

August 1, 2012  
Hawthorne, NJ

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:45 p.m., in the Council Meeting Room of the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, with the following present:

Mayor .....	Richard S. Goldberg
Council President .....	John Bertollo
Council Vice President .....	Bruce Bennett
Councilman .....	John Lane
Councilman .....	Dominic Mele
Councilman .....	Frank Matthews
Councilman .....	Garrett Sinning
Councilman .....	Joseph Wojtecki
Borough Administrator .....	Eric Maurer
Director of Revenue and Finance .....	MaryJeanne Hewitt
Borough Attorney .....	Michael J. Pasquale
Borough Engineer .....	Dr. Stephen T. Boswell
Acting Borough Clerk .....	Lori DiBella

### **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 Meeting of July 11<sup>th</sup>, 2012, moved by Councilman Mele, seconded by Councilman Sinning . On roll call, all voted yes except Councilman Lane and Council Vice President Bennett who abstained.

### **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.

## **ADOPTION 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.

### **Public Hearing**

Council President Bertollo opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2071-12 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Council President Bertollo entertained a motion that the public hearing on Ordinance No. 2071-12 be 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.

Motion was moved by Councilman Wojtecki, seconded by Councilman Lane. On roll call, all voted yes except Council President Bertollo and Vice President Bennett who voted no.

### **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 PENALITIES 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.

**Public Hearing**

Council President Bertollo opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2072-12 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Council President Bertollo entertained a motion that the public hearing on Ordinance No. 2072-12 be 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. Motion was moved by Councilman Mele, seconded by Councilman Wojtecki. On roll call, all voted yes except Councilman Lane and Councilman Matthews who voted no.

**OLD BUSINESS**

Councilman Wojtecki indicated the dead tree at 41 Parmalee Ave still has not been removed. Administrator Maurer responded he would contact Downes Tree Service to remove. Councilman Wojtecki stated that Congress Textiles vehicles continue to park over the brook. Administrator Maurer indicated it has addressed it with the Police Department and summonses

have been issued. Councilman Wojtecki asked that we investigate installing stop signs on East Prospect. Administrator Maurer will ask the Police Department to investigate then make a recommendation to the Ordinance Committee.

Councilman Lane asked Mayor Goldberg for an update on Goffle Road and Braen Ave. Mayor Goldberg stated he will contact the County to follow up on their progress. Councilman Lane asked Administrator Maurer for an update on the renovations to the Police Department desk. Administrator Maurer replied that the window has been lowered, a steel plate will be installed above the window to make it more secure and the consoles have started to go in. Project completion is scheduled for August with the dispatcher's in before then and the doors and windows installed by Friday as previously stated. Discussion ensued on timeline. Councilman Lane asked if the Police Department has reported on the monitoring of Rea Ave between First, Second and Third Avenue's to the Ordinance Committee. Administrator Maurer replied he will look into it.

### **NEW BUSINESS**

Councilman Matthews asked Administrator Maurer for an update on the dog incident. Administrator Maurer replied an agreement could be reached in a few weeks as long as owner of the potentially dangerous dog complies with requirements of a six foot high fence, with bottom and top protection, remaining locked as well as the dog being muzzled if taken out of the yard. Administrator Maurer and the Building Department will inspect together to ensure these guidelines have been met. Anticipate this to be resolved by the next meeting.

### **ADMINISTRATIVE AGENDA PRESENTED BY MAYOR GOLDBERG**

Mayor Goldberg reported the Walmart Corporation was conducting a poll which was not authorized by the Borough and may be typical behavior of a corporation when coming into a community. He mentioned that there was a "Fifty Year Storm" that hit Hawthorne on Saturday into Sunday which caused some severe flooding. The tax bills will include a letter regarding the 9-11 Memorial. A fundraiser dinner is planned for October 11, 2012 at Macaluso's to help raise \$125,000 for the memorial. The ground breaking will take place at 7pm on September 11, 2012. October 6<sup>th</sup> is Hawthorne Day.

#### **Director of Finance and Revenue Hewitt**

Resolution 165-12 is Revenues that have to make the budget go into effect. The interfund resolution is to increase the Clean Communities Grant reporting which she is working on with Public Works Director Clementi. The State delayed the printing of the tax bills; therefore they will be mailed out by Monday or Tuesday. Resolution 168-12 will extend the grace period to September 5<sup>th</sup>; payments later will incur interest charged back to August 1, 2012. The 2011 audit has been received; at next meeting we will formally receive the audit and report the corrective action plan. Resolution 171-12 is a wire transfer to Grant Street Group for payment of fees of rather than by voucher.

#### **Borough Engineer Boswell**

Forest Avenue Improvements – Pre-construction meeting was held July 19. Cifelli & Sons tentative start date is Monday Aug 13<sup>th</sup>.

2012 Road Resurfacing Program – AJM completed milling and paving on Union, Summer, Glen, Ridgewood, New York, Beverly and Faber and currently addressing East Prospect, Utter, Genevieve and Dixie Avenue's.

Pool Path Improvements - will be done after the pool closes.

Storage Tanks - waiting close out.

Christian Health Care Center - July 23<sup>rd</sup> meeting with applicant's traffic expert stated there is less traffic generated by this than would be generated by current zoning. Also there is a warrant to signalize the intersection of Cedar on Sicomac. The Board gave direction to the applicant that the project is too large and they would like to see a reduction. Next meeting will be October 1, 2012.

R170-12 Recommends release of the entire performance bond and a maintenance bond for \$18,750.

Library Roof - Roof leak was caused by a clogged drain on the air conditioner line due to a dirty filter. Problem has been resolved.

Warburton Avenue Project - County received bids on July 26<sup>th</sup> for the Warburton Ave project and will be awarded on August 14 at the Freeholder's Meeting. The meeting will be held here in the Borough at 5:30pm. Projected start date is October and the bridge will be a single lane of traffic in a west bound direction during construction. Rea Ave Bridge will be bid in another month. Engineer Boswell will give a presentation on the Goffle Brook Stabilization Project at the Freeholders meeting. This project has now been divided into two parts, the Goffle Brook stabilization part and the beautification part. Estimate for both projects is in the area of \$4,000,000. Current funds are \$3.5 million which may cover the costs due to bids coming in low. Final plans will be submitted to the County tomorrow.

#### Borough Attorney Pasquale

Nothing to report on 204 Wagaraw Road. In Spa matter - the prosecution of the individual who is charged with solicitation is still scheduled and we will take action after the Municipal Court.

Pan Chemical - we started suit against One Washington and Pan Chemical. In turn Pan Chemical has named the individual owners of One Washington as parties as well as New Jersey Transit and Susquehanna Railroad as parties in their suit. All parties have met and seeking a resolution.

The law changed in April 2010 with regard to the process of impounded vehicles by the Police Department. Attorney Pasquale will work with Police Chief Scully and Citi Wide Towing to resolve this matter.

#### Borough Administrator Eric Maurer

The County has submitted the CBDG and Disaster Recovery Grant pre-application to the NJ Department of Community Affairs which includes over \$800,000 for the buyout of three properties in Hawthorne. A public hearing will be held prior to the submission of the full application. Administrator Maurer will be attending a hearing at the County Open Space Committee on August 16<sup>th</sup> for the bandshell application. Three old police vehicles were sold on

govdeals.com totaling \$1,942.00. No bids were received for gasoline purchase and effort continues on a negotiated contract.

Mayor Goldberg reported he just received news there is a water main break in town and is only affecting the fire hydrants not the residents. There is low water pressure on the fire hydrants. An extensive dig repair will take place and they will be working throughout the night.

#### Questions for the Administration

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

Councilman Wojtecki asked where the borough vehicles are going now that the gas station is closed. Administrator Maurer stated we are still using the cards at other Luke Oil stations as we look at other options. Councilman Wojtecki thanked Administrator Maurer for the completion of the tree trimming at the light at North 8<sup>th</sup>, and also for the filling of the sink hole on Lincoln and Minerva Avenue's.

Councilman Matthews asked Engineer Boswell if they are able to dig the hole on North Highcrest today to determine why there was subsidence on the cul-de-sac. Engineer Boswell replied they have started work on the road and completion of the excavation depends upon the weather: the problem seems to be a decomposing tree stump.

Councilman Lane asked Engineer Boswell why the beautification portion of the bank stabilization project was so expensive. Engineer Boswell replied the plan is to restore it to the original condition as designed by the Homestead Brothers who designed Central Park as well as matting for stabilization and plantings.

Councilman Lane asked Attorney Pasquale for an update on the Pyrolac property. Attorney Pasquale replied he had a meeting last week with a potential buyer and we should see some progress within the next month.

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

### **INTRODUCTION OF ORDINANCES**

#### **ORDINANCE NO. 2073 -12**

**BOND ORDINANCE PROVIDING FOR THE INSTALLATION OF LIGHTING AND RELATED IMPROVEMENTS AT THE WAGARAW ROAD BALL FIELD DESIGNATED AS FIELD FOUR IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$155,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME.**

The Municipal Council of the Borough of Hawthorne, in the County of Passaic, New Jersey (not less than two-thirds of all members thereof affirmatively concurring), do hereby ORDAIN as follows:

Section 1. The improvement described in Section 3 of this Bond Ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Hawthorne, in the County of Passaic, New Jersey. For the said improvement or purpose stated in Section 3,

there is hereby appropriated the sum of \$155,000 said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$7,750 as the down payment for said improvement or purpose required by law and now available therefor in the Capital Improvement Fund of the Borough by virtue of provision in a budget or budgets of the Borough previously adopted. The Borough of Hawthorne anticipates receipt of the sum of \$75,000.00 from the Passaic County Open Space Fund also for such purpose. Said sum is to be applied in whole to the improvement hereunder, thereby reducing the total sum to be borrowed as well as the amount to be paid therefore from the Capital Improvement Fund of the Municipal Budget.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$155,000 appropriation not provided for by application hereunder of said down payment and contributions as aforesaid, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$147,250 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$147,250 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which said obligations are to be issued is the installation of lighting at Wagaraw Road Ball Field Number Four, as well as all related and ancillary improvements, and all work and materials necessary therefor or incidental thereto, all as shown on and in accordance with plans therefor prepared by Boswell Engineering, now on file in the office of the Borough Clerk, and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$147,250.

(c) The estimated cost of said purpose is \$155,000, the excess thereof over the said estimated maximum amount of bonds or notes being the amount of the said \$7,750 down payment.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time, subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate, and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, and according to the reasonable life thereof computed from the date of the said bonds authorized by

this Bond Ordinance is (20) years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Finance in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Law is increased by the authorization of the bonds and notes provided for in this Bond Ordinance by \$7,750 and that the said obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Law.

(d) An aggregate amount not exceeding \$30,000 for items of expense mentioned in and permitted under Section 40A:2-20 of said Law may be included in the foregoing estimate of the cost of said improvement or purpose.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitations of rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. Resolutions in the form promulgated by the Local Finance Board showing all detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by said Local Bond Law.

BE IT RESOLVED, that Ordinance No. 2073-12 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 September 5, 2012, at 7:00 p.m., at which time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Hawthorne Press once, 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.

Motion was moved by Council Vice President Bennett, second by Councilman Matthews. Council President Bertollo asked if there was any discussion. On roll call, all voted yes.

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## **RESOLUTIONS...**

### **CONSENT AGENDA: MR 36-12, MR 37-12 and R 162-12 through R 172-12:**

**MR 36-12 Introduced by Councilman Mele**

WHEREAS, the Borough of Hawthorne is the owner of a free Public Library, the Louis Bay 2<sup>nd</sup> Library and Community Center; and

WHEREAS, the Borough of Prospect Park had previously requested that Hawthorne make the Louis Bay 2<sup>nd</sup> Library available to residents of Prospect Park in accordance with an Interlocal Services Agreement; and

WHEREAS, the parties previously entered into such an agreement, however the same expired by its terms on June 30, 20012; and

WHEREAS, the parties have subsequently negotiated an extension and modification to the original agreement so as to allow Prospect Park residents use of the Louis Bay 2<sup>nd</sup> Library in accordance with a revised Interlocal Services Agreement, a copy being annexed hereto; and

WHEREAS, the provision of such service is authorized by N.J.S.A. 40:54-29.1 provided the municipality requesting service and the municipality providing service each adopts a resolution in accordance with 40:54-24.1 and 40:54-29.2, respectively;

NOW THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne does agree to enter into a contract to furnish library services to Prospect Park, in accordance with the Interlocal Agreement annexed hereto; and does authorize the Mayor and Clerk to execute and deliver the same as and for the action of the Borough of Hawthorne, subject nevertheless to payment of past due fines as of the end of the prior agreement, June 30, 2012.

**MR 37-12     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 will be located on the north curb line of Prescott Avenue, beginning seventeen feet (17') west of the west edge of the storm drain located along the north curb line of Prescott Avenue just west of N. 14<sup>th</sup> Street and extending twenty-two feet (22') to the west. A handicap Parking Sign should be placed thirty-nine feet (39') west of the aforementioned storm drain. The marked parking space will be located directly in front of 151 Prescott Avenue, shown as Block 60 Lot 11 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.

**R 162-12 Introduced by Councilman Mele**

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated 7/13/12 and payroll dated 7/27/12.

CURRENT FUND	WT 888889	294,855.92
WATER OPERATING FUND	WT 888889	53,146.43
OTHER TRUST II FUND	WT 888889	8224.31
TOTAL PAYROLL		<u>356,226.66</u>
CURRENT OPERATING FUND TO PAYROLL/FICA	WT 888889	13,700.00
WATER OPERATING FUND TO PAYROLL/FICA	WT 888889	3,898.03
TOTAL FICA		<u>17,598.03</u>
		<u>7/13/12</u>
CURRENT FUND	WT 888889	281,442.46
WATER OPERATING FUND	WT 888889	40,905.51
OTHER TRUST II FUND	WT 888889	10,396.59
TOTAL PAYROLL		<u>332,744.56</u>
CURRENT OPERATING FUND TO PAYROLL/FICA	WT 888889	5,411.67
WATER OPERATING FUND TO PAYROLL/FICA	WT 888889	10,000.00
TOTAL FICA		<u>15,411.67</u>
		<u>7/27/12</u>

**R 163-12 Introduced by Councilman Mele**

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

<u>Block/Lot</u>	<u>Original Assessment</u>	<u>Judgment</u>	<u>Difference</u>	<u>Overpayment</u>
2007 281.01 / 19.03	\$578,700.	\$460,000.	\$118,700.	\$5,068.49

Michael A. Vespasiano, Attorney Trust Acct. for KKM Real Estate Investment 1012 Goffle Rd, Hawthorne, N.J.

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 accordance with the state judgment

**R 164-12      Introduced by Councilman Mele**

WHEREAS, there exists a need for engineering services for Water System Improvements – Data Collection in the Borough of Hawthorne.

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 \$10,000.00 for the aforementioned purpose, and that the Mayor and Municipal Clerk, subject to the receipt of the signed lease agreement and certification of availability of funds from the Chief Financial Officer, be directed and authorized to enter into and execute a contract, in a form approved by the Borough Attorney.

**R 165-12      Introduced by Councilman Mele**

WHEREAS, the 2012 Local Municipal Budget was adopted at the Regular Council Meeting of April 18, 2012 and certain items contained therein require account transfers between the various Borough funds in order to effectuate these budgetary items.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to liquidate these items as indicated herein:

<u>PAY FROM</u>	<u>PAY TO</u>	<u>AMOUNT</u>	<u>FOR</u>
Current	General Capital	100,000.00	Capital Improvement Fund
Current	Water Operating	89,100.00	Fire Hydrant Service
General Capital	Current	50,000.00	Reserve for Payment of Debt

**R 166-12      Introduced by Councilman Mele**

WHEREAS, 2012 Treasury records reflect certain interfund account balances as of July 25, 2012 that require account transfers in order that this interfund be liquidated.

NOW THEREFORE BE IT RESOLVED, By the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to settle this interfund item as indicated herein:

From	To	Amount	
Current	Other Trust II - Recycling	5,995.52	Posting Error

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 transferring the above referenced amount to and from the appropriate funds.

**R 167-12      Introduced by Councilman Mele**

WHEREAS, the annual principal payment and the semi-annual interest payment for the General Serial Bonds of 2005 becomes due and payable on August 15, 2012.

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 \$310,000.00 in payment of principal and \$24,113.00 in payment of interest from the Current Fund to Chase Bank NY Account #066027306

**R 168-12      Introduced by Councilman Mele**

WHEREAS, N.J.S.A. 54-4-67 permits the Mayor and Council of each municipality to fix the rate of interest to be charged for the nonpayment of taxes on or before the date when they would become delinquent; and

WHEREAS, the Municipal Council of the Borough of Hawthorne set forth said interest rate by resolution at the regular Council Meeting of January 4, 1995; and

WHEREAS, the Borough of Hawthorne was unable to mail its 2012/2013 property tax bills on or before June 14<sup>th</sup> as required by N.J.S.A. 54:4-66 due to the failure on the part of the State of New Jersey to certify state aid funding for inclusion on the tax bills in a timely manner; and

WHEREAS, this delay will result in the late mailing of the 2012/2013 tax bills to Borough property owners.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, County of Passaic, State of New Jersey that the interest rate for the nonpayment of 3<sup>rd</sup> quarter 2012 property taxes shall be fixed at zero (0%) until September 5, 2012.

BE IT FURTHER RESOLVED, that if payment of the 3<sup>rd</sup> quarter 2012 property tax is not made on or before September 5, 2012 the time period set forth above, then the interest rate for nonpayment of the 3<sup>rd</sup> quarter 2012 property tax shall revert back to the original interest rate established by resolution on January 4, 1995 and charged from the statutory payment date for 3<sup>rd</sup> quarter property taxes of August 1.

**R 169-12      Introduced by Councilman Mele**

**RESOLUTION AUTHORIZING INTERLOCAL AGREEMENT WITH THE CITY OF PATERSON FOR HEALTH SERVICES**

WHEREAS, the Borough of Hawthorne desires to enter into a contract with the City of Paterson for the furnishing of certain health services for July 2011 through June 2012, pursuant to N.J.S.A. 26:3A2-1 et seq. and N.J.S.A. 40:8A-1 et seq.; and

WHEREAS, such services have been satisfactorily provided by the City of Paterson in previous years.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Hawthorne shall enter into a contract for the provision of certain public health services, all as set forth in a contract for the same, which is on file with the Borough Clerk, the terms and provisions of which are hereby approved; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk shall be and hereby are authorized and directed to execute said contract for and on behalf of the Borough of Hawthorne.

**R 170-12      Introduced by Councilman Mele**

WHEREAS, the Borough of Hawthorne has received a request from 116 Washington Avenue, LLC for the release of performance guarantees by way of bond previously posted in connection with development of a housing and related infrastructure improvements located in the Borough of Hawthorne; and

WHEREAS, the Municipal Engineer has had opportunity to review the request for release and in connection therewith issued a report dated June 4, 2012 and subsequent report dated July 27, 2012, the same being incorporated herein by reference;

and

WHEREAS, the Municipal Engineer has recommended a prerelease of the bond currently deposited with the Borough, all in accordance with his letter as aforesaid;

NOW THEREFORE IT IS HEREBY RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does hereby agree to the release of the bond in question in accordance with the recommendation of the Municipal Engineer, subject to the posting of a maintenance guarantee as set forth in the developer's agreement in the amount of \$18,750.

**R 171-12      Introduced by Councilman Mele**

WHEREAS, General Obligation Bonds in the amount of \$5,989,000.00 were sold on July 10, 2012; and

WHEREAS, an online auction for this purpose was held and hosted by the Grant Street Group which specializes in holding financial obligation auctions, and the fee for this service is \$3,000.00.

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to make the above referenced payment by wire transfer from the General Capital and Water Capital Funds and charged to the appropriate improvement authorizations for this purpose.

**R 172-12      Introduced by Councilman Mele**

WHEREAS, the Borough of Hawthorne solicited proposals for Police Department Renovations, specifically renovations to Police Department Offices, based upon plans and an estimate prepared by the Edward Easse, R.A.; and

WHEREAS, the Borough awarded a contract, through a fair and open process, to Daskal, LLC, of Wallington, New Jersey, in the amount of \$29,500 as to the base bid and \$4,500 as to alternate B, for a total of \$34,000, an amount below the bid threshold established by law;

WHEREAS, the Borough previously approved a change order increasing the contract value by \$2,710 for the installation of outlets and conduit as well as the installation of a sub-box for the conduit; and

WHEREAS, the Borough and Contractor, in consultation with the project Architect, have determined that the window installed at the police desk does not comply with Americans With Disabilities Act and needs to be lowered; and

WHEREAS, the plans prepared did not reflect such window height and as such the modification represents the basis for the award of a change order; and

WHEREAS, the contractor has submitted a quotation to perform that work in the amount of \$1,250, a figure deemed fair and reasonable by the Project Architect and the Administration; and

WHEREAS, the contractor has agreed to reduce the previously approved change order by \$500 and provide a credit of \$250 as a previously installed lintel will not need to be reinstalled, making the net sum for this change order \$500; and

WHEREAS, the resultant net contract value of \$37,210 exceeds the bid threshold, it does so by a mere \$1,210, was the result of an oversight in the preparation of the bid documents not discovered until the work was under way and is most efficiently addressed by allowing the contractor on site, Daskal, to complete the work as no other contractor could reasonably do so at a lower cost; and

WHEREAS, the Borough Attorney has advised that under the circumstances, it is his opinion that the approval of a change order authorizing the work is appropriate under the circumstances and is in keeping with the intent and spirit of the Local Public Contract Law;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does approve a change order for the work described herein, the Council finding that it may do so given the circumstances presented. The approval of said change order is subject nevertheless to certification that funds for such purpose are available by the Chief Financial Officer.

Council President Bertollo entertained a motion to approve resolutions MR 36-12, MR 37-12 and R162-12 through R172-12, moved by Councilman Mele, seconded by Council Vice President

Bennett. Council President Bertollo asked if there was any discussion. On roll call, all voted yes except Councilman Wojtecki who voted no on R169-12.

## **REPORTS OF SPECIAL COUNCIL COMMITTEES**

### Councilman Lane

Cable TV Committee met last week and discussed the purchase of two new desktop computers and u-streaming, which will also encompass the bulletin board software. We have two new portable cameras from Cablevision which can be used at events in the Borough and viewed through your computer. The sound system in the court room was tested and re-wired for better sound. Other old equipment in the audio/visual room is being evaluated for upgrading. Ambulance Corp year to date report: responded to 938 calls and over 2,400 hours of service, which is ahead of calls based on past years. Seven new members have joined bringing the total number of members to 40. The Ambulance Corps is hosting a pasta and chicken dinner on Wednesday, September 26th at Macaluso's. Tickets are \$40 and can be purchased from any Ambulance Corp member.

### Councilman Mele

Municipal Alliance Movie Night was successful; the last one was rained out. Attended a Public Safety convention with our local Police Officers, was very interesting and informative.

### Council Vice President Bennett

The Public Works Committee met tonight with Engineer Boswell, Mayor Goldberg, and Administrator Maurer to review the latest plans for the truck wash building of Public Works. The bid design is for a 45' x 150' pre-fabricated building with gas heaters. Cost estimates are in the \$240,000 range. Administrator Maurer will calculate cost savings in terms of maintenance cost on vehicles; it will then be presented to the Council.

### Councilman Matthews

Insurance Committee met last week to discuss the plan options as far as costs. Workmen's comp claims and open lawsuits were discussed. The loss history report is available upon request, also discussed potential cost savings and pros and cons of switching insurance companies. Chamber of Commerce - Where's Waldo concluded last night, 45 prizes were given out, all businesses who participated saw an increase in traffic and as well as in sales. Finance Committee - a copy of the year end audit was distributed to Council. Director of Finance and Revenue Hewitt will address their recommendations. Anyone wishing to meet and discuss the audit with the Finance Committee may contact him.

### Councilman Sinning

The Ordinance Committee met to finalize the stop signs on May Street and the four-way stop on Warburton and Hawthorne Avenues. Discussed possible ordinances for the Washington School area to correct the parking problem. Library Board meeting - new computers are installed and the new software install is being completed. The Library will be providing flash drives for sale so you are able to take your work with you. Attended the Christian Health Care Center meeting in Wyckoff where they are weighing the negatives and positives of the project. Twelve recommendations were made including a 25% reduction, reduction of square footage of three units, Boswell Engineering recommendations and traffic coordinators recommendations. The

drainage system and a fire brigade was discussed, the next meeting is October, date to be determined.

Councilman Wojtecki

The next Shade Tree Commission meeting will be Tuesday, August 7<sup>th</sup> at 4:30pm.

**CORRESPONDENCE**

None recorded.

**MISCELLANEOUS**

None recorded.

**BILLS**

Council President Bertollo entertained a motion to approve the bills and forward them to the Treasurer for payment. Motion moved by Council Vice President Bennett, seconded by Councilman Mele. Council President Bertollo asked if there was any discussion. On roll call, all voted yes. Councilman Lane and Councilman Wojtecki abstained from checks 13928, 13930, 14015 and 14021. Council President Bertollo abstained from checks 13949, 8991 and 4439.

<b>VENDOR</b>	<b>CHECK#</b>	<b>TOTAL</b>	<b>DESCRIPTION</b>
CURRENT FUND			
A T & T	13928	42.15	TELEPHONE CHARGES
ADVANCED GRAPHIX, INC	13929	930.00	POLICE DEPT O/E
AIR PURIFIERS INC	13930	125.00	FIRE DEPT O/E
ALFRED SCHIAVO	13931	45.00	CONTRA REVENUE
ALL AMERICAN FORD	13932	4,825.24	VARIOUS
ALLISON BLAU	13933	50.00	MUNI COURT
ATLANTIC DETROIT DIESEL ALLISO	13934	416.46	VEHICLE MAINT ROAD
BCB JANITORIAL SUPPLY CO INC	13935	308.75	DPW ADMIN O/E
BOB'S TIRES & WHEELS INC	13936	714.50	VARIOUS
BOSWELL ENGINEERING, INC	13937	3,747.50	ENGINEERING SERVICES O/E
BRAEN STONE INDUSTRIES, INC	13938	271.62	STREETS & ROADS O/E
CABLEVISION	13939	557.03	VARIOUS
CHIEF FIRE EQUIP CO	13940	202.50	POLICE DEPT O/E
CINTAS CORP	13941	438.04	DPW ADMIN O/E
CINTAS FIRST AID AND SAFETY	13942	398.72	VARIOUS
COACTIVE CAPITAL PARTNERS LLC	13943	800.00	POLICE DEPT O/E
COUNTY OF PASSAIC	13944	7,718.31	MUNICIPAL CLERK O/E
DCRP	13945	150.93	DEFERRED COMPENSATION
DIESEL TRUCK SERVICE, INC	13946	4,720.00	VARIOUS
DONALD TURNER, SR	13947	240.00	VEHICLE MAINT ROAD
DOUGLAS MORGAN	13948	70.00	GROUP INSURANCE O/E

DOWNES TREE SERVICE, INC.	13949	4,675.00	VARIOUS
DRAEGER SAFETY DIAGNOSTICS, IN	13950	240.00	DRUNK DRIVE ENFORCE A
DUNKIN DONUTS	13951	125.71	MUNICIPAL CLERK O/E
EARTHLINK BUSINESS	13952	1,632.64	TELEPHONE CHARGES
EMILIO GUERRIERO	13953	440.00	GROUP INSURANCE O/E
FIRST MOUNTAIN ARBORICULTURE L	13954	975.00	SHADE TREE COMMISSION
G T B M, INC	13955	313.60	POLICE DEPT O/E
GET A CAN	13956	8,250.00	RECYCLING PRO O/E
GILL ASSOCIATES	13957	222.50	SWIMMING POOL O/E
GOFFCO INDUSTRIES, INC	13958	289.00	MUNI COURT
HAWTHORNE AUTO BODY, INC	13959	13,806.17	MUNICIPAL INSURANCE O/E
HAWTHORNE AUTO LAB	13960	525.74	VARIOUS
HAWTHORNE PRESS INC	13961	465.96	VARIOUS
HENRY'S PLUMBING & HEATING INC	13962	78.56	DPW ADMIN O/E
HHSPGC	13963	250.00	MUNICIPAL ALLIANCE
HOME DEPOT SUPPLY	13964	352.97	VARIOUS
HOME SUPPLY & LUMBER CO., INC.	13965	17.93	STREETS & ROADS O/E
INSURANCE RESTORATION SPECIALI	13966	1,724.88	VARIOUS
JAYNE TEN KATE	13967	393.73	BOARD OF REC O/E
JERSEY ELEVATOR INC	13968	150.65	DPW ADMIN O/E
JIM MC NAMARA	13969	150.00	STREETS & ROADS O/E
JOHN DEERE LANDSCAPE	13970	41.98	MAINTEN OF PARKS
JUNGLE LASERS LLC	13971	1,270.00	FEES PAYABLE JUNGLE LASERS
L. W. BILLS CO	13972	157.15	STREETS & ROADS O/E
LANGUAGE LINE SERVICES	13973	66.62	VARIOUS
LISA SLOOTMAKER	13974	40.00	TAX ASSESSMENT O/E
LITTLE FALLS TROPHY & ENGRAVIN	13975	66.50	MUNICIPAL CLERK O/E
LORI DIBELLA	13976	45.92	VARIOUS
LUSCHER'S AUTO INC	13977	129.08	VEHICLE MAINT ROAD
M & B SEPTIC SERVICE, LLC	13978	84.00	BOARD OF REC
M J HEWITT	13979	130.00	FINANCIAL ADMIN O/E
MAIN POOL & CHEMICAL CO, INC	13980	6,706.30	VARIOUS
MARTHA BORCSOK	13981	10.00	CONTRA REVENUE
MARY JEANNE HEWITT	13982	102.33	VARIOUS
MATTHEW BENDER & CO, INC	13983	104.24	POLICE DEPT O/E
MATTHEW HOOGMOED	13984	255.99	POLICE DEPT O/E
METLIFE	13985	305.48	GROUP INSURANCE O/E
MGL PRINTING SOLUTIONS	13986	81.00	BOARD OF HEALTH O/E
MICHAEL A VESPASIANO, ATTORNEY	13987	5,068.49	OPERATIONS
MICHAEL KAUFMANN	13988	40.00	FINANCIAL ADMIN O/E
MICRO CENTER	13989	1,413.83	VARIOUS
MIDLAND AUTO PARTS	13990	119.52	STREETS & ROADS O/E
MURPHY COMMUNICATIONS	13991	477.00	VEHICLE MAINT POLICE
NEWTEL PAYPHONE OPERATIONS	13992	50.00	DPW ADMIN O/E

NJ MEADOWLANDS COMMISSION	13993	4,854.03	VARIOUS
NO JERSEY MUNI EMPL BNFT FUND	13994	178,359.00	GROUP INSURANCE O/E
NORTH JERSEY MEDIA GROUP INC	13995	150.00	MUNICIPAL CLERK O/E
NY SUSQUEHANA & WESTERN RAILWA	13996	421.07	SEWER SYSTEM O/E
ODB	13997	750.00	SEWER SYSTEM O/E
OFFICE BUSINESS SYSTEMS, INC	13998	562.00	VARIOUS
PASCACK DATA SERVICES	13999	3,320.00	IT SERVICES
PROFESSIONAL GOV EDUCATORS INC	14000	90.00	STREETS & ROADS O/E
PUBLIC SERV ELEC & GAS	14001	18,382.57	VARIOUS
RD LANDSCAPING & CONSTRUCT INC	14002	250.00	STREETS & ROADS O/E
RICOH AMERICAS CORPORATION	14003	524.26	VARIOUS
RICOH BUSINESS SYSTEMS, INC	14004	353.60	CONST CODE OFFICIAL O/E
ROBERT SCULLY	14005	250.00	POLICE DEPT O/E
RODRIGO CARVO	14006	100.00	CONTRA REVENUE
RON L SIGNZ	14007	200.00	VEHICLE MAINT ROAD
RT OFFICE PRODUCTS	14008	1,554.83	VARIOUS
RUTGERS UNIVERSITY	14009	1,197.00	FINANCIAL ADMIN O/E
SHOTMEYER BROS FUEL CO	14010	7,017.53	BULK PURCHASE GASOLINE
SIGNAL CONTROL PRODUCTS	14011	150.00	STREETS & ROADS O/E
SIRCHIE FINGERPRINT LABS	14012	47.31	POLICE DEPT O/E
SPRINT-WIRELESS	14013	364.91	POLICE DEPT O/E
THOMSON WEST INC	14014	119.50	MUNI COURT
TRAVIS LODDER	14015	120.00	FIRE DEPT O/E
TREASURER, STATE OF NEW JERSEY	14016	725.00	FEES PAY MARRIAGE
TREASURER, STATE OF NJ	14017	85.00	BOARD OF HEALTH O/E
TREASURER, STATE OF NJ	14018	2,283.00	FEES PAYABLE JUNGLE LASERS
UNITED COMPUTER	14019	1,167.50	VARIOUS
US MUNICIPAL SUPPLY, INC.	14020	358.52	VEHICLE MAINT ROAD
VALLEY HEALTH MEDICAL GROUP	14021	560.00	FIRE DEPT O/E
VERIZON	14022	976.27	VARIOUS
VERIZON WIRELESS (N)	14023	794.20	VARIOUS
VILLAGE OF RIDGEWOOD	14024	1,333.84	STREETS & ROADS O/E
VITAL COMMUNICATIONS, INC.	14025	675.00	VARIOUS
WAGNER TOURS, INC	14026	725.00	BOARD OF REC O/E
WALDWICK PRINTING COMPANY	14027	68.00	MUNICIPAL CLERK O/E
WALKER PERSONNEL & SECRETARIAL	14028	798.00	VARIOUS
WASTE MANAGEMENT OF NJ	14029	<u>37,436.60</u>	TRANSFER STATION
<b>TOTAL CURRENT</b>		<b>\$ 345,740.76</b>	
<b>GENERAL CAPITAL</b>			
BOSWELL ENGINEERING, INC	3196	15,154.00	VARIOUS
DOWNES TREE SERVICE, INC.	3197	3,500.00	2012 ROAD PROGRAM
HAWTHORNE PRESS INC	3198	76.44	VARIOUS
SOURCE MEDIA, INC	3199	1,415.70	VARIOUS

WPCS INTERNATIONAL, INC	3200	14,176.25	SAFETY COMMUNICATIONS
NORTH JERSEY MEDIA GROUP INC	3201	<u>137.03</u>	2012 ROAD PROGRAM SDWK/APRONS
<b>TOTAL GENERAL CAPITAL</b>		<b>\$ 34,459.42</b>	

**WATER OPERATING**

AGRA ENVIRONMENTAL SVC	8984	1,705.00	VARIOUS
BLACKBURN MANUFACTURING CO	8985	218.16	WATER UTILITY O/E
CABLEVISION	8986	82.63	WATER UTILITY O/E
CAPITOL SUPPLY CONSTR PRODS IN	8987	3,463.07	VARIOUS
CINTAS FIRST AID AND SAFETY	8988	86.28	WATER UTILITY O/E
CITY WIDE TOWING	8989	95.00	WATER UTILITY O/E
DELL GARDEN CENTER	8990	199.95	WATER UTILITY O/E
DOWNES TREE SERVICE, INC.	8991	349.00	WATER UTILITY O/E
E S C ENTERPRISES, INC	8992	400.00	WATER UTILITY O/E
EARTHLINK BUSINESS	8993	525.00	WATER UTILITY O/E
FED EX	8994	83.49	WATER UTILITY O/E
HARPER INTERNATIONAL INC	8995	1,225.00	WATER UTILITY O/E
HOME DEPOT SUPPLY	8996	34.03	WATER UTILITY O/E
NO JERSEY MUNI EMPL BNFT FUND	8997	7,002.00	GROUP INSURANCE EMPLOYEES
ONE CALL CONCEPTS, INC.	8998	165.20	WATER UTILITY O/E
PASSAIC CO ROAD DEPT	8999	200.00	WATER UTILITY O/E
PUBLIC SERV ELEC & GAS	9000	19,874.61	WATER UTILITY O/E
RIO SUPPLY, INC	9001	3,583.57	VARIOUS
RUTGERS UNIVERSITY	9002	513.00	WATER UTILITY O/E
SHAMROCK CONTROLS, INC	9003	1,570.00	WATER UTILITY O/E
SHOTMEYER BROS FUEL CO	9004	355.69	WATER UTILITY O/E
STATE OF NJ - PWT	9005	1,331.16	WATER UTILITY O/E
TONY SANCHEZ LTD	9006	28,250.00	CAPITAL OUTLAY
VERIZON WIRELESS (N)	9007	<u>203.82</u>	WATER UTILITY O/E
<b>TOTAL WATER OPERATING</b>		<b>\$ 71,515.66</b>	

**WATER CAPITAL**

CR INDUSTRIAL SERVICES INC	1038	754.50	CAPITAL EQUIPMENT
SOURCE MEDIA, INC	1039	157.30	CAPITAL EQUIPMENT
NORTH JERSEY MEDIA GROUP INC	1040	<u>146.49</u>	CAPITAL EQUIPMENT
<b>TOTAL WATER CAPITAL</b>		<b>\$ 1,058.29</b>	

**OTHER TRUST II**

ALL AMERICAN FORD	4437	2,714.90	VARIOUS
BELMAR SPRING WATER COMPANY	4438	33.21	RECYCLING
DOWNES TREE SERVICE, INC.	4439	510.00	RECYCLING
ENVIRONMENTAL RENEWAL, LLC	4440	280.00	RECYCLING
KEN'S AUTO ELECTRIC, LLC	4441	80.00	RECYCLING

P & A AUTO PARTS, INC	4442	<u>144.44</u>	RECYCLING
<b>TOTAL OTHER TRUST II</b>		<b>\$ 3,762.55</b>	
 <b>DOG DEDICATED</b>			
NJ DEPARTMENT OF HEALTH	6064	<u>30.00</u>	STATE OF NEW JERSEY
<b>TOTAL DOG DEDICATED</b>		<b>\$ 30.00</b>	
 <b>HOUSING TRUST</b>			
PASSAIC COUNTY REGISTER	2014	<u>8.00</u>	HOUSING REHAB PROGRAM
<b>TOTAL HOUSING TRUST</b>		<b>\$ 8.00</b>	
 <b>TOTAL BILL LIST</b>		 <b><u>\$ 456,574.68</u></b>	

## **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.

### Constance Gordon, 289 Rea Ave

Inquiring about the traffic situation on Rea Ave, the Borough has agreed that there is a problem. Speeds have been recorded. Mrs. Gordon would like to know the solution. She called the County and was told that the County couldn't do anything about it and that it was up to the municipality. Council President Bertollo asked for her phone number so that the Borough Administrator may call her with an update and informed her of the Freeholders meeting here on August 14<sup>th</sup> at 5:30pm to voice her displeasure with the County and their lack of enforcement. Ms. Gordon thanked the Council.

### Paul Allen, 335 Hawthorne Ave

Following up on his issue with the bird feeder next door to his property. Borough of Carlstadt had a similar problem and created an ordinance to regulate bird feeders, not ban them. Council President Bertollo will have Attorney Pasquale and the Administrator Maurer research. Mr. Allen thanked the Council.

### Joe Osborne, 112 Cedar Ave

Commenting on the poll Mayor Goldberg mentioned earlier. It is Mr. Osborne's opinion that the questions were designed in a way to form an opinion rather than determine one. Commented on unconfirmed reports the NJDEP applications were withdrawn from the 204 Wagaraw Road project and why. Mr. Osborne thanked the Council.

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 Mathews, seconded by Councilman Mele. On roll call, all voted yes.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE ON **AUGUST 15, 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.

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John Bertollo  
Council President

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Lori DiBella  
Acting Borough Clerk