May 21, 2008
Hawthorne, NJ

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 8:02 p.m., in the Auditorium of the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey. Present were Councilpersons Bennett, Bertollo, English, Matthews, Wojtecki, and Goldberg. Also present were Mayor Botbyl, Borough Administrator Maurer, Borough Attorney Pasquale, CFO Hewitt, Borough Engineer Boswell, and Borough Clerk Mele. Councilman Sinning was absent and Councilwoman English arrived at 8:07.

FLAG SALUTE

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

STATEMENT

Council President Goldberg 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 19, 2007.

APPROVAL OF MINUTES

Council President Goldberg entertained a motion to approve the minutes of the Regular Meetings of May 7, 2008, the Receipt of Bids for the Kohler Field Improvements on May 16, 2008, and the Release of Tape of the Closed Session Meeting of November 30, 2005,moved by Councilman Wojtecki, seconded by Councilman Bennett. On roll call all voted yes.

PUBLIC COMMENT

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

ADOPTION OF ORDINANCES

None.

OLD BUSINESS

Everything was addressed in the work session.

NEW BUSINESS

Everything was addressed in the work session.

ADMINISTRATIVE AGENDA

Mayor Botbyl presented two Proclamations. The first one proclaimed May 18th - May 23rd as Emergency Medical Service Week. He said this was presented to the Ambulance Corps for last weekend's festivities.

The second was proclaiming June, 2008 as Myasthenia Gravis Awareness Month. (Both proclamations appear as addendum # 1 and 2 at the conclusion of the minutes.

Mayor Botbyl presented the following resolutions for approval:

MR-1. Resolution Introduced by Bertollo

REMOVAL OF HANDICAP PARKING SPACE

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. 39:4-197.5, the following location was previously designated as a restricted parking space for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles.

3. The parking space located on the southerly side of Franklin Avenue beginning 15' (fifteen feet) from the easterly property line of 48 Franklin Avenue and extending 22' (twenty-two feet) in the westerly direction in front of Block 37 Lot 8 (also known as 48 Franklin Avenue) as shown on the Borough Tax Map is no longer needed.

Street Address	Original Resolution Date
48 Franklin Avenue	July 5,2006

4. The Police Department is hereby directed to have the sign calling attention to the provisions of this resolution removed.

5. This resolution shall take effect on adoption.

MR-2. Resolution Introduced by Bertollo

HANDICAP PARKING SPACE

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

6. 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.

7. 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.

8. The parking space will be located on the northerly side of Kingston Avenue beginning 32' (thirty-two feet) east of the northeast corner of the driveway entrance of 272 Lincoln Avenue and extending 22' (twenty-two feet) in the easterly direction on the south side of the residence known as Block 119 Lot 14 (commonly known as 272 Lincoln Avenue) as shown on the Borough Tax Map.

9. The Police Department is hereby directed to have proper signs calling attention to the provisions of the resolution erected or placed upon said street.

10. This resolution shall take effect on adoption and posting of the signs required above.

Council President Goldberg entertained a motion to approve MR-1 & 2, moved by Councilman Bertollo, seconded by Councilman Wojtecki. On roll call all voted yes.

Mayor Botbyl appointed Jennifer Scully, 23 Horizon Terrace, Hawthorne, as the Safety Coordinator Representative to the Emergency Management Diaster Control Committee.

Council President Goldberg entertained a motion to approve the appointment, moved by Councilman Wojtecki, seconded by Councilman Matthews. On roll call all voted yes.

Mayor Botbyl administered the Oath of Office.

Mayor Botbyl made the following announcements:

Memorial Day Remembrance Ceremony will be at 12:00 noon and the Parade will begin at 1:30. Shane Ugliano will be the Grand Marshall. Any veteran wishing to march may do so in division 2.

The Riverside Vets will be having their ceremony at their hall on Monday at 10:30 a.m. followed by Mass at St. Anthony's.

Old flags may be deposited at either the library, municipal building or recycling center and the veterans organization will dispose of them properly.

Town-wide Garage Sale will take place on Saturday, May 31st from 9am until 3pm.

The VFW is having it Buddy Poppy Drive this weekend.

Administrator Maurer reported on the following:

New ceiling in the auditorium is complete.

Sanitarian Ed Ajaj is retiring and his position is available. If we don't have a replacement by the time he leaves, arrangements have been made with Paterson for a temporary replacement.

DPW employee, Dan Shoperth, is also retiring.

The state announced partial restoration of the state aid for municipalities with population under 10,000.

The Public Works Committee met and is recommending the rejection of bids for the Kohler field. The specifications will be restructured.

Councilman Bertollo stated we will still be on schedule for Spring whether we seed or sod.

Evening registration will be held again for the Swimming pool, recreation, and tennis clinic on 6/10/08 from 5:30 p.m. until 7:30 p.m.

The pool will open on June 7th. Because of the delay in the opening, we will be offering 2 free guest passes to anyone who registers previous to June 10th.

A request for proposal was put out for the food concession at the pool. On the opening date no proposals were received. We have since received one and it is being reviewed to see if it can be awarded for the next meeting.

Discussion ensued.

Councilman Bertollo gave background information on the plans for food service at the pool. The backup plan will be vending machines.

Two illegal apartments were discovered this week. The tenants have been relocated without our having to use our relocation fund.

Administrator Maurer advised all residents that if they have any illegal apartment the fines are six months rent for relocation, the same amount to the borough, and possible fines for code violations. The reporting phone number was given.

Councilman Bertollo asked if this was an anonymous line?

Administrator Maurer said it was for the building department.

All calls are kept confidential. It would be the municipality asking the summons be issued.

Director of Finance Hewitt reported on the following:

The tax quarter is complete and we collected approximately $13,000,000. Delinquent notices will be sent out by the end of May and the interest reverts back to May 1st.

The planting around the outside of the building is nearly complete. She thanked all involved.

There is a position open for a water billing clerk in the finance office.

Attorney Pasquale reported on the following:

Judge Passero retired after twenty years of service at the Superior Court, nine of those years as Assignment Judge.

Council President asked that we invite Judge Passero to one of our meetings to present him with his proclamation.

Attorney Pasquale said it would have to be after his official retirement.

Attorney Pasquale received a brief of the tax appeal filed by Pan Chemical. He will be answering the brief.

He also received an appeal filed by Mr. Speulda appealing his conviction in Superior Court for having an unregistered vehicle on his property.

Councilman Bennett asked if we are enforcing the judgment?

Attorney Pasquale said we were entitled too.

The PBA decision previously reported has been receiving wide spread circulation. It was a very important decision.

Engineer Boswell reported on the following:

The DEP Stage two disinfected and disinfection monitoring plan has been accepted by the Federal EPA with no penalty.

The County has been advised about the missing spindles at the Vreeland Avenue Pedestrian Bridge. They are aware of the problem and have tried at least twice to replace the spindles. They are looking into possible alternatives.

The DEP Goffle Road Stabilization Program may be beginning. It will include reconstruction of the Warburton Avenue and Rea Avenue bridges and include the brook bank program.

Councilman Wojtecki stated there are now trees that have come down on resident's property. He wanted to know if any

further consideration has been given to include the home owners on Brookside Avenue.

Engineer Boswell said the County will not go on private property because the program is covered by a Green Acres Grant and it is not permitted.

The Kohler Field will be rebid. It will include the base bid, sod and building. The lights will be an alternate and the parking lot will be bid as part of the 2008 road program.

All the Van Winkle residents that asked for a meeting have been met with.

The crack sealing on Lee Avenue can not be done. The road is too far gone.

The Shade Tree Commission has identified which trees are to be removed on Van Winkle Avenue. They have also been given the developer's information for 55 Westervelt.

The pool is not complete because of rain delays. Liquidated damages will be imposed from May 15th on.

Mayor Botbyl asked for the results of the Merck property testing.

Attorney Pasquale reported that an e-mail has been received from the DEP letting us know the materials submitted by Merck to the DEP were received and the NFA for the ground water remediation will be sent shortly. The NFA for the soil was received in 2004 or 2005.

Councilman Goldberg asked if the plans for the project on the Merck property will include traffic studies.

Attorney Pasquale said yes.

Discussion ensued.

Mayor Botbyl met with the Little League Baseball Association regarding the condition of our baseball fields. The representative feels the fields are of low quality. The Mayor disagrees and we will continue to improve.

Council President Goldberg asked what the procedure would be to have one of our DPW personnel be available to come in on a Saturday during baseball season to assist with the fields, especially after rain.

Mayor Botbyl stated this is something that is being considered as part of someone's regular schedule.

Administrator Maurer said if the issue is known we can schedule someone.

Council President Goldberg asked Engineer Boswell if we were holding enough money for the pool contractor.

Engineer Boswell stated we are holding enough money.

Council President Goldberg asked Finance Director Hewitt what the percent of collection was for this past tax quarter.

Finance Director Hewitt stated the quarter had just ended, but she feels they are on target with the 98% they look for.

Council President Goldberg advised Administrator Maurer that Ringwood was looking for an inter local agreement for a sanitarian and that might be a possibility now that Mr. Ajaj is retiring.

Councilman Wojtecki reported the area of Parmelee and McKinley Avenues, and Mohawk and North 8th Streets are in need of paving.

He asked for a status report for the property at 107 Arlington Avenue.

Administrator Maurer said some property maintenance has been done.

Discussion ensued regarding the status of the home, it's ownership and taxes.

Councilman Wojtecki asked for a status report for the open position of DPW Director.

Mayor Botbyl said the process was explored thoroughly. Administration will revisit it again in the future.

Councilman Goldberg suggested waiting until after the election.

Councilman Bertollo said the position was not funded in this year's budget and he doubts they will be able to find anyone to fill the position that may be vulnerable the next November.

Councilman Wojtecki asked for an explanation for the closing of the pool in Paramus.

Engineer Boswell explained the soil was tested and with what was found it was decided to close it for the season. You would have to have consumed large amounts of the dirt for it to be dangerous to humans.

Councilman Wojtecki asked if our pool should be tested.

Engineer Boswell's recommendation was no. Our pool was just woods before construction and the Kohler field across the street was just tested and it was fine.

Councilman Wojtecki reported the street sign at Lincoln & Rea Avenue is still missing, along with the fire hydrant and guard rail as reported by Councilman Matthews.

Councilman Wojtecki reported the Llewellyn Avenue residents are still complaining about parking in their area.

Mayor Botbyl asked that they call the police when someone is parking illegally.

Councilman Matthews asked for a timeframe for the completion of the Kohler field.

Engineer Boswell said ninety day which would be approximately September 30th.

Councilman Matthews asked if the contractor would be responsible if the field was not completed by the completion date.

Engineer Boswell said liquidated damages are very hard to enforce if you don't have a bonus offered if the contractor is finished early. He explained the difference between compensatory and punitive damages.

Councilman Matthew's asked how the damages will be enforced at the pool.

Engineer Boswell said we are offering two free guest badges and the engineer inspection fees are considered compensatory damages.

Attorney Pasquale stated we may be able to enforce because we had an opening date.

Councilman Bertollo and Engineer Boswell said the field will not be used until next spring.

Discussion ensued regarding the opening of the pool and whose responsibility it is that the pool is not opening on time.

Councilman Matthews voiced concerns as to why the County is not taking responsibility for evaluating and removal of the trees on County land.

Councilman Bennett asked if we were enforcing the judgment against Mr. Speulda.

Administrator Maurer advised that the Municipal Court of Prospect Park would collect those fines.

Attorney Pasquale stated that he will follow up with our Court Administrator. The Borough is owed the cost of transcripts, daily fines and original fines.

Councilwoman English asked for the status of the Rite-Aid store using their empty store for empty boxes.

Administrator Maurer said it was given to property maintenance and there was no report yet.

Councilman Bertollo said all questions had been answered.

Council President Goldberg entertained a motion to record the Administrative Reports, moved by Councilman Matthews, seconded by Councilwoman English. On roll call all voted yes.

ORDINANCES AND RESOLUTIONS

Ordinance No. 1942-08 for Introduction

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 137, NEWSRACKS, OF THE CODE OF THE BOROUGH OF HAWTHORNE

BE IT RESOLVED, that Ordinance No. 1942-08 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 the 18th day of June, 2008, and at said time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Hawthorne Press once, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage, moved by Councilwoman English, seconded by Councilman Bertollo.

Councilman Bertollo questioned the height restriction referred to in section c. The Council agreed to change it from 60 inches to 48 inches.

On roll call all voted yes.

Ordinance No. 1943-08 for Introduction

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 139, NOISE, OF THE CODE OF THE BOROUGH OF HAWTHORNE

BE IT RESOLVED, that Ordinance No. 1943-08 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 the 18th day of June, 2008, and at said time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Hawthorne Press once, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage, moved by Councilman Matthews, seconded by Councilman Bertollo. On roll call all voted yes.

Ordinance No. 1944-08 for Introduction

AN ORDINANCE TO AMEND AND REVISE VARIOUS SECTIONS OF THE MUNICIPAL CODE OF THE BOROUGH OF HAWTHORNE AND SPECIFICALLY A PORTION OF THE GENERAL LEGISLATIVE SECTION THEREOF AS CONTAINED IN CHAPTERS ONE HUNDRED FORTY THREE THROUGH ONE HUNDRED AND FORTY-EIGHT OF THE CODE OF THE BOROUGH OF HAWTHORNE

BE IT RESOLVED, that Ordinance No. 1944-08 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 the 18th day of June, 2008, and at said time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Hawthorne Press once, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage, moved by Councilwoman English, seconded by Councilman Bertollo. On roll call all voted yes.

CONSENT AGENDA - R-1 - R-6

R-1. Resolution, Introduced by Councilman Bertollo

RESOLVED: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated May 9, 2008.

CURRENT ACCOUNT	**#51780**	**$234,035.38**
WATER ACCOUNT	**#14422**	**$ 37,393.39**
OTHER TRUST II	**#6429**	**$ 1,897.44**
TOTAL PAYROLL		**$273,326.21**
CURRENT TO PAYROLL/FICA	**#51781**	**$ 13,383.38**
TOTAL FICA		**$ 13,383.38**

R-2. Resolution, Introduced by Councilman Bertollo

WHEREAS, the Borough Attorney, Tax Assessor and Appraiser retained by the Borough of Hawthorne have recommended the settlement of a real estate tax appeal case now

pending in the Tax Court of New Jersey, by adjustment of the assessment for the tax years in dispute, and the same appears to be fair and reasonable;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, in the County of Passaic and State of New Jersey, that the settlement of cases pending in the Tax Court of New Jersey, as set forth on the schedule annexed hereto, be, and hereby is, approved, and the Borough Attorney is hereby authorized and directed to execute a Stipulation of Settlement, and any other document necessary or appropriate to effectuate the same.

R-3. Resolution, Introduced by Councilman Bertollo

WHEREAS, the annual principal and semi-annual interest payments for the General Serial Bonds of 2004 become due and payable on June 1, 2008, and

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer is hereby authorized to wire funds in the amount of $300,000.00 in Principal and $126,163 in Interest from the Current Fund, and $45,000.00 in Principal and $13,778.00 in Interest from the Water Operating Fund, made payable to Chase Bank, Account #066027306.

R-4. Resolution, Introduced by Councilman Bertollo

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

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

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

SECTION 1

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Borough of Hawthorne hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2008 in the sum of $4,000.00 which item is now available as revenue for the Click-it-or-Ticket Safety Program.

SPECIAL ITEM OF REVENUE OFF-SET WITH APPROPRIATIONS
Click-it-or-Ticket Program **$4,000.00**

pursuant to the provision of the statute; and

SECTION 2

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

OPERATIONS EXCLUDED FROM "CAPS"
PUBLIC AND PRIVATE PROGRAMS OFF-SET BY REVENUE
Click-it-or-Ticket Program **$4,000.00**

SECTION 3

BE IT FURTHER RESOLVED, that the above is the result of funds due to the Borough of Hawthorne from the State of New Jersey that were not available at the time of the adoption of the 2008 budget and are now available by law.

R-5. Resolution, Introduced by Councilman Bertollo

WHEREAS, checks drawn against the Current Fund of the Borough of Hawthorne having an issuance date of at least six months which have not been presented for payment prior to this time are no longer honored by Commerce Bank and must be cancelled as per the New Jersey requirements of audit.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the following checks which have an issuance date of greater than six months be canceled and voided and that all such funds be returned to the Current Fund as appropriate:

CHECK #	AMOUNT	PAYEE
50239	$ 145.00	Douglas Morgan
50276	$ 30.00	Joseph Speranza
50318	$ 48.00	St. Joseph's
50603	$ 101.50	Charlene Elvin
50632	$ 115.00	Printmasters
50675	$ 495.00	HFD Rescue #5

R-6, Resolution, Introduced by Councilman Bertollo

(A complete copy of Resolution R-6 will appear at the conclusion of the Minutes as Addendum #3)

Council President Goldberg entertained a motion to approve R-1 - R-6, moved by Councilman Bertollo, seconded by Councilwoman English.

Council President Goldberg asked if there was any discussion?

On roll call all voted yes.

REPORTS OF SPECIAL COUNCIL COMMITTEES:

Councilman Bertollo reported he attended an Environmental Committee meeting and was able to update the committee on Pan Chemical. They also received plans for the 55 Westervelt site and are not sure what their role is regarding that project.

He also reported the 8 acre wood is reopening on June 7th at 11:00 a.m.

Councilwoman English had no report.

Councilman Bennett reported the pool is nearly complete and the contractor has done an excellent job.

Council President Goldberg congratulated the baseball/softball teams. He reported the SHARE Auction is May 22nd at 7:30 p.m.

He also congratulated Mr. Piepoli for receiving his Eagle Scout this past weekend and apologized that the Mayor or Council members were not available.

Councilman Matthews reported the Chamber is still looking for sponsors for the 4th of July fireworks and the Fishing Derby is September 13th from 8:30 - 10:00 a.m.

Councilman Wojtecki reported the Environmental Committee's Annual Meeting is June 9th at 7:30 p.m.

He congratulated Shane Ugliano and Albert LaBarre for receiving awards from the John A. Girgenti Civic League.

CORRESPONDENCE:

C-1. Council President Goldberg entertained a motion for the approval of NJ State Firemen's Association application for Joseph Longo, 53 Llewellyn Avenue, Hawthorne, moved by Councilman Bertollo, seconded by Councilman Wojtecki.
On roll call all voted yes.

BILLS:

The following bills were presented for payment:

CURRENT FUND

Date	Vendor	Check #	Amount	Appropriation
05/08/08	PAYROLL ACCOUNT	51780	234035.38	PUBLIC DEFENDER
05/08/08	PAYROLL ACCOUNT	51781	13383.38	SOCIAL SECURITY

Total Bill List: 247418.76

Date	Vendor	Check #	Amount	Appropriation
05/12/08	6TH NEW HAMPSHIRE	51782	300.00	PUBLIC EVENTS O/E
05/12/08	CADETS DRUM & BUGLE	51783	3250.00	PUBLIC EVENTS O/E
05/12/08	HAWTHORNE CABALLEROS	51784	1100.00	PUBLIC EVENTS O/E
05/12/08	HAWTHORNE CABALLEROS	51785	1100.00	PUBLIC EVENTS O/E
05/12/08	HAWTHORNE HIGH SCHOOL	51786	700.00	PUBLIC EVENTS O/E
05/12/08	MILITARY TRANSPORT ASSOC	51787	550.00	PUBLIC EVENTS O/E
05/12/08	NY SKYLINERS ALUMNI DRUM	51788	2500.00	PUBLIC EVENTS O/E
05/12/08	PASSAIC COUNTY SHERIFFS	51789	2000.00	PUBLIC EVENTS O/E
05/12/08	ST CLARE GOLDEN EMERALDS	51790	700.00	PUBLIC EVENTS O/E

Total Bill List: 12200.00

Date	Vendor	Check #	Amount	Appropriation
05/21/08	AAA EMERGENCY SUPPLY CO	51791	233.40	FIRE DEPT O/E
05/21/08	ARIES ENVIRONMENTAL SERV	51792	150.00	RECYCLING PRO O/E
05/21/08	ATLANTIC SCREEN PRINTING	51793	280.00	FIRE DEPT O/E
05/21/08	B & C COMMUNICATIONS,	51794	950.00	POLICE DEPT O/E
05/21/08	BOB'S STORES	51795	124.99	STREETS & ROADS O/E
05/21/08	BOSWELL ENGINEERING, INC	51796	3202.98	ENGINEERING SERVICES O/E
05/21/08	BRAEN STONE INDUSTRIES,	51797	1614.60	STREETS & ROADS O/E
05/21/08	BURGIS ASSOCIATES, INC	51798	913.75	MUN LAND USE LAW
05/21/08	CABLEVISION	51799	192.28	PUB WORKS ADMIN O/E
05/21/08	CARL MOTTOLA	51800	40.50	UNIFORM FIRE SAFETY O/E
05/21/08	CARMELA MUSTILE	51801	195.00	MUNI COURT
05/21/08	CINTAS FIRST AID AND	51802	361.00	PEOSHA O/E
05/21/08	CITY WIDE MAINTENANCE	51803	1350.00	PUB WORKS ADMIN O/E
05/21/08	CMRS-FP	51804	3000.00	GENERAL ADMIN O/E
05/21/08	DEER CARCASS REMOVAL	51805	64.95	BOARD OF HEALTH O/E
05/21/08	DELTA MECHANICAL SYSTEMS	51806	196.00	PUB WORKS ADMIN O/E
05/21/08	DON'S AUTO REPAIR	51807	76.50	VEHICLE MAINT ROAD
05/21/08	DOUGLAS MORGAN	51808	70.00	GROUP INSURANCE O/E
05/21/08	DRAEGER SAFETY	51809	366.95	POLICE DEPT O/E
05/21/08	EAST COAST LANDSCAPE	51810	10925.00	SHADE TREE COMMISSION O/E
05/21/08	FIRE HOUSE MAGAZINE	51811	49.95	FIRE DEPT O/E
05/21/08	GALLS, INC	51812	379.87	POLICE DEPT O/E
05/21/08	GARDEN STATE LABORATORY,	51813	1090.00	SWIMMING POOL O/E
05/21/08	GET A CAN	51814	23000.00	RECYCLING PRO O/E
05/21/08	GIANT TIRE SERVICE INC	51815	85.50	SCRAP TIRE GRANT A
05/21/08	GILBEY'S EMBROIDERY CO	51816	84.00	FIRE DEPT O/E
05/21/08	HAWTHORNE B.O.E.	51817	1612.50	BOARD OF REC
05/21/08	HAWTHORNE	51818	2040.00	BOARD OF REC
05/21/08	HAWTHORNE BOARD OF	51819	2302500.00	SCHOOL TAX
05/21/08	HAWTHORNE PRESS INC	51820	72.54	ZONING BD OF ADJ
05/21/08	JANET REENSTRA	51821	100.00	GROUP INSURANCE O/E
05/21/08	JOHN PALLOTTA	51822	545.40	CONST CODE OFFICIAL O/E
05/21/08	JP HOME ARAMA, INC	51823	489.73	VEHICLE MAINT FIRE DEPT
05/21/08	JPSC, INC	51824	224.70	PUB WORKS ADMIN O/E
05/21/08	JUNGLE LASERS LLC	51825	1480.00	FEES PAYABLE JUNGLE
05/21/08	KAY PRINTING & ENVEL CO,	51826	759.00	CONST CODE OFFICIAL O/E
05/21/08	KEN SMITH MOTORS INC	51827	693.28	VEHICLE MAINT POLICE
05/21/08	KEN'S AUTO ELECTRIC, LLC	51828	643.20	VEHICLE MAINT FIRE DEPT
05/21/08	LAUFER, KNAPP, TORZEWSKI	51829	537.00	LEGAL SERV& COSTS O/E

Date	Vendor	Check #	Amount	Appropriation
05/21/08	LERCH VINCI & HIGGINS	51830	2700.00	CONST CODE O/E
05/21/08	LESCO SC 493	51831	1328.70	MAINTEN OF PARKS
05/21/08	LUSCHER'S AUTO INC	51832	4545.10	VEHICLE MAINT ROAD
05/21/08	MES, INC	51833	2365.25	FIRE DEPT O/E
05/21/08	MODERNAGE PHOTO SERV,	51834	600.00	CONST CODE OFFICIAL O/E
05/21/08	MUNIDEX, INC	51835	585.00	SEWER SYSTEM O/E
05/21/08	NORTH JERSEY MEDIA GROUP	51836	195.63	LC MUNICIPAL BLDG A
05/21/08	NORTHERN NJ COUNCIL	51837	308.00	FIRE DEPT O/E
05/21/08	PAINO ROOFING CO.,INC	51838	17085.00	MUNI BUILDING ROOF
05/21/08	PAUL RAINEY	51839	70.00	GROUP INSURANCE O/E
05/21/08	POSTMASTER-PATERSON	51840	175.00	RECYCLING PRO
05/21/08	PREFERRED BUSINESS	51841	222.00	PUB WORKS ADMIN O/E
05/21/08	PRINTMASTERS	51842	192.00	CONST CODE OFFICIAL O/E
05/21/08	PUBLIC SERV ELEC & GAS	51843	24232.59	STREET LIGHTING
05/21/08	R & J CONTROL, INC.	51844	276.00	PUB WORKS ADMIN O/E
05/21/08	R & R RADAR INC	51845	282.40	POLICE DEPT O/E
05/21/08	RIDGEWOOD PRESS	51846	298.00	POLICE DEPT O/E
05/21/08	RIDGEWOOD TYPEWRITER	51847	1068.12	LOCAL CODE ENFORCEMENT
05/21/08	SAMZIE'S UNIFORMS	51848	3815.55	PEOSHA O/E
05/21/08	SATURN SOFTWARE SYSTEMS,	51849	300.00	FIRE DEPT O/E
05/21/08	SCHWAAB INC	51850	138.96	RECYCLING PRO
05/21/08	SCUFFY CARTING LLC	51851	31892.58	GARBAGE & TRASH O/E
05/21/08	ST ANTHONY'S YOUTH	51852	250.00	CLEAN COMMUNITIES
05/21/08	STATE LINE FIRE & SAFETY	51853	94.80	VEHICLE MAINT FIRE DEPT
05/21/08	THE FIRESTORE.COM	51854	133.95	FIRE DEPT O/E
05/21/08	THOMAS ZACONIE	51855	54.00	CONST CODE OFFICIAL O/E
05/21/08	THOMSON WEST INC	51856	126.00	MUNI COURT
05/21/08	TOWNSHIP OF RANDOLPH	51857	600.00	PUB WORKS ADMIN O/E
05/21/08	TRITEC/RICOH	51858	1350.00	POLICE DEPT O/E
05/21/08	UNITED COMPUTER	51859	1366.00	IT SERVICES
05/21/08	VERIZON	51860	3596.38	TELEPHONE CHARGES
05/21/08	WESTMARK INC	51861	50.00	PUB WORKS ADMIN O/E

Total Bill List: 2460991.58

WATER OPERATING FUND

Date	Vendor	Check #	Amount	Appropriation
05/08/08	PAYROLL ACCOUNT	14422	37393.39	WATER UTILITY S/W

Total Bill List: 37393.39

Date	Vendor	Check #	Amount	Appropriation
05/21/08	CABLEVISION	14423	49.95	WATER UTILITY O/E
05/21/08	CMRS-FP	14424	1000.00	WATER UTILITY O/E
05/21/08	E S C ENTERPRISES, INC	14425	1275.00	WATER UTILITY O/E
05/21/08	GODWIN TOOL & HARDWARE	14426	34.58	WATER UTILITY O/E
05/21/08	JP HOME ARAMA, INC	14427	130.38	WATER UTILITY O/E
05/21/08	LERCH VINCI & HIGGINS	14428	1000.00	WATER UTILITY O/E
05/21/08	LUSCHER'S AUTO INC	14429	1706.70	WATER UTILITY O/E
05/21/08	MIRACLE CHEMICAL, INC	14430	164.70	WATER UTILITY O/E
05/21/08	PUBLIC SERV ELEC & GAS	14431	30634.40	WATER UTILITY O/E
05/21/08	RIDGEWOOD TYPEWRITER	14432	114.06	WATER UTILITY O/E
05/21/08	SOPHIEA DE LAGARDE	14433	10.00	OPERATIONS
05/21/08	TOWNSHIP OF RANDOLPH	14434	400.00	WATER UTILITY O/E
05/21/08	VERIZON	14435	1159.95	WATER UTILITY O/E

Total Bill List: 37679.72

GENERAL CAPITAL FUND

Date	Vendor	Check #	Amount	Appropriation
05/21/08	ACCUTEST LABORATORIES	2463	1427.50	CREATION OF BALLFIELD
05/21/08	BOBBY VAN PLUMBING, INC	2464	10000.00	RENOVATION OF POOL
05/21/08	BOSWELL ENGINEERING, INC	2465	7485.00	CREATION OF BALLFIELD

Total Bill List: 18912.50

BUILDER'S ESCROW

Date	Vendor (Builders Escrow)	Check #	Amount	Appropriation
05/21/08	MICHAEL J. PASQUALE,	1989	75.00	LAFAYETTE REALTY
05/21/08	MICHAEL J. PASQUALE,	1990	247.50	BEDRIN ORG 12/8
05/21/08	BOSWELL ENGINEERING, INC	1991	273.00	ENTERPRISE OUTDR
05/21/08	BOSWELL ENGINEERING, INC	1992	713.00	GARCIA 50/5
05/21/08	BOSWELL ENGINEERING, INC	1993	377.50	LAFAYETTE REALTY
05/21/08	BOSWELL ENGINEERING, INC	1994	858.00	
05/21/08	BOSWELL ENGINEERING, INC	1995	15.32	RIVARA 9/12
05/21/08	BOSWELL ENGINEERING, INC	1996	152.50	SIKKEMA 249/13&14
05/21/08	BOSWELL ENGINEERING, INC	1997	1521.00	
05/21/08	BOSWELL ENGINEERING, INC	1998	1638.00	
05/21/08	MICHAEL SCULLY	1999	11362.50	CRAIGCUST 290.03/13

Total Bill List: 17233.32

Date	Vendor (Builders Escrow)	Check #	Amount	Appropriation
05/21/08	JEFFREY HARDY	2000	743.00	HARDY 78/2

Total Bill List: 743.00

HOUSING TRUST

Date	Vendor	Check #	Amount	Appropriation
05/21/08	COMMUNITY GRANTS &	80028	2009.40	HOUSING REHAB PROGRAM

Total Bill List: 2009.40

OTHER TRUST II

Date	Vendor	Check #	Amount	Appropriation
05/08/08	PAYROLL ACCOUNT	6429	1897.44	OFF-DUTY POLICE
05/08/08	STATE OF NJ - DEPT OF	6430	275.72	TRUSTEE

Total Bill List: 2173.16

Date	Vendor (O.T. II)	Check #	Amount	Appropriation
05/21/08	ACE REPROGRAPHIC SERV,	6431	150.00	RECYCLING TRUST
05/21/08	IPPOLITO BROS INC	6432	3675.00	RECYCLING TRUST
05/21/08	DOM & NINAS NEW ENGLAND	6433	72.00	RECYCLING TRUST
05/21/08	ALERT GRAPHICS	6434	1288.00	RECYCLING TRUST

Total Bill List: 5185.00

Date	Vendor (O.T. II)	Check #	Amount	Appropriation
05/21/08	CHIEF FIRE EQUIP CO	6435	190.50	POLICE CONFISCATED MONIES

Total Bill List: 190.50

DOG DEDICATED FUND

Date	Vendor (DOG DEDICATED)	Check #	Amount	Appropriation
05/21/08	NJ DEPARTMENT OF HEALTH	6397	49.80	STATE OF NEW JERSEY
05/21/08	NICOLE CHAMBERLIN	6398	30.00	RABIES CLINIC
05/21/08	KERRY WOOLDRIDGE	6399	30.00	RABIES CLINIC
05/21/08	HAWTHORNE ANIMAL	6400	180.00	RABIES CLINIC
Total Bill List:	289.80			

Council President Goldberg entertained a motion to approve the bills, and refer them to the Treasurer for payment, moved by Councilwoman English, seconded by Councilman Bennett.

Council President Goldberg asked if there were any questions?

On roll call all voted yes.

PUBLIC COMMENT:

Diego Cruz, 40 New York Avenue, wanted to review the timetable for the bidding process for the Kohler field. He expressed how much this field was needed.

Council President Goldberg told Mr. Cruz that he could be given the estimate of cost for the lighting so his association could begin their fundraising.

Paul Allen, 335 Hawthorne Avenue, asked what the Administration and Council's position was regarding aluminum bats.

Council President Goldberg said that discussions had already taken place, last year, regarding this issue and the Little League was told that if they decided or the state required the league to go back to all wood bats that the municipality would buy the first $6,000.00 worth of bats. The league would then be responsible to replace anything that broke.

Mr. Allen asked what determines the weight of a truck on a road.

Engineer Boswell explained the specifications and said that all our roads are built to that specification. The only roads that are not are private roads.

Mr. Allen reported that the speed limit at the recycling center is now be followed.

Mr. Allen stated that he felt that Mr. Gause, in his article to the newspaper, was stepping across the line saying that someone had tried to do harm to a former police officer's car.

Mr. Allen also questioned the demolishing of the PAN Chemical buildings.

Attorney Pasquale said that New Jersey Transit is doing an environmental study and he has been told the building will be down this summer.

Joe Rooney, 84 Braen Avenue, asked if the borough was still interested in selling water to Ridgewood.

Attorney Pasquale answered that we have the capacity and the desire to sell them water, but we want to make sure our infrastructure can handle the additional demand. Nothing has been finalized as of yet.

Bob Kurdock, 15 Rose Court, said he was disappointed to see that there has been another one-family home converted to a two family home.

Mr. Kurdock asked if we have an arborist on staff.

Council President Goldberg said we do and he is just back from sick leave and is on light duty.

Mr. Kurdock asked that all of the bonds for Hovnanian be held because they are a long way off from being finished. He thinks they have been making unauthorized changes.

Council President Goldberg said the request for bond release and reduction comes before Council, and they will not be reducing their bonds at this time.

Since no one else desired to be heard, Council President Goldberg entertained a motion to close the public portion, moved by Councilman Bertollo, seconded by Councilwoman English. On roll call all voted yes.

ADJOURNMENT

Council President Goldberg entertained a motion to adjourn, moved by Councilwoman English, seconded by Councilman Bertollo. On roll call all voted yes.

Richard Goldberg	Jean Mele
Council President	Borough Clerk

Mayor and Council

Proclamation

WHEREAS, each year residents and visitors to the Borough of Hawthorne may require emergency medical care for traumatic injuries, burns, poisonings, spinal cord injuries, heart attacks, and other critical medical emergencies; and

WHEREAS, the citizens of the Borough of Hawthorne benefit from the knowledge, skills and dedication of these emergency medical services specialists, as they work together to ensure prompt and appropriate treatment at the scene, on the way to the hospital, and in the emergency department; and

WHEREAS, New Jersey has a wide range of emergency medical providers, including local first responder units, first aid and rescue squads, ambulance services, mobile intensive care programs, a helicopter EMS response program, specialty burn care, a poison information and education center, designated trauma centers and other vital services that have the potential to save lives and reduce disabilities of the critically ill or injured in our community; and

WHEREAS, advances in emergency medical care have increased the number of lives saved every year in New Jersey and in the Borough of Hawthorne; and

WHEREAS, it is important for the citizens of Hawthorne to know about our emergency medical services system, including what to do in a medical emergency and whom to call, and to benefit from reminders about ways to prevent emergencies from happening; and

WHEREAS, the Borough of Hawthorne desires to continue to improve upon its emergency medical services system in order to assure all citizens the highest standards of emergency medical care.

NOW, THEREFORE, the Mayor and Council of the Borough of Hawthorne do hereby proclaim May 18-24, 2008 as

EMERGENCY MEDICAL SERVICES WEEK

in the Borough of Hawthorne in recognition of all those engaged in emergency medical services activities and encourage the community to observe this week with appropriate programs, ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Borough of Hawthorne to be affixed this 18th day of May, 2008.

Patrick J. Botbyl, Mayor

Council President Richard Goldberg
Council Vice President Bruce Bennett
Councilman John Bertollo
Councilwoman Shirley English
Councilman Frank Matthews
Councilman Garret Sinning
Councilman Joseph Wojtecki

Mayor and Council

Proclamation

WHEREAS, Myasthenia Gravis is a neuro-muscular disease striking children and adults, affecting control of voluntary muscles and afflicting several hundred of our fellow New Jerseyans; and

WHEREAS, the symptoms of this disorder include, but are not limited to, difficulty moving, breathing, swallowing, speaking and seeing; and

WHEREAS, the Myasthenia Gravis Foundation of America, Inc., (MGFA), is a non-profit organization which was founded, "to facilitate the timely diagnosis and optimal care of individuals affected by myasthenia gravis and closely related disorders, and to improve their lives through programs of patient services, public information, medical research, professional education, advocacy, and patient care"; and

WHEREAS, Myasthenia Gravis is the most common neuro-muscular disorder affecting the residents of New Jersey; and

WHEREAS, it is fitting to recognize the many physicians who demonstrate an untiring effort to treat this disease and search for a cure.

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

JUNE, 2008

As

MYASTHENIA GRAVIS AWARENESS MONTH

IN WITNESS WHEREOF, we have hereunto set our hand and caused the Seal of the Borough of Hawthorne to be affixed this twenty-first day of May, 2008.

Mayor Patrick J. Botbyl

Council President Richard Goldberg
Council Vice President Bruce Bennett
Councilman John Bertollo
Councilwoman Shirley English
Councilman Frank Matthews
Councilman Garret Sinning
Councilman Joseph Wojtecki

R-6

Borough of Hawthorne

Passaic County, New Jersey

Resolution introduced by Council Person Bucciollo May 21, 2008
Date

WHEREAS, the Borough of Hawthorne has received and reviewed bids for the construction of a soccer field and related facilities on property leased by the Borough of Hawthorne, owned by Graham Partners, trading as Kohler Distributors, and located on Wagaraw Road; and

WHEREAS, as part of the bid packet and specifications the Borough of Hawthorne reserved unto itself the right to accept or reject the lowest responsible bid in its discretion; and

WHEREAS, the Borough of Hawthorne, in anticipation of such construction, adopted an ordinance so as to provide funding for the cost of construction; and

WHEREAS, in addition to providing for funding, the Municipal Council, through its Public Works Committee created a multi-part bid structure including a base bid and four alternates including alternates for certain additional site work, sodding, as opposed to seeding of the field, and the erection of lights; and

WHEREAS, the bids that were received for the project varied substantially as to the base bid as well as the various alternatives; brought to light the need to refine the bid; and indicated a need to reexamine the project in its entirety as certain elements thereof, appeared to be cost prohibitive at this time; and

WHEREAS, the Public Works Committee, meeting with the Administration, and receiving input from the Borough Engineer and Borough Attorney, decided that the project should be refocused and redefined so as to eliminate certain elements of the original bid while adding certain elements not previously considered for inclusion; and

WHEREAS, the Public Works Committee, in considering the needs of the youth of the community and the budget for the project, determined specifically upon refinements to the bid such as the elimination of alternatives in the form previously stated; the inclusion of light bases and conduit so as to avoid unnecessary destruction of the field should lighting be considered at a later date; the elimination of seed as part of the base bid, replacing the same with sod as the only alternative; the separation of paving from the bid in such a way as to allow for consideration of paving as part of the 2008 road improvement program; the inclusion of the prefabricated structure with facilities as part of the base bid; and other modifications as set forth in the newly created bid protocol; and

WHEREAS, the Council Committee and Administration, in consultation with the Borough Attorney and Municipal Engineer, has recommended to the Council that the bids received, for

reasons set forth herein and otherwise, should be rejected in their entirety with the project re-bid in a format deemed to better serve the needs of the community;

NOW THEREFORE IT IS HEREBY RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does hereby reject all bids received in connection with the project in question and does authorize the Administrator and the Clerk to take all appropriate action to so notify all persons who submitted bids in connection therewith.

Richard Goldberg
Council President

Jean Mele, RMC, CMC
Borough Clerk

Factual Content Certified By:

Name/Title/Date

Approved as to Form and Legality
On Basis of Facts Set Forth

Michael J. Pasquale, Esq.
Borough Attorney

Name	Motion	Second	Yes	No	Abstain	Absent
Bennett			X			
Bertollo	X		X			
English		X	X			
Goldberg			X			
Matthews			X			
Sinning						X
Wojtecki			X			