

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:25 p.m., in the Council Meeting Room of the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, with the following present:

Council President.....	John Bertollo
Councilman.....	Frank Matthews
Councilman.....	Dominic Mele
Councilman.....	Garrett Sinning
Councilman.....	Joe Wojtecki
Director of Finance and Revenue.....	MaryJeanne Hewitt
Borough Administrator.....	Eric Maurer
Borough Attorney.....	Michael J. Pasquale
Borough Engineer Rep.....	Chris Nash
Acting Borough Clerk.....	Lori DiBella

Mayor Goldberg, Council Vice President Bennett, Councilman Lane, and Borough Engineer Dr. Stephen T. Boswell were not present.

FLAG SALUTE

Council President Bertollo invited all present to join him in the 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 Hawthorne Press, Herald News, 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 7, 2011.

APPROVAL OF MINUTES

Council President Bertollo entertained a motion to approve the minutes of the Regular Meetings of June 6th and June 20th, 2012; Bid minutes for 2012 Road Improvement Program on May 8th, Forest Ave Improvements/Warburton Sidewalks at Railroad Crossings on June 14th, 2012 Cab & Chassis F450 on June 28 and Telephone Bill Audit on June 28, 2012, moved by Councilman Sinning, seconded by Councilman Mele. On roll call, all voted yes with the exception of Councilpersons Bennett and Lane who were not present, Councilman Wojtecki abstained and Councilman Matthews abstained from the June 20th minutes.

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 Mele, seconded by Councilman Sinning. On roll call, all voted yes with the exception of Council Vice President Bennett and Councilman Lane who were absent.

ADOPTION OF ORDINANCES

None.

PUBLIC HEARING: OPEN SPACE GRANT APPLICATION FOR A BAND SHELL

Project Description:

- Construction of a band shell and restrooms at the west end of “Little Franklin: Field, adjacent to the water treatment facility
- Construction of additional parking along San Giuseppe Way
- Removal of the old tennis courts alongside May Street

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

Colleen Washburn, 84 Elberon Avenue

Mrs. Washburn had questions regarding upkeep, as well as hours of the events and the lighting, parking, bathrooms and garbage. Also wanted to know when this project's construction would begin. Council President Bertollo stated that it would be maintained the way it is currently, the hours would vary, not always being at night. No additional lighting to be added except to the band shell. There would be a new bathroom that would be available for games and events only and would be locked when not in use. Acting Mayor Maurer responded the application is in, the preliminary decision this fall, approval in the spring, and construction could begin in fall of 2013 at the and is not sure how long the construction will take.

Council President Bertollo entertained a motion that the public hearing on the Passaic County Open Space Grant application for a band shell be closed and that it be resolved that this hearing notice was posted on the bulletin board on which public notices are customarily posted and published in the Hawthorne Press, moved by Councilman Matthews, seconded by Councilman Wojtecki, on roll call all voted yes.

OLD BUSINESS

Councilman Mele asked about trees on Dixie Avenue being replanted. Councilman Wojtecki stated that Dixie Ave is on the agenda for the Shade Tree Commission.

Councilman Wojtecki asked for an update on the stop signs along May Street. Attorney Pasquale stated there should be an ordinance on the first or second meeting in August which will include the stop signs on May Street, cleaning up some parking issues on Lafayette Ave and the proposal of a four way stop sign at the intersection of Hawthorne Ave and Warburton Ave.

NEW BUSINESS

None.

ADMINISTRATIVE AGENDA PRESENTED BY ACTING MAYOR MAURER

Acting Mayor Maurer called Administration for their reports.

Director of Finance and Revenue Hewitt

Bond Sale- Bond bidding won by Roosevelt and Cross at 2.16 for a 16 year term for a total of \$5,989,000. Ms. Hewitt will distribute the full report tomorrow.

Attorney Pasquale

June 13th court date to enter default against One Washington Holdings Group will be delayed for a couple weeks. Pan Chemical has filed third party complaints against all principals of One Washington Holdings Group. Attorney Pasquale stated that he is seeing movement on this matter and is hopeful an agreement will be reached. No progress on the 7/11 application, awaiting transcripts. Filing of briefs would follow. Attorney Pasquale attended a conference with the Judge handling the case of 204 Wagaraw Road. The applicant may elect to head back to the planning board. The Judge has elected to segregate case into two issues. One being the challenges to ordinances adopted by committee and the second being challenges to approval granted by planning board. The process will take at least six months before we have any decisions on ordinance issues.

Boswell Engineer Project Manager, Chris Nash

Forest Avenue Improvements – Preconstruction meeting on July 19th. They will also discuss sidewalks in front of Borough Hall and on Warburton Ave

2012 Road Resurfacing Program – is still underway. First concrete, then paving to follow.

Susquehanna Western Rail Road - Rail road crossing construction to commence Monday, July 23 and will take one week. They are also talking about then doing Diamond Bridge crossing starting late August. Discussion followed.

Replacement of Bridge on Warburton Avenue - Bids to be received by July 23rd. This construction should commence in October. There will be scheduled closures on east bound side and west bound traffic will always remain open.

Christian Health Care Center – Special meeting in Wyckoff took place on June 18th. The purpose of the hearing was to determine Inherently Beneficial Use and the Board voted that it was Inherently Beneficial Use. The hearing is expecting to continue on July 23rd, there will be no special meeting for August; the next meeting after July will be in September.

Lafayette Hills Fence – the fence is installed and this project is complete.

Administrator Eric Maurer

Summer recreation and pool are in full swing. July 13th is the second tube and movie night, all residents are welcome to attend. CDBG Disaster Recovery Fund – The state has agreed to allow Passaic County to submit one application which is due by the end of the day today, July 11. If all continues to go well, almost all of the funds, for the buyouts of the three properties at Wagaraw Road and Passaic Ave, will have been received. Two new police cars, Dodge Chargers are now in service. The roll-off truck has arrived; there are a couple of issues to correct before it can be received. No bids were received at the auction for the three older model police cars; they will go back to auction on govdeals.com from July 12-26th. Our new IT vendor, Pascaek Data started on July 1. A purchase order will be issued for phase one upgrades, which will affect part of the security issues. One Washington Holdings property maintenance trial for June 21 has been postponed until end of August. Phase three of the Route 208 repairs will be starting 7/12 evening, lanes will not split and all traffic will be two lanes north and southbound. A request was made through the DOT, to lower the speed through the construction area. Construction is estimated to be completed in two months.

Questions for the Administration

Council President Bertollo asked if there were any questions for the administration.

Councilman Mele – Complimented Director of Revenue and Finance Hewitt and Administrator Maurer for doing a great job in regards to the financials.

Councilman Mathews – Asked Administrator Maurer what is the anticipated savings for the bond sale Administrator Maurer replied six figures. Asked Project Manager Nash or Administrator Maurer the status of the paving the pool path and discussion followed regarding safety of paving now or waiting until the fall.

Councilman Sinning – Asked if there has been a problem with accidents on Rt. 208 in construction zone. Administrator Maurer stated that he has been working on the costs from police dispatching to accidents caused by this construction. He also stated that it will be better once the split zones are finished but would still like for the speed to be lowered in that area.

Councilman Wojtecki – Asked Project Manager Nash making the direction on Warburton Avenue westbound only. It was a County decision based on traffic counts. Borough employees continue to smoke in borough vehicles. Administrator Maurer stated this has been addressed and will follow up again.

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

INTRODUCTION OF ORDINANCES

ORDINANCE NO. 2071-12

AN ORDINANCE REQUIRING THE RETROFITTING OF EXISTING STORM DRAIN INLETS WHICH ARE IN DIRECT CONTACT WITH REPAVING, REPAIR, RECONSTRUCTION, RESURFACING OR SIMILAR ALTERATION ON PRIVATE PROPERTY, SO AS TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE AND PRESCRIBE PENALTIES FOR NON-COMPLIANCE.

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

Section I. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Hawthorne or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Storm drain inlets – an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, and combination inlet.
- d. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

Section II. Prohibited Conduct:

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

1. Already meets the design standard below to control passage of solid and floatable materials; or
2. Is retrofitted or replaced to meet the standard in Section V below prior to the completion of the project.

Section III. Design Standard:

Storm drain inlets identified in Section II above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section III.3 below.

1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

- a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadway and Bikeways Planning and Design Guidelines (April 1996);
- b. A different grate, if each individual clear space has an area of no more than seven (7.0) square inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

3. This standard does not apply:

- a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meets these standards;
- b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

- i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
- ii. A bar screen having a bar spacing of 0.5 inches.
- c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1”) spacing between the bars; or
- d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

Section IV. Enforcement:

This ordinance shall be enforced by the Construction Official or Property Maintenance Officer of the Borough of Hawthorne.

Section V. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$250 for each storm drain inlet that is not retrofitted to meet the design standard.

Section VI. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason shall not affect any other portion of this Ordinance.

Section VII. Effective date:

This Ordinance shall take effect 20 days after final adoption and publication as provided by law.

ORDINANCE NO. 2072-12

AN ORDINANCE REQUIRING DUMPSTER AND OTHER OUTDOOR REFUSE CONTAINERS TO BE COVERED AT ALL TIMES AND PROHIBITING THE SPILLING, DUMPING, LEAKING OR DISCHARGE OF LIQUIDS, SEMI-LIQUIDS OR SOLIDS FROM THE CONTAINER TO THE STORM SEWER SYSTEM OF THE BOROUGH OF HAWTHORNE AND WATERS OF THE STATE SO AS TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE, AND PRESCRIBED PENALITES FOR FAILURE TO COMPLY.

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

Section I. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Borough of Hawthorne or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Refuse container – any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.
- d. Stormwater – means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.
- e. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

Section II. Prohibited Conduct:

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from

spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Borough of Hawthorne.

Section III. Exceptions to Prohibition:

- a. Permitted temporary demolition containers
- b. Litter receptacles (other than dumpsters or other bulk containers)
- c. Individual homeowner trash and recycling containers
- d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit
- d. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup)

Section IV. Enforcement:

This ordinance shall be enforced by the Property Maintenance Officer of the Borough of Hawthorne.

Section V. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$250.

Section VI. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason shall not affect any other portion of this Ordinance.

Section VII. Effective date:

This Ordinance shall take effect 20 days after final adoption and publication as provided by law.

RESOLUTIONS...

CONSENT AGENDA: MR 34-12, MR 35-12, R 124-12, R 147-12 through R161-12:

MR 34-12 Introduced by Councilman Mele

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 located on the north curb line of Rea Avenue, beginning eighty-five feet (85') east of the nearest crosswalk line and extending twenty-two feet (22') to the east in front of the premises known as 117 Rea Avenue, shown as Block 161 Lot 2 on the Borough Tax Map.
4. 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.

MR 35-12 Introduced by Councilman Mele

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

Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$4,000.00 which item is now available as revenue for the Click-it-or-Ticket Safety Program.

SPECIAL ITEM OF REVENUE OFF-SET WITH APPROPRIATIONS

Click-it-or-Ticket Program \$4,000.00

pursuant to the provision of the statute; and

SECTION 2

BE IT FURTHER RESOLVED, that a like sum of \$4,000.00 be and is hereby appropriated under the caption of:

OPERATIONS EXCLUDED FROM "CAPS" PUBLIC AND PRIVATE PROGRAMS OFF-SET BY REVENUE

Click-it-or-Ticket Program \$4,000.00

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 2011 budget and are now available by law.

R 149-12 Introduced by Councilman Mele

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 2011 in the sum of \$863.41 which item is now available as revenue for the Alcohol Education, Rehabilitation & Enforcement Program in the Borough of Hawthorne.

SPECIAL ITEM OF REVENUE OFF-SET WITH APPROPRIATIONS

Alcohol Education, Rehabilitation & Enforcement Program \$863.41

pursuant to the provision of the statute; and

SECTION 2

BE IT FURTHER RESOLVED, that a like sum of \$863.41 be and is hereby appropriated under the caption of:

OPERATIONS EXCLUDED FROM "CAPS" PUBLIC AND PRIVATE PROGRAMS OFF-SET BY REVENUE

Alcohol Education, Rehabilitation & Enforcement Program \$863.41

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 2011 budget and are now available by law.

R 150-12 Introduced by Councilman Mele

WHEREAS, the annual principal and interest payment for the Bond Anticipation Notes for the Borough of Hawthorne have become due and payable on July 20, 2012, and

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer is hereby authorized to wire funds in the amount of \$3,860,000.00 in principal from the General Capital Fund and \$36,628.46 in interest from the Current Fund and \$7,425.00 in interest from the Water Operating Fund, made payable to the Depository Trust Company, Account #066027306.

R 151-12 Introduced by Councilman Mele

WHEREAS, there exists a need for engineering services for the design and inspection phases of the 2012 NJDOT Forest Avenue Improvements, in the Borough of Hawthorne at a cost not to exceed \$20,000.00 for design and \$20,000.00 for construction inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that Boswell Engineering be awarded a contract in the amount not to exceed \$40,000.00, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract, in a form approved by the Borough Attorney subject to certification by the Chief Financial Officer.

R 152-12 Introduced by Councilman Mele

WHEREAS, there exists a need for engineering services for the design and inspection phases of the 2012 NJDOT Warburton Avenue Sidewalks at NYS&W Railroad Crossing Improvements, in the Borough of Hawthorne at a cost not to exceed \$8,000.00 for design and \$8,000.00 for construction inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that Boswell Engineering be awarded a contract in the amount not to exceed \$16,000.00, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract, in a form approved by the Borough Attorney subject to certification by the Chief Financial Officer.

R 153-12 Introduced by Councilman Mele

WHEREAS: Tax Sale Certificate #2009-04 was sold on December 01, 2009 in the amount of \$10,521.34 on Block 21 Lot 13 then assessed to Kaba, Lirim & Riza said lien was originally purchased by US Bank-Cust/Sass Muni V dtr TLSG 2 LP 50 S 16th St. Ste 195, Philadelphia, PA 19102, and

WHEREAS: said lien was redeemed on June 28, 2012 in the amount of \$69,574.00, said lienholder is entitled to a refund including the amount of the lien \$10,521.34, penalty of \$631.28, search and recording fee of \$55.00, subsequent taxes of \$43,774.28 and interest of \$14,592.10 for a total of \$69,574.00 and

NOW, THEREFORE, BE IT RESOLVED: that the Collector of Taxes recommends that a check be issued by the Treasurer from the Other Trust II/Trustee Account to US Bank-Cust/Sass Muni V dtr in the amount of \$69,574.00 to reimburse the lienholder for the lien, penalty, fees, subsequent taxes and interest and a check from the Other Trust I account for \$19,000.00 for Premium paid.

R 154-12 Introduced by Councilman Mele

WHEREAS, the Tax Collector of this municipality has previously issued a tax sale certificate to Fernwood Funding LLC which certificate is dated June 19, 2007 covering premises commonly known and referred to as Block 16 Lot 5 as set out on the municipal tax map then in use which certificate bears number 2007-01.

WHEREAS, the purchaser of the aforesaid tax sale certificate has indicated to the Tax Collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy of which is attached hereto.

NOW, THEREFORE, be it resolved by the Mayor and Governing Body of the Municipality of Hawthorne that the Tax Collector of the municipality be and is hereby authorized, upon receipt

of the appropriately executed and notarized Loss Affidavit and the payment of a fee of \$100.00 per certificate pursuant to N.J.S.A. 54:5-52.1 , to issue an appropriate duplicate tax sale certificate to the said purchaser covering the certificate lost as previously described all in accordance with the requirements of Chapter 99 of Public Laws of 1997.

BE IT FURTHER RESOLVED that a copy of this Resolution and the Loss Affidavit be attached to the duplicate certificate to be issued to said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word “Duplicate” as required by law.

R 155-12 Introduced by Councilman Mele

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 2012 in the sum of \$5,000.00 which item is now available as revenue for the Body Armor Replacement Fund Program in the Borough of Hawthorne.

SPECIAL ITEM OF REVENUE OFF-SET WITH APPROPRIATIONS

Emergency Management Grant Program \$5,000.00

pursuant to the provision of the statute; and

SECTION 2

BE IT FURTHER RESOLVED, that a like sum of \$5,000.00 be and is hereby appropriated under the caption of:

OPERATIONS EXCLUDED FROM “CAPS” PUBLIC AND PRIVATE PROGRAMS OFF-SET BY REVENUE

Emergency Management Grant Program \$5,000.00

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 2012 budget and are now available by law.

R 156-12 Introduced by Councilman Mele

WHEREAS, the semi-annual payment to the 2003A NJEIT Trust Loan in the amount of \$83,472.18 and the semi-annual payment to the 2003A NJEIT Fund Loan in the amount of \$54,050.73 has become due and payable as of August 1, 2012, and,

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 \$137,522.91 in payment of the 2003A NJEIT Trust and Fund Loans.

BE IT ALSO 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 \$2,137.50 to the NJEIT in payment of the New Jersey Environmental Infrastructure Trust semi-annual Administration Fees. This is to ratify the action taken on August 1, 2012.

R 157-12 Introduced by Councilman Mele

WHEREAS, the semi-annual payment to the 2004A NJEIT Trust Loan in the amount of \$49,040.14 and the semi-annual payment to the 2004A NJEIT Fund Loan in the amount of \$36,778.99 has become due and payable as of August 1, 2012, and,

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 \$85,819.13 in payment of the 2004A NJEIT Trust and Fund Loans.

BE IT ALSO 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 \$1,372.50 to the NJEIT in payment of the New Jersey Environmental Infrastructure Trust semi-annual Administration Fees. This is to ratify the action taken on August 1, 2012.

R 158-12 Introduced by Councilman Mele

WHEREAS, the semi-annual payment to the 2010A NJEIT Trust Loan in the amount of \$8,625.00 and the semi-annual payment to the 2010A NJEIT Fund Loan in the amount of \$18,348.21 has become due and payable as of August 1, 2012, and,

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 \$26,973.21 in payment of the 2010A NJEIT Trust and Fund Loans.

BE IT ALSO 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 \$1,118.75 to the NJEIT in payment of the New Jersey Environmental Infrastructure Trust and State of New Jersey semi-annual Administration Fees. This is to ratify the action taken on August 1, 2012.

R 159-12 Introduced by Councilman Mele

WHEREAS, the Borough of Hawthorne has solicited bids through a Fair and Open Process, with written Request for Proposal for a Gasoline Cab & Chassis F450 or equivalent as set forth in the proposal documents;

WHEREAS, the Borough received three proposals in respond to the Request for Proposal, the lowest being submitted by DFFLM, LCC, T/A Ditschman Flemington Ford, of Flemington, New Jersey; and

WHEREAS, the Administration is satisfied the vendor is qualified and that its bid at \$26,308.00 for the designated equipment is fair and reasonable and within the expectation of the solicitation; and

WHEREAS, the amount of the bid is less than the bid threshold established by the Local Public Contracts Law, and though it exceeds the limitation of the so-called Pay to Play Law of the State of New Jersey, it was the result of a Fair and Open Process being made to the lowest of three bidders taking part in the solicitation.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of a contract subject to the certification of availability of funds from the Chief Financial Officer, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract between the Borough of Hawthorne and DFFLM, LLC in a form approved by the Borough Attorney when these conditions have been met.

R 160-12 Introduced by Councilman Mele

WHEREAS, the Borough of Hawthorne has a need to purchase a Landscaper Truck Body and appropriate equipment as upgrade equipment for a Ford F450 Chassis and the Recycling Department in the Borough of Hawthorne; and

WHEREAS, the Borough of Hawthorne is a member of the Morris County Co-op Pricing Council; and

WHEREAS, Tony Sanchez, LTD has been awarded a contract by the Morris County Co-op Pricing Council for the purchase of the truck body equipment upgrade; and

WHEREAS, the administration recommends the utilization of this contract, and the cost for this purchase of the upgrade truck body equipment is:

Landscape Truck Body Upgrade \$17,850.00

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited state contract purchase subject to the certification of availability of funds from the Chief Financial Officer, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract between the Borough of Hawthorne and, Tony Sanchez, LTD in a form approved by the Borough Attorney when these conditions have been met.

R 161-12 Introduced by Councilman Mele

WHEREAS, on June 14, 2012, the Borough of Hawthorne received bids for the Improvement to Forest Avenue and for Warburton Avenue Sidewalks at NYS & W Railroad Crossing , authorized by Ordinances 2063-12, 2067-12 and 2068-12; and

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

Cifelli & Son General Construction, Inc.
Nutley, New Jersey

in the amount of \$298,656.00

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited lowest responsive bidder subject to the certification of availability of funds from the Chief Financial Officer and the approval of the New Jersey Department of Transportation, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract between the Borough of Hawthorne and Cifelli & Sons General Construction, Inc. in a form approved by the Borough Attorney when these conditions have been met.

Council President Bertollo entertained a motion to approve resolutions MR 34-12, MR 35-12, R 124-12, and R 147-12 through R161-12, moved by Councilman Mele, seconded by Councilman Sinning. Council President Bertollo asked if there was any discussion. On roll call, all voted yes.

REPORTS OF SPECIAL COUNCIL COMMITTEES

Councilman Mele - Last week, Friends of Passaic County Park held a performance from NJ Symphony Orchestra. Approximately 700 - 800 people attended. The next concert will be August 2nd at Garrett Mountain. We had the first movie night over 100 people attended. Next movie will be July 13th and we will show Love Bug. Also attended a public safety convention in Atlantic City, which was very educational.

Councilman Matthews – Insurance Committee met June 27th to review current insurance plans. Reviewed proposed submission for NJ State Plan as well as met with the vendor, outlined history. The next meeting will be July 16th for a more in depth comparison.

Councilman Sinning - Ordinance Committee met on July 10th to review results of the traffic trials at Washington School. The Public Forum will be July 25th at 7pm. The Library Board meeting was postponed until next week.

Councilman Wojtecki - Shade Tree Committee spoke about the trimming of a tree on Highcrest, tree issues on Pasadena Place, and the town wide pruning schedule for the fall season. The ad for the part time employee will be in the next Hawthorne Press. The next meeting will be August 7th at 4:30. Councilman Bertollo asked about replacing the state trees that died. Councilman Wojtecki responded that 45 trees and stumps have to be removed and 44 new trees will be planted in the fall.

Council President Bertollo – July 25th at 7pm will be the public forum for the Washington Elementary traffic plan. Officer De Lallo and Chief Scully attended the meeting yesterday to go

over the traffic trials which were done in week one and two. We will be sending out letters to the Washington Elementary neighbors and Superintendent of Schools Mooney will be placing a connect ed. call to the parents to get the public’s input. Meeting was advertised in the Hawthorne Press today and the next two weeks. Ordinance committee to review results and determine if any need revising.

CORRESPONDENCE

- C-1 Approval of application from the Board of Fire Commissioners for membership to Fire Company #2 for Mark D. Lundin, 3 Midland Avenue, Hawthorne, NJ. Council approval is required on the application for the New Jersey State Fireman’s Association.
- C-2 Approval of application from the Board of Fire Commissioners for membership to Fire Company #2 for Marco A. Totaro, 164 Pasadena Place, Hawthorne, NJ. Council approval is required on the application for the New Jersey State Fireman’s Association.
- C-3 Approval of application from the Board of Fire Commissioners for membership to Fire Company #2 for Scott R. Laubshire, 254 Hawthorne Avenue, Hawthorne, NJ. Council approval is required on the application for the New Jersey State Fireman’s Association.
- C-4 Approval of application from the Board of Fire Commissioners for membership to Fire Company #1 for Joseph C. Magnifico, 21 Cornell Avenue, Hawthorne, NJ. Council approval is required on the application for the New Jersey State Fireman’s Association.

Council President Bertollo entertained a motion to approve correspondence C-1, C-2, C-3 and C-4, moved by Councilman Mele, seconded by Councilman Matthews. Council President Bertollo asked if there was any discussion. On roll call, all voted yes with the exception of Councilman Wojtecki who abstained.

MISCELLANEOUS

None recorded.

BILLS (AMENDED)

Council President Bertollo entertained a motion to approve the bills, as amended, and forward them to the Treasurer for payment. Motion moved by Councilman Wojtecki, seconded by Councilman Sinning. Council President Bertollo asked if there was any discussion. On roll call, all voted yes. Councilman Wojtecki abstained from checks 13821, 13825, 13855, 13856, 13874, 13885, 13896, 13909, and 13915. Council President Bertollo abstained from check 13849.

VENDOR	CHECK#	TOTAL	DESCRIPTION
CURRENT FUND			
AAA EMERGENCY SUPPLY CO INC	13821	687.00	FIRE DEPT O/E
ACADEMY ELECTRICAL CONTRACTORS	13822	521.62	SWIMMING POOL O/E
ACCLAIM INVENTORY LLC	13823	2,300.00	GENERAL ADMIN O/E
ACORN TERMITE & PEST CONTROL	13824	100.00	DPW ADMIN O/E
ADVANCED AIR SYSTEMS LLC	13825	678.00	FIRE DEPT O/E
ADVANCED GRAPHIX, INC	13826	450.00	POLICE DEPT O/E
AERIAL RISE LLC	13827	8,030.44	VARIOUS
AGL WELDING SUPPLY CO, INC	13828	339.00	STREETS & ROADS O/E
ALL AMERICAN FORD	13829	5,144.40	VARIOUS
ALL BERGEN LOCKSMITHS, INC	13830	137.50	VARIOUS
AMERICAN TRAFFIC & STREET SIGN	13831	74.95	STREETS & ROADS O/E
ANTHONY BRIENZA	13832	50.00	MUNICIPAL CLERK O/E
AQUARIUS IRRIGATION SUPPLY,INC	13833	80.49	VARIOUS
ATLANTIC DETROIT DIESEL ALLISO	13834	125.00	VEHICLE MAINT ROAD
AWARD CO OF AMERICA	13835	135.20	PUBLIC EVENTS O/E
BOLTZER LANDSCAPING INC	13836	1,938.00	MAINTEN OF PARKS
BOSWELL ENGINEERING, INC	13837	5,180.50	VARIOUS
BRIAN PATMOS	13838	50.00	MUNICIPAL CLERK O/E

BROCK ENTERPRISES INC	13839	1,525.36	SWIMMING POOL O/E
CABLEVISION	13840	219.70	SWIMMING POOL O/E
CARL MOTTOLA	13841	89.76	CONST CODE OFFICIAL O/E
CHARLENE ELVIN	13842	264.92	VARIOUS
CMRS-FP	13843	5,500.00	GENERAL ADMIN O/E
COACTIVE CAPITAL PARTNERS LLC	13844	400.00	POLICE DEPT O/E
DAVID TANIS	13845	75.00	MUNICIPAL CLERK O/E
DECOTIIS, FITZPATRICK & COLE	13846	4,471.70	LEGAL SERV& COSTS O/E
DELL GARDEN CENTER	13847	381.23	VARIOUS
DOUGLAS MORGAN	13848	180.00	GROUP INSURANCE O/E
DOWNES TREE SERVICE, INC.	13849	1,650.00	SHADE TREE COMMISSION
EARTHLINK BUSINESS	13850	219.95	TELEPHONE CHARGES
ENNIO MARGARUCCI	13851	50.00	MUNICIPAL CLERK O/E
ERIC MAURER	13852	557.75	GENERAL ADMIN O/E
ERICK PINOS	13853	700.00	VARIOUS
EXTEL COMMUNICATIONS, INC	13854	440.00	POLICE DEPT O/E
FEDERATED EMERGENCY SERVICES	13855	4,609.27	VEHICLE MAINT FIRE DEPT
FIREFIGHTER ONE LLC	13856	517.48	FIRE DEPT O/E
FIRESTONE COMPLETE AUTO CARE	13857	20.99	VEHICLE MAINT SEWER
FIRST MOUNTAIN ARBORICULTURE L	13858	910.00	SHADE TREE COMMISSION
FREMGEN POWER EQUIPMENT INC	13859	471.20	STREETS & ROADS O/E
FUTURE SANITATION INC	13860	39,375.00	VARIOUS
GWENDOLINE RAVE	13861	50.00	MUNICIPAL CLERK O/E
HAWTHORNE AUTO BODY, INC	13862	3,595.12	VARIOUS
HAWTHORNE AUTO LAB	13863	2,234.31	VARIOUS
HAWTHORNE BASEBALL/SOFTBALL AS	13864	5,430.00	VARIOUS
HAWTHORNE BOARD OF EDUCATION	13865	3,867,016.00	SCHOOL TAX
HAWTHORNE CAR WASH, INC	13866	242.00	VARIOUS
HAWTHORNE CHEVROLET	13867	405.76	VEHICLE MAINT POLICE
HAWTHORNE PRESS INC	13868	690.30	VARIOUS
HENRY'S PLUMBING & HEATING INC	13869	223.62	SWIMMING POOL O/E
HOME DEPOT SUPPLY	13870	202.02	VARIOUS
HOME SUPPLY & LUMBER CO., INC.	13871	32.72	POLICE DEPT O/E
IF IT'S WATER, INC	13872	1,449.70	SWIMMING POOL O/E
IKON OFFICE SOLUTIONS, INC	13873	407.45	POLICE DEPT O/E
INSURANCE RESTORATION SPECIALI	13874	1,255.00	VARIOUS
IPPOLITO BROS INC	13875	895.00	SWIMMING POOL O/E
JANET REENSTRA	13876	120.00	MUNICIPAL CLERK O/E
JESCO INC	13877	384.81	VEHICLE MAINT ROAD
JET-VAC INC	13878	2,573.27	VEHICLE MAINT SEWER
JOHN DEERE LANDSCAPE	13879	871.48	MAINTEN OF PARKS
JORDAN TRANSPORTATION,INC	13880	1,260.00	VARIOUS
KNAPP, TRIMBOLI & PRUSINOWSKI	13881	2,016.77	LEGAL SERV& COSTS O/E
LORRAINE POWELL	13882	87.46	MUNICIPAL ALLIANCE
LUK OIL	13883	10,109.73	BULK PURCHASE GASOLINE
MATTHEW HOOGMOED	13884	169.18	POLICE DEPT O/E
MES, INC	13885	407.74	FIRE DEPT O/E
METLIFE	13886	306.67	GROUP INSURANCE O/E
MONSEN ENGINEERING CO	13887	545.31	DPW ADMIN O/E
NEUTRON INDUSTRIES	13888	264.56	VARIOUS
NJ MEADOWLANDS COMMISSION	13889	2,940.52	TRANSFER STATION
NJ TRANSIT	13890	180.00	SEWER SYSTEM O/E
NO JERSEY MUNI EMPL BNFT FUND	13891	135,361.00	GROUP INSURANCE O/E
OFFICE CONCEPTS GROUP INC	13892	65.98	DPW ADMIN O/E
P & A AUTO PARTS, INC	13893	214.53	VARIOUS
PARK N POOL	13894	730.78	SWIMMING POOL O/E
PASSAIC VALLEY SEWER COM	13895	272,892.52	PASSAIC VALLEY SEWER
PENQUIN COMMUNICATIONS, LLC	13896	828.00	FIRE DEPT O/E
PODS ENTERPRISES, INC.	13897	279.90	DPW ADMIN O/E

POSITIVE PROMOTIONS, INC	13898	210.90	MUNICIPAL ALLIANCE
POST & KELLY ELECTRIC CO, INC	13899	212.00	DPW ADMIN O/E
PREFERRED BUSINESS SYSTEMS	13900	276.10	DPW ADMIN O/E
PROCOPY INC	13901	985.75	VARIOUS
PROFORMA	13902	980.00	EMERGENCY MGT A
PUBL	13903	13.21	ELECTRIC CHARGES
R & R PUMP & CONTROL	13904	365.90	SEWER SYSTEM O/E
RICOH BUSINESS SYSTEMS, INC	13905	416.03	CONST CODE OFFICIAL O/E
ROBERT FEENEY JR	13906	56.97	SWIMMING POOL O/E
ROBERT POLITO LANDSCAPING	13907	175.00	STREETS & ROADS O/E
RT OFFICE PRODUCTS	13908	141.30	VARIOUS
RUSCON TRUCK SERVICE & EQUIPME	13909	1,691.22	VEHICLE MAINT FIRE DEPT
SAFARILAND LLC	13910	100.00	POLICE DEPT O/E
SPRINT-WIRELESS	13911	639.84	VARIOUS
STAPLES	13912	372.59	VARIOUS
STEELFAB	13913	220.00	VEHICLE MAINT ROAD
STONE INDUSTRIES	13914	1,075.16	STREETS & ROADS O/E
TANIS HARDWARE	13915	289.95	VARIOUS
THOMAS ZACONIE	13916	59.67	CONST CODE OFFICIAL O/E
THOMSON WEST INC	13917	187.00	MUNI COURT
US MUNICIPAL SUPPLY, INC.	13918	750.01	VEHICLE MAINT ROAD
US SECURENET PUBLIC SAFETY DIV	13919	45.00	POLICE DEPT O/E
USA BLUE BOOK INC	13920	57.91	SEWER SYSTEM O/E
VERIZON	13921	2,954.55	VARIOUS
VERIZON WIRELESS (N)	13922	120.41	TELEPHONE CHARGES
WALKER PERSONNEL & SECRETARIAL	13923	698.25	VARIOUS
WILLIAM MARRA	13924	179.96	GROUP INSURANCE O/E
WINNER FORD	13925	<u>60,779.38</u>	POLICE DEPT O/E
TOTAL CURRENT		\$ 4,479,444.68	
 GENERAL CAPITAL			
BOSWELL ENGINEERING, INC	3186	18,153.25	VARIOUS
DELL MARKETING LP	3187	9,686.78	SAFETY COMMUNICATIONS
HUDSON-ESSEX-PASSAIC COUNTY	3188	575.00	NJDOT FORREST AVE
MATTHEW HOOGMOED	3189	723.81	VARIOUS
NORTH JERSEY MEDIA GROUP INC	3190	136.08	NJDOT FORREST AVE
R & R PUMP & CONTROL	3191	28,960.00	SANITARY SEWER MAIN IMPROV
THE ATERNATIVE PRISONER BENCH	3192	<u>829.00</u>	SAFETY COMMUNICATIONS
TOTAL GENERAL CAPITAL		\$ 59,063.92	
 WATER OPERATING			
AC SCHULTES INC	8966	7,218.00	WATER UTILITY O/E
AGRA ENVIRONMENTAL SVC	8967	420.00	LAB TESTING WATER
ALL AMERICAN FORD	8968	683.13	WATER UTILITY O/E
CMRS-FP	8969	1,500.00	WATER UTILITY O/E
CR INDUSTRIAL SERVICES INC	8970	1,039.50	VARIOUS
HENRY'S PLUMBING & HEATING INC	8971	122.46	VARIOUS
HOME DEPOT SUPPLY	8972	53.92	WATER UTILITY O/E
LUK OIL	8973	1,213.79	WATER UTILITY O/E
NEUTRON INDUSTRIES	8974	92.53	WATER UTILITY O/E
NO JERSEY MUNI EMPL BNFT FUND	8975	50,000.00	GROUP INSURANCE EMPLOYEES
OFFICE CONCEPTS GROUP INC	8976	39.00	WATER UTILITY O/E
P & A AUTO PARTS, INC	8977	43.24	VARIOUS
RIO SUPPLY, INC	8978	7,126.90	VARIOUS
SIR SPEEDY, INC	8979	1,359.25	WATER UTILITY O/E
TANIS HARDWARE	8980	97.72	WATER UTILITY O/E
TRI-STATE TECH SERV, INC	8981	100.00	WATER UTILITY O/E
USA BLUE BOOK INC	8982	730.69	WATER UTILITY O/E

VERIZON	8983	<u>250.00</u>	WATER UTILITY O/E
TOTAL WATER OPERATING		\$ 72,090.13	
WATER CAPITAL			
CR INDUSTRIAL SERVICES INC	1037	<u>15,694.34</u>	CAPITAL EQUIPMENT
TOTAL WATER CAPITAL		\$ 15,694.34	
OTHER TRUST II			
ALL AMERICAN FORD	4429	918.84	RECYCLING
ALLIED CARPET	4430	1,493.20	RECYCLING
DAVE STERN INC	4431	1,209.60	RECYCLING
EBF ENTERPRISES LLC	4432	150.76	RECYCLING
KEN'S AUTO ELECTRIC, LLC	4433	650.00	RECYCLING
LINCOLN LIMITED	4434	120.00	RECYCLING
P & A AUTO PARTS, INC	4435	69.81	VARIOUS
US BANK CUST/SASS MUNI V DTR	4436	<u>69,574.00</u>	TRUSTEE
TOTAL OTHER TRUST II		\$ 74,186.21	
DOG DEDICATED			
TYCO ANIMAL CONTROL SERVICES	6063	<u>2,100.00</u>	PROFESSIONAL FEES
TOTAL DOG DEDICATED		\$ 2,100.00	
BUILDERS ESCROW			
BOSWELL ENGINEERING, INC	5157	784.50	ERDMAN
BOSWELL ENGINEERING, INC	5158	792.00	FULVIO GROSSO
BOSWELL ENGINEERING, INC	5159	<u>88.00</u>	WESTERVELT-MILLVIEW 7/1
TOTAL BUILDERS ESCROW		\$ 1,664.50	
OTHER TRUST I ESCROW			
US BANK CUST/SASS MUNI V DTR	7034	19,000.00	TAX SALE PREMIUMS
COMMUNITY GRANTS & PLANNING, I	2012	<u>2,336.00</u>	HOUSING REHAB PROGRAM
TOTAL OTHER TRUST I ESCROW		\$ 21,336.00	
HOUSING TRUST			
SEVERE STRUCTURES, LLC	2013	<u>2,820.00</u>	HOUSING REHAB PROGRAM
TOTAL HOUSING TRUST		\$ 2,820.00	
TOTAL BILL LIST		<u>\$ 4,728,399.78</u>	

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, there is a five minute limit, sign the sheet for the record. Council President Bertollo asked if anyone wished to be heard.

Frank Theesan, City-wide Towing, 122 Highland Court, Franklin Lakes

City Wide is one of the towers for the Hawthorne Police Department. He is having an issue with many vehicles that they towed for the Hawthorne Police Department. The HPD is not processing them for disposal. These cars are required to be disposed of and processed within 30 days. He has a vehicle towed by the town in 2008 that was auctioned off. The paperwork was signed in one spot by the Captain but forgot to sign it in another. Since that time, procedure has changed with the State of New Jersey. If the car does not sell at auction, the town needs to send that paperwork back at which time they will get a regular title which they will endorse and give to the towing company so that he can either sell it or junk it. He has cars from 2008 and 2010. He is very frustrated. Spoke with Passaic County Prosecutors Office and they recommended that he

come to us. Council President Bertollo asked Administrator Maurer if he was familiar with the situation. Borough Attorney, Pasquale responded he has been in touch with Mr. Theesen's lawyer, he has also spoken with the Chief of Police. He and Mr. Theesen seem to have a difference of opinion as to the procedure that needs to be followed and whether or not anything but a salvage title can be obtained. He will look into it with Mr. Theesens lawyer and report back for the next meeting.

Paul and Hilda Allen – 335 Hawthorne Ave

Mr. Allen's neighbor installed a bird feeder on the property line. They have asked the neighbor to move the bird feeder to the other side of the property, the neighbor then added two more. There are now three bird feeders twenty-three inches from his property line. The birds are defecating on Mr. Allen's fence, patio furniture, and grill. He has spoken with the Board of Health and to Administrator Maurer. Hawthorne doesn't have an ordinance prohibiting this. Mr. Allen would like an ordinance to limit the space between property lines and bird feeders. Councilman President Bertollo will look at it on the County level.

Mr. Allen asked the status of a left turn signal being added to the intersection of Lincoln Ave and Wagaraw Road. Attorney Pasquale stated the County has changed the timing on the light as well as widened the road which has helped traffic problems.

Mr. Allen inquired about handicap parking at the train station. NJ Transit has added a second handicap spot. Mr. Allen is looking for another spot to be added on Washington Ave. Attorney Pasquale stated they are working with NJ Transit to install additional handicap spots in the parking lot. Councilman President Bertollo stated they have asked NJ Transit to add six more.

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

ADJOURNMENT

Council President Bertollo entertained a motion to adjourn the regular meeting, moved by Councilman Sinning, seconded by Councilman Wojtecki. On roll call, all voted yes.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE ON **AUGUST 1, 2012**. THE WORK SESSION WILL BEGIN AT 7:00 PM AND THE REGULAR MEETING WILL BEGIN IMMEDIATELY FOLLOWING. PERSON WITH DISABILITIES WHICH REQUIRE AIDES SUCH AS: SIGN LANGUAGE INTERPRETER, TELECOMMUNICATIONS, BRAILLE, TAPES OR LARGE PRINT, THE BOROUGH CLERK'S OFFICE SHOULD BE NOTIFIED TEN DAYS PRIOR TO ATTENDANCE AT A MEETING SO ACCOMMODATIONS MAY BE MADE.

John Bertollo
Council President

Lori DiBella
Acting Borough Clerk