

October 21, 2009  
Hawthorne, NJ

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 8:00 p.m., in the Auditorium of the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey. Present were Councilpersons Bennett, English, Matthews, Mele, Sinning, Wojtecki and Bertollo. Also present were Mayor Goldberg, Borough Administrator Maurer, Borough Attorney Pasquale, Director of Revenue and Finance Hewitt, Borough Engineer Boswell and Borough Clerk Witkowski.

### **FLAG SALUTE**

Council President Bertollo invited all present to join him in the flag salute.

### **STATEMENT**

Council President Bertollo stated adequate notice of this meeting had 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 17, 2008.

### **APPROVAL OF MINUTES**

Council President Bertollo entertained a motion to approve the minutes of the Regular Meeting and Closed Session Meeting of October 7, 2009, moved by Councilman Wojtecki, seconded by Councilman Matthews. On roll call, all said yes.

### **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 and state your name and address. He stipulated this was for agenda items only.

Seeing no one, Council President Bertollo entertained a motion to close the public portion, moved by Councilman Matthews, seconded by Councilman Bennett. On roll call, all voted yes.

### **ADOPTION OF ORDINANCES**

#### **Ordinance No. 1995-09 for Adoption**

AN ORDINANCE TO AMEND CHAPTER 3 OF THE CODE OF THE BOROUGH OF HAWTHORNE, CLERK, SO AS TO FIX THE TERM OF APPOINTMENT OF THE DEPUTY CLERK AS A THREE YEAR TERM

## **Public Hearing**

Council President Bertollo opened the meeting to the public and asked anyone who desired to be heard to come forward and state your name and address for the record.

No one desired to be heard.

Council President Bertollo entertained a motion that the public hearing on Ordinance No. 1995-09 is closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted and published in the Hawthorne Press. Copies of said ordinance were made available to the general public.

Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same according to law.

Council President Bertollo entertained a motion to adopt Ordinance No.1995-09, moved by Councilwoman English, seconded by Councilman Sinning. On roll call, all voted yes.

## **Ordinance No. 1996-09 for Adoption**

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT CHAPTER 210 OF THE CODE OF THE BOROUGH OF HAWTHORNE VEHICLES AND TRAFFIC SO AS TO DESIGNATE STOP INTERSECTIONS AT RYERSON WAY WHERE POSTED AND TO REVISE ARTICLE VIII, SCHEDULES, SO AS TO ADD THERETO THE SAID LOCATIONS

## **Public Hearing**

Council President Bertollo opened the meeting to the public and asked anyone who desired to be heard to come forward and state your name and address for the record.

No one desired to be heard.

Council President Bertollo entertained a motion that the public hearing on Ordinance No. 1996-09 is closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted and published in the Hawthorne Press. Copies of said ordinance were made available to the general public.

Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same according to law.

Council President Bertollo entertained a motion to adopt Ordinance No.1996-09, moved by Councilman Matthews, seconded by Councilman Wojtecki. Councilman Wojtecki stated that he is pleased that this Ordinance is passing and asked if there will be signs indicating that there is a stop ahead. Council President Bertollo indicated that the Borough will follow DOT standards and that stop bars will be installed and the signs will be changed to meet those standards. Council President Bertollo thanked Police Chief Scully and the organizations that use the league.

Mayor Goldberg thanked Kevin Downes for purchasing the original signs. On roll call, all voted yes.

### **OLD BUSINESS**

Councilman Wojtecki stated that Councilman Sinning will be receiving a tree as a part of the fall planting, which is not a London Plane or Sycamore.

Council President Bertollo stated that last Wednesday he, Mayor Goldberg and Borough Attorney Pasquale met with Senator Girgenti and representatives from New Jersey Transit. New Jersey Transit presented the site plan for the Pan Chemical site. The plan seems to be good and lays out the kiss and drop where the existing lot is today. The plan includes raising the property mid way of what it is today, between the lowest point at the rear of the buildings to street level on Washington Street. There will be approximately 140 parking spaces. The Borough made a few suggestions to allow for more parking. The flow is good and there is a bump out being proposed for the light rail on the Susquehanna side. There will be some plantings and the ticket booth will be moved toward Wagaraw Road to be further away from the residential neighborhood. The plan addressed some lighting issues and the Borough made some recommendations in regard to staircases and alternative ways to get to the platform. The meeting was positive and New Jersey Transit is certain that the plan will move forward. Funding is in place and negotiations have begun with New Jersey Transit and the Puddingstone Group for a lease agreement. There were discussions involving a sticker system or pay to park system, where the Borough may be partner to. As details develop, they will be communicated. Council President Bertollo thanked Senator Girgenti for all of his assistance. Councilman Mele asked about timing. Borough Attorney Pasquale stated that the money is in place and it is estimated that it would take five to six months with next spring being the target for completion. Residents are looking forward to the project, as is the developer. Council President Bertollo indicated that Senator Girgenti in his Civic League meeting stated the importance of having commuter parking on Washington Avenue.

### **NEW BUSINESS**

Council President Bertollo stated the he and Mayor Goldberg attended a Soccer Association meeting on Monday night to listen to concerns. Discussions included the creation of a task force to look at athletic fields to re-address needs. Assessments were done approximately a year and one half ago before the lights were taken down at the high school. The charge of the task force would be to develop a long range plan of where the athletic fields are going and the assessment as to whether or not artificial turf is needed. With the Borough grant writer in place, the Borough may be able to obtain a grant. Fields are used extensively as organizations become more popular and Borough continues to grow. The Borough will be reaching out to Rutgers and turf field management vendors. Fields are used eight to nine months out of the year, which makes it difficult for grass to grow. The task force will be composed of Council members, Board of Recreation members, members of the Administration and professional staff, and Board of Education members. At some point, children organization representatives will also be brought in. Additional discussions will include gymnasium use throughout the Borough. A goal has been set to make this a short term project.

Mayor Goldberg administered the Oath of Office to Elaine Sweeney, Deputy Municipal Clerk, effective October 26, 2009.

### ADMINISTRATIVE AGENDA

Mayor Goldberg reported the following:

1. Mayor Goldberg stated that due to prudent budgeting and management of finances by Borough Administration and Council, Standard and Poor's has raised the Borough bond rating from A1 to AA. This with Moody's increase last year will enable the Borough to borrow at a lower rate of interest and not require the purchase of insurance for our bond. Congratulations to Administrator Maurer, Director of Revenue and Finance Hewitt and all who worked so hard.
2. The Borough has received an \$180,000 DOT grant for road improvements to Van Winkle Avenue and Central Avenue, Phase 2. Borough Engineer Boswell submitted the grant on behalf of the Borough.
3. Mayor Goldberg thanked Senator Girgenti and DOT Commissioner Steven Diltz for their assistance on the Pan Chemical property. The conceptual plan is available for review.
4. Mayor Goldberg accepted a Community Traffic Safety award from AAA of Northern New Jersey. Congratulations to Chief Scully and Officer Finstra.
5. The Mayor's Halloween parade will take place on October 30<sup>th</sup> at the high school gymnasium at 7:30 p.m. No political soliciting will take place.
6. On Saturday, November 14<sup>th</sup>, the Borough will be hosting Operation Medicine Cabinet from 10:00 a.m. to 2:00 p.m. for residents to safely dispose of expired medicines. This will be done through the Police Department, Municipal Alliance and the Mayor's Office.
7. The purpose of the athletic field task force will be to evaluate the needs of the Borough from the high school to the middle school to the recreation programs and how the Borough can best serve the community to maximize the use of the fields. Discussions will include artificial turf, how to maintain grass fields, and drainage issues on Kohler field. The committee will have good representation from all involved parties but will be limited to ten representatives. There will be two Council representatives along with Borough Administrator Maurer, Mayor Goldberg, DPW Director Clementi, and a Board of Recreation representative. This will be a win-win for the Borough and the School Board.
8. Mayor Goldberg asked Marcella Muchado, Team Director, Katie Frye, Athletic Director, and Irena Curasko, Youth Development Professional from the Boys and Girls Club to receive a proclamation.

WHEREAS, the Hawthorne Boys and Girls Club has provided significant leadership in the area of community involvement in the education and well-being of our youth, grounded in the principle that quality afterschool programs are key to helping our children become successful adults.

WHEREAS, *Lights On Afterschool*, a national celebration of afterschool programs on October 22 promotes the critical importance of quality afterschool programs in the lives of children, their families and their communities.

WHEREAS, more than 28 million children in the U.S. have parents who work outside the home, and 14.3 million children have no place to go after school.

WHEREAS, many afterschool programs across the country are facing funding shortfalls so severe that they are being forced to close their doors and turn off their lights.

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Hawthorne do hereby proclaim October to be:

### **Lights On Afterschool Month**

Mayor Goldberg called upon Director of Revenue and Finance Hewitt for her report.

Director of Revenue and Finance Hewitt reported on the following:

1. R3-Chapter 159 is adding the appropriation to the budget for the grant that was announced last week.
2. There will be another Chapter 159 at the next meeting due to the Police Department receiving another grant for \$7,068 for the Drunk Driving Enforcement Fund. Thank you to Chief Scully and Officer Finstra for their work.
3. R6 and R7 are for the NJEIT financing program for the Goffle Hill Force Main. Borough Bond Counsel, Matt Jessup, had said previously that it would not be finalized until sometime in December.
4. The Borough has set the tax sale date for December 1<sup>st</sup>.
5. The Borough is changing banks as of November 1<sup>st</sup>. The bill list will be submitted to Council on Friday as usual but check numbers may not be on the list.
6. Thank you to Administrator Maurer for representing the Borough in such a positive way.

That concludes Director of Revenue and Finance Hewitt's report.

Mayor Goldberg called upon Borough Engineer Boswell for his report.

Borough Engineer Boswell reported on the following:

1. The HVAC work has been completed. Final payment voucher less retainage has been provided to the Borough. Retainage will be released with the submission of the maintenance bond.
2. The September 23<sup>rd</sup> meeting for the Christian Health Care Center has not been rescheduled but is expected to be in mid November in Wyckoff. The applicant will complete the process in Wyckoff before coming to Hawthorne.
3. Plans are still being worked on for the Goffle Brook Stream Bank Stabilization project.
4. The State is reviewing the final submission for the Goffle Hill Force Main. The Borough will not be able to bid until after the black out period.
5. Borough Engineer Boswell is waiting for the cut sheet from the supplier for the pool for the anti-entrapment devices. The contractor from Philadelphia is doing well with the pipe leakage and also found leakage with the fittings. A price will be received by Friday.

6. There is no change in the Ridgewood Water, DEP, and Hawthorne Water project. The Borough is still waiting to hear back from the DEP.
7. A preconstruction meeting was held for the Arcadis project and the contractor is expected to bring in soil as early as next week. Logistics and routes have been reviewed with the Police Department, as approved by the Planning Board.
8. On the GIS mapping of the water system, all has been sent to the State that is required. The Borough is waiting for the final permit, however the conversion has already been accomplished. Additional sets of the map were also sent to the DPW.
9. Plans are nearly complete for the drainage improvement project. The Borough has received a discretionary grant so work could begin soon.
10. The analytical results from the soil samples that were taken from the Underground Storage Removal were within acceptable limits. If water comes back clean, the hole can be sealed and the project is complete.
11. There was a meeting this week in regard to the Rapid Pump and SCADA system. By next meeting, all should be resolved.
12. All the streets are paved in regard to the 2009 Road Program and Local Aid, Central Avenue. There is still about one more week of installation of handicap ramps.
13. The Muffin Monster key switch is expected to be received this week and installed next week.
14. There has been contact with Joe Femia, Bergen County Engineer's Office, in regard to the leading left on to Lincoln Avenue off of Wagaraw Road. Borough Administrator Maurer is welcome to attend once a meeting has been scheduled.
15. Borough Attorney Pasquale wrote a memo in regard to an improvement on Parker Avenue. Council President Bertollo indicated that a solution is in the works.

That concludes Borough Engineer Boswell's report.

Mayor Goldberg called on Borough Attorney Michael Pasquale for his report.

Borough Attorney Pasquale reported on the following:

1. Welcome to new Deputy Borough Clerk, Elaine Sweeney.
2. A few more tax appeals have been settled and will be presented in the next few weeks. Tax appeals will continue to be an issue this year and next. The ratio should begin to increase, which will help the Borough.
3. There is a telephone conference scheduled for next week regarding the Hovnanian lawsuit. Borough Attorney Pasquale was advised that stones came out of the system while flushing a fire hydrant, proving that Hovnanian is not complete in their work. The Borough will continue to pursue this effort.
4. Two important, timely Ordinances are being presented this evening. The first Ordinance is to clarify a buffer situation in the R1 and R2 zone. The current Ordinance does not clearly indicate what the appropriate buffer would be for someone putting a multiple family dwelling in a R1 or R2 zone. The new Ordinance specifies the buffer to be the amount equal to the lot depth of the R1 zone, which is 150 feet. The Ordinance also specifies that there is an undisturbed buffer from the property line to the nearest improvement, which could be a road, parking lot or building. This protects residents that are facing multi-family developments since they will now have a buffer of 150 feet,

which is significant. The second Ordinance modifies the tree removal Ordinance, which currently only applies to vacant and undeveloped lands. The new Ordinance requires a tree removal plan if a piece of property is being redeveloped or renovated. The plan will show the trees that are being removed and saved and will be submitted to Shade Tree Commission. The Borough is attempting to save trees where possible and if they cannot be saved, ensure they are replaced. There are proposed developments in town that are significant and are clearly going to impact residents. The Borough wants to ensure these proposals are screened and that soil erosion is avoided. Joe Burgis has been asked to give his comments on both Ordinances.

Mayor Goldberg called on Borough Administrator Maurer for his report.

Administrator Maurer reported on the following:

1. The financial decisions by the Mayor and Council are what impacted the Borough's bond rating and they therefore should be credited with the rating change.
2. The regular seasonal flu clinic was held today with over 200 residents being vaccinated, including some home bound residents. The Borough is still waiting for the H1N1 vaccination, which should be received in early November.
3. Collection of leaves begins in November. There will only be two collections for unbagged leaves. Bagged leaves will be picked up weekly.
4. As a follow up from the last Council meeting, the resident at 145 Highview Terrace has agreed to the curb change that originally was proposed. Work is expected to begin soon.
5. The depression in the road by Florence and Ruth Avenues has been repaired.
6. The Pan Chemical court date is October 29<sup>th</sup>. The Borough will continue to pursue the violations in court, regardless of the progress being made with the property.
7. Bids have been sent out for garbage disposal services for the Borough and eight other municipalities. Bids are due next Wednesday, October 28<sup>th</sup>. Approximately six vendors picked up bid material, which means there should be a competitive pricing.
8. Bids have been sent out for snow plowing and animal control services. Bids are due November 5<sup>th</sup>.
9. Borough Administrator Maurer is working with representatives from the Shade Tree Commission to finalize the bidding for spring planting. The bid should be sent out soon, received back and awarded before year end.
10. The Borough has received comments from the energy audit proposal. Borough Administrator Maurer met with Rayna Liosa from the Environmental Commission and DPW Director Clementi to review. A revised RFP has been submitted for re-evaluation and approval.
11. Another audit is being offered by PSE&G, which is free and is necessary for eligibility for PSE&G projects.

That concludes Administrator Maurer's report.

Mayor Goldberg stated that he attended the Fire House open house on October 12<sup>th</sup>. There were demonstrations and Tower 2 gave ladder rides. All who attended had a chance to learn more about the daily life of a firefighter. Hawthorne Firefighters are volunteers and are trained, skilled professionals.

Councilman Sinning asked Borough Engineer Boswell about the paving on Fairview Avenue and a resident who indicated that he was not notified. Borough Engineer Boswell stated that he would look into the situation, however residents are always notified. Mayor Goldberg indicated that notices were put in all the mailboxes before paving began.

Councilman Mele asked what the Borough's bond rating is. Mayor Golderg indicated that the rating for Standard and Poor's is AA and Moody's is A1. Councilman Mele inquired about the energy audit. Administrator Maurer stated that once the RFP is approved, it will be sent out and awarded so the audit may begin.

Councilman Bennett asked if the flangers and valves that are leaking at the pool were from the original construction. Borough Engineer Boswell indicated they are and that they are gasket, cast iron items that are corroded, which causes swelling and breaks the seal. Councilman Bennett stated that the Borough would probably need to replace the flangers rather than re-gasket them. Engineer Boswell indicated that they would look at repairing, but replacement is most likely necessary. The cost will be communicated once it has been determined.

Councilman Bennett asked Administrator Maurer about the foam tanker truck that was going to be returned to the County. Mayor Goldberg stated that Clifton was going to accept the truck but had decided not to. The County is responsible for repairs but wanted the Borough to make the repairs, which is why the Borough wants to return the truck. The truck is currently parked in the auxiliary parking lot. Chief Speranza is making every effort to have the Borough relieved of the truck.

Council President Bertollo asked about Arcadis and the staging of trucks in the pool parking lot. Councilman Matthews and Borough Engineer Boswell indicated that there will be no staging in the parking lot.

Council President Bertollo entertained a motion to record the Administrative Agenda, moved by Councilman Sinning, seconded by Councilman Bennett. On roll call, all voted yes.

## **ORDINANCES AND RESOLUTIONS**

### **Ordinance No. 1998-09 for Introduction**

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF HAWTHORNE SO AS TO AMEND CHAPTER 225, ZONING, SO AS TO SET FORTH BUFFER REQUIREMENTS FOR CERTAIN DEVELOPMENTS IN OR ABUTTING THE R-1 AND R-2 RESIDENTIAL ZONES IN THE BOROUGH OF HAWTHORNE

BE IT RESOLVED, that Ordinance No. 1998-09 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 November 16, 2009, and at said 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, 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 introduction, moved by Councilman Bennett, seconded by Councilwoman English. On roll call, all voted yes.

**Ordinance No. 1999-09 for Introduction**

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 206, TREE REMOVAL OF THE CODE OF THE BOROUGH OF HAWTHORNE

BE IT RESOLVED, that Ordinance No. 1999-09 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 November 16, 2009, and at said 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, 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 introduction, moved by Councilman Bennett, seconded by Councilman Wojtecki. On roll call, all voted yes.

**CONSENT AGENDA –MR-1, R-1 through R-9**

**MR-1 Resolution, Introduced by Councilwoman English**

Resolution Expressing Opposition to A-3062 and S-1303 Regarding “Inherently Beneficial Uses”

WHEREAS, A-3062 and S-1303 will establish renewable energy as an “inherently beneficial use” for purposes of municipal zoning; and

WHEREAS, A-3062/S-1303 defines “inherently beneficial use” as a use which is universally considered of value to the community because it fundamentally serves the public good and promotes the general welfare, including, but not limited to, a hospital, school, child care center, group home or a wind, solar or photovoltaic energy facility or structure; and

WHEREAS, the Borough of Hawthorne does not believe that renewable energy facilities demonstrate the same level of public benefit as is associated with other “inherently beneficial uses” including hospitals, schools, child care centers and group homes; and

WHEREAS, while the intent of A-3062/S-1303 is admirable, it permits solar panel fields and wind generation facilities to be placed anywhere in a municipality without regard to the comprehensive municipal master plan and zoning regulations or any other state planning initiatives; and

WHEREAS, while the Borough of Hawthorne supports the intent to develop legislation that will encourage renewable energy in New Jersey, it must be done without negatively effecting the growth, farmland and open space preservation plans of municipalities; and

WHEREAS, municipalities are best equipped to address local land use issues and should be provided with discretion to establish appropriate regulations and controls consistent with their master plan.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Hawthorne, in the County of Passaic, State of New Jersey, hereby urge Governor Corzine to veto A-3062 and S-1303; and

AND BE IT RESOLVED, that copies of this resolution be forwarded to Governor Corzine, to our State Legislators and to the New Jersey League of Municipalities.

**R-1 Resolution, Introduced by Councilwoman English**

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated October 9, 2009.

	Check #	
CURRENT FUND	54561	\$256,746.08
WATER OPERATING FUND	15049	\$39,974.45
OTHER TRUST II FUND	6606	\$9,889.65
TOTAL PAYROLL		<u>\$ 306,610.18</u>
CURRENT OPERATING FUND TO PAYROLL/FICA	54562	\$7,830.85
WATER OPERATING FUND TO PAYROLL/FICA	15050	\$6,655.93
TOTAL FICA		<u>\$ 14,486.78</u>

**R-2 Resolution, Introduced by Councilwoman English**

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>Judgement</u>	<u>Difference</u>	<u>Overpayment</u>
<b>2007</b>				
170/1	\$1,150,000.	\$1,000,000.	\$150,000.	\$6,405.00
Michael I. Schneck, Trustee for The C Group Corp. 242 Fifth Avenue				

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 2007 in the amount of \$6,405.00 in accordance with the state judgment

**R-3 Resolution, Introduced by Councilwoman English**

RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159), P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount.

SECTION 1

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Borough of Hawthorne hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$37,760.00 which item is now available as revenue for the H1N1 Supplemental Grant Program.

SPECIAL ITEM OF REVENUE OFF-SET WITH APPROPRIATIONS  
H1N1 Supplemental Grant Program \$37,760.00  
pursuant to the provision of the statute; and

SECTION 2

BE IT FURTHER RESOLVED, that a like sum of \$37,760.00 be and is hereby appropriated under the caption of:

OPERATIONS EXCLUDED FROM "CAPS"  
PUBLIC AND PRIVATE PROGRAMS OFF-SET BY REVENUE  
H1N1 Supplemental Grant Program \$37,760.00

SECTION 3

BE IT FURTHER RESOLVED, that the above is the result of funds due to the Borough of Hawthorne from the State of New Jersey that were not available at the time of the adoption of the 2009 budget and are now available by law.

**R-4 Resolution, Introduced by Councilwoman English**

WHEREAS, an interfund in the amount of \$1,065.00 was created by a check error between the Current Fund Account and the Municipal Court Account.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized to liquidate said interfund by issuing a check in the amount of \$1,065.00 from the Current Fund Account to the Municipal Court Account.

**R-5 Resolution, Introduced by Councilwoman English**

WHEREAS, the semi-annual interest payment and the annual principal payment for the General Serial Bonds 2000 became due and payable on October 15, 2009.

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 \$44,804.00 in payment of interest from the Current Fund and the amount of \$220,000.00 in payment of principal from the Current Fund, made payable to Depository Trust Company. This is to ratify the action taken on October 15, 2009.

**R-6 Resolution, Introduced by Councilwoman English**

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$700,000 UTILITY BONDS, SERIES 2009, OF THE BOROUGH OF HAWTHORNE, IN THE COUNTY OF PASSAIC, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE 2009 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM.

WHEREAS, the Borough of Hawthorne (the "Borough"), in the County of Passaic, New Jersey, has determined that there exists a need within the Borough to provide for the replacement of the existing force main for the Goffle Hill Road and Sicomac Road Sewage Pumping Stations (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Borough and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Borough and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the 2009 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Borough has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Borough to authorize, execute, attest and deliver the Borough's Utility Bonds, Series 2009, in an aggregate principal amount not to exceed \$700,000, a portion of which will be to the Trust (the "Trust Loan Bond") and a portion of which will be to the State (the "Fund Loan Bond" and, together with the Trust Loan Bond, the "Borough Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements;

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein; and

WHEREAS, in connection with the issuance of the Borough Bonds to the Program, the governing body of the Borough wishes to authorize the execution of certain certificates and opinions as may be required by the Program or Bond Counsel to the Borough (collectively, the "Escrowed Documents") by the Mayor, Chief Financial Officer, Borough Clerk, Counsel to the Borough, Project Engineer or Appraiser and/or Bond Counsel to the Borough (collectively, the "Borough Representatives") on or before the date when the Borough is scheduled to close the loans in escrow with the Program (the "Escrow Closing Date"), such documents to be delivered to Bond Counsel and held by Bond Counsel until such time as the Borough authorizes release of the same.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Borough as follows:

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Borough hereby sells and awards its Borough Bonds in an aggregate principal amount not to exceed \$700,000 in accordance with the provisions hereof. The Borough Bonds have been referred to and are described in a bond ordinance of the Borough, which bond ordinance is entitled, "BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE EXISTING FORCE MAIN FOR THE GOFFLE HILL ROAD AND SICOMAC ROAD SEWAGE PUMPING STATIONS IN AND BY THE BOROUGH OF HAWTHORNE, IN THE COUNTY OF PASSIAC, NEW JERSEY, APPROPRIATING \$700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$700,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF" finally adopted by the Borough at a meeting duly called and held on September 2, 2009, at which time a quorum present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Borough (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued, which aggregate principal amount shall not exceed \$700,000;

- (b) The maturity and annual principal installments of the Borough Bonds, which maturity shall not exceed 20 years;
- (c) The date of the Borough Bonds;
- (d) The interest rates of the Borough Bonds;
- (e) The purchase price for the Borough Bonds; and
- (f) The terms and conditions under which the Borough Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Borough Bonds by the parties authorized under Section 4© hereof.

Section 4. The Borough hereby determines that certain terms of the Borough Bonds shall be as follows:

- (a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered R-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-2;
- (b) The Borough Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Borough Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Borough Clerk.

Section 5. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of McManimon & Scotland, L.L.C. is hereby authorized to arrange for the printing of the Borough Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Borough auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Borough Bonds. The Mayor, the Chief Financial Officer and the Borough Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information. Bond Counsel to the Borough is hereby authorized to accept and hold the Escrowed Documents on or before the Escrow Closing Date and to release same upon the direction of the Borough.

Section 7. The Borough hereby designates the Chief Financial Officer to award the Bonds in accordance with Section 2 hereof and such financial officer shall report in writing the results of the sale to this Council as required by law.

Section 8. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Borough Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Borough Bonds and the receipt of payment  herefore in accordance with the Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Borough Clerk shall forward certified copies of this resolution to McManimon & Scotland, L.L.C., bond counsel to the Borough, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

#### **R-7 Resolution, Introduced by Councilwoman English**

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE BOROUGH OF HAWTHORNE, IN THE COUNTY OF PASSAIC, NEW JERSEY AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE 2009 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM IN CONNECTION WITH THE NOT EXCEEDING \$700,000 UTILITY BONDS, SERIES 2009

WHEREAS, the Borough of Hawthorne (the "Borough"), in the County of Passaic, New Jersey, has determined that there exists a need within the Borough to provide for the replacement of the existing force main for the Goffle Hill Road and Sicomac Road Sewage Pumping Stations (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Borough and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Borough and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the 2009 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Borough has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Borough to authorize, execute, attest and deliver the Borough's Utility Bonds, Series 2009, in an aggregate principal amount not to exceed \$700,000, a portion of which will be to the Trust (the "Trust

Loan Bond”) and a portion of which will be to the State (the “Fund Loan Bond” and, together with the Trust Loan Bond, the "Borough Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Borough Bonds and the execution and delivery of one or more of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the State, the Borough and the escrow agent named therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough as follows:

Section 1. The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Borough by either the Mayor or the Chief Financial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Borough (collectively, the "Borough Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Borough Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Borough Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Borough as determined hereunder and to affix the corporate seal of the Borough to such Financing Documents.

Section 2. The Authorized Officers of the Borough are hereby further severally authorized to (i) execute and deliver, and the Borough Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Borough to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Borough Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Borough Clerk shall forward certified copies of this resolution to McManimon & Scotland, L.L.C., bond counsel to the Borough, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

**R-8 Resolution, Introduced by Councilwoman English**

WHEREAS, the Municipal Council of the Borough of Hawthorne has heretofore adopted ordinances regarding the 2009 Road Improvement Program, including curbing, sidewalks and driveway aprons, which ordinances provided for the Assessment of the costs of said improvements on property specially benefited thereby in accordance with the provisions of N.J.S.A. 40:56-21 et seq.; and

WHEREAS, in accordance with such statute, the Mayor has appointed an Assessment Commission to conduct required hearings and create an assessment regarding the benefit conferred; and

WHEREAS, the following persons have been named Assessment Commissioners:

- Patrice Cornett, 81 Horizon Terrace
- James Dusenberry, 81 Roosevelt Avenue
- Anthony Spannedo, 89 Lee Avenue; and

WHEREAS, the compensation for the Commissioners has been fixed at \$260 per Commissioner, based upon the nature and scope of the appointment;

NOW THEREFORE, BE IT RESOLVED, that the Municipal Council does approve of the appointment and expenditure as set forth above in accordance with applicable statute pertaining to the same.

**R-9 Resolution, Introduced by Councilwoman English**

WHEREAS: a check has been received from the State of New Jersey for the 2008 Homestead Rebate for claimant with a tax delinquency for 2008 in the amount of \$14,985.79.

NOW, THEREFORE, BE IT RESOLVED: by the Municipal Council of the Borough of Hawthorne that the Tax Collector be authorized to apply the amounts listed below:

<u>Blk/Lot</u>	<u>Name and Address</u>	<u>Amount</u>
29/10/C0036	Laux, William & Patricia 45 Royal Ave.	\$ 728.92
39/4	Claeys, Lynn 66 Tuxedo Ave.	\$ 811.31
47/14/C0101	Zigarelli, Alberta M. 50 May St. Unit 101	\$ 745.19
141/2	Sulejamanl, Gjemlle 101 Warburton Ave.	\$1,359.51
154/10	Pruiksmas, David & Lynn 37 First Ave.	\$ 938.44
228/18	Matthews, Kenneth & Judith 624 Lincoln Ave.	\$1,752.15
233.01/6	Ventrice, Cecelia 7 Cathy Ave.	\$ 944.44

233.01/15/C0B05	Sciro, Theodora 50 Rock Rd. Unit B5	\$1,250.00
264/11	Puch, Adele 9 Goffle Hill Rd.	\$1,175.46
266/24	Klashner, Robert 222 Goffle Hill Rd.	\$2,050.00
281/10	Yagodzinski, Denise 20 Braen Ave.	\$1,250.00
293.01/9	Meneve, Elaine A. 219 Emeline Dr.	\$1,980.37

Council President Bertollo entertained a motion to approve Resolutions MR-1, R-1 through R-9 moved by Councilwoman English, seconded by Councilman Sinning. Councilman Wojtecki asked if anyone contacted the Assembly or Senator's office in regard to MR1. Mayor Goldberg indicated that no there was no contact and that a copy of MR1 would be sent in the mail to those offices. Mayor Goldberg stated that the Mayor and Council of the Borough are making a stand and are against the legislation. Council President Bertollo stated that the Borough would like to have control on where solar panels are installed. On roll call, all voted yes.

### **REPORTS OF SPECIAL COUNCIL COMMITTEES**

#### Councilman Wojtecki

Shade Tree Commission meeting is scheduled for November 10<sup>th</sup>.

Environmental Commission meeting is scheduled for November 12<sup>th</sup>.

Hawthorne Fire Company #3 is selling a Harley Davidson raffle. Anyone interested is purchase a raffle should contact a member of Company #3. The winning ticket will be pulled in March 2010.

#### Councilman Sinning

Last week the Library Board met and approved a contract with the technology team from Manchester to install wireless equipment at the library. Equipment will be installed at an inexpensive price and WiFi will be available.

The Ordinance Committee met yesterday. The chapter on streets and sidewalks and a section on residential swimming pools was completed. One area involving parks and recreation is remaining. A special meeting will be held next Tuesday, October 27<sup>th</sup> in an effort to have the code book completed with the exception of zoning. Plans will then be made to have the code book codified and put on the Borough website for all residents to review.

Councilman Matthews

The Planning Board met last night and approved a new restaurant at the location of the City Creamery. The Italian restaurant will only take up one-third of the space but it is encouraging to have a new business entity in town.

Chamber of Commerce-This Sunday, October 25<sup>th</sup> is the last day for the Farmer's Market. All are encouraged to support the cause. The Santa parade and tree lighting is scheduled for December 4<sup>th</sup>. The Chamber is looking for volunteers and sponsors to assist in off setting the cost.

The Finance Committee will soon begin setting up for next year's budget.

Councilman Mele

October 27<sup>th</sup> is a Municipal Alliance meeting.

Discussions continue with Anthony DeNova from the County to keep him aware on the efforts with Goffle Brook Park.

This Sunday, October 25<sup>th</sup> is the CROP Walk.

Councilwoman English

Councilwoman English met with Doctor Favocci in regard to the H1N1 vaccine and was asked to read information regarding the disease.

**WHAT IS 2009 H1N1 INFLUENZA**

**2009 H1N1 INFLUENZA is also called Swine Flu**

**Is caused by a new strain of influenza virus, and has spread to many countries. It is spread from person to person from coughing, sneezing, sometimes touching objects contaminated with the virus.**

**Signs of H1N1 can include:**

**Fatigue • Sneezing • Sore Throat • Muscle Aches • Chills • Coughing • Fever**

**Some people also have vomiting and diarrhea.**

**Most people feel better in a week's time, some get pneumonia or other serious illnesses requiring hospitalization, and death can also occur.**

**HOW IS 2009 H1N1 INFLUENZA DIFFERENT FROM  
REGULAR SEASONAL FLU**

**Seasonal Flu viruses change from year to year, but are closely related to each other. People who have had Flu infections in the past have some immunity to seasonal flu viruses, by building up some immunity.**

**The H1N1 is a NEW FLU VIRUS. It is very different from seasonal flu viruses.**

**Most people have little or no immunity to 2009 H1N1 FLU  
(their bodies aren't prepared to fight off the virus)**

## 2009 H1N1 INFLUENZA VACCINE

Vaccines are available to protect against 2009 H1N1 INFLUENZA

Vaccines are made just like seasonal flu vaccines

They're expected to be safe and effective as seasonal flu vaccines

They will not prevent "influenza like" illnesses caused by other viruses

They will NOT prevent SEASONAL Flu.

You should also get the seasonal influenza virus Vaccine for protection

### WHO SHOULD GET 2009 H1N1 INFLUENZA VACCINE AND WHEN?

#### WHO:

Groups recommended to receive 2009 H1N1 VACCINE first are:

1. Pregnant Women
2. People who live with or care for infants younger than 6 months of age
3. Health care and emergency personnel
4. Anyone from 6 months through 24 yrs old
5. Anyone from 25 through 64 yrs old with certain chronic medical conditions or a weakened immune system

As more vaccine becomes available these groups should also be Vaccinated:

Healthy 25 through 64 year olds and Adults 65 years or older

The Federal Government is providing this vaccine for receipt on a Voluntary basis. **HOWEVER** State law or employers may require vaccination for certain persons.

#### WHEN:

Get vaccinated as soon as the vaccine is available.

Children through 9 yr of age should get 2 doses of vaccine, about a month apart.

Older children and adults only need 1 dose.

Councilwoman English also read a summary by Dr. Favocci:

Captain Richard McAuliffe called a special meeting of the officers of the Hawthorne Office of Emergency Management. The meeting was to establish steps for a clinic to begin inoculations of the H1N1 Flu Vaccine.

Topics discussed were:

-Determining which age group will be first

-School Superintendent Robert Mooney will work on the plan, beginning with Kindergarten classes, possibly arranged by alphabetical order. The vaccine will be administered at Hawthorne High School.

-Traffic and parking issues will be taken care of by Hawthorne Police Department.

-Two EMT technicians will be available for possible medical problems as in adverse reactions and unforeseen emergencies.

-Hawthorne Fire Department will be available as large crowds are expected.

The Borough Nurse went to Paterson Board of Health to learn that the H1N1 vaccination is not available yet. The Board of Health will be working closely with Superintendent Mooney to disseminate information to the schools. Councilwoman English stated that if anyone has any questions, they may contact the Borough Nurse at the Board of Health Office.

Along with many compliments in regard to Hawthorne Day, many clubs and organizations are expressing interest in assisting in next year's event. All food vendors will be returning back for next year. A final financial report will be given at the next Council meeting.

#### Councilman Bennett

Most of the handicap ramps have been installed throughout town, totaling approximately ninety eight. The contractors seem to be doing a wonderful job.

The Borough has received a DOT grant for \$180,000 for Van Winkle and Central Avenues.

The Board of Recreation held a meeting last week and plan to expand the Junior Basketball League to include fifth graders. The league will be split into fifth and sixth graders and seventh and eighth graders. There have been tentative talks regarding the Hawthorne Soccer Association purchasing goals for the Hawthorne High School field.

#### Council President Bertollo

The Junior Basketball League is the Boys and Girls Club and the Board of Recreation basketball league. The expansion was based on feedback from parents, coaches and the Basketball and Boys and Girls Club Committees. More information will follow. Registration will be held at the Boys and Girls Club on November 3<sup>rd</sup> and the 13<sup>th</sup> for grades 5/6, 7/8, boys and girls.

October 23<sup>rd</sup> is the Boys and Girls Club Halloween dance for Kindergarten through fifth grade. The Lincoln Middle School will be having a dance on the same night. Also on the 23<sup>rd</sup> is the Homecoming Dance at Hawthorne High School.

### CORRESPONDENCE

C-1 Approved application was received from the Board of Fire Commissioners presents for membership, Sterluis Castillo, of 65 Pasadena Place. Council approval is required on the application for the New Jersey State Fireman's Association.

Council President Bertollo entertained a motion to approve Correspondence. Motion moved by Councilman Wojtecki, seconded by Councilman Mele. On roll call, all voted yes.

### MISCELLANEOUS

R-1 RL#957 St. Anthony's H.S.A. has requested permission to conduct a Calendar Raffle to be drawn between 12/7/2009 and 2/26/2010.

Council President Bertollo entertained a motion to approve Miscellaneous. Motion moved by Councilman Matthews, seconded by Councilman Sinning. On roll call, all voted yes.

## **BILLS**

Council President Bertollo entertained a motion to approve the bills and forward them to the Treasurer for payment. Motion moved by Councilman Wojtecki, seconded by Councilman Mele. Councilman Wojtecki indicated that he would like the bills that he requested at the last meeting. On roll call, all others voted yes.

<b>VENDOR</b>	<b>CHECK#</b>	<b>TOTAL</b>	<b>DESCRIPTION</b>
<b>CURRENT FUND</b>			
PAYROLL ACCOUNT	54561	256,746.08	VARIOUS
PAYROLL ACCOUNT	54562	7,830.85	SOCIAL SECURITY
A AND C GREEN CLEANER, LLC	54563	125.00	VEHICLE MAINTEN
A T & T	54564	46.17	TELEPHONE
A-VAN ELECTRICAL	54565	375.00	MAINTENCE OF PARKS
ABSORBENTONLINE.COM	54566	1,325.24	VARIOUS
ACORN TERMITE & PEST CONTROL	54567	100.00	PUB WORKS ADMIN
ANTHONY DIVINCENT	54568	30.00	TELEPHONE
ATLANTIC DETROIT DIESEL ALLISO	54569	1,003.67	VARIOUS
BILL FOX CO, LLC	54570	930.90	FIRE DEPT
BODY WORKS INC	54571	1,278.85	VEHICLE MAINTEN
BORST LANDSCAPE & DESIGN	54572	19,676.00	VARIOUS
BOSWELL ENGINEERING, INC	54573	1,889.00	VARIOUS
CABLEVISION	54574	217.48	VARIOUS
CARPET CYCLE, LLC	54575	250.00	RECYCLING
CHIEF SUPPLY CORP.	54576	1,261.25	VARIOUS
CINTAS CORP	54577	278.64	PUB WORKS ADMIN
CITY WIDE MAINTENANCE	54578	1,350.00	PUB WORKS ADMIN
DINN BROS	54579	246.25	FIRE DEPT
DRAEGER SAFETY DIAGNOSTICS, IN	54580	142.00	DDEF GRANT
ELECTRICAL POWER SYSTEMS, INC	54581	150.00	PUBLIC EVENTS
EMERGENCY TRAIN SOLUTIONS,LLC	54582	257.80	FIRE DEPT
FAIRVIEW LAKE YMCA CAMP	54583	198.00	MUNICIPAL ALLIANCE
FIRE SAFETY USA	54584	2,580.00	FIRE DEPT
FIRST PRIORITY EMERGENCY VEHIC	54585	1,225.00	VEHICLE MAINTEN
FREMGEN POWER EQUIPMENT INC	54586	469.40	VARIOUS
GET A CAN	54587	23,000.00	VARIOUS
GIANT TIRE SERVICE INC	54588	239.50	VARIOUS
GILBEY'S EMBROIDERY CO	54589	360.00	FIRE DEPT
GUARD LINE FIRE EQUIPMENT	54590	4,705.00	FIRE DEPT
HAWTH BOARD OF EDUCATION	54591	2,518,787.00	SCHOOL TAX PAYABLE
HAWTHORNE FIRE DEPT	54592	405.16	FIRE DEPT
HAWTHORNE MUNICIPAL COURT	54593	1,065.00	MRNA

HAWTHORNE PRESS INC	54594	441.36	MUNICIPAL CLERK
HFD #1	54595	1,595.00	VARIOUS
HFD #2	54596	1,595.00	VARIOUS
HFD #3	54597	1,595.00	VARIOUS
HFD #5 RESCUE	54598	495.00	VARIOUS
JANET REENSTRA	54599	120.00	GROUP INSURANCE
JOHN DEERE LANDSCAPE	54600	1,600.80	MAINTENCE OF PARKS
JOHN GURRIELL	54601	30.00	TELEPHONE
JOHN PALLOTTA	54602	180.00	GROUP INSURANCE
JOHN TRIPICCHIO	54603	268.10	VARIOUS
JOSEPH SPERANZA	54604	79.99	VARIOUS
JP HOME ARAMA, INC	54605	463.05	VARIOUS
KEN'S AUTO ELECTRIC, LLC	54606	898.50	VEHICLE MAINTEN
LERCH VINCI & HIGGINS	54607	1,200.00	VARIOUS
LINDA SABOW	54608	90.00	GROUP INSURANCE
LOGOCENTRIC	54609	873.73	MUNICIPAL ALLIANCE
LORRAINE POWELL	54610	174.40	MUNICIPAL ALLIANCE
LOUIS BAY 2nd LIBRARY	54611	16,884.00	LIBRARY STATE AID
LUK OIL	54612	8,579.35	BULK PURCHASE
MARK SMITH	54613	30.00	TELEPHONE
MARY JEANNE HEWITT	54614	52.80	VARIOUS
MES, INC	54615	2,933.36	FIRE DEPT
MIAMI SYSTEMS CORP	54616	275.00	MUNI COURT
MICHAEL I SCHNECK, TRUSTEE	54617	6,405.00	OPERATIONS
MONTONE REMOD & CONS CO, INC	54618	650.00	STREETS & ROADS
NJ MEADOWLANDS COMMISSION	54619	1,204.51	TRANSFER STATION
NO JERSEY MUNI EMPL BNFT FUND	54620	155,383.00	GROUP INSURANCE
NUNZIO DI BENEDETTO	54621	500.00	PUBLIC EVENTS
OFFICE CONCEPTS GROUP INC	54622	19.50	PEOSHA
PASSAIC COUNTY MUTUAL AID	54623	125.00	FIRE DEPT
PHYLLIS WOOLDRIDGE	54624	146.55	BOARD OF HEALTH
POSTMASTER-PATERSON	54625	1,200.00	RECYCLING
PUBLIC SERV ELEC & GAS	54626	31,140.83	VARIOUS
R & J CONTROL, INC.	54627	486.91	PUB WORKS ADMIN
RIDGEWOOD PRESS	54628	785.50	VARIOUS
RT OFFICE PRODUCTS	54629	16.80	POLICE DEPT
SCUFFY CARTING LLC	54630	31,892.58	GARBAGE COLLECTION
SEELEY EQUIP & SUPPLY CO, INC	54631	244.65	STREETS & ROADS
SHOTMEYER BROS FUEL CO	54632	4,380.62	BULK PURCHASE
SIR SPEEDY, INC	54633	961.30	RECYCLING
SPRINT-WIRELESS	54634	349.93	POLICE DEPT
STATE OF NJ-STATE TOXICOLOGY L	54635	175.00	POLICE DEPT
SWISSPHONE	54636	1,831.76	VARIOUS

THOMAS ZACONIE	54637	57.20	CONST CODE
TREASURER, STATE OF NEW JERSEY	54638	400.00	FEES PAYABLE
TREASURER, STATE OF NEW JERSEY	54639	80.00	STREETS & ROADS
TRILEX CLEANERS	54640	676.50	FIRE DEPT
UNITED COMPUTER	54641	1,270.00	VARIOUS
VEOLIA ENVIRONMENTAL SVCS INC	54642	47,921.66	TRANSFER STATION
VERIZON	54643	93.00	VARIOUS
VERIZON WIRELESS (N)	54644	849.24	VARIOUS
WATERWAY, INC	54645	3,701.40	VEHICLE MAINTEN
WESTMARK INC	54646	50.00	PUB WORKS ADMIN
ZEP MANUFACTURING	54647	<u>476.20</u>	STREETS & ROADS
<b>TOTAL CURRENT</b>		<b>\$ 3,182,473.32</b>	

**GENERAL CAPITAL**

BOSWELL ENGINEERING, INC	2567	60,520.00	STORM DRAINS
HAWTHORNE PRESS INC	2568	538.98	BROCKHUIZEN
LERCH VINCI & HIGGINS	2569	1,000.00	GOFFLE FORCE MAIN
PSE&G	2570	5,900.86	CREATION OF BALLF
WYCKOFF TREE CORPORATION	2571	<u>2,350.00</u>	STORM DRAINS
<b>TOTAL GENERAL CAPITAL</b>		<b>\$ 70,309.84</b>	

**WATER OPERATING**

PAYROLL ACCOUNT	15049	39,974.45	VARIOUS
PAYROLL ACCOUNT	15050	6,655.93	SOCIAL SECURITY
CABLEVISION	15051	155.18	WATER UTILITY
JP HOME ARAMA, INC	15052	69.49	WATER UTILITY
LERCH VINCI & HIGGINS	15053	300.00	WATER UTILITY
LUK OIL	15054	371.87	WATER UTILITY
MARY JEANNE HEWITT	15055	26.27	WATER UTILITY
OFFICE CONCEPTS GROUP INC	15056	32.69	WATER UTILITY
ONE CALL SYSTEMS, INC.	15057	112.50	WATER UTILITY
PASSAIC CO ROAD DEPT	15058	200.00	WATER UTILITY
PUBLIC SERV ELEC & GAS	15059	65,428.67	WATER UTILITY
RIO SUPPLY, INC	15060	4,986.00	WATER UTILITY
SHOTMEYER BROS FUEL CO	15061	265.31	WATER UTILITY
UNITED COMPUTER	15062	232.50	WATER UTILITY
VERIZON WIRELESS (N)	15063	<u>204.09</u>	WATER UTILITY
<b>TOTAL WATER OPERATING</b>		<b>\$ 119,014.95</b>	

**WATER CAPITAL**

HAWTHORNE PRESS INC	2254	<u>78.00</u>	IMPR TO PUMP HOUSE
<b>TOTAL WATER CAPITAL</b>		<b>\$ 78.00</b>	

**OTHER TRUST II**

PAYROLL ACCOUNT	6606	9,889.65	VARIOUS
JP HOME ARAMA, INC	6609	199.90	RECYCLING
WILFORD MAC DONALD, INC	6610	<u>2,706.74</u>	RECYCLING
<b>TOTAL OTHER TRUST II</b>		<b>\$ 12,796.29</b>	

**BUILDERS ESCROW**

BOSWELL ENGINEERING, INC	2131	805.00	REALTY ACQ
BOSWELL ENGINEERING, INC	2132	161.00	HANI 79
BOSWELL ENGINEERING, INC	2133	<u>161.00</u>	VERIZON WIRELESS
<b>TOTAL BUILDERS ESCROW</b>		<b>\$ 1,127.00</b>	

**TOTAL BILL LIST** **\$ 3,385,799.40**

**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 and state your name and address.

Seeing no one, Council President Bertollo entertained a motion to close the public comment portion of the meeting, moved by Councilman Sinning, seconded by Councilwoman English. On roll call, all voted yes.

**ADJOURNMENT**

Council President Bertollo entertained a motion to adjourn the meeting at 9:15 p.m., moved by Councilman Matthews, seconded by Councilman Wojtecki. On roll call, all voted yes.

Council President Bertollo indicated that the next regular council meeting will be on November 4, 2009. The work session will begin at 7:00 p.m. and the regular meeting will begin at 8:00 p.m.

---

John Bertollo  
Council President

---

Susan Witkowski  
Borough Clerk