

September 19, 2007  
Hawthorne, NJ

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

**FLAG SALUTE**

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

**STATEMENT**

Council President Matthews stated adequate notice of this meeting had been provided by the Annual Schedule of regular meetings heretofore adopted and posted on the Public Bulletin Board at the Municipal Building, mailed to the Hawthorne Press, Gazette, Record and Herald & News, and all such 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 21, 2006.

**APPROVAL OF MINUTES**

Council President Matthews entertained a motion to approve the minutes of the Regular and Closed Session Meetings of September 5, 2007, moved by Councilperson Wojtecki, seconded by Councilperson English. On roll call all voted yes.

**PUBLIC COMMENT**

Council President Matthews opened the meeting to the public. He stated if anyone desired to be heard, please raise your hand to be recognized, come forward to the microphone and state your name and address. He stipulated this was for agenda items only.

Council President Matthews entertained a motion to close the public portion, moved by Councilperson Goldberg, seconded by Councilperson English. On roll call all voted yes.

#### ADOPTION OF ORDINANCES

#### **Ordinance No. 1915-07 for Adoption**

#### **ARTICLE XXII- R-10 DETACHED SINGLE FAMILY HOUSING ZONE**

Council President Matthews stated the Public Hearing on Ordinance No. 1915-07 will be re-opened from the last meeting at this time.

Council President Matthews opened the meeting to the public. He stated if anyone desired to be heard regarding Ordinance No. 1915-07, please raise your hand to be recognized, come forward to the microphone and state your name and address.

Michael Jarvis, 62B North 10<sup>th</sup> Street, commended the Council for adopting Ordinance No. 1915-07. He stated it is a positive step forward for the Borough of Hawthorne.

Phil Speulda, 363 Diamond Bridge Avenue, expressed concern over a "conflict of interest" with one of the owners of the property involved in the R-10 zone and political endorsements for some elected officials.

Discussion continued.

Mr. Speulda voiced his concerns with absentee landlords and single family houses versus two family homes.

Discussion continued on recent developments of certain properties in the borough.

Council President Matthews entertained a motion, that the public hearing on Ordinance No. 1915-07 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, moved by Councilperson Bertollo, seconded by Councilperson English.

Councilperson Wojtecki stated he feels the property covered in this ordinance should be receiving its approval from the Redevelopment Committee. He stated it has never been brought before them.

Discussion ensued on the ad hoc committees this was brought before.

Councilperson Wojtecki stated he will be voting no on the adoption of Ordinance No. 1915-07. He stated his concerns on the severe lack of parking in this entire area.

Councilperson Bertollo stated he is vehemently opposed to over developing areas in the Borough of Hawthorne. He stated he prefers to see three single-family homes that will follow the RSIS standards as required by law.

On roll call Councilpersons Bertollo, English, Goldberg, Sinning and Matthews voted yes, Councilperson Wojtecki voted no.

#### OLD BUSINESS

Council President Matthews asked if anyone had any Old Business for discussion?

Councilperson Wojtecki stated during the Work Session discussion had taken place regarding parking concerns on Llewellyn Avenue by patrons of a local restaurant. Councilman Wojtecki stated he will speak to the owner of Justine's about possibly posting signs about proper parking and to be considerate to the neighbors of the area.

Councilperson English asked for an update on tree issues discussed at the last meeting.

Administrator Maurer stated he has referred the concerns to the Shade Tree's arborist for evaluation. Progress has been made on the list. There are more trees that will be removed before leaf season begins.

Discussion continued.

Councilperson Wojtecki asked who returns the phone calls left for the Shade Tree regarding tree issues?

Administrator Maurer stated a staff member will be handling the calls not the Shade Tree Commission.

Discussion ensued.

**NEW BUSINESS**

**Soil Movement Application for J.F.W. Homes, Inc., Block 82, Lots 10 & 11.03.**

Council President Matthews stated Borough Attorney Pasquale will conduct the public hearing on the soil movement application.

Attorney Pasquale stated the applicant and any witnesses who will be testifying on his behalf should come forward at this time.

Jerry Wlodarczyk, the applicant came forward.

Attorney Pasquale asked if anyone will be testifying on behalf of Mr. Wlodarczyk?

Ted DiMaria, 596 Squaw Brook Road, North Haledon, was sworn in by Attorney Pasquale and provided his testimony.

Mr. DiMaria explained the proposed plan for the soil movement as requested by the application.

The quantity of dirt to be moved was discussed as well as the location from which it is coming.

Attorney Pasquale asked if the applicant has permits for his proposed development of the sight?

Mr. DiMaria stated the applicant has an application approved by the engineer but no building permits as yet.

Further discussion continued.

Questions arose regarding soil being brought in from North Haledon to the site.

Mr. DiMaria clarified that is no longer the case, they will only be receiving soil from the lot across the street for the applicant's site.

Council President Matthews asked the applicant if he has considered building the retaining walls required before he stockpiles the soil on his property?

Mr. DiMaria stated plans have been drawn up. Mr. Monaghan has been contacted to schedule a date for approval of the sub division site.

Discussion on a timeframe for movement of the soil ensued. Soil erosion and silt fencing were discussed also.

Councilman Wojtecki expressed concern over a retaining wall not being built before the soil is moved onto the site.

Discussion continued on soil erosion measures and permits applied for with regard to moving the soil.

Concerns were voiced over Mr. Oliver having not applied for a permit to move the soil from his property.

Councilman Bertollo expressed concern over the height of the pile of dirt to be stockpiled on Mr. Wlodarczyk's property.

Engineer Boswell stated the pile of dirt would be approximately nine feet high.

Discussion on retaining walls continued.

Council President Matthews called Mr. Oliver forward to give his testimony on his soil movement application.

Frank Oliver, 389 Saw Mill Road, North Haledon, was sworn in by Attorney Pasquale and provided his testimony.

Mr. Oliver stated he has been granted a permit to construct a retaining wall on his property. He stated he has not submitted plans for the building of a house on the site as yet.

Discussion ensued on a timeframe for submitting building plans and the movement of the soil from the retaining wall construction.

Mr. Oliver stated he is planning on having the foundation of his house built by November.

Discussion ensued on Mr. Oliver not having submitted any application for soil movement with the borough.

Attorney Pasquale stated Mr. Oliver does not know how much soil he is excavating yet, as he does not have a final house plan.

Concerns were discussed on Mr. Wlodarczyk's application to receive 2500 cubic yards of soil if Mr. Oliver doesn't have a total figure of soil to be moved.

Engineer Boswell stated any application to move more than 2001 yards of soil can only be approved by Council. He stated no application has come before this board.

Mr. Oliver stated the Building Department did not question the amount of soil to be moved when his application was submitted.

Discussion continued.

Council President Matthews expressed concern over Council being asked to approve a soil movement application for Mr. Wlodarczyk when the exact amount of soil coming from Mr. Oliver's property is unknown at this time.

Councilman Wojtecki expressed concern over the rules that allow soil to be moved onto a piece of property without taking into consideration the effects of that soil moving during a storm.

Attorney Pasquale stated the Borough Ordinance for soil movement is in need of serious updating.

Discussion continued on the exact amount of soil needed to develop Mr. Wlodarczyk's site.

Council President Matthews called Mr. Wlodarczyk and Mr. DiMaria back to the podium to clarify the findings from this hearing.

The applicant was asked to submit plans for his building that would give him approximate amounts of soil required for the project. It was explained an approval can't be

given for soil movement when there are no definite plans showing how it will be used, or if all the discussed amount will be required.

Mr. Wlodarczyk stated he could have the soil compacted to address the issue of soil erosion.

Engineer Boswell stated a retaining wall would still be required to completely contain the soil on the site.

Council President Matthews opened the meeting to the public. He stated if anyone desired to be heard regarding the soil movement application, please raise your hand to be recognized, come forward to the microphone and state your name and address.

Stan Domalewski, 98 Mazur Place, was sworn in by Attorney Pasquale and provided his testimony.

Mr. Domalewski suggested Council take a look at the wall that was built to prevent soil from Mary Street coming downhill to Mazur Place. Safety concerns were voiced with the amount of dirt to be moved if retaining walls are not in place first.

Linda Missonellie, 308 Goffle Road, was sworn in by Attorney Pasquale and provided her testimony.

Ms. Missonellie asked if the applicant has a permit for moving of 1000 feet of soil, can he continuously move soil in 1000 foot quantities?

Engineer Boswell replied no, the 1000 feet is cumulative.

Ms. Missonellie asked if it was possible for a bond to be required to cover any damages that could occur?

Attorney Pasquale stated a bond could be required if any type of public improvements were involved. He stated bonding of retaining walls are typically required in the borough.

Engineer Boswell stated the soil erosion measures could be bonded for this project.

Ms. Missonellie asked if Mr. Wlodarczyk's site plan is not approved by the Planning Board, could a condition be made

that he would have to remove the stockpiled soil from his property?

Engineer Boswell stated under the soil conservation services permit it would be required if the soil is not utilized it would need to be stabilized and seeded for example.

Anthony Morallo, 330 Goffle Road, was sworn in by Attorney Pasquale and provided his testimony.

Mr. Morallo suggested the site where the soil will be stockpiled be land surveyed and then as built provided with a topological survey from Mazur Place to Goffle Road. This will provide the exact grade of the land in discussion.

Discussion on the increased amounts of soil in the area ensued.

Mr. Morallo expressed concern with the soil that will be disturbed with even the building of a retaining wall. He stated there is so much dirt on the slope that the building of the wall will be difficult to do without adverse effects.

Councilman Goldberg voiced concern that Mr. Oliver was not part of the original application for soil movement to Mr. Wlodarczyk's property. Discussion ensued on exact amounts of soil and both parties have applications filed for retaining walls before any soil is to be moved.

Mr. Oliver stated when he submitted his application he included a truck route plan for removal of the soil if it needed to be removed from the borough.

Attorney Pasquale explained the application is premature until the applicant can provide approved plans for site development of the home. There is no plan at this time for exact use of the soil to be moved, so there is no action for Council to approve at this time.

Attorney Pasquale suggested holding the hearing until the applicant comes back with site plan approvals or deny the application based on lack of jurisdiction currently.

Council President Matthews entertained a motion, that the public hearing on the soil movement application be tabled for six months giving the applicant time for site plan submission and approvals, moved by Councilperson Wojtecki, seconded by Councilperson Sinning. On roll call all voted yes.

Council President Matthews entertained a motion, to close the public hearing on the soil movement application, moved by Councilperson Bertollo, seconded by Councilperson English. On roll call all voted yes.

#### **ADMINISTRATIVE AGENDA**

Administrator Maurer stated he has a proclamation to present declaring October, **Domestic Violence Awareness Month**, on tonight's agenda:

WHEREAS, as a community, we recognize the suffering and struggles of domestic violence survivors and value them as our family members, friends, neighbors and co-workers; and

WHEREAS, we, as individuals and a community value the core rights for crime victims that allow them to participate in justice processes with rights to information, protection and to be heard; and

WHEREAS, we value the critical assistance and services that provide for the victims' basic needs, such as fair treatment, dignity, respect and information, and the life essentials, such as safe housing, food, support for their children, transportation, counseling and medical services; and

WHEREAS, we value those among us who work on behalf of the victims to not only improve rights, services, and treatment, but also to build a better and safer community; and

WHEREAS, since the inception of Hawthorne's Domestic Violence Response Team in 2002, the number of cases involving Domestic Violence in our Borough have declined; and

WHEREAS, we value our right to be free from violence, to be safe in our homes and to live in peace in our community; and

NOW, THEREFORE BE IT RESOLVED, that the Borough of Hawthorne declares October:

#### **DOMESTIC VIOLENCE AWARENESS MONTH**

BE IT FURTHER RESOLVED that the Mayor and Council encourages residents to support and honor crime victims and those who serve them during this month and throughout the year.

Administrator Maurer presented the proclamation to a member of the Domestic Violence Team who thanked everyone for their support and recognition.

Administrator Maurer stated he has two appointments to the Police Department as probationary policemen on tonight's agenda.

The first appointment is:

**NICHOLAS J. ROBERT  
58 Eleventh Avenue  
Hawthorne, New Jersey**

Motion was made to record the appointment by Councilperson Goldberg, seconded by Councilperson Bertollo.

On roll call all voted yes.

Borough Clerk Mele then administered the Oath of Office to Nicholas Robert.

The second appointment is:

**DAVID T. TOBEY  
217 Hawthorne Avenue  
Hawthorne, New Jersey**

Motion was made to record the appointment by Councilperson Goldberg, seconded by Councilperson Bertollo.

On roll call all voted yes.

Borough Clerk Mele then administered the Oath of Office to David Tobey.

Administrator Maurer reported on the following:

Conversation has taken place with Diego Cruz of the Soccer Association. Concerns had been voiced over possible conflict with soccer games and the Caballeros carnival.

Council President Matthews asked if letters of approval for the carnival have been sent out?

Administrator Maurer stated he will check into it.

The County will be conducting its annual mosquito spraying tomorrow between 7:00 p.m. and 1:00 a.m. on Braen Avenue, Lafayette Avenue Extension, Sotnick Street and Valley Street.

Progress is being made on the borough website. The launch of the new website is scheduled for mid to late October.

That concludes Administrator Maurer's report.

Administrator Maurer called on Director of Revenue and Finance Hewitt for her report.

Director of Revenue and Finance Hewitt reported on the following:

An update on the corrective action plan from the audit was given.

Delays in water billing were explained due to staffing problems and a new water billing system that had a few kinks to be worked out in it.

Explanation of the charges for the Ridgewood Sewer billing was given. The spreadsheets have been completed. The final bill will be generated shortly.

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

Administrator Maurer then called on Borough Attorney Pasquale for his report.

Attorney Pasquale reported on the following:

Final revised plans for 55 Westervelt Avenue have not been received yet. Once the revised plans are received an ordinance will be put together for review by a committee before coming before Council.

Progress is being made on the Thomas Road - Kohler soccer field issues. Plans for the angle parking will be sent to Mr. Thomas to review.

Discussion on a timeframe for completion ensued.

An update on the PBA appeal was given.

Final transcripts on the tax appeal for Pan Chemical have been ordered.

That concludes Attorney Pasquale's report.

Administrator Maurer then called on Borough Engineer Boswell for his report.

Engineer Boswell reported on the following:

The traffic study for Goffle Road and Goffle Hill Road will be complete by next week.

The HVAC evaluation for the municipal building will be completed by October 1, 2007.

A meeting is scheduled for tomorrow morning at the pool to discuss issues relating to the pool property. Chris Nash will be in attendance along with Administrator Maurer.

The slip lining of the Goffle Brook sewer commenced on August 5, 2007. The second step of the process will begin within the next two weeks.

Construction on Parker Avenue will commence next week.

Prices for milling and repaving of Beverly Road and repair work for Lee Avenue will be received by next week.

Pressure testing on all the lines of the pool will be conducted next week to check for leakage. This work will be completed before the work on the tank commences. It is recommended to prevent these problems in the future the pool should be kept filled at all times. Recommendations for safety coverings were discussed.

A date for the replanting of the wetlands at Lafayette Hills has not been provided as yet.

The preliminary report for the Braen Avenue drainage study is complete. An explanation of the report was given.

Discussion ensued on water issues and the quantity of it coming from Wyckoff.

Plans for the Kohler field are completed. The angle parking will eliminate one parking space from the original plans concept.

That concludes Engineer Boswell's report.

Council President Matthews asked if there were any questions for Administration.

Councilman Wojtecki questioned the replacement for an employee who is retiring shortly. He asked if all licenses are held by the replacement.

Administrator Maurer stated coverage will be provided by someone with the proper licenses.

Discussion continued.

Councilman Wojtecki asked for an update on the lien on Pan Chemical.

Attorney Pasquale stated the tax lien on the property does not affect the current owner's decision to demolish the building.

Councilman Wojtecki asked if any trees will be damaged by the relining of the Goffle Brook sewer?

Engineer Boswell replied no.

Councilman Wojtecki reported large chunks of asphalt at the intersections of Elberon Avenue and Lafayette Avenue and Franklin Avenue and Lafayette Avenue. He stated it appears to be some type of undermining where huge holes are appearing in the street.

Engineer Boswell stated he will check into it.

Councilman Wojtecki stated the hole in the ground from the demolished building at Goffle Road and North Eighth Street is carrying debris into the brook.

Engineer Boswell stated he will look into it.

Councilman Wojtecki explained the undermining of Goffle Road from the brook in the direction of Fermin's Place.

Engineer Boswell stated he will speak to Steve Edmonds on this concern.

Councilman Bertollo questioned the testing of soil in the area of the Kohler field.

Attorney Pasquale stated he had spoken to Administration on this. He believed Merck was conducting the testing, but would look into it further.

Councilman Bertollo stated fencing for the Lafayette Hills buildings at Ravine Drive is incomplete. He stated residents of Lafayette Hills are parking on Ravine Drive.

Engineer Boswell stated he will check on it.

Councilman Bertollo clarified for the public that the road work being done on Parker Avenue does not include reconstruction of sidewalks.

Councilman Bertollo reported NJ Transit has been leaving bags of trash on the lot between the Transit station and Pan Chemical. He suggested summonses be issued to NJ Transit if this continues.

Councilman Bertollo asked for property maintenance to recheck the Pan Chemical site for violations again.

Council President Matthews entertained a motion to record the Administrative Agenda, moved by Councilperson Goldberg, seconded by Councilperson Wojtecki. On roll call all voted yes.

#### **ORDINANCES AND RESOLUTIONS**

##### **R-1. Resolution, Introduced by Councilman Goldberg**

To ratify the actions of the Municipal Council of the borough of Hawthorne payroll dated 9/14, 2007.

	Check #	
CURRENT ACCOUNT	50591	\$ 243,560.45

WATER ACCOUNT	14164	40,995.92
OTHER TRUST II/OFF DUTY	6363	12,046.24
<b>TOTAL PAYROLL</b>		<b>\$ 296,602.61</b>
CURRENT TO PAYROLL/FICA	50592	\$ 9,062.59
WATER TO PAYROLL/FICA	14165	\$ 5,000.00
<b>TOTAL FICA</b>		<b>\$ 14,062.59</b>

**R-2. Resolution, Introduced by Councilman Goldberg**

WHEREAS, an interfund in the amount of \$35,600.00 was created by wire and certified check payments from outside lien holders for the premium payments, for the 2007 Tax Sale, between the Current Fund and the Other Trust I Escrow Funds.

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 \$35,600.00 from the Current Fund to the Other Trust I Escrow Fund.

**R-3. Resolution, Introduced by Councilman Goldberg**

WHEREAS, the semi-annual payment of \$12,449.12 of the Wastewater Trust loan and the semi-annual payment of \$11,177.72 for the Wastewater Fund loan has become due and payable as of October 1, 2007.

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 \$23,626.84 from the Current Fund in payment of the Wastewater Trust and Wastewater 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 \$2,452.50 from the Current Fund to The Bank of New York in payment of the New Jersey Wastewater Treatment Trust semi-annual Administration Fee.

**R-4. Resolution, Introduced by Councilman Goldberg**

WHEREAS, the annual principal payment and the semi-annual interest payment for the General Serial Bonds of 2000 becomes due and payable on October 15, 2007.

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

\$220,000.00 in payment of principal and \$55,804.00 in payment of interest from the Current Fund, made payable to CEDE & Co. Chase NYC, Account #066026776.

**R-5. Resolution, Introduced by Councilman Goldberg**

**WHEREAS**, 2007 Treasury records reflect certain interfund account balances as of September 19, 2007 that require account transfers in order that these interfunds 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 these interfund items as indicated herein:

<b>From</b>	<b>To</b>	<b>Amount</b>	
Builders Escrow	Current Fund	5,949.25	Interest
OTI Escrow	Current Fund	5,659.00	PY MRNA
Current	OTI Escrow	20,000.00	PY Tax Sale

**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 interfunds by transferring the above referenced amounts to and from the appropriate funds.

Council President Matthews entertained a motion to approve Resolutions R-1 - R-5, moved by Councilperson Goldberg, seconded by Councilperson Wojtecki.

On roll call all voted yes.

**REPORTS OF SPECIAL COUNCIL COMMITTEES:**

Councilman Bertollo reported on the following:

The final plan for the improved traffic/parking at the intersection of Diamond Bridge Avenue and Washington Avenue is complete. It has been reviewed and approved by the Police Department. Suggestion to include the changes with the commuter parking rules were discussed.

The DPW Committee met recently and discussed a number of issues for enhancement of the pool. Updates will be provided as meetings continue.

Details of Administrator Maurer's "Investment in our Infrastructure" plan were reviewed.

Councilwoman English reported on the following:

She had attended a Shade Tree Commission Meeting last week. Ideas on improving response time to phone calls were discussed. Updates on the arborist returning to work and the backlog schedule of tree work to be done were given.

The Board of Health Meeting is tomorrow night.

Councilman Sinning reported on the following:

The Ordinance Committee met yesterday, continuing to work on the Code Book revisions.

Councilman Wojtecki reported on the following:

He attended the Chamber of Commerce Fishing Derby on Saturday, September 15<sup>th</sup>. A good time was had by all.

The Environmental Commission is backing an Eagle Scout on his project to install signage in the Eight Acre Woods. The Commission toured the site last weekend to confirm the names given to the area during the original dedication of the site.

The IT Committee met earlier today. Details on the website were discussed earlier by Administrator Maurer.

Council President Matthews reported on the following:

The HEF is holding a "Ducky Derby" on Sunday, October 7<sup>th</sup> in the park behind the Rea Estate. All are encouraged to come out and support the efforts for the children.

The Chamber of Commerce is holding a dinner for chamber members tomorrow night at Ossy's Café at 6:00 p.m.

The Insurance Committee will meet Wednesday, September 26, 2007.

The budget forms are being issued to all department heads. This will allow for an earlier start on the budget process for 2008.

**CORRESPONDENCE:**

There was none.

**MISCELLANEOUS :**

**Sol-1.** Council President Matthews stated the Hawthorne Roller Hockey Association, has requested permission to hold solicit funds on November 3, 2007, from 8:30 -12:30 p.m., moved by Councilperson English, seconded by Councilperson Bertollo. On roll call all voted yes.

**Sol-2.** Council President Matthews stated the Jersey Environmental Federation, NJ Chapter of Clean Water, has requested permission to hold solicit door to door on various dates within the following dates (weather & schedule dependent) 9/20-9/21, 9/24-9/28, 10/1-10/5, 10/8-10/12, moved by Councilperson English, seconded by Councilperson Bertollo.

Council President Matthews stated a restriction to allow soliciting until dusk only on this is being made even though the group is looking to continue until 9:00 p.m.

Brief discussion ensued on amending the solicitation application to dusk rather than 9:00 p.m. It was explained the Code Book does not set any guideline. The application will be amended for all future solicitations.

On roll call all voted yes.

**Rf1-1.** Council President Matthews stated the Hawthorne High School Pto, has requested permission to hold a 50/50 raffle on November 3, 2007 at the high school at 7:00 p.m., moved by Councilperson Goldberg, seconded by Councilperson English. On roll call all voted yes.

**Rf1-2, 3 & 4.** Council President Matthews stated the Hawthorne Education Foundation/Fire Dept., has requested permission to hold a 50/50 raffle, an on-premise prize raffle and wheels of chance on October 7, 2007 at Goffle Brook Park between Van Winkle and Florence Avenues from 1:30 - 5:00 p.m., moved by Councilperson Goldberg, seconded by Councilperson English. On roll call all voted yes.

**BILLS:**

The following bills were presented for payment:

**Bill list      Current Fund**

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
09/13/07	HAWTHORNE PAYROLL	50591	243560.45	CLEAN COMMUNITIES
09/13/07	HAWTHORNE PAYROLL	50592	9062.59	SOCIAL SECURITY

**Total Bill List:**                      252623.04

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
09/19/07	A T & T	50593	43.21	TELEPHONE CHARGES
09/19/07	ACORN TERMITE & PEST	50594	90.00	PUB WORKS ADMIN O/E
09/19/07	ADVANCED AIR SYSTEMS	50595	3555.00	FIRE DEPT O/E
09/19/07	ARIES ENVIRONMENTAL SERV	50596	150.00	RECYCLING PRO O/E
09/19/07	B & C COMMUNICATIONS,	50597	366.00	FIRE DEPT O/E
09/19/07	BURGIS ASSOCIATES, INC	50598	3607.50	MUN LAND USE LAW
09/19/07	CABLEVISION	50599	255.75	PUB WORKS ADMIN O/E
09/19/07	CARL MOTTOLA	50600	36.96	UNIFORM FIRE SAFETY O/E
09/19/07	CARSWELL	50601	466.25	PEOSHA O/E
09/19/07	CDW-G COMPUTER CENTER	50602	4127.81	POLICE DEPT O/E
09/19/07	CHARLENE ELVIN	50603	101.50	GENERAL ADMIN O/E
09/19/07	CINTAS CORP	50604	294.78	PUB WORKS ADMIN O/E
09/19/07	CINTAS FIRST AID AND	50605	1205.75	SWIMMING POOL O/E
09/19/07	DANIEL TEDESCHI	50606	180.00	GROUP INSURANCE O/E
09/19/07	DELUXE INTERN'L TRUCKS,	50607	575.58	VEHICLE MAINT ROAD
09/19/07	DISPLAY SALES INC	50608	2142.00	PUB WORKS ADMIN O/E
09/19/07	DON'S AUTO REPAIR	50609	624.00	VEHICLE MAINT POLICE
09/19/07	FORD MOTOR CREDIT CO	50610	7476.83	POLICE DEPT O/E
09/19/07	FORRESTER-SMITH	50611	524.80	MUNICIPAL ALLIANCE
09/19/07	G.NEIL CO, INC	50612	79.02	PEOSHA O/E
09/19/07	GET A CAN	50613	23000.00	RECYCLING PRO O/E
09/19/07	GIANT TIRE SERVICE INC	50614	117.50	SCRAP TIRE GRANT A
09/19/07	HAWTHORNE BOARD OF	50615	2302500.00	SCHOOL TAX
09/19/07	HAWTHORNE FIRE CO #3	50616	1595.00	FIRE DEPT O/E
09/19/07	HAWTHORNE FIRE DEPT	50617	40.40	FIRE DEPT O/E
09/19/07	HAWTHORNE PRESS INC	50618	234.78	MUNICIPAL CLERK O/E
09/19/07	HAWTHORNE ROLLER HOCKEY	50619	1680.00	BOARD OF REC S&W
09/19/07	JARED VAN EK	50620	30.00	TELEPHONE CHARGES
09/19/07	JERSEY ELEVATOR INC	50621	129.10	PUB WORKS ADMIN O/E
09/19/07	JOHN TRIPICCHIO	50622	30.00	TELEPHONE CHARGES
09/19/07	JOSEPH SPERANZA	50623	30.00	TELEPHONE CHARGES
09/19/07	JP HOME ARAMA, INC	50624	229.47	BOARD OF REC O/E
09/19/07	LAUFER, KNAPP, TORZEWSKI	50625	4603.50	LEGAL SERV& COSTS O/E
09/19/07	LESCO SC 493	50626	152.00	MAINTEN OF PARKS
09/19/07	LORRAINE POWELL	50627	16.25	MUNICIPAL ALLIANCE
09/19/07	LUK OIL	50628	6029.19	BULK PURCHASE GASOLINE
09/19/07	MARY JEANNE HEWITT	50629	145.77	MUNI COURT
09/19/07	MUNIDEX, INC	50630	1193.75	IT SERVICES
09/19/07	PABCO INDUSTRIES	50631	409.98	RECYCLING PRO

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
09/19/07	PRINTMASTERS	50632	115.00	UNIFORM FIRE SAFETY O/E
09/19/07	PUBLIC SERV ELEC & GAS	50633	28522.59	ELECTRIC CHARGES
09/19/07	RIDGEWOOD TYPEWRITER	50634	1189.00	POLICE DEPT O/E
09/19/07	RIO SUPPLY, INC	50635	605.20	LITTLE FRANK FLD
09/19/07	STORR TRACTOR CO	50636	121.78	VEHICLE MAINT ROAD
09/19/07	TREASURER, ST OF NEW	50637	50.00	FINANCIAL ADMIN O/E
09/19/07	TREASURER, STATE OF NEW	50638	75.00	MAINTEN OF PARKS
09/19/07	TRIMALAWN EQUIPMENT, INC	50639	81.81	RECYCLING PRO O/E
09/19/07	TYCO ANIMAL CONTROL	50640	1050.00	ANIMAL CONTROL O/E
09/19/07	ULINE	50641	488.00	SWIMMING POOL O/E
09/19/07	VEOLIA ENVIRONMENTAL	50642	45591.48	TRANSFER STATION
09/19/07	VERIZON	50643	176.03	TELEPHONE CHARGES
09/19/07	VERIZON WIRELESS (N)	50644	1150.48	TELEPHONE CHARGES
09/19/07	VITAL COMMUNICATIONS,	50645	575.00	CONST CODE O/E
09/19/07	WESTMARK INC	50646	50.00	TELEPHONE CHARGES
09/19/07	WORK AREA PROTECTION	50647	876.80	EMERGENCY MGMGT O/E
<b>Total Bill List:</b>			2448787.60	

Bill list Water Operating Fund

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
09/13/07	HAWTHORNE PAYROLL	14164	40995.92	WATER UTILITY S/W
09/13/07	HAWTHORNE PAYROLL	14165	5000.00	SOCIAL SECURITY
<b>Total Bill List:</b>		45995.92		

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
09/19/07	CABLEVISION	14166	54.95	WATER UTILITY O/E
09/19/07	CHIEF FIRE EQUIP CO	14167	191.00	WATER UTILITY O/E
09/19/07	CINTAS FIRST AID AND	14168	299.95	WATER UTILITY O/E
09/19/07	COMMERCIAL BUSINESS	14169	437.92	WATER UTILITY O/E
09/19/07	JP HOME ARAMA, INC	14170	220.98	WATER UTILITY O/E
09/19/07	LUK OIL	14171	2009.72	WATER UTILITY O/E
09/19/07	ONE CALL SYSTEMS, INC.	14172	51.48	WATER UTILITY O/E
09/19/07	PUBLIC SERVICE ELECTRIC	14173	60717.27	WATER UTILITY O/E
09/19/07	TREASURER STATE OF NJ	14174	200.00	WATER UTILITY O/E
09/19/07	UNITED RENTALS, INC	14175	1523.27	WATER UTILITY O/E
09/19/07	VERIZON WIRELESS (N)	14176	307.11	WATER UTILITY O/E
<b>Total Bill List:</b>		66013.65		

Bill list General Capital Fund

<u>Date</u>	<u>Vendor</u> <i>(General Capital)</i>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
09/19/07	SMITH-SONDY ASPHALT	2437	74762.36	RECONSTRUCT BROOKSIDE P
<b>Total Bill List:</b>		74762.36		

Bill list Builders Escrow

<u>Date</u>	<u>Vendor</u> <i>(Builders Escrow)</i>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
09/19/07	BOSWELL ENGINEERING, INC	1932	188.75	84-2.03 OLIVER
<b>Total Bill List:</b>		188.75		

Bill list Other Trust II

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
09/13/07	HAWTHORNE PAYROLL	6363	12046.24	OFF-DUTY POLICE
<b>Total Bill List:</b>		12046.24		

Bill list

Dog Dedicated Fund

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
09/19/07	NJ DEPARTMENT OF HEALTH	6378	56.40	STATE OF NEW JERSEY
09/19/07	TYCO ANIMAL CONTROL	6379	1000.00	SALARIES
<b>Total Bill List:</b>		1056.40		

Council President Matthews entertained a motion to approve the bills, and refer them to the Treasurer for payment, moved by Councilperson Wojtecki, seconded by Councilperson Goldberg.

Council President Matthews asked if there were any questions?

On roll call all voted yes.

**PUBLIC COMMENT:**

Council President Matthews opened the meeting to the public. If anyone desires to be heard, please raise your hand to be recognized, come forward to the microphone and state your name and address.

Mary Ann McPhail, 85 Genevieve Avenue, asked when the arborist will be returning to work to handle the backlog of tree issues? She questioned why concerns were not addressed previously?

Administrator Maurer stated the arborist has just returned to work. The backlog list is being worked on.

Discussion continued.

Adele Stead, Watchung Drive, voiced her concerns with the loud noise from jet airliners that appear to have changed their flight path over Hawthorne.

Linda Burns, 84 Watchung Drive, complained about the noise from the airplanes that seem to have changed their flight path over the Borough of Hawthorne.

Councilman Bertollo stated the flight path over Hawthorne has been the same for over fifty years. The height does appear to be lower then previously.

Discussion continued.

Council President Matthews stated the Council could prepare a resolution to the State Representatives asking for support in changing the flight pattern and altitude of the planes to what it previously was.

Discussion continued.

Joe Rooney, 84 Braen Avenue, asked for an update on the gabain wall at Lafayette Hills.

Engineer Boswell stated Lafayette Hills will not install the gabian wall unless ordered to do so by the Borough of Hawthorne. They are concerned with liability issues and will not voluntarily construct the wall.

Discussion continued.

James Dusenberry, 81 Roosevelt Avenue, voiced safety concerns over water still being in the pool. He stated there is a hole in the fence on the field side that a child could get through.

Administrator Maurer stated draining of the pool is currently underway.

Mr. Dusenberry questioned why at Planning Board Meetings the applications are approved before any public comment is heard? He voiced concerns over parking on Ethel Avenue by an applicant who is acquiring additional space that will add to serious parking problems in existence.

Council President Matthews stated that policy has now been changed. He stated Mr. Dusenberry's concerns are being looked into.

Discussion continued.

Council President Matthews entertained a motion to close the public portion, moved by Councilperson Goldberg, seconded by Councilperson English. On roll call all voted yes.

**ADJOURNMENT:**

Council President Matthews entertained a motion to adjourn, moved by Councilperson Goldberg, seconded by Councilperson Sinning. On roll call Councilperson Bertollo, English, Goldberg, Sinning and Matthews voted yes, Councilperson Wojtecki voted no.

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Frank Matthews  
Council President

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Jean Mele  
Borough Clerk