May 7, 2008
Hawthorne, NJ

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

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 Meeting of April 16, 2008, and the Receipt of Bids for Limestone Restoration at Borough Hall on April 30, 2008, moved by Councilman Wojtecki, seconded by Councilman Sinning. 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 Bertollo, seconded by Councilman Sinning. On roll call all voted yes.

ADOPTION OF ORDINANCES

Ordinance No. 1937-08 for Adoption

AN ORDINANCE APPROPRIATING ADDITIONAL 1% INCREASE IN THE PERMITTED BUDGET CAP APPROPRIATION AS PERMITTED BY THE LOCAL GOVERNMENT CAP LAW.

Public Hearing

I will now open the meeting to the public. If anyone desires to be heard regarding Ordinance No. 1937-08, please raise your hand to be recognized, come forward to the microphone and state your name and address.

There were no questions.

I entertain a motion that the public hearing on Ordinance No. 1937-08 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 Councilwoman English, seconded by Councilman Matthews. On roll call all voted yes.

Ordinance No. 1938-08 for Adoption

BOND ORDINANCE PROVIDING FOR PHASE I OF THE ROAD RECONSTRUCTION, RESURFACING, DRAINAGE, AND CURB IMPROVEMENTS ON VAN WINKLE AVENUE FROM THE VAN WINKLE AVENUE BRIDGE SPANNING ROUTE 208 TO LAFAYETTE AVENUE, AS DESCRIBED SPECIFICALLY HEREIN, IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING THREE HUNDRED THOUSAND ($300,000) DOLLARS THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME.

Public Hearing

I will now open the meeting to the public. If anyone desires to be heard regarding Ordinance No. 1938-08, please raise your hand to be recognized, come forward to the microphone and state your name and address.

Thomas Rika, 208 Van Winkle Avenue, asked if this Ordinance was being covered by a DOT Grant.

Council President Goldberg said yes it was, but the funding has to be put in place first and we are reimbursed.

Phil Savoie, Chairman, Hawthorne Shade Tree Commission, reported that the Commission has reviewed the plans, and they support the project completely. They have identified 22 spaces that they would like left open for future planting.

Engineer Boswell suggested meeting with the design engineer to identify these spaces and review the cost of the project and what might be available.

Administrator Maurer asked Mr. Savoie to speak with a homeowner in attendance who thinks their tree at the curb should be removed.

I entertain a motion that the public hearing on Ordinance No. 1938-08 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 Councilman Bennett, seconded by Councilman Matthews. On roll call all voted yes.

Ordinance No. 1939-08 for Adoption

BOND ORDINANCE PROVIDING FOR PHASE I OF THE ROAD RECONSTRUCTION OR REPLACEMENT OF SIDEWALKS AND DRIVEWAY APRONS ON VAN WINKLE AVENUE, FROM THE VAN WINKLE AVENUE BRIDGE SPANNING ROUTE 208 TO LAFAYETTE AVENUE, AS DESCRIBED SPECIFICALLY HEREIN, IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING SEVENTY FIVE THOUSAND ($75,000) DOLLARS THEREFOR, AUTHORIZING THE ISSUANCE OF BONDS OR NOTES FOR FINANCING PART OF THE COST

THEREOF AND DIRECTING SPECIAL ASSESSMENT OF THE COST THEREOF.

Public Hearing

I will now open the meeting to the public. If anyone desires to be heard regarding Ordinance No. 1939-08, please raise your hand to be recognized, come forward to the microphone and state your name and address.

Charles Ver Hoog, owner of Home Supply, 160 Van Winkle Avenue, advised the Council that his sidewalks were only done ten years ago.

Administrator Maurer advised Mr. Ver Hoog that the curbs on the opposite side of the street that are in disrepair are going to be replaced.

Mr. Ver Hoog was satisfied that this was all that was to be done.

Resident - questioned an estimate to be given as to the cost of the sidewalk. He would like more time to get additional quotes.

Engineer Boswell explained the process and said an estimate to use for the borough cost would be $25.00 per foot. He said the municipality was extending the time to forty-five days.

Tina Dutzar, 202 Van Winkle Avenue, wanted to know who would be paying for the handicap curbs at the corner and what the payment process would be?

Engineer Boswell explained the municipality will be paying for the handicap corner.

The payment process was explained.

Tom Rica, 229 Van Winkle Avenue, wants to have the curbs also replace on the 8th Avenue side of his home. He is on the dead-end side of 8th Avenue. He would also like the width of the street increased.

Councilman Goldberg said the request will be reviewed after the bids have been received.

Cathy Benevento, 165 Eighth Avenue, wants the tree in front of her home removed. She also requested a meeting with an engineer representative to review the work to be done that will be her responsibility. She also asked about the driveway apron.

Engineer Boswell said everything will be reviewed with his representative during her meeting.

Tom Rica, 229 Van Winkle Avenue, asked if money was left over from the road project would the balance be applied to the assessments.

He was told no, the amount of road work would be extended.

Mr. Rica had questions regarding the work to be done at the railroad crossing.

Engineer Boswell explained the process must be complaint with DOT procedures.

William Koetsier, 209 Van Winkle Avenue, explained that he just had sections of his sidewalk and driveway apron replace in October.

Engineer Boswell told him to save his receipts and permits and that will be taken into consideration when the assessment commissioners review the project.

Mr. Kootsier also questioned the truck traffic, their delivery times and idling practices.

Councilman Bertollo asked that the zoning officer take a look at the delivery times. No one should be delivering in the middle of the night or on Sundays.

I entertain a motion that the public hearing on Ordinance No. 1939-08 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 Councilman Bennett, seconded by Councilwoman English. On roll call all voted yes.

OLD BUSINESS

PUBLIC HEARING ON THE INTRODUCED 2008 MUNICIPAL BUDGET

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.

Councilman Goldberg asked Borough Auditor Joe Kelly if the municipality will be penalized if we adopt our budget before knowing if our state aid might be reinstated.

Borough Auditor Joe Kelly stated that if the state reinstates any portion of the state aid it will adjust our tax levy at the County level.

Council President Goldberg entertained a motion to close the public hearing on the 2008 Municipal Budget, moved by Councilman Matthews, seconded by Councilman Bertollo. On roll call all voted yes.

B-1. Resolution Introduced by Councilman Wojtecki

B-1. Resolution Rd: Resolution to Amend 2008 Budget

WHEREAS, the local municipal budget for the year 2008 was approved on the 2nd day of April, 2008, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of HAwthorne, County of Passaic, that the following amendments to the approved budget of 2008 be made:

CURRENT FUND	From	To
Anticipated Revenues		
1. Surplus Anticipated	$ 1,517,000	$ 1,558,500
7. Total General Revenues	$ 17,933,059	$ 17,974,559
8. General Appropriations		

Operations- within "CAPS"		
Public Works		
Road Repair and Maintenance		
Salaries and Wages	$ 739,266	$ 714,616
Other Expenses	96,740	106,390
Unclassified		
Utility Expenses and Bulk Purchases		
Gasoline	158,000	173,000
Total Operations (Item 8(A)) within "CAPS"	11,057,202	11,057,202
Total Operations including Contingent within "CAPS"	11,059,202	11,059,202
Detail:		
Salaries and Wages	5,949,840	5,925,190
Other Expenses	5,109,362	5,134,012
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	11,322,162	11,322,162
Capital Improvements- Excluded from "CAPS"		
Purchase of Non-Box Sander	0	18,000
Purchase of Equipment (Muffin Monster)- Sewer Dept.	0	23,500
Total Capital Improvements Excluded from CAPS	322,000	363,500
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	5,343,897	5,385,397
(O) Total General Appropriations Excluded from "CAPS"	5,343,897	5,385,397

	From	To
(L) Subtotal General Appropriations	$ 16,666,059	$ 16,707,559
9. Total General Appropriations	$ 17,933,059	$ 17,974,559

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

B-2. Resolution Introduced by Councilwoman English

BE IT RESOLVED, by the Governing Body of the Borough of Hawthorne, County of Passaic that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of $11,889,342.00.

Council President Goldberg entertained a motion to approve resolution B-2, moved by Councilwoman English, seconded by Councilman Bertollo. On roll call all voted yes.

Councilman Bennett asked for an update on the Pan Chemical Building and when it will be coming down.

Councilman Bertollo said that "who" will be taking down the buildings is part of the negotiating process. Both groups are doing an environmental impact study. Whether to cap or not cap and do an entire clean-up of the soil will be determined when the studies are completed.

Councilman Goldberg asked if the municipality has any say in whether the property is capped or not capped.

Engineer Boswell stated that two government entities are not allowed to review the same environmental project. The DEP has been given the authority. We can submit our findings for them to consider.

Councilman Matthews asked Engineer Boswell what we can do about the correspondence that was received from K Hovnanian reneging on the agreement to repair the damages at Mr. Rooney's home.

Engineer Boswell said no additional reductions in the performance bonds will take place.

Administrator Maurer said he had spoken to our Borough Attorney and he agrees that we will take every action necessary to back up our resident.

Councilman Matthews asked if Administrator Maurer had a timeframe for Lee Avenue.

Administrator Maurer said he did not.

Councilman Matthews asked if the expansion joints on Lee Avenue could be addressed.

Engineer Boswell said he would make it part of the 2008 Road Program.

Councilman Wojtecki asked for the status of the Water Main at North 8th Street and Goffle Road.

Administrator Maurer said the borough determined the valve was a private issue. The homeowner is disputing this and that is why it hasn't been resolved.

Councilman Wojtecki asked if the County had responded to the Brookside Avenue landslide problem.

Administrator Maurer said no.

Councilman Goldberg asked for an update on the maintenance issue on Mountain Avenue.

Administrator Maurer said a notice of violation had been sent. It looked like the property was going to be sold, but the deal fell through. A summons is now being issued.

Councilwoman English asked if Watchung Drive is being considered for milling this year.

Engineer Boswell said they will include it in the bid for the 2008 Road Program. He also asked what the municipality had decided regarding making that street a one way.

Council President Goldberg said this is being discussed.

NEW BUSINESS

Council President Goldberg read the following Proclamation:

WHEREAS, Robert J. Passero has been a resident of the Borough of Hawthorne for nearly 45 years; and

WHEREAS, as a member of the community, Robert J. Passero has been involved in numerous civic and community based endeavors including past president of the Hawthorne Lions Club, sponsor of a little league team, parishioner at St. Anthony's Church and, while in practice in Hawthorne as an attorney, counsel to many residents in the Borough of Hawthorne; and

WHEREAS, in 1988 Robert J. Passero was appointed as a Judge to the Superior Court of the State of New Jersey and

WHEREAS, in 1999 he was appointed Assignment Judge in the Passaic County Superior Court; and

WHEREAS, on May 7, 2008, a dinner is being held in his honor upon his retirement as a Superior Court Judge following 20 years of distinguished service;

NOW, THEREFORE, the Mayor and Council of the Borough of Hawthorne hereby recognize the achievement of Judge Robert J. Passero and congratulate him upon his retirement as a Judge of the Superior Court of the State of New Jersey.

Council President Goldberg entertained a motion to record the proclamation, moved by Councilman Wojtecki, seconded by Councilman Sinning. On roll call all voted yes.

Councilman Bertollo thanked the Hawthorne Fire Department for all their help in putting out and helping to clean up the fire that occurred at the Boys & Girls Club over the weekend. He said it had been started by vandals and a $500.00 reward is being offered for any information leading to the vandals who started the fire.

ADMINISTRATIVE AGENDA

Administrator Maurer presented the following resolution for approval.

MR-1. IN SUPPORT OF THE LINE REHABILITATION BETWEEN HAWTHORNE (MP-23.3) AND SPARTA (MP 63.0)

WHEREAS, the state Rail Plan Agreement approved a grant for the Line Rehabilitation between Hawthorne (MP 23.3) and Sparta (MP 63.0) in the amount of $900,000 to the New York, Susquehanna and Western Railway Corporation; and

WHEREAS, the Borough of Hawthorne would realize increased rail safety with said project; and

NOW THEREFORE BE IT RESOLVED, Mayor and Council of the Borough of Hawthorne hereby support the Line Rehabilitation between Hawthorne (MP 23.3) and Sparta (MP 63.0)

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

Administrator Maurer announced the reappointment of James F. Hayes III, 247 East Allendale Avenue, Allendale, as a Patrolman of the Police Department of the Borough of Hawthorne effective May 12, 2008.

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

Borough Clerk Mele administered the Oath of Office to Officer Hayes.

Administrator Maurer reported on the following:

Memorial Day Observances will be on Monday, May 26th. The Municipal Building Remembrance Ceremony will be at 12 noon and the parade kicks off at Rea & Lafayette Avenues at 1:30 p.m. Veterans are asked if available to march with the Grand Marshall.

The Record Newspaper did a poll which included Departments of Public Works. Of seventeen departments that were submitted, Hawthorne's came in at number two.

Next Tuesday, May 13th, at Borough Hall in the evening we will be doing voter registration, summer rec , pool & tennis registration, and rabies clinic at various times. On May 31st the Borough will hold the Great American Garage Sale.

The Office of the Comptroller will be reviewing our auditing procedures. We are reminded the new procedures require comptroller notification before we make a major purchase/contract of $10,000,000 and notification after-the-fact for any purchase/contract of $2,000,000.

The roof repair at the Municipal Building is almost complete. The new ceiling in the court room will begin next week.

At the pool the plumbing and electrical work has been awarded and is progressing. This work did not require going out to bid.

A new Assistant Manager has been hired at the pool.

A Board of Recreation Residency Policy has been put together for Board sponsored programs. The whole board will review before it is put in place.

Three individuals were arrested for stealing our metal recycling.

Administrator Maurer reported on the following for our Borough Attorney:

A favorable decision was reached by the appelite court regarding promotional procedures in the Police Department. Our ordinance was found to be valid.

Attorney Pasquale wanted Mr. Rooney to know the municipality is behind him 100%.

Assembly bill A-500 is an amendment to the Fair Housing Act making changes that would be unfavorable to municipal positions.

Director of Finance Hewitt reported on the following:

We are in the middle of the second tax quarter and because the 10th of the month is on Saturday, the deadline for paying your taxes is extended to Monday, May 12th.

Borough Engineer Boswell reported on the following:

The swimming pool, fencing, and decking have been completed. The repairs of the cracks will be done this week and the painting will be completed in two weeks.

The inlet at Mr. Rooney's house has been fixed.

Tilcon has not agreed to fix the road in which the shoving has occurred.

The erosion on Goffle Road/Goffle Brook Park has been filled with stone by the County.

The contractor for the VAV box repairs at borough hall has submitted shop drawing that have been approved. He has a lead time of three weeks.

The testing of the soil at Kohler field has come back negative. The bid is being received on May 16th with possible award set for the meeting of the 21st.

The roof repairs will be finished tomorrow and the ceiling will be completed next week.

The engineer representing Congress Textiles will be certifying the wood & steel, and if their engineer does the certification, Boswell Engineering will not object. He explained.

Councilman Wojtecki said the fire department has a rule that any fire in that building has to be fought from the outside of the building.

Engineer Boswell said he would not change that rule.

Approval has been received for the monitoring plan for the stage two disinfected and disinfection by products. There was no mention of enforcement action.

The 2009 Local Aid Project will be Central Avenue, and the work will begin at Lafayette Avenue.

The County Engineer has been informed of the missing posts at the Vreeland Avenue pedestrian bridge, and he was told it must be fixed immediately.

The erosion at North 11th and North 12th Streets has been reviewed. The only solution to the problem would be an underground detention system.

Council President Goldberg reminded Engineer Boswell that Tilcon might be advised that we can always pass an ordinance enforcing "no trucking" on our borough streets and force them to stay on North 8th Street.

Councilman Wojtecki reminded Administration that there is a public hearing on June 18th on the proposed changes by the Passaic County Sewer Commission.

Councilman Wojtecki asked if the borough will derive any income from the Ridgewood Water Improvement.

Administrator Maurer said they would pay for the cost of the improvement. We are not looking to sell them water. It is a stand by.

Council President Goldberg said there have been discussions regarding them making drainage improvements in Mr. Rooney's area in exchange for them being able to do the work.

Councilman Wojtecki asked if the pool was going to be ready for Memorial Day.

Engineer Boswell said yes.

Councilman Wojtecki complained that the contractor at the pool is leaving his tools unsecured at night.

He announced the Jr. Police Academy graduation is June 13th, at 7 p.m., the ROAR Program is this Friday at 1:30 p.m., and Council President Goldberg sid the Jr. Firefighter's Graduation is at Rescue 5 on May 8th.

Councilman Sinning asked if the hole where the building was taken down on Goffle Road was ever going to be filled in.

Administrator Maurer said he would advise Mr. Turner to look into that situation.

Councilman Matthews asked if there were any major cracks in the pool.

Engineer Boswell said there were many major cracks in the pool. The structure is still sound.

Councilman Matthews asked if the borough was being reimbursed for the police for the Glen Rock water project.

Administrator Maurer said the police are being paid by the contractor and it has to go through the borough.

Councilman Bertollo asked if the pool deck will require sealing.

Administrator Maurer said no sealant will be required.

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

ORDINANCES AND RESOLUTIONS

Ordinance No. 1940-08 for Introduction

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF HAWTHORNE TO REVISE AND REPLACE CHAPTER 95, FEES.

BE IT RESOLVED, that Ordinance No. 1940-08 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 4th 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 Sinning. On roll call all voted yes.

Ordinance No. 1941-08 for Introduction

AN ORDINANCE TO AMEND ORDINANCE 1867-06, ADOPTED MARCH 8, 2006, PROVIDING FOR CLOSED CIRCUIT TELEVISING, CLEANING AND LINING OF SANITARY SEWER LINE THROUGH GOFFLE BROOK PARK BETWEEN DIAMOND BRIDGE AVENUE AND MAITLAND AVENUE IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, INCREASING THE COSTS PERMITTED BY N.J.S.A. 40A :2-20 FROM $50,000 TO $70,000

BE IT RESOLVED, that Ordinance No. 1941-08 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 4th 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 Bertollo, seconded by Councilwoman English. On roll call all voted yes.

CONSENT AGENDA - R-1 - R-4 & R-6 & R-7

R-1. Resolution, Introduced by Councilman Bennett

RESOLVED: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated April 24, 2008.

CURRENT ACCOUNT	#51697	$270,402.70
WATER ACCOUNT	#14401	$ 39,012.75
OTHER TRUST II	#6422	$ 7,394.10
TOTAL PAYROLL		$316,809.55
CURRENT TO PAYROLL/FICA	#51698	$ 16,344.82
TOTAL FICA		$ 16,344.82

R-2. Resolution, Introduced by Councilman Bennett

WHEREAS, checks drawn against the Magistrates Account-Municipal Court 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
2616	$ 2.00
2726	$ 4.00
2727	$ 2.00
2729	$ 2.00

2735	$ 50.00
2743	$ 50.00
2746	$ 1.00
2745	$ 2.00

R-3. Resolution, Introduced by Councilman Bennett

WHEREAS, the Memorial Day Parade in the Borough of Hawthorne will take place this year on Monday, May 26, 2008, and organizations that will be performing in the parade require payment immediately following the parade.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized to draw ten checks on the Current fund in the amounts, and for the organizations, listed below, and that these checks be distributed after their services have been performed.

Hawthorne Caballeros Alumni	1,100.00
Hawthorne Caballeros	1,100.00
Hawthorne High School Band	700.00
6th New Hampshire Volunteers	300.00
St. Clare Golden Emeralds Fife & Drum	700.00
Cadets Drum & Bugle Corps	3,250.00
NY Skyliners Alumni Drum & Bugle Corps	2,500.00
Military Transport Assoc.	550.00
Passaic County Sheriffs Brass Band	2,000.00

R-4. Resolution, Introduced by Councilman Bennett

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:

Block/Lot	Original Assessment	Judgement	Difference	Overpayment
2007				
87/6	$475,000.	$450,000.	$ 25,000.	$1,067.50
Jerry Wlodarczyk	120 E. Prospect St., Hawthorne			

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-5. Resolution, R-5 was pulled from the agenda. It was temporary emergency appropriations and will not be needed because the budget was adopted.

R-6. Resolution, Introduced by Councilman Bennett

RESOLUTION ENTERING INTO A COOPERATIVE PRICING AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL HEREINAFTER REFERRED TO AS THE "LEAD AGENCY" FOR THE CONDUCT OF CERTAIN FUNCTIONS RELATING TO THE PURCHASE OF WORK, MATERIALS AND SUPPLIES FOR THEIR RESPECTIVE JURISDICTIONS

BE IT RESOLVED, BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF HAWTHORNE, COUNTY OF PASSAIC, STATE OF NEW JERSEY: This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Hawthorne.

Pursuant to the provisions of N.J.S. 40A:11-10 and 11 the Municipal Council is hereby authorized to enter into a Cooperative Pricing Agreement with the "Lead Agency" (Township of Randolph) for the purchase of work, materials, supplies and services expiring on September 30, 2011.

The Lead Agency (Township of Randolph) entering into contracts on behalf of the Borough of Hawthorne shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

All Resolutions or parts thereof inconsistent with this Resolution shall be and the same repealed.

R-7. Resolution, Introduced by Councilman Bennett

WHEREAS, on April 30, 2008, the Borough of Hawthorne received bids for cleaning the limestone exterior of the Municipal Building in the Borough of Hawthorne authorized by the Livable Communities Grant: Improvements to Municipal Building; and

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

Watertrol, Inc.
P O Box 163
Cranford, New Jersey 07016

in the amount of $24,347.00.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited lowest responsible bidder subject to the certification of availability of funds from the

Chief Financial Officer, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract between the Borough of Hawthorne and Watertrol, Inc. in a form approved by the Borough Attorney when these conditions have been met.

Council President Goldberg entertained a motion to approve R-1 - R-4 and R-6 & R-7, moved by Councilman Bennett, seconded by Councilman Sinning.

Council President Goldberg asked if there was any discussion?

On roll call all voted yes.

REPORTS OF SPECIAL COUNCIL COMMITTEES:

Councilman Bertollo reported the Commuter Parking Committee met and an amendment to the ordinance should be presented at the next meeting. It will address home health care workers, businesses, and St. Anthony's Church.

They also discussed the parking situation at North 4th and Ethel Avenues. They will plan a meeting at the Ambulance Corps building in the near future with the residents and discuss their problems and possible solutions.

Councilman Bennett reported the Public Works Committee met and discussed the following:

2008 Road Improvement Program - Tuxedo Avenue, May Street to Lafayette Avenue; Jefferson Plane; North 11th Street, Mohawk to Westervelt Avenue; Laurel Street; Birchwood Road; Cooledge Place; and Cornell Avenue, Parker to Rea Avenue.

The next state grant will be for Central Avenue and the Thomas Road Field Improvements were discussed.

Council President Goldberg reported the Board of Recreation will meet next Wednesday. Signup for the pool and the recreation program will be next Tuesday, 5/13/08.

Councilman Matthews reported the Insurance Committee met and reviewed the goals for the year. The planning board reviewed the analysis of the Congress Mills for a potential tenant.

Councilman Sinning reported the Ordinance Committee met and ordinances will be presented at the next meeting to update the code book regarding news racks, noise, and nuisances. The North Watchung Drive one way was also discussed.

Councilman Wojtecki reported the Shade Tree Commission met and the Chairman will be here this evening to give a report during our public portion.

The Environmental Committee has change their May meeting from the 8th to the 15th. There annual meeting will be held on June 9th.

CORRESPONDENCE:

MISCELLANEOUS:

Rfl-1. The Hawthorne Cubs Football Association has requested permission to hold a Calendar raffle on various dates between September and November 2008.

Council President Goldberg entertained a motion to approve this request, moved by Councilman Bennett, seconded by Councilman Bertollo. On roll call, all voted yes.

BILLS:

The following bills were presented for payment:

CURRENT FUND

Date	Vendor	Check #	Amount	Appropriation
04/17/08	HFD #2	51693	1400.00	FIRE DEPT O/E
04/17/08	HFD #3	51694	1400.00	FIRE DEPT O/E
04/17/08	HFD #4	51695	1400.00	FIRE DEPT O/E
04/17/08	HFD #5 RESCUE	51696	450.00	FIRE DEPT O/E
Total Bill List:	4650.00			
04/24/08	PAYROLL ACCOUNT	51697	270402.70	MUNI COURT
04/24/08	PAYROLL ACCOUNT	51698	16344.82	SOCIAL SECURITY
Total Bill List:	286747.52			
05/07/08	A T & T	51699	44.57	TELEPHONE CHARGES
05/07/08	A-VAN ELECTRICAL	51700	879.67	PUB WORKS ADMIN O/E
05/07/08	ACCLAIM INVENTORY LLC	51701	2200.00	PUB WORKS ADMIN O/E
05/07/08	AMSTERDAM PRINTING	51702	174.30	GENERAL ADMIN O/E
05/07/08	AQUARIUS IRRIGATION	51703	139.50	PUB WORKS ADMIN O/E
05/07/08	B & C COMMUNICATIONS,	51704	800.50	POLICE DEPT O/E
05/07/08	BCMCAA	51705	195.00	MUNI COURT
05/07/08	BOSWELL ENGINEERING, INC	51706	6970.95	ENGINEERING SERVICES O/E
05/07/08	C & C TIRE CO, INC	51707	1033.90	SEWER SYSTEM O/E
05/07/08	CARL MOTTOLA	51708	89.00	UNIFORM FIRE SAFETY O/E

Date	Vendor	Check #	Amount	Appropriation
05/07/08	CAROL CHAMBERLIN	51709	26.00	BOARD OF HEALTH O/E
05/07/08	CHARLES C. COLLINS, JR,	51710	159.36	ZONING BD OF ADJ
05/07/08	CITY OF PATERSON	51711	9972.00	BOARD OF HEALTH
05/07/08	COACHMAN INT'L TOURS INC	51712	775.00	BOARD OF REC O/E
05/07/08	COUNTY OF PASSAIC	51713	3133601.12	COUNTY TAX
05/07/08	COUNTY OF PASSAIC-OPEN	51714	64618.54	OPEN SPACE TAX
05/07/08	DELL GARDEN CENTER	51715	288.89	STREETS & ROADS O/E
05/07/08	DON'S AUTO REPAIR	51716	302.00	VEHICLE MAINT POLICE
05/07/08	DOWNES TREE SERVICE,	51717	1550.00	SHADE TREE COMMISSION O/E
05/07/08	E-Z PASS	51718	200.00	STREETS & ROADS O/E
05/07/08	EXTEL COMMUNICATIONS,	51719	338.94	PUB WORKS ADMIN O/E
05/07/08	FRANCOTYP-POSTALIA, INC	51720	304.98	PUB WORKS ADMIN O/E
05/07/08	G T B M, INC	51721	2625.00	POLICE DEPT O/E
05/07/08	GIANT TIRE SERVICE INC	51722	70.50	SCRAP TIRE GRANT A
05/07/08	GOFFCO INDUSTRIES, INC	51723	267.50	MUNI COURT
05/07/08	GONE HAWKIN, INC	51724	250.00	ENVIRONMENTAL COMMITTEE
05/07/08	GRAINGER, INC	51725	123.40	STREETS & ROADS O/E
05/07/08	HAWTHORNE	51726	1770.00	BOARD OF REC
05/07/08	HAWTHORNE CAR WASH, INC	51727	150.00	VEHICLE MAINT POLICE
05/07/08	HAWTHORNE HARDWARE, INC	51728	55.27	RECYCLING PRO
05/07/08	HAWTHORNE PRESS INC	51729	724.46	MUNICIPAL CLERK O/E
05/07/08	HOME SUPPLY & LUMBER	51730	547.66	LITTLE FRANK FLD
05/07/08	JERRY WLODARCZYK	51731	1067.50	OPERATIONS
05/07/08	JOHN PALLOTTA	51732	120.00	CONST CODE O/E
05/07/08	JP HOME ARAMA, INC	51733	26.98	POLICE DEPT O/E
05/07/08	K&K TROPHY MART INC	51734	55.00	PUBLIC EVENTS O/E
05/07/08	KAY PRINTING & ENVEL CO,	51735	605.00	CONST CODE OFFICIAL O/E
05/07/08	LAWYER'S DIARY & MANUAL	51736	167.00	MUNI COURT
05/07/08	LOOSELEAF LAW	51737	23.90	POLICE DEPT O/E
05/07/08	LORCO PETROLEUM SERVICES	51738	168.00	RECYCLING PRO
05/07/08	LORRAINE POWELL	51739	44.50	MUNICIPAL ALLIANCE
05/07/08	MARIOLA MLEKICKI	51740	190.00	MUNI COURT
05/07/08	MARY JEANNE HEWITT	51741	91.00	SHADE TREE COMMISSION O/E
05/07/08	METLIFE	51742	331.44	GROUP INSURANCE O/E
05/07/08	MR QUICK SIGNS	51743	300.00	MAINTEN OF PARKS
05/07/08	MUNIDEX, INC	51744	7153.20	FINANCIAL ADMIN O/E
05/07/08	MVP TRIPLE SPORTS	51745	4345.45	BOARD OF REC O/E
05/07/08	NEW ENGLAND WATER WORKS	51746	740.00	SEWER SYSTEM O/E
05/07/08	NJ CLEAN COMMUNITIES	51747	360.00	CLEAN COMMUNITIES
05/07/08	NJ PLANNING OFFICIALS	51748	102.00	ZONING BD OF ADJ
05/07/08	NO JERSEY MUNI EMPL BNFT	51749	151251.00	GROUP INSURANCE O/E
05/07/08	NORTHEASTERN ASSSOCIATES	51750	272.40	SHADE TREE COMMISSION O/E
05/07/08	NORTHERN SAFETY CO INC	51751	629.99	STREETS & ROADS O/E
05/07/08	NY SUSQUEHANA & WESTERN	51752	940.00	SEWER SYSTEM O/E
05/07/08	PACE GLASS, INC	51753	427.40	RECYCLING PRO O/E
05/07/08	PHILIP SAVOIE	51754	376.63	SHADE TREE COMMISSION O/E
05/07/08	PHYLLIS WOOLDRIDGE	51755	530.00	BOARD OF HEALTH O/E
05/07/08	PUBLIC SERV ELEC & GAS	51756	34047.13	ELECTRIC CHARGES

05/07/08	RECYCLING UNLIMITED	51757	550.00	ENVIRONMENTAL COMMITTEE
05/07/08	RICHIES SERVICE CTR INC	51758	505.50	VEHICLE MAINT POLICE
05/07/08	RIDGEWOOD PRESS	51759	224.00	POLICE DEPT O/E
05/07/08	RIDGEWOOD TYPEWRITER	51760	423.57	POLICE DEPT O/E
05/07/08	RONALD TATHAM	51761	1284.00	GROUP INSURANCE O/E
05/07/08	RONNIE GONZALEZ	51762	360.00	GROUP INSURANCE O/E
05/07/08	RUTGERS - CENTER FOR	51763	346.00	STREETS & ROADS O/E
05/07/08	SAFETY LIGHTS STRIPES &	51764	127.53	VEHICLE MAINT POLICE
05/07/08	SEELEY EQUIP & SUPPLY	51765	904.63	STREETS & ROADS O/E
05/07/08	SHERWIN WILLIAMS CO.	51766	23.95	MAINTEN OF PARKS
05/07/08	SIR SPEEDY, INC	51767	343.00	GENERAL ADMIN O/E
05/07/08	STACEY FIORINA	51768	126.50	ENVIRONMENTAL COMMITTEE
05/07/08	SUPERIOR DISTRIBUTORS	51769	38.79	STREETS & ROADS O/E
05/07/08	TANEUM	51770	110.00	MUNI COURT
05/07/08	TREASURER, ST OF NEW	51771	375.00	PUB WORKS ADMIN O/E
05/07/08	UNITED COMPUTER	51772	8483.25	SEWER SYSTEM O/E
05/07/08	UNITED FEDERATED SYSTEMS	51773	7417.00	RECYCLING PRO
05/07/08	UNIVERSAL COMPUTING	51774	108.00	MUNI COURT
05/07/08	VERIZON	51775	3859.64	TELEPHONE CHARGES
05/07/08	VERIZON WIRELESS (N)	51776	1579.07	TELEPHONE CHARGES
05/07/08	VITAL COMMUNICATIONS,	51777	575.00	CONST CODE O/E
05/07/08	WESTMARK INC	51778	50.00	PUB WORKS ADMIN O/E
05/07/08	WORK'N GEAR, INC	51779	137.00	STREETS & ROADS O/E

3463564.96

WATER OPERATING FUND

Date	Vendor	Check #	Amount	Appropriation
04/24/08	PAYROLL ACCOUNT	14401	39012.75	WATER UTILITY S/W

Total Bill List: 39012.75

Date	Vendor	Check #	Amount	Appropriation
05/07/08	A-VAN ELECTRICAL	14402	51.27	WATER UTILITY O/E
05/07/08	APWA NJ CHAPTER	14403	60.00	WATER UTILITY O/E
05/07/08	AQUARIUS IRRIGATION	14404	154.55	WATER UTILITY O/E
05/07/08	BOSWELL ENGINEERING, INC	14405	11778.00	WATER UTILITY O/E
05/07/08	DELL GARDEN CENTER	14406	455.00	WATER UTILITY O/E
05/07/08	EMERSON PROCESS	14407	620.32	WATER UTILITY O/E
05/07/08	HAWTHORNE HARDWARE, INC	14408	54.10	WATER UTILITY O/E
05/07/08	HOME SUPPLY & LUMBER	14409	232.57	WATER UTILITY O/E
05/07/08	LEE CO	14410	1780.00	WATER UTILITY O/E
05/07/08	MUNIDEX, INC	14411	1326.80	WATER UTILITY O/E
05/07/08	NJAES OFFICE CONTINUING	14412	130.00	WATER UTILITY O/E
05/07/08	POLLARDWATER	14413	4187.59	WATER UTILITY O/E
05/07/08	POST & KELLY ELECTRIC	14414	3055.00	WATER UTILITY O/E
05/07/08	PUBLIC SERV ELEC & GAS	14415	32637.18	WATER UTILITY O/E
05/07/08	RIO SUPPLY, INC	14416	3005.00	WATER UTILITY O/E
05/07/08	SYSTEM SERVICES INC	14417	1875.00	WATER UTILITY O/E
05/07/08	TREASURER, ST OF NEW	14418	125.00	WATER UTILITY O/E
05/07/08	UNITED COMPUTER	14419	608.50	WATER UTILITY O/E
05/07/08	VERIZON	14420	1102.44	WATER UTILITY O/E
05/07/08	VERIZON WIRELESS (N)	14421	294.31	WATER UTILITY O/E

Total Bill List: 63532.63

GENERAL CAPITAL FUND

Date	Vendor	Check #	Amount	Appropriation
05/07/08	BOSWELL ENGINEERING, INC	2457	2709.75	RENOVATION OF POOL
05/07/08	COVINO & SONS	2458	39280.05	RENOVATION OF POOL
05/07/08	HUDSON-ESSEX-PASSAIC CTY	2459	700.00	CREATION OF BALLFIELD
05/07/08	KEY TECH INC	2460	990.00	2007 ROAD PROGRAM
05/07/08	SCATURRO BROS INC	2461	21510.00	RENOVATION OF POOL
05/07/08	TREASURER, ST OF NEW	2462	300.00	CREATION OF BALLFIELD

Total Bill List: 65489.80

BUILDER'S ESCROW

(Builders Escrow)

Date	Vendor	Check #	Amount	Appropriation
05/07/08	BOSWELL ENGINEERING, INC	1984	71.00	HARDY 78/2
05/07/08	BOSWELL ENGINEERING, INC	1985	78.00	OLIVER 84/2.03
05/07/08	BOSWELL ENGINEERING, INC	1986	78.00	PRT REALTY 12/6
05/07/08	BOSWELL ENGINEERING, INC	1987	5728.00	
05/07/08	BOSWELL ENGINEERING, INC	1988	78.00	JFWHOME 82/10&11

Total Bill List: 6033.00

OTHER TRUST II

Date	Vendor	Check #	Amount	Appropriation
04/24/08	PAYROLL ACCOUNT	6422	7394.10	OFF-DUTY POLICE

Total Bill List: 7394.10

Date	Vendor	Check #	Amount	Appropriation
05/07/08	GILL ASSOCIATES	6423	2405.00	POLICE CONFISCATED MONIES
05/07/08	ALERT GRAPHICS	6424	1583.00	RECYCLING TRUST
05/07/08	MR QUICK SIGNS	6425	337.50	RECYCLING TRUST
05/07/08	GREAT LAKES SPECIALTY	6426	857.00	RECYCLING TRUST
05/07/08	PUZO'S RESTAURANT	6427	96.00	RECYCLING TRUST
05/07/08	MARY JEANNE HEWITT	6428	44.10	RECYCLING TRUST

Total Bill List: 5322.60

DOG DEDICATED FUND

Date	Vendor	Check #	Amount	Appropriation
05/07/08	TYCO ANIMAL CONTROL	6396	2200.00	DOG POUND

Total Bill List: 2200.00

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 Matthews.

Council President Goldberg asked if there were any questions?

On roll call all voted yes.

PUBLIC COMMENT:

Joe Rooney, 84 Braen Avenue asked when the letter from K Hovnanian was sent out.

Engineer Boswell said April 28th.

Council President Goldberg stated that everyone is behind Mr. Rooney and no CO's will be issued or reduction in Performance Bond given until we are satisfied everything is completed.

Engineer Boswell said by law we can hold 30% of the bond until we are satisfied.

James Dusenberry, Roosevelt Avenue asked if a Borough tree ruins a sidewalk, shouldn't it be the borough's responsibility to replace or repair the sidewalk?

Administrator Maurer said according to the way our ordinance is written, we will trim the trees and roots, but it is the homeowners responsibility to repair the sidewalks.

Mr. Dusenberry asked if Belgium block may be used as curbing.

Council President Goldberg said no, not according to our code.

Engineer Boswell said only the planning or zoning boards could approve an exception to our code.

Mr. Dusenberry also had questions regarding weeds and no parking on Mondays & Tuesdays on the commuter parking streets.

Councilman Bertollo said the no parking on Monday & Tuesday is to allow for street cleaning and snow removal. His suggestions would be taken under advisement.

Phil Savoie, Chairman of the Shade Tree Commission, reported to Council that the Commission has reviewed and approves the project at 55 Westervelt Avenue. They do have an issue with the type of tree that is going to be planted and would like to suggest an alternative type of tree, one that is slower growing.

Engineer Boswell said the developer should agree as long as the cost is the same.

Mr. Savoie also reminded that the developer must notify the residents within 200 feet of the development of the trees that are to be removed, and there is a replacement cost of $100.00.

Council President Goldberg suggested to Mr. Savoie that these issues should go to the Planning Board.

Engineer Boswell suggested that the Planning Board Secretary add the Shade Tree Commission to his list of parties to be given copies of plans in the future.

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

ADJOURNMENT

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

Richard Goldberg Council President	Jean Mele Borough Clerk