

October 1, 2008
Hawthorne, NJ

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 8:04 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, Borough Attorney Pasquale, Engineer Christopher Nash (representing Borough Engineer Boswell), Director of Revenue & Finance Hewitt and Borough Clerk Spohn.

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 Special Session Meeting of September 12, 2008, Regular Meeting of September 17, 2008, and Closed Session Meeting of September 17, 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.

Public comment: None

Council President Goldberg entertained a motion to close the public portion, moved by Councilman Wojtecki, seconded by Councilman Bertollo. On roll call Councilpersons Wojtecki, Matthews, Sinning, Goldberg, English and Bertollo voted yes. Councilman Bennett abstained.

ADOPTION OF ORDINANCES

Ordinance No. 1954-08 for Adoption

**AN ORDINANCE TO FURTHER AMEND AND
SUPPLEMENT CHAPTER 210, ARTICLE VII,
SCHEDULE XVI, TIME LIMIT PARKING, OF THE
CODE OF THE BOROUGH OF HAWTHORNE SO
AS TO ADD THERETO CERTAIN ADDITIONAL
LOCATIONS**

Public Hearing

Council President Goldberg opened the meeting to the public. If anyone desires to be heard regarding Ordinance No. 1954-08 please raise your hand to be recognized, come forward to the microphone and state your name and address.

Public Comment: None

Council President Goldberg entertained a motion that the public hearing on Ordinance No. 1954-08 be closed and that it is 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 Wojtecki, seconded by Councilwoman English. On roll call all voted yes.

Discussion:

Councilman Wojtecki thanked the Ordinance Committee for entertaining this.

Council President called a roll call. On roll call all Councilpersons voted yes.

OLD BUSINESS

None.

NEW BUSINESS

Councilman Matthews:

Wished to notify residents of the 4th Ward of an ongoing Public Service project east of Route 208. There will be underground improvements coming from North 9th through Van Winkle, Ruth, Florence, Cornell and Utter Avenues. Councilman Matthews spoke with the project superintendent, who unfortunately did not notify any of the residents along this path. He asked that the

superintendent notify the residents, and requested Borough Administrator Maurer post what is happening and what streets are affected on our website. The schedule will be loose, because of weather concerns and progress. Councilman stated it would have been nice if the Utilities had notified those residents along the affected path and in the future this could be better coordinated.

Councilman Wojtecki:

Proudly announced that the Environmental Commission has been awarded the 2008 Achievement Award for the Eight Acre Woods, and allowed Council President Goldberg to elaborate on his Administrative Report.

Councilwoman English:

Informed Borough Administrator the Route 208 Stop Sign at the bottom of the exit is down again, and stated that if the Stop sign is not at the bottom of the exit, vehicles just fly off the ramp. Councilwoman stated it is a tractor-trailer taking it down, and suggested putting the sign further back. Attorney Pasquale will look into the legality of how far back the sign can go.

ADMINISTRATIVE AGENDA

Acting Mayor Goldberg gave the following report:

1. Congratulated the Environmental Commission on being selected to receive the 2008 ANJAC Environmental Achievement Award for their work on the Eight Acre Woods, and announced the award will be presented at the 2008 Environmental Congress on October 3, 2008 in West Windsor, NJ.
2. Stated that some of us may have read the NJ Transit has been holding information sessions about the Light Rail and how it is supposed to end in Hawthorne. We contacted NJ Transit and they stated they create a station without creating parking spaces. He has requested a meeting with NJ Transit so that he can express our concerns that parking should go along with the train station. Councilman Bertollo will also be involved in these discussions. Acting Mayor Goldberg will report back after the meeting as to what is happening.
3. Stated he attended the 'DVRT' candlelight vigil on September 30th, at which time he declared October as Domestic Violence Awareness Month in the Borough of Hawthorne.
4. Read the official proclamation of Breast Cancer Awareness Month, and further stated "Be it resolved that the Mayor and Council of Hawthorne do hereby proclaim October as Breast Cancer Awareness Month and call upon government officials, businesses, communities, health care

professionals, educators, volunteers, and all the people of our Borough, to continue our strong commitment to controlling and curing breast cancer." This resolution was signed by Richard Goldberg as the Acting Mayor and all members of the Council.

5. Stated that there are more causes than months, and sometimes there are up to five months that are special and get declared.

The report was concluded at this time.

Director of Revenue & Finance Hewitt reported the following:

1. Reported that the date of the Tax Sale has been set for November 12, 2008.
2. We are not bringing the interest earning that we have earned in the past due to the interest rates being so incredibly low. As CFO she is the only one who can make investments for the town, as she is the only one licensed. We used to have an investment account, and they stopped paying the higher investment rate that we had had, so most of the money is invested in the Cash Management Fund which pays ¾% higher at this time. She does not feel comfortable have all the money in one place. She is looking into an investment only account at another bank which would pay a higher rate.

The report was concluded at this time.

Chris Nash represented Borough Engineer Boswell and reported on the following:

1. Since the pool was opened sooner than expected, the paint did not dry properly on the joints. Painting is now being done correctly at no cost to the Borough. The pool cover is being manufactured and should be completed by the end of the month for installation.
2. The 2008 Road Program is commencing on October 2, 2008 and should be completed by the beginning of November, 2008. The same contractor will be beginning Van Winkle Avenue in about two weeks and should be finished around Thanksgiving.
3. The Kohler Field project should start tomorrow (10/2/08) and finish up around Thanksgiving .

The report was concluded at this time.

Borough Attorney Michael Pasquale reported on the following:

1. There will be a number of tax appeals coming to trial.
2. Regarding the issue of Paterson suing Hawthorne and other surrounding towns, a re-evaluation will come sometime in the future, but Paterson has no right to pursue this at this time. Attorney Pasquale has consulted with other municipal attorneys, and even though each town is being sued individually, this request will be opposed.

The report was concluded at this time.

Administrator Maurer reported on the following:

1. The Sicomac Sewer Pump Station had a backup today with sewerage coming into residents' homes. Rapid Pump was called, but the cost at this time is undetermined. There is a possibility action for an Emergency Appropriation could be needed by the next Council Meeting. Because of sewerage spillage, the DEP was notified.
2. Borough Administrator Mauer has been working with Borough Attorney Pasquale on Bid Packages for conditional space on the Cell Towers. A resolution will be needed to set the minimal bids by the next meeting. We are looking at an additional \$50,000. to \$60,000 additional revenue from additional leases. We do have interested tenants and a renewal of one existing tenant.
3. Inspections will be done on the drain lines of the pool to see if any repairs are required and can be completed before the pool opens next year.

The report was concluded at this time.

Questions for the Administration:

As Council President, Councilman Goldberg questioned Chris Nash as to the completion date of Kohler field. He was under the impression it would be the end of October, not November. Councilman Bertollo stated that the arrival of the topography maps was delayed, thus causing the change of completion date.

Councilman Bertollo asked if the pool should be filled before the pool cover is installed. Borough Administration Mauer stated he was advised this would be correct procedure to follow once all the repairs and painting are completed.

Councilman Bertollo questioned the letter received from the Fire Chief regarding the painting the fire hydrants. The process has already begun, but the completion date is unsure. He suggested this project be forwarded

to our Scout Troops for Eagle Scout Badges, as they are always looking for a community project. The color was also discussed. Red was chosen with yellow tops, based upon discussions between the Water Dept. and the Fire Chief.

Councilperson English thanked Borough Administrator Mauer for handling the health issue of head lice in the Borough. An educational piece is now printed on the Borough Website.

Councilman Wojtecki questioned the Paterson lawsuit and whether would Wayne take the lead of opposing this lawsuit. Borough Attorney Pasquale stated that all the towns would be working in unison to oppose this lawsuit. This is a Tax Board issue. The jurisdiction of this matter is with the Tax Board and not the city of Paterson, and will be handled at that level. All towns are within the same level, being assess around the mid to high 40's. He cannot image that the County of Passaic would have all 16 communities do their revals in the same year, and then be flooded with all the tax appeals that follow. Paterson's assess actual value was less than 10%. County tax is based upon the value as it is assessed, and for 30 years Paterson has short-changed their contributions to the County of Passaic.

Councilman Wojtecki questioned Borough Attorney Pasquale on the lawsuit regarding the 2008 Road Project. Borough Attorney Pasquale had nothing to report.

Councilman Wojtecki questioned Borough Attorney Pasquale in regard to the Irvington Avenue issue. Borough Attorney Pasquale stated an agreement is in place between both parties and we can move forward with this issue.

Councilman Wojtecki also stated that Director Of Revenue and Finance Hewitt already addressed the issue of owner overpayment in the Work Session.

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

ORDINANCES AND RESOLUTIONS

Ordinances for Introduction:

None

CONSENT AGENDA: R-1 – R-3

R-1. Resolution, Introduced by Councilman Bertollo

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated September 26, 2008

	Check #	
CURRENT FUND	52522	\$242,635.42
WATER OPERATING FUND	14572	\$36,475.33
OTHER TRUST II FUND	6467	\$7,548.77
TOTAL PAYROLL		\$ 286,659.52
CURRENT FUND TO PAYROLL/FICA	52523	\$9,124.42
WATER OPERATING FUND TO PAYROLL/FICA	14573	\$5,000.00
TOTAL FICA		\$ 14,124.42

R-2. Resolution, Introduced by Councilman Bertollo

WHEREAS: There was an overpayment made by the owner of 33 Forest Avenue for Water Account #00210230 in the amount of \$11,421.26 due to an error in calculation of usage, and

WHEREAS: The owner of the property has requested a refund of this amount, the Collector of Tax/Utilities recommends the refund of said overpayment,

NOW, THEREFORE, BE IT RESOLVED: that the Collector of Tax/Utilities hereby recommends that the Treasurer be authorized by the Municipal Council of the Borough of Hawthorne to issue a check from the Water Operating Account in the amount of \$11,421.26 to reimburse Joseph Dello Buono for overpayment of water for 2007.

R-3. Resolution, Introduced by Councilman Bertollo

WHEREAS: a check has been received from the State of New Jersey for the 2008 Homestead Rebate for claimant with a tax delinquency for 2007 in the amount of \$13,264.52.

NOW, THEREFORE, BE IT RESOLVED: By the Municipal Council of the Borough of Hawthorne that the Tax Collector be authorized to apply the amounts listed below:

<u>Blk/Lot</u>	<u>Name and Address</u>	<u>Amount</u>
4/1	Hildebrand, David & Cynthia 71 Prescott Ave.	\$1,158.28
29/10/C0036	Laux, William & Patricia 45 Royal Ave. Unit #36	\$1,092.84
47/14/C0101	Zigarelli, Alberta 50 May St. Unit #101	\$ 745.19
72/3	Hinds, Sophia 1 E. Prospect St.	\$1,634.36
144/8	Fitzsimmons, Leo & Rita 105 Brookside Ave.	\$1,738.96
164/5	German, Monica & Castillo, Ruddy 659 Lafayette Ave.	\$ 589.77
233.04/7	Ugiono, Shane & Mauro 33 Robertson Ave.	\$1,184.46
261/9	Dalip, Mumin & Elizabeth 190 Fourth Ave.	\$ 906.75
264/11	Puch, Adele 9 Goffle Hill Rd.	\$1,175.46
266/14	Pepe, Karen 53 Ridge Rd.	\$1,000.00
283/7	Boswell, Owen 25 Garden Ave.	\$ 654.40
296/2	Brautigam, Robert & Lynn 507 Goffle Hill Rd.	<u>\$1,384.05</u>
		\$13,264.52

Discussion on R-1- R-3:

None.

Council President Goldberg entertained a motion to approve Resolutions R-1 – R-3, moved by Councilman Bertollo, seconded by Councilwoman English. On roll call all voted yes.

REPORTS OF SPECIAL COUNCIL COMMITTEES:

Councilman Wojtecki reported the following:

1. There will be a 2-mile CROP Walk on Sunday, October 19, 2008 followed by a potluck supper.
2. ST. Anthony's Jubilee Mass will be Sunday, October 5, 2008 at 11:00 AM.
3. Shade Tree Commission will be meeting Tuesday, October 7, 2008 at 7:30PM.

Councilman Sinning reported:

1. The Ordinance Committee has not met since last month.
2. The Library Foundation met last week and indicated they would like to get together with the Library Board and Administration to discuss any projects they would like the Foundation to help fund. A meeting will be set up amongst the three groups.

Councilman Matthews reported:

1. The Chamber of Commerce monthly meeting originally scheduled for Oct. 14th will be postponed to Oct. 15th so that most of the members can attend the City Creamery's Grand Opening.

Councilwoman English reported:

1. Attended a Board of Health Meeting on Thursday, Sept. 30th during which Councilman Wojtecki question regarding the use of Paterson Health Services was addressed. The Board of Health indicated that we definitely need their services because they supply us with medical necessities. Councilman Wojtecki questioned if there was anything thing similar in Wayne, West Milford, or the County. Borough Administrator Maurer stated he has sent out letters Wayne and other communities, and has a Memo coming out to the Board of Health explaining this. If he does receive any proposals, he will certainly review them with the Board of Health before the Administration would make any recommendation back to the Council.

Discussion ensued and it was stated that we need some Health Services, not necessarily Paterson.

2. As of Sept. 30th, they did not have a date for the Flu shot. As soon as they get the date, the public will be informed.

Councilman Bertollo reported:

1. Stated he was not sure if a Finance Meeting for next week was too soon to address possibility of budget transfers come November. We should look at this incase we need to call something for the Sicomac Sewer Station and should look at this within the next week or so.
2. He did not call for a meeting last week regarding Commuter Parking as there was some correspondence back from NJ Transit. A meeting will be set up to discuss their future moves, and we do not want to tip our hand. He stated he read in the Shopper that they did not want that project for Commuter Parking; they wanted it for the Light Rail Project.

CORRESPONDENCE:

None

MISCELLANEOUS:

RFL-1 The St. Anthony Home School Association has requested permission to conduct a 50/50 Raffle to be held on January 25, 2009 at St. Anthony School.

Council President Goldberg entertained a motion to approve RFL-1, moved by Councilman Bennett, seconded by Councilman Sinning. On roll call, all voted yes.

RFL-2 The St. Anthony Home School Association has requested permission to conduct a Calendar Raffle, with drawings to be held Fridays, beginning December 5, 2008 and ending February 20, 2009 at St. Anthony School.

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

RFL-3 The Jefferson School PTO has requested permission to conduct a Ducky Derby to be held on October 12, 2008 at Goffle Brook Park.

RFL-4 The Jefferson School PTO has requested permission to conduct a 50/50 Raffle to be held on October 12, 2008 at Goffle Brook Park.

It was noted that HEF is using the Jefferson PTO Raffle License.

Council President Goldberg entertained a motion to approve RFL-1 and RFL-4, moved by Councilman Wojtecki, seconded by Councilman Bertollo. On roll call all voted yes.

BILLS:

The following bills were presented for payment:

CURRENT FUND

Bill list *Current*

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
09/25/08	PAYROLL ACCOUNT	52522	242635.42	MUNI COURT
09/25/08	PAYROLL ACCOUNT	52523	9124.42	SOCIAL SECURITY
Total Bill List:			251759.84	

CURRENT FUND (Continued)

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
10/01/08	A T & T	52524	46.90	TELEPHONE CHARGES
10/01/08	AAA EMERGENCY SUPPLY CO	52525	1462.10	VEHICLE MAINT FIRE DEPT
10/01/08	ALL COUNTY MECHANICAL	52526	824.00	PUB WORKS ADMIN O/E
10/01/08	ARIES ENVIRONMENTAL SERV	52527	150.00	RECYCLING PRO O/E
10/01/08	ATLAS FLASHER & SUPPLY	52528	383.76	STREETS & ROADS O/E
10/01/08	B & C COMMUNICATIONS,	52529	117.00	FIRE DEPT O/E
10/01/08	BOROUGH OF GLEN ROCK	52530	18169.00	GLEN ROCK SEWERS
10/01/08	BOSWELL ENGINEERING, INC	52531	4669.50	ENGINEERING SERVICES O/E
10/01/08	BRENDA DITTFIELD	52532	50.00	GROUP INSURANCE O/E
10/01/08	BROADLINE ID SOLUTIONS	52533	39.90	MUNICIPAL CLERK O/E
10/01/08	CABLEVISION	52534	32.00	SWIMMING POOL O/E
10/01/08	CAMPBELL FOUNDRY CORP	52535	1146.00	STORMWATER MANDATE
10/01/08	CARL MOTTOLA	52536	48.72	UNIFORM FIRE SAFETY O/E
10/01/08	CHRIS ELLERBROOK	52537	101.00	GROUP INSURANCE O/E
10/01/08	COACHMAN INT'L TOURS INC	52538	750.00	BOARD OF REC O/E
10/01/08	DELUXE INTERN'L TRUCKS,	52539	77.70	VEHICLE MAINT ROAD
10/01/08	DON'S AUTO REPAIR	52540	837.33	VEHICLE MAINT POLICE
10/01/08	ENNIS PAINT, INC	52541	1611.00	MAINTEN OF PARKS
10/01/08	EXTEL COMMUNICATIONS,	52542	313.58	PUB WORKS ADMIN O/E
10/01/08	FREMGEN POWER EQUIPMENT	52543	269.95	STREETS & ROADS O/E
10/01/08	G T B M, INC	52544	250.00	POLICE DEPT O/E
10/01/08	GENERAL CODE PUBLISHERS,	52545	196.00	MUNICIPAL CLERK O/E
10/01/08	GOFFCO INDUSTRIES, INC	52546	187.29	MUNI COURT
10/01/08	GRAINGER, INC	52547	22.49	RECYCLING PRO
10/01/08	HARRY R GUDENBERG	52548	360.80	LEGAL SERV& COSTS O/E
10/01/08	HAWTHORNE AUTO LAB	52549	739.11	VEHICLE MAINT POLICE
10/01/08	HAWTHORNE B.O.E.	52550	600.00	BOARD OF REC O/E
10/01/08	HAWTHORNE FIRE DEPT	52551	486.36	FIRE DEPT O/E
10/01/08	HAWTHORNE PRESS INC	52552	227.62	MUNICIPAL CLERK O/E
10/01/08	HENRY'S PLUMBING &	52553	83.68	SWIMMING POOL O/E
10/01/08	HHSPGC	52554	1999.13	MUNICIPAL ALLIANCE
10/01/08	HOME SUPPLY & LUMBER	52555	51.38	STREETS & ROADS O/E
10/01/08	INDUSTRIAL POWER CLEAN	52556	2000.00	PUB WORKS ADMIN O/E
10/01/08	JAMES T. PETERSON	52557	541.00	GROUP INSURANCE O/E
10/01/08	JERSEY CHEMICALS, INC	52558	965.99	SWIMMING POOL O/E
10/01/08	JP HOME ARAMA, INC	52559	430.30	POLICE DEPT O/E
10/01/08	LERCH VINCI & HIGGINS	52560	1300.00	FINANCIAL ADMIN O/E
10/01/08	LINCOLN LIMITED	52561	95.00	RECYCLING PRO O/E
10/01/08	M J HEWITT	52562	153.27	TAX ASSESSMENT Q/E

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
10/01/08	MARY ELLEN LYONS	52563	27.30	RECYCLING PRO O/E
10/01/08	MARY JEANNE HEWITT	52564	127.41	BOARD OF HEALTH O/E
10/01/08	MC NERNEY & ASSO	52565	3500.00	TAX ASSESSMENT O/E
10/01/08	METLIFE	52566	330.61	GROUP INSURANCE O/E
10/01/08	NEUTRON INDUSTRIES, INC	52567	165.87	PUB WORKS ADMIN O/E
10/01/08	NO JERSEY MUNI EMPL BNFT	52568	133162.00	GROUP INSURANCE O/E
10/01/08	PITCHER'S OFFICE	52569	95.00	MUNICIPAL CLERK O/E
10/01/08	PRINTMASTERS	52570	480.00	PUB WORKS ADMIN O/E
10/01/08	PUBLIC SERV ELEC & GAS	52571	150.79	ELECTRIC CHARGES
10/01/08	RAPID PUMP & METER	52572	23500.00	SEWER SYSTEM O/E
10/01/08	RIDGEWOOD TYPEWRITER	52573	199.98	POLICE DEPT O/E
10/01/08	RIVERSIDE IRON & METAL,	52574	250.00	PEOSHA O/E
10/01/08	RUTGERS CAIT-LTAP	52575	95.00	STREETS & ROADS O/E
10/01/08	S & W PRINTING	52576	463.95	BOARD OF HEALTH O/E
10/01/08	SAFETY LIGHTS STRIPES &	52577	512.00	VEHICLE MAINT POLICE
10/01/08	SHERWIN WILLIAMS CO.	52578	275.74	STREETS & ROADS O/E
10/01/08	THE FIRESTORE.COM	52579	474.49	FIRE DEPT O/E
10/01/08	TODD HARRIS COMPANY,	52580	4060.00	SWIMMING POOL O/E
10/01/08	TURNOUT UNIFORMS	52581	1916.84	POLICE DEPT O/E
10/01/08	UNITED COMPUTER	52582	257.55	IT SERVICES
10/01/08	UNIVERSAL COMPUTING	52583	236.50	MUNI COURT
10/01/08	VERIZON	52584	3088.99	TELEPHONE CHARGES
10/01/08	VERIZON WIRELESS (N)	52585	127.58	TELEPHONE CHARGES
10/01/08	VICTORIA BERUTTI	52586	137.00	MUNI COURT
10/01/08	WINNER FORD	52587	22345.00	CONSTRUCTION CODE

Total Bill List: 237768.46

WATER OPERATING FUND

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
09/25/08	PAYROLL ACCOUNT	14572	36475.33	WATER UTILITY S/W
09/25/08	PAYROLL ACCOUNT	14573	5000.00	SOCIAL SECURITY
Total Bill List:			41475.33	

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
10/01/08	AGRA ENVIRONMENTAL SVC	14574	1650.00	LAB TESTING WATER
10/01/08	ALL BERGEN LOCKSMITHS,	14575	75.00	WATER UTILITY O/E
10/01/08	AQUARIUS IRRIGATION	14576	85.58	WATER UTILITY O/E
10/01/08	ARTESIAN WELL & EQUIP	14577	6582.00	CAPITAL OUTLAY
10/01/08	FOX VALLEY SYSTEMS INC	14578	48.40	WATER UTILITY O/E
10/01/08	GP JAGER & ASSOC INC	14579	2040.00	WATER UTILITY O/E
10/01/08	GRAINGER, INC	14580	219.50	WATER UTILITY O/E
10/01/08	HENRY'S PLUMBING &	14581	179.51	WATER UTILITY O/E
10/01/08	HOME SUPPLY & LUMBER	14582	16.83	WATER UTILITY O/E
10/01/08	JOSEPH DELLO BUONO	14583	11421.26	OPERATIONS
10/01/08	JP HOME ARAMA, INC	14584	236.32	WATER UTILITY O/E
10/01/08	LEE CO	14585	4267.90	WATER UTILITY O/E
10/01/08	MARY JEANNE HEWITT	14586	10.97	WATER UTILITY O/E
10/01/08	NO JERSEY MUNI EMPL BNFT	14587	20000.00	GROUP INSURANCE EMPLOYEES
10/01/08	NORTH JERSEY WATER	14588	425.00	WATER UTILITY O/E
10/01/08	PASSAIC CO ROAD DEPT	14589	400.00	WATER UTILITY O/E
10/01/08	POST & KELLY ELECTRIC	14590	3400.00	CAPITAL OUTLAY
10/01/08	PUBLIC SERV ELEC & GAS	14591	1386.03	WATER UTILITY O/E
10/01/08	SIR SPEEDY, INC	14592	34.50	WATER UTILITY O/E
10/01/08	VERIZON	14593	918.24	WATER UTILITY O/E
Total Bill List:			53397.04	

GENERAL CAPITAL FUND

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
10/01/08	BOSWELL ENGINEERING, INC	2496	5681.25	SEWER SLIP LINE
10/01/08	GRANT STREET GROUP, INC	2497	2750.00	RES FOR BOND SALE
Total Bill List:			8431.25	

BUILDERS ESCROW

<u>Date</u>	<u>Vendor</u>	<i>Builders Escrow</i>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
10/01/08	BOSWELL ENGINEERING, INC		2026	21.90	JSD REALTY 104/15
10/01/08	BOSWELL ENGINEERING, INC		2027	3676.14	WESTERVELT-MILLVIEW 7/1
10/01/08	BOSWELL ENGINEERING, INC		2028	39.00	PRT REALTY 12/6
10/01/08	BOSWELL ENGINEERING, INC		2029	376.00	
10/01/08	BOSWELL ENGINEERING, INC		2030	78.00	JFWHOME 82/10&11
10/01/08	BOSWELL ENGINEERING, INC		2031	3185.75	VIC PROP LLC 82/12
Total Bill List:			7376.79		

Bill list

<u>Date</u>	<u>Vendor</u>	<i>Builders Escrow</i>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
10/01/08	BURGIS ASSOCIATES, INC		2032	2501.25	BEDRIN ORG 12/8
Total Bill List:			2501.25		

OTHER TRUST II

<u>Date</u>	<u>Vendor</u>	<i>a.t. II</i>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
10/01/08	ALLIED CARPET		6466	2157.50	RECYCLING TRUST
Total Bill List:			2157.50		

<u>Date</u>	<u>Vendor</u>		<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>
09/25/08	PAYROLL ACCOUNT		6467	7548.77	OFF-DUTY POLICE
Total Bill List:			7548.77		

Council President Goldberg entertained a motion to approve the bills, and refer them to the Treasurer for payment, moved by Councilman Wojtecki, seconded by Councilman Sinning. On roll call all voted yes.

PUBLIC COMMENT:

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

1. Bob Kurdock, 15 Rhodes Court. As a proponent of the crackdown on illegal housing, he would like to congratulate Mr. Marsten and Mr. Turner on the job they are doing. Mr. Kurdock also questioned Administrator Maurer on the status of the Shade Tree Commission. Councilman Wojtecki indicated that at the last Shade Tree Commission meeting there

were 33 trees to come down, and 96 to go up. Mr. Kurdock inquired about the list for trimming, and Administrator Maurer indicated that this list is constantly changing, as some are removed from the list, more are added. He expressed an interest on the property located at 202 May Street.

Mr. Kurdock asked the Council if the Ordinance Committee made any recommendations regarding sandwich board signs, or the amount of signs allowed on a building. Borough Attorney Pasquale stated sandwich board signs are not permitted by the Ordinance, have been popping up all over, and the Administration has not been cracking down on these signs. Attorney Pasquale also stated that there are a number of signs that are in violation of the Ordinance. It is difficult because there are signs that do not obstruct walking and are tasteful. The Ordinance would have to be amended to permit those signs. The Ordinance Committee has discussed this several times.

Mr. Kurdock is still retained by the Delaware Otsego Corporation (DOC) as a consultant. Mr. Kurdock requested a meeting on behalf of his client, indicating that the hold up with the Commuter Parking project is being blamed on his client. set up a meeting for Friday, Oct. 3rd at 2:00PM with Mr. Kurdock, Borough Administrator Maurer, and Councilman Bertollo.

Mr. Kurdock questioned the status of the Diamond Bridge Avenue Station. Council President Goldberg stated the last he had heard the VRA was going to try to raise money to move it, but has not heard anything since that discussion. Councilman Bertollo stated that this came down to finances. Mr. Kurdock asked if this could also be addressed at the meeting on Oct. 3rd and Council agreed. Mr. Kurdock indicated that he could attend the meeting on Friday, but was not sure if the President of DEC would be able to attend. Council President Goldberg stated they would meet with Mr. Kurdock on Friday, and if the DEC President was not available, they could reschedule another meeting with him.

2. Anthony DeVita, 22 DeBruyle Court. As President of the Lafayette Hills Association, he appealed to the Council for assistance regarding outstanding issues of parking issues at the Lafayette Hills development. Mr. DeVita did state he received an email from Borough Attorney Pasquale on this prior to coming to the meeting tonight. They have done as much as they could as an Association and have begun imposing fines. Borough Attorney Pasquale has been very helpful, but still has not be able to obtain plans and specs that he needs from the Planning Board to make a final, conclusive argument. Attorney Pasquale has spoken with Administrator Maurer, and has not been able to get the final plans for the site, though he assumes it is in the Building Dept. As soon as he gets the plan, he will able to review to see if there is a true delineation of parking versus what is assigned, and what is to remain open. Mr. DeVita stated he and members of his Board have reviewed their By-Laws and feels they

give the Board the right to do a Lottery parking system. The Association wants to do their due-diligence and run it past the town.

Mr. DeVita also stated there are outstanding issues regarding Municipal reimbursements from the Municipal Services Act to which they are entitled to for last year's snowplowing, as well as trash removal. Mr. DeVita met on August 4th with Director of Revenue and Finance Hewitt, Administrator Maurer, and Lafayette Hills Board Member John Ryan, which he felt was very productive but the residents of Lafayette Hills have not yet seen any of the money. Mr. DeVita stated that Administrator Maurer explained very well to him how the Municipal Services Act works, and he had done some measurements. He would like to get some answers that he can go back to the community with.

Council President stated he would follow up with Administrator Maurer the next day, and get back to Mr. DeVita.

3. Edward O'Connell, 16 Fifth Avenue, Wanaque, NJ and 862 Lafayette Avenue, Hawthorne, NJ. Mr. O'Connell spoke of an incident approximately 1 week ago where a sewer line on Lafayette Avenue was clogged, and everyone's sewage ended up in his basement. Mr. O'Connell stated that Ed Mahoney of the Sewer Dept. came out and said it was the fault of the Borough for the line being backed up. Mr. O'Connell also stated that he had a plumber come out and snake his line because the water started backing up in his toilet. He has 3 inches of raw sewage in his basement. Mr. O'Connell stated that Don Turner came out to inspect as Insurance Officer, and that Mr. Turner agreed that he would condemn the property, but would not give an answer on who was paying for this. Mr. O'Connell asked the Mayor and Council for an answer on who is paying this. Mr. O'Connell stated he had to have miss 2 days of work to have woods, and sanitation come in. Mr. O'Connell has all the paperwork filled out with the town as far as an insurance issue. He has 20 bags of garbage containing his personal property that got wet with the sewage and is waiting to hear from his insurance company.

Borough Administrator stated there is a process of filing claims, and he will check with the insurance company on this. Mr. O'Connell stated he is a Council member in Wanaque, and someone owes him an answer. Attorney Pasquale answered by stating that the town submits a claim to its insurance company, and we have not heard back from the insurance company yet. Administrator Maurer will follow up the next day. Mr. O'Connell asked if he were to call Administrator Maurer in the afternoon, would he be able to get an answer, to which Administrator Maurer indicated he would.

Council President requested that Administrator Maurer send out a memo to the Council once he has spoken to our insurance company.

Administrator Maurer indicated this was the first he was hearing about this backup. Councilpersons Wojtecki and Matthews questioned why Don Turner was out to look at this, and Administrator Maurer had not heard about it. Council President noted that they were in the public portion of the meeting.

4. John Ryan, 7 Ashley Court. Appealed to the Mayor and Council as a citizen of Hawthorne, and stated that he and his wife moved into the development Jan. 4th. They have since learned how unpopular the development is with the town. He is also a Board member of Lafayette Hills and stated they are engaged in a 2-front war with the developer (K. Havnanian) that is a total nightmare to work with. Mr. Ryan and his wife were well aware of the association fees, but as taxpayers they feel they are entitled to snow and garbage removal, payment for street lamps, leaf removal and bulk removal (which he thought was once per month). Mr. Ryan felt it was bordering on annoying that they have to come to the town "hat in hand" to get reimbursement on things they should be entitled to. Mr. Ryan asked that he be corrected at anytime if he was wrong. Mr. Ryan stated that if he lived on Lafayette Avenue Extension he would not be here asking what was going on with leaf and snow removal. Council President informed Mr. Ryan that we get people coming to meetings all the time inquiring about leaf and snow removal.

Councilman Matthews added that this is a private road, not a deeded road and some of this is the nature in which the Lafayette Hills Association was formed. There are other associates in town that get "Fee for Service" in lieu of the service (like snowplowing)

Mr. Ryan wanted on record that the Lafayette Hills Association was hamstrung into dealing with the management company that the developer had set up. The Association was hit with a \$55,000 snow removal bill for the past year. The Association feels that when they come to the Council they are met with roadblocks. The Association has contracted GAETA for recycling, as did the town, indicating the GAETA has double billed the town and the Association. Mr. Ryan was instructed that it was the responsibility of the Association to track down GAETA. Mr. Ryan stated he joined the Board because he cares about the community, not because he wants to sheriff the problems that occur. The Association sought help from the Borough and got nowhere. It has been 2 months with no response to the Association from GAETA. Since the Borough has a bigger checkbook than the association, GAETA would be more apt to respond. In order to sustain themselves, the Association needs to recoup the money they are owed as far as the community is concerned.

Mr. Ryan stated that he was not sure who represented their Ward. Councilman Matthews stated he gave his card to Mr. DeVita a couple of weeks ago and asked that Mr. Ryan contact him if he feels he needs help up front to help pursue the same issues. Mr. Ryan extended the invitation to Councilman Matthews to attend a quarterly meeting. Councilman Matthews agreed to do so, and asked that Mr. DeVita email him with the date and time of the next meeting.

Mr. Ryan concluded by saying that they would like our help. The Association generates 1 million dollars a year in tax revenue for the town and would like to be recognized and treated as such.

5. Patti Nolan, 12 DeBruyle Court. Ms. Nolan is Vice President of the Board of Lafayette Hills Association. She came to the Council to request use of the courtroom once a month for their Board meetings as they are spending \$200 every time they have a Board meeting. Director of Finance and Revenue Hewitt suggested the Louis Bay 2nd Library, to which Ms. Nolan stated the Library charges them \$200 each time they use it. The Association could have 50 people in attendance; Dir. Of Finance and Hewitt suggested perhaps they could rent out half of the room.

Attorney Pasquale indicated that, we have never made the Borough Hall available to private groups and organizations.

Councilman Wojtecki suggested contacting the Fire Departments, and if it is not a Friday or Saturday night, they have a very discounted rate.

Council President Goldberg suggested they might be able to use one of the schools, perhaps at the high school on a night when the custodians are already on staff.

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.

Discussion after close of Public Portion:

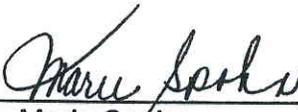
Administrator Maurer stated that technically there is supposed to be an agreement between the Municipality and the Association. We have had a methodology in place with other associations, but we need to create something that is uniform, and this should be reduced to something that is an agreement that are approved by the Council and the Association. We don't want to hold up payment, but moving forward we need to set up agreements, so everything is clear on what needs to be done and uniform for everybody.

Councilman Bertollo stated to members of the Lafayette Hills association that the Council does not want them to feel they Council is stonewalling them, or has hard feelings towards them because they are Lafayette Hills residents. Residents should feel they are part of the community.

ADJOURNMENT

Council President Goldberg entertained a motion to adjourn at 9:08 PM, moved by Councilwoman English, seconded by Councilman Matthews. On roll call all voted yes.

Richard Goldberg
Council President



Marie Spohn
Borough Clerk