

June 15, 2011  
Hawthorne, NJ

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 8:00 p.m., in the Council Meeting Room of the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey. Present were Council President Matthews, Vice President Bertollo, Councilpersons Bennett, Lane, Mele, Sinning and Wojtecki. 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 Matthews invited all present to join him in the flag salute.

### **STATEMENT**

Adequate notice of this meeting has been provided by the Annual Schedule of regular meetings heretofore adopted and posted on the Public Bulletin Board at the Municipal Building, emailed to the Hawthorne Press, Herald News, 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 15, 2010.

### **APPROVAL OF MINUTES**

Council President Matthews entertained a motion to approve the minutes of the Regular Meeting of June 1, 2011, moved by Councilman Mele, seconded by Councilman Wojtecki. On roll call, all said yes.

### **ADOPTION OF ORDINANCES**

#### **Ordinance No. 2041-11 for Adoption**

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 17, FIRE DEPARTMENT, BY ADDING THERETO ARTICLE IV, CLOTHING ALLOWANCE, OF THE CODE OF THE BOROUGH OF HAWTHORNE

#### **Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2041-11 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Seeing no one, Council President Matthews entertained a motion that the public hearing on Ordinance No. 2041-11 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. Motion was moved by Councilman Bennett, seconded by Council Vice President Bertollo. On roll call, all voted yes with the exception of Councilmen Lane and Wojtecki who abstained.

#### **Ordinance No. 2042-11 for Adoption**

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF HAWTHORNE, CHAPTER 225, ZONING, ARTICLE XI, I-2 INDUSTRIAL ZONES, SO AS TO ADD NEW AND USED AUTOMOBILE DEALERSHIPS AS A PERMITTED USE IN THE ZONING DISTRICT

#### **Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2042-11 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Seeing no one, Council President Matthews entertained a motion that the public hearing on Ordinance No. 2042-11 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. Motion was moved by Council Vice President Bertollo, seconded by Councilman Sinning. On roll call, all voted yes.

**Ordinance No. 2043-11 for Adoption**

BOND ORDINANCE PROVIDING FOR SANITARY SEWER MAIN IMPROVEMENTS ON PASADENA PLACE, WASHINGTON AVENUE, AND GOFFLE ROAD, FROM IVAN PLACE TO GOFFLE HILL ROAD, ROOF REPLACEMENT AT THE WAGARAW ROAD PUMP STATION, CAD SYSTEM MAPPING OF SEWER MAINS AND THE INSTALLATION OF PUMPS, MOTORS, GRINDERS, MECHANICAL EQUIPMENT AND LIGHTNING PROTECTION AT VARIOUS SEWER PUMPING STATIONS, INCLUDING ELECTRICAL INSTALLATION AND RELATED WORK IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME

**Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2043-11 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Seeing no one, Council President Matthews entertained a motion that the public hearing on Ordinance No. 2043-11 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. Motion was moved by Councilman Bennett, seconded by Councilman Mele. On roll call, all voted yes.

**Ordinance No. 2044-11 for Adoption**

BOND ORDINANCE PROVIDING FOR REMOVAL AND REPLACEMENT OF THE EXISTING ROOF, INCLUDING REMOVAL, REPLACEMENT OR REPAIR OF DECKING, SOFFITS, GUTTERS AND OTHER RELATED COMPONENTS OF THE ROOF OR ROOF DRAINAGE SYSTEM AT THE LOUIS BAY II LIBRARY IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$120,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME

**Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2044-11 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Seeing no one, Council President Matthews entertained a motion that the public hearing on Ordinance No. 2044-11 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. Motion was moved by Councilman Mele, seconded by Council Vice President Bertollo. On roll call, all voted yes.

**Ordinance No. 2045-11 for Adoption**

AN ORDINANCE TO AMEND ORDINANCE 1994-09 HERETOFORE ADOPTED BY THE BOROUGH OF HAWTHORNE, PROVIDING FOR REPLACEMENT AND THE ACQUISITION OF VARIOUS ITEMS OF WATER DEPARTMENT CAPITAL EQUIPMENT AND THE MAKING OF SPECIFIED IMPROVEMENTS, ALL AS SET FORTH HEREIN IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY AND APPROPRIATING \$495,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME, SO AS TO INCLUDE AS PART OF THE SCOPE OF WORK AN UPGRADE OF THE SCADA COMMUNICATION SYSTEM BETWEEN THE NORTH PUMP STATION AND OTHER FACILITIES

**Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2045-11 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Seeing no one, Council President Matthews entertained a motion that the public hearing on Ordinance No. 2045-11 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. Motion was moved by Councilman Wojtecki, seconded by Council Vice President Bertollo. On roll call, all voted yes.

**Ordinance No. 2046-11 for Adoption**

BOND ORDINANCE PROVIDING FOR ROAD RECONSTRUCTION, CURBING, RESURFACING AND DRAINAGE IMPROVEMENTS ON VARIOUS STREETS AND PROPERTIES DESCRIBED HEREIN OR HEREAFTER IDENTIFIED, ALL IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING TWO HUNDRED THOUSAND (\$200,000) DOLLARS THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME

**Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2046-11 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Seeing no one, Council President Matthews entertained a motion that the public hearing on Ordinance No. 2046-11 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. Motion was moved by Council Vice President Bertollo, seconded by Councilman Sinning. On roll call, all voted yes.

**Ordinance No. 2047-11 for Adoption**

BOND ORDINANCE PROVIDING FOR RECONSTRUCTION OR REPLACEMENT OF SIDEWALKS AND DRIVEWAY APRONS ON PASADENA PLACE AND MOHAWK AVENUE, AS DESCRIBED SPECIFICALLY HEREIN, IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING ONE HUNDRED TWENTY THOUSAND (\$120,000) DOLLARS THEREFOR, AUTHORIZING THE ISSUANCE OF BONDS OR NOTES FOR FINANCING PART OF THE COST THEREOF AND DIRECTING SPECIAL ASSESSMENT OF THE COST THEREOF

## **Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2047-11 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Tom D'Antonio, 90 Mohawk Ave, questioned who gets to decide what gets replaced and who he can address if he feels his property does not need repair work. Council President Matthews responded the Borough Engineer Representative makes the assessments in the field. Some causes to remove and/or repair sidewalks can be cracked slabs, slabs in disrepair, lowered sections of a sidewalk due to road reconstruction. The representative name and number can be found in the letter you received and you can call and discuss your concerns. Mr. D'Antonio asked if he can call the engineer representative and request a meeting. Engineer Boswell interjected yes, and they will come out and walk your property with you and discuss/decide assessment.

Marcia Puluse, 185 Pasadena Place, commented the sidewalk and curbs need to be replaced. There are three sycamore trees that need to be removed, she will not pay for the sidewalk replacement, and if the trees are not removed there is no sense in doing the sidewalk. Vice President Bertollo addressed Engineer Boswell and asked if there are plans to remove any trees on Pasadena Place. Engineer Boswell replied they adhere to what the Shade Tree Commission allows. Councilman Sinning interjected there are very large trees there that are breaking up the curbs. Ms. Puluse stated Boswell Engineer Representative Nicole Ogrosso stated one tree will be removed but she would like the three trees removed. Councilman Lane interjected his comments and agreed there are trees on Pasadena Place that need to be removed and perhaps they could be replanted with "deep-rooted" trees. Ms. Puluse commented what a terrible Spring we had with high winds that her insurance company would come after the Borough for costs of damage to her property. Engineer Boswell responded that she call the representative and schedule an appointment with them to come out to her house.

Suzanne Korpics, 242 Pasadena Place, asked if the marks on her sidewalk indicate what slabs need to be replaced. Engineer Boswell replied yes. She indicated a tree stump is still in the middle of her apron and did she have to incur the cost to have it removed. Councilman Sinning responded that is from a different project and it should have been removed by now. He directed the address to Councilman Wojtecki in order for him to report this to the Shade Tree Commission. Ms. Korpics confirmed she would incur the costs of just the two slabs which are marked at this time. Engineer Boswell indicated yes that is correct.

Judith Hughes, 133 Pasadena Place, commented she has the markings as well and could she have the repairs done herself in August. Engineer Boswell responded yes, the letter indicates you have 30 days in which to commit to doing the work yourself and a date in which the work needs to be completed. Administrator Maurer responded the completion date is September 2nd. Ms. Hughes asked if the apron and curb is her responsibility as well. Engineer Boswell responded the curb is the responsibility of the Borough and sidewalks and aprons are the responsibility of the resident. Councilman Lane commented to Ms. Hughes she obtain pricing from an outside vendor as well as the Borough Engineer who may be able to give her a better price due to volume of total project. Discussion ensued on pricing.

Council President Matthews entertained a motion that the public hearing on Ordinance No. 2047-11 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. Motion was moved by Councilman Lane, seconded by Councilman Wojtecki. On roll call, all voted yes.

## **Ordinance No. 2048-11 for Adoption**

BOND ORDINANCE PROVIDING FOR ROAD RECONSTRUCTION, RESURFACING, DRAINAGE, DRIVEWAY APRON, CURB AND SIDEWALK IMPROVEMENTS ON MOHAWK AVENUE, AS DESCRIBED SPECIFICALLY HEREIN, IN AND BY THE

BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING THREE HUNDRED THIRTY THOUSAND (\$330,000) DOLLARS THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME

**Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2048-11 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Tom D'Antonio, 90 Mohawk Ave, commented the last three ordinances are very similar in their wording and pertain to his area of Mohawk Avenue. The three amount to \$650,000 and the scope of work sounds like a variable, what happens if all the money does not get spent? Council President Mathews explained the unused funds get put back into the surplus, also this being a Department of Transportation (DOT) project this year, state money is allocated for the reconstruction, which means the borough spends it and gets reimbursed. Mr. D'Antonio continued and inquired if the money is going to part of the curbing, apron and sidewalks, does that mean the homeowner is responsible for the sidewalks and aprons and rest of the money is going toward drainage and roadwork. It was stated yes, this is correct. Engineer Boswell interjected and explained this is a bond ordinance which establishes a credit line for the Borough, it is not borrowing money, and you only borrow what you need.

Council President Matthews entertained a motion that the public hearing on Ordinance No. 2048-11 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. Motion was moved by Councilman Bennett, seconded by Councilman Mele. On roll call, all voted yes.

**Ordinance No. 2049-11 for Adoption**

AN ORDINANCE TO AMEND ORDINANCE 2008-10, HERETOFORE ADOPTED BY THE BOROUGH OF HAWTHORNE, PROVIDING FOR ROAD RECONSTRUCTION, CURBING, RESURFACING AND DRAINAGE IMPROVEMENTS ON VARIOUS STREETS AND PROPERTIES DESCRIBED THEREIN OR LATER IDENTIFIED, ALL IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING SIX HUNDRED THOUSAND (\$600,000) DOLLARS THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME, SO AS TO MODIFY THE SCOPE OF WORK BY INCLUDING PASADENA PLACE AND SUNRISE DRIVE AS ADDITIONAL LOCATIONS THEREUNDER

**Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2049-11 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Seeing no one, Council President Matthews entertained a motion that the public hearing on Ordinance No. 2049-11 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. Motion was moved by Councilman Mele, seconded by Councilman Lane. On roll call, all voted yes.

**Ordinance No. 2050-11 for Adoption**

AN ORDINANCE TO AMEND ORDINANCE 1976-09, HERETOFORE ADOPTED BY THE BOROUGH OF HAWTHORNE, PROVIDING FOR ROAD RECONSTRUCTION, CURBING, RESURFACING AND DRAINAGE IMPROVEMENTS ON VARIOUS STREETS AND

PROPERTIES DESCRIBED THEREIN OR LATER IDENTIFIED, ALL IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING SIX HUNDRED THOUSAND (\$600,000) DOLLARS THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME, SO AS TO MODIFY THE SCOPE OF WORK BY INCLUDING PASADENA PLACE AND SUNRISE DRIVE AS ADDITIONAL LOCATIONS THEREUNDER

### **Public Hearing**

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2050-11 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

James Dusenberry, 81 Roosevelt Avenue, commented there are sidewalks on Mohawk Avenue and Pasadena Place but no sidewalks on Sunrise Avenue near the school, were there any plans to add sidewalks as the students have to walk in the street. Council President Matthews commented Sunrise Avenue is only being reconstructed and resurfaced, no sidewalks will be added.

Council President Matthews entertained a motion that the public hearing on Ordinance No. 2050-11 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. Motion was moved by Councilman Bennett, seconded by Council Vice President Bertollo. On roll call, all voted yes.

Councilman Lane addressed Administrator Maurer and asked he explain to the public the details of the funding of tonight's ordinances and amount of money the borough will be spending. Administrator Maurer indicated we will receive a \$185,000 grant for ordinance 2048-11 (\$330,000) and a \$40,000 grant for ordinance 2044-11 (\$120,000). Ordinances 2050-11, 2049-11 and 2045-11 are previously adopted ordinances which are being amended and do not add money. In addition, authorized amounts this year are significantly less than what is being paid off for the year which will reduce the amount of debt for the borough. Council President Matthews stated there are also funds remaining from last year's road resurfacing program which will be used as well.

Engineer Boswell commented the cost would be \$22 per linear foot for sidewalks.

The assessment process was explained by Administrator Maurer as well as Director of Revenue and Finance Hewitt interjecting details of the process and interest rates. Engineer Boswell also commented the inspections are provided by the borough, and the Borough Engineer is responsible for quality control of the project. His estimated project start date is 2.5 months from today.

### **PUBLIC COMMENT**

Council President Matthews 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 be for agenda items only.

Chuck Pawlowski, 101 Pasadena Place, asked who he would address if he felt the sidewalk was not up to standard. Engineer Boswell replied that in addition to marked slabs, you may have additional slabs replaced at your cost if you desire. A representative would come out to your home to discuss.

Suzanne Kropics, 242 Pasadena Place, commented Engineer Boswell's number of \$22 per linear foot for the sidewalk, are a lot lower than what is stated in the letter. Engineer Boswell stated that number is strictly construction costs and including inspections costs it would amount to \$33.00 per linear foot.

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

## **PUBLIC HEARING**

### **Application for Passaic County Open Space and Farmland Preservation Trust Fund for the installation of field lights on Wagaraw Ball Field #4.**

Council President Matthews entertained a motion to open the hearing to the public. Motion by Council Vice President Bertollo, seconded by Councilman Lane. On roll call, all voted yes with the exception of Councilman Wojtecki who voted no.

Council President Matthews called upon Administrator Maurer to explain the application.

Administrator Maurer explained there is limited space for ball fields, we are attempting to maximize the use of space we have and Wag Field #4 is only remaining field at Wag Fields without lighting. The cost estimate provided by Boswell Engineering is \$150,000 which includes design, inspections and miscellaneous items. We have applied for a grant of \$120,000 with an additional \$30,000 as a match. Lighting will be modern energy efficient lights similar to those installed at Veteran's Soccer Field. We are applying for a County grant and if approved, we estimate construction would start sometime next year.

Council President Matthews asked if there were any comments on the public hearing. Seeing none, Council President Matthews entertained a motion to close the public portion, moved by Council Vice President Bertollo, seconded by Councilman Mele. On roll call, all voted yes.

R 141-11 Authorizing application for Open Space Funds to install lights at Wagaraw Field #4

### **RESOLUTION AUTHORIZING AN APPLICATION TO THE COUNTY OF PASSAIC FOR OPEN SPACE FUNDS TO INSTALL LIGHTS AT WAGARAW FIELD #4**

WHEREAS, the County of Passaic, using funding from the County's Open Space Tax paid by property owners in Passaic County, offers grants to the County's Municipalities for both acquisition of open space and rehabilitation or development of recreational facilities; and

WHEREAS, the Borough of Hawthorne has identified field lighting at Wagaraw Field #4 as a project eligible for this funding that would be beneficial to the Borough by increasing the hours that this new field can be used, thereby increasing the recreational benefit of the facility; and

WHEREAS, the estimate for the total cost of the project, including design, inspection, construction, and miscellaneous installation of lights is \$150,000.00; and

WHEREAS, the Borough commits to matching funds of \$30,000, or 20% of the total cost of the project, making the grant request \$120,000; and

WHEREAS, the Borough Council held a public hearing on this application on June 15, 2011;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne that the Borough Administrator is hereby authorized to submit an application for an application for a \$120,000.00 Open Space Grant to the County of Passaic for the installation of lights at Wagaraw Field #4.

Council President Matthews asked if there were any questions or comments on R141-11. None were raised. Council President Matthews entertained a motion to approve R141-11, moved by Council Vice President Bertollo, seconded by Councilman Wojtecki. On roll call, all voted yes.

## **OLD BUSINESS**

Council President Matthews asked if there was any old business to discuss.

Councilman Wojtecki thanked Jean Mugilisi from the Health Department for the private sessions for the food handlers at St. Anthony's Feast. Thank you to the Department of Public Works for the painting of the yellow parking stripes on Diamond Bridge Avenue.

Councilman Lane asked Administrator Maurer for an update on the drainage proposal with the county for Rea and Third Avenues. Administrator Maurer indicated the county will do mark-outs this week and start the project next week weather permitting.

Council President Matthews asked if there was any additional old business to discuss. No additional old business was raised.

**NEW BUSINESS**

Council President Matthews asked if there was any new business to discuss.

Council Vice President Bertollo thanked Public Works Director Joe Clementi, the water and roads department for bringing the water supply to the Pocket Park. The project is moving along at a rapid pace with many involved and many to be thanked, John Lane, Kevin Russell.

Council President Matthews asked if there was any additional new business to discuss. No additional new business was raised.

**ADMINISTRATIVE AGENDA PRESENTED BY THE MAYOR**

Mayor Goldberg reported yesterday was the 45<sup>th</sup> anniversary of the death of Hawthorne resident Billy Dutches who was killed in Vietnam. A portion of Kingston Avenue was dedicated as Lance Corporal William Dutches Way. The response from his family, friends and the community was overwhelming. This will be a tradition we would like to continue on an annual basis, please nominate a Hawthorne resident for this honor that paid the ultimate price defending our country. A special thank you to Charlene Elvin for her coordination of this ceremony and tribute. Mr. Dutches' best friend, who was with him in Vietnam, flew from Thailand for the dedication.

Leadership Camp currently has one-hundred-eight kids registered and is scheduled for August 15 through the 19<sup>th</sup>; applications can be found on our website at: [www.hawthornenj.org](http://www.hawthornenj.org).

**MAYOR'S APPOINTMENTS** *(With advice and consent of Council)*

Member/Zoning Board of Adjustment	David A. Schroter
Member/Zoning Board of Adjustment-Alternate #1	Scott Chamberlin
Member/Zoning Board of Adjustment-Alternate #2	Daniel Melfi

Council President Matthews entertained a motion for advice and consent, moved by Councilman Wojtecki, seconded by Council Vice President Bertollo. On roll call, all voted yes.

**ADMINISTERING OATH OF OFFICE**

Mayor Goldberg administered the Oath of Office to David Schroter.  
Mayor Goldberg administered the Oath of Office to Scott Chamberlin.  
Mayor Goldberg administered the Oath of Office to Daniel Melfi.

Mayor Goldberg thanked Ken Silvestri for his 20 years of service on the Zoning Board.

**REPORTS**

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

Director of Revenue and Finance Hewitt reported on the following:

Congratulations to all sitting Councilman on their Ward election victories. Annual tax sale is upcoming with fifty-six properties on the list. The water shut-off list is at one-hundred-fifty which is 2010 past due bills, they will also be put on the tax sale list and have liens put on their

property as per the state. No information has been received from the State as yet on the tax bills. Attended an excellent Ethics seminar and would encourage all to attend.

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

Mayor Goldberg called upon Attorney Pasquale for his report.

Attorney Pasquale reported on the following:

Congratulations to the four sitting Council members on their win and to Mayor Goldberg on his primary victory. Tax appeals are now complete, state court appeals are next. Since the cases were moved to Morristown, they are moving very slowly, we will work to move them more quickly and demand court dates. He continued with a report on the state of foreclosures in Hawthorne and the State.

This concluded Attorney Pasquale's report.

Mayor Goldberg reported he has called a special meeting for June 29<sup>th</sup> with the Council and the Board of Education to discuss school funding, also invited is Senator Daugherty who will discuss how his funding formula will increase one million dollars of aid into nineteen million dollars of aid. The public is invited.

Mayor Goldberg called upon Engineer Boswell for his report.

Engineer Boswell reported on the following:

Drainage Improvement Project – Stacey Contracting should be finished on Mohawk Avenue in four days. In response to Councilman Bennett's inquiry of clean-up on Washington Avenue, the dumpster arrives tomorrow or Friday to clean up the site.

Library Roof – draft documents are expected to be completed by Friday, June 17<sup>th</sup>, which will then be forwarded to SHPO for their review approval to bid the project.

UST Underground Monitoring – The project is on hold until the borough finalizes funding.

Brockhuizen Lane – Done. Close-out contract amount of \$215,000 was approximately \$35,000 less than original bid. Awaiting maintenance bond from the Contractor.

Division Driveway Apron – The Division Street driveway apron has been completed.

Christian Health Care Center – Next meeting is scheduled for June 27<sup>th</sup>. There is a new attorney for Wyckoff.

Sanitary Sewer Repair – 888 Goffle Road – Colonelli Bros. has completed the point repair. SWERP is expected to line the sewer pipe the week of June 20<sup>th</sup>.

Goffle Brook Bank Stabilization – plans have been submitted to the NJDEP for review. SHPO should be issuing their final approval this week, permit should follow.

Boswell Engineering is in receipt of a letter from the Department of Transportation (DOT) in regards to two projects that have not been closed-out which would capture additional funds for the borough, 2004 Buena Vista Section One for \$34,289 and 1999 Rock Road for \$32,500.

This concluded Engineer Boswell's report.

Mayor Goldberg called upon Administrator Maurer for his report.

Administrator Maurer reported on the following:

A change order will be submitted to the State to replace the lights in the Court Room. Lighting proposal for ambulance building was reviewed by the Borough Engineer. The new nurse should be selected by next week. The County has approved our 2010 CDBG grant for the library roof

and a 2011 CDBG grant for \$110,000 for the repaving of Dixie Avenue. Open space grant for Wagaraw lighting will be submitted by Friday. Meetings will take place with EMS and radio consultant to review communication issues. JIF property loss control inspection was completed on June 6<sup>th</sup> with no recommendations for improvements, thank you to Jennifer Scully for her effective leadership in this area. Violations were issued to 200 Central Avenue, 195 Goffle Road and the International Bakery, plans due today from owner on North 8<sup>th</sup> wall. Awaiting assignment of summons issued earlier to Pan Chemical and 55 Westervelt, violations not abated. Congress Mills due in court tomorrow, have dumpster on site for clean-up, insurance company has only issued verbal on demolition of flood-damaged building. Two hundred and four notices have been issued for grass and weeds and forty summonses. Proposal for e-ticketing system in within budget, purchase order to follow. Final evening signup for Summer Rec is Monday, June 20<sup>th</sup> from 6:30 to 8:30 p.m. More information and applications are available on our website at: [www.hawthornenj.org](http://www.hawthornenj.org). To date, twelve pool passes have been issued to North Haledon residents.

This concluded Administrator Maurer's report.

Mayor Goldberg reported the 7-11 application will not be heard at Monday night's zoning board meeting.

Council President Matthews asked Council if there were any questions for the Administration.

Councilman Lane asked for an update on the repair of the pressure reducing valve at Lafayette Hills. Administrator Maurer indicated we are awaiting final completion.

Councilman Sinning reported a tree at 193 Third Avenue should be trimmed as the power lines are running through the tree and the branches are lifting the lines. Councilman Wojtecki stated it is an issue for PSE&G. The hatch-mark stripes were not re-painted in front of Firehouse 3. Administrator Maurer indicated it is the Borough's responsibility to re-paint those markings. Thermoplast and striping was discussed at Public Works Committee.

Councilman Wojtecki asked if the pool passes purchased by North Haledon residents were family or individual passes. Administrator Maurer indicated they are for individuals and will confirm. Councilman Wojtecki stated the original estimate was 38 families. Attorney Pasquale commented 30-40 families. Councilman Wojtecki stated the Stacey Contracting truck continues to park and take up many spaces at the Wagaraw field complex. Mayor Goldberg indicated they were given specifics through the Borough Engineer as to when and where they can park. Engineer Boswell indicated he would follow up tomorrow morning. Councilman Wojtecki asked if we had approached Valley Hospital and/or St. Joe's Hospital who provide hospital services to the borough in exchange for sending our employees to them. He is aware hospitals provide community nurse services to the community. Administrator Maurer indicated he is near a final decision on selecting a nurse but will look into this option. Comments were made that the quality of the outsourced lawn service was getting better. Comments were made on the new Dunkin Donuts under construction on Wagaraw Road.

The Grand Opening of Vivi's Gelato restaurant is Monday at 3:00 p.m.

Council Vice President Bertollo addressed Engineer Boswell and asked who would be repairing the resident's driveway on Washington Avenue. Engineer Boswell will find out and get back to him and inform the resident as well.

Council President Matthews asked Council if there were any other questions for the Administration. No other questions were raised.

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

## **INTRODUCTION OF ORDINANCES**

None.

**CONSENT AGENDA MR 19-11, R 113-11 through R 140-11, R 142-11**

Council President Matthews stated backup was missing from several PRC licenses, therefore the following resolutions will be pulled and heard at a special meeting on June 29. R125-11, R128-11, R130-11, R132-11, and R133-11 as well as R138-11, R139-11 and R140-11 which did not meet the criteria.

**MR 19-11 Resolution, Introduced by Councilman Mele**

WHEREAS, teen parties are one of the highest risk settings for underage drinking; and

WHEREAS, state law permits the police to enter private property with probable cause and hold adults (hosts) responsible; and

WHEREAS, a loophole exists in state law in that the police, upon entering private property and finding that underage drinking is taking place, have no ability to hold the underage drinking youth accountable; and

WHEREAS, State law currently allows each municipality the ability to pass a Private Property Ordinance, allowing police to enter such premises and hold underage youth accountable for their actions; and

WHEREAS, an imbalance is created as a result with youth being held accountable only in municipalities adopting an ordinance permitting law enforcement action while being unaccountable in communities not passing such an ordinance; and

WHEREAS, the need to deter underage drinking is too important for inconsistent rules from community to community, making the need for a uniform approach to this problem appropriate and compelling; and

WHEREAS, legislation has been introduced repealing the grant of authority to individual communities to adopt regulations concerning underage drinking and instead making the law uniform throughout the State of New Jersey; and

WHEREAS, the proposed legislation would make it clear that an underage person is prohibited from possessing or consuming an alcoholic beverage on private property, except in specified circumstances such as religious celebrations or with the consent and supervision of a parent, guardian or other adult able to act in such capacity; and

WHEREAS, the proposed legislation would define penalties for violations including loss of driving privileges, a major deterrent to underage drinking;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of (name of municipality) calls on its elected representatives in Trenton, Senator(s) John A. Girgenti and Robert M. Gordon and Assembly members Joan M. Voss, Connie Wagner, Nellie Pou and Eleese Evans to work with their colleagues in the Legislature to pass A-3573 and S-2133; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Governor Chris Christie, Senate President Stephen M. Sweeney, Assembly Speaker Albio Sires and to the New Jersey State League of Municipalities.

**R 113-11 Resolution, Introduced by Councilman Mele**

To ratify actions of the Municipal Council of the Borough of Hawthorne payroll dated June 3, 2011

CURRENT FUND	WT 888889	\$277,258.49
WATER OPERATING FUND	WT 888889	\$47,208.29
OTHER TRUST II FUND	WT 888889	

		\$11,955.46
DOG DEDICATED TOTAL	WT 888889	\$ -
		<u>\$ 336,422.24</u>
TOTAL PAYROLL		
CURRENT FUND TO PAYROLL/FICA	WT 888889	\$11,033.34
WATER OPERATING FUND TO PAYROLL/FICA	WT888889	\$5,000.00
		<u>\$ 16,033.34</u>
TOTAL FICA		

**R 114-11 Resolution, Introduced by Councilman Mele**

WHEREAS: Tax Sale Certificate #2008-09 was sold on November 12, 2008 in the amount of \$8,115.32 on Block 204 Lot 4 then assessed to David Edward Dodge and said lien was originally purchased by Crusader Lien Services, 179 Washington Lane, Jenkintown, PA 19046, and

WHEREAS: said lien was redeemed on May 31, 2011 in the amount of \$38,426.54, said lienholder is entitled to a refund including the amount of the lien \$8,115.32, penalty of \$324.61 , search and recording fee of \$52.00, subsequent taxes of \$23,713.19 and interest of \$6,221.42 for a total of \$38,426.54 and

NOW, THEREFORE, BE IT RESOLVED: that the Collector of Taxes recommends that a check be issued by the Treasurer from the Other Trust II/Trustee Account to Crusader Lien Services in the amount of \$38,426.54 to reimburse the lienholder for the lien, penalty, fees, subsequent taxes and interest and a check from the Other Trust I account for \$8,500.00 for Premium paid.

**R 115-11 Resolution, Introduced by Councilman Mele**

WHEREAS: Tax Sale Certificate #2010-17 was sold on September 28, 2010 in the amount of \$140.26 on Block 20 Lot 2 then assessed to Ramon & Norma Lantigua and said lien was originally purchased by Isaac Moradi 520 Elm St., Kearny, N.J. 07032, and

WHEREAS: said lien was redeemed on May 3, 2011 in the amount of \$431.66, said lienholder is entitled to a refund including the amount of the lien \$140.26, interest of \$18.02, search and recording fee of \$12.00, subsequent water of \$236.51 and interest of \$24.87 for a total of \$431.66 and

NOW, THEREFORE, BE IT RESOLVED: that the Collector of Taxes recommends that a check be issued by the Treasurer from the Other Trust II/Trustee Account to I. Moradi in the amount of \$431.66 to reimburse the lienholder for the lien, fees, subsequent water and interest.

**R 116-11 Resolution, Introduced by Councilman Mele**

WHEREAS: Tax Sale Certificate #2010-16 was sold on September 28, 2010 in the amount of \$45.50 on Block 2 Lot 1 then assessed to Wells Fargo Bank Trustee and said lien was originally purchased by Isaac Moradi 520 Elm St., Kearny, N.J. 07032, and

WHEREAS: said lien was redeemed on May 5, 2011 in the amount of \$161.64, said lienholder is entitled to a refund including the amount of the lien \$45.50, interest of \$6.76, search and recording fee of \$12.00, subsequent water of \$84.17 and interest of \$13.21 for a total of \$161.64 and

NOW, THEREFORE, BE IT RESOLVED: that the Collector of Taxes recommends that a check be issued by the Treasurer from the Other Trust II/Trustee Account to I. Moradi in the amount of \$161.64 to reimburse the lienholder for the lien, fees, subsequent water and interest.

**R 117-11 Resolution, Introduced by Councilman Mele**

**RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159), P.L. 1948)**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount.

**SECTION 1**

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Borough of Hawthorne hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$701.15 which item is now available as revenue for the Alcohol Education, Rehabilitation & Enforcement Program in the Borough of Hawthorne.

SPECIAL ITEM OF REVENUE OFF-SET WITH APPROPRIATIONS  
Alcohol Education, Rehabilitation & Enforcement Program \$701.15

pursuant to the provision of the statute; and

**SECTION 2**

BE IT FURTHER RESOLVED, that a like sum of \$701.15 be and is hereby appropriated under the caption of:

OPERATIONS EXCLUDED FROM "CAPS"  
PUBLIC AND PRIVATE PROGRAMS OFF-SET BY REVENUE  
Alcohol Education, Rehabilitation & Enforcement Program \$701.15

**SECTION 3**

BE IT FURTHER RESOLVED, that the above is the result of funds due to the Borough of Hawthorne from the State of New Jersey that were not available at the time of the adoption of the 2011 budget and are now available by law.

**R 118-11 Resolution, Introduced by Councilman Mele**

WHEREAS, N.J.S. 40A:4-85 provides that the Director of the Division of Local Government Services may, with the consent of the governing body of a municipality, make such correction of the title, text or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose required for the needs of the municipality.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of N.J.S. 40A:4-85, the Municipal Council of the Borough of Hawthorne hereby requests the Director of the Division of Local Government Services to make the following corrections in the budget year 2011:

The appropriation provided for in the approved budget entitled:  
Operations Excluded from CAPS:  
Maintenance of Free Public Library Salaries and Wages be reduced by the amount of \$17,500.00

And an appropriation in the amount of \$17,500.00 be added to the budget entitled:  
Operations Excluded from CAPS:  
Maintenance of Free Public Library Outside Services

BE IT FURTHER RESOLVED, that the foregoing correction is, in the opinion of the Municipal Council, warranted and authorized by the statute cited above, and is necessary for the orderly operation of the Borough of Hawthorne for the reasons hereinafter set forth:

The Director of the Public Library resigned in April and a search for a replacement will take several months, and in that time we are required to have an Interim Director who has a Master of Library Science degree for the position. A search for a part time Interim Director was not successful and the Library has contracted with Pro Libra, a professional association that provides temporary library personnel for public libraries in need of interim employees.

BE IT FURTHER RESOLVED, that the Borough Clerk will forward two certified copies of this resolution to the Director of Local Government Services for approval.

**R 119-11 Resolution, Introduced by Councilman Mele**

BE IT RESOLVED by the Mayor and Council of the municipality of Hawthorne that application is made to the NJ Department of Transportation, Railroad Crossing & Safety Unit, for aid to install three railroad crossing gates at:

Van Winkle, Central & Warburton Avenue Railroad Crossings

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

NOW, THEREFORE, BE IT RESOLVED, that Capital Alternatives Corporation is authorized to prepare, assemble, and submit the necessary documentation on behalf of the municipality of HAWTHORNE for the stated project(s).

**R 120-11 Resolution, Introduced by Councilman Mele**

WHEREAS, the Borough of Hawthorne, County of Passaic believes that every child should have equal resources of state aid distributed by the legislature for an education in the State of New Jersey by utilizing a fair school funding mechanism; and

WHEREAS, the current distribution of state aid for education to the schools has not been distributed in a fair and equitable manner to provide property tax relief to all the citizens of the State of New Jersey; and

WHEREAS, Article III., Paragraph 1, of the New Jersey State Constitution states, “The powers of government shall be divided among three distinct branches, the legislative, executive, and judicial. No person or persons belonging to or constituting one branch shall exercise any of the powers properly belonging to either of the others, except as expressly provided in this Constitution;” and

WHEREAS, Article VIII, Section IV, Paragraph 1, of the New Jersey State Constitution states, “the Legislature shall provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of all children in the State between the ages of five and eighteen year;” and

WHEREAS, Article VIII, Section IV, Paragraph 2, of the New Jersey State Constitution states, “the fund for the support of free public schools . . . shall be annually appropriated to the support of free public schools, and for the equal benefit of all the people of this State;” and

WHEREAS, Article VIII, Section I, Paragraph 7.a. of the New Jersey State Constitution states, the income tax is to be “annually appropriated . . . exclusively for the purpose of reducing or offsetting property taxes;” and

WHEREAS, this body can no longer bear the burden of the continued diversion of its fair share of state school aid for the students between the ages of five and eighteen years of age who reside within this jurisdiction.

**R 121-11 Resolution, Introduced by Councilman Mele**

WHEREAS, the Borough of Hawthorne has previously entered into an Interlocal Agreement with the Borough of Prospect Park for the use of the Louis Bay II Memorial Library by residents of the Borough of Prospect Park; and

WHEREAS, the agreement by its terms expires on June 30<sup>th</sup> of each successive year; and

WHEREAS, the Administration has recommended the extension of the agreement, based upon the mutual benefit to citizens of both communities;

NOW THEREFORE IT IS HEREBY RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does hereby agree to extend its agreement with Prospect Park for an additional one year term, commencing July 1, 2011 and ending June 30, 2012, upon the same terms and conditions currently existing between the parties.

**R 122-11 Resolution, Introduced by Councilman Mele**

WHEREAS, the Borough of Hawthorne has previously entered into an Interlocal Agreement with the Borough of Ridgewood for the sale of water in bulk to the Village of Ridgewood and the Ridgewood Water Company, the same being incorporated herein by reference; and

WHEREAS, the Administration has renegotiated certain terms and conditions of that agreement based upon the experience of the two municipalities over the course of years this agreement has run; and

WHEREAS, the Municipal Council has reviewed the proposed changes to the agreement between the Borough of Hawthorne and the Village of Ridgewood and has determined that the same is in the interest of the Borough of Hawthorne in that it will allow for increased revenues to the Borough through the sale of water in bulk and assist the Village of Ridgewood and its Water Company in meeting the demands of its customers in an efficient manner;

NOW THEREFORE IT IS HEREBY RESOLVED, by the Municipal Council of the Borough of Hawthorne that the amended agreement between the Borough of Hawthorne and Village of Ridgewood for sale of water in bulk is hereby approved; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized and empowered to execute the said contract as and for the act of the Borough of Hawthorne and deliver the same to the Village of Ridgewood.

**R 123-11 Resolution, Introduced by Councilman Mele**

WHEREAS, The Municipal Clerk is submitting the following Club License Renewal Applications for renewal approval for the license renewal term 2011-2012

Lic#1604-31-020-001 Hawthorne Post #199 American Legion 1 Legion Place

NOW, THEREFORE, BE IT RESOLVED, that the Hawthorne Municipal Council, of the Borough of Hawthorne, has no objection to the renewal of these licenses and is not aware of any circumstances that would prohibit the renewal of said licenses.

**R 124-11 Resolution, Introduced by Councilman Mele**

WHEREAS, The Municipal Clerk is submitting the following Club License Renewal Applications for renewal approval for the license renewal term 2011-2012

Lic#1604-31-026-001 Riverside Veterans, Inc. 123 Royal Avenue

NOW, THEREFORE, BE IT RESOLVED, that the Hawthorne Municipal Council, of the Borough of Hawthorne, has no objection to the renewal of these licenses and is not aware of any circumstances that would prohibit the renewal of said licenses.

**R 125-11 PULLED: Renew PRC License for Evad Been, Inc. t/a Jiggles Go-Go, term 2011-2012**

**R 126-11 Resolution, Introduced by Councilman Mele**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License Renewal Application for renewal approval for the license renewal term 2011-2012

Lic#1604-33-007-008 Pesca Inc. t/a Bottagra Restaurant 80 Wagaraw Road

NOW, THEREFORE, BE IT RESOLVED, that the Hawthorne Municipal Council, of the Borough of Hawthorne, has no objection to the renewal of this license and is not aware of any circumstances that would prohibit the renewal of said license.

**R 127-11 Resolution, Introduced by Councilman Mele**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License Renewal Applications for license renewal term 2011-2012

Lic#1604-33-005-007 Meson Galicia, Inc. t/a 410 Wagaraw Road Granada Restaurant

NOW, THEREFORE, BE IT RESOLVED, that the Hawthorne Municipal Council, of the Borough of Hawthorne, has no objection to the renewal of this license and is not aware of any circumstances that would prohibit the renewal of said licenses.

**R 128-11 PULLED: Renew PRC License for San Giuseppe Santa Croce term 2011-2012**

**R 129-11 Resolution, Introduced by Councilman Mele**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License Renewal application for renewal approval for the license renewal term 2011-2012

Lic#1604-33-008-003 Phiefer Company LLC237 Diamond Bridge Ave.  
t/a Kirker's Inn

NOW, THEREFORE, BE IT RESOLVED, that the Hawthorne Municipal Council, of the Borough of Hawthorne, has no objection to the renewal of this license and is not aware of any circumstances that would prohibit the renewal of said license.

**R 130-11 PULLED: Renew PRC License for Mattar 98A, Corp.  
t/a Macaluso's, term 2011-2012**

**R 131-11 Resolution, Introduced by Councilman Mele**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License Renewal Applications for renewal approval for the license renewal term 2011-2012

Lic#1604-33-013-007 Puzo's Pizza International 4 Garfield Avenue  
t/a Puzo's Pizza International

NOW, THEREFORE, BE IT RESOLVED, that the Hawthorne Municipal Council, of the Borough of Hawthorne, has no objection to the renewal of this license and is not aware of any circumstances that would prohibit the renewal of said license.

**R 132-11 PULLED: Renew PRC License for Latin Bistro OFD Corp.,  
t/a Sabor Latin Bistro, term 2011-2012**

**R 133-11 PULLED: Renew PRC License w/Broad Package Privilege for Holst & Lehman Corp., t/a Hawthorne Liquors/Rumors, term 2011-2012**

**R 134-11 Resolution, Introduced by Councilman Mele**

WHEREAS, The Municipal Clerk is submitting the following Club License Renewal Applications for renewal approval for the license renewal term 2011-2012

Lic#1604-33-017-008 All Seasons Dining & Catering, LLC 67 Goffle Road

NOW, THEREFORE, BE IT RESOLVED, that the Hawthorne Municipal Council, of the Borough of Hawthorne, has no objection to the renewal of these licenses and is not aware of any circumstances that would prohibit the renewal of said licenses.

**R 135-11 Resolution, Introduced by Councilman Mele**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License w/Broad Package Privilege Renewal Application for renewal approval for the license renewal term 2011-2012

Lic#1604-32-011-014 Alex Bistro LLC 142 Goffle Road

NOW, THEREFORE, BE IT RESOLVED, that the Hawthorne Municipal Council, of the Borough of Hawthorne, has no objection to the renewal of this license and is not aware of any circumstances that would prohibit the renewal of said license.

**R 136-11 Resolution, Introduced by Councilman Mele**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License Renewal Application for renewal approval for the license renewal term 2011-2012

Lic#1604-33-016-004 Shortway's Barn Inc. t/a Shortway's Barn 991 Goffle Road

NOW, THEREFORE, BE IT RESOLVED, that the Hawthorne Municipal Council, of the Borough of Hawthorne, has no objection to the renewal of this license and is not aware of any circumstances that would prohibit the renewal of said license.

**R 137-11 Resolution, Introduced by Councilman Mele**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License Renewal Applications for renewal approval for the license renewal term 2011-2012

Lic#1604-33-003-003 DiCosmo Assoc./t/a The Front Porch 217 Wagaraw Rd.

NOW, THEREFORE, BE IT RESOLVED, that the Hawthorne Municipal Council, of the Borough of Hawthorne, has no objection to the renewal of these licenses and is not aware of any circumstances that would prohibit the renewal of said licenses.

**R 138-11 PULLED:** Renew PRC License w/Broad Package Privilege for Diamond Liquors LLC term 2011-2012

**R 139-11 PULLED:** Renew PRC License for Zira, Inc., t/a Ozzy's Café, term 2011-2012

**R 140-11 PULLED:** Renew PRC License for Rurff, Inc.t/a R.D. Benders, term 2011-2012

**R 142-11 Resolution, Introduced by Councilman Mele**

**RESOLUTION ACCEPTING OF A \$40,000 GRANT FROM THE COUNTY OF PASSAIC FOR ROOF REPLACEMENT AT THE LOUIS BAY 2<sup>ND</sup> LIBRARY AND AUTHORIZING EXECUTION OF A GRANT AGREEMENT**

WHEREAS, the Borough of Hawthorne submitted a request to the County of Passaic for a grant for roof replacement at the Louis Bay 2<sup>nd</sup> Library under the County's 2010 Community Development Block Grant program; and

WHEREAS, pursuant to the above-mentioned request, the County of Passaic has offered to the Borough of Hawthorne a grant of \$40,000 for roof replacement for the Louis Bay 2<sup>nd</sup> Library; and

WHEREAS, it is in the best interest of the Borough of Hawthorne to accept this grant funds;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne that the Mayor and Borough Clerks are hereby authorized to execute a grant agreement accepting \$40,000 in Community Development Block Grant funds from the County of Passaic for to be used for roof replacement at the Louis Bay 2<sup>nd</sup> Library.

Council President Matthews entertained a motion to approve Resolutions MR 19-11, R113-11 through R124-11, R126-11, 127-11, 129-11, 131-11, 134-11 through 137-11 and 142-11, moved by Councilman Mele, seconded by Council Vice President Bertollo. Council President Matthews asked if there were any questions. Council President Matthews reiterated that R125-11, 128-11, 130-11, 132-11, 133-11 and 138-11 through 140-11 were pulled. Councilman Sinning asked for details on R118-11. Council President Matthews explained the acting director is being paid through a corporation not as an employee, they insert the amount from one line to another rather than as a transfer. Councilman Sinning referred to R121-11 and reported a loss of \$435 for unreturned library books from Prospect Park residents. Discussion ensued in regards to the charge of library fees for Prospect Park residents and how to recover unreturned books from residents how had moved and should the borough be held responsible. Council President Matthews asked if there were any other questions. On roll call, all said yes.

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

#### **Councilman Wojtecki**

Thank you to Borough Clerk Witkowski and Councilman Lane for their work on the new sound system. The Shade Tree Commission meeting has been rescheduled for July 12<sup>th</sup> from July 5<sup>th</sup>.

#### **Councilman Sinning**

At the Library Board meeting a presentation was given by Detective King to discuss problems of teenagers loitering on the premises. Discussion took place to implement programs and a separate/private room upstairs for these kids. Interim Director has a lot of good ideas and is very proactive.

#### **Councilman Lane**

More equipment is coming for the sound system. Thank you to Council and Administration for approval on the purchase. The Transit Village/Vision meeting last Wednesday was an overwhelming success. Thank you to all who participated. A second meeting will be forthcoming end of July or beginning of August. The Board of Health meeting is scheduled for tomorrow night. Work in progress to use the remote camera on the cable TV to film events around town and air on the bulletin board for all to view.

#### **Councilman Bennett**

Public Works Committee met Monday night, after three-hundred man hours, the truck specs have been finalized and delivered to purchasing. The new street sweeper has accomplished cleaning much quicker than the old one but parked cars on the route remain an issue, will look into more stringent enforcement. Allison-Detroit has been chosen to implement the state mandated BART diesel emissions program. New computers for the SCADA system has been installed in the water department, software currently under development. Sewer jetting program is on schedule. The asphalt saver or "hot box" has been received and is out on the road. The snow plow plan is being finalized, the town has been divided into fourteen sections to streamline operation and improve efficiency, this will be implemented before next snow season. Signs are being made by Ridgewood to post on the well fields by the pool to prohibit parking. Preliminary stages of researching feasibility of installing solar panels on many of the municipal buildings.

#### **Council President Matthews**

Chamber of Commerce's general meeting is June 21<sup>st</sup> to discuss their shop local campaign and new website. The Farmers Market begins Sunday, June 26<sup>th</sup> from 9:00 am until 2:00 p.m., there are twelve vendors this year.

### **CORRESPONDENCE**

None.

## MISCELLANEOUS

None recorded.

## BILLS

Council President Matthews entertained a motion to approve the bills and forward them to the Treasurer for payment. Motion moved by Councilman Mele, seconded by Council Vice President Bertollo. Council President Matthews asked if there was any discussion. On roll call, all voted yes. Council Vice President Bertollo abstained from Downes Tree Service check #11964. Councilman Lane and Councilman Wojtecki abstained from checks #11951, 11990 and 12025.

<b>VENDOR</b>	<b>CHECK#</b>	<b>TOTAL</b>	<b>DESCRIPTION</b>
<b>CURRENT FUND</b>			
ACORN TERMITE & PEST CONTROL	11949	100.00	PUB WORKS ADMIN O/E
AGRA ENVIRONMENTAL SVC	11950	100.00	MAINTEN OF PARKS
AIG-VALIC	11951	17,280.00	RESERVE FOR LOSAP
ALL AMERICAN FORD	11952	3,700.45	VARIOUS
ASAP-NJ	11953	50.00	MUNICIPAL ALLIANCE
BCB JANITORIAL SUPPLY CO INC	11954	154.20	SWIMMING POOL O/E
BOB'S TIRES & WHEELS INC	11955	15.00	VEHICLE MAINT POLICE
BOLTZER LANDSCAPING INC	11956	2,072.00	STREETS & ROADS O/E
BRAEN STONE INDUSTRIES, INC	11957	1,456.46	STREETS & ROADS O/E
CABLEVISION	11958	321.81	VARIOUS
CHIEF FIRE EQUIP CO	11959	155.50	POLICE DEPT O/E
CINTAS CORP	11960	274.56	PUB WORKS ADMIN O/E
CITY WIDE MAINTENANCE	11961	1,350.00	PUB WORKS ADMIN O/E
DELL GARDEN CENTER	11962	65.49	STREETS & ROADS O/E
DON'S AUTO REPAIR SERVICE LLC	11963	62.00	VEHICLE MAINT POLICE
DOWNES TREE SERVICE, INC.	11964	70.00	SHADE TREE COMMISSION O/E
DUNKIN DONUTS	11965	126.22	MUNICIPAL CLERK O/E
ERIC MAURER	11966	439.00	GROUP INSURANCE O/E
FARRIER SPORTING GOODS INC	11967	337.75	BOARD OF REC O/E
FED EX	11968	32.04	PUB WORKS ADMIN O/E
FEDERATED EMERGENCY SERVICES	11969	2,427.21	VARIOUS
FREMGEN POWER EQUIPMENT INC	11970	46.00	SHADE TREE COMMISSION O/E
FUTURE SANITATION INC	11971	39,375.00	VARIOUS
GARDEN STATE HGWY PROD, INC	11972	197.50	STREETS & ROADS O/E
GET A CAN	11973	9,600.00	RECYCLING PRO O/E
GRO-RITE	11974	556.75	PUB WORKS ADMIN O/E
GRONEWAL RAMSEY DOOR, LLC	11975	196.00	PUB WORKS ADMIN O/E
HAMMER HEAD EMERGENCY	11976	1,184.50	VEHICLE MAINT POLICE
HAWTHORNE AUTO LAB	11977	1,415.31	VARIOUS
HAWTHORNE B.O.E.	11978	900.00	BOARD OF REC
HAWTHORNE CAR WASH, INC	11979	266.00	VEHICLE MAINT POLICE
HAWTHORNE PRESS INC	11980	42.90	VARIOUS
HAYLEY ENCARNACION	11981	195.00	MUNI COURT
HOME DEPOT SUPPLY	11982	351.08	VARIOUS
HOME SUPPLY & LUMBER CO., INC.	11983	36.57	VARIOUS
IF IT'S WATER, INC	11984	1,767.95	SWIMMING POOL O/E
IMPRINT MARKETING CONCEPTS	11985	203.79	PUBLIC EVENTS O/E
IPPOLITO BROS INC	11986	750.00	SWIMMING POOL O/E
JERSEY CHEMICALS INC	11987	47.94	SWIMMING POOL O/E
JERSEY ELEVATOR INC	11988	150.65	PUB WORKS ADMIN O/E
JIM MIEROP LANDSCAPING	11989	125.00	STREETS & ROADS O/E
JOSEPH SPERANZA	11990	91.69	FIRE DEPT O/E

KEN'S AUTO ELECTRIC, LLC	11991	605.00	VEHICLE MAINT ROAD
KNAPP, TRIMBOLI & PRUSINOWSKI	11992	865.50	LEGAL SERV& COSTS O/E
LANGUAGE LINE SERVICES	11993	15.30	POLICE DEPT O/E
LORRAINE POWELL	11994	404.31	MUNICIPAL ALLIANCE
LUK OIL	11995	12,302.11	BULK PURCHASE GASOLINE
LUSCHER'S AUTO INC	11996	288.34	STREETS & ROADS O/E
MIKE SHANNON SPORTS	11997	2,854.60	BOARD OF REC O/E
MONSEN ENGINEERING CO	11998	560.00	PUB WORKS ADMIN O/E
NEWTEL PAYPHONE OPERATIONS	11999	50.00	PUB WORKS ADMIN O/E
NJ CLEAN COMMUNITES COUNCIL	12000	220.00	CLEAN COMMUNITIES
NJ STATE LEAGUE MUNICIPALITIES	12001	55.00	FINANCIAL ADMIN O/E
ONE COMMUNICATIONS	12002	149.77	TELEPHONE CHARGES
P & A AUTO PARTS, INC	12003	523.71	VARIOUS
PRINTMASTERS	12004	210.00	BOARD OF REC O/E
ROBERT POLITO LANDSCAPING	12005	200.00	STREETS & ROADS O/E
RT OFFICE PRODUCTS	12006	264.96	MUNI COURT
RUGGED OUTFITTERS	12007	124.60	SEWER SYSTEM O/E
SHOTMEYER BROS FUEL CO	12008	8,809.09	BULK PURCHASE GASOLINE
SIR SPEEDY, INC	12009	200.40	PUB WORKS ADMIN O/E
SIRCHIE FINGERPRINT LABS	12010	158.80	POLICE DEPT O/E
SPRINT-WIRELESS	12011	319.92	POLICE DEPT O/E
STAPLES	12012	193.79	PEOSHA O/E
SUSAN WITKOWSKI	12013	120.00	STREETS & ROADS O/E
THE SHARP SHOP	12014	133.66	VARIOUS
THOMSON WEST INC	12015	75.00	BOARD OF HEALTH O/E
TOP NOTCH TREE & LANDSCAPE LLC	12016	700.00	STREETS & ROADS O/E
TYCO ANIMAL CONTROL SERVICES	12017	2,340.00	ANIMAL CONTROL O/E
US MUNICIPAL SUPPLY, INC.	12018	1,890.26	VEHICLE MAINT ROAD
USA BLUE BOOK INC	12019	121.03	STREETS & ROADS O/E
VALLEY HEALTH MEDICAL GROUP	12020	189.00	PEOSHA O/E
VERIZON	12021	250.01	VARIOUS
VERIZON WIRELESS (N)	12022	826.47	VARIOUS
VITAL COMMUNICATIONS, INC.	12023	500.00	TAX ASSESSMENT O/E
WASTE MANAGEMENT OF NJ	12024	36,434.28	TRANSFER STATION
ZOLL	12025	<u>326.33</u>	FIRE DEPT O/E
<b>TOTAL CURRENT</b>		<b>\$ 161,370.56</b>	
 <b>GENERAL CAPITAL</b>			
STACEY CONSTRUCTION, INC	3112	<u>43,194.85</u>	INSTALL DRAIN & STORM IMPROV
<b>TOTAL GENERAL CAPITAL</b>		<b>\$ 43,194.85</b>	
 <b>WATER OPERATING</b>			
AGRA ENVIRONMENTAL SVC	8563	660.00	LAB TESTING WATER
ALL AMERICAN FORD	8564	427.80	WATER UTILITY O/E
BOB'S STORES	8565	127.89	WATER UTILITY O/E
CABLEVISION	8566	82.63	WATER UTILITY O/E
CAPITOL SUPPLY CONSTR PRODS IN	8567	634.00	WATER UTILITY O/E
DELL GARDEN CENTER	8568	40.99	WATER UTILITY O/E
HESS CORPORATION	8569	65.09	WATER UTILITY O/E
HOME DEPOT SUPPLY	8570	91.07	WATER UTILITY O/E
LUK OIL	8571	1,264.16	WATER UTILITY O/E
P & A AUTO PARTS, INC	8572	50.85	VARIOUS
PASSAIC CO ROAD DEPT	8573	25.00	WATER UTILITY O/E
RIO SUPPLY, INC	8574	10,032.00	WATER UTILITY O/E
SHOTMEYER BROS FUEL CO	8575	300.80	WATER UTILITY O/E
SIR SPEEDY, INC	8576	1,336.50	WATER UTILITY O/E
VERIZON WIRELESS (N)	8577	<u>198.65</u>	WATER UTILITY O/E

<b>TOTAL WATER OPERATING</b>		<b>\$ 15,337.43</b>	
<b>WATER CAPITAL</b>			
CR INDUSTRIAL SERVICES INC	1024	<u>10,390.00</u>	CAPITAL EQUIPMENT
<b>TOTAL WATER CAPITAL</b>		<b>\$ 10,390.00</b>	
<b>OTHER TRUST II</b>			
CRUSADER LIEN SERVICES	4241	38,426.54	TRUSTEE
DAVE STERN INC	4242	510.30	RECYCLING
DOUGLAS MORGAN	4243	75.95	RECYCLING
I MORADI	4244	161.64	TRUSTEE
ISAAC MORADI	4245	431.66	TRUSTEE
NJ DEPT OF ENVIRON PROTECTION	4246	996.00	RECYCLING
P & A AUTO PARTS, INC	4247	278.01	RECYCLING
VERIZON WIRELESS (N)	4248	70.04	UCC PENALTIES
VITAL COMMUNICATIONS, INC.	4249	<u>75.00</u>	UCC PENALTIES
<b>TOTAL OTHER TRUST II</b>		<b>\$ 41,025.14</b>	
<b>DOG DEDICATED</b>			
NJ DEPARTMENT OF HEALTH	6040	<u>138.00</u>	STATE OF NEW JERSEY
<b>TOTAL DOG DEDICATED</b>		<b>\$ 138.00</b>	
<b>OTHER TRUST I ESCROW</b>			
CRUSADER LIEN SERVICES	7025	<u>8,500.00</u>	TAX SALE PREMIUMS
<b>TOTAL OTHER TRUST I ESCROW</b>		<b>\$ 8,500.00</b>	
<b>TOTAL BILL LIST</b>		<b><u>\$ 279,955.98</u></b>	

## **PUBLIC COMMENT**

Council President Matthews 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. Council President Matthews asked if anyone wished to be heard.

Joe Rooney, 84 Brain Avenue, asked for an update to his request that the culvert be cleaned of the debris as he did see someone assess the situation. Administrator Maurer commented he will look into it and report back.

Randa Yamisha, 150 Highview Terrace, thanked the Council for help last month, and needs help again. She currently has a septic tank and would like to connect to the sewer and is asking that the connection fee be waived. Mayor Goldberg interjected and explained that some years back, all but one house was connected to the sewer, that house was sold and now the new owners want to connect, the request is outside the outside Administration ability to waive or it was suggested she present her case before the council. Council President Matthews stated once they receive the information, they can discuss it. Ms. Yamisha stated she understands all homeowners were given option to connect without being charged a fee, she bought the home a year later and this fee would be a hardship to her and her family. Council President Matthews indicated the council will talk it over with administration and get back to her.

Ian Keller, 202 May Street, happy to hear May Street is being addressed and would like to see the speed report. Attorney Pasquale responded once the report is ready and reviewed by Council and administration, the report would be available to the public. He stated that although this report only tracked speed, wreck less driving is an issue as well, could that be investigated. Mr. Keller thanked the borough for painting crosswalks on Diamond Bridge Avenue but still sees a speeding problem and does not see the police, County and/or Hawthorne, pulling over cars and issuing tickets. Mr. Keller asked if a sign displaying the cars' speed could be installed there. Council President Matthews stated he would ask administration to talk with the Police Chief on this matter.

Bob Kurdock, 15 Rhodes Court, commented on the presentation by Councilman Lane and the New Jersey Planning Board in regards to the Transit Village. He questioned the funding for the project and stated he would like to see this project come to fruition but there is a lot that can be improved in our town without this price tag. He stated areas such as the Diamond Bridge Avenue district, the signage, the merchandise out on the streets, the smokers blocking sidewalks, is an area that should be addressed. Improvements on a local level wouldn't cost a lot of money. The Pocket Park and train station is great. Tiffany's Florist, Browning-Forshay and Columbia Bank on Lafayette Avenue are very attractive with others in town only subpar. Congratulations to Councilman Lane and Barbara Zakur who put the program together and hope it is completed in the near future. Councilman Lane commented we are shooting for the stars with the Transit Village as well as looking into smaller projects. The Pocket Park and train station are examples. The ordinance has been changed on Lafayette Avenue for business owners who take pride in their property and we hope others will follow. The Transit Village will not be limited to the half-mile, it will spread out to include signage and sidewalks. We are headed down the right road with the application project and hope to see funding for it in 2012. The county helping with other areas in the town not just the Transit Village.

Council President Matthews entertained a motion to close the public comment portion of the meeting, moved by Councilman Mele, seconded by Council Vice President Bertollo. On roll call, all voted yes.

### **ADJOURNMENT**

Council President Matthews entertained a motion to adjourn the meeting at 9:55 p.m., moved by Councilman Mele, seconded by Councilman Sinning. On roll call, all voted yes.

COUNCIL PRESIDENT MATTHEWS INDICATED THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE ON **JULY 6, 2011**. THERE WILL NOT BE A WORK SESSION. THE REGULAR MEETING WILL BEGIN AT 8:00 P.M. PERSONS WITH DISABILITIES WHICH REQUIRE AIDES SUCH AS: SIGN LANGUAGE INTERPRETER, TELECOMMUNICATIONS, BRAILLE, TAPES OR LARGE PRINT, THE BOROUGH CLERK'S OFFICE SHOULD BE NOTIFIED TEN DAYS PRIOR TO ATTENDANCE AT A MEETING SO ACCOMMODATIONS MAY BE MADE.

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Frank E. Matthews  
Council President

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Susan Witkowski  
Borough Clerk