

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:20 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
Borough Engineer.....	Mike Kelly
Borough Clerk.....	Lori DiBella
<u>ABSENT:</u>	
Director of Revenue and Finance.....	Mary Jeanne Hewitt

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 18th, 2015, moved by Councilman Mele, seconded by Councilman Wojtecki. 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 Councilman Bennett, seconded by Councilman Wojtecki. On roll call, all voted yes.

ADOPTION OF ORDINANCES:

BOND ORDINANCE NO. 2129-15

BOND ORDINANCE PROVIDING FOR ROAD RECONSTRUCTION, INCLUDING MILLING, PAVING AND RESURFACING, AS WELL AS CURBING, HANDICAPPED RAMPS AND RELATED IMPROVEMENTS ON VARIOUS STREETS AND PROPERTIES DESCRIBED HEREIN OR HEREAFTER IDENTIFIED, ALL IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING SEVEN HUNDRED FORTY THOUSAND (\$740,000) DOLLARS THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME.

Public Hearing

Council President Bertollo opened the meeting to the public. He stated if anyone desires to be heard regarding Bond Ordinance No. 2129-15 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 Bertollo entertained a motion that the public hearing on Bond Ordinance No. 2129-15 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted, published in the Hawthorne Press and available on the borough website. Copies of said ordinance were made available to the general public. Now, therefore,

be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same according to law. Moved by Councilman Bennett, seconded by Councilman Sinning, on roll call, all voted yes.

BOND ORDINANCE NO. 2130-15

BOND ORDINANCE PROVIDING FOR RECONSTRUCTION OR REPLACEMENT OF SIDEWALKS AND DRIVEWAY APRONS ON IDENTIFIED SITES ON VARIOUS STREETS AS DESCRIBED SPECIFICALLY HEREIN, IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING ONE HUNDRED AND NINETY THOUSAND (\$190,000) DOLLARS THEREFOR, AUTHORIZING THE ISSUANCE OF BONDS OR NOTES FOR FINANCING PART OF THE COST THEREOF AND DIRECTING SPECIAL ASSESSMENT OF THE COST THEREOF.

Public Hearing

Council President Bertollo opened the meeting to the public. He stated if anyone desires to be heard regarding Bond Ordinance No. 2130-15 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 Bertollo entertained a motion that the public hearing on Bond Ordinance No. 2130-15 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted, published in the Hawthorne Press and available on the borough website. 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 Matthews, seconded by Councilman Lane, on roll call, all voted yes.

Liquor License Transfer

Municipal Clerk, Lori DiBella gave a brief overview of the liquor license transfer procedure/process. She stated the Borough Attorney and ABC are satisfied with all documents/information received necessary for the transfer. Applicant is also aware the Board of Health and Building Department will need to conduct their inspections before they can open. Both seller and new owners are here tonight to answer any questions.

PUBLIC HEARING:

Liquor License Transfer

Person-to-Person transfer of Plenary Retail Consumption License No. 1604-32-011-015 from 142 Goffle Road LLC to Silk City Restaurant Group LLC dba Artisan Kitchen & Bar

Council President Bertollo opened the meeting to the public. He stated if anyone desires to be heard, please raise your hand to be recognized, come forward to the microphone, and sign the sheet giving your name and address for the record.

Arthur Wozniak– Owner of Artisan Kitchen & Bar

He thanked the Mayor, Council and Borough Clerk. We are happy to be here and excited to be doing business in Hawthorne. My partner Howard & I have been passionate about opening a restaurant for some time. Howard has been a chef in Las Vegas for the last 20 years and has opened a number of restaurants. Mr. Wozniak stated his background is in business as well as food & retail. We are looking to have a soft opening later this month.

Councilman Wojtecki

Councilman inquired about his other restaurant. Mr. Wozniak stated we have an organic juice bar. Councilman asked if they have any relationship to the restaurant Silk City in Paterson. Mr. Wozniak replied, no, none.

Council President Bertollo entertained a motion to close the public portion of the meeting. Moved by Councilman Bennett, seconded by Council Vice President Matthews, on roll call, all voted yes.

OLD BUSINESS:

Council Vice President Matthews asked Administrator Maurer if we followed up with the snow removal at the pumping building on Goffle Hill Road across from Jefferson School. Administrator Maurer stated he passed it onto the DPW to get done.

NEW BUSINESS: None.

ADMINISTRATIVE AGENDA PRESENTED BY MAYOR GOLDBERG:

With the pending retirement of Captain Carbone, he interviewed (4) Lieutenants to select a candidate for promotion to Captain. All (4) interviewed very strongly, each one of them would make an excellent choice for the Captain position. The ordinance requires consultation with the Chief, which he has done as well as with the two current Captains. While he is not planning to make the promotion for Captain until the meeting of June 3rd he wanted to give the successful candidate a chance to have a transition time with Captain Carbone to learn the duties and responsibilities of the office. With that, he announced Jim Garrison to position of Captain who will be sworn in at the June 3rd council meeting. Mayor Goldberg added he won't begin the process of interviewing the Lieutenant or Sergeant candidates until the middle of April. Just a reminder on April 1st we will be swearing in a new Police Officer assuming the candidate graduates from the Police Academy on March 18th. This officer will replace the retiring Captain Carbone. This continues to be a tough winter and we are very proud of our DPW, director Bob Scully, Superintendent Ronny Gonzalez and the entire crew for a great job they have been doing. He is pleased in the brine system that we invested in because it made our roads safer. He had a meeting with both Passaic and Bergen County Sheriffs, they both pledge to more cooperation with Hawthorne. We discussed the possibility of the (3) departments speeding enforcement detail on Route 208. With the merger of the Bergen County Police and Sheriff's Departments, more cars will be on Route 208 and available to us in case we need back-up or help clearing accidents. This should free up our guys a little more so we can concentrate on patrolling the borough. There was an attempted robbery yesterday at Chase Bank, the robber fled without any money and no one at the bank was injured. Early this morning there was an arrest made. Kudos to our Police Department for a job well done.

REPORTS:

Attorney Michael Pasquale

Attorney Pasquale stated he had a discussion with the freeholder Ronda Controna who is also the Chair of the DPW Committee and she would be happy to come here along with Steve Edmonds and the County DPW Director to meet with our DPW Committee. He will coordinate a meeting date. The InSpa hearing is scheduled for tomorrow at 2:30 before Judge Capossela; it's the return date of an order to show cause. The owner of the business filed an order to show cause to try to reopen. Attorney Pasquale filed an opposition, he got his brief in on Monday, which the board received a copy. Owner and attorney of 55 Westervelt were sent a letter regarding the affordable housing. The owner, Mr. Gorga called Attorney Pasquale and explained he had a deal fall through and is expected to closed on another in the next two weeks, therefore we expect to start his process of getting all of his affordable housing in place by weeks end. He attended an assessment commissioners hearing last week along with the Borough Clerk, Commissioners Cathy Ettore, Mark Joustra, and Charles Solimine, who all did a very nice job. Approximately 5-6 residents showed up to ask questions. Overall it was a good process.

Boswell Engineering Rep Mike Kelly

1. Washington Avenue (2014 NJDOT).
Punch list items to be addressed in the spring.
2. 2014 Road Resurfacing Program and Mohawk Avenue.
Punch list items to be addressed in the spring.
3. Rock/Braen/Goffle Intersection.
Designs to add a northbound left turn lane for Goffle Road are being developed.
4. Water System Improvements.
The Borough is looking for sources of funding.
5. Band Shell.
The Borough is determining if there is enough money available for the project.
6. Library Roof.
The start date was postponed due to weather.
7. Streetscape Project.
We are addressing the DOT's current review comments. The permission slips and letters to be signed by the Property Owners for participation in work outside of the public ROW have been submitted to the Borough, who will coordinate receiving the signatures and returning the forms to us for submission to the DOT. At that time, we will submit all of the other required documentation.
8. 2013 Road Improvement Assessments.
The Assessment Committee completed their inspections. Questions raised at the February 25th Assessment Hearing are being investigated and will be resolved this week.

9. Preliminary I/I Study.

Authorization will occur after the budget is adopted.

10. Wagaraw Road Pump Station.

A work schedule has been requested from Colonnelli.

11. 2015 Road Resurfacing Program.

Plans are being prepared.

Administrator Maurer

Administrator Maurer stated he is finishing up the CDBG application to the County for the Vincent Street repaving and will submit that application before the March 9th deadline. No further word on the final approval on our generator grant for us to go ahead and advertise for bids. The problem with our antenna tenants on the Longview Tank has been rectified; all three with microwave connections between the Longview Tank and Mahwah are now able to get a clear signal. RFP's are advertised for vehicle maintenance, grass cutting & animal control services, the bid openings are scheduled for March 11th. We expect to award these on March 18th. CFO, Ms. Hewitt and he have been working with the Finance Committee and department heads on the 2015 budget, which we expect to introduce to the Council on March 18th.

Questions for the Administration

Councilman Lane asked Mike Kelly if there has there been any discussion with the County regarding Goffle Road to finalize what has to be done so when the weather breaks construction can start. Mr. Kelly stated yes there has been meetings, however, he will report back as to whether construction will be ready to begin first thing in the spring. Councilman Lane asked Administrator Maurer whether our radio communications repeaters are up and running. Administrator Maurer stated he knows there was a problem with one, and will follow up to see if that has been rectified.

Councilman Wojtecki commented with the enforcement issues regarding parking, has the administration considered the possibility of including special ones or two's to the force for the purpose of issuing tickets. Mayor Goldberg responded we have talked about special two's, however they are limited as to the amount of time they can work. It is something we have to revisit with the PBA because a lot of time they hire specials as an attempt not to hire another police officer. We looked into making auxiliary police the specials; the cost of sending them to school and to outfit them was so prohibited that was something we could not afford to do. Another option we explored was to give our property maintenance people authorization to write parking tickets.

Attorney Pasquale added the reason he hesitates to allow people who are not trained to start issuing summonses because the Police do have specialize training when or when not to act. To reiterate what Council President Bertollo stated before, it's all in education and getting messages out to the public. Issuing summonses alone will not solve the problem.

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

INTRODUCTION OF ORDINANCES: None.

RESOLUTIONS...

CONSENT AGENDA: MR 61-15; R 50-15 through R 59-15:

MR 61-15 Introduced by Councilman Bennett

BE IT RESOLVED by the Mayor and Council of the Borough of Hawthorne, in the County of Passaic and State of New Jersey, that:

1. The words and phrases used herein shall have the same meaning respectively ascribed to them in Subtitle 1 of Title 39 of the Revised Statutes of New Jersey.
2. Pursuant to the Authority granted under N.J.S.A. 39:4-197.6, the following location is hereby designated as a restricted parking space for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles. No other person shall be permitted to park in this space.

3. The parking space will be located along the East curb line of North 15th Street, beginning 63 feet north of the Northerly prolongation of Westervelt Avenue. The marked parking stall shall extend 22 feet north, ending 85 feet north of the Northerly prolongation of Westervelt Avenue. A handicap parking sign shall be installed along the East curb line 74 feet north of the Northerly prolongation of Westervelt Avenue.
4. The property, 175 Westervelt Avenue, is identified as Block 61, Lot 1, on the Borough Tax Map.
5. 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 50-15 Introduced by Councilman Bennett

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated February 20, 2015.

CURRENT FUND	WT 888889	\$	296,656.08
WATER OPERATING FUND	WT 888889	\$	40,671.83
OTHER TRUST II FUND	WT 888889	\$	10,735.55
GENERAL CAPITAL FUND	WT 888889	\$	-
TOTAL PAYROLL		\$	<u>348,063.46</u>
CURRENT FUND TO PAYROLL/FICA	WT 888889	\$	16,264.26
WATER OPERATING FUND TO PAYROLL/FICA	WT 888889	\$	-
TOTAL FICA		\$	<u>16,264.26</u>

R 51-15 Introduced by Councilman Bennett

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

<u>Block/Lot</u>	<u>Original Assessment</u>	<u>Judgment</u>	<u>Difference</u>	<u>Overpayment</u>
2013				
49/21	\$700,000.	\$675,000.	\$25,000	\$1,321.00
Brown Equities LLC c/o Michael Schneck, Esq. 226 Goffle Road				
2014				
49/21	\$700,000.	\$675,000.	\$25,000	\$1,343.50
Brown Equities LLC c/o Michael Schneck, Esq. 226 Goffle Road				
2012				
160/32	\$405,800.	\$375,000.	\$30,800.	\$1,594.52
540 Lafayette Ave. LLC 540 Lafayette Ave.				
2013				
160/32	\$405,800.	\$325,000.	\$80,800.	\$4,269.47
540 Lafayette Ave. LLC 540 Lafayette Ave.				
2014				
160/32	\$405,800.	\$325,000.	\$80,800.	\$4,342.19
540 Lafayette Ave. LLC 540 Lafayette Ave.				
2013				
266/29	\$235,000.	\$225,000.	\$10,000.	\$ 528.40
Soteriou, Alexandra 36 Sunrise Drive				
2014				
266/29	\$235,000.	\$225,000.	\$10,000.	\$ 537.40
Soteriou, Alexandra 36 Sunrise Drive				
2008				
281/21	\$586,500.	\$566,500.	\$20,000.	\$ 897.40
John Englehardt c/o Daniel Keough, Esq. 102 Braen Ave.				
2009				
281/21	\$586,500.	\$566,500.	\$20,000.	\$ 935.20
John Englehardt c/o Daniel Keough, Esq. 102 Braen Ave.				
2010				
281/21	\$586,500.	\$546,500.	\$40,000.	\$1,950.40

John Englehardt c/o Daniel Keough, Esq. 102 Braen Ave

2010

281/33	\$1,214,700.	\$975,000.	\$239,700.	\$11,687.77
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1100 Goffle Associates c/o Blau & Blau, Esq. 1098 Goffle Road

2011

281/33	\$1,214,700.	\$950,000.	\$264,700.	\$13,497.05
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1100 Goffle Associates c/o Blau & Blau, Esq. 1098 Goffle Road

TOTAL: \$42,904.30

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be authorized to issue a refund for the overpayment of taxes for 2008-2014 in accordance with the state judgment.

R 52-15 Introduced by Councilman Bennett

WHEREAS: Tax Sale Certificate #2012-11 was sold on October 23, 2012 in the amount of \$3,748.26 on Block 219 Lot 5 then assessed to Estate of Thomas Tkacz and said lien was originally purchased by Stonefield Investment Fund II, LLC 21 Robert Pitt Dr. #202, Monsey, NY 10952, and

WHEREAS: said lien was redeemed on Feb. 17, 2015 in the amount of \$30,385.62 said lienholder is entitled to a refund including the amount of the lien \$3,748.26, penalty of \$74.97, search and recording fee of \$55.00, legal fees of \$1,257.00, subsequent taxes of \$19,752.84 and interest of \$5,497.55 for a total of \$30,385.62 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 \$30,385.62 to reimburse the lienholder for the lien, penalty, fees, subsequent taxes and interest and a check from the Other Trust I account for \$8,100.00 for Premium paid.

R 53-15 Introduced by Councilman Bennett

WHEREAS, Tax Sale Certificate #2011-02 was sold on October 25, 2011 in the amount of \$6,144.27 on Block 21 Lot 22 then assessed to G G Investments LLC and said lien was originally purchased by Robert Rothman 411 Grand Ave., Englewood, NJ 07631, and

WHEREAS, said lien was redeemed on Feb. 23, 2015 in the amount of \$63,582.47, said lienholder is entitled to a refund including the amount of the lien \$6,144.27, penalty of \$245.77, search and recording fee of \$55.00, subsequent taxes of \$43,662.93 and interest of \$13,474.50 for a total of \$63,582.47 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 Robert Rothman in the amount of \$63,582.47 to reimburse the lienholder for the lien, penalty, fees, subsequent taxes and interest and a check from the Other Trust I account for \$12,600.00 for Premium paid.

R 54-15 Introduced by Councilman Bennett

WHEREAS, the annual semi-annual interest payment for the General Serial Bonds 2008 became due and payable on March 2, 2015.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized, to wire funds in the amount of \$56,306.25 in payment of interest from the Current Fund, made payable to Depository Trust Company. This is to ratify the actions taken on March 2, 2015.

R 55-15 Introduced by Councilman Bennett

WHEREAS, The Council has heretofore adopted Ordinance 2063-12, providing for the reconstruction of sidewalks and driveway aprons, in addition to other work, on a portion of various roads in the Borough as part of its 2012 Road Improvement Program, which Ordinance provided for the Assessment of the costs of said improvements on property specially benefitted thereby in accordance with the provisions of N.J.S.A. 40:56-21 et seq.; and

WHEREAS, upon completion of said project the Borough Engineer certified the cost of the same to the Board of Assessment Commissioners, who held hearings, on notice to all affected property owners, and thereafter reported to the Council; and,

WHEREAS, the Council held a public hearing on said assessments on October 1, 2014, on notice to all affected property owners, and heard and considered the statements of all persons desiring to be heard thereon; and,

WHEREAS, the Council determined that no adjustments, corrections and modifications should be made in the recommended assessments reported by the Assessments Commissioners, it being noted that several modifications to the recommendations were made prior to the time of hearing; and

WHEREAS, on November 5, 2014, the Council adopted Resolution 190-14 affirming a total assessment of \$142,275.24 and notice was served upon all affected homeowners; and

WHEREAS, it was subsequently discovered that the total sum assessed was incorrectly calculated and overstated in said resolution due to inclusion of sidewalk replacement where the same was the result of a change in road elevation and not due to the condition of the sidewalk that was replaced; and

WHEREAS, the Borough Attorney has advised that as the error was an administrative oversight and did not increase the assessment of any property owner but instead would correct a mistake in the original assessment, the same could be addressed through the adoption of a corrective resolution;

NOW THEREFORE, BE IT RESOLVED, that the Schedule of Assessments, as amended, revised and filed with the Borough Clerk, and attached to this Resolution, shall be and hereby is approved, fixing and allocating the total assessments of \$135,477.13; and, the Borough Clerk shall give notice to each affected property owner of this corrected determination, and of the amount of assessment applicable to the respective property of each owner; and

BE IT FURTHER RESOLVED, that a copy of the Revised Schedule of Assessments be delivered to the Tax Collector for billing and collection of the assessments, as provided by law; and, each assessment shall be repaid in the manner provided in the Ordinance, at an interest rate of 2.16%, through the issuance of bond anticipation notes and fixed by the Chief Financial Officer, payable over a term of five (5) years, subject to the penalty rate for delinquent payments in the same manner as delinquent payments of taxes and other municipal charges; and

BE IT FURTHER RESOLVED, the cost of the project which exceeds the amount of the assessments herein confirmed, shall be paid out of the General Treasury.

R 56-15 Introduced by Councilman Bennett

WHEREAS, Local Improvement Assessments were confirmed on November 17, 2014 for the construction of sidewalks and driveway aprons as part of the 2012 Road Program under Ordinance Number 2063-12, and the amount of the assessments and payments for the same were referred to the Collector for billing from the Borough Engineers, and

WHEREAS, the identified premises were assessed incorrectly for installation of sidewalks and driveway aprons and the Borough Engineers have recommended the cancellation of all or part of the Special Assessments for the Blocks and Lots listed below:

<u>Ordinance#</u>	<u>Block</u>	<u>Lot</u>	<u>Work Performed</u>	<u>Amount</u>
2063-12	108	12	Sidewalks and Aprons	\$ 768.80
2063-12	126	2	Sidewalks and Aprons	\$ 225.00
2063-12	126	3	Sidewalks and Aprons	\$ 65.00
2063-12	126	4	Sidewalks and Aprons	\$ 361.80
2063-12	126	5	Sidewalks and Aprons	\$ 745.00
2063-12	126	7	Sidewalks and Aprons	\$ 430.00
2063-12	126	8.01	Sidewalks and Aprons	\$ 310.00
2063-12	126	8.02	Sidewalks and Aprons	\$ 280.00
2063-12	127	5	Sidewalks and Aprons	\$ 330.00
2063-12	127	8	Sidewalks and Aprons	\$ 290.00
2063-12	127	10	Sidewalks and Aprons	\$ 190.00
2063-12	129	9	Sidewalks and Aprons	\$ 525.00
2063-12	129	10	Sidewalks and Aprons	\$ 448.50
2063-12	129	11	Sidewalks and Aprons	\$ 659.20

NOW, THEREFORE, BE IT RESOLVED, that the collector shall be and is hereby authorized to enter a credit for the above listed block and lot.

R 57-15 Introduced by Councilman Bennett

WHEREAS, Local Improvement Assessments were confirmed on November 17, 2014 for the construction of sidewalks and driveway aprons as part of the 2012 Road Program under Ordinance Number 2063-12, and the amount of the assessments and payments for the same were referred to the Collector for billing from the Borough Engineers, and

WHEREAS: On the recommendation of the Borough Engineers, some amounts assessed in error were cancelled resulting in over payments for the Blocks and Lots listed below:

<u>Ordinance#</u>	<u>Block</u>	<u>Lot</u>	<u>Work Performed</u>	<u>Amount</u>
2063-12	108	12	Sidewalks and Aprons	\$ 768.80
2063-12	126	4	Sidewalks and Aprons	\$ 361.80
2063-12	126	5	Sidewalks and Aprons	\$ 745.00
2063-12	126	7	Sidewalks and Aprons	\$ 430.00
2063-12	126	8.01	Sidewalks and Aprons	\$ 310.00
2063-12	126	8.02	Sidewalks and Aprons	\$ 280.00
2063-12	127	5	Sidewalks and Aprons	\$ 330.00
2063-12	127	8	Sidewalks and Aprons	\$ 290.00
2063-12	129	9	Sidewalks and Aprons	\$ 525.00
2063-12	129	10	Sidewalks and Aprons	\$ 448.50

NOW, THEREFORE, BE IT RESOLVED: By the Municipal Council of the Borough of Hawthorne that the Tax Collector be authorized to issue a refund to the afore mentioned property owners from the Assessment Trust Account.

BE IT ALSO RESOLVED, that the following properties on which only the first instalment was made have the excess amount paid applied to the open 2015 installment:

2063-12	126	3	Sidewalks and Aprons	\$ 13.00
2063-12	127	10	Sidewalks and Aprons	\$ 38.00
2063-12	129	11	Sidewalks and Aprons	\$ 131.20

R 58-15 Introduced by Councilman Bennett

LIQUOR LICENSE TRANSFER

WHEREAS, application has been made by Silk City Restaurant Group, LLC, for a person to person transfer to it of plenary retail consumption liquor license 1604-32-011-15; and

WHEREAS, the owner of the license, 142 Goffle Road, LLC, has consented to the said transfer; and

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

WHEREAS, the Hawthorne Police Department has conducted a background check and has determined there to be no impediment to the transfer of said liquor license to the applicant; and

WHEREAS, the applicant caused to be published and served notice of a hearing wherein the said transfer 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 transfer of the said liquor license on March 4, 2015, taking testimony at such time from a duly appointed representative of the applicant; and

WHEREAS, the Municipal Council finds, based upon the testimony presented, documentation received, opinion of the Municipal Clerk and Borough Attorney and findings of the Hawthorne Police Department, that it may approve the transfer of the aforesaid liquor license;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that it does hereby approve the person to person transfer of plenary retail consumption license number 1604-32-011-15 from 142 Goffle Road, LLC to Silk City Restaurant Group, LLC, subject to compliance with all rules and regulations established by the State of New Jersey and Borough of Hawthorne pertaining to such license and all other approvals required so as to operate the business at the premises.

R 59-15 Introduced by Councilman Bennett

WHEREAS, 116 Washington Avenue, LLC, previously deposited with the Borough of Hawthorne a Maintenance Guarantee, the same consisting of a cash deposit and not a maintenance bond, all in accordance with the Municipal Land Use Law; and

WHEREAS, the developer has now requested release of that maintenance guarantee including specifically the cash deposit made with the Borough in total sum of \$18,750; and

WHEREAS, the Municipal Engineer and Building Official have reviewed the request and have determined that the same may be released as the project is complete and a time period for which a bond may be required has passed;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Maintenance Guarantee posted by the developer, 116 Washington Avenue, LLC, be released and the Treasurer is authorized to refund any cash deposit held by the Borough in accordance with this resolution.

Council President Bertollo entertained a motion to approve consent agenda resolutions MR61-15 and R50-15 through R59-15 moved by Councilman Bennett, seconded by Councilman Mele. Discussion – Councilman Wojtecki asked Attorney Pasquale to highlight the revised R55-15 resolution. Attorney Pasquale explained there were a number of properties located on Forest Avenue that were improperly assessed. The dollar value as to the total assessment was reduced. Administrator Maurer added the reason for the change was due to an earlier cancellation that wasn't reflected in the revised number. With this latest cancellation we now have the correct number, \$135,477.13 net after the earliest cancellation plus this one. On roll call, all voted yes.

REPORTS OF SPECIAL COUNCIL COMMITTEES:

Council Vice President Matthews – Finance Committee met Monday, we have another meeting next Monday. We are still on target for introducing the budget on the 18th of March. Council President Bertollo added if before introduction any Councilman is welcome to meet with them one-on-one and go through any of the particulars in the budget. Councilman Lane asked when they will get the finalized copies of the budget. Council President Bertollo responded that we have one more scheduled department hearing on Monday, so shortly after that. Administrator Maurer added the actual official budget document won't be ready, however we can give you the tabulation sheet which shows where we are with taxes and the individual department lines.

Councilman Bennett – The next scheduled meeting for Public Works Committee will be Monday, March 16th at which point we will get an update on how we are doing with our snow budget and salt allocations.

Councilman Mele – The Municipal Alliance met last week, they are co-sponsoring the Health Fair with other organizations in town on March 21st from 11-2pm at the library. The high school play dress rehearsal is on April 22nd and is open to all seniors.

Councilman Lane – The Chamber of Commerce in conjunction with the Board of Health are the sponsors of the Health Fair on March 21st at the library.

Council President Bertollo – At the DPW meeting we should have the final plans and financials on the DPW garage, the oil water separator and fire suppression.

Councilman Wojtecki – Asked if anyone had the opportunity to attend the new hours of the Shade Commission meeting? Mayor Goldberg responded that someone from Public Works does attend and he talked with Paul Giardino, Chairman of Shade Tree, yesterday about the number of trees he wanted for his budget request and he reported things are going much better than they were. Councilman Wojtecki commented on the lopping of the trees in front of the pool; two out of the five are in their final stages, therefore we need to ask someone from DPW or Administration to make that final determination to take them down before they fall down.

CORRESPONDENCE:

C-1 Firefighter resignations, Joseph Magnifico, Co. 1, and Javier Vasquez, Co. 2.

Council President Bertollo entertained a motion to approve the resignations of Joseph Magnifico, Co. 1, and Javier Vasquez, Co. 2 moved by Councilman Mele, seconded by Councilman Sinning. On roll call, all voted yes, with the exception of Councilman Lane and Councilman Wojtecki who abstained.

MISCELLANEOUS: None.

BILLS:

Council President Bertollo entertained a motion to approve the bill list, and forward them to the Treasurer for payment with the addition of the Sunoco gas bill, moved by Councilman Mele, seconded by Councilman Sinning. On roll call, all voted yes, with the exception of Councilman Wojtecki who abstained from bills pertaining to the Fire Department, Councilman Lane who abstained from bills pertaining to the Fire Department and the Ambulance Corps and and Council President Bertollo who abstained from bills pertaining to Downes Tree Service.

VENDOR	CHECK#	TOTAL	DESCRIPTION
CURRENT FUND			
FIFTH AVENUE LANDSCAPING	18587	600.00	STREETS & ROADS O/E
ROBERT POLITO LANDSCAPING	18588	1,050.00	VARIOUS
1100 GOFFLE ASSOCIATES	18589	25,184.82	VARIOUS
540 LAFAYETTE AVE LLC	18590	10,206.18	VARIOUS
ACORN TERMITE & PEST CONTROL	18591	100.00	DPW ADMIN O/E
ACTION DATA SERVICES	18592	2,246.00	VARIOUS
ACTION RUBBER & INDUST SUP INC	18593	251.22	STREETS & ROADS O/E
AGL WELDING SUPPLY CO, INC	18594	249.92	STREETS & ROADS O/E
ALEXANDRA SOTERIOU	18595	1,065.80	VARIOUS
AMERICAN AIRFLOW LLC	18596	129.00	DPW ADMIN O/E
AMERICAN HOSE CO INC	18597	4,090.51	VARIOUS
AQUARIUS IRRIGATION SUPPLY,INC	18598	665.88	VARIOUS
ATLANTIC SALT INC	18599	6,949.80	STREETS & ROADS O/E
BCB JANITORIAL SUPPLY CO INC	18600	142.96	DPW ADMIN O/E
BEST CLEANING SERVICES	18601	1,300.00	DPW ADMIN O/E
BOSWELL ENGINEERING, INC	18602	7,281.00	VARIOUS
BRAEN STONE INDUSTRIES, INC	18603	1,349.43	VARIOUS
BROWN EQUITIES LLC	18604	2,664.50	VARIOUS
CANON FINANCIAL SVCS INC	18605	43.00	STREETS & ROADS O/E
CARROLL NET, INC.	18606	51.00	POLICE DEPT O/E
CHARLENE ELVIN	18607	326.50	VARIOUS
CINTAS CORP	18608	488.72	DPW ADMIN O/E
CINTAS FIRST AID AND SAFETY	18609	331.22	VARIOUS
CONTINENTAL FIRE & SAFETY, INC	18610	165.51	VEHICLE MAINT FIRE DEPT
COUNTY OF PASSAIC	18611	3,935,100.56	COUNTY TAX
COUNTY OF PASSAIC-OPEN SPACE T	18612	56,667.74	OPEN SPACE TAX
DAVE STERN INC	18613	1,804.25	VARIOUS
DELL GARDEN CENTER	18614	13.45	STREETS & ROADS O/E
DIESEL TRUCK SERVICE, INC	18615	10,984.00	VARIOUS
DIRECT ENERGY MARKETING, INC	18616	6,144.91	VARIOUS
DOWNES TREE SERVICE, INC.	18617	807.50	VARIOUS
DTS SERVICES LLC	18618	14,516.25	STREETS & ROADS O/E
ELEMENT FINANCIAL CORP	18619	400.00	POLICE DEPT O/E
FDR HITCHES LLC	18620	6,920.09	VARIOUS
FIBER INTERACTIVE LLC	18621	150.00	MUNICIPAL CLERK O/E
FIFTH AVENUE LANDSCAPING	18622	150.00	STREETS & ROADS O/E
FIRST MOUNTAIN ARBORICULTURE L	18623	520.00	SHADE TREE COMMISSION
FOLEY POWER SYSTEMS INC	18624	1,230.00	VARIOUS
GARY TAMBURRO	18625	50.00	GROUP INSURANCE O/E
GENERAL CODE PUBLISHERS, INC	18626	1,195.00	MUNICIPAL CLERK O/E
GUY TUMMINELLO	18627	50.00	POLICE DEPT O/E
HAWTHORNE AUTO LAB	18628	5,979.09	VARIOUS
HAWTHORNE B.O.E.	18629	2,000.00	BOARD OF REC
HAWTHORNE MUNICIPAL COURT	18630	205.38	MUNI COURT
HAWTHORNE PRESS INC	18631	76.44	VARIOUS
HENDERSON TRUCK EQUIPMENT	18632	16,669.00	STREETS & ROADS O/E
HENRY'S PLUMBING & HEATING INC	18633	263.84	VARIOUS
HOME SUPPLY & LUMBER CO., INC.	18634	478.42	VARIOUS
INSURANCE RESTORATION SPECIALI	18635	250.00	STREETS & ROADS O/E

JERSEY ELEVATOR INC	18636	308.52	VARIOUS
JOHN ENGLEHARDT	18637	3,783.00	VARIOUS
KONICA/MINOLTA	18638	95.40	DPW ADMIN O/E
KRAFT ROOFING, INC.	18639	3,200.00	STREETS & ROADS O/E
LANGUAGE LINE SERVICES	18640	42.81	MUNI COURT
LOWES HOME IMPRV BUSINESS ACCT	18641	128.40	STREETS & ROADS O/E
MARY JEANNE HEWITT	18642	109.89	VARIOUS
METLIFE	18643	290.80	GROUP INSURANCE O/E
MICRO CENTER	18644	2,147.82	FIRE DEPT O/E
MICROSYSTEMS-NJ.COM, LLC	18645	1,400.00	TAX ASSESSMENT O/E
NICHOLAS ROBERT	18646	144.50	POLICE DEPT O/E
NJ ASSOC OF CHIEFS OF POLICE	18647	275.00	POLICE DEPT O/E
NJ MEADOWLANDS COMMISSION	18648	200.40	TRANSFER STATION
NJ POLICE TRAFFIC OFC ASSOC	18649	50.00	POLICE DEPT O/E
NJ SHADE TREE FEDERATION	18650	145.00	SHADE TREE COMMISSION
NORTH JERSEY MEDIA GROUP INC	18651	84.10	MUNICIPAL CLERK O/E
P & A AUTO PARTS, INC	18652	533.03	VARIOUS
PAETEC	18653	790.12	TELEPHONE CHARGES
PASSAIC CTY POLICE CHIEFS ASSN	18654	200.00	POLICE DEPT O/E
PROCOPY INC	18655	2,384.00	VARIOUS
R & R PUMP & CONTROL	18656	2,698.37	VARIOUS
RIDGEWOOD PRESS	18657	492.00	POLICE DEPT O/E
ROBERT POLITO LANDSCAPING	18658	450.00	VARIOUS
RT OFFICE PRODUCTS	18659	218.90	VARIOUS
SETCON INDUSTRIES INC	18660	1,607.20	STREETS & ROADS O/E
SHI	18661	15,159.72	POLICE DEPT O/E
SHOTMEYER BROS FUEL CO	18662	6,431.87	VARIOUS
STANDARD SPRINGS, INC	18663	1,666.00	VEHICLE MAINT ROAD
SUPERIOR DISTRIBUTORS	18664	283.60	VARIOUS
THE PAIGE CO., INC	18665	360.00	DPW ADMIN O/E
TREASURER, STATE OF NJ	18666	409.00	DPW ADMIN O/E
TRIANGLE TROPHY	18667	976.50	FIRE DEPT O/E
US BANK EQUIPMENT FINANCE	18668	159.00	DPW ADMIN O/E
VALLEY PHYSICIAN SVCS INC	18669	965.00	VARIOUS
VERIZON	18670	1,579.16	VARIOUS
VITAL COMMUNICATIONS, INC.	18671	100.00	REVENUE COLLECTION O/E
WURTH	18672	788.15	VARIOUS
ZEP SALES & SERVICE	18673	<u>802.90</u>	STREETS & ROADS O/E
TOTAL CURRENT		\$ 4,181,019.05	
GENERAL CAPITAL			
BOSWELL ENGINEERING, INC	3387	4,518.50	VARIOUS
PHILLIPS PREISS GRYGIEL LLC	3388	<u>1,897.50</u>	ACQUISIT OF PROPERTY
TOTAL GENERAL CAPITAL		\$ 6,416.00	
WATER OPERATING			
ACTION DATA SERVICES	10030	682.60	VARIOUS
BOB'S TIRES & WHEELS INC	10031	170.00	WATER UTILITY O/E
CANON FINANCIAL SVCS INC	10032	43.00	WATER UTILITY O/E
CINTAS FIRST AID AND SAFETY	10033	186.17	WATER UTILITY O/E
DIRECT ENERGY MARKETING, INC	10034	26,460.81	WATER UTILITY O/E
FDR HITCHES LLC	10035	255.58	WATER UTILITY O/E
FOLEY POWER SYSTEMS INC	10036	540.00	WATER UTILITY O/E
GODWIN TOOL & HARDWARE SUPPLY	10037	48.65	WATER UTILITY O/E
GROENEWAL RAMSEY DOOR, LLC	10038	2,395.00	WATER UTILITY O/E
HAWTHORNE AUTO LAB	10039	42.68	WATER UTILITY O/E
HENRY'S PLUMBING & HEATING INC	10040	79.33	WATER UTILITY O/E
ONE CALL CONCEPTS, INC.	10041	19.52	WATER UTILITY O/E
P & A AUTO PARTS, INC	10042	93.24	WATER UTILITY O/E
PAETEC	10043	263.37	WATER UTILITY O/E
POST & KELLY ELECTRIC CO, INC	10044	875.00	WATER UTILITY O/E
RIO SUPPLY, INC	10045	1,250.00	WATER UTILITY O/E

RT OFFICE PRODUCTS	10046	61.46	WATER UTILITY O/E
SHOTMEYER BROS FUEL CO	10047	283.61	WATER UTILITY O/E
VERIZON	10048	<u>606.60</u>	WATER UTILITY O/E
TOTAL WATER OPERATING		\$ 34,356.62	

OTHER TRUST II

ALFRED SODER	4993	71.99	RECYCLING
BALDI & MAROTTA ESQ	4994	300.00	PUBLIC DEFENDER
CARPET CYCLE, LLC	4995	250.00	RECYCLING
DIESEL TRUCK SERVICE, INC	4996	168.00	RECYCLING
HAWTHORNE AUTO BODY, INC	4997	75.00	RECYCLING
HAWTHORNE AUTO LAB	4998	707.30	RECYCLING
KAY PRINTING & ENVEL CO, INC	4999	921.00	UCC PENALTIES
PRINTMASTERS	5000	240.00	RECYCLING
ROBERT ROTHMAN	5001	63,582.47	TRUSTEE
RT OFFICE PRODUCTS	5002	318.88	VARIOUS
STONEFIELD INVEST FUND II, LLC	5003	<u>30,385.62</u>	TRUSTEE
TOTAL OTHER TRUST II		\$ 97,020.26	

DOG DEDICATED

TYCO ANIMAL CONTROL SERVICES	6124	<u>2,100.00</u>	PROFESSIONAL FEES
TOTAL DOG DEDICATED		\$ 2,100.00	

BUILDERS ESCROW

BOSWELL ENGINEERING, INC	5269	3,999.00	204 WAGARAW ROAD LLC
BOSWELL ENGINEERING, INC	5270	2,697.00	300 LINCOLN AVE 120/13
BOSWELL ENGINEERING, INC	5271	651.00	ROYAL REALTY LLD
BOSWELL ENGINEERING, INC	5272	762.00	BOGERMAN
BURGIS ASSOCIATES, INC	5273	1,000.00	204 WAGARAW ROAD LLC
BURGIS ASSOCIATES, INC	5274	1,092.50	300 LINCOLN AVE 120/13
BURGIS ASSOCIATES, INC	5275	<u>250.00</u>	ROYAL REALTY LLD
TOTAL BUILDERS ESCROW		\$ 10,451.50	

OTHER TRUST I ESCROW

116 WASHINGTON AVE LLC	7064	18,750.00	SURETY/BONDS
ROBERT ROTHMAN	7065	12,600.00	TAX SALE PREMIUMS
STONEFIELD INVEST FUND II, LLC	7066	<u>8,100.00</u>	TAX SALE PREMIUMS
TOTAL OTHER TRUST I ESCROW		\$ 39,450.00	

TOTAL BILL LIST **\$ 4,370,813.43**

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 9th Avenue

Ms. Tolomeo asked during the budget process do we ever go back and review the possibility of adding the twice a week garbage collection in the summer for two months. Council President Bertollo stated yes, it certainly comes up in the process. Ms. Tolomeo asked if we ever get quotes for the additional pick-up. Council President Bertollo stated unfortunately the collection of garbage and the tipping fees continue to rise. With the cap on our budget it makes it very difficult to bring that back. Mayor Goldberg added it generally comes up when we rebid the contract, we put that in as an alternate to see what the cost is. We are in the middle of a contract right now; therefore this is something we cannot entertain this year. Administrator Maurer assed the contract expires March 31st of next year, by this time next year we would have received bids and is something we will put in. Ms. Tolomeo continues, she stated she want to ask the same question she asked at the last meeting. What is the process that we do to have a county road change the speed limit. She added she hopes you looked into Rock Road because a huge portion of Rock Road is in Ridgewood. Administrator Maurer responded, the whole road is in Hawthorne. Council President Bertollo stated, to answer your question, to change the speed limit on a county road, there is a process and a traffic study has to be done first.

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 Bennett, seconded by Councilman Lane. On roll call, all voted yes.

Councilman Wojtecki added, to administration that he was sent an e-mail in regards to a question about the library and is awaiting a response. Mayor Goldberg stated that response would come from the library director and he is welcome to come to the Library Board meeting next Wednesday at 5pm.

ADJOURNMENT

At 8:08 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 18th, 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