

May 5, 2010
Hawthorne, NJ

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 8:16 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 as well as a moment of silence for the passing of Al La Barre.

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.

Council President Bertollo asked Councilman Lane to address everyone regarding the television proceedings. Councilman Lane stated there have been problems with the sound during the past several months. A technician is working on this problem this evening, a new sound mixer has been installed and hopefully everything will be resolved this evening.

APPROVAL OF MINUTES

Council President Bertollo entertained a motion to approve the minutes of the Regular Meeting of April 21, 2010 and the Closed Session of March 31, April 7, and April 21, 2010 moved by Councilman Mele, seconded by Councilman Bennett. On roll call all voted yes. Councilman Lane abstained on the April 21, 2010 minutes.

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 Sinning, seconded by Councilman Matthews. On roll call, all voted yes.

ADOPTION OF ORDINANCES

Ordinance 2014-10 for Adoption

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF HAWTHORNE TO REVISE AND REPLACE CHAPTER 95, FEES, SECTION 220, WATER

Administrator Mauer stated the Finance Committee and Administration discussed the suggestion of a senior citizen discount. The Finance Committee is recommending to Council to introduce an amendment to this ordinance at the next meeting, adopt the amendment in June and the ordinance would be effective at the same time this ordinance goes into effect. The recommendation is to have a fifteen percent (15%) reduction for senior citizens on the amount of the minimum bill, which covers the first 7,000 gallons for each quarter. This will amount to \$4.45 discount off of the new minimum bill of \$29.70, which reduces the bill to a lower minimum than existed last year. This discount applies to senior citizens who qualify for the senior citizen discount on property taxes.

Council President Bertollo asked if there were any questions and Councilman Lane thanked Administration and the Finance Committee for looking into the issue of a senior citizen discount and asked if there will be any problems regarding the billing software. Mayor Goldberg said there will be no problems. Director of Revenue and Finance Hewitt said the software company was contacted and a minor adjustment is needed in order to install a code rate and the software company will not charge the borough for this installation.

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.

Seeing no one, Council President Bertollo entertained a motion that the public hearing on Ordinance No. 2014-10 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.2014-10, moved by Councilman Matthews, seconded by Councilman Mele. Council President Bertollo asked if there is any discussion and Councilman Lane stated he voted no on the introduction of this Ordinance and will be voting yes on the adoption based on the separate ordinance pertaining to the senior citizen discount. On roll call, all voted yes.

OLD BUSINESS

Councilman Wojtecki asked Administrator Mauer for an update on 111 Wagaraw Road which is Congress Mills property. Administrator Mauer said that inspectors have been at the property, the issue with the cars parked on the property has been resolved, the hole under the fence has been filled in, there has been painting on the property and other work is still in progress. Mayor Goldberg said the owner of the property was in court last week and he spoke with Code Enforcement Officer Turner who is satisfied with the progress that has been undertaken. Councilman Wojtecki said that one car was parked on the property, there is a hole in the fence next to the single manhole on the sidewalk, on the alley side of the property, the fence has been removed and a dog patrols the area. The person that brought the previous issues to Councilman Wojtecki's attention has brought these new issues to his attention.

Councilman Wojtecki asked if any action has been taken with regard to portable storage units. Attorney Pasquale said this issue has not been discussed with the Ordinance Committee, however this can be included when dumpsters are reviewed. Councilman Wojtecki stated there is a resident who is concerned with a pod storage unit that has been on a neighboring property for three months. Councilman Wojtecki said he drove past the property and the unit is located in the middle of the driveway. Attorney Pasquale said that he has received a sample model ordinance from a pod company and he will discuss this with the Ordinance Committee since this is a good quality of life issue to deal with.

Councilman Matthews asked if the Cornell and Florence Avenue work is completed. Mayor Goldberg said that Department of Public Works Director Clementi wrote to the homeowners asking how many and what types of plants were destroyed in order to recreate what was there. However Mayor Goldberg is not sure whether Mr. Clementi has received all of the information. Councilman Matthews stated that the work was to be completed in one week. Mayor Goldberg again stated that he is not sure if Mr. Clementi has received all of the information.

Councilman Lane asked if any correspondence has been received from the DEP regarding Wagaraw Road. Mayor Goldberg stated nothing has been received from the DEP regarding the tire storage issue on Wagaraw Road. Councilman Lane asked if anyone from the DEP has conducted an inspection and Mayor Goldberg said he did not know if an inspection was conducted. Mayor Goldberg stated Mr. Kelly wrote a letter to the DEP on behalf of Giant Tire but again did not know if the DEP has conducted any inspections.

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

NEW BUSINESS

Council President Bertollo asked if there was any new business to discuss. There was no new business to discuss.

ADMINISTRATIVE AGENDA

Mayor Goldberg stated that two labor contracts will hopefully be ratified later in the meeting. The contracts reflect the conditions of our economy, the State of New Jersey and the Borough of Hawthorne's financial situation. Mayor Goldberg believes these contracts are fair and he commended the two unions on settling. With the completion of these contracts, attention can be directed towards the expiring PBA contract. Mayor Goldberg thanked Administrator Mauer and Labor Attorney Knapp for resolving this issue.

He also stated that even though the Borough's budget has not been adopted, the impact of Governor Christie's proposed 2.5% hard cap on the Borough is being looked into. Administrator Mauer is already looking at ways to come into cap for next year and the following year depending on what the Governor does, when it happens and whether the voters will approve the 2.5% hard cap. We are preparing as if the hard cap will be implemented next year and again, hard choices will need to be made.

This concludes Mayor Goldberg's report.

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

Director of Revenue and Finance Hewitt reminded everyone that May 10, 2010 is the last day to pay taxes without interest. If taxes are not paid by the tenth, interest reverts back to May 1st. On behalf of the Tax Collector Crowley, Director of Revenue and Finance Hewitt reminded all seniors that dropped off their property tax reimbursement forms prior to May 1st, to come to the tax office and pick up their forms. She also reported that shut off notices will be mailed for water accounts that have outstanding balances, which is an annual event, required by law and notices must be sent prior to a tax sale.

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

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

Attorney Pasquale distributed to Council a draft of the sign ordinance and asked that they review and comment. He told Council to call or email him with their comments and/or concerns. This ordinance is a work in progress, is going to take time and encouraged suggestions. He stated that some of the decisions were made by him with regard to encouraging or discouraging certain issues. Attorney Pasquale believes these issues need to be looked at not only by the Ordinance Committee but by Council as well.

Attorney Pasquale asked Council to approve a Resolution at this meeting finalizing the settlement with K. Hovnanian as to the North Haledon water project and the Hawthorne/Lafayette Hills Project. The settlement agreement that was sent to Council previously was slightly modified, more so in form than substance, there were very few substantive changes made to the resolution that was sent on Friday, April 30th, which calls for the settlement to take place. We will now go from a performance guarantee instead of a maintenance

guarantee and release the performance obligations of K. Hovnanian in both projects. In exchange, K. Hovnanian has agreed to reimburse certain homeowners in the borough who had damage as well as give funds to the Borough in order to address the final issue, which is the SCADA issue at the pressure reducing valve. Attorney Pasquale believes this is a fair settlement and recommends this.

Attorney Pasquale had no new information regarding the Enterprise sign issue.

Correspondence has been received regarding the Scuffy Carting matter. Approval for a transfer of all the activities to a new servicing company was previously distributed. This new company has been collecting in the town for several months. Attorney Pasquale will be addressing lingering questions regarding a factoring company which is trying to interfere in the contract.

Attorney Pasquale stated that after a lengthy meeting with Clerk Witkowski and Administrator Mauer on May 4th, the table of contents was finalized for the new codes books, which are in the process of being printed. It is anticipated to have a draft of the code book within a few weeks. It is also anticipated that by the end of June, the actual code books will be ready for distribution.

This concludes Attorney Pasquale's report

Mayor Goldberg recalled the resolution approving the railroad track going through Hawthorne and the speed concerns of Council and the Public Safety Committee. Mayor Goldberg had a meeting with the Public Safety Committee and Captain McAuliffe from the Office of Emergency Management. Captain McAuliffe did not see any additional issues. Captain McAuliffe stated that a train going faster derails a different way than a train going at a slower speed. The speed of trains is regulated by the Federal Government and not by the Borough. Mayor Goldberg received a report from Mr. Robert Kurdock which stated the Federal Railroad Administration, or FRA, Title 49 CFR – the FRA has the responsibility for track and safety standards. There are strict standards for each designation, Class 1, Class 2, Class 3, etc. Each Class determines the allowable speed for that section. There are many factors that determine the classes. Some, but not all of the factors are tie conditions, railroad conditions, connectors, vegetation, gauge elevations, etc. Speed examples are Class 1 up to 10 miles per hour, Class 2 up to 25 miles per hour, Class 3 up to 40 miles per hour, Class 4 up to 60 miles per hour and Class 5 up to 80 miles per hour. The FRA sets visual and electronic inspection requirements and the FRA is the sole authority. It is Mayor Goldberg's understanding that Hawthorne is the last community to come forward with a resolution in support of this. The positive for Hawthorne is that it will move trains through the borough at a quicker pace, which means that the crossing will not be as tied up. The negative is that we have some un-gated crossings which means those trains will reach them quicker and individuals who thought that they had time to pass through those crossing because the trains are moving slower may not have as much time. It is anticipated that they will obey the signals when alerted. Mayor Goldberg suggested that Council President place this back on the agenda for the next meeting as well as thanking Mr. Kurdock for his assistance.

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

Engineer Boswell reported on the following:

Goffle Hill Force Main – The Treatment Works Approval Permit was received via facsimile on Friday, April 30th and the actual permit was received today. Approval for two resolutions is being requested this evening, R82-10 which represents the award of the project to Stacey Contracting in the amount of \$356,946.50, and Resolution R81-10 representing the proposal for the construction inspection. These resolutions need to be adopted in order to complete the checklist to submit to the DEP who will then authorize the award of the project. This is being done with infra-structure trust fund money and many steps are required for this.

Lining of Pool Drain Pipe has been successfully tested and completed. The water level has been monitored and it appears that there is no leakage in the pool

Underground Storage Tank Groundwater Monitoring test results are due approximately May 13, 2010.

2010 Road Program – Every resident who requested an on-site meeting has been accomplished. If there is a resident who wishes an on-site meeting, they should call Kristen Hayes of Boswell Engineering at 201-641-0770. The plans are being finalized and will be submitted to Community Development. Some of the funding for this project is coming from Community Development which is why they must review the plans. Bidding is anticipated for the end of May or beginning of June.

Christian Health Care Center application is scheduled to be heard at the May 20, 2010 Board of Adjustment meeting in Wyckoff.

Goffle Brook Bank Stabilization – An expedited meeting is scheduled with the DEP and the results of this meeting will be reported at the next Council meeting.

Drainage Improvement Project – The railroad's letter of approval was received today. Attorney Pasquale is executing the easements with the homeowners. Once this is accomplished, we will be able to go to bid.

Brockhuizen Lane – The project was bid and it is recommended that it be awarded to 4 Clean Up, Inc. this evening, which is Resolution R87-10. Boswell Engineering has had experience with 4 Clean Up, Inc. in two other boroughs and they did a very good job. A pre-construction meeting has been scheduled for May 13th based on the presumption that Council will approve the resolution.

Hawthorne/Ridgewood Water Project – No answer has been received wherein we can check the pressure, if we can substitute our water for their tank.

Chlorine Conversion Project – The DEP continues to request additional information and we are working with Dan Tedeschi to address these items.

Kohler Field Soil Borings – The purchase order has been ordered and work should start in the near future. It is anticipated that the results will be reported at the next Council meeting.

Veteran's Field Lighting – County approval is required in order to design the lights.

Water Tight Manhole Proposal -- Was submitted.

Leading Left Turn Signal at Wagaraw Road and Lincoln Avenue – The price to install this is \$6,311.22, which is a quote received from Allen Briteway Electrical Contractors. Approval is need from Mayor and Council.

In conjunction with working with the DPW, the tennis courts were beginning to show cracks and instead of waiting to rebuild the courts, a purchase order in the amount of \$500.00 was issued to do crack sealing. By doing this, the life of the tennis courts will be extended and will prevent past problems. Engineer Boswell commended Director of Public Works Clementi, Administrator Mauer, Mayor Goldberg and Council for supporting this and spending \$500.00 today which is a lot smarter having to rebuild the tennis courts which would cost hundreds of thousands of dollars.

That concludes Engineer Boswell's report.

Mayor Goldberg called upon Borough Administrator Eric Mauer for his report.

The County Open Space Grant for the Veterans Field lighting has been approved by the Freeholders and a Resolution accepting this grant will be presented at the next Council meeting.

Approval for our energy audit grant was received from the New Jersey Clean Energy Program. The Resolution awards this grant to Camp, Dresser, McGee and will be presented at the next Council meeting. This project has been sponsored by the Environmental Commission.

Administrator Mauer reminded residents that pool/summer recreation/tennis camp and leadership information is available on the borough website.

Bid specs for a five year contract beginning next year for garbage and recycling collection has begun and it is anticipated that this bid will go out in July.

Administrator Mauer distributed information to Council regarding the budget process, cuts and decisions that were made by Administration and the Finance Committee.

The resolutions for the two union contracts approval are on tonight's agenda. The 3 year increase for the Blue Collar contract for 2009, 2010 and 2011 is 2%, 0% and 2%. The

increase for the White Collar Contract for 2010 and 2011 is 0% and 2%. Also included is a change in health benefits which will save approximate 7/10% on salary. It is believed that these are good economic settlements. Administrator Mauer thanked the unions for recognizing the situation and agreeing to the settlements.

This concludes Administrator Mauer's report.

Mayor Goldberg asked Council if there were any questions for Administration.

Councilman Bennett asked Attorney Pasquale when the easements for drainage project will be completed and he stated they will be done by the end of the week and will need to be signed. Councilman Bennett asked when this project can go to bid. Engineer Boswell stated once the easements are received, the bids can go out within a week to ten days. The bids can be received within three weeks and awarded at the following meeting. Councilman Matthews asked if Engineer Boswell was referring to Phase I of the drainage improvement project. Engineer Boswell stated the project being discussed is Washington and Royal. Councilman Matthews stated that at previous meetings the repair at Braen Avenue is dependent upon what happens upstream and the drawings may not reflect what the final product is. Engineer Boswell stated that Councilman Matthews was not at the meeting where it was decided that Braen Avenue would not be worked on. Councilman Bennett asked Engineer Boswell if the drainage problems at the pool are resolved and Engineer Boswell said the pool was filled in the deep end, monitored for a number of days, and there has been no loss of water.

Mayor Goldberg stated that part of the drainage project will be paid for by a grant received which was applied for by Capital Alternatives and the tax payers will have an approximate \$300,000 break.

Councilman Lane asked Attorney Pasquale about the release of the Performance Bond to K. Hovnanian and implementing a maintenance bond is correct. Attorney Pasquale said it is correct, in both projects it would be an acceptance of the work as recommended by our Water Department and Engineer, a release of the cash portion of the performance bond and a maintenance bond would go into effect. Councilman Lane asked if the performance bond would be released once all the work is completed and Attorney Pasquale stated that all of the work has been completed and the only work that has not been completed to our satisfaction is the SCADA system. Councilman Lane asked if this work need to be completed prior to releasing the performance bond and Attorney Pasquale said no, the work will be done by us and K. Hovnanian will give us the funds to do this work, which is \$10,750.00.

Councilman Lane discussed the railroad resolution stating that the railroad would provide all of the safety features and then implement higher speeds for the trains. He stated that last evening, a train passed through town at a faster speed than normally and asked if the speed of trains has been increased without implementing the safety concerns, and there are no gates at some of the crossings. Mayor Goldberg stated that he does not believe that any work on the tracks has been done and one of our concerns is that are no gates at some of the crossings. Councilman Bennett stated he was coming from the train station and a freight

train was in route. He clocked the speed of the train at 25 mph and he suspected that the train was travelling faster.

Councilman Lane asked Engineer Boswell if the gas main issue on Brockhuizen Lane has been resolved and Engineer Boswell said yes, the road will be installed, Public Service will not be moving the gas line and if there are any problems, Public Service will do the repairs. Councilman Lane asked if this will cause any problems for us if Public Service has to do repairs in the future. Engineer Boswell stated if there is a problem with the gas main during construction, we will be creating the problem and if the road survives the construction, there will not be any problems.

Council President Bertollo stated the road opening permit ordinance was amended last year and a time limitation was placed in this ordinance. After the repaving of a road, the utility company may have to infringe, repair the road and at our discretion, they may have to go from curb to curb. Three months following the repaving of Parker Avenue, new gas lines had to be installed. Engineer Boswell stated that all utility companies are informed of the work that is being performed in town and several meetings have been conducted with regard to the project on Brockhuizen Lane.

Councilman Mele asked if Veterans Field has been aerated, it is not as wet as was in the past. Engineer Boswell stated it has stopped raining, when it rains, the field is wet and the groundwater table rises which traps the water. Drainage was never installed at this field because of the proximity of the Passaic River, cost and other issues. What is seen now is that the field is dry, the river is low, the groundwater table level has dropped. Engineer Boswell stated he met with Kevin Downes last evening and Mr. Downes said he will make any repairs to the field that need to be made. Councilman Matthews stated that the sod is working but the grass around the edges of the sod is not coming up and will this be re-seeded. Engineer Boswell said he will look into this matter.

Councilman Sinning asked Attorney Pasquale if he could provide a copy of the ordinance to Carl Schmit of the Economic Development Committee in order for the Committee to review it. This is in conjunction with the Committee's downtown grant application. Attorney Pasquale stated that some items in the grant application are included in the ordinance. The definition of aesthetics and regulations of awnings have been included. Attorney Pasquale was aware that this information was required for the grant application and said that he will provide a copy of the ordinance to Mr. Schmit.

Councilman Wojtecki asked Dr. Boswell to explain why there were cracks in the tennis courts and does the warranty cover this. Engineer Boswell stated the maintenance bond is only for two years and it has been five years when the cracks appeared. Engineer Boswell also stated that the ground moves because of the aquifer underneath the tennis courts which is causing the cracks. If the courts were constructed on concrete, there would be a perfect surface, however it would cost three to four times more than by constructing the courts on asphalt. Asphalt is only a coating, it is non-structural and sits on the earth which provides structure. When there is water underneath the earth, which is there because of the high groundwater, movement happens. The rusting that occurred was because of the water.

Councilman Wojtecki stated the gas smell at 776 Goffle Road has moved. The holes were dug and plugged, however, the smell has moved.

Council President Bertollo asked Engineer Boswell if the tennis courts need to be painted because of the sealing. Engineer Boswell said yes. Council President Bertollo asked Engineer Boswell about the manhole project. Engineer Boswell said a proposal was submitted approximately two weeks ago.

Council President asked if there were any more questions for Administration. There were none.

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 NO. 2016-10

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT CHAPTER 210 OF THE CODE OF THE BOROUGH OF HAWTHORNE VEHICLES AND TRAFFIC SO AS TO PROHIBIT STOPPING OR STANDING ON ROCK ROAD, BETWEEN GOFFLE ROAD AND THE RAILROAD TRACKS, AT CERTAIN TIMES, AND TO REVISE ARTICLE VII, SCHEDULE XIV SO AS TO ADD THERETO THE SAID LOCATION

BE IT RESOLVED, that Ordinance No. 2016-10 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 June 2, 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 Sinning. Council President Bertollo stated that this ordinance is for street sweeping as well as resolving commuter parking issues. On roll call, all voted yes.

RESOLUTIONS

CONSENT AGENDA – MR01-10 through R78 through R82-10, R84-10 through R87-10

MR01-10 Resolution, Introduced by Councilman Mele

BE IT RESOLVED by the Mayor and Council of the Borough of Hawthorne, in the County of Passaic and State of New Jersey, that:

1. The words and phrases used herein shall have the same meaning respectively ascribed to them in Subtitle 1 of Title 39 of the Revised Statutes of New Jersey.
2. Pursuant to the Authority granted under N.J.S.A. 39:4-197.6, the following location is hereby designated as a restricted parking space for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles. No other person shall be permitted to park in this space.
3. The parking space will be located on the north side of Franklin Avenue beginning at the northeast corner of the driveway entrance to 45 Franklin Avenue and extending twenty-five feet (25') east in front of the residence known as Block 38 Lot 14 (also known as 45 Franklin Avenue) as shown on the Borough Tax Map.
4. The Police Department is hereby directed to have proper signs calling attention to the provisions of the resolution erected or placed upon said street.
5. This resolution shall take effect on adoption and posting of the signs required above.

R78-10 Resolution, Introduced by Councilman Mele

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated April 23, 2010.

CURRENT FUND	WT 888889	\$229,369.95
WATER OPERATING FUND	WT 888889	\$37,154.20
OTHER TRUST II FUND	WT 888889	\$26,055.50
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TOTAL PAYROLL		<u>\$292,579.65</u>
CURRENT FUND TO	WT	\$

PAYROLL/FICA	888889	\$13,730.08
WATER OPERATING FUND TO PAYROLL/FICA	WT88889	\$ -
TOTAL FICA		<u>\$13,730.08</u>

R79-10 Resolution, Introduced by Councilman Mele

WHEREAS: There was an overpayment made by the owner of 5 Ashley Court for Water Account #00313784 in the amount of \$17.34, and

WHEREAS: The owner has requested a refund of this amount,

NOW, THEREFORE, BE IT RESOLVED: that the Collector of Tax/Utilities hereby recommends that the Treasurer be authorized by the Municipal Council of the Borough of Hawthorne to issue a check from the Water Operating Account in the amount of \$17.34 to reimburse Jerry Zapata for overpayment of water for 2010.

R80-10 Resolution, Introduced by Councilman Mele

WHEREAS, the Memorial Day Parade in the Borough of Hawthorne will take place this year on Monday, May 31, 2010, and organizations that will be performing in the parade require payment immediately following the parade.

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

Hawthorne Caballeros Alumni	1,100.00
Hawthorne Caballeros	1,100.00
Hawthorne High School Band	700.00
Cadets Drum & Bugle Corps	3,500.00
NY Skyliners Drum & Bugle Corps	2,500.00
Reilly Raiders Drum & Bugle Corps	2,500.00
John F. Kennedy High School Band	800.00
St. Clares Emerald Knights	725.00
Spirit of Newark Drum & Bugle Corps	500.00
6 th New Hampshire Volunteers	300.00
Military Transport Assoc.	575.00
Wayside Farms – Sheep & Dogs	600.00
Passaic County Tech ROTC	100.00

R81-10 Resolution, Introduced by Councilman Mele

WHEREAS, there exists a need for engineering services for construction inspections for the Goffle Hill Force Main Replacement project 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 \$39,300.00 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.

R82-10 Resolution, Introduced by Councilman Mele

WHEREAS, on March 26, 2010, the Borough of Hawthorne received bids for Replacement for the Sanitary Force Main Replacement at Goffle Hill Road and Sicomac Road in the Borough of Hawthorne authorized by Ordinance #1991-09; and

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

Stacey Contracting, Inc.
642 Broad Street
Clifton, New Jersey 07013

in the amount of \$356,946.50.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited lowest responsible bidder contingent on the approval of NJDEP and the approval of the TWA Application as well as 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 Stacey Contracting, Inc. in a form approved by the Borough Attorney when these conditions have been met.

R84-10 Resolution, Introduced by Councilman Mele

WHEREAS, K. Hovnanian at Hawthorne, LLC, d/b/a K. Hovnanian Homes, its predecessors, successors and assigns, collectively referred to as "Hovnanian," was the owner and developer of certain real property known as Block 287, Lots 2.01, 3, 29 and 38 as set forth on the Tax Map of the Borough of Hawthorne, the development being commonly referred to as Lafayette Hills; and

WHEREAS, in connection with that development, Hovnanian or its predecessor entered into a Developer's Agreement with the Borough of Hawthorne (Hawthorne) and caused to be posted with Hawthorne Performance Surety Bond 8734434 (the Construction

Bond), issued by Fidelity and Deposit Company of Maryland, ensuring the completion of certain improvements to be constructed within and appurtenant to the development in total sum of \$3,384,526.95, including cash portion thereof in the amount of \$376,058.55; and

WHEREAS, by Resolution of the Municipal Council of Hawthorne, approved September 5, 2007, the said bond was reduced to \$376,058.55 with cash portion of \$112,817.57; and

WHEREAS, Hovnanian provided notice to Hawthorne contending that all covered improvements were satisfactorily completed and therefore requesting acceptance of such improvements and release of the Construction Bond and cash portion thereof; and

WHEREAS, Hawthorne disputed the contention of Hovnanian that all covered improvements were completed and also commenced a legal action against Hovnanian, under Docket Number PAS-L-2545-2009, alleging, inter alia, that Hovnanian had failed to satisfactorily complete certain elements of the development and also had caused damage to real and personal property owned by certain identified private homeowners living in the area of the development; and

WHEREAS, Hovnanian filed an Answer and Counterclaim seeking, inter alia, the dismissal of the claims of Hawthorne, acceptance of all improvements covered by the Construction Bond, and release of the Construction Bond and cash portion thereof; and

WHEREAS, Hawthorne and Hovnanian's sister company, K. Hovnanian at North Haledon, LLC, by separate agreement, also entered into an Inter-Local Agreement with the Borough of North Haledon relative to the installation of certain off site water system improvements and furnished a separate surety bond issued by American Insurance Company as bond number 11-3358-8571 (the "Inter-Local Bond"); and

WHEREAS, by resolution dated January 22, 2003, the Municipal Council of Hawthorne reduced the Inter-Local Bond to \$546,510.00; and

WHEREAS, Hovnanian provided notice to Hawthorne that it had satisfactorily completed the water system improvements and therefore requested that Hawthorne accept the improvements and release the Inter-Local Bond posted in connection with the Inter-Local Agreement; and

WHEREAS, Hawthorne, on behalf of itself and North Haledon, disputed that the said improvements were satisfactorily installed or completed; and

WHEREAS, Hovnanian demanded arbitration to resolve those matters in dispute in accordance with the terms of the Inter-Local Agreement; and

WHEREAS, the parties, after much discussion, negotiation, exchange of information and with advice of legal counsel have determined it in their mutual best interest to effectuate settlement of all claims set forth in the various filings and all claims between the parties now existing or

that may have been asserted under the Developer's Agreement or Inter-Local Agreement, as aforesaid;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does hereby approve of the proposed settlement reached between the parties in accordance with the terms and conditions of the settlement agreement annexed hereto, said agreement being subject to final review and approval by the Borough Attorney as to form and content;

AND IT IS FURTHER RESOLVED, that Hawthorne hereby approves the release of the Construction Bond and the Inter-Local Bond referenced herein as well as all cash funds being held by Hawthorne, subject to posting by Hovnanian within ten (10) days of approval hereof of security in the form of Maintenance Bonds to replace the Construction Bond and the Inter-Local Bond in accordance with Statute and all terms and conditions of the settlement agreement as aforesaid.

R85-10 Resolution, Introduced by Councilman Mele

WHEREAS, the Borough of Hawthorne, through its administration, has negotiated a contract with the UPSEU, United Public Service Employee's Union, Blue Collar Unit, as representative to its white collar employees for the period commencing January 1, 2009 and ending December 31, 2011; and

WHEREAS, a Memorandum of Understanding and proposed contract have been created a copy each being annexed hereto; and

WHEREAS, the Administration has recommended approval of the contract, as summarized in the Memorandum of Understanding and set forth in the proposed contract, subject, nevertheless to a final review of the contract by legal counsel;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does hereby ratify and approve the contract, as summarized in the Memorandum of Understanding and proposed contract, subject nevertheless to approval of a formal contract and adoption of any and all required ordinances.

R86-10 Resolution, Introduced by Councilman Mele

WHEREAS, the Borough of Hawthorne, through its administration, has negotiated a contract with the UPSEU, United Public Service Employee's Union, White Collar Unit, as representative to its white collar employees for the period commencing January 1, 2010 and ending December 31, 2011; and

WHEREAS, a Memorandum of Understanding and proposed contract have been created a copy each being annexed hereto; and

WHEREAS, the Administration has recommended approval of the contract, as summarized in the Memorandum of Understanding and set forth in the proposed contract, subject, nevertheless to a final review of the contract by legal counsel;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does hereby ratify and approve the contract, as summarized in the Memorandum of Understanding and proposed contract, subject nevertheless to approval of a formal contract and adoption of any and all required ordinances.

R87-10 Resolution, Introduced by Councilman Mele

WHEREAS, on April 30, 2010, the Borough of Hawthorne received bids for the Improvements to Brockhuizen Lane in the Borough of Hawthorne authorized by Ordinance #1989-09; and

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

4 Clean-Up, Inc.
P O Box 5098
North Bergen, NJ

in the amount of \$249,570.00

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited lowest responsible bidder contingent on 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 4 Clean-Up, Inc. in a form approved by the Borough Attorney when these conditions have been met.

Council President Bertollo entertained a motion to approve Resolutions MR01-10, R78-10 through R82-10 and R84-10 through R87-10 moved by Councilman Mele, seconded by Councilman Sinning. Council President Bertollo asked if there was any discussion. Councilman Wojtecki requested that Resolutions R85-10 and R86-10 be pulled for further discussion. Council President Bertollo asked for a motion and there was none. On roll call all voted yes. Councilman Wojtecki voted no on Resolutions R85-10 and R86-10.

OFF CONSENT AGENDA: R83-10

R83-10 Resolution, Introduced by Councilman Matthews

WHEREAS, an emergency has arisen with respect to the amounts allocated in the 2010 Temporary Operating Budget and/or the 2010 Temporary Water Operating Budget other expenses due to the permanent budget not yet being adopted, and the 2010 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 2010 pursuant to the provision of N.J.S.A. 40A:4-20 including this resolution total \$5,490,955.00.

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:

Emergency temporary appropriation be and is hereby made for the following line items in the listed amount:

Uniformed Police	
Salaries & Wages	5,000.00
PEOSHA	
Salaries & Wages	1,000.00
Fire Safety	
Salaries & Wages	1,000.00
Sewer System	
Salaries & Wages	1,000.00
Library	
Salaries & Wages	1,500.00
Fire Department	
Other Expenses	5,000.00
DPW Administration	
Other Expenses	5,000.00
Vehicle Maintenance	
Fire Dept	6,000.00
Public Events	15,000.00
WATER OPERATING	
Salaries & Wages	33,200.00
Other Expenses	20,000.00

Council President Bertollo entertained a motion to approve Resolution R83-10 moved by Councilman Matthews, seconded by Councilman Sinning. Council President Bertollo asked if there was any discussion. Councilman Lane asked Attorney Pasquale if he is allowed to vote on this Resolution since there are two items relate to the fire department and fire safety he would need to abstain on these items, however he is allowed to vote yes on the rest of the appropriations. On roll call all voted yes. Councilmen Lane and Wojtecki voted no on the matters that include the fire department.

REPORTS OF SPECIAL COUNCIL COMMITTEES

Councilman Wojtecki represented the Mayor at the Annual Arbor Day celebration. It was the 20th year for receiving a trophy for Tree City USA. He complimented the Lincoln Middle School Band for a job well done. A flag and trophy were received and Mr. Phil Savoie will be asking where the past trophies and plaques that have been awarded may be displayed. He would like these to be displayed at the Library.

The Finance Committee continues to meet and Councilman Matthews, who is the Chairman, will report.

Councilman Sinning stated that Council has received a draft copy of the sign ordinance and if Council's has any comments, to give those Comments to Attorney Pasquale or to him prior to the next Ordinance Committee meeting. Councilman Wojtecki stated there are multiple items in this ordinance that already exist and the ordinance should be revised. Councilman Sinning stated the Committee is aware of this. A discussion ensued regarding the draft of this ordinance.

Councilman Matthews reported the Finance Committee met on May 3rd and discussed reinstating Thursday recycling hours that were proposed to be trimmed, funding was reallocated from another area of the budget. The recycling center remains open. Administrator Mauer distributed a memo to Council regarding the water rates for qualifying senior citizens whose water rates were decreased from this year's rates. There are a limited number of senior citizens who will see a savings, however they do need to qualify for this rate. A list was provided to Council regarding the budget cuts, which states each department, explains where the cuts were made and the amounts removed. He asked Council to review this and to contact him if there are any questions prior to the work meeting on May 19th.

Councilman Matthews attended the Junior Police Academy's Gun Range Open House and there were over 100 participants. The graduation ceremony for this program will be held on May 11th and he encouraged everyone to attend.

Councilman Mele asked Councilman Matthews if the Farmer's Market is on schedule and he stated yes, logistics for restroom facilities are being worked out. Councilman Matthews also stated the Chamber of Commerce is working with the American Legion collecting travel size toiletries items for the soldiers and there are drop off boxes around town. Councilman Mele thanked the Shade Tree Commission for their invitation to the Arbor Day celebration and planting the white oak trees. He complimented the middle school band on the wonderful performance. Municipal Alliance held a dinner at the high school for senior citizens on April 13th. 70 seniors attended and 12 members of the peer council assisted the seniors. Municipal Alliance will be providing a float in the Memorial Day Parade, which is being chaired by Charlene Elvin, as well as hosting the Host The Most Loose the Most campaign, an ad is being published in the May 6th edition of the Hawthorne Press.

Councilman Lane announced that the Economic Development Committee, the Volunteer Railroad Association and the Susquehanna Railroad executed a lease to relocate the railroad station. The Volunteer Railroad Association is scheduling a groundbreaking ceremony, plans will be presented to the Building Department for review and permits will be issued. Council waived the permit fees for the Railroad Association and the station is being relocated at the expense of the Volunteer Railroad Association. The area of the current train station will become a park-like sitting area.

Capital Alternatives grant writers have submitted a grant for revitalization of downtown to the DOT. This project will have four phases, the total grant is \$1,200,000. This first portion of the grant is \$250,000.00 commences at Diamond Bridge and Lafayette Avenues to St. Anthony's Church, and will include the new pocket park. An answer from the DOT has not been received, however the grant writers believe we will be awarded this grant.

The Economic Development Committee has been working very closely with the Mayor in the Kohl's matter. There is a verbal agreement with Kohl's to come to Hawthorne and it is anticipated that there will be a signed contract or agreement in the near future.

Councilman Lane thanked the Shade Tree Commission for inviting him to the Arbor Day celebration. He also complimented the wonderful performance of the Middle School band.

Councilman Bennett stated Engineer Boswell gave the report regarding the tennis courts. Engineer Boswell stated the cracks will be filled, repainted and the lines will be repainted on the tennis courts.

Councilman Wojtecki asked Engineer Boswell when the list for the streets to be paved will be posted. Engineer Boswell said that this is a year-by-year project and the next selection of streets will occur in March 2011 with work commencing in June, 2011. The streets are selected by the Public Works Committee and the list is distributed in March. Residents will be aware in April, 2011. Councilman Wojtecki recalled past lists. Engineer Boswell said these lists existed, however the problem was the variable cost of asphalt, if the price of a barrel of oil rises, the price of asphalt could rise approximately 100%. Engineer Boswell is comfortable with the way the DPW Committee selects the streets to be repaved. Council President Bertollo believes that a partial list has been completed for next year's program. Engineer Boswell stated that the budget is a factor in deciding the streets. Councilman Bennett stated that grant funding is also taken into consideration for this project. Councilman Mele asked if the County does any work on our streets. Administrator Mauer stated the County has awarded the contracts but does not know when the work will commence. Engineer Boswell stated the streets to be repaired as well as the contractor performing the work is known. Councilman Wojtecki asked if Engineer Boswell was waiting for an answer with regard to the Goffle Brook Stabilization since this influences Warburton and Rea Avenue. Engineer Boswell stated this was reported on earlier, and is holding up Rea Avenue and Warburton. Council

President Bertollo asked if Warburton was on the list for this year. Engineer Boswell stated that Warburton was pulled from the list since the bridge was not completed.

Council President Bertollo asked Engineer Boswell if he could follow up on a letter received from an engineer with regard to a detour plan at the Diamond Bridge Avenue railroad crossing. This needs to be coordinated with the County Engineer since we have requested them to pave through the center of town to the railroad crossing.

Council President Bertollo stated that the Junior Police Academy culmination will be held on Tuesday, May 11th beginning at 7:00 p.m. at the Boys & Girls Club and encouraged everyone to attend. This is a great program and partnership with the Borough, the Police Department, Municipal Alliance and the Boys & Girls Club.

CORRESPONDENCE

C-1 Approved application was received from the Board of Fire Commissioners presents for membership to Department Five, Michael Naumov, 97 Florence Avenue. Council approval is required on the application for the New Jersey State Fireman’s Association.

Council President Bertollo entertained a motion to approve Correspondence C-1 moved by Councilman Matthews, seconded by Councilman Sinning. On roll call all voted yes. Councilmen Lane and Wojtecki abstained.

MISCELLANEOUS

RL-1 RL#969 Jefferson School PTO has requested permission to conduct a Ducky Derby Raffle to be held on June 6, 2010

Council President Bertollo entertained a motion to approve Miscellaneous RL-1 moved by Councilman Sinning, seconded by Councilman Matthews. On roll call all voted yes.

BILLS

Council President Bertollo entertained a motion to approve the bills and forward them to the Treasurer for payment. Motion was moved by Councilman Mele, seconded by Councilman Sinning. On roll call, all voted yes. However, Councilmen Lane and Wojtecki abstained on Check Nos.9923, 9924, 9925, 9928, 9929, 9931, 9947, 9948, 9949, 9950, 9951, 9954, 9955, 9962, 9979, and 9989.

VENDOR	CHECK#	TOTAL	DESCRIPTION
CURRENT FUND			
6TH NEW HAMPSHIRE VOLUNTEERS	9921	300.00	PUBLIC EVENTS O/E
A T & T	9922	45.92	TELEPHONE CHARGES

ADVANCED AIR SYSTEMS LLC	9923	1,153.38	FIRE DEPT O/E
AIG-VALIC	9924	2,152.50	RESERVE FOR LOSAP
ANTHONY DIVINCENT	9925	30.00	TELEPHONE CHARGES
B & C COMMUNICATIONS, INC	9926	324.50	VARIOUS
BERGEN COUNTY HARLEY-DAVIDSON	9927	716.73	VEHICLE MAINT POLICE
BILL FOX CO, LLC	9928	215.30	FIRE DEPT O/E
BRIAN WARNER	9929	30.00	TELEPHONE CHARGES
CADETS DRUM & BUGLE CORPS	9930	3,500.00	PUBLIC EVENTS O/E
CARL MOTTOLA	9931	84.50	UNIFORM FIRE SAFETY O/E
CHILDSWORK/CHILDS PLAY	9932	357.34	MUNICIPAL ALLIANCE
CHRIS ELLERBROOK	9933	120.00	GROUP INSURANCE O/E
COUNTY OF PASSAIC	9934	3,528,729.52	COUNTY TAX
COUNTY OF PASSAIC-OPEN SPACE T	9935	71,554.53	OPEN SPACE TAX
ELECTRICAL POWER SYSTEMS, INC	9936	5,171.28	VARIOUS
GATES FLAG & BANNER CO, INC	9937	215.00	PUB WORKS ADMIN O/E
GET A CAN	9938	1,137.50	RECYCLING PRO O/E
GIANT TIRE SERVICE INC	9939	230.50	RECYCLING PRO ENVIRONMENTAL
GONE HAWKIN, INC	9940	250.00	COMMITTEE O/E
HAWTHORNE CABALLEROS	9941	1,100.00	PUBLIC EVENTS O/E
HAWTHORNE CABALLEROS ALUMNI	9942	1,100.00	PUBLIC EVENTS O/E
HAWTHORNE CAFETERIA ACCT	9943	150.00	MUNICIPAL ALLIANCE
HAWTHORNE HIGH SCHOOL BAND	9944	700.00	PUBLIC EVENTS O/E
HAYLEY ENCARNACION	9945	195.00	MUNI COURT
HENRY'S PLUMBING & HEATING INC	9946	65.90	SEWER SYSTEM O/E
HFD #1	9947	1,595.00	VARIOUS
HFD #2	9948	1,595.00	VARIOUS
HFD #3	9949	1,595.00	VARIOUS
HFD #4	9950	1,595.00	VARIOUS
HFD #5 RESCUE	9951	495.00	VARIOUS
HOME DEPOT SUPPLY	9952	333.05	VARIOUS
HOME SUPPLY & LUMBER CO., INC.	9953	51.28	VARIOUS

JAMES COUNSELLOR	9954	30.00	TELEPHONE CHARGES
JARED VAN EK	9955	30.00	TELEPHONE CHARGES
JERSEY ELEVATOR INC	9956	145.00	PUB WORKS ADMIN O/E
JFK HIGH SCHOOL BAND	9957	800.00	PUBLIC EVENTS O/E
JOHN DEERE LANDSCAPE	9958	410.14	VARIOUS
JPSC, INC	9959	136.32	VARIOUS
LANGUAGE LINE SERVICES	9960	15.30	POLICE DEPT O/E
LISA SLOOTMAKER	9961	50.00	GROUP INSURANCE O/E
MACALUSO'S RESTAURANT	9962	6,608.00	FIRE DEPT O/E
METLIFE	9963	332.92	GROUP INSURANCE O/E
MGL PRINTING SOLUTIONS	9964	345.00	BOARD OF HEALTH O/E
MILITARY TRANSPORT ASSOC	9965	575.00	PUBLIC EVENTS O/E
NO JERSEY MUNI EMPL BNFT FUND	9966	167,629.00	GROUP INSURANCE O/E
NY SKYLINERS DRUM	9967	2,500.00	PUBLIC EVENTS O/E
NY SUSQUEHANA & WESTERN RAILWA	9968	978.00	SEWER SYSTEM O/E
OFFICE CONCEPTS GROUP INC	9969	484.00	VARIOUS
ONE COMMUNICATIONS	9970	1,449.04	TELEPHONE CHARGES
P & A AUTO PARTS, INC	9971	280.86	VEHICLE MAINT FIRE DEPT
PASSAIC COUNTY TECH ROTC	9972	100.00	PUBLIC EVENTS O/E
POOL OPERATION MANAGEMENT	9973	305.00	SWIMMING POOL O/E
PRINTMASTERS	9974	579.00	VARIOUS
PROCOPY INC	9975	371.25	VARIOUS
R & R PUMP & CONTROL	9976	667.65	VARIOUS
REILLY RAIDERS DRUM &	9977	2,500.00	PUBLIC EVENTS O/E
RICHIES SERVICE CTR INC	9978	10.00	CONST CODE O/E
RIDGEWOOD PRESS	9979	122.00	FIRE DEPT O/E
RT OFFICE PRODUCTS	9980	319.75	VARIOUS
SAFETYLINE	9981	65.00	STREETS & ROADS O/E
SCHWAAB INC	9982	34.47	BOARD OF HEALTH O/E
SCOTT GEIER	9983	225.00	GROUP INSURANCE O/E
SIR SPEEDY, INC	9984	102.60	SEWER SYSTEM O/E

SPIRIT OF NEWARK DRUM	9985	500.00	PUBLIC EVENTS O/E
ST CLARES EMERALD KNIGHTS	9986	725.00	PUBLIC EVENTS O/E
SUSAN WITKOWSKI	9987	57.97	MUNICIPAL CLERK O/E
TREASURER, STATE OF NJ	9988	200.00	SEWER SYSTEM O/E
TRIANGLE TROPHY	9989	871.00	FIRE DEPT O/E
VERIZON	9990	2,389.16	VARIOUS
VERIZON WIRELESS (N)	9991	200.52	VARIOUS
WAYSIDE FARMS	9992	600.00	PUBLIC EVENTS O/E
WHOLESALE PHOTO & VIDEO	9993	<u>41.97</u>	EMERGENCY MGMT O/E
TOTAL CURRENT		\$3,820,674.65	
GENERAL CAPITAL			
BOSWELL ENGINEERING, INC	3038	4,597.00	DRAIN & STORM ACQ DPW/POOL
HAWTHORNE PRESS INC	3039	158.34	EQUIPMENT/REPAIRS INSTALL DRAIN & STORM IMPROV
HUDSON-ESSEX-PASSAIC COUNTY	3040	<u>950.00</u>	
		\$	
TOTAL GENERAL CAPITAL		5,705.34	
WATER OPERATING			
ALL BERGEN LOCKSMITHS, INC	8166	33.00	WATER UTILITY O/E
BOSWELL ENGINEERING, INC	8167	1,577.00	WATER UTILITY O/E
ELECTRICAL POWER SYSTEMS, INC	8168	1,255.00	WATER UTILITY O/E
GILBEY'S EMBROIDERY CO	8169	107.50	WATER UTILITY O/E
HENRY'S PLUMBING & HEATING INC	8170	53.62	WATER UTILITY O/E
HOME DEPOT SUPPLY	8171	66.39	WATER UTILITY O/E
HOME SUPPLY & LUMBER CO., INC.	8172	36.63	WATER UTILITY O/E
JERRY ZAPATA	8173	17.34	RENT OVERPAYMENTS
JPSC, INC	8174	16.48	WATER UTILITY O/E
ONE COMMUNICATIONS	8175	142.57	WATER UTILITY O/E
POLLARDWATER	8176	319.44	LAB TESTING WATER
PRINTMASTERS	8177	451.00	WATER UTILITY O/E
PROCOPY INC	8178	123.75	WATER UTILITY O/E

VERIZON	8179	616.87	WATER UTILITY O/E
		\$	
TOTAL WATER OPERATING		4,816.59	
OTHER TRUST II			
ROBERT ROTHMAN	4050	66,779.65	TRUSTEE
ALERT GRAPHICS	4051	701.00	RECYCLING TRUST
BOB RAYOT TIRE SERVICE, LLC	4052	235.90	RECYCLING TRUST
CONEXION PRINTING	4053	98.00	MUNICIPAL ALLIANCE
STEELFAB	4054	1,831.00	RECYCLING TRUST
TOTAL OTHER TRUST II		\$ 69,645.55	
DOG DEDICATED			
TYCO ANIMAL CONTROL SERVICES	6013	2,280.00	ANIMAL WARDEN FEES
		\$	
TOTAL DOG DEDICATED		2,280.00	
BUILDERS ESCROW			
BOSWELL ENGINEERING, INC	5036	761.00	REALTY ACQ GROUP 242/ 1&2
BOSWELL ENGINEERING, INC	5037	1,020.75	REALTY ACQ GROUP 242/ 1&2
BOSWELL ENGINEERING, INC	5038	636.50	REALTY ACQ GROUP 242/ 1&2
BOSWELL ENGINEERING, INC	5039	322.00	REALTY ACQ GROUP 242/ 1&2
BOSWELL ENGINEERING, INC	5040	241.50	REALTY ACQ GROUP 242/ 1&2
BOSWELL ENGINEERING, INC	5041	230.00	REALTY ACQ GROUP 242/ 1&2
BOSWELL ENGINEERING, INC	5042	241.50	REALTY ACQ GROUP 242/ 1&2
BOSWELL ENGINEERING, INC	5043	166.00	PATRIOT DEVELOP 90/1
BOSWELL ENGINEERING, INC	5044	830.00	ARCADIS 12/7
BOSWELL ENGINEERING, INC	5045	322.00	116 WASHINGTON
BOSWELL ENGINEERING, INC	5046	1,932.00	116 WASHINGTON
BOSWELL ENGINEERING, INC	5047	1,288.00	116 WASHINGTON
BOSWELL ENGINEERING, INC	5048	249.00	PRT REALTY 48/10
BOSWELL ENGINEERING, INC	5049	83.00	PRT REALTY 48/10
		\$	
TOTAL BUILDERS ESCROW		8,323.25	
OTHER TRUST I ESCROW			
ROBERT ROTHMAN	7006		TAX SALE PREMIUMS

and arbitration which would cost the Borough a lot of money. The contract expires in two years and there will be other issues that need to be addressed and Mayor Goldberg was very clear that sick time is one of the issues.

Mayor Goldberg stated on May 15th at 9:00 a.m., the Borough will be dedicating a bench to firefighter John Vittorio at the Wagaraw complex and invited Council and everyone to attend this dedication.

On roll call, all voted yes. The meeting adjourned at 9:33 p.m.

Council President Bertollo indicated that the next regular council meeting will be on May 19, 2010. The work session will begin at 7:00 p.m. and the regular meeting will begin at 8:00 p.m.

John Bertollo
Council President

Susan Witkowski
Borough Clerk