

June 3, 2009
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, English, Matthews, Mele, Sinning and Bertollo. Also present were Mayor Goldberg, Borough Administrator Maurer, Borough Engineer Boswell, Director of Revenue and Finance Hewitt, Borough Attorney Pasquale and Borough Clerk Witkowski. Councilman Wojtecki arrived at 8:16 p.m.

FLAG SALUTE

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

STATEMENT

Council President Bertollo 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, faxed 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 17, 2008.

APPROVAL OF MINUTES

Council President Bertollo entertained a motion to approve the minutes of the Regular Meeting of May 20, 2009, moved by Councilman Matthews, seconded by Councilman Mele. On roll call, Councilman Wojtecki was not present, Councilpersons Sinning and English abstained and all others voted yes.

BUDGET RESOLUTION

B-2 Resolution, Introduced by Councilman Sinning

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Hawthorne has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2009 budget year.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Hawthorne that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget.
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated,
 - b. Items of appropriations are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Council President Bertollo entertained a motion to approve resolution B-2, moved by Councilman Sinning, seconded by Councilman Matthews. On roll call, Councilman Wojtecki was not present, all others voted yes.

ADOPTION OF ORDINANCES

Ordinance No.1980-09 for Adoption

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

Public Hearing

Council President Bertollo opened the meeting to the public and asked anyone who desired to be heard to come forward and state your name and address for the record.

No one desired to be heard.

Council President Bertollo entertained a motion that the public hearing on Ordinance No. 1980-09 is 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.

Council President Bertollo entertained a motion to adopt Ordinance No. 1980-09, moved by Councilman English, seconded by Councilman Matthews. On roll call, Councilman Wojtecki was not present, all others voted yes.

BUDGET RESOLUTIONS

Public Hearing on the Introduced 2009 Municipal Budget

Council President Bertollo opened the meeting to the public and asked anyone who desired to be heard to come forward and state your name and address for the record.

No one desired to be heard.

Council President Bertollo entertained a motion to close the public hearing on the 2009 Municipal Budget, moved by Councilman Matthews, seconded by Councilman Sinning. On roll call, Councilman Wojtecki was not present, all others voted yes.

Council President Bertollo asked Mr. Jeff Bliss, Borough Auditor, to come forward to report on the budget. Mr. Bliss indicated that the budget presented meets all of the statutory budget requirements, is well within the appropriation cap, and is \$120,000 under the tax levy cap. Mayor Goldberg and the Borough Council have worked hard on the budget which is financially stable and preserves surpluses for future years with a modest increase of approximately 5%. The adopting resolution will go to the County, the County will certify the tax rate and tax bills will go out on time.

That concludes Mr. Bliss's report.

B-3 Resolution, Introduced by Councilman Matthews

See attachments.

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS		xxxxxxx	xxxxxxxxxxx
Within "CAPs"		xxxxxxx	xxxxxxxxxxx
(a&b) Operations Including Contingent		34-201	\$ 11,192,750
(c) Deferred Charges and Statutory Expenditures - Municipal		34-200	\$ 1,225,453
(g) Cash Deficit		46-885	\$
Excluded from "CAPs"		xxxxxxx	xxxxxxxxxxx
(a) Operations - Total Operations Excluded from "CAPs"		34-305	\$ 2,498,811
(c) Capital Improvements		44-999	\$ 252,400
(d) Municipal Debt Service		45-999	\$ 1,912,624
(e) Deferred Charges - Municipal		46-999	\$ 7,785
(f) Judgements		37-480	\$
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)		29-405	\$
(g) Cash Deficit		46-885	\$
(k) For Local District School Purposes		29-410	\$
(m) Reserve for Uncollected Taxes		50-899	\$ 1,300,000
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)		07-195	
Total Appropriations		34-499	\$ 18,389,823

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 3rd day of June, 2009. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2009 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 3rd day of June, 2009,  Clerk
 SUSAN WITKOWSKI

BE IT RESOLVED by the Governing Body of the Borough of Hawthorne, County of Passaic that the budget hereinbefore 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 \$12,652,715 for municipal purposes.

Council President Bertollo entertained a motion to approve resolution B-3, moved by Councilman Matthews, seconded by Councilwoman English. On roll call, Councilman Wojtecki was not present, all others voted yes.

RA-1 Resolution, Introduced by Councilman Sinning

WHEREAS, in the observance of Youth Week, students have been designated in the place and stead of the respective members of the Mayor, Council and Staff of the Borough of Hawthorne; and

WHEREAS, the said students shall conduct the business of said Governing Body (the Municipal Council) under the direction of the duly elected Mayor and Council Members.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, in the County of Passaic, New Jersey, that any and/or all actions on behalf of the said Mayor and Municipal Council are hereby and herewith ratified and confirmed as the official actions of the Municipal Council as if the same were acting directly and in person.

Council President Bertollo entertained a motion to approve resolution RA-1, moved by Councilman Sinning, seconded by Councilman Matthews. On roll call, Councilman Wojtecki was not present, all others voted yes.

Each student introduced themselves.

STUDENTS WHO WILL PARTICIPATE IN THE BOROUGH YOUTH PROGRAM

Mayor Richard Goldberg.....	Paul Schneider
Council President John Bertollo.....	Maria Arroyo
Council V.P. Frank Matthews.....	Dina Moughrabi
Council :	
Joseph Wojtecki.....	Matthew Trejos
Bruce Bennett	Christopher Cocuzza
Gary Sinning	John Kender
Domenic Mele.....	Kristen Carmen
Shirley Shortway English	Omar Kozrosh
Borough Clerk Susan Witkowski.....	Nicole Chamberlin
Borough Administrator Eric Maurer.....	Ahmet Aksit
Borough Attorney Michael Pasquale.....	Amber Wozniak
Borough Engineer Stephen Boswell.....	Kevin Grudzinski
Director of Finance Mary Jeanne Hewitt.....	Mark Costello

Police Chief Robert Scully.....Kristopher Vega

PUBLIC COMMENT

Council President Arroyo/Bertollo opened the meeting to the public. She 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. She stipulated this was for agenda items only.

Seeing none, Council President Arroyo/Bertollo entertained a motion to close the public portion, moved by Councilman Cocuzza/Bennett, seconded by Councilperson Kozrosh/English. On roll call, all voted yes.

Let the record reflect that Councilman Wojtecki arrived at the meeting at 8:16 p.m.

ADOPTION OF ORDINANCES

Ordinance No. 1978-09 for Adoption

AN ORDINANCE TO AMEND CHAPTER 54 OF THE CODE OF THE BOROUGH OF HAWTHORNE, SHADE TREE COMMISSION, AND CHAPTER 174, SHADE TREES, SO AS TO INCREASE THE MEMBERSHIP OF THE COMMISSION AND TO MODIFY VARIOUS SECTIONS OF THE LEGISLATION REGULATING SHADE TREES

Public Hearing

Council President Arroyo/Bertollo opened the meeting to the public and asked anyone who desired to be heard to come forward and state your name and address for the record.

No one desired to be heard.

Council President Arroyo/Bertollo entertained a motion that the public hearing on Ordinance No. 1978-09 is 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 Kender/Sinning, seconded by Councilperson Moughrabi/Matthews.

Borough Attorney Wozniak/Pasquale indicated that the Ordinance was modified since the last meeting, moving the penalty section to where it belongs.

On roll call, all voted yes.

OLD BUSINESS

Councilman Trejos/Wojtecki inquired about the application to Verizon regarding the Access channel. Borough Administrator Aksit/Maurer indicated that he will follow up with Verizon.

Councilman Trejos/Wojtecki inquired about May Street. Council President Arroyo/Bertollo indicated there has been no follow up to date.

NEW BUSINESS

Council President Arroyo/Bertollo thanked the American Legion Commander, Doug Tennis, Mayor Goldberg and all of the individuals and organizations responsible for a heart warming Memorial Day service and wonderful parade. Congratulations to Grand Marshall, Al LaBarre, who is an amazing gentleman and deserved the honor of Grand Marshall. Thank you and congratulations to all of the R.O.A.R. students who participated and we wish you luck in Middle School. Thank you to the Hawthorne Police Department and the Municipal Alliance who made the program such a great success.

Congratulations to Hawthorne High School senior, Nicholas Stone, from Boy Scout Troop 85, who was awarded the Eagle Scout award on Saturday, May 30th.

Thank you to Hawthorne Police Department, Hawthorne Fire Department and Hawthorne Volunteer Ambulance Corp. for providing a simulated, motor vehicle roll-over accident with injuries and a fatality at Hawthorne High School. This was part of the "Stone Cold" program that all seniors completed the past week. Council President Arroyo indicated that it was effective and that all students learned a lot.

ADMINISTRATIVE AGENDA

Mayor Schneider/Goldberg reported the following:

1. Mayor Schneider/Goldberg thanked everyone who participated in this year's Memorial Day parade. The concert afterwards was the cherry on a sundae. Congratulations to the American Legion and the VFW.
2. On Saturday, May 30, the field behind Kohler Distributors was dedicated as Veterans field, to honor all Hawthorne veterans who answered our country's call.
3. Mayor Schneider/Goldberg thanked the Hawthorne Police, Fire Department and Ambulance Corp. for today's drill and the "Stone Cold" curriculum for all High School seniors. The demonstration was very insightful and the students were very appreciative.
4. Mayor Schneider/Goldberg called for all participants in the Louis Bay Future Municipal Leader Scholarship Competition to come forward to accept certificates: State finalist Corrine Minicozzi and participants; Brittney Acquire, Dianna Acosta, Morgan Altemus, Allison Alvarez, Megi Bengu, Adam Bomersl, Stephanie Brogno, Kristen Carmen, Stephen R. Dyksen, Olivia Gagliardi, Erin Gilmore, Isabel Gonzalez, Priscilla Hernandez, Jack Ingunza, John Kender, Jr., Omar Kozrosh, Nicole Luth, Emmett McInerney, Giovanna Minicozzi, Rebecca Minicozzi, Dina Moughrabi, Alyssa

Mulligan., Valerie Oppelaar, Christina Patullo, Lia Staada, Aryadne Valadao, and Amber Wozniak.

The competition was sponsored by the NJ League of Municipalities and is open to High School juniors and seniors. The scholarship is named in honor of the late Louis Bay II, Mayor Emeritus of the Borough of Hawthorne, who served the borough for over forty years.

Mayor Schneider/Goldberg called upon Director of Revenue and Finance Costello/Hewitt for his/her report.

Director of Revenue and Finance Costello/Hewitt reported on the following:

1. The Borough has begun the final phase of the annual audit and will continue for another week. To date, the audit has run smoothly.
2. The department received computer updates which allow for a new format for the bill list that is simple to prepare and understand and is “green”. The new format is shorter and more concise, but will offer the same information to the Council.
3. The bills for the special assessments for Van Winkle and the 2008 Road Program went out on Friday, May 29th. Staffing issues and the set time limit, made this task difficult. Thank you to Barbara Crowley and the entire Finance staff for the wonderful job.
4. For the tenth year, the Administration has asked me to assist the DPW in the planning, design and selection of the plantings for the Municipal Building. Thank you to Vic Tamburro and Brian Bertollo for their superb work.

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

Mayor Schneider/Goldberg called upon Police Chief Vega/Scully for a report. Police Chief Vega/Scully indicated that all R.O.A.R. graduations have been completed. Today, the Police Department participated with the Fire Department, the Ambulance Corp., and the Board of Education in a staged mock up of a fatal roll-over motor vehicle crash in front of the High School. As of today, we have one hundred registered leaders with camp applications. We have completed a body armour replacement grant and processing is being awaited. Passaic County Sheriff, Jerry Speziale, has agreed to help the Borough with Municipal Court by providing us with an armed Deputy for all Thursday court sessions at no cost to the Borough. The “Parents Who Host, Lose the Most” initiative prohibits parents from serving or allowing minors to drink alcohol in their home. Parents who break the law are subject to six months in jail, a \$1,000 fine and may be sued if someone harms themselves, others or property. Police Chief Vega/Scully indicated that a letter was sent out to all Hawthorne liquor establishments advising them that the Police Department’s Specialized Unit along with State and County agencies will conduct unannounced checks and surveillance of all Hawthorne establishments. Any establishment found to be in violation will be arrested, removed from the premises and prosecuted to the fullest extent of the law, both locally and the State of NJ.

Councilman Trejos/Wojtecki thanked the Police Chief for the manpower survey.

Mayor Schneider/Goldberg reported on the statistics from the Hawthorne Volunteer Ambulance Corp. from January 1st to June 1st. Calls per rig totaled 594 calls, total miles 4,532 per rig, hours per rig 485, crew hours are 1,705 and 77 mutual aid calls.

Mayor Schneider/Goldberg called upon Borough Attorney Wozniak/Pasquale for her/his report.

Borough Attorney Wozniak/Pasquale reported on the following:

1. Judge Riva from the Paterson County Tax Board will hear a formal application from the Attorney General and all affected municipalities to transfer the matter to the tax court.
2. As reported, a substantial number of tax appeals have been settled and we continue to work with property owners to resolve additional cases. We will adjust or stand firm as necessary.
3. Pyrolac-Judge Brogan will be considering our joint application with the County of Passaic to allow access to the site and we expect a site investigation to quickly follow.
4. Hawthorne Springs-The developer's agreement was modified after the last meeting and signed. Additional soil sampling has been performed and preliminary reports indicate that no ground water contamination has taken place and levels of heavy metals are low. We are working with the developer and the Environmental Commission to ensure that development takes place in a safe manner.

That concludes Borough Attorney Pasquale's report.

Mayor Goldberg then called on Borough Engineer Grudzinski/Boswell for his report.

Engineer Grudzinski/Boswell reported on the following:

1. Drainage Issues. Our office met with Joe Clementi and Joe Scarmazzo to inspect the Tuxedo Avenue storm drain inlet and review possible improvements. We are waiting for a decision from the Borough on how they would like us to proceed.
2. KHOV Punch List. Dan Tedeschi indicated there is still no radio communication between the pressure reducing valve (PRV) vault and the main water pump house. The station cannot monitor the operation of the valve and pressure readings. KHOV has not contacted our office for inspections or indicated any of the remaining punch list items have been addressed.
3. HVAC Project. As of June 2, 2009, the air handling units have been installed and the system is operational (blowing cold air). Punch list items, controls, final testing and balancing still need to be addressed as per the contractor's schedule.
4. Pump House Roof Replacement. The installation of the new roof was completed by Friday, May 22nd. Any remaining miscellaneous items were addressed during the week of May 25th. The flashing, which required fabrication, is currently being installed and will be completed by Friday, June 5th.
5. Municipal Pool. The pool is open.
6. 2008 Local Aid Project. The detectable warning surfaces for Van Winkle Avenue have been installed on Tuesday, May 26th. The project is done except for any punch list items.

7. Kohler Field. The contractor completed a second cutting of the field on Friday, May 22nd. A third cutting is scheduled for Friday, May 29th. The contractor provided the equipment keys to the Borough on Thursday, May 28th. Additional fencing was installed for the monitoring wells and equipment located adjacent to the field and the cost is expected to be reimbursed by the United Technologies Corporation (UTC). The grand opening of the field was held on Saturday, May 30th, 2009.
8. SCADA. The repair of the antenna on top of the water tank resolved the communication issues. A Bristol RTU from the Wagaraw Road facility was sent to the factory and should be returned by mid June. Once this is installed, Rapid Pump will finalize the operator screens at the Water Department. The project is expected to be completed by the end of June.
9. Goffle Brook Stream Stabilization Permit. The County requested a Landscape Architect provide the necessary restoration plan. Only one of three architects responded to our office with an interest for the project. Steve Edmonds (County Engineer) asked our office to prepare a recommendation of award letter.
10. We are awaiting Community Development's review comments for the 2009 Road Program and Local Aid Project. Once we have received their comments and addressed any necessary items, the project will be bid.

Tonight there is a resolution, R4, authorizing the submission of the 2010 Municipal Aid Application. The resolution and application submission is due by June 12th and requires the resolution to include specific language such as the SAGE Application Number, Presiding Officer and project description. The 2010 Municipal Aid Project is for Van Winkle Avenue, from the Route 208 bridge (end of Section 1), to Lincoln Avenue and Central Avenue, from the end of Section 1 to Lincoln Avenue.

11. As part of the chlorine conversion permit, the DEP is requiring the Borough to provide a GIS water map. Two proposals are being prepared to address the GIS mapping requirement, which should be submitted to the Borough by Friday for review.
12. There is no change in the Christian Health Care Center Application. The application has been deemed incomplete and no new submittals have been provided.
13. Our office is preparing preliminary specifications to address informal bid requests from contractors for the removal of the underground storage tank (UST) at the municipal building.
14. ARCADIS provided a response, dated May 18th, to address our April 28, 2009 review letter. They plan to utilize the "Historical Fill Area Elevation Contours" per the approved Stream Encroachment Permit and not the revised contours. It appears in 2007, BASF did question the property's proposed final grading, however, they did also sign the Stream Encroachment Permit as owner. United Technologies Corp. (UTC) is obligated to clean up the former Inmont site per NJ's ISRA Statute and the 1994 Settlement Agreement between BASF and UTC. The future owner of the site, Kohler Distributing, intends to park trucks at this location. Information has been forwarded to the Borough Attorney for review.
15. The Borough's Goffle Hill Road Force Main Replacement Project was identified with a rank of 240, which is outside the list eligible and contingent projects for the 2009 American Recovery and Reinvestment Act (Stimulus) Funding. If the Borough chooses to seek Traditional 2009 NJEIFP Financing, a Re-Commitment Form must be submitted

by June 15, 2009. The Form must be signed by an Authorized Representative. The loan will be 50% at 0% interest and 50% at market rates. This is a revision to the earlier 75/25 proposed allocation of funds. The Project can also be considered for resubmission for 2010 financing.

16. The drainage improvements plans are still in the design phase.

That concludes Engineer Grudzinski/Boswell's report.

Mayor Goldberg then called on Borough Administrator Aksit/Maurer for his report.

Administrator Aksit/Maurer reported on the following:

1. Opening day for the Hawthorne pool was May 4th. The first four days of operation resulted in a total attendance of about 700. The pool will be open on weekends until June 16th.
2. The final date of evening registration for the summer recreation and the pool is June 15th from 5:30 to 7:30 p.m. in the Municipal Building. To date, two hundred eight children have been registered for the summer recreation program, which begins on June 22nd.
3. Next Tuesday, June 9th, at 5:30 pm, Passaic County will hold a public hearing on their 2009 Community Development Block Grant plan. Included in that plan is a \$50,000 grant to Hawthorne for the construction of handicapped curb ramps.
4. The Borough's storm water program was inspected by the State DEP on May 28th. No significant issues were identified. There are three new storm water-related ordinances the Borough will be required to adopt. These have been referred to the Council's Ordinance Committee.
5. The Department of Public Works has put in place procedures to implement the new ordinance for road opening permits that was adopted recently by the Council.
6. Repairs are underway to the Water Utility's south station which suffered a lighting strike. The Joint Insurance Fund is covering most of these costs. The station was out of service on May 23rd, but there was no interruption in service to customers as we were able to shift water from elsewhere in the system.
7. Public Works and Administration are preparing a "Request for Proposals" for contracted tree services, to implement this budgetary initiative.
8. The Borough's POTS phone lines have been switched from Verizon to our new vendor, One Communications. We're still working through the Verizon bureaucracy to finish the conversion of the main service. Meanwhile, a replacement voicemail server has been added to the project, using funds previously appropriated, because of the imminent failure of the existing outdated unit.
9. The Administration is preparing an application for County Open Space funds for lights at the new Veterans' Field. The Council will need to hold a public hearing on this project and adopt a resolution at the June 17th Council meeting.
10. As mentioned by the Engineer, the Administration is submitting a re-commitment form to the NJEIT as part of our application for funding for the Sicomac force main project. Future Council action will be required.
11. The Borough has received approval from the New Jersey Smart Start Buildings program for a \$3,000 incentive payment for the recently-installed energy-efficient chiller at the Municipal Building. The payment, which will offset a small part of the price, is

contingent upon a site inspection by the state and the Borough's submission of a Tax Clearance application (with a \$75 fee) to the state.

12. The owners of the Pan Chemical property received another summons for weeds on the property. They have two more weeks to have the building painted. We will continue to monitor.
13. Along with its usual trove of useful information, the Borough's website, www.hawthornenj.org, now includes pictures of the 2009 Memorial Day Parade.

That concludes Borough Administrator Aksit/Maurer's report.

Councilman Trejos/Wojtecki asked about the tree which has been on the trim list for three weeks. Borough Administrator Maurer indicated he would check into it.

Councilman Trejos/Wojtecki inquired about the work being done at the 7-11 with regard to the stop work order. Borough Administrator Maurer indicated that Arcadis has been testing the water and a stop work order has been issued. Work will not continue.

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

ORDINANCES AND RESOLUTIONS

Ordinance No. 1979-09 for Introduction will be rescheduled for June 17, 2009

Ordinance No. 1984-09 for Introduction will be rescheduled for June 17, 2009

John Lane from the Economic Development Committee will be presenting during the work session and the Ordinance will be introduced at the regular meeting.

CONSENT AGENDA – R-1 through R-4

R-1 Resolution, Introduced by Councilman Moughrabi/Matthews

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated May 22, 2009.

	Check#	
CURRENT FUND	53823	\$240,752.35
WATER OPERATING FUND	14870	\$39,877.07
OTHER TRUST II FUND	6556	\$16,387.98
DOG DEDICATED TRUST FUND	6426	\$150.00

TOTAL PAYROLL		<u>\$ 297,167.40</u>
CURRENT OPERATING FUND TO PAYROLL/FICA	53824	\$14,083.74
TOTAL FICA		<u>\$ 14,083.74</u>

R-2 Resolution, Introduced by Councilman Moughrabi/Matthews

WHEREAS: Tax Sale Certificate #2008-07 was sold on November 12, 2008 in the amount of \$546.03 on Block 126 Lot 1 then assessed to Sean Dougan and said lien was originally purchased by Robert Rothman, 411 Grand Ave., Englewood, NJ 07631, and

WHEREAS: said lien was redeemed on May 26, 2009 in the amount of \$12,868.39, said lien holder is entitled to a refund including the amount of the lien \$546.03, search and recording fee of \$52.00, penalty of \$10.92, subsequent Taxes of \$11,412.40 and interest of \$847.04 for a total of \$12,868.39, and

NOW, THEREFORE, BE IT RESOLVED: that the Collector of Taxes recommends that a check be issued by the Treasurer from the Other Trust II/Trustee Account to Robert Rothman in the amount of \$12,868.39 to reimburse the lien holder for the lien, fees, subsequent taxes and interest and a check from the Other Trust I account in the amount of \$4,600.00 for the Premium paid.

R-3 Resolution, Introduced by Councilman Moughrabi/Matthews

RESOLUTION TO JOIN NEW JERSEY SUSTAINABLE ENERGY JOINT MEETING

WHEREAS, Local Units of the State of New Jersey are authorized to enter into a joint contract to provide for the formation of a joint meeting for the joint procurement of natural gas, electricity and other forms of energy as permitted by N.J.S.A. 40A:65-14 et seq.;; and

WHEREAS, the statutes regulating the creation and establishment of a Joint Meeting contain a mechanism for local units to aggregate their collective energy consumption in order to negotiate and contract for energy in a cost-effective, environmentally sensitive manner, furthering the public interest entrusted to such a Joint Meeting; and

WHEREAS, the governing body of the Borough of Hawthorne has determined that membership in the Joint Meeting is in the best interest of the **Borough**.

NOW THEREFORE, BE IT RESOLVED, that the governing body of the **Borough of Hawthorne** does hereby resolve and agree to become a member in the New Jersey Sustainable Energy Joint Meeting (NJSEM) for the purpose of joining with other Local Units in the State to aggregate purchasing power of energy so as to achieve financial savings and to encourage Local Units to cooperate in seeking ways to jointly implement sustainable energy alternatives;

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the Joint Contract Joinder Agreement, attached hereto, and that Borough Administrator Eric Maurer is hereby designated to represent the Borough of Hawthorne as a member of the State Management Committee of the NJSEM; and

BE IT FURTHER RESOLVED that the Mayor is authorized and directed to execute such other documents signifying their membership in the NJSEM, and make payment of the Initial Membership Fee of \$600 as required by the NJSEM's Bylaws and to deliver same to the Executive Director of the NJSEM.

R-4 Resolution, Introduced by Councilman Moughrabi/Matthews

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE VAN WINKLE, SECTION 2 AND CENTRAL AVENUE, SECTION 2 PROJECT

WHEREAS, the New Jersey Department of Transportation ("NJDOT") awards grants to municipalities to perform road improvements under its "State Aid to Municipalities" program; and

WHEREAS, an application for State Aid must be submitted to the NJDOT in order to qualify for these grants; and

WHEREAS, Van Winkle Avenue, from the Route 208 bridge (end of Section 1) to Lincoln Avenue and Central Avenue, from the end of Section 1 to Lincoln Avenue, are roadways within the Borough of Hawthorne which meet the requirements for State Aid applications, and the Borough wishes to improve the condition of these roadways; and

WHEREAS, the Borough Engineer has completed a State Aid application for this project and compiled the required supporting documentation;

NOW THEREFORE BE IT RESOLVED that Council of the Borough of Hawthorne, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2010-Hawthorne Borough-00334 to the New Jersey Department of Transportation on behalf of the Borough of Hawthorne.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Hawthorne and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Council President Bertollo entertained a motion to approve Resolutions R-1 through R-4, moved by Councilman Moughrabi/Matthews, seconded by Councilman Carmen/Mele. On roll call, all voted yes.

REPORTS OF SPECIAL COUNCIL COMMITTEES

Councilman Cocuzza/Bennett

Councilman Cocuzza/Bennett indicated the DPW road crew has been continuing this year's road maintenance and repair program after the harsh winter took a toll on our streets. To date cracks and potholes have been repaired on the following streets: East Prospect, Eighth Avenue, Arlington Avenue, Beverly Road, Ethel Avenue, Douglas Avenue and the intersections of E Kings Avenue and Ninth Avenue, Central Avenue and Forest Avenue, Dixie Avenue and Tenth Avenue, Arlington Avenue and Warburton Avenue. We have gone through five and one-half tons of patching materials, fixing approximately 20% of the problems.

Councilperson Kozrosh/English

Save the date, September 26th is Hawthorne Day. A meeting will be held June 15th on the second floor of the Municipal Building at 7:00 p.m.

Councilperson Kozrosh/English will be attending a Board of Health meeting on June 19th.

Councilperson Carmen/Mele

The Zoning and Housing Committee met with an inspector from North Haledon to discuss ways to make Hawthorne homes safer by way of annual inspection, which at the present time is not being done in Hawthorne.

Project Pride Committee would like to thank Director of Public Works, Joe Clementi and the DPW for a job well done in preparing for the Memorial Day parade. The streets were clean and the plantings at Borough Hall looked great. The Project Pride committee would like to request the Ordinance Committee to look into developing an Ordinance requiring new businesses to conform to a more uniform look, which would help in coordinating a new look for the business district.

June 5th is the prom at Hawthorne High School and we wish everyone a fun and safe night.

Councilman Moughrabi/Matthews

The Chamber has signed agreements with three to four vendors and has spoken with Borough Administration to schedule a meeting to review and receive input. The Farmers Market will be open on Sundays, June 28th through October 25th between the hours of 9:00 a.m. to 4:00 p.m. on Grand Avenue between McKinley Avenue and the Library parking lot exit.

The Ordinance Committee met on June 2nd to review changes to the Fire Department's organizational structure. The committee reviewed and commented on the changes, which were forwarded to the Fire Department. The Committee will be meeting to discuss the changes with a Fire Department Representative.

Councilman Kender/Sinning

The Ordinance Committee met on June 2nd to review the proposed changes to the Fire Department Ordinance, which were recommended by the Fire Chief. The Committee made some changes to the proposal and Borough Attorney Pasquale will forward them back to the Fire Chief. The Committee will meet with the members of the Fire Board of Commissioners to finalize the changes.

Councilman Trejos/Wojtecki

Shade Tree Commission meeting will be held on June 9th at 7:30 p.m.

St. Anthony Feast is on June 10, 11, 12, and 13th.

The Green Committee meeting is on June 15th at the Library.

The Environmental Commission meeting is on June 8th at 7:30 p.m.

CORRESPONDENCE

C-1 Approved application was received from the Hawthorne Board of Fire Commissioners presents for membership for Darryl Foca, of 40 Sylvester Avenue. Council approval is required on the application for the New Jersey State Fireman's Association.

Council President Arroyo/Bertollo entertained a motion to approve C-1, moved by Councilperson Kozrosh/English, seconded by Councilman Trejos/Wojtecki. On roll call, all voted yes.

MISCELLANEOUS

RL-1 Application to Amend RL 950, Boys and Girls Club of Hawthorne

Council President Arroyo/Bertollo entertained a motion to approve RL-1 moved by Councilperson Carmen/Mele, seconded by Councilman Cocuzza/Bennett. On roll call, Council President Arroyo/Bertollo and Councilman Trejos/Wojtecki abstained, all others voted yes.

BILLS

Council President Arroyo/Bertollo entertained a motion to approve the bills and forward them to the Treasurer for payment, which includes the bill for this evening's dinner at Puzo's for \$805.00. Motion moved by Councilman Kender/Sinning, seconded by Councilperson Kozrosh/English. On roll call, all voted yes.

VENDOR	CHECK#	TOTAL	DESCRIPTION
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CURRENT FUND

PRECISION ELECTRIC MOTOR WORKS	53800	(4,407.00)	SWIMMING POOL O/E VOID 5/20/09
PAYROLL ACCOUNT	53823	240,752.35	VARIOUS
PAYROLL ACCOUNT	53824	14,083.74	SOCIAL SECURITY
A-VAN ELECTRICAL	53825	408.48	VARIOUS
ALEXANDER HAY GREENHOUSES	53826	253.50	PUB WORKS ADMIN O/E
ALL BERGEN LOCKSMITHS, INC	53827	105.00	MAINTEN OF PARKS
AMERICAN TRAFFIC & STREET SIGN	53828	70.75	STREETS & ROADS O/E
B & C COMMUNICATIONS, INC	53829	399.00	FIRE DEPT O/E
BERGEN/PASSAIC CTY REGISTRAR A	53830	20.00	BOARD OF HEALTH O/E
BOSWELL ENGINEERING, INC	53831	2,576.00	ENGINEERING SERVICES O/E
BRAEN STONE INDUSTRIES, INC	53832	1,458.22	VARIOUS
CARL MOTTOLA	53833	81.95	UNIFORM FIRE SAFETY O/E
DELL GARDEN CENTER	53834	149.11	STREETS & ROADS O/E
DON'S AUTO REPAIR SERVICE LLC	53835	272.70	VARIOUS
DOUGLAS MORGAN	53836	250.00	GROUP INSURANCE O/E
GRO-RITE	53837	145.24	PUB WORKS ADMIN O/E
HAMMER HEAD EMERGENCY	53838	240.00	VEHICLE MAINT POLICE
HAWTHORNE AUTO LAB	53839	1,928.87	VARIOUS
HAWTHORNE BASEBALL/SOFTBALL	53840	2,670.00	VARIOUS
HAWTHORNE BOARD OF EDUCATION	53841	2,410,905.00	SCHOOL TAX
HAWTHORNE CAR WASH, INC	53842	154.00	VEHICLE MAINT POLICE
HAWTHORNE PRESS INC	53843	938.02	VARIOUS
HFD #1	53844	1,595.00	VARIOUS
HOME DEPOT SUPPLY	53845	49.97	STREETS & ROADS O/E
HOME SUPPLY & LUMBER CO., INC.	53846	6.22	VARIOUS
JET-VAC INC	53847	79.90	STREETS & ROADS O/E
JOEL ENGRAVING CO	53848	6.00	MUNICIPAL CLERK O/E
JOHN DEERE LANDSCAPE	53849	372.00	MAINTEN OF PARKS
JOHNSON BUS PROD & INTERIORS	53850	697.06	VARIOUS
JP HOME ARAMA, INC	53851	93.73	VARIOUS
JPSC, INC	53852	86.85	PUB WORKS ADMIN O/E
LINCOLN LIMITED	53853	114.00	RECYCLING PRO O/E
LUSCHER'S AUTO INC	53854	604.82	VEHICLE MAINT RECYCLE
MARALYNE L LOTA	53855	300.00	SHADE TREE COMMISSION O/E
MARK SMITH	53856	30.00	TELEPHONE CHARGES
MARY JEANNE HEWITT	53857	123.52	PETTY CASH
METLIFE	53858	339.56	GROUP INSURANCE O/E
MIRACLE CHEMICAL, INC	53859	993.95	SWIMMING POOL O/E
MUNIDEX, INC	53860	8,681.80	VARIOUS
NJ PLANNING OFFICIALS	53861	15.00	ZONING BD OF ADJ
NJ STATE LEAGUE MUNICIPALITIES	53862	55.00	MUNICIPAL CLERK O/E
NO JERSEY MUNI EMPL BNFT FUND	53863	153,508.00	VARIOUS

NORTH JERSEY MEDIA GROUP INC	53864	248.03	MUNICIPAL CLERK O/E
ONE COMMUNICATIONS	53865	650.74	VARIOUS
PASSAIC CTY COMMUNITY COLLEGE	53866	400.00	FIRE DEPT O/E
PUBLIC SERV ELEC & GAS	53867	13.79	ELECTRIC CHARGES
R & R TRUCK MAINTENANCE, INC	53868	96.50	VEHICLE MAINT ST
RICOH BUSINESS SYSTEMS, INC	53869	327.67	VARIOUS
RIDGEWOOD PRESS	53870	577.30	VARIOUS
RIDGEWOOD TYPEWRITER SERV INC	53871	43.66	VARIOUS
ROMANCE FLORIST	53872	90.00	PUBLIC EVENTS O/E
RT OFFICE PRODUCTS	53873	253.37	FIRE DEPT O/E
SCOTT CHAMBERLIN	53874	89.00	ZONING BD OF ADJ
SEELEY EQUIP & SUPPLY CO, INC	53875	253.65	STREETS & ROADS O/E
SHAMIN NURSERIES, INC	53876	84.00	PUB WORKS ADMIN O/E
SIGNAL CONTROL PRODUCTS	53877	1,125.00	STREETS & ROADS O/E
SPIRIT OF NEWARK DRUM	53878	800.00	PUBLIC EVENTS O/E
THOMSON WEST INC	53879	2,488.96	VARIOUS
TODE LANDSCAPE CONTRACTORS	53880	6,650.00	SHADE TREE COMMISSION O/E
TRI-COUNTY TACTICAL, LLC	53881	999.75	MUNICIPAL ALLIANCE
TURNOUT UNIFORMS	53882	91.98	POLICE DEPT O/E
UNITED COMPUTER	53883	2,880.00	VARIOUS
VERIZON	53884	3,249.48	VARIOUS
VERIZON WIRELESS (N)	53885	<u>64.01</u>	EMERGENCY MGMGT O/E
TOTAL CURRENT		2,862,684.20	
GENERAL CAPITAL			
PRECISION ELECTRIC MOTOR WORKS	2540	4,407.00	IMPRV TO POOL RPL CK#53800
ALPINE PAINTING & SANDBLASTING	2541	2,945.00	IMPROVEMENTS TO POOL
BOSWELL ENGINEERING, INC	2542	9,476.25	VARIOUS
HAWTHORNE PRESS INC	2543	1,281.54	VARIOUS
LERCH VINCI & HIGGINS	2544	2,307.50	VARIOUS
MICHAEL J. PASQUALE, ESQ	2545	<u>375.00</u>	2009 ROAD PROGRAM
TOTAL GENERAL CAPITAL		20,792.29	
WATER OPERATING			
PAYROLL ACCOUNT	14870	39,877.07	VARIOUS
A-VAN ELECTRICAL	14871	46.72	WATER UTILITY O/E
AGRA ENVIRONMENTAL SVC	14872	1,625.00	VARIOUS
ARTESIAN WELL & EQUIP CO, INC	14873	2,945.00	VARIOUS
CR INDUSTRIAL SERVICES INC	14874	1,895.35	WATER UTILITY O/E
ESTERLINE PRESSURE SYSTEMS	14875	1,019.43	WATER UTILITY O/E
HAWTHORNE PAINT CO INC	14876	29.00	WATER UTILITY O/E
HENRY'S PLUMBING & HEATING	14877	509.08	WATER UTILITY O/E

HOME DEPOT SUPPLY	14878	94.00	WATER UTILITY O/E
HOME SUPPLY & LUMBER CO., INC.	14879	71.37	WATER UTILITY O/E
KEN SMITH MOTORS INC	14880	2,416.60	WATER UTILITY O/E
LEE CO	14881	10,596.50	VARIOUS
MARY JEANNE HEWITT	14882	8.78	WATER UTILITY O/E
MUNIDEX, INC	14883	5,660.20	WATER UTILITY O/E
ONE COMMUNICATIONS	14884	190.25	WATER UTILITY O/E
VERIZON	14885	<u>899.09</u>	WATER UTILITY O/E
TOTAL WATER OPERATING		67,883.44	
 OTHER TRUST II			
PAYROLL ACCOUNT	6556	16,387.98	VARIOUS
ROBERT ROTHMAN	6557	<u>12,868.39</u>	TRUSTEE
TOTAL OTHER TRUST II		29,256.37	
 DOG DEDICATED			
PAYROLL ACCOUNT	6426	150.00	RABIES CLINIC
ABBEY GLEN PET MEMORIAL	6427	170.00	MISCELLANEOUS
TYCO ANIMAL CONTROL	6428	<u>2,350.00</u>	DOG POUND
TOTAL DOG DEDICATED		2,670.00	
 BUILDERS ESCROW			
SHEILA GRAZIANO	2095	64.50	REFUND OF ESCROW
BOSWELL ENGINEERING, INC	2096	73.00	KASPER 87.02/8
BOSWELL ENGINEERING, INC	2097	<u>724.50</u>	METRO PCS NY 278/1&2
TOTAL BUILDERS ESCROW		862.00	
 OTHER TRUST I ESCROW			
ROBERT ROTHMAN	90047	<u>4,600.00</u>	TAX SALE PREMIUMS
TOTAL OTHER TRUST I ESCROW		4,600.00	
 TOTAL BILL LIST		 <u>\$2,988,748.30</u>	

PUBLIC COMMENT

Victor Tamburro, 1084 Lafayette Avenue, thanked the youths for getting involved in government. Mr. Tamburro inquired about the position of Water Supervisor being paid at a rate of \$74,000, which was in the Hawthorne Press. He asked if this position is being pursued by the Borough and if the necessary licenses would be required. Mayor Schneider/Goldberg answered that it will be an open position and that the necessary licenses would not be required. Mr. Tamburro indicated it did not make sense to pay one position at \$74,000 and another at \$15,000, which would total more than what we were previously paying the Superintendent to run the

department. If the Borough is attempting to cut costs, we should just have a Water Foreman. Mr. Tamburro asked if the underground storage tank was the same one that was abandoned in 1999 by the old generator. Borough Engineer Grudzinski/Boswell indicated yes.

Robert Mooney, Superintendent of Hawthorne Schools, indicated what a typical, busy day it was in the Borough and how the Borough and the Schools work together to benefit the students and the citizens. At 8:30 a.m., there was an assembly at Hawthorne High School for an accident enactment for seniors. A special thank you is extended to the Volunteer Fire Department, Police Department, and all educators for a dramatic and impactful program. At 9:30 a.m., the R.O.A.R. graduation was held at Roosevelt School. A special thank you is extended to Bob King and Joe Carr for all of their work. At 2:00 p.m., an ice cream social for senior citizens was held at the High School, which included a program on medicines for senior citizens. The finale was the program for the youths that participated in this evening. The atmosphere of cooperation in the Borough is clear and effective and the results are the students we have in front of us today. Thank you goes to the Mayor, the Council and all Municipal Officials. A special thank you goes to Susan Witkowski and Chris Ward for organizing today's event. Mr. Mooney would like to create a new tradition by allowing the acting Council President, Maria Arroyo, to park in the Superintendent's parking space for the next few days.

Council President Arroyo/Bertollo entertained a motion to close the public comment portion of the meeting, moved by Councilperson Carmen/Mele, seconded by Councilman Cocuzza/Bennett. On roll call, all voted yes.

Council President Bertollo thanked all the youth participants. Council President Bertollo indicated that there will be a public hearing at the next meeting on the Salary Ordinance, which will include a full explanation of why the Borough is pursuing a Superintendent of Water.

Council President Arroyo thanked the Council, Administration and Sue Witkowski for a job well done.

ADJOURNMENT

Council President Arroyo/Bertollo entertained a motion to adjourn the meeting at 9:00 p.m., moved by Councilperson Kozrosh/English, seconded by Councilman Kender/Sinning. On roll call, all voted yes. The next regular meeting of the Municipal Council will be on June 17, 2009. The work session will begin at 7:00 p.m. and the regular meeting will begin at 8:00 p.m.

John Bertollo
Council President

Susan Witkowski
Borough Clerk