

March 17, 2010
Hawthorne, NJ

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 8:13 p.m., in the Council Meeting Room of the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey. Present were Councilpersons Bennett, Lane, Matthews, Mele, Sinning, Wojtecki and Bertollo. Also present were Mayor Goldberg, Borough Administrator Maurer, Director of Revenue and Finance Hewitt, Borough Attorney Pasquale, Borough Engineer Boswell, and Borough Clerk Witkowski.

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, Herald News, The Record, The Gazette, and all 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 16, 2009.

APPROVAL OF MINUTES

Council President Bertollo entertained a motion to approve the minutes of the Regular Meeting of March 3, 2010, moved by Councilman Sinning, seconded by Councilman Wojtecki. On roll call all voted yes.

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.

Seeing no one, Council President Bertollo entertained a motion to close the public portion, moved by Councilman Matthews, seconded by Councilman Sinning. On roll call, all voted yes.

ADOPTION OF ORDINANCES

Ordinance 2004-10 for Adoption

BOND ORDINANCE PROVIDING FOR PURCHASE OF A PELICAN STREET SWEEPER, PURCHASE AND INSTALLATION OF AN OIL/WATER SEPARATOR AT THE DPW FACILITY AND REPAIR AND RENOVATION TO THE HAWTHORNE

MUNICIPAL SWIMMING POOL, INCLUDING, BUT NOT LIMITED TO, DRAIN LINES, PIPING, VALVES, HANDRAILS, CONCRETE AND LIGHTING IN AND ABOUT THE AREA OF THE POOL AND ADJACENT GROUNDS, TOGETHER WITH ANY PLUMBING, ELECTRICAL OR OTHER WORK INCIDENTAL TO THE SAME IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME.

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.

Council President Bertollo entertained a motion that the public hearing on Ordinance No. 2004-10 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.

Council President Bertollo entertained a motion to adopt Ordinance No.2004-10, moved by Councilman Wojtecki, seconded Councilman Bennett. On roll call, all voted yes.

OLD BUSINESS

Council President Bertollo asked if there was any old business to discuss. There was none.

NEW BUSINESS

NB-1 Approval of Wholesale/Retail Sale of Used Car License for RES Auto Sales located at 485 Lafayette Avenue, from March 17, 2010 through December 31, 2010

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

Council President Bertollo asked if there was any new business to discuss. Councilman Wojtecki discussed the siren in Paterson and if an answer would be obtained by the next meeting. Council President Bertollo asked if there was any more new business to discuss. There was none.

ADMINISTRATIVE AGENDA

Mayor Goldberg reported the following:

Cel-Earth-Bratton will be held in April and a contest for the design of the t-shirt was held at the elementary, middle and high schools. A tremendous amount of students entered, the

Environmental Commission narrowed the entries to eight. The Superintendent of Schools, Chairman of the Environmental Committee and the Mayor reviewed the entries and selected the winners. Mayor Goldberg asked Environmental Commissioner Rayna Laiosa, and Doug Morgan of the Recycling Department to join him in presenting the awards.

There were three honorable mentions, the first being presented to Gregory Berjian, a third student from Jefferson School entitled "Basketball Picture". Ms. Laiosa stated that his design states Score: Earth 1/Trash 0, Give Green a Chance Final Game, and the girl's outfit states Go Green/Earth No. 1.

The next honorable mention was presented to Mackenzie Sanint, a 9th grade student at Hawthorne High School entitled "Life is Full of Chances. Save One for Earth".

The third honorable mention was presented to Alyson LaSpisa, a 9th grade student at Hawthorne High School entitled "Cel-Earth-Bratation".

The winners of the honorable mentions were presented with a ribbon.

The winner of the contest was Brittany Foley, a 4th grade student at Jefferson School, whose entry was entitled "Give Earth a Fighting Chance!". Brittany was presented with a gift card and a framed design of her entry.

Ms. Laiosa showed the proof of the t-shirt that was designed by Brittany. She said that the t-shirt company did an excellent job and that all the rules for the contest were followed. All the designs for the t-shirts will be displayed at Cel-Earth-Bratation. Three actual t-shirts were submitted for the contest. Cel-Earth-Bratation will be held on April 17, 2010 at the Hawthorne High School from 10:00 a.m. to 2:00 p.m. This event is being partnered with the Community Shredding Day for borough residents. All personal and confidential papers will be shredded. The first three boxes will be done for free, any boxes remaining will cost \$5.00 per box. The hawk eye will be returning as well as a new program entitled Lizzie Reptile's Green Discovery Program and invited everyone to participate.

Mayor Goldberg presented a Proclamation to Tom Demko of the Boys & Girls Club. Mayor Goldberg stated that this will tie into Shredding Day. The Keystone Club will be assisting in unloading cars and assisting in removing boxes from vehicles and taking them to the shredder. He thanked the Keystone Club for their community spirit in volunteering.

Proclamation Hawthorne Boys & Girls Club

WHEREAS, the young people of Hawthorne, New Jersey are tomorrow's leaders; and

WHEREAS, many such young people need professional youth services to help them cope with a wide range of social issues and challenges; and

WHEREAS, the Boys and Girls Club of Hawthorne provides programs and services to more than 1,500 young people annually; and

WHEREAS, the Boys and Girls Club of Hawthorne is at the forefront of efforts in inspiring and empowering young people to realize their full potential as productive, responsible and caring citizens; and

WHEREAS, the Boys and Girls Club of Hawthorne ensures that our young people keep off the streets, offering them a safe and supportive place to go and providing them with quality programs; and

WHEREAS, the Boys and Girls Club of Hawthorne will celebrate National Boys and Girls Club Week 2010 along with some 4,000 Clubs and more than 4.8 million young people nationwide.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the proud Borough of Hawthorne do hereby proclaim March 21st through March 27th, 2010 as

BOYS & GIRLS CLUB WEEK

and call on all citizens to recognize and commend the Boys & Girls Club of Hawthorne for providing comprehensive, effective services to the young people of our community.

Mayor Goldberg presented the Proclamation to Mr. Tom Denko and thanked him for all that the Boys & Girls Club does for Hawthorne. Mr. Demko thanked Mayor and Council in appreciation for the proclamation. He stated that many activities are planned during Boys & Girls Club week. Mr. Demko introduced Nicole Chamberlin, Olivia Gagliardi, Priscilla Hernandez and Kevin Ribner, who are four outstanding club members and are finalists for 2010 Youth of the Year, which will be announced at the Boys & Girls Club on April 8.

Mayor Goldberg presented a proclamation to the individuals involved in Autism Awareness. Mayor Goldberg stated Autism awareness began in the borough last year, we were contacted and asked if the borough would sponsor a fundraiser called “Dress Down Day” on April 1. The Borough participated in this event last year and the borough employees as well as the Board of Education employees have donated towards this year’s event. Mayor Goldberg presented the check for Autism Awareness as well as presenting the proclamation.

Proclamation Autism

WHEREAS, autism spectrum disorder is a lifelong developmental disability resulting in significant impairment of an individual’s ability to learn, reason, socially interact, and understand verbal, nonverbal, and reciprocal communication; and

WHEREAS, autism spectrum disorders that are diagnosed in one in 150 children in the United States, affects four times as many boys as girls; and

WHEREAS, a cure for autism spectrum disorder has not yet been found, accurate, early diagnosis and the resulting appropriate education and intervention can help persons with autism spectrum disorder reach their maximum potential; and

WHEREAS, autism spectrum disorder has wide-ranging implications for the entire family of the diagnosed individual but early diagnosis is, research, training, education, therapies, information, resources and support are vital to reducing the effects of autism; and

WHEREAS, Autism Speaks strives to increase autism awareness and encourages meaningful participation and self-determination in all aspects of life for individuals with autism and their families.

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

APRIL, 2010 AS AUTISM AWARENESS MONTH

In the Borough of Hawthorne, and urge all employees and residents to become better educated on the subject of autistic spectrum disorders.

Mayor Goldberg stated that it is his and the Council's pleasure to declare April as Autism Awareness Month. Ms. Nancy Mondello invited the Mayor, Council and the public to Autism Plus Awareness Night on March 31, 2010 beginning at 7:30 p.m. in the Multi-purpose room at the Jefferson School. This event will begin the month long Autism Awareness activities, and will encompass all parents with special needs children. The topic at this event is "Planning for the Future", there will be two speakers' representing the Family Support Center of New Jersey. There will be discussions on various steps needed to be taken for families as their children grow. Also, many organizations and vendors will be represented at this event.

Mayor Goldberg presented the proclamation to Rosanne Zagatta, Principal of Jefferson School, who thanked the Mayor and Council for recognizing April as Autism Awareness Month. Jefferson School is the sending school for the district for the program for children with autism, a very dedicated staff works diligently with the children, and we have come a long way in the past seven years. The upcoming Autism Awareness Night will be the fifth event held. Ms. Nancy Mondello is one of our behaviorist and very instrumental with the life skills classes which are underway. The scope of the evening has been expanded to include services that are available for all parents that have children with special needs. Principal Zagatta invited everyone to this event. Also, she invited everyone to join in the walk for Autism Awareness which is scheduled for May 23, 2010.

Council President Bertollo recognized Nancy Mondello as a member of the Boys & Girls Club as well as a Keystone Member.

Mayor Goldberg stated that the weekend storm caused many problems in the borough. Wagaraw Road from Lafayette to Lincoln was closed due to flooding, water went from Schoon Avenue and from Passaic to Columbus, sixteen homes and ten businesses were affected by the flooding. The Wagaraw Recreation Complex and Recycling Center were underwater and are still underwater, the sewer and lift station were barely kept in operation. There have been reports of sewer backup in some of the affected flood areas, several trees

were lost during the storm causing road closures and power outages. Mayor Goldberg believed the last power outage on Vreeland and Second was repaired or in the process of being repaired today. Mayor Goldberg thanked the DPW workers, the Police and Fire Departments, and EMS for their actions during and after the storm. He also thanked Captain Rich McAuliffe who is our Emergency Management Coordinator for a job well done.

Mayor Goldberg met with Governor Christie, a group of Mayors and OEM coordinators of the affected towns along the Passaic River today. Hawthorne did not experience what some of the other towns did, approximately six hundred homes were affected by the flood waters. A frank and open discussion was held on what needs to be done, flood gates, dredging, and better communication was discussed. Governor Christie stated that the new operational center and trend called "The Rock" wherein dispatch occurs worked extremely well. Passaic County thanked the State for all of their assistance. The Borough of Hawthorne was able to handle their own emergencies without relying on other towns or the County for their assistance. However, several people were sheltered at the Passaic County Community College, which was the Borough's local shelter.

Exploration of obtaining different baseball/softball association fields for practices and games is being conducted. Recreation President Bob Pasquale met on Monday evening to discuss these alternatives. Mayor Goldberg thanked Mr. Mooney of the School Board and Tony Dinova of the County for their help. Mayor Goldberg has reached out to the Hawthorne Christian Academy as well as local area mayors for their assistance and asked the public for their patience as we look for those alternatives. He understands that recreation and sports are important. People have lost businesses and homes, we are working with a priority and working proactively in obtaining a solution to the fields and making practice areas available.

Mayor Goldberg stated that April 17th is Cel-Earth-Bratton as well as a Shredding Day. You may bring your records and personal information that you don't normally want to throw in the recycling, the documents will be shredded on site. You are allowed to have three boxes of documents for free. The Keystone Club will be assisting residents with removing the boxes from their vehicles. More than three boxes of documents will cost \$5.00 per additional box. Mayor Goldberg asked that even if you do not have more than three boxes of documents, that a charitable donation to the Boys Girls Club would be appreciated and he thanked the Boys & Girls Club for assisting in this project.

The Town Wide Garage Sale is scheduled for May 1, 2010 from 9:00 a.m. to 3:00 p.m. A permit will be required to participate in this event, however the fee will be waived. The locations will be listed on the Borough's website and more information will be available shortly.

"Those Who Host will Lose the Most Program" will be upcoming. People should not allow alcohol parties for teenagers. There have been too many tragedies when young people drink and/or drink and drive. He urged parents as prom and graduation season is upon us to keep an eye out for this.

Mayor Goldberg called upon Director of Revenue and Finance Hewitt for her report.

Director of Revenue and Finance Hewitt apologized that Resolution 57-10 which is the annual resolution prepared for LOSAP does not have the proper documents attached, the documents had been attached to the invoice. The payment on the voucher is relatively small. Receipt of the list of eligible members from Fire Companies 1, 2, 3,5 and the radio company was received on January 22 and must be posted within thirty days before the resolution can be prepared. The list of eligible members from the Ambulance Corp. was received on March 2nd and this will be processed for the first meeting in April. Fire Company No. 4's list was received on March 12th and this will be processed for the second meeting in April.

This concludes Director of Revenue and Finance Hewitt's report.

Mayor Goldberg called upon Borough Attorney Michael Pasquale for his report.

Attorney Pasquale reported that there is only one more item to be resolved in the K. Hovnanian matter. The homeowner claims and the Rooney claim have all be resolved. The only issue remaining is with regard to the SCADA system, Engineer Boswell will be looking at this in the near future. The Water Department reported that the SCADA System was never installed at the pressure reducing valve and K. Hovnanian's contractor insists that it was. It is possible that there was an installation but not a connection. Again, Engineer Boswell will inspect this within a matter of days.

Attorney Pasquale has a conference called scheduled on March 18th with Enterprise to discuss the status. A memo was sent to Council and Administration with regard to upcoming depositions, preparation is needed in order to defend this lawsuit.

The Harrington appeal will be heard on Monday, March 22nd in Passaic County. This is with regard to a homeowner that was fined substantially for bringing dumpsters on his property and placing them against his neighbor's fence and basically operating a dumpster business on his property which is residential in nature.

Attorney Pasquale spoke with the owner of Pan Chemical Company and with Senator Girgenti, slow progress is being made. There have been some discussions between the property owner and New Jersey Transit about a lease arrangement for that property. We have asked Senator Girgenti to intercede and assist to expedite the process. It is hopeful that the parties will come together in the near future with a final proposal so that the rail station can get underway.

This concludes Attorney Pasquale's report

Mayor Goldberg stated that he failed to mention that on Friday, March 12th he installed the new Fire Department Officers. As part of that evening's recognition, firemen having served in five year increments was held. Given the events of this past weekend and the work that was

done, Mayor Goldberg acknowledged the following firemen: Five Years of Service: Ryan Reggie, George Reggie, John Hurley, Sal Kojak and Brian Patmos; Ten Years of Service: Thomas Bakker, Sr.; Fifteen Years of Service: John Arturi, James Counsellor, and Joe Wojtecki; Twenty Years of Service: David Maher; Twenty Five Years of Service: Kevin Foley, Frank Vittorio, George Lodder, and Richard McAuliffe; Thirty Years of Service: Former Councilman Joseph Metzler; Forty Years of Service: John Lane and George DeGroot and Forty Five Years of Service: Robert Bell, who was the honoree at this year's dinner. Mayor Goldberg expressed his gratitude to all of the firemen for all that they do.

Mayor Goldberg called upon Borough Engineer Stephen Boswell of Boswell Engineering for his report.

Engineer Boswell reported on the following:

Goffle Hill Force Main – Bids were received on Friday, March 12th and the apparent low bidder was Stacy Contracting. Attorney Pasquale has reviewed the bids and has agreed that they are apparently the low bidder. It has been decided to move the force main from the street to under the sidewalk and because of this, a permit became necessary for moving this twenty feet. There is a Resolution on tonight's agenda authoring the Mayor and Clerk to sign the Treatment Works Application, which application will be expedited. We cannot award this contract yet since we do not have the Treatment Works Application and the funding is not available. This should be awarded at the next meeting, the bid is good for sixty days. An individual who resides at 469 Goffle Road is concerned that the Main be in the sidewalk rather than in the street as he has a rock wall and mature landscaping. When approaching this property, the pipe for this last section will try to be located back into the street so as to not disturb his rock wall and mature landscape.

Lining of the Pool Drain – Was completed without incident.

Fill at Florence and Cornell – The fill pile will be removed shortly since the snow has melted and the water is receding.

Underground Storage Tank Groundwater Monitoring – It has been too wet to drill and this should be completed by the end of March.

2010 Road Program – A series of four ordinances are being introduced at this evening's meeting which represent the 2010 Road Program, 2010 Local Aid Program, Curb and Sidewalk Assessment and Handicapped Curb. This is ready to go out to bid.

Christian Health Care Center – The first hearing before the Wyckoff Zoning Board of Adjustment is scheduled for April 15, 2010. Boswell Engineering will be representing both towns at this meeting.

Goffle Brook Bank Stabilization – A meeting has been scheduled with the DEP to resolve the use of the original landscape plan or the new plan that was obtained, which was not in compliance with their regulations.

Enzymes/Southfield Pumping Station – A trial for a new technique will be applied, however this trial is not a free trial. Director of Public Works Clementi is reviewing his Department's budget to see if funding will be available.

Drainage Improvement Project – The plans are completed except for the railroad, who did not meet the commitment date. This should be done by the next Council meeting. Engineer Boswell discussed improvements at North 12th and its relationship with the drainage project. He researched past meetings and Council decided to remove North 12th from this project because North 12th was to be integrated with North 8th and it was anticipated that a developer would come to town that would pay for this. A price for Ravine Avenue is being obtained as an alternate. The drainage project will consist of the Braen Avenue Culvert, Highview/Charwalt and Washington/Royal Avenue. Engineer Boswell recommended that a letter be written to Tom Connolly who is the head of Public Works for Bergen County to request that Bergen County implement this.

Brockhuizen Lane – Public Service is denying that they installed the gas main with only sixteen inches of cover instead of twenty six and stated that this must be due to erosion. A field meeting with Public Service is scheduled to show them the installation.

Hawthorne/Ridgewood Water Project – A meeting has been scheduled for March 19th at 2:30 p.m. with Ridgewood Water to discuss Ridgewood Water paying for the Ravine Avenue drainage improvements in order to hook into the Hawthorne Water system.

Chlorine Conversion Project – This should be completed shortly.

Kohler Field Soil Borings – Have been on hold due to the recent storm. The cresting of the Passaic River is the second highest recorded since 1904. Mayor Goldberg asked if this is considered to be a 100 year flood. Engineer Boswell said no, the rain did not occur within the amount of time that is required, the volume was not there. A one hundred year flood requires 8.6/8.7 inches of rain and we only received 5.7 inches.

Veteran's Field Lighting – A delay occurred as a result of the Open Space Public Hearing and we cannot receive/award bids until May.

Tire Storage – The applicant will be appearing before the Planning Board presenting a plan for the tire storage.

That concludes Engineer Boswell's report.

Mayor Goldberg called on Borough Administrator Maurer for his report.

Administrator Mauer offered his condolences to the Wojtecki family. Bids will be received on March 26, 2010 for the street sweeper, tree services and police computers. An addendum was issued with regard to the police computer bid spec following a vendor pre-

bid conference and walk through that was conducted on March 16th. This addendum will not delay the receipt of bids.

The 2010 state aid figures are expected to be received on March 18th. These figures will be posted on the website within 48 hours after Governor Christie's speech. The pool was cut by 17% statewide.

Administrator Mauer reported that our pool manager, Tom Wilson, submitted his resignation due to personal reasons. We will be addressing this situation in order to move ahead with the pool season.

Administrator Mauer distributed a memo to Council requesting a meeting with the Administration Committee to discuss a new Civil Rights Policy required by JIF and also to update of our personnel policies.

A mediator has been assigned by PERC with regard to the UPSEU Blue Collar Contract. A meeting date needs to be scheduled in order for the negotiations to go forward.

With regard to Veterans Field lighting, Diego Cruz, Soccer Association, Jim Bertollo, Board of Recreation and Administrator Mauer met with the Freeholders for the open hearing. Our appearance was well received, however it will take approximately five weeks before awarding a grant.

That concludes Administrator Maurer's report.

Mayor Goldberg asked Council if there were any questions.

Councilman Sinning stated that the light on Wagaraw Road was green all of the time and traffic was flowing better. Mayor Goldberg stated that the light at Rea and Lafayette was repaired.

Councilman Matthews questioned Engineer Boswell about the engineering specs and bid being prepared for the drainage improvements. He asked how Braen Avenue is being included if there is a potential that it will be taken off line in Wyckoff and has it been engineered with a zero removal in mind or will it be oversized. Engineer Boswell stated that in essence, one will not be done without the other. There is no way to remove enough of the water because of the grades that exist without also doing the ravine piece of it. Councilman Matthews asked if the Braen Avenue portion is on hold, Engineer Boswell said that this should be resolved by Friday.

Councilman Lane questioned Engineer Boswell with regard to the enzymes at the field. Director of Public Works needs to review his budget with regard to the testing of the enzymes and the fact that this is necessary to get this matter resolved. Engineer Boswell stated that Director of Public Works Clementi was looking to get a free (no cost) sample testing method and not having to purchase one. He has received free samples from some vendors which were only about a week's worth of samples. The vendor that he is dealing

with seems to have the most knowledge states that the process needs to be at least three months and the cost will be approximately \$2,800.00. Councilman Lane asked Engineer Boswell if moving the sewer from the street to under the sidewalk was part of the base bid or an alternate. Engineer Boswell stated that the new bid is to put it under the sidewalk. The bid was changed when it was realized that the costs of having all of the utility conflicts in the street resolved would be much more expensive, the bid was changed to having it placed under the sidewalk.

Council President Bertollo mentioned that he read in the newspaper the amount of flooding downstream of the pumping dam and several other locations rose faster than ever before. This was a complaint in Wayne and in Little Falls, that the water rose quicker since the pumping dam has been refurbished and the statement made by the DEP is that "it works just the way we want it to work". Mayor Goldberg stated that this question came up today at the meeting with Governor Christie. The towns down from the dam were very concerned since the floodgates were wide open. Governor Christie promised a conference call with Mayors to discuss what the rules will be and how to change the rules. Mayor Goldberg believes that part of the flood resulted from the amount of snow that melted along with the rain. Engineer Boswell stated that the snow minimized percolation into the ground, the problem with any flood control is that the water has to go somewhere. When we do a flood control project, we are not allowed to raise the water surface elevation downstream of the project. This particular project was done by the Army Corps of Engineers and done under a different set of rules, they were allowed to raise it 2/10 of a foot downstream. People are complaining that it was raised dramatically downstream. Whenever we do a flood control project, we try to find a place to put the water, similar to the one in Ridgewood. The idea in Ridgewood was to take the water off the private land and flood Veterans Field, so a huge retention basin was intentionally created. Engineer Boswell was not sure that when this project was being undertaken there was a place to put the water. If the velocity is changed with which it concentrates, by not having the same kind of spread upstream can cause problems. Council President Bertollo clarified that Veterans Field which Engineer Boswell was referring to is located in Ridgewood, not Hawthorne Veterans Field. Engineer Boswell stated that it is also difficult to put a drainage system in the fields because as the river rises the water will not go anywhere.

Council President Bertollo stated that we are paying a lot money to the Passaic Valley Sewage Commission for the amount of water that is entering that system, if the volume can be handled and what is being done to handle the volume. The water is not being treated, why are we paying. Engineer Boswell stated that Paterson has a combined system which means at storm sewer and sanitary sewer are not separated. When it rains the amount of water that goes into the storm system is dramatic, so there are CSO's which are combined sewer overflows. As the water gets high enough in volume a weir is set and the water actually goes to the Passaic River. In theory, this is all rainwater. Under the new EPA regulations this water will have to be chlorinated. Nobody can handle the amount water that they are seeing now, the CSO's are bleeding off hopefully the storm water. The Passaic Valley Sewage plant is the third largest in the country. Councilman Wojtecki asked how do we stop the meter from running. Engineer Boswell stated that if the meter is in the right place, you should not see it. The calibration of the meter can be looked at.

Previously the strength of the sewage was a component of the cost, now the cost is based on volume, however the problem is that you are paying for stormwater. Councilman Bertollo asked if the flow meter was in south station and Engineer Boswell said yes. Engineer Boswell said that we do not have a combined system, manholes can be made into water tight manholes. Under the new regulations an improvement in the 100 year flood plain must have water tight manholes. Engineer Boswell said he would look at the cost of replacing the manholes with water tight ones. Council President Bertollo asked if the flood of 2010 is a financial boon for the Passaic Valley Sewage Commission not only on behalf of Hawthorne but as well as the other towns the pump into it. Engineer Boswell stated that in theory, the PVSC rate is a zero sum gain. In other words, everybody proportionately will pay their average piece of the pie based on the average dry weather flow. Therefore, this should not be a boon to the PVSC, all they are seeing is an increase in volume which spreads out the billing. This is similar to a re-assessment, the value of the house is raised but the tax rate goes down. Councilman Bertollo asked if that residents living on top of the hill will be paying for this. Administrator Mauer stated if we receive more value in Hawthorne, it does not necessarily increase the County's budget, but we pay more in taxes because we have added to our valuation. If the valuation goes down, that does not decrease the County's budget, we just pay a lower rate. As our share goes down, every one else's share goes up and vice-a-versa. In theory they are not getting more money, we could be paying a higher share to the benefit of people that do not have the same type of stormwater infiltration. Engineer Boswell stated that if everybody's flow goes up four fill, does every body's bill go up four fill. He stated that he will obtain an answer to this.

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

INTRODUCTION OF ORDINANCES

Ordinance 2008-10 for Introduction

BOND ORDINANCE PROVIDING FOR 2010 ROAD IMPROVEMENT PROGRAM, IN AND BY THE BOROUGH OF HAWTHORNE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$570,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

BE IT RESOLVED, that Ordinance No. 2008-10 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 April 21, 2010, and at said time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Hawthorne Press once, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage.

Council President Bertollo entertained a motion to approve introduction, moved by Councilman Bennett, seconded by Councilman Lane. Councilman Sinning asked about Second and Florence being on this project list. It was stated that Second and Florence can be added to the list. On roll call, all voted yes.

Ordinance 2009-10 for Introduction

BOND ORDINANCE PROVIDING FOR SIDEWALK IMPROVEMENTS, IN AND BY THE BOROUGH OF HAWTHORNE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$325,000 THEREFOR, AUTHORIZING THE ISSUANCE OF \$308,750 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE COST THEREOF AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF

BE IT RESOLVED, that Ordinance No. 2009-10 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 April 21, 2010, and at said time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Hawthorne Press once, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage.

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

Ordinance 2010-10 for Introduction

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO VAN WINKLE AVENUE, IN AND BY THE BOROUGH OF HAWTHORNE, IN THE COUNT OF PASSAIC, NEW JERSEY, APPROPRIATING \$180,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$180,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT RESOLVED, that Ordinance No. 2010-10 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 April 21, 2010, and at said time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Hawthorne Press once, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage.

Council President Bertollo entertained a motion to approve introduction, moved by Councilman Matthews, seconded by Councilman Lane. Council President Bertollo stated

that this is our DOT project which will be reimbursed to us by the DOT grant. On roll call, all voted yes.

Ordinance 2011-10 for Introduction

BOND ORDINANCE FOR INSTALLATION OF HANDICAPPED CURB RAMPS AT VARIOUS BOROUGH INTERSECTIONS, IN AND BY THE BOROUGH OF HAWTHORNE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$51,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$48,450 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

BE IT RESOLVED, that Ordinance No. 2011-10 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 April 21, 2010, and at said time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Hawthorne Press once, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage.

Council President Bertollo entertained a motion to approve introduction, moved by Councilman Bennett, seconded by Councilman Wojtecki. On roll call, all voted yes Council President Bertollo stated that this is part of the Community Block Grant application and is at no cost to the Borough.

Ordinance 2012-10 for Introduction

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBERED 1976-09 OF THE BOROUGH OF HAWTHORNE, IN THE COUNTY OF PASSAIC, NEW JERSEY FINALLY ADOPTED MAY 6, 2009 IN ORDER TO AMEND THE AMOUNT ALLOCATED TO COSTS OF THE PURPOSE OR IMPROVEMENT UNDER N.J.S.A. 40A:2-20

BE IT RESOLVED, that Ordinance No. 2012-10 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 April 21, 2010, and at said time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Hawthorne Press once, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage.

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

RESOLUTIONS:

CONSENT AGENDA : R53-10 through R62-10

Prior to approving the Consent Agenda, Council President asked Council about the resolution before them with regard to the Environmental Commission Grant. Councilman Sinning asked if the money is available to do this and Council President Bertollo stated that as discussed in the work session, it is not known if the money will be available. His concern as being a member of the Finance Committee is that with the economic times that we are in, the possibility of State funding being cut and other challenges that the borough is facing, he is not sure at this point in time if the money can be allocated. The Commission has worked hard on this, the problem is that a decision is needed this evening because the grant application is due March 31. If there was time to wait on this, we would to see if the budget works out. Councilman Lane stated that if this Resolution is approved, based on what Ms. Laiosa stated earlier and based on their track record, if the grant was awarded and we do not have the funds to back it up, it may deter the process going further in years to come and he does not want to see that happen. There is a great working relationship with the organization that we belong to.

Council President Bertollo told Ms. Laiosa that the feeling of Council is that the project is a good project, it might give the opportunity to partner with the Chamber of Commerce or another organization. Council President Bertollo is committed to assist as a chamber member and other organizations that he belongs to, unfortunately, the timing on the grant is tough in order to make a commitment. However Council does support the project and thinks it is a great idea. Ms. Laiosa thanked Council for their time and consideration and will look to other alternatives to proceed further with this project. This will be discussed at the March 22 Green Team meeting to figure another alternative of doing this project.

Council President Bertollo proceeded with Resolutions R-53-10 through R-62-10, stating that R62-10 is the added resolution for Capital Alternatives which was discussed during the work session.

R53-10 Resolution, Introduced by Councilman Matthews

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated March 12, 2010.

CURRENT FUND	WT 888889	\$	236,836.35
WATER OPERATING FUND	WT 888889	\$	36,360.03
OTHER TRUST II FUND	WT 888889	\$	5,657.35
TOTAL PAYROLL			<u>\$ 278,853.73</u>
CURRENT OPERATING FUND TO PAYROLL/FICA	WT 888889	\$	3,963.69
WATER OPERATING FUND TO PAYROLL/FICA	WT888889	\$	10,000.00
TOTAL FICA			<u>\$ 13,963.69</u>

R54-10 Resolution, Introduced by Councilman Matthews

WHEREAS: Tax Sale Certificate #2009-09 was sold on December 1, 2009 in the amount of \$1,360.08 on Block 141 Lot 2 then assessed to Gjemlle Sulejamanl and said lien was originally purchased by US Bank-Cust for Sass Muni V dtr, 50 S 16th St., Philadelphia, PA 19102, and

WHEREAS: said lien was redeemed on March 5, 2010 in the amount of \$1,514.36, said lienholder is entitled to a refund including the amount of the lien \$1,360.08, penalty of \$27.20, search and recording fee of \$55.00 and interest of \$72.08 for a total of \$1,514.36, 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 US Bank Cust for Sass Muni V dtr in the amount of \$1,514.36 to reimburse the lienholder for the lien, penalty and fees.

R55-10 Resolution, Introduced by Councilman Matthews

WHEREAS: Block 234 Lots 6.01 and 6.02 located at 227 Eighth Avenue and 235 Sixth Avenue were combined and is now Block 234 Lot 6.01 in the Tax Duplicate of 2009, and

WHEREAS: Block 234 Lot 6.02 was eliminated for the tax year 2009,

NOW, THEREFORE, BE IT RESOLVED: that the Municipal Council of the Borough of Hawthorne authorize the Tax Collector to cancel the balance showing for the 1st and 2nd quarters of 2009 in the amount of \$125.64.

R56-10 Resolution, Introduced by Councilman Matthews

WHEREAS, the semi-annual payment of \$121,043.22 of the Wastewater Trust loan has become due and payable as of April 1, 2010.

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 \$121,043.22 from the Current Fund in payment of the Wastewater Trust loan.

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 \$2,452.50 from the Current Fund to The Bank of New York in payment of the New Jersey Wastewater Treatment Trust semi-annual Administration Fee.

R57-10 Resolution, Introduced by Councilman Matthews

WHEREAS, the Municipal Council of the Borough of Hawthorne has heretofore established and created a Length of Service Awards Program (LOSAP) for the benefit of eligible volunteer fire department and ambulance corps members; and

WHEREAS, in accordance with the LOSAP program, a list of eligible members and corresponding award has been presented to the Administration, a copy of the same being annexed hereto;

WHEREAS, the list of eligible members and proposed award has been reviewed and approved by the Administration, the list has been posted in accordance with law, and funds have been certified by the Chief Financial Officer;

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne, does hereby approve the list of eligible members and proposed award of LOSAP benefits for eligible fire department and ambulance corps members as annexed hereto and made a part hereof and authorizes payment in accordance therewith.

R58-10 Resolution, Introduced by Councilman Matthews

WHEREAS, the Shade Tree Commission of the Borough of Hawthorne has submitted an application to the New Jersey Department of Environmental Protection (NJDEP) for a 2009 Business Stimulus Fund Grant for the purpose of updating the Borough's Shade Tree Inventory; and

WHEREAS, having reviewed the aforementioned application, the NJDEP has offered the Borough a grant in the amount of \$7,000.00; and

WHEREAS, no matching funds are required of the Borough of Hawthorne; and

WHEREAS, it is in the best interest of the Borough to accept said grant;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne, that the Mayor is hereby authorized to execute a grant agreement with the NJDEP for acceptance of the 2009 Business Stimulus Fund Grant in the amount of \$7,000.00.

BE IT FURTHER RESOLVED, that the Borough all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

R59-10 Resolution, Introduced by Councilman Matthews

WHEREAS, the Borough of Hawthorne has proposed to undertake improvements to infrastructure by way of a project referred to as the Goffle Hill Sanitary Force Main project; and

WHEREAS, in connection therewith the Borough will be making sanitary sewer improvements in accordance with the plans created by Boswell Engineering, incorporated herein by reference; and

WHEREAS, as part of the approval process for the installation of the said sanitary sewer improvements, approval of the New Jersey Department of Environmental Protection (NJDEP), in the form of a Treatment Works Approval (TWA), is required; and

WHEREAS, the project to be undertaken may not be awarded until such time as the TWA Permit has been approved and issued by the NJDEP;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Mayor and Clerk be and the same are authorized to execute and deliver to the NJDEP the Treatment Works Approval application prepared by the Borough Engineer, Boswell Engineering, as forms TWA-1 and WQM-003.

R60-10 Resolution, Introduced by Councilman Matthews

WHEREAS, there exists a need for engineering services for the Chlorine Permit Application for the Water Treatment System in the Borough of Hawthorne.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that Boswell Engineering be awarded a contract in the amount not to exceed \$10,000.00 for the aforementioned purpose, and that the Mayor and Municipal Clerk, subject to the receipt of the signed lease agreement and certification of availability of funds from the Chief Financial Officer, be directed and authorized to enter into and execute a contract, in a form approved by the Borough Attorney.

R61-10 Resolution, Introduced by Councilman Matthews

WHEREAS, the Borough of Hawthorne is the owner of real property located at 445 Lafayette Avenue, Hawthorne, New Jersey;

and

WHEREAS, there exists on said property a cellular communications tower, a portion thereof being leased to Sprint Spectrum, L.P., in accordance with a lease agreement dated March 18, 2004; and

WHEREAS, Sprint Spectrum has requested a modification to the lease agreement so as to permit the installation of additional enhancements as described in the lease modification agreement and attachments thereto, incorporated herein by reference, and so as to permit assignment to a successor corporation, Clear Wireless, LLC; and

WHEREAS, Sprint Spectrum (Clear Wireless) has agreed to pay additional rental in the sum of \$1,200 per month which sum the Administration recommends as fair compensation for the additional use to be made of the site; and

WHEREAS, the Borough Attorney has reviewed the lease modification and has approved the same in form and content, subject to inclusion therein of provision allowing for the Borough Engineer to review design plans, at the cost of the tenant, prior to installation;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does hereby approve of the lease modification as annexed hereto and made a part hereof, subject to the modification requested by the Borough Attorney as noted herein and does authorize the Mayor and Clerk to execute the same as and for the act of the Borough of Hawthorne.

R62-10 Resolution, Introduced by Councilman Matthews

RESOLUTION AUTHORIZING CAPITAL ALTERNATIVES CORPORATION TO PREPARE AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION ON BEHALF OF THE BOROUGH OF HAWTHORNE FOR A DOWNTOWN REVITALIZATION PROJECT

BE IT RESOLVED by the Mayor and governing body of the Borough of Hawthorne that application is made to the Commissioner of Transportation for grant funding for:

(1) Downtown Revitalization Project

WHEREAS, the Council has determined that such application(s) should be prepared by Capital Alternatives Corporation, the grants specialists engaged by the municipality for assistance in such matters.

RESOLVED, by the Borough Council of the Borough of Hawthorne, that Capital Alternatives Corporation is authorized to prepare, assemble, and submit the necessary documentation on behalf of the Borough of Hawthorne for the stated project(s).

BE IT FURTHER RESOLVED that Capital Alternatives Corporation shall be paid a 10% Fulfillment Fee for an approved award for the aforementioned application, subject to certification by the borough's chief financial officer that sufficient funds are made available for payment and in

accordance with the terms and conditions of a contract between Capital Alternatives Corporation and the Borough of Hawthorne.

Council President Bertollo entertained a motion to approve Resolutions R53-10 through R62-10, moved by Councilman Matthews, seconded by Councilman Sinning.

Councilman Lane asked on R57-10, the list of eligible members of Fire Department for LOSAP, based on what Director of Revenue and Finance Hewitt stated earlier, should the Ambulance Corp. be removed from this Resolution due to a technicality. Director of Revenue and Finance Hewitt said no, because those members are not being paid tonight and she will distribute a list of Ambulance Corp. Members on March 18. On roll call, Councilman Lane and Councilman Wojtecki abstained on R57-10. All voted yes on R53 to R56 and R58 through R62-10.

REPORTS OF SPECIAL COUNCIL COMMITTEES

Councilman Wojtecki – The Shade Tree Commission Meeting is scheduled for Tuesday, April 6th at 7:30 p.m. and the Arbor Day Celebration is scheduled for April 30th.

Councilman Sinning – The Library Board met with a representative from the Manchester Group which handles the IT and audited all of the computers. The recommendation from the Manchester Group is that the computers are at least ten years old and should be replaced. The Ordinance Committee met on March 16th, the sign ordinance is nearly completed. Canopies and awnings will be another ordinance to discuss and would work into the downtown atmosphere.

Councilman Matthews – The Finance Committee met and continue to meet regularly. We are awaiting to hear the Governor's State Aid, which will define the direction taken. Rumors are a 2 ½% cap versus a 4% cap. Under normal circumstances, this is a challenge, however when the State Aid is cut and a lower cap applied, it will be a very difficult challenge. The Planning Board met on March 16th. The Ordinance regarding storage was discussed, which was questioned as a previous application and it was recommended that the Ordinance before us this evening be approved. A membership meeting for the Chamber of Commerce will be on Thursday, March 25th at 6:30 p.m. at Ossy's Café. There will be a card swap, discuss the nature of the businesses, foster a better communication between members and enhance business amongst them. The Chamber of Commerce will be holding a health seminar on April 28th to discuss businesses group policies and insurance available, a health care provider and/or vendor will be attendance to present what types of policies are available to small businesses. This seminar will be held at the Municipal Building Council Meeting Room beginning at 7:00 p.m. The IT Committee met and discussed purchases of on-going projects. The Police Department will be upgrading their server system with funds from previous years. Our e-mail filter system and the Fire Protection Program was discussed.

Councilman Mele – Attended the Environmental Committee Meeting last week which was a very busy meeting, he left at 10:00 p.m. and the meeting was still on-going. He also attended a Project Pride Meeting and will discuss this with Administration in the future.

Councilman Lane – A committee meeting for the Cable TV was held and many items were discussed, specifically our sound system and broadcasting. Another meeting was held on March 8th with Cablevision, Gary Shaw, who is their government relations representative, four engineers from Cablevision, Tom Jeron, and Clerk Witkowski. The engineers performed many tests and functions on the entire system. Different readings on the sound level protruding to the audience were found. The sound volume levels went from .1 to .6 and down from .38 to .04. The correct level should be at least 4 DBV, which is the acceptable level. Cablevision recommended that the purchase of an amplifier may boost the volume and this was not acceptable to Mr. Jeron, Clerk Witkowski or Councilman Lane. Cablevision continued the tests with the Oakland Office Facility and after approximately two hours of performing the test, it was discovered that there was a problem in Cablevision's frame in Oakland when the sound and broadcast leave here and returns. The volume is now at 4 DBM's which is required. Adjustments were made and it appears to be satisfactory. Councilman Lane thanked Tom Jeron and Clerk Witkowski for their time and effort in the matter. He also thanked the Committee and the volunteers who were at home on the day of testing. Clerk Witkowski was able to contact borough residents who were listening to the television while the testing was being performed and we were able to obtain accurate readings from the viewing audience as to what the readings were. He again thanked the residents for assisting in this, many of the residents stated that the volume on their television was at 100 and they were not able to hear the sound from the broadcast. Upon completion of the testing, the volume is at 32 and they were able to hear the broadcast. On March 12, Mr. Jeron and OBS, who is our sound company, were here to review the sound system and microphones and tweaked whatever needed to be done, because the outgoing sound was echoing. The problem was corrected. The Cable TV Committee discussed a new policy at their meeting which is to re-broadcast the Council Meetings. These re-broadcast will occur on Friday, Sunday, Monday, Wednesday, Friday and Sunday between Council Meetings. The exact times of the re-broadcast will be displayed on the Bulletin Board in order for all residents to have the opportunity to view the meeting and obtain the schedule. This re-broadcast will begin after the April 7th Council Meeting. Also, a camera from Cablevision was given to the School District to begin filming of their events. The recent Internet Safety Program that the Police Department sponsored was recorded and this may be aired on our cable station so that the audience at home can review what was presented regarding internet safety. Councilman Lane stated that he will be attending the Board of Health meeting on March 18th.

Councilman Bennett – Attended the Board of Recreation Meeting on March 10th. However on Friday, March 12th, Mother Nature cancelled most of what was discussed. Little League Opening Day was scheduled for April 10th and we will have to see if this will occur. Coach's certification is scheduled for March 17th at Roosevelt School. A system to computerize the scheduling is being looked at, the goal is to make the schedule available on-line.

Council President Bertollo – There was no report.

MISCELLANEOUS

RL-1 RL#960 – Amendment of St. Anthony’s R.C. Church Raffle to be held October 17, 2010 instead of March 12, 2010 as previously approved

SOL-1 The Hawthorne Volunteer Ambulance Corp. has requested permission to solicit on public streets, Saturday, May 1, 2010 between the hours of 8:00 a.m. – 12:00 p.m.

SOL-2 The Hawthorne Lions Club has requested permission to solicit on public streets, Saturday, May 15, 2010 between the hours of 8:00 a.m. – 12:00 p.m.

Council President Bertollo entertained a motion to approve RL-1, SOL-1 and SOL-2. Motion was moved by Councilman Matthews, seconded by Councilman Mele. On roll call, all voted yes. However, Councilman Lane abstained on SOL-1 and Councilman Wojtecki abstained on RL-1.

BILLS

Council President Bertollo entertained a motion to approve the bills and forward them to the Treasurer for payment. Motion moved by Councilman Matthews, seconded by Councilman Mele. Council President Bertollo stated that a reimbursement will be provided for the check for payable to Hawthorne Auto Body in the amount of \$7,900. Director of Revenue and Finance Hewitt stated that most of this amount has been reimbursed. On roll call, all voted yes. However, Councilmen Wojtecki and Lane abstained on Check Nos. 9719 through 9721, 9729, 9731 through 9733, 9759 and 9765.

VENDOR	CHECK#	TOTAL	DESCRIPTION
CURRENT FUND			
A T & T	9702	50.51	TELEPHONE CHARGES
AAA EMERGENCY SUPPLY CO INC	9703	524.40	VEHICLE MAINT FIRE DEPT
ACORN TERMITE & PEST CONTROL	9704	100.00	PUB WORKS ADMIN O/E
ADVANCED SERVICE & PARTS, LLC	9705	207.25	SEWER SYSTEM O/E
AIG-VALIC	9706	65,651.25	RESERVE FOR LOSAP
ALBERT J ERDMAN	9707	2,718.00	GROUP INSURANCE O/E
AMERICAN HOSE CO INC	9708	1,751.28	VARIOUS
ANJEC	9709	280.00	ENVIRON COMMITTEE O/E
B & C COMMUNICATIONS, INC	9710	36.60	VEHICLE MAINT POLICE
BOB'S TIRES & WHEELS INC	9711	701.00	VARIOUS
BOSWELL ENGINEERING, INC	9712	332.00	ENGINEERING SERVICES O/E
BURGIS ASSOCIATES, INC	9713	4,050.00	ACCOUNTS PAYABLE
CABLEVISION	9714	217.67	VARIOUS
CHARLENE ELVIN	9715	172.85	GENERAL ADMIN O/E
CHARLES C. COLLINS, JR, ESQ	9716	48.73	LEGAL SERV& COSTS O/E
CINTAS CORP	9717	278.64	PUB WORKS ADMIN O/E

DON'S AUTO REPAIR SERVICE LLC	9718	551.14	VARIOUS
FIRE COMPANIES. COM	9719	259.97	FIRE DEPT O/E
FIRST RESPONDER NEWSPAPER	9720	80.00	FIRE DEPT O/E
FOREMOST PROMOTIONS	9721	964.95	VARIOUS
GENERAL CODE PUBLISHERS, INC	9722	3,499.00	MUNICIPAL CLERK O/E
GET A CAN	9723	13,900.00	RECYCLING PRO O/E
HALEDON AUTO PARTS	9724	55.58	VEHICLE MAINT POLICE
HAMMER HEAD EMERGENCY	9725	282.36	VEHICLE MAINT POLICE
HAWTHORNE AUTO BODY, INC	9726	7,936.30	VEHICLE MAINT POLICE
HAWTHORNE AUTO LAB	9727	462.13	VARIOUS
HAWTHORNE BOARD OF EDUCATION	9728	2,518,787.00	SCHOOL TAX
HAWTHORNE FIRE DEPT	9729	249.99	FIRE DEPT O/E
HAWTHORNE PRESS INC	9730	33.54	PLANNING BOARD O/E
HOME DEPOT SUPPLY	9731	33.98	PUB WORKS ADMIN O/E
ID CHECKING GUIDE	9732	118.70	DRUNK DRIVE ENFORCE
INTERSTATE BATTERY OF NJ	9733	130.55	FIRE DEPT O/E
JERSEY ELEVATOR INC	9734	145.00	PUB WORKS ADMIN O/E
JOEL ENGRAVING CO	9735	17.50	MUNICIPAL CLERK O/E
JOHNSON BUS PROD & INTERIORS	9736	169.00	MUNI COURT
JP HOME ARAMA, INC	9737	9.96	POLICE DEPT O/E
KNAPP, TRIMBOLI & PRUSINOWSKI	9738	1,009.50	VARIOUS
LANGUAGE LINE SERVICES	9739	6.80	POLICE DEPT O/E
LINCOLN LIMITED	9740	306.00	CLEAN COMMUNITIES
LOUIS BAY 2nd LIBRARY	9741	50,000.00	FREE PUBLIC LIBRARY O/E
LUK OIL	9742	8,400.34	BULK PURCHASE GASOLINE
LUSCHER'S AUTO INC	9743	4,777.03	VARIOUS
M & B SEPTIC SERVICE, LLC	9744	80.00	BOARD OF REC
MARY JEANNE HEWITT	9745	52.70	VARIOUS
MIAMI SYSTEMS CORP	9746	290.67	MUNI COURT
MUNIDEX, INC	9747	2,500.00	MUNICIPAL CLERK O/E
NJ MEADOWLANDS COMMISSION	9748	58.50	TRANSFER STATION
NJ SHADE TREE FEDERATION	9749	170.00	SHADE TREE COMM O/E
NJ STATE LEAGUE MUNICIPALITIES	9750	110.00	FINANCIAL ADMIN O/E
NJ TREE FOUNDATION	9751	195.00	SHADE TREE COMM O/E
NJLBHA	9752	95.00	BOARD OF HEALTH O/E
NO JERSEY MUNI EMPL BNFT FUND	9753	169,450.00	GROUP INSURANCE O/E
NORTH JERSEY MEDIA GROUP INC	9754	168.21	MUNICIPAL CLERK O/E
OFFICE BUSINESS SYSTEMS, INC	9755	1,519.00	VARIOUS
ONE COMMUNICATIONS	9756	1,392.96	TELEPHONE CHARGES
PROCOPY INC	9757	511.25	VARIOUS
REGISTRAR'S ASSOCIATION OF NJ	9758	40.00	BOARD OF HEALTH O/E
ROBERT MORAN	9759	325.00	FIRE DEPT O/E
RUTGERS - CENTER FOR GOV'T SER	9760	807.00	STREETS & ROADS O/E

RUTGERS UNIV - NJAES	9761	329.50	SHADE TREE COMM O/E
RUTGERS UNIVERSITY	9762	494.00	VARIOUS
SCpHOOL OUTFITTERS	9763	3,196.12	PUBLIC EVENTS O/E
SHOTMEYER BROS FUEL CO	9764	7,125.23	BULK PURCHASE GASOLINE
SOME'S UNIFORM CO. INC	9765	32.00	FIRE DEPT O/E
SPRINT-WIRELESS	9766	279.93	POLICE DEPT O/E
TELEMETRICS INC	9767	140.00	IT SERVICES
THOMAS ZACONIE	9768	47.50	CONST CODE OFFICIAL O/E
TURNOUT UNIFORMS	9769	83.98	POLICE DEPT O/E
UNITED COMPUTER	9770	678.64	VARIOUS
VERIZON	9771	2,480.74	VARIOUS
VERIZON WIRELESS (N)	9772	1,038.60	VARIOUS
VITAL COMMUNICATIONS, INC.	9773	764.40	VARIOUS
WASTE MANAGEMENT OF NJ	9774	32,236.00	TRANSFER STATION
WESTMARK INC	9775	<u>50.00</u>	PUB WORKS ADMIN O/E
TOTAL CURRENT		\$ 2,916,048.43	
GENERAL CAPITAL			
COLONNELLI BROS., INC.	3027	<u>15,144.00</u>	2009 ROAD PROGRAM
TOTAL GENERAL CAPITAL		\$ 15,144.00	
WATER OPERATING			
AGRA ENVIRONMENTAL SVC	8123	840.00	VARIOUS
CABLEVISION	8124	81.86	WATER UTILITY O/E
COMMERCIAL BUSINESS FORMS,INC.	8125	461.80	WATER UTILITY O/E
HOME DEPOT SUPPLY	8126	166.07	WATER UTILITY O/E
LUK OIL	8127	685.94	WATER UTILITY O/E
MARY JEANNE HEWITT	8128	7.91	WATER UTILITY O/E
ONE CALL SYSTEMS, INC.	8129	16.00	WATER UTILITY O/E
ONE COMMUNICATIONS	8130	148.68	WATER UTILITY O/E
SHOTMEYER BROS FUEL CO	8131	189.92	WATER UTILITY O/E
VERIZON	8132	624.57	WATER UTILITY O/E
VERIZON WIRELESS (N)	8133	<u>203.85</u>	WATER UTILITY O/E
TOTAL WATER OPERATING		\$ 3,426.60	
OTHER TRUST II			
ANJR	4030	140.00	RECYCLING TRUST
CMRS-FP	4031	550.00	MUNICIPAL ALLIANCE
DRUG-FREE ACTION ALLIANCE	4032	356.40	MUNICIPAL ALLIANCE
RT OFFICE PRODUCTS	4033	279.00	POAA
US BANK CUST/SASS MUNI V DTR	4034	1,514.36	TRUSTEE
VAN ORDEN REAL ESTATE	4035	2,645.00	RELOCATION FUND

MARY KAY SMITH	4036	<u>1,000.00</u>	RELOCATION FUND
TOTAL OTHER TRUST II		\$ 6,484.76	
 DOG DEDICATED			
NJ DEPARTMENT OF HEALTH	6009	307.80	STATE OF NEW JERSEY
TYCO ANIMAL CONTROL SERVICES	6010	<u>2,160.00</u>	DOG POUND
TOTAL DOG DEDICATED		\$ 2,467.80	
 BUILDERS ESCROW			
MICHAEL J. PASQUALE, ESQ	5004	75.00	WESTERVELT-MILLVIEW 7/1
BURGIS ASSOCIATES, INC	5005	1,582.50	WESTERVELT-MILLVIEW 7/1
BURGIS ASSOCIATES, INC	5006	1,625.00	PATRIOT DEVELOP 90/1
MICHAEL J. PASQUALE, ESQ	5007	1,275.00	REALTY ACQ GROUP 242/ 1&2
BOSWELL ENGINEERING, INC	5008	391.50	REALTY ACQ GROUP 242/ 1&2
BOSWELL ENGINEERING, INC	5009	3,432.00	PAPAS 24/13.03
BOSWELL ENGINEERING, INC	5010	4,190.26	WESTERVELT-MILLVIEW 7/1
BOSWELL ENGINEERING, INC	5011	7,503.35	CHRISTIAN HEALTH CARE
BOSWELL ENGINEERING, INC	5012	1,462.00	JOSE RODRIGUEZ
BOSWELL ENGINEERING, INC	5013	80.50	PSE&G SUB-STATION
BOSWELL ENGINEERING, INC	5014	805.00	METRO PCS NY 278/1&2
BOSWELL ENGINEERING, INC	5015	2,052.75	PUDDINGSTONE 267/10&11
BOSWELL ENGINEERING, INC	5016	161.00	HERRING 292/1
BOSWELL ENGINEERING, INC	5017	1,260.00	WESTER 290.01/3
BOSWELL ENGINEERING, INC	5018	885.50	MATTAR 98 MACALUSO
BOSWELL ENGINEERING, INC	5019	3,538.00	ARCADIS 12/7
BOSWELL ENGINEERING, INC	5020	1,462.00	WOLF 292/9.04
BOSWELL ENGINEERING, INC	5021	2,280.25	PATRIOT DEVELOP 90/1
BOSWELL ENGINEERING, INC	5022	1,700.75	VERIZON WIRELESS
BOSWELL ENGINEERING, INC	5024	<u>402.50</u>	116 WASHINGTON
TOTAL BUILDERS ESCROW		\$ 36,164.86	
 TOTAL BILL LIST		 <u>\$ 2,979,736.45</u>	

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.

Joe Rooney, 84 Braen Avenue thanked Attorney Pasquale and Administration for their pursuance in the matter, he gave his condolences to Councilman Wojtecki. The television broadcast of this evening's council meeting at his home was not operational. Councilman

Lane stated a there was a glitch during the work session and Mr. Jeron came and adjusted this and stated before the beginning of the regular meeting all was in working order.

Mr. Rooney questioned the completeness of the plans for Braen Avenue and its going out for bid. Engineer Boswell stated the plans are completed, the project will be going out to bid and will provide Mr. Rooney with a set of plans. Mr. Rooney asked about the drainage and Engineer Boswell stated that cut off will be at Ravine. Mr. Rooney questioned the culvert and Engineer Boswell stated up-sizing from the downstream of the culvert will be implemented. If too much up-sizing of the culvert occurred, it would harm Mr. Rooney's property and the water would have no where to go once it reached the Braen Avenue culvert. Engineer Boswell offered to meet with Mr. Rooney to review the plans and Mr. Rooney said that he has had previous discussions with Engineer Boswell regarding this. Mr. Rooney's understanding is that if you go under Braen Avenue, the water will be taken all the way to the river. It was established that you cannot go under Henry's, and it was mentioned going under Braen Avenue to Goffle Road. Engineer Boswell stated that the lion's share of the water will be taken before it ever reaches the culvert, the Ravine intercept is the real solution. Council President Bertollo asked Engineer Boswell what percentage is thought to be captured at the Ravine intercept and Engineer Boswell stated that he needs to look at the HEC 2 Runs to answer this. Council President Bertollo stated that Ravine and Braen need to go hand in hand, that Braen Ave. cannot be done if Ravine does not get done. The assumption all along was that the water coming from Wyckoff gets diverted the way it's suppose to be, it will lessen the amount of water that flows through Braen. Engineer Boswell stated that drainage from 29 acres to under 3 acres is 90%. Mr. Rooney stated that if the plans were previously looked at and 101 acres were in place, the development would never have been done and since the development is there, 101 acres will be removed. He continued that Engineer Boswell had stated that if anyone wanted to do any improvements in Wyckoff, these would have be to done downstream, and Mr. Rooney does not want that, and if it is opened up, then there is no problem with development in Wyckoff. Engineer Boswell stated that the way the regulations are and the fact that the surface water elevation cannot be raised at all downstream of where they are, means that velcocity or volume at flow rate can be added, all the water would have to be detained. Mr. Rooney questioned if work performed is under Braen Avenue to the back, what would be done on Valley Street. Engineer Boswell stated that Mr. Rooney is correct with the work being performed on Braen Avenue and he needs to review the plans for the work being performed on Valley Street and again offered to meet with Mr. Rooney to review the plans. Mr. Rooney asked if he could attend the meeting on Friday. Engineer Boswell stated that he saw no reason as to why Mr. Rooney could not attend. Council President Bertollo stated that Council must decide as to going out to bid on the project, this project still needs to be reviewed, the railroad needs to approve this. On the surface, this is what we want done, the water needs to be diverted. Mr. Rooney stated that the pipe will not be increased under Henry's, the volume is being increased. Engineer Boswell said the volume is being decreased which is the key. Council President Bertollo stated that the volume is decreasing by 90% or more by removing the Wyckoff water. Mr. Rooney stated that the Wyckoff water should be removed where Garden State Farms was located, the diversion was on this property and a large piece of this is being taken away. Engineer Boswell said that a small piece of this is being removed a little farther down the hill, it's

not that much. Mr. Rooney did not realize that Braen Avenue and Ravine were linked together. Council President Bertollo asked that if we did the Ravine portion of Wyckoff and nothing on Braen Avenue what would be accomplished and if we have to do anything on Braen Ave. Engineer Boswell stated that work would have to be performed on Braen Ave. because you want to get the water to pass quickly and out to under Henry's, you can't look at the actual volume, you must look at the time of concentration, the peak of the flow is changed as it goes through so that there is a spread out peak by taking this water out ahead of time. It is not just simply linear as you try to jam more water through, you are sending the water through at a different time. Therefore, the wave of water would interfere, by going under Henry's later, you get the water through and as the water is coming through, it does not back up. It does not sound logical but it does work. Mr. Rooney stated that the brook is high and asked if the volume will be increased at the area of where the pipe at the home built in the "funny" shape. Engineer Boswell said no. Council President Bertollo told Mr. Rooney that he and his sons have had meetings regarding this issue and suggested that they meet again to have their concerns heard, this will be advertised to residents on Braen Ave. and Valley and meet with the engineers in order to satisfy the concerns. Mr. Rooney stated that previous discussions held said the water was going to be taken down Braen Avenue, Valley Street, the Passaic River, now you are taking it to where you originally were going to take it, right underneath Braen Avenue. Engineer Boswell stated that a lot will be removed before it ever gets there, the pipe will be opened up to change the time of concentration so there is no backup, they are related and offered to show Mr. Rooney the HEC 2 Runs and how this works. Mr. Rooney thanked Council and Administration.

Mary Mahon, 64 Emiline Drive thanked Council for passing the buffer ordinance. She asked that if the articles she received from Dough Struyk regarding the Christian Health Care Center's pole, building and roads being moved 50 feet and will new plans need to be submitted. Attorney Pasquale stated yes, if the buildings are being moved, new plans would need to be done. She asked if the meeting is April 15th when do the plans need to be submitted. Attorney Pasquale stated that the plans would have to be submitted and on file in Wyckoff ten days before the meeting. Mayor Goldberg stated that Hawthorne's buffer rule does not apply to Wyckoff. Attorney Pasquale stated that if they have to meet our buffer requirements, the plans may be modified in advance. She asked if Hawthorne's buffer requirements could be brought up at the Wyckoff meeting and Mayor Goldberg stated that he saw no reason why they could not. Attorney Pasquale stated that Engineer Boswell would be reviewing the plans to see if they are in compliance with our ordinance. Engineer Boswell stated that the same person in his office is reviewing the plans for Wyckoff and Hawthorne. Ms. Mahon thanked Council and Administration.

Robert Kurdock, 15 Rose Court asked if containers and pods will be included with storage ordinance. Attorney Pasquale stated this will be a separate ordinance, the Ordinance Committee has this on their agenda. Dumpsters will be included in this ordinance since there is no adequate regulation on dumpsters, which would be construction type dumpsters, not garbage type. Mr. Kurdock asked if the boat house, which is on the property that is part of the Patriot Development path being demolished. Mayor Goldberg stated that taxes would need to be current when an application is made for demolition. Attorney Pasquale

stated that a home located on that property has already been demolished. Mr. Kurdock supports the walking map of the Environmental Committee, he agreed with Council that the request for the matching grant was too short of a time frame, but supports this project and Hawthorne should encourage walkers. He asked Council President Bertollo asked if the bike and walking path through the park which was to be done by Passaic County ever come to fruition. Mayor Goldberg stated that if a bike path was installed, one or two soccer fields would have been lost because of the width of the bike path. A bike path would require a vehicle path in the event of an emergency. So this is a dead issue. Mr. Kurdock asked if they could create a dirt bike type path and it was stated that one already exists. Council President Bertollo stated that the original plan called for a bridge over the Rotary Play area and into the Eight Acre Woods. Mr. Kurdock thanked Council and Administration.

Council President Bertollo asked if any one else wished to be heard. Seeing no one, Council President Bertollo entertained a motion to close the public comment portion of the meeting, moved by Councilman Matthews, seconded by Councilman Sinning. On roll call, all voted yes.

ADJOURNMENT

Council President Bertollo entertained a motion to adjourn the meeting at 9:53 p.m., moved by Councilman Matthews, seconded by Councilman Sinning. On roll call, all voted yes.

Council President Bertollo indicated that there will be a special meeting on March 31, 2010 beginning at 6:00 p.m. There will be no work session.

John Bertollo
Council President

Susan Witkowski
Borough Clerk