

February 18, 2009
Hawthorne, NJ

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

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, 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 17, 2008.

APPROVAL OF MINUTES

Council President Bertollo entertained a motion to approve the minutes of the Regular and Closed Session Meetings of January 21, 2009, the Special Meeting of January 30, 2009, the Receipt of Bids for on January 6, 2009 and Receipt of Bids for the HVAC on February 13, 2009, moved by Councilman Wojtecki, seconded by Councilman Matthews. On roll call all voted yes, Councilman Bennett abstained on the Special Meeting of January 30, 2009.

PUBLIC COMMENT

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

ADOPTION OF ORDINANCES

Ordinance No. 1963-09 for Adoption

BOND ORDINANCE PROVIDING FOR THE PURCHASE AND INSTALLATION OF AN AIR HANDLER AND CHILLER, TOGETHER WITH INSTALLATION AND RELATED ELECTRICAL, MECHANICAL AND OTHER WORK, ALL PERTAINING TO THE HVAC SYSTEM AT THE MUNICIPAL BUILDING IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME.

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. 1963-09 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 Wojtecki, seconded by Councilman Bennett. On roll call all voted yes.

OLD BUSINESS

Councilman Matthews reported that he and Councilman Mele met with the Lafayette Hills board. They seemed to be happy with our responses. Administration will have a further report.

Councilman Wojtecki reported he has asked Administration to have signs installed on our ball fields reminding residents they may not walk their dogs on our fields.

NEW BUSINESS

St. Anthony's Home and School Association has requested permission to hold a 50/50 off premise raffle on Friday, May 1, 2009 at St. Anthony's School.

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

ADMINISTRATIVE AGENDA

Mayor Goldberg read the following Proclamation "Read Across America"

WHEREAS, the citizens of the Borough of Hawthorne stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, the Borough of Hawthorne has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is key to the community's well being and long-term quality of life; and

WHEREAS, NEA's *Read Across America*, a national celebration of reading on March 2nd, which would have been the 105th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, *Read Across America-NJ* is being conducted statewide by the New Jersey Education Association, the New Jersey State League of Municipalities, the New Jersey Library Association, the Saturn-UAW, and their local affiliates across the state to promote reading and adult involvement in the education of our community's students.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council call on the citizens of the Borough of Hawthorne to assure that every child is in a safe place reading together with a caring adult on March 2, 2009; and

BE IT FURTHER RESOLVED that this body enthusiastically endorses NEA'S *Read Across America* and *Read Across America-NJ*, and recommits our community to engage in programs and activities to make America's children the best readers in the world.

Mayor Goldberg reported the following:

1. Met with the Lafayette Hills Board, along with our Administrator, Police Chief and Borough Attorney, and we agreed to use their numbers for the reimbursements for

- the past few years. A formula has been agreed to allowing us to move forward with yearly reimbursements.
2. We also explained the signage necessary on their streets and towing practices.
 3. DPW is trimming trees and replacing lights at the ball fields.
 4. Mayor suggested a contest to name the new soccer field and said the dedication will be held in March.

Mayor Goldberg called upon Borough Attorney Pasquale for his report.

Attorney Pasquale reported on the following:

1. The agreement for the Brockheizen Lane Private Road will be presented for approval within the next few weeks.
2. It has been confirmed by the title company that Beverly Lane is a private road owned by one of the three residents. He will be working with the other homeowners to come up with a mutual agreement.
3. Regarding Pan Chemical - A brief has been submitted to the NJ Supreme Court opposing any change to the judgment that was entered by the Appellate Division.
4. Other small tax appeals are being addressed.
5. We met with the Lafayette Hills Board and a draft agreement is almost complete and will be submitted to their attorney.
6. K Hovnanian has still not replied to our communication.
7. The Housing Element and Fair Share Housing Plan will be submitted at our next meeting. As part of the plan an overlay Zoning Ordinance will be presented which will immunize us against future development triggering a COAH obligation. If there are more than five units, one will have to be set aside as affordable housing. Commercial development will trigger a monetary contribution.
8. Cool Cities Grant approval appears as R-10.

That concludes Attorney Pasquale's report.

Mayor Goldberg reported that he met with a representative from the NJ DEP and was told the borough will be receiving \$52,000 worth of new trees and maintenance of our tree lined community.

The Mayor commended the Fire Department and mutual aid for containing the house fire that happened last Friday on Kingston Avenue. Summons have been issued pertaining to the fire at the Horton Avenue address.

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

Engineer Boswell reported on the following:

1. The manufacturer has replaced the valve on the Peach Tree Tank.
2. The award of the HVAC appears as R-12. It was good that the borough rejected the first bids. The lowest bid received the first time was \$228,000 and the second low bid was \$208,600.
3. Preconstruction meeting will take place the second week in March for the Pump House project.
4. The scada system installed by Rapid Pump is not communicating. Rapid Pump is coming back to see what the problem is.
5. Rapid Pump has almost completed the project at the Sicomac Pump Station.
6. Regarding the 2009 Road Improvement Program - of the twelve streets being considered, six of them have transite water pipes. We're asking the DPW Committee and Administration Committee to decide whether or not to replace this pipe. The pipes may break when the streets are milled.

Council President Bertollo said the DPW Committee did meet and will be developing a policy.

7. There will be a meeting on March 2nd with Wyckoff to discuss drainage issues and the Sicomac Pump.
8. The Goffle Hill Force Main Project is being addressed with R-2 & R-7 on the agenda.
9. Working on a project to convert the way chlorine is distributed.
10. The Christian Health Care Center, portion of the plans submitted to Hawthorne, has been deemed incomplete. The Wyckoff plans are almost complete.

That concludes Engineer Boswell's report.

Mayor Goldberg called upon Administrator Maurer for his report.

Administrator Maurer reported on the following:

1. Lightning detection equipment will be delivered by the end of March, and then it will be installed.
2. Geese on Kohler Field are being addressed. Joe Clemente is researching geese repellent.
3. We are in the process of hiring a new pool manager.

4. Two pumps have been out at the South Field Pump Station. One has been fixed. The second is being repaired now.
5. Negotiation with the UPSEU Blue Collar will begin on February 25th.
6. We have requested through Congressman Rothman's office to be included in the federal budget for IT equipment for the Police Department and Streetscape Money for Diamond Bridge/Lafayette Avenues
7. There has been a delay with the installation of the phone system.
8. The process for notifying Tyco regarding dead animals has been clarified.
9. The pension deferral bill has been change to allow for payment options. They did not change the CAP exception for PERS this year from 80 - 100%. That is a \$58,000 challenge for us.
10. Reported for the Finance Director that all ledgers are closed for the Annual Financial Statement.
11. We received 12,720,000 in tax revenue this quarter.
12. Work on the 2009 budget continues.

That concludes Administrator Maurer's report.

Councilman Bennett questioned Engineer Boswell about the possibility of not addressing the water pipes unless they break during construction.

Engineer Boswell said there would be nothing wrong with that.

Councilwoman English said she was notified by a resident that the trenches on North 9th and Van Winkle Avenues are sinking.

Administrator Maurer will contact Public Service.

Councilman Matthews asked if an additional letter was received from a Ravine Drive resident.

Administrator Maurer said yes and it was referred to Attorney Pasquale for inclusion.

Councilman Wojtecki asked for a status report on May Street speed humps and stop signs.

Engineer Boswell said that will be a DPW or Public Safety Committee decision.

Councilman Wojtecki said he had a discussion with the Mayor from Prospect Park and he said the stop signs on North 7th Street will not be going away. Although he will no longer disapprove of making North 8th Street a one way.

Councilman Wojtecki said there was a fire in the smoker extinguisher on Thursday evening.

Mayor Goldberg said that is court night and will have to look into possibly moving the extinguisher.

Council President Bertollo asked Attorney Pasquale to address the suggested town meeting for the residents opposing the CHCC project.

Attorney Pasquale said because of the pending application before the Zoning Board of Adjustments even an informal meeting could contaminate the zoning process. It is not appropriate.

Council President said the developer may meet with individual residents to review their concerns.

Mayor Goldberg said the notification list may be expanded to include all interested parties.

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

ORDINANCES AND RESOLUTIONS

Ordinance No. 1967-09 for Introduction

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 152, PEDDLING, CANVASSING, SOLICITING AND ITINERANT VENDING, CODE OF THE BOROUGH OF HAWTHORNE.

BE IT RESOLVED, that Ordinance No. 1967-09 does now pass a first reading and that said Ordinance be further considered for final passage at a meeting of the governing Body in the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, on the 18th day of March, 2009, 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 the 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 Matthews, as possibly amended.

Council President Bertollo asked if there were any questions.

On roll call all voted yes.

Ordinance No. 1968-09 for Introduction

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 170, SEWER AND SEWAGE DISPOSAL, OF THE CODE OF THE BOROUGH OF HAWTHORNE.

BE IT RESOLVED, that Ordinance No. 1968-09 does now pass a first reading and that said Ordinance be further considered for final passage at a meeting of the governing Body in the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, on the 18th day of March, 2009, 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 the introduction and of the time and place, when and where said ordinance would be considered for final passage, moved by Councilman Matthews, seconded by Councilwoman English.

Council President Bertollo asked if there were any questions.

On roll call all voted yes.

R-2. Resolution, Introduced by Councilman Wojtecki

WHEREAS, the Municipal Council of the Borough of Hawthorne hereby acknowledges the requirement of preliminary costs to prepare designs and specifications for a proposed undertaking for funding by the NJEIT. The purpose of these preliminary costs are for the engineering and preparation of design plans, specifications and application for submission to the New Jersey Environmental Infrastructure Trust for the Force Main Replacement for the Goffle Hill Sewage Pumping Station in the Borough of Hawthorne, and that the amount to be charged is for the purpose for which bonds may be issued under Chapter 2 of Title 40A.

NOW, THEREFORE, BE IT RESOLVED, that the amount appropriated for preliminary costs shall not exceed \$25,000.00 and the Chief Financial Officer is directed to set up a Reserve for Preliminary Expenses out of the Capital Improvement Fund of the General Capital Fund of the Borough of Hawthorne.

BE IT FURTHER RESOLVED, that the Municipal Council of the Borough of Hawthorne hereby awards a contract to design plans, specifications and application for submission to the

New Jersey Environmental Infrastructure Trust for the Force Main Replacement for the Goffle Hill Sewage Pumping Station to Boswell McClave Engineering in the amount of \$25,000.00.

R-3. Resolution, Introduced by Councilman Wojtecki

WHEREAS, the semi-annual payment to the 1994 NJEIT Trust Loan in the amount of \$28,694.36 and the semi-annual payment to the 1994 NJEIT Fund Loan in the amount of \$20,586.18 has become due and payable as of March 1, 2009, and,

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized to wire funds in the amount of \$49,963.04 in payment of the 1994 NJEIT Trust and Fund Loans.

BE IT ALSO RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to wire funds in the amount of \$682.50 to US Bank in payment of the New Jersey Environmental Infrastructure Trust semi-annual Administration Fee.

R-4. Resolution, Introduced by Councilman Wojtecki

WHEREAS, the semi-annual interest payment for the General Serial Bonds of 2005 becomes due and payable on February 17, 2009.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer is hereby authorized to wire funds in the amount of \$40,818.75 in payment of interest from the Current Fund, made payable to Chase NYC, Account #066026776. This is to ratify the actions taken on February 17, 2009.

R-5. Resolution, Introduced by Councilman Wojtecki

WHEREAS, Cert #2008-15 was sold on November 12, 2008 in the amount of \$92.30 on Block 100 Lot 25, then assessed to Matthew & Virginia Murphy and said lien was purchased by ABT - TEC, P.O. Box 6161, West Orange, N.J. 07052, and

WHEREAS, said lien was redeemed on February 2, 2009 in the amount of \$144.30 said lienholder is entitled to a refund including the amount of the lien \$92.30 and filing fees of \$52.00,

NOW, THEREFORE, BE IT RESOLVED, that the Collector of Taxes recommends a check be issued by the Treasurer from the Other Trust II/Trustee Account to ABT – TEC in the amount of \$144.30 to reimburse the lienholder and a check from the Other Trust I Account in the amount of \$100.00.

R-6. Resolution, Introduced by Councilman Wojtecki

WHEREAS, the Borough of North Haledon is the owner of a Department of Public Works facility and has therein a truck wash for the washing of vehicles and equipment utilized for public works activities; and

WHEREAS, the Borough of Hawthorne has need for use of a truck wash for the washing of vehicles and equipment it owns and utilizes for public works activities; and

WHEREAS, the Borough of North Haledon has offered use of the truck wash facility to Hawthorne, subject to the terms and conditions of an Interlocal Services Agreement, at no cost and expense to Hawthorne, thereby saving the taxpayers of the Borough of Hawthorne significant tax dollars;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Hawthorne that it does authorize the execution of an Interlocal Services Agreement with the Borough of North Haledon, a copy of a proposed form of agreement being annexed hereto, subject to such reasonable modification to the form of the same as may be approved by the Borough Attorney, and expresses its appreciation to the Mayor and Council of the Borough of North Haledon for making such offer to the residents of the Borough of Hawthorne in a true spirit of mutual assistance and cooperation.

R-7. Resolution, Introduced by Councilman Wojtecki

**RESOLUTION AUTHORIZING APPLICATION
FOR A LOAN FROM THE NEW JERSEY ENVIRONMENTAL
INFRASTRUCTURE FINANCING PROGRAM**

Applicant Borough of Hawthorne

Loan Number _____

WHEREAS, the Borough of Hawthorne intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the Goffle Hill Road Force Main.

NOW, THEREFORE BE IT RESOLVED, that Eric Maurer, Borough Administrator be authorized to act as the Authorized Representative to represent the Borough of Hawthorne in all matters relating to the project undertaken pursuant to the above referenced New Jersey Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at 445 Lafayette Avenue, Hawthorne, New Jersey at 973-427-4475.

R-9. Resolution, Introduced by Councilman Wojtecki

**RESOLUTION OPPOSING ASSEMBLY BILL 3709 AND THE
MANDATORY FLOURIDATION OF PUBLIC WATER SUPPLIES**

WHEREAS, the New Jersey Assembly has introduced a bill identified as A3709 which would require the fluoridation of public water supplies in New Jersey; and

WHEREAS, the supposed benefits to dental health are dubious and achievable by means other than the fluoridation of water supplies; and

WHEREAS, there are potential health risks associated with the drinking of fluoridated water; and

WHEREAS, there is an inherent difficulty in maintaining prescribed levels of fluoridation in fluoridated water, increasing the health risk resulting from accidental over-fluoridation; and

WHEREAS, fluoridation of water supplies adds significant capital and operational costs for both public and private water utilities; and

WHEREAS, fluoridated water can kill bacteria that are beneficial in the treatment of sewage, adding cost to the sewage treatment process;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hawthorne, that, because of the added cost, potential health risks and dubious benefit to dental health associated with fluoridating water, the legislature is urged to withdraw or defeat A3609;

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Governor Jon Corzine, Senator John Girgenti, Assemblywoman Nellie Pou, Assemblywoman Elise Evans, the Secretary of the New Jersey Senate, the Secretary of the New Jersey Assembly, the New Jersey State League of Municipalities, the New Jersey Conference of Mayors, the Clerk of the Passaic Valley Sewerage Commissioners and the Clerks of all Passaic County municipalities.

R-11. Resolution, Introduced by Councilman Wojtecki

WHEREAS, the Borough Attorney, Tax Assessor and Appraiser retained by the Borough of Hawthorne have recommended the settlement of a real estate tax appeal case now pending in the Tax Court of New Jersey, by adjustment of the assessment for the tax years in dispute, and the same appears to be fair and reasonable;

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

R-12. Resolution, Introduced by Councilman Wojtecki

WHEREAS, on February 13, 2009, the Borough of Hawthorne received bids for Chiller and Air Handling Unit Replacement for the HVAC in the Municipal Building in the Borough of Hawthorne authorized by Ordinance #1963-09; and

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

Reiner Group, Inc.
11-07 River Road
Fair Lawn, New Jersey 07410

in the amount of \$208,619.00.

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 Reiner Group, Inc. in a form approved by the Borough Attorney when these conditions have been met.

Council President Bertollo entertained a motion to approve Resolutions R-2 - R-7, R-9 & R-11 & R-12, moved by Councilman Wojtecki, seconded by Councilwoman English.

On roll call all voted yes.

R-1. Resolution, Introduced by Councilman Matthews

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated February 13, 2009.

	Check #	
CURRENT FUND	53271	\$244,690.29
WATER OPERATING FUND	14737	\$39,245.18
OTHER TRUST II FUND	6508	\$3,537.88
TOTAL PAYROLL		<u>\$ 287,473.35</u>
CURRENT OPERATING FUND TO PAYROLL/FICA	53272	\$14,452.03

TOTAL FICA

\$ 14,452.03

Council President Bertollo entertained a motion to approve Resolution R-1, moved by Councilman Matthews, seconded by Councilwoman English. On roll call all voted yes except for Councilman Mele. He abstained.

R-10. Resolution, Introduced by Councilman Matthews

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE
BOROUGH OF HAWTHORNE AND THE NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION FOR IMPLEMENTATION OF THE
GREEN CITIES ARE COOL CITIES INITIATIVE

WHEREAS, planting of trees promotes energy conservation and “livable cities” because trees mitigate urban heat island effect, thereby reducing air temperature and the need for electricity to run air conditioners and fans; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP), using funding from the New Jersey Board of Public Utilities, offers a Green Cities Are Cool Cities Initiative wherein the NJDEP plants trees for local governments; and

WHEREAS, the Hawthorne Shade Tree Commission, on behalf of the Borough of Hawthorne, has applied to the NJDEP for a grant under the Green Cities are Cool Cities Initiative; and

WHEREAS, pursuant to the above-mentioned application, the NJDEP has offered to the Borough of Hawthorne a grant under the Green Cities Are Cool Cities Initiative whereby the NJDEP will provide and plant approximately 150 trees in the Borough in a accordance with the attached Memorandum of Agreement; and

WHEREAS, the estimated value of the planting services and the trees themselves is approximately \$52,000; and

WHEREAS, The Borough Administrator and the Director of the Department of Public Works have reviewed the Borough’s obligations under the proposed Memorandum of Agreement and determined that the Borough is able to provide the required maintenance services under the agreement; and

WHEREAS, the Borough Council recognizes the benefits of planting trees within the Borough;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne that the Mayor and Borough Clerk are hereby authorized to execute the attached Memorandum of Agreement with the New Jersey Department of Environmental Protection on behalf of the Borough of Hawthorne for the Green Cities Are Cool Cities Initiative.

Council President Bertollo entertained a motion to approved Resolution R-10, moved by Councilman Matthews, seconded by Councilman Wojtecki. On roll call all voted yes except for Councilman Bennett. He abstained.

R-8. Resolution, Introduced by Councilman

WHEREAS, an emergency has arisen with respect to the amounts allocated in the 2009 Temporary Operating Budget and/or the 2009 Temporary Water Operating Budget other expenses due to the permanent budget not yet being adopted, and the 2009 temporary appropriations are inadequate to provide for these expenses for the aforesaid reason, N.J.S.A. 40A:4-20 provides for the creation of emergency temporary appropriations, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2009 pursuant to the provision of N.J.S.A. 40A:4-20 including this resolution total \$4,401,104.00.

NOW, THEREFORE, BE IT RESOLVED, by Municipal Council of the Borough of Hawthorne (not less than two-thirds of the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20, emergency temporary appropriations are hereby made for the following line items in the listed amount:

Construction Code O/E	2,000.00
Engineering	8,000.00
Vehicles: Police Department	5,000.00
Vehicles: Fire Department	5,000.00

Council President Bertollo entertained a motion to approve Resolution R-8, moved by Councilwoman English, seconded by Councilman Mele. On roll call all voted yes.

REPORTS OF SPECIAL COUNCIL COMMITTEES:

Councilman Wojtecki attended Shade Tree Committee meeting. He said he understood Councilman Bennett's position, but he still feels more trees coming into the borough is a good thing. The hope is that once we have the canopy coverage they will be able to determine is the carbon foot print is reduced.

Councilman Matthews said the Finance Committee will be meeting on Mondays.

The Planning Board approved the project at the end of 9th Avenue. Site remediation will begin when DEP approvals and Borough permits have been received.

The Ordinance Committee met to discuss our COAH obligation.

The Chamber of Commerce is discussing the farmers' market and a schedule for dinner meetings.

Councilman Mele said the Project Pride Committee reports progress. We are waiting for the weather to break.

Councilwoman English reported on the plans for Hawthorne Day. The next meeting will be March 16th.

Councilman Bennett reported the Board of Recreation met with the new Superintendent of Schools and they are discussing shared services. Coaches' certification will be held on March 25th. The Board of Recreation is also looking into standardized background checks for coaches and having a sign at all fields stating the code of conduct for parents and guests.

Council President Bertollo said the DPW Director will be removing the cover from the pool and will be trying to TV the line with a piece of equipment borrowed from North Haledon. National Water is on board if this doesn't work.

The Personnel Committee met and is continuing to interview to fill the position of Deputy Borough Clerk.

The Zoning Housing Committee will be meeting and doing some fact finding. There is much concern with illegal housing.

CORRESPONDENCE:

None.

MISCELLANEOUS:

None.

BILLS:

The following bills were presented for payment:

Bill list *Current*

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>	<u>Description</u>
02/04/09	COLONIELLI BROS., INC.	53270	22834.20	SEWER SYSTEM O/E	CHANGE ORDER #1 SEWER
Total Bill List:			22834.20		

Bill list *Current*

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>	<u>Description</u>
02/11/09	PAYROLL ACCOUNT	53271	244690.29	PUBLIC DEFENDER	PAYROLL #4
02/11/09	PAYROLL ACCOUNT	53272	14452.03	SOCIAL SECURITY	PAYROLL #4
Total Bill List:			259142.32		

Bill list *Current*

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>	<u>Description</u>
02/18/09	ACORN TERMITE & PEST	53273	100.00	PUB WORKS ADMIN O/E	1/09 BORO HALL PEST SVC
02/18/09	AGL WELDING SUPPLY CO,	53274	157.00	STREETS & ROADS O/E	CYLINDER LEASE
02/18/09	AM/PM SERVICES	53275	184.00	BOARD OF HEALTH O/E	RE-CERT CLASS
02/18/09	AMERICAN HOSE CO INC	53276	568.50	VEHICLE MAINT ROAD	EMERGENCY REPAIRS TO R-3
02/18/09	ARAMARK	53277	56.98	SEWER SYSTEM O/E	WEAR GUARD WINDSHIRT - ED
02/18/09	B & C COMMUNICATIONS,	53278	1291.50	FIRE DEPT O/E	PROGRAMMING INTERFACE
02/18/09	BOSWELL ENGINEERING, INC	53279	13077.80	ENGINEERING SERVICES O/E	INV 37308:HW-584/SICOMAC
02/18/09	BRAEN STONE INDUSTRIES,	53280	568.13	STREETS & ROADS O/E	ROAD MATERIALS
02/18/09	BROADLINE ID SOLUTIONS	53281	62.50	MUNICIPAL CLERK O/E	RECEIVED STAMP BOROUGH
02/18/09	BURGIS ASSOCIATES, INC	53282	2296.25	MUN LAND USE LAW	INV 21811:3RD ROUND RULES
02/18/09	CABLEVISION	53283	434.71	PUB WORKS ADMIN O/E	2/09 SVC #07870-771857-01-
02/18/09	CINTAS CORP	53284	348.30	PUB WORKS ADMIN O/E	1/09 RUG SVC AT BORO HALL
02/18/09	CITY WIDE MAINTENANCE	53285	2700.00	PUB WORKS ADMIN O/E	2/09 JANITOR SERVICE -
02/18/09	COLLECTORS-TREASURERS	53286	320.00	REVENUE COLLECTION O/E	2009
02/18/09	CORNELL EQUIPMENT CO INC	53287	1288.33	VEHICLE MAINT ROAD	POWER ANGLE PISTON - R-6
02/18/09	DAVID MAHER	53288	40.00	FIRE DEPT O/E	REIMB LENSES FOR SCBA AIR
02/18/09	DELUXE INTERN'L TRUCKS,	53289	1129.45	STREETS & ROADS O/E	EMMISSIONS
02/18/09	DON'S AUTO REPAIR	53290	751.83	VEHICLE MAINT POLICE	OIL CHANGE & ELEC. BRAKE
02/18/09	DOWNES TREE SERVICE,	53291	71.96	VEHICLE MAINT ROAD	PARTS & HOSES TO FIX R-8
02/18/09	ED MAHONEY	53292	70.00	GROUP INSURANCE O/E	REIMB EYE EXAM:N MAHONEY
02/18/09	ERC WIPING PRODUCTS, INC	53293	116.00	STREETS & ROADS O/E	BOX OF RAGS FOR ROAD
02/18/09	FELDMAN BROS. ELECTRIC	53294	305.10	STREETS & ROADS O/E	EMERGENCY - TORK TIMER FOR
02/18/09	FRANCOTYP-POSTALIA, INC	53295	304.98	PUB WORKS ADMIN O/E	1/8-4/7/09 MAIL METER
02/18/09	GET A CAN	53296	13900.00	RECYCLING PRO O/E	1/09 CURBSIDE COLLECTION
02/18/09	GOFFCO INDUSTRIES, INC	53297	321.36	MUNI COURT	PASSAIC COUNTY JAIL
02/18/09	HAMMER HEAD EMERGENCY	53298	7096.69	VEHICLE MAINT POLICE	VEH 45 STRIP OUT
02/18/09	HAWTHORNE AUTO LAB	53299	842.23	VEHICLE MAINT POLICE	OIL CHANGE FORD EXPLORER
02/18/09	HAWTHORNE BOARD OF	53300	2410905.00	SCHOOL TAX	2/09 PYMT #8 2008/2009
02/18/09	HAWTHORNE PRESS INC	53301	373.10	MUNICIPAL CLERK O/E	INV 985505:CLASSIFIED AD
02/18/09	HENRY'S PLUMBING &	53302	1221.97	PUB WORKS ADMIN O/E	REPLACE BORO HALL WATER
02/18/09	HEWLETT-PACKARD CORP	53303	1480.00	CONSTRUCTION CODE	COMPUTER & LICENSE KIT
02/18/09	HOME SUPPLY & LUMBER	53304	113.19	POLICE DEPT O/E	PAINT FOR CHIEFS OFFICE
02/18/09	INTERNATIONAL SALT CO	53305	19219.57	STREETS & ROADS O/E	ROAD SALT
02/18/09	JAMES REED, INC.	53306	2509.65	SEWER SYSTEM O/E	CALCIUM CHLORIDE FOR ROADS
02/18/09	JERSEY ELEVATOR INC	53307	135.57	PUB WORKS ADMIN O/E	1/09 ELEVATOR SVC BORO
02/18/09	JOEL ENGRAVING CO	53308	27.50	MUNICIPAL CLERK O/E	COUNCIL NAME
02/18/09	JP HOME ARAMA, INC	53309	49.71	POLICE DEPT O/E	PAINT,SUPPLIES
02/18/09	JUNGLE LASERS LLC	53310	930.00	FEES PAYABLE JUNGLE	INV 447:FEES PAYABLE 12/08
02/18/09	KEN SMITH MOTORS INC	53311	761.14	VEHICLE MAINT POLICE	REPAIRS CAR 42

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>	<u>Description</u>
02/18/09	KNAPP, TRIMBOLI &	53312	1630.50	LEGAL SERV& COSTS O/E	LEGAL SVCS THRU 1/25/09
02/18/09	LANGUAGE LINE SERVICES	53313	3.40	POLICE DEPT O/E	OVER THE PHONE
02/18/09	MUNICIPAL CLERKS ASSOC	53314	100.00	MUNICIPAL CLERK O/E	2009 DUES:SUSAN WITKOWSKI
02/18/09	NJ LANDSCAPE ASSN	53315	110.00	MAINTEN OF PARKS	2/25/09 CONFERENCE:6
02/18/09	NJ MEADOWLANDS	53316	407.02	TRANSFER STATION	1/09 TRANFER/DUMP FEES
02/18/09	NJ STATE LEAGUE	53317	55.00	MUNICIPAL CLERK O/E	2/09 WEB JOB POSTING
02/18/09	NJ TREE FOUNDATION	53318	60.00	SHADE TREE COMMISSION O/E	2/28/09 SEMINAR:J CLEMENTI
02/18/09	NORTHEASTERN ASSOCIATES	53319	515.00	SHADE TREE COMMISSION O/E	ANVIL AND BLADES FOR
02/18/09	PABCO INDUSTRIES	53320	468.00	RECYCLING PRO	CLEAR PLASTIC BAGS
02/18/09	PASSAIC CNTY MUNI CLERKS	53321	100.00	MUNICIPAL CLERK O/E	2009 MEMBER DUES:S
02/18/09	PROCOPY INC	53322	733.00	MUNI COURT	COPIER MAIN AGREE
02/18/09	PUBLIC SERV ELEC & GAS	53323	30708.27	ELECTRIC CHARGES	1/08 GAS UTILITY SVC
02/18/09	RICHIES SERVICE CTR INC	53324	591.45	VEHICLE MAINT POLICE	REPAIRS 34,35 & 41
02/18/09	SCUFFY CARTING LLC	53325	31892.58	GARBAGE & TRASH O/E	2/09 MUNICIPAL WASTE P/U
02/18/09	SHOTMEYER BROS FUEL CO	53326	6025.73	BULK PURCHASE GASOLINE	1/09 DIESEL FUEL FOR DPW
02/18/09	SPRINT-WIRELESS	53327	343.93	POLICE DEPT O/E	MDT SVC 12/27-1/26/09
02/18/09	THOMAS ZACONIE	53328	54.45	CONST CODE OFFICIAL O/E	REIMB 1/09 MILEAGE
02/18/09	TREASURER, STATE OF NJ	53329	50.00	CONST CODE O/E	RENEW UCC CODE
02/18/09	TURNOUT UNIFORMS	53330	742.86	UNIFORM FIRE SAFETY O/E	UNIFORMS:DIBELLA,MOTTOLA,D
02/18/09	UNIVERSAL SUPPLY GROUP	53331	56.88	PUB WORKS ADMIN O/E	PLEATED AIR FILTER -
02/18/09	VEOLIA ENVIRONMENTAL	53332	45319.84	TRANSFER STATION	GARBAGE P/U THRU 1/25/09
02/18/09	VERIZON	53333	3176.89	RECYCLING PRO O/E	2/09 BORO SVC
02/18/09	VERIZON WIRELESS (N)	53334	1002.94	TELEPHONE CHARGES	SVC 12/26/08-1/25/09
02/18/09	VITAL COMMUNICATIONS,	53335	900.00	FINANCIAL ADMIN O/E	CD EXCEL FORMAT MOD IV
02/18/09	WALDWICK PRINTING	53336	316.00	GENERAL ADMIN O/E	ENVS, LETTERHEAD, BUSINESS
02/18/09	WESTMARK INC	53337	50.00	PUB WORKS ADMIN O/E	2/09 SEMI PUBLIC PHONE SVC
02/18/09	WORLD CLASS BUSINESS	53338	133.78	PUB WORKS ADMIN O/E	CASE OF COPY PAPER

Total Bill List: 2611677.52

Bill list Water

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>	<u>Description</u>
02/11/09	PAYROLL ACCOUNT	14737	39245.18	WATER UTILITY S/W	PAYROLL #4

Total Bill List: 39245.18

Bill list Water

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>	<u>Description</u>
02/18/09	AGRA ENVIRONMENTAL SVC	14738	810.00	LAB TESTING WATER	WATER TESTING
02/18/09	CABLEVISION	14739	113.17	WATER UTILITY O/E	2/09 SVC
02/18/09	HOME SUPPLY & LUMBER	14740	105.89	WATER UTILITY O/E	MISC. PARTS & SUPPLIES
02/18/09	NJ LANDSCAPE ASSN	14741	60.00	WATER UTILITY O/E	2/25/09 CONFERENCE:6
02/18/09	NJAES OFFICE CONTINUING	14742	130.00	WATER UTILITY O/E	5/08 DRINKING WATER
02/18/09	ONE CALL SYSTEMS, INC.	14743	73.80	WATER UTILITY O/E	1/09 SVC & MESSAGES
02/18/09	POLLARDWATER	14744	3545.34	WATER UTILITY O/E	PIPE & CABLE LOCATOR
02/18/09	POST & KELLY ELECTRIC	14745	125.00	WATER UTILITY O/E	WELL #3 ELECTRICAL PROBLEM
02/18/09	PRECISION ELECTRIC MOTOR	14746	5584.00	WATER UTILITY O/E	INFLUENT #1 REPAIR
02/18/09	PROCOPY INC	14747	123.75	WATER UTILITY O/E	COPIER MAIN AGREE
02/18/09	PUBLIC SERV ELEC & GAS	14748	42444.61	WATER UTILITY O/E	1/09 ELECTRIC & GAS
02/18/09	RINBRAND WELL DRILL CO,	14749	295.00	WATER UTILITY O/E	SERVICE AT GOFFLE ROAD
02/18/09	SHOTMEYER BROS FUEL CO	14750	278.31	WATER UTILITY O/E	1/09 DIESEL FUEL
02/18/09	TREASURER, STATE OF NEW	14751	15270.00	WATER UTILITY O/E	2009 ALLOCATION FEE:PROG
02/18/09	VERIZON	14752	915.32	WATER UTILITY O/E	2/09 BORO SVC
02/18/09	VERIZON WIRELESS (N)	14753	268.54	WATER UTILITY O/E	SVC 12/26/08-1/25/09

Total Bill List: 70142.73

Bill list General Capital

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>	<u>Description</u>
02/18/09	LERCH VINCI & HIGGINS	2524	500.00	CREATION OF BALLFIELD	PREP OF SDS FOR ORD

Total Bill List: 500.00

Bill list

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>	<u>Description</u>
02/18/09	MICHAEL J. PASQUALE,	2059	300.00	LAFAYETTE REALTY	HOVNANIAN-LAFAYETTE HILLS
02/18/09	BOSWELL ENGINEERING, INC	2060	156.00	ROJEK 87.01/2	HWES-456 ROJEK- B 87.01,
02/18/09	BOSWELL ENGINEERING, INC	2061	858.00	MARKET BASKET 174/30.04	HWES-583 MARKET BASKET,
02/18/09	BOSWELL ENGINEERING, INC	2062	2847.00	CHRISTIAN HEALTH CARE	HWES-530 CHRISTIAN HEALTH
02/18/09	BOSWELL ENGINEERING, INC	2063	234.00	JOHNSON - 281/12	HWES-577 JOHNSON, B 281, L
02/18/09	BOSWELL ENGINEERING, INC	2064	5134.00	PATRIOT DEVELOP 90/1	HWES-PATRIOT DEV-#36918 &
02/18/09	BOSWELL ENGINEERING, INC	2065	234.00	LAFAYETTE REALTY	HWES-416 LAF HILL #36861 &
Total Bill List:		9763.00			

Bill list

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>	<u>Description</u>
12/30/08	PASSAIC COUNTY REGISTER	80040	8.00	HOUSING REHAB PROGRAM	REPLACES CK #80035
Total Bill List:		8.00			

Bill list *Housing Trust*

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>	<u>Description</u>
02/18/09	COMMUNITY GRANTS &	80041	2554.60	HOUSING REHAB PROGRAM	SRV FOR HOUSING REHAB
02/18/09	GABRIELE HOME IMPROVMENT	80042	12000.00	HOUSING REHAB PROGRAM	FINAL PAY BONGIORNO 35
02/18/09	PASSAIC COUNTY REGISTER	80043	16.00	HOUSING REHAB PROGRAM	RECORD MTG - CASE NO 6
Total Bill List:		14570.60			

Bill list *OT II*

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>	<u>Description</u>
01/01/09	PAYROLL ACCOUNT	6505	10947.74	OFF-DUTY POLICE	PAYROLL #1
Total Bill List:		10947.74			

Bill list *OT II*

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>	<u>Description</u>
01/15/09	PAYROLL ACCOUNT	6506	3573.38	OFF-DUTY POLICE	PAYROLL #2
Total Bill List:		3573.38			

Bill list *OT II*

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>	<u>Description</u>
01/29/09	PAYROLL ACCOUNT	6507	29931.68	OFF-DUTY POLICE	PAYROLL #3
Total Bill List:		29931.68			

Bill list *OT II*

<u>Date</u>	<u>Vendor</u>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>	<u>Description</u>
02/11/09	PAYROLL ACCOUNT	6508	3537.88	OFF-DUTY POLICE	PAYROLL #4
02/11/09	STATE OF NJ - DEPT OF	6509	1400.86	TRUSTEE	3QTR2008 REIMB BILL
Total Bill List:		4938.74			

Bill list

<u>Date</u>	<u>Vendor</u>	<i>O.T. II</i>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>	<u>Description</u>
02/18/09	ABT-TEC		6510	144.30	TRUSTEE	CERT #2008-15, MURPHY, B
02/18/09	JOSEPH C. PERCONTI		6511	150.00	POAA	SUBSTITUTE JUDGE
02/18/09	HAWTHORNE PRESS INC		6512	770.00	RECYCLING TRUST	AD-LEAF COLLECTION
02/18/09	MARY ELLEN LYONS		6513	<i>void</i> 0.00	RECYCLING TRUST	MILEAGE REIMB.
02/18/09	INDUSTRIAL SAFETY GEAR		6514	104.44	RECYCLING TRUST	COAT FOR DOUG MORGAN -
02/18/09	LUSCHER'S AUTO INC		6515	322.89	RECYCLING TRUST	REPAIR TO C-4
02/18/09	NORTHERN SAFETY CO INC		6516	373.67	RECYCLING TRUST	SAFETY VESTS
02/18/09	SAFETYLINE		6517	250.60	RECYCLING TRUST	SAFETY JACKETS
02/18/09	B & C COMMUNICATIONS,		6518	1038.18	RECYCLING TRUST	MOTOROLA RADIO FOR
02/18/09	MARY ELLEN LYONS		6519	257.86	RECYCLING TRUST	MILEAGE REIMBURSEMENT
Total Bill List:		3411.94				

Bill list

<u>Date</u>	<u>Vendor</u>	<i>DOG DEDICATED</i>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>	<u>Description</u>
02/18/09	TYCO ANIMAL CONTROL		6414	2150.00	DOG POUND	ANIMAL CONTROL-12/08
02/18/09	TYCO ANIMAL CONTROL		6415	2280.00	DOG POUND	ANIMAL CONTROL-1/09
02/18/09	NJ DEPARTMENT OF HEALTH		6416	1416.00	STATE OF NEW JERSEY	LICENSES - 1 TO 950
Total Bill List:		5846.00				

Bill list

CTI Escrow

<u>Date</u>	<u>Vendor</u>		<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>	<u>Description</u>
02/18/09	ABT-TEC		90043	100.00	TAX SALE PREMIUMS	PREMIUM RETURNED ON LIEN
Total Bill List:		100.00				

Bill list

<u>Date</u>	<u>Vendor</u>	<i>P.A.T.F. I</i>	<u>Check #</u>	<u>Amount</u>	<u>Appropriation</u>	<u>Description</u>
02/18/09	SHOP RITE OF FAIR LAWN		1316	1900.00	MISCELLANEOUS	FOOD CARDS-HAWTHORNE FOOD
Total Bill List:		1900.00				

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

Council President Bertollo asked if there were any questions.

On roll call all voted yes.

PUBLIC COMMENT:

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

Phil Savoie, Chairman Shade Tree Commission, 188 Buena Vista Avenue, thanked the Council for their support. He also thanked Councilman Bennett for stating his position. He hoped the Councilman would give the commission a chance to prove its position as the program progresses.

He also is prepared to begin review the streets that will be included in the 2009 Road Program.

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

ADJOURNMENT:

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

John Bertollo
Council President

Susan Witkowski, RMC
Borough Clerk