

AGENDA

November 1, 2023 ~ 7:00 PM

Borough of Hawthorne, Passaic County, NJ

Watch Live: Altice (Cablevision) Ch. 77, Verizon Fios Ch. 28

Facebook: Borough Hawthorne NJ Group <https://www.facebook.com/groups/1135979460070290>



ROLL CALL

FLAG SALUTE

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 Herald News, The Record, The Gazette and all persons who have requested the mailing of such since December 7, 2022.

APPROVAL OF MINUTES: Minutes for the Regular Meetings of October 4 and 18, 2023.

PUBLIC COMMENT: (Agenda Items Only – 5 minute limit)

ADOPTION OF ZONING ORDINANCE 2325-23:

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE BOROUGH OF HAWTHORNE, PART 3, STORMWATER MANAGEMENT, SO AS TO CREATE ARTICLE XII, PRIVATELY-OWNED SALT STORAGE AND ESTABLISH REGULATIONS THEREUNDER

OLD BUSINESS

NEW BUSINESS

ADMINISTRATIVE AGENDA PRESENTED BY MAYOR LANE

REPORTS

Borough Attorney Michael J. Pasquale
Borough Engineer Dr. Stephen T. Boswell
Borough Administrator Eric Maurer

INTRODUCTION OF ORDINANCES:

ORDINANCE 2328-23

AN ORDINANCE TO VACATE A PART OF IRVINGTON AVENUE BETWEEN NORTH TWELTH STREET TO NORTH ELEVENTH STREET, RUNNING FROM THE MID-POINT OF SAID ROAD 25 FEET TO THE WESTERLY EDGE OF THE SAME IN THE BOROUGH OF HAWTHORNE, COUNTY OF PASSAIC, NEW JERSEY

ORDINANCE 2329-23

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT CHAPTER 505, ARTICLE II, SECTION 505-10, NO LEFT TURN PERMITTED, SCHEDULE 505-68, SO AS TO ADD THERETO CERTAIN ADDITIONAL LOCATIONS

RESOLUTIONS

CONSENT AGENDA: R 161-23 through R 168-23:

- R 161-23** Redeem Tax Sale Certificate
- R 162-23** Refund Taxes for Reduced Settlement
- R 163-23** Authorize Settlement of PFAS Litigation
- R 164-23** Acceptance of 2024 Open Space \$200,000 Grant for Franklin Field Bleachers
- R 165-23** Acceptance of 2024 CDBG \$60,000 Grant for ADA Ramps
- R 166-23** Planning Services, NPP Sign and Façade Program
- R 167-23** Authorize Area in Need of Redevelopment Study by Planning Board, Pan Chemical Site
- R 168-23** Tax Appeal Settlement, Browning Forshay

REPORTS OF SPECIAL COUNCIL COMMITTEES

CORRESPONDENCE

BILLS

PUBLIC COMMENT

ADJOURNMENT

**THE NEXT COUNCIL MEETING IS
MONDAY, NOVEMBER 13, 2023 AT 7 PM**



**2023 GENERAL ELECTION
TUESDAY, NOVEMBER 7th
POLLS OPEN 6AM – 8 PM**

ORDINANCE 2328-23**AN ORDINANCE TO VACATE A PART OF IRVINGTON AVENUE BETWEEN NORTH TWELFTH STREET TO NORTH ELEVENTH STREET, RUNNING FROM THE MID-POINT OF SAID ROAD 25 FEET TO THE WESTERLY EDGE OF THE SAME IN THE BOROUGH OF HAWTHORNE, COUNTY OF PASSAIC, NEW JERSEY**

WHEREAS, there exists a street in the Borough of Hawthorne known as Irvington Avenue, the said road appearing as a fifty-foot wide right of way on the Tax Map of the Borough of Hawthorne; and

WHEREAS, the paved portion of Irvington Avenue, between North Eleventh Street, where the pavement currently terminates, and North Twelfth Street, where the pavement begins, has an actual width of approximately 18 feet, the entire portion being to the east of the mid-point of the road; and

WHEREAS, the owner of 84 North 11th Street, known as Block 50, Lot 5, and the owner of 84 North 12th Street, known as Block 50, Lot 4, each adjoin Irvington Avenue along the westerly line of the said road as depicted on the Tax Map; and

WHEREAS, each property owner has improvements located on his respective lot that extend into the right of way of Irvington Avenue to a significant degree, such improvements being undertaken long before the current owners took possession of the property; and

WHEREAS, the Borough of Hawthorne is satisfied that the extension of improvements into the right of way of Irvington Avenue was done many years ago and there is no evidence whatsoever that any person intentionally erected such improvements in the right of way so as to deprive the Borough of use of it property; and

WHEREAS, the Borough of Hawthorne is also satisfied that to require the removal of such improvements would be a severe hardship to the owners without serving any beneficial public purpose; and

WHEREAS, the Borough of Hawthorne finds that Irvington Avenue extends only one block in total length and has very light traffic thereon making future road widening highly unlikely and in fact a practical impossibility; and

WHEREAS, based upon the foregoing, the Borough of Hawthorne, at the request of the property owners noted above, does wish to vacate a 25-foot portion of Irvington Avenue running from the centerline thereof to the westerly edge thereof, from North 12th Street to North 11th Street and thereby extinguish any rights remaining in that portion of the said road; and

WHEREAS, it appears to the Municipal Council of the Borough of Hawthorne that the area to be released, having a width of 25 feet and a length of 200 feet, does not contain therein any public improvement, cannot be used for any public or private purpose and cannot be independently developed, deems the land to have no use or benefit to the public; and

WHEREAS, the Municipal Council does determine that the public interest will be better served by releasing the remaining portion of the street from dedication and permitting ownership therein to vest in the adjoining owners thereof to the west as to the 25 by 100 foot respective borders shared with the above noted respective property owners;

NOW, THEREFORE, the Municipal Council of the Borough of Hawthorne in the County of Passaic and State of New Jersey does hereby ordain as follows:

Section 1. That all that certain part or portion of Irvington Avenue, lying and being situate in the Borough of Hawthorne, County of Passaic and State of New Jersey, and more particularly described in the legal description attached hereto and made a part hereof, be vacated and upon vacation each adjoining property owner to the west shall become the owner in fee simple of the lands so vacated to the extent each shares a boundary with Irvington Avenue.

Section 2. This Ordinance shall take effect twenty (20) days after final adoption and publication as provided by law.

ORDINANCE NO. 2329-23**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT CHAPTER 505, ARTICLE II, SECTION 505-10, NO LEFT TURN PERMITTED, SCHEDULE 505-68, SO AS TO ADD THERETO CERTAIN ADDITIONAL LOCATIONS**

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

Section 1. Chapter 505, Vehicles and Traffic, Article II, Section 505-10, No Left Turn Permitted, Schedule VA, Section 505-58, shall be amended to add thereto the following additional locations:

Sec. 505-65A Schedule VA: No Left Turn Permitted

In accordance with Sec. 505-10, no person shall make a left turn onto the public street at an of the following locations:

| <u>Name of Street</u> | <u>Direction of Travel</u> | <u>Prohibited Turn</u> | <u>At Intersection of</u> |
|---|----------------------------|--|---------------------------|
| 2 Wagaraw Road Bl. 9, Lots 13, 14, 15, 16 and Bl. 12, Lot 1 | Left (south) | No left turn from unsignalized driveway +/- 400 feet northeast of signalized driveway | Goffle/Wagaraw/Mohawk |

Section 2. All other parts and provisions of Section 505, Schedule VA, not specifically affected by the above amendments and modifications shall remain in full force and effect.

Section 3. This Ordinance shall take effect twenty (20) days after final adoption and publication as provided by law.