

July 20, 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, Mele, Sinning and Wojtecki. Also present were Mayor Goldberg, Borough Administrator Maurer, Municipal Engineer Representative Chris Nash of Boswell Engineering, Borough Attorney Pasquale and Borough Clerk Witkowski. Councilman Lane, Director of Revenue and Finance Hewitt and Borough Engineer Boswell were absent.

### **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 July 6, 2011; Bid Minutes of July 15, 2011 for the 2011 Road Improvement Program and Bid Minutes of July 15, 2011 for Mohawk Avenue Improvement Program, moved by Council Vice President Bertollo, seconded by Councilman Sinning. On roll call, all said yes with the exception of Councilman Wojtecki who abstained on July 6, 2011.

### **ADOPTION OF ORDINANCES**

None.

### **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, state your name and address and sign the sign-in sheet giving your name and address for the record. He stipulated this be for agenda items only.

Seeing none, Council President Matthews entertained a motion to close the public portion, moved by Councilman Sinning, seconded by Councilman Mele. On roll call, all voted yes.

### **OLD BUSINESS**

Council President Matthews asked if there was any old business to discuss. None was raised.

### **NEW BUSINESS**

Council President Matthews asked if there was any new business to discuss. Councilman Bennett commented he was shocked and appalled by the letter in the Hawthorne Press last week written by Borough Prosecutor Ralph Fava speaking in support of Harold Cook. Even if he is innocent, we have had many problems with him in the borough such as Pan Chemical and the tax issues. Councilman Bennett addressed Mayor Goldberg and stated he would ask for his resignation if he was Mayor and his comments on Mr. Fava, as a representative of the borough. Attorney Pasquale commented he has known Mr. Fava for twenty-five years and he is a man of integrity that has done a great job as prosecutor for the Borough. His commitment to the community and borough is without question. The question asked of him, was to speak of Mr.

Cook as a Municipal Court Judge and Mr. Fava responded in all the years he has worked with Mr. Cook as a Municipal Court Judge he has upheld the law and acted responsibly.

Councilman Sinning stated this same concern was brought up in his committee meeting today and it was discussed Mr. Fava should have stated no comment on the question of Mr. Cook.

**ADMINISTRATIVE AGENDA PRESENTED BY THE MAYOR**

Mayor Goldberg reported in September the Planning Board will hear an application for a supermarket on the Merck property located on Wagaraw Road. The borough has been without a supermarket for more than thirty years. Other businesses on the property are still being discussed and tonight's ordinance will pave the way for this development. There is a new developer for 55 Westervelt who has financing in place, anticipates completing the project in a year and starting construction within thirty to sixty days. It will be built as per Planning Board approvals that were given to the prior developer and John Bleeker will remain as architect on record. There will be up to three affordables on site dependent upon new regulations as outlined in the developer's agreement once finalized. An application for a new car showroom on Goffle Road will also be heard in September. These projects will bring new ratables into town which will offset expenses and hold taxes steady or allow for a slight reduction. Thank you to the Economic Development Committee and Council committees for passing these changes through. Concerns of the Council were taken back to the developer and an agreement was reached as we all look forward to the start of the project. It has been twenty years since the Merck property has been a ratable, we have been paying on the raw land and the incoming project will pay taxes as property assessed.

Work continues on Hawthorne Day. New Jersey Party Works will be the new ride vendor and prices will remain the same at \$2.00 per ride or an unlimited rides bracelet for \$12.00, the committee does not make any money, it is a donated attraction. Volunteers are welcome; please contact Charlene Elvin at 973-427-1168. Friday night was movie night by the pool, there were approximately two hundred in attendance. The projection onto the tarp worked very well, there are three more movie nights scheduled for July 29<sup>th</sup>, August 12<sup>th</sup> and August 26<sup>th</sup> as well as tube night on July 29<sup>th</sup>. Today the Summer Recreation program filled eight buses and headed to the Bronx Zoo, this event has grown over the years from two buses to eight with many thanks to Jayne TenKate who has been coordinating the event. The Freeholders announced at last night's meeting that the county jail will remain open.

Mayor Goldberg called upon Municipal Engineer Representative Chris Nash of Boswell Engineering for his report.

Engineer Representative Nash reported on the following:

Drainage Improvement Project - Stacey Contracting is expected to be completed with everything by the end of this week. The work associated with 49 Washington Avenue is done.

2011 NJDOT Local Aid (Mohawk)/2011 Road Program - The apparent low bidder for Mohawk Ave is Cifelli & Son General Construction with a bid of \$242,541.50. The Grant the Borough received is for \$185,000.00. The apparent low bidder for the 2011 Road Program is AJM Contractors with the following results:

Base Bid	\$399,328.00
(Pasadena, Pocomoke, Lucille, Sunrise (Goffle Hill to Beverly) and Intersection Ramp upgrades)	
Alt. Bid A, Sunrise (Beverly to the end)	\$29,667.50
Alt. Bid B, Minerva (Hawthorne to Frederick)	\$70,079.00
Alt. Bid C, Ninth Ave (Rea to Van Winkle)	\$96,980.00
Alt. Bid D, Horton Ave (entire length)	\$72,089.25
Alt. Bid E, Cedar Place (Cedar Ave to the end)	<u>\$17,645.00</u>
 TOTAL	 \$685,788.75

Christian Health Care Center - The next Special Meeting is scheduled for July 25<sup>th</sup>. Architecture is expected to be the topic for discussion. Traffic discussions were completed at the June 27<sup>th</sup> Special Meeting. A traffic signal at the intersection of Sicomac and Cedar Hill is being requested by the County.

Goffle Brook Bank Stabilization - The Project is currently being reviewed by SHPO. Per the NJDEP, the permit will be issued by the end of the month.

Lafayette Hills Water Storage Tank - We have not been able to investigate the inside of the tank as yet due to scheduling conflicts, everything on the outside and the adjacent properties appear to be in order. Council Vice President Bertollo commented this inspection has taken over four weeks. Engineer Boswell was to send a representative the following day after the first council meeting when this issue was first brought forward. Engineer Representative Nash responded he would follow up in the morning and reply via email.

This concluded Engineer Representative Nash's report.

Mayor Goldberg called upon Attorney Pasquale for his report.

Attorney Pasquale reported on the following:

Additional roads on the Road Program list to be paved are Pasadena Place, Pocomoke Place, Lucille Drive, Sunrise Dive, various ramp upgrades and Minerva Avenue and Ninth Avenue from Rea to Van Winkle Avenue.

A meeting will take place tomorrow morning, July 21<sup>st</sup>, with Vice President Bertollo, Mike Kelly and Jeff DeWan of Boswell Engineering, developer, property owner and himself on the Norma Terrace project. The project is very near completion as the bonding company has been actively involved in putting pressure on the developer to complete.

Met with the developer of 55 Westervelt who is anxious to move quickly and build exactly what has been approved without cutting corners or making changes. This is a project the administration has targeted to get cleaned up and get moving. The developer was reminded he will be working during school hours, he has to be aware of kids in the neighborhood, and hours of operation will be enforced.

Pan Chemical property (principal owner Harold Cook) remains in violation despite administration working with the owners to clean up and maintain the property. Building Official John Pallotta has determined safety issues at the property which require immediate action. Administration will continue to work to bring this property into compliance.

Ordinance 2052-11 on tonight's agenda seeks to rezone the Wagaraw Road corridor and allow for multi-use property redevelopments in the retail line. The corridor overlay allows for big box/single-use developers such as Kohl's who had an interest a few years back. The big box store would be limited to a thirty to forty thousand square foot building which would anchor the corridor as well as limiting the two and three thousand square foot units. We are not looking for a strip mall as they have high vacancies; we are encouraging different types of uses and users such as a supermarket. All properties would have potential for redevelopment on this corridor which would help the other side of the tax ledger, bring in new ratables, jobs and productivity into our community.

This concluded Attorney Pasquale's report.

Mayor Goldberg called upon Administrator Maurer for his report.

Administrator Maurer reported on the following:

In the absence of the Director of Revenue and Finance Hewitt, there is no news from the state as yet when they will certify the tax levy. Once approved, the process takes another two to three weeks. We will keep you posted. Waiting for date from auditor for exit conference for last year's audit. Pool fees will be reduced on August 1<sup>st</sup>. Last chance registration for leadership camp at Lincoln Middle School for 6<sup>th</sup> graders. Information on pool fees and leadership camp can be found on the borough website at [www.hawthornenj.org](http://www.hawthornenj.org). Congress Mills owner has provided documentation that the insurance company will proceed with demolition of the flood-damaged portion of the building, approval should be in three weeks. Working with Department of Public Works on preparing bids for a roll-off truck for the recycling department and also bids

for the purchase of gas and diesel fuel. Receipt of and award of bids should take place in August. Talks have taken place with the Public Works Committee in regards to the solar panel project. The Passaic County Improvement Authority will make a presentation at the next Council work session meeting to consider a resolution in participating in that program.

This concluded Administrator Maurer's report.

Mayor Goldberg commented he and Administrator Maurer will be going to Paterson tomorrow to meet with Mayor Jones and the "Greater Paterson Mayors Group" to discuss ideas and solutions to working with neighbors. Mayor Goldberg stated the Administration would answer questions at this time.

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

Councilman Wojtecki stated the parking by Congress Mills on Goffle Road continues on the sidewalks/property. Mayor Goldberg indicated often times it can be the residents across the street. Councilman Wojtecki commented they should be ticketed.

Councilman Wojtecki continued and addressed Attorney Pasquale whether the repaving on Mohawk Avenue should be delayed until the construction at 55 Westervelt is completed in case they have to cut into the road. Attorney Pasquale responded having seen the plans for the project, he did not think there was a need to cut into Mohawk. The Engineer report speaks of demonstration of adequate capacity in the existing lines. Councilman Wojtecki commented a five year moratorium can be put on the street so they cannot cut in. Council President Matthews interjected the moratorium capacity for industrial should be greater than for residential. Councilman Wojtecki asked this be confirmed before the paving begins. Mayor Goldberg indicated this is a state project which we would lose points the longer it is left unpaved; it has to be done in a timely matter. Municipal Engineer Representative Nash indicated he would have a look at the plans and discuss with Mike Kelly who is familiar with this project and property. Discussion ensued.

Councilman Wojtecki continued and stated that the ladder in the four foot section of the pool cracked today. Thank you to Jayne TenKate and Charlene Elvin for organizing the Bronx Zoo trip which was a success going off without a hitch. The pool staff is doing a fantastic job under the direction of new manager Sarah Saxton.

Councilman Sinning asked Attorney Pasquale for clarification on the Pan Chemical memo whether the noted deadline of July 22<sup>nd</sup> refers to the completion of the work required or the plan for the work to be completed. Attorney Pasquale stated the work has to be completed by Friday, July 22<sup>nd</sup>, if not, the next step of action will be taken on Monday. Mayor Goldberg reported Chief Scully and Sgt. Knepper made an arrest this week at the property; someone was on the roof trying to steal piping. Discussion ensued on the state of the property and opinions were given.

Vice President Bertollo reported Administrator Maurer will be in court on July 28<sup>th</sup> when Pan Chemical owners have to appear for their one thousand summonses which amount to approximately \$30,000 in fines. The owners should not have been given until July 22<sup>nd</sup> to correct issues with the property; it is an unsafe building and should have been boarded up in within twenty-four hours. Attorney Pasquale commented he will also be present in court along with our Code Enforcement officials, and there will not be any deals made with the owners. Vice President Bertollo continued and asked whether we had found anything in the developer's agreement with Lafayette Hills in regards to the monitoring of the tank. Attorney Pasquale replied he did not and will take a look at the resolution of approval for any information there. Hawthorne resident Bob Kurdock addressed council and commented he spoke with the president of the board who stated he did not hear of any problems with the tank nor anyone needing access to the tank. Who were we contacting to get access to tank? Council President Matthews commented the President of the Association would be the right starting point.

Vice President Bertollo asked whether there was a transfer of ownership on 55 Westervelt. Mayor Goldberg replied the project is being bought from the corporation by the new developer who will have to also satisfy some tax liens on the property. They met with us to ensure there would not be any hold-ups on the project. Council Vice President Bertollo asked if there were any legal issues on this property as some of the principals are the same as on Pan Chemical

property. Attorney Pasquale explained it is a separate entity owned by its own LLC. Project architect John Bleeker has been very responsive and has worked hard to get it sold and is responsible for bringing in the new developer.

Council Vice President Bertollo addressed Municipal Engineer Representative Nash and stated there is a thirty yard roll-off on Washington Avenue which could be from Stacey Contracting, it is overflowing and needs to be removed.

Councilman Bennett suggested someone check with the residents to see if they are satisfied with the project.

Council President Matthews asked 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 Sinning, seconded by Councilman Bennett. On roll call, all voted yes.

### **INTRODUCTION OF ORDINANCES**

#### **ORDINANCE NO. 2051-11 – PULLED**

**BOND ORDINANCE PROVIDING FOR PURCHASE OF A DUMP TRUCK IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$210,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME**

#### **ORDINANCE NO. 2052-11**

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE ZONING ORDINANCE OF THE BOROUGH OF HAWTHORNE**

BE IT RESOLVED, that Ordinance No. 2052-11 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 August 17, 2011 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 Matthews entertained a motion to approve introduction of Ordinance No. 2052-11, moved by Councilman Bennett, seconded by Councilman Wojtecki. Council President Matthews asked if there were any questions. Councilman Sinning commented retail, brings more people to the area, more problems, will need additional police presence; we may be spending the revenue on the police. Council President Matthews asked if there were any other questions. On roll call, Councilman Sinning abstained, all others voted yes.

#### **CONSENT AGENDA R 153-11 through R 159-11**

##### **R 153-11                      Introduced by Councilman Mele**

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated July 15, 2011.

CURRENT FUND	WT 888889	\$	245,437.85
WATER OPERATING FUND	WT 888889	\$	38,944.63
OTHER TRUST II FUND	WT 888889	\$	29,146.96
GENERAL CAPITAL TOTAL	WT 888889	\$	625.00

TOTAL PAYROLL		\$ 314,154.44
CURRENT FUND TO PAYROLL/FICA	WT 888889	\$ 9,395.39
WATER OPERATING FUND TO PAYROLL/FICA	WT888889	\$ 5,000.00
TOTAL FICA		\$ 14,395.39

**R 154-11 Introduced by Councilman Mele**

WHEREAS, there exists a need for engineering services for the design and inspection phases of the 2011 NJDOT Road Improvement Program –Mohawk Avenue, in the Borough of Hawthorne at a cost not to exceed \$12,000.00 for design and \$15,000.00 for inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that Boswell Engineering be awarded a contract in the amount not to exceed \$27,000.00, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract, in a form approved by the Borough Attorney subject to certification by the Chief Financial Officer.

**R 155-11 Introduced by Councilman Mele**

WHEREAS, there exists a need for engineering services for the design and inspection phases of the 2011 Road Improvement Program, in the Borough of Hawthorne at a cost not to exceed \$50,000.00 for design and \$50,000.00 for inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that Boswell Engineering be awarded a contract in the amount not to exceed \$100,000.00, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract, in a form approved by the Borough Attorney subject to certification by the Chief Financial Officer.

**R 156-11 Introduced by Councilman Mele**

WHEREAS, there exists a need for engineering services for the design and inspection phases of the replacement of the Louis Bay 2<sup>nd</sup> Library Roof, in the Borough of Hawthorne at a cost not to exceed \$7,500.00 for plans and specifications and \$4,500.00 for construction management.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that Boswell Engineering be awarded a contract in the amount not to exceed \$12,000.00, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract, in a form approved by the Borough Attorney subject to certification by the Chief Financial Officer.

**R 157-11 Introduced by Councilman Mele**

WHEREAS, Tax Sale Certificate #2010-22 was sold on September 28, 2010 in the amount of \$348.93 on Block 276 Lot 15 then assessed to Rafah Moughrabi and said lien was originally purchased by Superior Tax Liens LLC 7 Riveredge Dr., Fairfield, N.J. 07004, and

WHEREAS, said lien was redeemed on July 12, 2011 in the amount of \$461.17, said lienholder is entitled to a refund including the amount of the lien \$348.93, penalty of \$6.98, interest of \$50.26, search and recording fee of \$55.00 for a total of \$461.17 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 Superior Tax Liens LLC in the amount of \$461.17 to reimburse the lienholder for the lien, penalty, fees, and interest.

**R 158-11      Introduced by Councilman Mele**

WHEREAS, on July 15, 2011, the Borough of Hawthorne received bids for the 2011 Road Improvement Program in the Borough of Hawthorne authorized by Ordinances #1976-09, 1974-09, 2008-10, 2009-10, 2046-11 and 2047-11; and

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

A.J.M. Contractors, Inc  
300 Kuller Road  
Clifton, NJ 07011

in the amount of \$596,054.50 including the base bid and Alternates A, B and C..

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

**R 159-11      Introduced by Councilman Mele**

WHEREAS, on July 15, 2011, the Borough of Hawthorne received bids for the Improvement to Mohawk Avenue, authorized by Ordinances 2048-11 and 2047-11; and

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

Cifelli & Son General Construction, Inc.  
4 Coppola Street  
Nutley, NJ 07110

in the amount of \$242,541.00

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited lowest responsive bidder subject to the certification of availability of funds from the Chief Financial Officer and the approval of the New Jersey Department of Transportation, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract between the Borough of Hawthorne and Cifelli & Son General Construction, Inc., in a form approved by the Borough Attorney when these conditions have been met.

Council President Matthews entertained a motion to approve Resolutions R153-11 through R159-11, moved by Councilman Mele, seconded by Council Vice President Bertollo. Council President Matthews asked if there was any discussion. None was raised. On roll call, all voted yes.

**REPORTS OF SPECIAL COUNCIL COMMITTEES**

Councilman Wojtecki

Shade Tree Commission continues its tree inventory in town.

Councilman Sinning

The Library Committee would like their own website and has looked at possible vendors. Mayor Goldberg interjected he attended the committee meeting as well as some of the interviews for Library Director. The committee will be making recommendations at the next council meeting for a new director. The foundation has agreed to pay for the costs of the website.

Council Vice President Bertollo

At the Finance Committee meeting on Monday the main topic of discussion was upcoming bonding projects. An ordinance for a dump truck was pulled from tonight’s agenda as discussions will continue with Public Works Director Clementi on available options. Discussed the communications/narrow-banding FCC requirements for 2013 and cost to the Borough. Administrator Maurer has met with the Police and Fire Departments, Office of Emergency Management and the Ambulance Corps to discuss recommendations. Once fine-tuned, the ordinance will be upcoming if not by year’s end, then early next year as we have one-and-a-half years to comply. The Capital Improvement spreadsheet will be finalized and issued to Council, the information explains where we stand on a bonding and debt standpoint. Excellent job by Administrator Maurer and Director of Revenue and Finance Hewitt for their work on this document. The debt is going down as we work on it year-to-year, fiscal planning has done us well. Attended the Shade Tree Commission meeting where residents expressed their concern of the sycamore trees that are creating safety issues around their homes. The Commission is working on a tree management plan and solution to this concern.

Councilman Mele

Attended the Board of Education meeting where they announced the award of contract from the referendum for the media centers. Approved lighting at the high school football field which will be installed by September as well as the track work. Construction is currently taking place at the schools for sidewalk and roof repairs. Working with County Parks Director Tony DeNova for a walking path around the park. Project Pride park is underway and on schedule.

**CORRESPONDENCE**

C-1 Accept resignation of Joseph Fitzmaurice, Rescue 5, and reaffirm through a written letter of resignation/retirement for Joseph Metzler, Tower 2, letter received from the Fire Board of Commissioners.

Council President Matthews entertained a motion to approve correspondence C-1, moved by Councilman Sinning, seconded by Councilman Mele. On roll call, Councilman Wojtecki abstained, all others voted yes. Council Vice President Bertollo, Councilman Bennett and Mele expressed their thanks to Mr. Metzler for more than thirty years of volunteer service on the fire department.

**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 Councilman Sinning. Council President Matthews asked if there was any discussion. On roll call, all voted yes. Council Vice President Bertollo abstained from checks #12141 and #12153 and Councilman Wojtecki abstained from checks #12158, 12159, 12160, 12166, 12185, and 12193.

<b>VENDOR</b>	<b>CHECK#</b>	<b>TOTAL</b>	<b>DESCRIPTION</b>
<b>CURRENT FUND</b>			
A-VAN ELECTRICAL	12122	155.94	VARIOUS
ACORN TERMITE & PEST CONTROL	12123	100.00	PUB WORKS ADMIN
AGRA ENVIRONMENTAL SVC	12124	135.00	VARIOUS
ALL AMERICAN FORD	12125	786.78	VEHICLE MAINT ROAD
AQUARIUS IRRIGATION SUPPLY,INC	12126	317.10	VARIOUS
ATS SPORTS	12127	318.55	MAINTEN OF PARKS
BOB'S STORES	12128	550.00	STREETS & ROADS
BOB'S TIRES & WHEELS INC	12129	1,370.80	VEHICLE MAINT POLICE
BOSWELL ENGINEERING, INC	12130	7,537.50	VARIOUS
BOUBLIS ELECTRIC INC	12131	800.00	PUB WORKS ADMIN
BRAEN STONE INDUSTRIES, INC	12132	3,490.92	STREETS & ROADS

BRIAN WARNER	12133	30.00	TELEPHONES
CABLEVISION	12134	203.68	VARIOUS
CINTAS CORP	12135	343.20	PUB WORKS ADMIN
CMRS-FP	12136	2,000.00	GENERAL ADMIN
CONEXION PRINTING	12137	288.00	SWIMMING POOL
DELL GARDEN CENTER	12138	111.09	VARIOUS
DELUXE INTERN'L TRUCKS, INC	12139	1,002.19	VEHICLE MAINT ROAD
DON'S AUTO REPAIR SERVICE LLC	12140	35.25	VEHICLE MAINT ROAD
DOWNES TREE SERVICE, INC.	12141	18,941.00	VARIOUS
EBF ENTERPRISES LLC	12142	267.10	VARIOUS
ELECTRICAL POWER SYSTEMS, INC	12143	2,928.90	VARIOUS
ELLEN BROGNO	12144	190.00	GROUP INSURANCE
ENFORSYS POLICE SYSTEMS, INC	12145	1,000.00	POLICE DEPT
FIFTH AVENUE LANDSCAPING	12146	160.00	STREETS & ROADS
FIRST MOUNTAIN ARBORICULTURE L	12147	1,125.00	SHADE TREE
FORREST SIGNS LLC	12148	475.00	EMERGENCY MGT
FUTURE SANITATION INC	12149	39,375.00	VARIOUS
GEORGE WEBER	12150	30.00	TELEPHONES
GIANT TIRE SERVICE INC	12151	140.00	RECYCLING PROGRAM
HAROLD MOORHOUSE	12152	90.00	CONTRA REVENUE
HAWTHORNE BOYS & GIRLS CLUB	12153	187.46	BOARD OF REC
HAWTHORNE CHEVROLET	12154	240.00	VEHICLE MAINT ROAD
HAWTHORNE HITCH AND TRAILER	12155	1,363.78	MAINTEN OF PARKS
HAWTHORNE PRESS INC	12156	331.50	VARIOUS
HENRY'S PLUMBING & HEATING INC	12157	145.13	SWIMMING POOL
HFD #2	12158	1,595.00	FIRE DEPT
HFD #4	12159	1,595.00	FIRE DEPT
HFD #5 RESCUE	12160	495.00	FIRE DEPT
HOME DEPOT SUPPLY	12161	207.95	STREETS & ROADS
HOME SUPPLY & LUMBER CO., INC.	12162	50.61	STREETS & ROADS
INSURANCE RESTORATION SPECIALI	12163	294.88	STREETS & ROADS
JAMES GEIER	12164	30.00	TELEPHONES
JENNIFER SCULLY	12165	180.00	GROUP INSURANCE
JOSEPH SPERANZA	12166	96.36	FIRE DEPT
KEN'S AUTO ELECTRIC, LLC	12167	500.00	VEHICLE MAINT ROAD
KNAPP, TRIMBOLI & PRUSINOWSKI	12168	45.00	LEGAL SERVICES
LUK OIL	12169	15,526.00	BULK PURCHASE
M & B SEPTIC SERVICE, LLC	12170	80.00	BOARD OF REC
MAIN POOL & CHEMICAL CO, INC	12171	2,477.00	SWIMMING POOL
MARY JEANNE HEWITT	12172	198.82	VARIOUS
MONSEN ENGINEERING CO	12173	1,224.69	PUB WORKS ADMIN
MORRIS COUNTY MUNI JT INS FUND	12174	103,723.63	MUNICIPAL INSURANCE
NEWTEL PAYPHONE OPERATIONS	12175	50.00	PUB WORKS ADMIN
NJ MEADOWLANDS COMMISSION	12176	4,450.52	TRANSFER STATION
ONE COMMUNICATIONS	12177	1,332.06	TELEPHONES
P & A AUTO PARTS, INC	12178	232.91	VARIOUS
PASSAIC VALLEY SEWER COM	12179	270,750.29	PASSAIC VALLEY SEWER
PATERSON PAPERS	12180	241.85	FINANCIAL ADMIN
PREFERRED BUSINESS SYSTEMS	12181	236.83	PUB WORKS ADMIN
PRINTMASTERS	12182	425.00	REVENUE COLLECTION
PROGRESSIVE BRICK, CO,INC	12183	575.00	STREETS & ROADS
R & R RADAR INC	12184	144.95	POLICE DEPT
RICOH BUSINESS SYSTEMS, INC	12185	350.00	UNIFORM FIRE SAFE
ROBERT VISOTSKY	12186	80.00	CONTRA REVENUE
RONALD TATHAM	12187	4,238.50	GROUP INSURANCE
S & S WORLDWIDE INC	12188	1,697.47	BOARD OF REC
SAMUEL MONACO	12189	124.36	BOARD OF REC

SHOTMEYER BROS FUEL CO	12190	8,003.88	BULK PURCHASE
SPRINT-WIRELESS	12191	319.92	POLICE DEPT
STAPLES	12192	70.18	GENERAL ADMIN
STATE LINE FIRE & SAFETY INC	12193	456.00	FIRE DEPT
SUPER SEER CORP	12194	298.80	POLICE DEPT
SUSAN WITKOWSKI	12195	25.93	MUNICIPAL CLERK
TODE LANDSCAPE CONTRACTORS	12196	2,000.00	SHADE TREE
TREASURER, STATE OF NEW JERSEY	12197	1,000.00	FEES PAYABLE
TREASURER, STATE OF NJ	12198	10.00	FEES PAYABLE
TYCO ANIMAL CONTROL SERVICES	12199	2,580.00	ANIMAL CONTROL
U.S. FLAGS & FOREIGN FLAGS & P	12200	43.45	PUB WORKS ADMIN
US MUNICIPAL SUPPLY, INC.	12201	513.40	STREETS & ROADS
VERIZON	12202	186.97	VARIOUS
VERIZON WIRELESS (N)	12203	730.72	TELEPHONES
VITAL COMMUNICATIONS, INC.	12204	500.00	TAX ASSESSOR
WASTE MANAGEMENT OF NJ	12205	38,864.13	TRANSFER STATION
ZOOM SEATING C/O BFI	12206	<u>567.36</u>	VARIOUS
<b>TOTAL CURRENT</b>		<b>\$ 555,986.29</b>	
 <b>GENERAL CAPITAL</b>			
4 CLEAN-UP, INC	3114	5,529.67	BROCKHUISEN LANE
BOSWELL ENGINEERING, INC	3115	34,675.69	VARIOUS
HAWTHORNE PRESS INC	3116	708.24	VARIOUS
STACEY CONSTRUCTION, INC	3117	<u>87,927.77</u>	DRAINAGE & STORMWATER
<b>TOTAL GENERAL CAPITAL</b>		<b>\$ 128,841.37</b>	
 <b>WATER OPERATING</b>			
AGRA ENVIRONMENTAL SVC	8595	1,490.00	VARIOUS
AQUARIUS IRRIGATION SUPPLY,INC	8596	41.96	WATER UTILITY
CABLEVISION	8597	82.63	WATER UTILITY
CMRS-FP	8598	2,500.00	WATER UTILITY
DELL GARDEN CENTER	8599	75.98	WATER UTILITY
ELECTRICAL POWER SYSTEMS, INC	8600	1,255.25	WATER UTILITY
HENRY'S PLUMBING & HEATING INC	8601	69.90	WATER UTILITY
HOME DEPOT SUPPLY	8602	420.11	WATER UTILITY
LUK OIL	8603	602.62	WATER UTILITY
MARY JEANNE HEWITT	8604	15.58	WATER UTILITY
MORRIS COUNTY MUNI JT INS FUND	8605	131,800.00	VARIOUS
OCCUPATIONAL MEDICAL ASSO	8606	150.00	WATER UTILITY
ONE CALL CONCEPTS, INC.	8607	119.84	WATER UTILITY
ONE COMMUNICATIONS	8608	800.00	WATER UTILITY
P & A AUTO PARTS, INC	8609	18.71	WATER UTILITY
PASSAIC CO ROAD DEPT	8610	525.00	VARIOUS
PRINTMASTERS	8611	425.00	WATER UTILITY
RIO SUPPLY, INC	8612	3,150.00	WATER UTILITY
RUGGED OUTFITTERS	8613	351.79	WATER UTILITY
SHOTMEYER BROS FUEL CO	8614	432.55	WATER UTILITY
STATE OF NJ - PWT	8615	1,288.33	WATER UTILITY
VERIZON WIRELESS (N)	8616	<u>198.65</u>	WATER UTILITY
<b>TOTAL WATER OPERATING</b>		<b>\$ 145,813.90</b>	
 <b>WATER CAPITAL</b>			
HAWTHORNE PRESS INC	1026	<u>98.28</u>	CAPITAL EQUIPMENT
<b>TOTAL WATER CAPITAL</b>		<b>\$ 98.28</b>	

**OTHER TRUST II**

CHARLENE ELVIN	4256	85.18	MUNICIPAL ALLIANCE
DAVE STERN INC	4257	3,698.00	RECYCLING TRUST
EBF ENTERPRISES LLC	4258	103.54	RECYCLING TRUST
MORRIS COUNTY MUNI JT INS FUND	4259	13,250.00	UCC PENALTIES
SUPERIOR TAX LIENS LLC	4260	461.17	TRUSTEE
VERIZON WIRELESS (N)	4261	70.04	UCC PENALTIES
VITAL COMMUNICATIONS, INC.	4262	<u>75.00</u>	UCC PENALTIES
<b>TOTAL OTHER TRUST II</b>		<b>\$ 17,742.93</b>	

**DOG DEDICATED**

NJ DEPARTMENT OF HEALTH	6041	<u>34.80</u>	STATE OF NJ
<b>TOTAL DOG DEDICATED</b>		<b>\$ 34.80</b>	

**TOTAL BILL LIST** **\$ 848,517.57**

**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 Braen Ave, commented he is disappointed the issue with the tank has taken six to eight weeks to come to a resolution. This was my main concern when the project started, that the tank would not be taken care of. I was told it would not be a problem and we would take care of it. We do not even have the documentation. The tank fills up with soap and everything else, it is useless, and we don't even know if we have the right to take care of it. Attorney Pasquale apologized for not having looked other areas as yet for the documentation. The tank is still an improvement on the property as it ties into our storm system and we do have the right to compel the owner to maintain the system. Mr. Rooney responded that he is dealing with these storms every other day especially with the heat. The quality of his life has gone down since the tank has been installed. No one has been up there to do it, it has been ignored and so he has to come down here to find someone to do it. Council Vice President Bertollo commented he did not want Mr. Rooney to have to come down here. Discussions had taken place in the past that bound them to make sure the tank was functional and we wanted it in writing. Council President Matthews stated this should not take two months and he will have an answer by the next meeting. Council Vice President Bertollo addressed Administrator Maurer and asked that we try to get up there in the next few days and let us and Mr. Rooney know. We are also concerned about the Wyckoff issue that causes flooding up there.

Bob Kurdock, 15 Rhodes Court, commented he was also surprised by the letter in the Hawthorne Press and felt it went beyond a comment on his legal ability and interpretation of the law. I do not know Mr. Fava but I do know Mr. Cook and feel his comment was inappropriate from someone on the government payroll. I would like to get Lafayette Hills squared away as I live there and do not want to find out that we waited too long and now have a million dollar problem we will be responsible for. I am not sure why it would take so long for any governing body to go in there. I am frustrated that we keep hearing that the brook is going to be addressed, Pan Chemical, and the Mills and whether by choice, culture or apathy, I think we need to use the powers of the town to enforce things. We hear of those paying for the grass to high and their noise but the major projects get by with complete disregard for the town and the neighbors. How can this go on that there isn't some strength somewhere in our town, be it by ordinance or laws that gives us the strength to be a little more aggressive with these issues. Violations go unaddressed, you see dumpsters in people's driveways and demolitions going and no display of the permits, houses with many cars in front of them, out-of-state plates. Someone should be looking deeper into things. There should be some general enforcement. We should be ashamed of the Pan Chemical property; we are falling down on the enforcement. I am happy to hear about the supermarket, it is an opportunity to have something good come to town and keep it good, but we are going to have to watch it. Mr. Kurdock continued and stated he is interested in having a booth at Hawthorne Day. Council President Matthews indicated he could find the information

online on the website, [www.hawthornenj.org](http://www.hawthornenj.org). Mr. Kurdock asked if there were any restrictions on the booth. Mayor Goldberg interjected there will be a meeting with both municipal chairs from the two parties to reach a mutual agreement as to what is and is not permitted. The first amendment is key and if both come to an agreement and understanding, they will have to follow.

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

### **ADJOURNMENT**

Council President Matthews entertained a motion to adjourn the meeting at 9:10 p.m., moved by Council Vice President Bertollo, seconded by Councilman Bennett. On roll call, all voted yes.

COUNCIL PRESIDENT MATTHEWS INDICATED THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE ON **AUGUST 3, 2011**. THE WORK SESSION WILL BEGIN AT 7:00 PM AND THE REGULAR MEETING WILL BEGIN AT 8:00 P.M. PERSON 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