

May 19, 2010  
Hawthorne, NJ

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 8:05 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 and for a moment of silence for the passing of Dr. Favocci.

### **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 and Closed Session of May 5, 2010, Bid Minutes for the Sanitary Force Main Replacement at Goffle Hill Road of March 26, 2010 and Improvements to Brockhuizen Lane of April 30, 2010, moved by Councilman Mele, seconded by Councilman Bennett. On roll call all voted yes.

### **PUBLIC HEARING: 2010 MUNICIPAL BUDGET**

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 the 2010 municipal budget only.

Mr. Robert Kurdock, 15 Rhodes Court congratulated the Committee who worked on the budget as well as the employees for accepting a pay freeze. He asked how many seniors utilize the pool, if their pool badges are free and can we afford to give them free pool badges this year. His other concern is that two employees from the DPW and trees were cut from the budget. In his opinion, the tree situation is not being kept up and asked if these cuts will put us further behind. Council President Bertollo stated that the trees cut from this year's budget had received the allotment from the State Arborist and tree planting had actually been ahead of schedule. Mr. Kurdock thought that the layoffs effected maintenance and not planting of new trees. Councilman Wojtecki stated that over 225 trees had been planted. Council President Bertollo stated that maintenance on trees has been outsourced. Administrator Mauer said the amount for outside tree service has been increased. Mr. Kurdock asked if the wait time for tree service will be longer. Council President Bertollo said by having an outside contractor, service will be more efficient.



Clean Communities Program	\$ 5,972.00	34,741.00
BPU- Clean Energy Program		25,500.00
Total Section F: Special Items of General Revenue Anticipated With Prior Written Consent of Director of Local Government Services - Public and Private Revenues		
	39,953.00	98,222.00
<u>SUMMARY OF REVENUES:</u>		
1. Surplus Anticipated	1,120,000.00	1,120,000.00
3. Miscellaneous Revenues:		
Total Section A:Local Revenues	1,213,000.00	1,213,000.00
Total Section B: State Aid Without Offsetting Appropriations	1,468,278.00	1,468,278.00
Total Section C: Dedicated Uniform Construction Code Fees	192,965.00	192,965.00
Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public & Private Revenues		
	39,953.00	98,222.00
Total Section G: Special Items of General Revenue Anticipated With Prior Written Consent of Director of Local Government Services - Other Special Items	210,000.00	210,000.00
	<u>FROM</u>	<u>TO</u>
Total Miscellaneous Revenues	3,124,196.00	3,182,465.00
4. Receipts from Delinquent Taxes	776,000.00	776,000.00
5. Subtotal General Revenues (Items 1, 2, 3 and 4)	5,020,196.00	5,078,465.00
6. Amount to be Raised by Taxes for Support of Municipal Budget:		
a. Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	13,281,059.00	13,281,059.00
Total Amount to be Raised by Taxes for Support of Municipal Budget	13,281,059.00	13,281,059.00
7. Total General Revenues	18,301,255.00	18,359,524.00
<u>GENERAL APPROPRIATIONS:</u>		
Operations - Excluded from "CAPS"- Public and Private Programs Offset by Revenues:		
Click-it or Ticket Grant		4,000.00
Clean Communities Program	5,972.00	34,741.00
BPU- Clean Energy Program		25,500.00
Total Public and Private Programs Offset by Revenues:	46,878.00	105,147.00
Total Operations Excluded From "CAPS"	2,553,752.00	2,612,021.00

(H-2) Total General Appropriations For Municipal Purposes- Excluded from "CAPS"	4,621,474.00	4,679,743.00
(O) Total General Appropriations - Excluded From "CAPS"	4,621,474.00	4,679,743.00
(L) Subtotal General Appropriation	16,901,255.00	16,959,524.00
Total General Appropriations	\$18,301,255.00	\$18,359,524.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the local municipal budget so amended.

Council President Bertollo stated that this Resolution amends the 2010 budget which adds three grants into the budget and asked if there were any questions. There were no questions.

Council President Bertollo entertained a motion to approve B3, Resolution R93-10, moved by Councilman Sinning, seconded by Councilman Wojtecki. On roll call, all voted yes.

**ADOPTION OF ORDINANCES**

**B-4 ORDINANCE NO. 2015-10 Re: 2010 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PURSUANT TO N.J.S.A. 40A:4-45.14**

**PUBLIC HEARING**

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

Seeing no one, Council President Bertollo entertained a motion that the public hearing on Ordinance No. 2015-10 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.2015-10, moved by Councilman Matthews, seconded by Councilman Sinning. On roll call, all voted yes.

**B5 R92-10 Resolution R92-10, Resolution Introduced by Councilman Sinning**

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

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

WHEREAS, pursuant to N.J.A.C. 5:30-7 through 7.5, the Borough of Hawthorne has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2010 budget year.

THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the 2010 annual budget be examined in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget.
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq, are fully met. (Complies with "CAP" law.)
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate, and correctly stated
  - b. Items of appropriations are properly set forth

In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

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

Council President Bertollo entertained a motion to approve B6 Resolution R92-10, moved by Councilman Sinning, seconded by Councilman Lane. On roll call, all voted yes.

**B6 R95-10 Resolution R95-10, Resolution Introduced by Councilman Wojtecki**

BE IT RESOLVED by the Governing Body of the Borough of Hawthorne, County of Passaic that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$13,281,059.00 for municipal purposes.

Council President Bertollo entertained a motion to approve Resolution B6 R95-10, moved by Councilman Wojtecki, seconded by Councilman Matthews. On roll call, all voted yes.

Council President Bertollo thanked Mayor Goldberg, Administration, the Finance Committee and member of Council for efforts in preparing this budget. He believes it is a fair budget and good for the taxpayers of Hawthorne. We will continue to be as frugal as possible and still maintain the services that the people of the community demand. Council President Bertollo asked if Borough Auditor Joe Kelly had any comments regarding the budget. Borough Auditor Kelly stated that Administration and the Finance Committee spent a tremendous amount of time on this budget and his role was diminished which shows how technically savvy the town is. He said that it was a very good budget in a very difficult time.

**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.

Ana and George King live in Ramsey but own a two-family home at 66 Eking Avenue believed there was to be an agenda item regarding the sidewalk at this property. Mr. King attended and discussed this at the last meeting. He stated the Borough Engineer was to have looked into this issue and wanted to know if there was an answer. Council President Bertollo said that the assessment was not on the agenda and asked if this was part of the road improvement program. Mr. King stated he was told at the last meeting that a final decision would be made at this evening's meeting. Mr. King attended a hearing with the Board of Assessment Commissioners on April 19<sup>th</sup>, which was not a council meeting, and it was stated at that meeting that there were problems with the sidewalk, and he met with engineer the next day who stated that he would make a recommendation. Clerk Witkowski said that this will be discussed at the next council meeting, it was scheduled for this evening, however, a notice of advertisement had to be submitted two consecutive weeks prior to the meeting. She said that it was the decision of the Council to accept the recommendations of the Commissioners. A discussion ensued and Council President Bertollo asked Mr. King to provide Dr. Boswell with his contact information in order for Dr. Boswell to respond to his questions. He stated that Mr. King should attend the final assessment hearing. Engineer Boswell stated the Assessment Commission has made a recommendation and it is up to Council to accept or reject the recommendation. Attorney Pasquale stated that the recommendation from the Assessment Commission is not known as to what the engineer is recommending. Attorney Pasquale told Mr. King to contact Clerk Witkowski prior to the next meeting to confirm whether the matter is on the agenda. Administrator Mauer said he can check the Borough website since the agenda is always posted prior to the meeting.

Engineer Boswell said the Assessment Commission has recommended correcting the sidewalk pitch and lift the two clogged drains. The Engineer agrees with that recommendation.

Council President Bertollo asked if any one else wished to be heard regarding agenda items. 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.

### **OLD BUSINESS**

Councilman Wojtecki stated that in February he discussed the concerns of residents on Arlington and McKinley regarding street cleaning. The sign states no parking on Mondays due to street cleaning, and the street is actually being cleaned on Wednesdays. He asked Administrator Mauer to follow up that the streets be cleaned on Wednesdays, not Mondays. Council President Bertollo stated the new street cleaner was used today.

Councilman Wojtecki asked Engineer Boswell if he had a report regarding property at North Eighth Street and Mohawk and is this property falling into North Eighth Street. Attorney Pasquale stated that the question is, was there another way, beyond extensive repairs, costing thousands of dollars to stabilize and make the property more aesthetic. Councilman Wojtecki confirmed that the property is on a County road, the property was condemned when the wall fell, and attempts were made to push the cement back. Engineer Boswell said there is no ordinance in effect that allows the Borough to repair. Councilman Wojtecki asked Engineer Boswell if there were less expensive ways to repair. Engineer Boswell stated a report was submitted and there are three choices that be considered which consist of utilizing railroad ties, a keystone wall or a reinforced concrete wall. The least expensive is a railroad tie wall, however we do not have the authority to repair this. Councilman Wojtecki requested a copy of the report.

Councilman Sinning asked for status of the work at the railroad station parking lot. Attorney Pasquale stated he had a discussion with one of the owners of One Washington Holdings. New Jersey Transit and One Washington Holdings entered into negotiations regarding a lease arrangement whereby One Washington Holdings will improve the property, create a parking lot and New Jersey Transit will lease this, however a final product has not been yielded. Attorney Pasquale has volunteered his services for future meetings in an effort to reach a final agreement. The parties are far apart with regard to dollars and cents, there is a lot of active interest on the part of transit and the property owner. It is Attorney Pasquale's understanding that some of the people involved did not have the authority to make the deal happen. Attorney Pasquale speaks with Senator Girgenti frequently and has no reason to believe that Senator Girgenti cannot bring NJ Transit to the table. The question is whether or not we will obtain the right people from the ownership side and Attorney Pasquale has been assured that we will. No meeting has been scheduled, however the matter can be re-visited at the June 16<sup>th</sup> Council meeting. Also, the ownership group is aware that we have made that property a priority for maintenance.

Councilman Wojtecki asked Attorney Pasquale the status of the 55 Westervelt Property. Attorney Pasquale stated he spoke with Code Enforcement Officer Turner and advised him that we believe this is a priority area and Mr. Turner will be addressing this.

Councilman Matthews asked Engineer Boswell if there was any follow up with the homeowner of Florence and Cornell. Engineer Boswell stated Director of Public Works Clementi spoke with the homeowner regarding the specific plants to be replaced. Administrator Mauer said that he will look into this matter.

Councilman Lane stated the Planning Board gave the owners of 55 Westervelt approval approximately one and one-half years ago and asked Attorney Pasquale if he knew whether or not the owners are going forward with their plans. Attorney Pasquale stated that the economic times have changed significantly from the time approvals were given to today, financing for projects of this nature has depleted. The property owner was advised that the property needs to be brought into compliance or a summons will be issued. We continue to want to work with the developer because it is a worthwhile project, however if it is not going to be built, the property must be maintained.

Councilman Lane asked Attorney Pasquale that he forward updates regarding Pan Chemical to Clerk Witkowski in order for her to keep Council apprised of the matter. Attorney Pasquale will inform Council of meeting dates and results, he is not sure whether he will participate at the meetings, however Senator Girgenti is involved in this matter. Councilman Lane asked if Senator Girgenti has a good working relationship with NJ Transit. Attorney Pasquale stated the best determination is this is a viable project and it was approved for funding. He has not heard that this project was been taken off the board. Attorney Pasquale has only heard that the parties are apart regarding dollars and cents and he receives telephone calls from Senator Girgenti who confirms that he is pushing this matter on his end. Councilman Lane asked Attorney Pasquale to confirm the funding for this project. Council President Bertollo stated that we were told in a meeting last year in the Senator's office by NJ Transit that the money was put in place.

### **NEW BUSINESS**

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

Councilman Wojtecki asked Councilman Bennett for an update on the pool. Councilman Bennett said the pool was filled and another leak was discovered. Engineer Boswell stated the leak that we were aware of was repaired and there is no issue with that leak. When the water went above a certain level, another leak was discovered and this leak was repaired today. Councilman Wojtecki asked the approximate cost of this repair and Engineer Boswell was not sure, however Administrator Mauer stated approximately \$2,000. Engineer Boswell said that a line had to be cut and re-lined. This is a fair price when compared with replacement of the fittings and vales that were done. Councilman Bennett said the pool was filled in one day compared to two days in the past.

### **ADMINISTRATIVE AGENDA**

Mayor Goldberg thanked Council for adopting the budget. He also thanked the Finance Committee, Administrator Mauer, Director of Revenue and Finance Hewitt and Deputy Treasurer Denise Bartalotta for their hard work in creating the budget. The budget was a group effort.

Mayor Goldberg offered condolences on behalf of the Borough to the Favocci family. Dr. Favocci lived in Wayne but was a fixture in Hawthorne. He was the Borough Physician for more than twenty years. Mayor

Goldberg is in discussions with Administrator Mauer with regard to obtaining a new doctor for the Borough, which will be at a reduced cost.

Mayor Goldberg congratulated the Lincoln Middle School Track Team, the boys won first place and the girls tied for first place in a meet with Glen Rock.

Mayor Goldberg reminded everyone of the Memorial Day Service at the Municipal Building on May 31<sup>st</sup> beginning at noon and the parade begins at 1:00 p.m. A concert is planned for the end of the parade held in front of the Municipal Building.

Mayor Goldberg is appointing a committee to investigate the possibility of purchasing Rea House and converting it into an educational center and museum. The committee will work with both the County Historical Society and the Hawthorne Historical Society. He has contacted the President of the Hawthorne Historical Society. Five people have agreed to serve on the committee, Council President Bertollo, School Superintendent Robert Mooney, School Board President Kevin Duffy, Attorney Michael Pasquale and Senator John Girgenti. This committee will be meeting in the near future.

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 reported the tax quarter is completed and approximately \$12.2 million was collected. This is lower than usual for a quarter, however, by the end of the 2<sup>nd</sup> quarter, a number of people have paid ahead in prior quarters which makes this a lower amount.

The check issued to K. Hovnanian on the bill list will not be release and will be kept in the safe. Attorney Pasquale will notify us when this check can be released and K. Hovnanian must sign for this check. Attorney Pasquale requested the check be cut in order for it to be available once the settlement agreement is reached.

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

Mayor Goldberg stated that his week is EMS week and presented a Proclamation concerning same. He requested Ken Houtsma, President, Nizar Meshanni, and Councilman Lane come forward to present the Proclamation.

**WHEREAS**, emergency medical services is a vital public service; and

**WHEREAS**, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

**WHEREAS**, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

**WHEREAS**, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

**WHEREAS**, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

**WHEREAS**, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Hawthorne do hereby proclaim the week of May 16-22, 2010 as

### **EMERGENCY MEDICAL SERVICES WEEK**

in the Borough of Hawthorne in recognition of all those engaged in emergency medical services activities and encourage the community to observe this week with appropriate programs, ceremonies and activities.

Ken Houtsma thanked Mayor and Council for the Proclamation. He reminded residents that there will be a tag drive on Saturday, May 22. All equipment and supplies bought are paid for through the fund drive.

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

Attorney Pasquale stated he had the privilege of serving as a pall bearer at Dr. Favocci's funeral. Dr. Favocci was a tremendous asset to our community and he will be truly missed.

On Tuesday, May 18<sup>th</sup>, Attorney Pasquale attended Senator Girgenti's Civic League Event. For the past twenty years, Senator Girgenti has honored volunteers in every community in which he serves. The volunteers are nominated by members of the public and recognized for their outstanding contribution as volunteers. This year, former Mayor Criscitelli nominated award winner Barry Houston. Mr. Houston has achieved many accomplishments, including Eagle Scout, and made the Borough of Hawthorne very proud at last evening's event.

Attorney Pasquale stated the K. Hovnanian settlement has been signed by Mayor Goldberg and forwarded to K. Hovnanian for their signatures. Attorney Pasquale thanked Director of Revenue and Finance Hewitt and Clerk Witkowski for their cooperation in processing this. This matter should be completed within the next two weeks.

The Enterprise matter continues, depositions need to be finalized.

Attorney Pasquale thanked Mayor Goldberg for his appointment to the Committee for the Rea House. Attorney Pasquale has discussed this project with Tony DeNova, County Administrator, who is supporting this project and pledged the support of the County. Attorney Pasquale is excited about partnering with Senator Girgenti, it is anticipated that we can bring together the State, County, School Board and local elected officials in an effort that would be educational for our children as well as beautify a historic and treasured building that has been here since Revolutionary days.

This concludes Attorney Pasquale's report

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

Engineer Boswell reported on the following:

Brockhuizen Lane – A pre-construction meeting was held on Thursday, May 13<sup>th</sup>. The contractor, 4 Clean Up, Inc., is expected to begin the project during the middle of June. A resident of Brockhuizen Lane informed us this week they want to install a sewer system to connect to Metro Vista Drive. This was discussed with Director of Public Works Clementi and should not be a problem.

Goffle Hill Force Main – The New Jersey Department of Environmental Protection (NJDEP) issued an Authorization to Award Letter dated May 13, 2010, indicating the Borough of Hawthorne can award the Sanitary Force Main Replacement Project to Stacey Contracting in the amount of \$356,946.50. A pre-construction meeting is scheduled for May 25<sup>th</sup> at 11:00 a.m. and the Borough has submitted contracts to the contractor.

Underground Storage Tank Groundwater Monitoring – One groundwater sample from the temporary well point provided a result slightly higher than the allowable limit for a semi-volatile organic compound, benzo(a)pyrene. Because the sample was from a temporary well point, a sample can contain some turbidity, which could result in a higher than actual reading. A proposal for a permanent monitoring well has been prepared and faxed to the Borough on May 18<sup>th</sup>.

2010 Road Program – Final design is completed and plans are being sent to Community Development today for their review and approval. The project should be bid either the end of May or beginning of June and would begin in July

Christian Health Care Center – Is before the Site Plan Design Committee in Wyckoff and will not be heard at the May 20, 2010 meeting. It could possibly be scheduled for June 17, 2010.

Goffle Brook Bank Stabilization – A meeting was conducted with the DEP and this issue is expected to be resolved before the next Council meeting.

Drainage Improvement Project – The Railroad has provided their approval. There are four different owners that require easements, three easements have been secured, and Attorney Pasquale is handling the matter of securing the fourth easement. Once completed, this project can go to bid. The Borough is submitting the necessary paperwork requested by the railroad, such as insurance, etc.

Hawthorne/Ridgewood Water Project – A meeting was held today with Frank Moritz and William Mowell from Ridgewood Water. The proposal submitted to Ridgewood Water on April 8<sup>th</sup> needs to be amended. Ridgewood Water expects to award to us the approval to begin the feasibility study in the near future. This study will find if it is technically feasible to provide them fire protection with our system and if so, the DEP approval is needed. However, a meeting with the DEP will be conducted prior to the study so that the DEP understands what is being done.

Chlorine Conversion Project – The DEP continues to request additional information and we are working with Dan Tedeschi to address these items, which include testing points, chlorine contact time and other issues.

Kohler Field Soil Borings – Will be completed this week, weather permitting.

Veteran's Field Lighting – We are waiting from final approval from Community Development before the lights are designed.

Leading Left Turn Signal at Wagaraw Road and Lincoln Avenue – Waiting for approval from Mayor and Council.

Ambulance Building Handicap Ramp – The cutting of a handicap ramp at the entrance is included as part of the 2010 Road Program.

Veteran Field Grass Condition – The grass surrounding the field is not the same sod used for the actual playing surface. Jeff DeWan references this as “spotty”, there could be some wear spots from the parking lot's field entrance. The outside was hydro-seeded and additional grass seed will be installed around the outside.

Sealing of the Tennis Courts – Will be addressed after Memorial Day.

Diamond Bridge Grade Crossing – Engineer Boswell is not in favor of the plan of the Police Department's detouring of traffic. It will be a major inconvenience and will require at least four police traffic directors for three days. This will be discussed with Administrator Mauer and the Police Department. This project was considered to be funded with stimulus money, however there is no stimulus money. However an approval is being requested in the event funds become available. This project is upgrading the grade crossing with the installation of a rubber mat. Traditionally, county project detours onto county roads and this project is a county project with the detour onto municipal streets.

Passaic County has submitted a list of streets they plan to pave this summer under the 2009 stimulus money which include Diamond Bridge, from Goffle to Lafayette, Warburton, from Goffle to Lafayette, North 8<sup>th</sup> Street, from Goffle to Prescott Terrace and Lafayette from Diamond Bridge to Goffle. This project is expected to begin during the week of August 2<sup>nd</sup> and work is anticipated to be completed by August 30<sup>th</sup>.

An additional inspection of our sewer system will be conducted on June 16<sup>th</sup> by the EPA. Boswell Engineering will be working with Director of Public Works Clementi during this inspection.

A proposal to upgrade the leaf composting facility has been submitted. The funding of this project will be through Downes Tree Service, the applicant will be the Borough.

A new copy of the oil/water separator proposal has been submitted.

That concludes Engineer Boswell's report.

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

Administrator offered his condolences to the Favocci family.

The issue of property maintenance at the post office has been addressed with the Postmaster. The Postmaster had previously submitted work orders for the maintenance and he waiting for approval of the work orders. Administrator Mauer has contacted Congressman Rothman's office for his assistance in handling this issue.

The new street sweeper was used for the first time today. A report regarding the improvements and service will be given in one month.

Administrator Mauer met with the County regarding the possibility of shared electricity purchase. He will report more details regarding this as it develops.

We are waiting to receive the grant from County Council regarding lighting at Veterans Field.

Administrator Mauer reminded residents that information regarding pool registration, the summer recreation and leadership camp programs is available on the Borough website.

This concludes Administrator Mauer's report.

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

Councilman Wojtecki questioned the banner across Lafayette Avenue that states Cadet Band, normally it would say Cabelleros. Mayor Goldberg said that this banner is there with permission from the County and it may be that the banner was provided by the Cadets to the Borough.

Councilman Mele asked Borough Engineer Boswell how long the stream project will take if approval is received. Engineer Boswell said there are actually three projects which consist of the stream bank stabilization and the rehabilitation of two bridges. The construction of the bank stabilization is approximately three to six months. The bridges are approximately six months each. The bridges will not be done at the same time because of detours. The County has funding to do the park and this work should begin.

Councilman Lane questioned Engineer Boswell about the handicap ramp at the Ambulance Building, as a handicap ramp exists next to the handicap parking space. Engineer Boswell stated that the building is used for voting and the entrance that the people use to vote does not have a handicap ramp so an additional ramp will be installed. Councilman Lane stated the area near the front door of the Ambulance Building requires a slab of concrete since you have to walk through the garden bed to gain access to the sidewalk. Engineer Boswell said that this will be corrected.

Councilman Lane asked if the North Eighth Street paving by the County is going to be milled and does this street require sidewalks and curbs. Engineer Boswell said the County is going to mill and pave, but not repair curbs and sidewalks. Councilman Lane said there is almost no curb at the lower end of the street. Engineer Boswell said that some of that curb should be recovered, the question is the quality when the milling occurs, will there be enough material left over to construct a curb. The quality of this curb has been brought to the County's attention. The stimulus money for 2009 is only for asphalt and no curb work will be performed. Councilman Wojtecki asked if the shoving will be matched on Mohawk Avenue. Councilman Bennett stated that Mohawk is part of the NJDOT application. Engineer Boswell said that Mohawk begins, and the issue appears to be consistency and we cannot put a handle on it, installation of a concrete slab at the bottom as opposed to asphalt will be put into the application. This is a technique that is used when there is heavy bus traffic, concrete does not shove. Approximately 100 to 200 feet at the bottom will be made of a concrete slab. Shoving is caused by heavy breaking at the bottom of the hill. Councilman Wojtecki said that the shoving is occurring in the area of where the trucks turn and almost mimics where the truck tires go. Councilman Lane

asked if the County is milling up to the curb lines only on the other streets. Engineer Boswell said they are basically doing curb mill unless there is a reason to do different.

Councilman Bennett asked Engineer Boswell if the installation of concrete into certain areas of the street will cause a safety issue. Engineer Boswell said there are different techniques that can be applied to concrete to create a higher friction coefficient depending on the surface treatment. It appears this problem is a recurrence and if this is going to be reconstructed, Engineer Boswell would like to solve the problem.

Councilman Bennett asked if it made sense to seed the field prior to the test borings. Engineer Boswell said that it is his belief the test borings are not going to show much. There is not of lot of money being spent on seeding and the test borings are scheduled for this week.

Council President Bertollo asked Attorney Pasquale if there are any problems receiving the last easement regarding the Washington/Royal Avenue drainage project. Attorney Pasquale said no, the easements were delivered to the owners, one was returned on Friday, one was returned on Monday, two were returned on Tuesday, and no problem is anticipated. Council President Bertollo asked Engineer Boswell if this project can go to bid once the final easement is received and Engineer Boswell said yes, and insurance must be provided to the railroad.

Councilman Bertollo asked Administrator Mauer if the County can be pushed in order to have the lights for Veterans field, it is anticipated to have the lights installed by the fall soccer season. Administrator Mauer said that he will have an update on this at the next meeting.

Council President Bertollo stated the property maintenance issue is the same as was years ago and property maintenance summonses should be issued. Mayor Goldberg said that Code Enforcement Office Turner met with the individuals at the post office who have issued a work order and the post office is waiting for approval on the work order. Council President Bertollo said the property needs to be brought into compliance. We do not allow our residents to maintain their property this way and the Federal Government should not be allowed to do this. Administrator Mauer said that he discussed this with Congressman Rothman's office.

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

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

## **INTRODUCTION OF ORDINANCES**

### **ORDINANCE NO. 2017-10**

**AN ORDINANCE TO AMEND AND REVISE THE MUNICIPAL CODE OF THE BOROUGH OF HAWTHORNE AND SPECIFICALLY THE ADMINISTRATIVE SECTION THEREOF SO AS TO CONFIRM CODIFICATION OF THE LIBRARY BOARD OF TRUSTEES AS A SECTION OF THE CODE OF THE BOROUGH OF HAWTHORNE AND INCREASE MEMBERSHIP ON THE BOARD OF TRUSTEES TO NINE MEMBERS AND TO ELIMINATE THE DIVISION OF WELFARE FROM THE CODE OF THE BOROUGH OF HAWTHORNE**

BE IT RESOLVED, that Ordinance No. 2017-10 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 16, 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 Sinning. On roll call, all voted yes.

**ORDINANCE NO. 2018-10**

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

BE IT RESOLVED, that Ordinance No. 2018-10 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 16, 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 Lane, seconded by Councilman Mele. Councilman Lane stated that this is the Ordinance for the seniors who participate in the PAAD program and he thanked Council and Administration for this ordinance. Director of Revenue and Finance Hewitt said that this ordinance is for all seniors who qualify for the senior citizen tax deduction. On roll call, all voted yes.

**RESOLUTIONS**

**CONSENT AGENDA: MR02-10, R88-10 through R91-10, R94-10, R96-10:**

**MR02-10 Resolution, Introduced by Councilman Mele**

WHEREAS, the State Rail Plan Agreement approved a grant for the **RENEW 3.2 MILES OF RAIL PROJECT** in the amount of \$1, 801,285 to the New York Susquehanna and Western Railway Corporation, and;

WHEREAS, the Borough of Hawthorne would realize increased rail safety with said project.

NOW THEREFORE BE IT RESOLVED, that the Borough of Hawthorne does hereby support the **RENEW 3.2 MILES OF RAIL PROJECT**

**R88-10 Resolution, Introduced by Councilman Mele**

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated May 7, 2010.

CURRENT FUND	WT 888889	\$228,487.85
WATER OPERATING FUND	WT 888889	\$ 36,799.65
OTHER TRUST II FUND	WT 888889	\$ 8,926.75
TOTAL PAYROLL		<u><u>\$274,214.25</u></u>
CURRENT FUND TO PAYROLL/FICA	WT 888889	\$13,346.15
WATER OPERATING FUND TO PAYROLL/FICA	WT888889	\$ -
TOTAL FICA		<u><u>\$13,346.15</u></u>

**R89-10 Resolution, Introduced by Councilman Mele**

**WHEREAS**, there is a need to establish a change fund in connection with the selling of badges for the Municipal Pool.

**NOW THEREFORE BE IT RESOLVED**, by the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to draw a check against the Current Fund as follows:

Jennifer Scully                      \$150.00

**BE IT FURTHER RESOLVED**, that the change fund so established is to be turned over to the Treasurer immediately following the termination of duties in this connection.

**R90-10 Resolution, Introduced by Councilman Mele**

**WHEREAS**, the Borough of Hawthorne has submitted an application to the New Jersey Board of Public Utilities Clean Energy Program a grant for the purpose of conducting an energy audit of Borough facilities; and

**WHEREAS**, having reviewed the aforementioned application, the New Jersey Board of Public Utilities Clean Energy Program has offered the Borough a grant in the amount of \$25,500.00; and

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

**WHEREAS**, conducting such an audit may identify opportunities for the Borough to save energy, and to save money by saving energy;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne, that the Borough accepts the \$25,500 New Jersey Board of Public Utilities Clean Energy Grant;

BE IT FURTHER RESOLVED, that the Administration is authorized to execute any and all documents necessary for the Borough to receive this grant.

**Resolution R91-10, Introduced by Councilman Mele**

**WHEREAS**, the Borough of Hawthorne has applied and received a grant from the New Jersey Board of Public Utilities Clean Energy Program for the purpose of conducting an energy audit in the Borough of Hawthorne; and

**WHEREAS**, the Administration recommends awarding the contract for conducting the energy audit to

Camp Dresser McKee  
Two Penn Center Plaza  
1500 JFK Boulevard, Suite 624  
Philadelphia, PA 19102

in the amount of \$25,500.00.

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited lowest responsible bidder subject to the certification of availability of funds from the Chief Financial Officer, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract between Camp Dresser McKee and the Borough of Hawthorne and in a form approved by the Borough Attorney when these conditions have been met.

**Resolution R94-10, Introduced by Councilman Mele**

**WHEREAS**, the annual principal and semi-annual interest payments for the General Serial Bonds of 2004 become due and payable on June 1, 2010, and

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Borough of Hawthorne that the Treasurer is hereby authorized to wire funds in the amount of \$300,000.00 in Principal and \$114,000 in Interest from the Current Fund, and \$50,000.00 in Principal and \$11,922.00 in Interest from the Water Operating Fund, made payable to Chase Bank, Account #066027306.

**Resolution R96-10, Introduced by Councilman Mele**

**WHEREAS:** Tax Sale Certificate #2008-11 was sold on November 12, 2008 in the amount of \$17,436.45 on Block 274 Lot 8.04 then assessed to Deutsche Bank Nat Trust Co and said lien was originally purchased by Robert Rothman, 411 Grand Ave., Englewood, NJ 07631, and

**WHEREAS:** said lien was redeemed on April 19, 2010 in the amount of \$66,779.65, said lienholder is entitled to a refund including the amount of the lien \$17,436.45, penalty of \$1,046.19, search and recording fee of \$52.00, subsequent taxes of \$41,358.35 and interest of \$6,886.66 for a total of \$66,779.65, and

**WHEREAS:** there was a shortage in the interest due to the lienholder,

**NOW, THEREFORE, BE IT RESOLVED:** that the Collector of Taxes recommends that a check be issued by the Treasurer from the Current Fund to Robert Rothman in the amount of \$702.70 to reimburse the lienholder for the balance due.

Council President Bertollo entertained a motion to approve Resolutions MR02-10, R88-10 through R91-10, R94-10 and R96-10 moved by Councilman Mele, seconded by Councilman Lane. Council President Bertollo asked if there was any discussion. Councilman Lane asked if the safety portion of project relating to Resolution MR02-10 has been completed. Mayor Goldberg stated that no work has begun. Councilman Bennett stated that the railroad is waiting for all of the affected communities to pass a resolution. Councilman Matthews stated he will be voting no on this Resolution since there are no safety gates at all of the crossings. On roll call all voted yes. Councilmen Matthews and Wojtecki voted no on Resolution MR02-10.

### **REPORTS OF SPECIAL COUNCIL COMMITTEES**

Councilman Bennett said the new street sweeper went into effect today. Director of Public Works Clementi will have a report for the next meeting as to the liking of this sweeper. The pool is expected to be filled and operational by Memorial Day.

A proposal was received by Engineer Boswell for sealing the manhole covers in the flood area which was reviewed by the Public Works Committee and decided that this project will not be done.

The Manchester Municipal Authority has approached us for a stand-by hook up for emergency purposes and this is being reviewed. Mohawk Avenue was a street selected to be done under an NJDOT local aid application. The Department of Public Works is looking at asphalt hot box, which is a piece of equipment that patches potholes in the streets. This keeps a constant temperature in the material and a better bond is received when patching is done and eliminates all waste on the material. A study will be conducted on this to see if it is beneficial.

The Board of Recreation has been briefed on the newly enacted Civil Rights Policy, which is required by JIF. Robert Pasquale and Jayne Ten-Kate met with the Lacrosse group in attempt to find a location for the Lacrosse group to play. Two park fields at Goffle Brook Park, Washington Ave. School and Little Franklin Field are the locations where the Lacrosse group will play. Robert Pasquale, Ray Kerwin and Public Works Director Clementi have been discussing the Little League's desire to use tarps at the fields in bad weather. This needs to be evaluated. We need to see how the logistics will work as to who will be in charge of removing the tarps, and when decisions will be made. There have been problems with some organizations using Speedy Dry on the wet fields which harms the grass and possibly affects the eco-system. A letter is being sent to all groups informing them of approved products so that everyone is consistent. As of Wednesday, May 12<sup>th</sup>, eighty-five children have enrolled in the summer recreation program.

Councilman Lane – The Cable TV Committee has met several times. There have been on-going sound problems with the audio pertaining to the music that is provided when there is no council meeting and after the council meeting is re-broadcast, the sound does not come back. Clerk Witkowski has contacted Cablevision and Councilman Lane contacted Gary Shaw today. Cablevision's engineers are checking the

head end at the Oakland facility. When the sound leaves here, it travels to Oakland, goes through the head end and reverts back to the viewing audience. A meeting with Cablevision Engineers is tentatively scheduled for next week to ascertain the problem. The sound system was worked on today and the quality of the microphones was adjusted today.

The lease for the train station were signed and the groundbreaking in anticipated for mid to end June.

The Economic Development Committee met today and a commercial realtor attended the meeting. Hawthorne is looking at some vacancies in the retail stores. It is anticipated to partnership with the Chamber of Commerce, comprise a survey for businesses and residents as to what type of business or retail store they would like to see in Hawthorne. The survey will be posted on the Hawthorne website, ads and the survey will be placed in the newspaper.

Councilman Mele – Municipal Alliance Committee placed Those Who Host Loose The Most signs around town. The Environmental Committee met last week and discussed what can be done to improve 2011 Earth Day. The Committee is also working on additional grants. Project Pride cleaned up at Borough Hall. It is anticipated that all trees on Lafayette Ave. will have been mulched.

Councilman Matthews – The Finance Committee will meet on Monday, May 24<sup>th</sup>. The Planning Board met on May 18<sup>th</sup>. A collectable toy/art store is coming to the corner of Lafayette Avenue and Rea Avenue.

Councilman Sinning – The Library Board met last week and because of the budget cuts, it was decided to eliminate Saturday hours during the summer. The library received several proposals for new computers. The Technology Committee from the library will review these proposals and make a recommendation. The computers at the library will be replaced in the near future. The Ordinance Committee met on May 18<sup>th</sup> and discussed the section regarding multiple family housing. Council will be asked to review and comment on the suggested revisions to this section.

Councilman Wojtecki – The 2010 Shade Tree planting has been completed. Requests for the 2010 fall planting are being taken. Councilman Mele stated that a tree was to be planted by Columbia Bank but was not done. Councilman Wojtecki said he would look into this. Councilman Wojtecki thanked the Sheriff's Department who assisted DPW in repainting the entire length of the guardrail on Grand Avenue and cleaned up the fire practice area at the Recycling Center. Mayor Goldberg stated that the jail cells were cleaned today.

## **CORRESPONDENCE**

- C-1 Accept letter of resignation dated May 4, 2010 from the Board of Fire Commissioners for Fire Fighter Frank LaRosa of Company #1
- C-2 Accept letter of notification of retirement dated May 4, 2010 from the Board of Fire Commissioners for Fire Fighter Joseph Peccini of Company #1.
- C-3 Accept letter of removal dated May 4, 2010 from the Board of Fire Commissioners For Fire Fighter Theodore Toms of Company #5.

Council President Bertollo entertained a motion to approve C-1 through C-3, moved by Councilman Sinning, seconded by Councilman Mele. On roll call, all Councilmen Bertollo, Bennett, Matthews, Mele, and Sinning voted yes. Councilmen Lane and Wojtecki abstained.

**MISCELLANEOUS**

SOL-1 Hawthorne Fire Department Ladies Auxiliary has requested permission to conduct a Coin Drive, Saturday, August 28, 2010 and August 29, 2010 between the hours of 10:00 a.m. – 2:00 p.m.

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

**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. Council President Bertollo stated this list includes the late entry for Team Logic. Councilman Wojtecki asked if the check for Team Logic represents the work conducted in the Police Department and Councilman Bertollo said yes. On roll call, all voted yes. However, Councilmen Lane and Wojtecki abstained on check numbers 9995, 9998, 10014, 10015, 10024, 10048 and 10061. Councilman Lane also abstained on check number 1032, and Councilman Wojtecki abstained on Check Nos. 10003 and 10013. Council President Bertollo abstained on the check for Downes Tree Service.

VENDOR	CHECK#	TOTAL	DESCRIPTION
<b>CURRENT FUND</b>			
A T & T	9995	46.39	TELEPHONE CHARGES
A-VAN ELECTRICAL	9996	477.04	PUB WORKS ADMIN O/E
ACORN TERMITE & PEST CONTROL	9997	100.00	PUB WORKS ADMIN O/E
ADVANCED AIR SYSTEMS LLC	9998	240.00	FIRE DEPT O/E
ALL BERGEN LOCKSMITHS, INC	9999	145.00	SWIMMING POOL O/E
ALL STAR TRANSMISSION SPEC	10000	1,950.00	VEHICLE MAINT POLICE
AM/PM SERVICES	10001	198.00	FINANCIAL ADMIN O/E
AMERICAN HOSE CO INC	10002	280.00	STREETS & ROADS O/E
B & C COMMUNICATIONS, INC	10003	1,067.91	VARIOUS
BOB'S TIRES & WHEELS INC	10004	714.00	VARIOUS
BOROUGH OF GLEN ROCK	10005	18,578.00	GLEN ROCK SEWERS
BOSWELL ENGINEERING, INC	10006	7,075.00	VARIOUS
CABLEVISION	10007	217.67	VARIOUS
CINTAS CORP	10008	348.30	PUB WORKS ADMIN O/E
CITY WIDE MAINTENANCE	10009	1,225.00	PUB WORKS ADMIN O/E
COACHMAN INT'L TOURS INC	10010	700.00	BOARD OF REC O/E
CONEXION PRINTING	10011	244.00	GENERAL ADMIN O/E

DON'S AUTO REPAIR SERVICE LLC	10012	310.00	VARIOUS
DOWNES TREE SERVICE, INC.	10013	6,094.00	VARIOUS
FEDERATED EMERGENCY SERVICES	10014	2,945.14	VARIOUS
FIRE SERV SAFETY TESTING, INC	10015	839.90	VEHICLE MAINT FIRE DEPT
FUTURE SANITATION INC	10016	33,342.58	VARIOUS
G T B M, INC	10017	2,625.00	POLICE DEPT O/E
GET A CAN	10018	23,000.00	VARIOUS
GILL ASSOCIATES	10019	202.50	VARIOUS
HAWTHORNE AUTO LAB	10020	665.87	VARIOUS
HAWTHORNE BOARD OF EDUCATION	10021	2,518,787.00	SCHOOL TAX
HAWTHORNE CAFETERIA ACCT	10022	960.00	VARIOUS
HAWTHORNE CAR WASH, INC	10023	250.00	VEHICLE MAINT POLICE
HAWTHORNE FIRE DEPT	10024	97.95	FIRE DEPT O/E
HAWTHORNE PRESS INC	10025	379.08	VARIOUS
HERITAGE FLAGS & BANNERS	10026	1,198.50	PUB WORKS ADMIN O/E
INNOCORP, LTD	10027	147.10	MUNICIPAL ALLIANCE
JENNIFER SCULLY	10028	150.00	CHANGE FUND
JERSEY ELEVATOR INC	10029	145.00	PUB WORKS ADMIN O/E
JOHN DEERE LANDSCAPE	10030	891.20	MAINTEN OF PARKS
JOHN PALLOTTA	10031	305.70	CONST CODE OFFICIAL O/E
JP HOME ARAMA, INC	10032	97.72	VARIOUS
K&K TROPHY MART INC	10033	45.00	GENERAL ADMIN O/E
KNAPP, TRIMBOLI & PRUSINOWSKI	10034	4,596.00	LEGAL SERV& COSTS O/E
KRAFT ROOFING, INC.	10035	1,009.00	PUB WORKS ADMIN O/E
LEE CO	10036	180.00	SWIMMING POOL O/E
LUK OIL	10037	7,912.53	BULK PURCHASE GASOLINE
M & B SEPTIC SERVICE, LLC	10038	80.00	BOARD OF REC
MARY JEANNE HEWITT	10039	93.32	VARIOUS
MAS	10040	127.45	POLICE DEPT O/E
MIDLAND AUTO PARTS	10041	78.72	STREETS & ROADS O/E
MUNICIPAL CLERKS ASSOC OF NJ	10042	40.00	FINANCIAL ADMIN O/E
MUSICIAN'S FRIEND	10043	199.99	AV GRANT
NEPTUNE-BENSON	10044	170.81	SWIMMING POOL O/E
NJ MEADOWLANDS COMMISSION	10045	3,559.53	VARIOUS
NORTH JERSEY MEDIA GROUP INC	10046	202.24	MUNICIPAL CLERK O/E
OFFICE CONCEPTS GROUP INC	10047	536.33	VARIOUS
PASSAIC COUNTY MUTUAL AID ASSO	10048	75.00	FIRE DEPT O/E
PATERSON PAPERS	10049	223.70	FINANCIAL ADMIN O/E
PHYLLIS WOOLDRIDGE	10050	180.00	GROUP INSURANCE O/E
PREFERRED BUSINESS SYSTEMS	10051	345.00	PUB WORKS ADMIN O/E
PREVENTION	10052	16.97	MUNICIPAL ALLIANCE

PROCOPY INC	10053	127.25	MUNICIPAL CLERK O/E
PUBLIC SERV ELEC & GAS	10054	25,837.75	VARIOUS
ROUTE 23 AUTO MALL	10055	1,100.00	VEHICLE MAINT ROAD
RT OFFICE PRODUCTS	10056	196.68	VARIOUS
RUTGERS - CENTER FOR GOV'T SER	10057	483.00	STREETS & ROADS O/E
SEELEY EQUIP & SUPPLY CO, INC	10058	260.00	STREETS & ROADS O/E
SHOTMEYER BROS FUEL CO	10059	5,154.93	BULK PURCHASE GASOLINE
SIGNAL CONTROL PRODUCTS	10060	150.00	STREETS & ROADS O/E
SOME'S UNIFORM CO. INC	10061	50.00	FIRE DEPT O/E
SPRINT-WIRELESS	10062	279.93	POLICE DEPT O/E
STATE OF NJ: BUREAU BOILER AND	10063	370.00	PEOSHA O/E
STORR TRACTOR CO	10064	934.09	MAINTEN OF PARKS
TEAM LIFE, INC.	10065	860.00	POLICE DEPT O/E
TEE-FX SCREEN PRINTING, LLC	10066	2,984.50	VARIOUS
THOMAS ZACONIE	10067	58.00	CONST CODE OFFICIAL O/E
TREASURER, STATE OF NEW JERSEY	10068	50.00	REVENUE COLLECTION O/E
TRITEC/RICOH	10069	1,225.00	POLICE DEPT O/E
UNITED COMPUTER	10070	540.00	IT SERVICES
VAN DINE'S INC	10071	349.00	STREETS & ROADS O/E
VERIZON	10072	136.89	VARIOUS
VERIZON WIRELESS (N)	10073	1,125.16	VARIOUS
VITAL COMMUNICATIONS, INC.	10074	575.00	VARIOUS
WALDWICK PRINTING COMPANY	10075	197.80	GENERAL ADMIN O/E
WASTE MANAGEMENT OF NJ	10076	39,262.03	TRANSFER STATION
WRS COMPANY LLC	10077	<u>1,084.65</u>	PUB WORKS ADMIN O/E
<b>TOTAL CURRENT</b>		<b>\$ 2,730,103.80</b>	
 <b>GENERAL CAPITAL</b>			
ALPINE PAINTING & SANDBLASTING	3041	450.00	RENOVATION OF POOL
BOSWELL ENGINEERING, INC	3042	29,874.00	VARIOUS
HAWTHORNE PRESS INC	3043	27.30	IMPROV GOFFLE & SICOMAC PUMP
NJ TRANSIT	3044	1,946.00	INSTALL DRAIN & STORM IMPROV
NORTH JERSEY MEDIA GROUP INC	3045	86.94	ACQ DPW/POOL EQUIPMENT/REPAIRS
SUPLEE, CLOONEY & COMPANY	3046	<u>1,600.00</u>	VARIOUS
<b>TOTAL GENERAL CAPITAL</b>		<b>\$ 33,984.24</b>	
 <b>WATER OPERATING</b>			
AGRA ENVIRONMENTAL SVC	8180	2,430.00	VARIOUS
BOSWELL ENGINEERING, INC	8181	3,090.50	VARIOUS
CABLEVISION	8182	81.86	WATER UTILITY O/E
HERITAGE FLAGS & BANNERS	8183	115.00	WATER UTILITY O/E
HEWLETT-PACKARD CORP	8184	661.00	WATER UTILITY O/E

JBL ELECTRIC	8185	7,552.00	WATER UTILITY O/E
LEE CO	8186	1,266.00	WATER UTILITY O/E
LUK OIL	8187	502.12	WATER UTILITY O/E
MARY JEANNE HEWITT	8188	6.66	WATER UTILITY O/E
NEPTUNE PUMP	8189	158.00	WATER UTILITY O/E
NJWA	8190	375.00	WATER UTILITY O/E
ONE CALL CONCEPTS, INC.	8191	176.55	WATER UTILITY O/E
PUBLIC SERV ELEC & GAS	8192	38,118.26	WATER UTILITY O/E
ROUTE 23 AUTO MALL	8193	133.07	WATER UTILITY O/E
SHOTMEYER BROS FUEL CO	8194	191.88	WATER UTILITY O/E
SIR SPEEDY, INC	8195	1,301.50	WATER UTILITY O/E
VERIZON WIRELESS (N)	8196	<u>204.25</u>	WATER UTILITY O/E
<b>TOTAL WATER OPERATING</b>		<b>\$ 56,363.65</b>	
<b>WATER CAPITAL</b>			
CR INDUSTRIAL SERVICES INC	1008	1,014.80	CAPITAL EQUIPMENT
SIDNEY SCHEINERT & SON	1009	<u>283.30</u>	CAPITAL EQUIPMENT
<b>TOTAL WATER CAPITAL</b>		<b>\$ 1,298.10</b>	
<b>OTHER TRUST II</b>			
CHARLENE ELVIN	4055	84.93	MUNICIPAL ALLIANCE
ENVIRONMENTAL RENEWAL, LLC	4056	160.00	RECYCLING TRUST
HAWTHORNE CAFETERIA ACCT	4057	<u>250.00</u>	MUNICIPAL ALLIANCE
<b>TOTAL OTHER TRUST II</b>		<b>\$ 494.93</b>	
<b>DOG DEDICATED</b>			
HAWTHORNE ANIMAL HOSPITAL	6014	180.00	RABIES CLINIC
KERRY WOOLDRIDGE	6015	30.00	RABIES CLINIC
NICOLE CHAMBERLIN	6016	30.00	RABIES CLINIC
NJ DEPARTMENT OF HEALTH	6017	<u>127.80</u>	STATE OF NEW JERSEY
<b>TOTAL DOG DEDICATED</b>		<b>\$ 367.80</b>	
<b>OTHER TRUST I ESCROW</b>			
K HOVNANIAN HOMES	7007	<u>112,817.57</u>	SURETY/BONDS
<b>TOTAL OTHER TRUST I ESCROW</b>		<b>\$ 112,817.57</b>	
<b>HOUSING TRUST</b>			
COMMUNITY GRANTS & PLANNING, I	2003	<u>1,752.40</u>	HOUSING REHAB PROGRAM
<b>TOTAL HOUSING TRUST</b>		<b>\$ 1,752.40</b>	

TOTAL BILL LIST

\$ 2,937,182.49

## **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 asked if the Braen Ave. drainage project was placed on a back burner or not be completed at all. Councilman Bennett stated that this was not in the plans that are going out to bid. Mr. Rooney asked if he could review the plans and he was told he could. He thanked Council for the efforts in the K. Hovnanian matter.

Sharon Ibrahim, 700 Lafayette Ave thanked the Mayor for his proposing the project for Rea House. Ms. Ibrahim participated in the Town Wide Garage Sale on May 1<sup>st</sup>. All remaining bulky waste from the garage sale was placed at the curb on Wednesday, May 5<sup>th</sup>. She received a summons to appear in Municipal Court on June 17<sup>th</sup> citing source separation recycling and garbage. She reviewed the information provided for the Town Wide Garage Sale. A list was provided for throwing away items not sold at the garage sale and it was noted that Bulky Waste Week will begin on May 4<sup>th</sup> and stated not to place items at the curb until your regular garbage day. Everything that she thought was trash was placed at the curb. She spoke to another resident who had to appear in court based on this same scenario and who was told by an employee that everything could be placed at the curb. When this resident appeared in Court, his fine was lowered to \$83.00. Ms. Ibrahim said that she earned only \$140 at her garage sale and that she will now have to leave work early to appear in Court. Council President Bertollo stated he is not sure of the misunderstanding, the recycling laws would be relaxed on Bulky Waste Day. Ms Ibrahim met with Administrator Mauer on May 17<sup>th</sup> to discuss this situation and showed him pictures. During the meeting Administrator Mauer stated that she was a repeat offender. Councilman Matthews asked her if she ever received a warning. She did not remember. She claimed that another resident was in violation of the same issue, however this person knew the issuer of summonses and because of this, did not receive a summons. She asked if this summons could be reduced to a window offense instead of her having to appear in Court.

Brian Warner, 352 Central Avenue received a ticket in the mail amounting to \$135.00 because his lawn is too long. He never received a warning, had been away the week prior to receipt of the ticket and did not have a chance to mow the lawn. He said that the ordinance has only been in place for ten days and tickets are being written. The ordinance states tickets can be written beginning May 1<sup>st</sup> and he received a ticket on May 10<sup>th</sup>. He asked if there was one 24 hour warning in place. Administrator Mauer stated warnings were issued prior to the middle of May. Administrator Mauer stated photographs were shown to him and it appeared that the grass had not been mowed this year. Mr. Werner asked how many tickets have been issued to date and Administrator Mauer said approximately forty. Council President Bertollo asked Mr. Warner if his grass was high and he said the center was long, it had been mowed two weeks prior to receiving the ticket. Council President Bertollo said that if forty summonses have been issued, approximately 90 percent were issued due to complaints from neighbors. Councilman Lane said that most of the time extenuating circumstances exists and a five-day warning should be issued prior to issuing a summons. Police issue verbal warnings, there are circumstances for each case. If warnings are issued and ignored, then a summons should be issued. Councilman Lane said this is a first offense and he should be issued a warning and if there is no compliance, then a summons should be issued. Administrator Mauer said he would review this with Enforcement staff. Mr. Warner stated last year he received a warning and this year he received a summons.

Council President Bertollo said that consistency is needed and the ordinance needs to be reviewed regarding the enforcement provision in the ordinance. Attorney Pasquale stated this can be done by an administrative directive.

Mr. Robert Kurdock, 15 Rhodes Court stated that he has seen selective enforcement regarding violations throughout the town and consistency is needed regarding the issuance of warnings and summonses. Mr. Kurdock stated that for approximately nine years, there have been on-going negotiations to purchase property from New Jersey Transit. He appreciates the courtesy of Councilman Matthews as to why he voted no on the Resolution. However, the gate crossing program has nothing to do with the renewal of 3.2 miles of rail project.

Sharon Ibrahim, 700 Lafayette Avenue stated the property conditions at 686 Lafayette Avenue are in poor condition and this should be looked at. The landlord does not take care of anything.

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 Lane. On roll call, all voted yes.

#### **ADJOURNMENT**

At 9:54 p.m. Council President Bertollo entertained a motion to adjourn the regular meeting. Motion was moved by Councilman Matthews, seconded by Councilman Wojtecki. On roll call, all voted yes.

Council President Bertollo indicated that the next regular council meeting will be on June 2, 2010 beginning at 8:00 p.m. There will not be a work session, Youth in Government.

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John Bertollo  
Council President

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Susan Witkowski  
Borough Clerk