road, however even if it was we have to ability to set speed limits. Administrator Maurer added the County does after sign off on it however they usually do with-in reason and they defer to our recommendation.

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

ADJOURNMENT

At 8:01 p.m. Council President Bertollo entertained a motion to adjourn the regular meeting, moved by Councilman Mele, seconded by Councilman Sinning. On roll call, all voted yes.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE
WEDNESDAY, MARCH 4TH, 2015 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.

John N. Bertollo, Council President

Lori DiBella, RMC, Borough Clerk