

September 07, 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, Council Vice President Bertollo, Councilpersons Bennett, Lane, 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. Councilman Mele was 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.

Council President Matthews congratulated the various municipal departments for their work during the recent storm; The office of Emergency Management, Fire and Police Department, the Ambulance Corps, the Department of Public Works, and Administration. They did an excellent job in pre-planning for the storm, their action during and after the storm. Council and Administration will be helping out residents by adding an additional bulky waste pickup with no limit on items as well as waiving building permit fees for those needing to reconstruct. FEMA contact information can be obtained from Administrator Maurer. Many residents have sustained moderate and manageable damage and some with major damage and would encourage neighbors to help out each other.

APPROVAL OF MINUTES

Council President Matthews entertained a motion to approve the minutes of the Regular Meeting of August 17, 2011 and Closed Session of August 17, 2011, moved by Councilman Wojtecki, seconded by Councilman Sinning. On roll call, all said yes with the exception of Councilman Mele who was absent.

PUBLIC COMMENT (Agenda Items Only)

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.

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

ADOPTION OF ORDINANCES

There are no ordinances for adoption.

OLD BUSINESS

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

Councilman Lane addressed Administrator Maurer in regards to the status of the removal of the old casting pond at Goffle Brook Park which has been approval by NJDEP and that he and Engineer Boswell would like a copy of the approval letter from the DEP. Administrator Maurer indicated he will follow-up with the county and report at the next meeting. Councilman Lane continued and asked the status of waiving the road resurfacing on Pasadena Place due to the new sewer line that will be installed. Administrator Maurer replied the sewer line will not be replaced at this time, we will be clearing out the roots in the line instead of installing a slip line. Mayor Goldberg explained we have been successful with a foam product to remove roots and will be using it for roots in the sewer line. Administrator Maurer commented if this does not work, we can use the slip line. Councilman Lane asked when was this decided as some trees have already been removed. Administrator Maurer responded it was decided so that sections were not removed that did not need to be removed. Council President Matthew asked if the foam was sanctioned by the Shade Tree Commission. Mayor Goldberg stated the foam will be used on the roots in the sewer line. Discussion ensued on the foam. Councilman Lane commented Pokomoke Place and Lucille Drive sewer line is a problem area and could it be evaluated and repaired before any paving takes place. Administrator Maurer agreed. Councilman Lane asked Administrator Maurer if the description on positions has been completed. Administrator Maurer responded soon.

Councilman Wojtecki asked if the request for an alternate/one way traffic pattern by the high school had been approved, as an officer was there this morning directing traffic in a one-way pattern. Mayor Goldberg commented the Superintendent of Schools is working with the Chief of Police on a pilot program to test the effectiveness of a one-way pattern and he would follow-up on the status. Council President Matthews stated there has been some lack of communication as the ordinance committee should have been in the loop as well as Council. Discussion took place on the modification of the curbs and parking spaces at the school and whether appropriate protocol/procedures were followed. Attorney Pasquale commented he was not aware this work took place at the school and will address it and the school does not have the authority to change, needs to come from council to consider.

Councilman Wojtecki addressed Engineer Boswell stated the silt fence is still there at Charwalt Place. Engineer Boswell replied they will be there tomorrow to remove it.

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

NEW BUSINESS

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

Councilman Bennett addressed Administrator Maurer and asked had he contacted anyone at NJ Transit in regards to flooding at the train station parking lot. Administrator Maurer stated he has left several messages with no response. Attorney Pasquale suggested he reach out to Senator Girgenti's office for a new contact at NJ Transit. Councilman Bennett continued and stated there has been beer cans in the area as well, could the Police Department be notified to patrol the area.

Councilman Lane commented on the serious flooding recently and the disregard drivers have for the barricades. They will drive around them and get stuck resulting in our emergency crews rescuing them and many times taking them to the hospital. He would like to see a local ordinance which fines drivers for ignoring traffic devices. Mayor Goldberg responded they currently being issued summonses for "failure to regard a traffic device". Attorney Pasquale commented we will be pre-empted by state statute which governs traffic, Title 39, many of which our Police Department can write resulting in small and large fines. He will research further with the Ordinance Committee as well as informing the Police department the position of council and administration as to the seriousness of this issue. Mayor Goldberg stated when he ordered mandatory evacuations, instructions were given to emergency services crews not to risk their lives should anyone choose to stay behind. Information and reminders of driving through barricades was published on our cable channels for the public. Councilman Lane continued and asked the status of the county repairing the damaged curved portion of the street on Warburton at Park Avenue. Mayor Goldberg and Administrator Maurer both indicated the county has been contacted but we've had no response, will try again.

Council Vice President Bertollo commented on the recent flooding and how it cripples our town that this would be a good time to push the county into looking at the Goffle Brook system along with the Army Corps of Engineers. As Governor Christie has stated, this is a federal situation and cannot be solved at the local levels.

Councilman Wojtecki commented he received a letter from a resident at 98 Minerva Avenue which should have been sent to the Shade Tree Commission and is passing it along to Administration. Thank you to Kevin Downes who spent his time on Saturday with his crew cleaning up the ball fields. Councilman Wojtecki asked the status of the partial-collapsed building, Congress Mills, as it has been four months and chemicals are releasing from building. Administrator Maurer indicated the owner is out of the country, he is dragging his feet as well as his insurance company, should we clean and demolish the building it would cost a large sum of money, we are pressuring the owner to take action. We will review with Attorney Pasquale our alternatives. Councilman Wojtecki asked if we could get the NJ Department of Environmental Protection (NJDEP) involved. Mayor Goldberg stated if there was leakage we would have received a report from NJDEP. Councilman Lane interjected he was at the site over the weekend with Fire Chief Speranza where they observed additional collapses of the building, liquid discharges, drums which emptied liquid into the brook, and the DEP was present as well and did make a report. Council President Matthews indicated the asbestos abatement is one thing but liquids in containers should have been automatically removed by now. Councilman Wojtecki

asked Attorney Pasquale if we would be liable for knowing of the situation and not taking action. Attorney Pasquale responded no, the DEP is the jurisdictional agency. The issue is whether or not we take action to force their hand and it is time we take legal action. He will review appropriate action and report at the next meeting.

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 thanked the Police Department, Fire Departments, Ambulance Corps, Department of Public Works and Office of Emergency Management who went above and beyond the call of duty dealing with tropical storm Irene. We did not sustain any serious injuries and dealt with our usual troublesome flooded areas. Thank you to Captain Rich McAuliffe and his emergency team. The residents in the affected were very pleased the work he and his deputies did, they should be commended. Thank you to all who were involved and participated in Leadership Camp at Lincoln Middle School, it is a great program for the kids and success every year. All are invited to attend the 911 Remembrance on Friday, September 9th, at 6:30 p.m. taking place on the steps of the municipal building, weather permitting with keynote speaker Scott Rumana, our 40th District Assemblyperson. Mayor and Council have received the following thank you letter from Dr. Dr. Shefki:

September 1st, 2011

To: The Mayor, and Council Members of the Borough of Hawthorne, New Jersey

From: Dr. Dinjer Shefki, Hawthorne Animal Hospital.

On behalf of everyone at our Animal Hospital, I wanted to personally write and thank you all for your wonderful plaque of appreciation for our staff for taking care of Canine Officer Max.

He was always gentle, and trusting of us to the end, and was a favorite pet as well as being a faithful police officer. Max, and patients like him, makes the work we do worthwhile. We are proud members of the Hawthorne Community for over three decades, and it was always our pleasure to take care of Max.

We are always grateful and appreciative of all the work of the Hawthorne Police Department. With your plaque now prominently displayed in our waiting room, we shall also remember Canine Officer Max as a very special canine member, loved by all whose lives he touched. We shall miss Max also.

Once again, thank you for our plaque.

Yours sincerely,



Dr. Dinjer Shefki

New local business, US Secure Net, had provided two satellite phones at no charge for our use during the storm in case of lost communication. We did not have to use them but are grateful to them for providing them to us. On Sunday, September 18th there will be a Green Fair at the Farmer's Market. There will be demonstrations, give-a-ways, useful information, and many activities including face painting. The fair is sponsored by the Green Team and Chamber of Commerce.

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

Director of Revenue and Finance Hewitt reported on the following:

\$16.2 million in taxes has been collected thus far this quarter. Grace period deadline is Friday, September 9th, to avoid interest charges retroactive to August 1st and amount of delinquent taxes will be reported at next meeting. The new Deputy Treasurer started yesterday and is a good fit. We have accepted the audit and corrective action plan. Bob Swisher, new auditor from Suplee and Clooney was introduced. Mr. Swisher reported on the following: Compliments to Administration and Finance Department who did a great job and are very professional. Highlights of the audit include increase of current fund surplus of over \$250,000 from last year, used \$1.2 million in 2010 budget and generated back \$1,000,350.00. Surplus is at \$3,069,000.00 or 17 % of current fund budget, no benchmark where it should or shouldn't be, this is a healthy surplus. Moving forward the Borough will look to issue bonds in the next year, interest rates are very good and having a healthy surplus helps bond ratings and you'll pay less interest. Net debt from 2009-2010 went down over \$1 million, issued less debt than you paid out and had restructured trust loans. Water utilities surplus over last few years had been going down but has been brought back up in 2010 where it should be in. Compliance is also looked into during audit and have two recommendations, capital funding and tax collectors software, where you will address in your corrective action plan. Auditor is also required to give an unqualified opinion, records are in good shape, internal controls are operating, good checks and balances are in place, purchasing guidelines reviewed and no violations have been found in this area. Our conclusion is you are in good financial shape heading into 2011. Mr. Swisher asked if there were any questions. Council President Matthews asked if there were any questions for Mr. Swisher. Council President Matthews said welcome to Mr. Swisher and asked if he agrees with the corrective action plan. Mr. Swisher stated yes.

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:

The comprehensive report for Pan Chemical has been delayed due to recent weather, will have for next meeting. Kudos to emergency management team and crews for a great job in handling the recent storm. Meeting with Tim Henderson, Tax Assessor and Bob McNerney, Tax Appraiser, to discuss pending tax appeals.

This concluded Attorney Pasquale's report.

Mayor Goldberg commented how recent news involving surrounding towns and their problems does not mention Hawthorne as we have a history of taking care of our own and not calling out to others for help, we are self-sufficient and very proud of our emergency services and Department of Public Works for tackling problems as they do. We ask our residents for patience and understanding due to recent weather, regular service may be delayed.

Mayor Goldberg called upon Engineer Boswell for his report.

Engineer Boswell reported on the following:

Drainage Improvement Project – The project is completed but not closed out as yet due to liquidated damages and maintenance bond.

Mohawk Avenue (2011 NJDOT Local Aid) – The contractor has completed the concrete work (curbs and sidewalks). Milling and paving's expected to be performed this week, however, the weather has delayed this work and we are waiting for a revised schedule.

2011 Road Program – Concrete work associated with the Community Development Block Grant (CDBG) has been completed. Weather permitting, concrete work associated with Pasadena Place, Braen Avenue and Sunrise Drive is expected to begin work the week of September 12th.

Library Roof – The project was advertised Monday, August 22nd. A walk through with potential bidders is scheduled for September 8th. Bids are to be received on September 14th at 11:00 a.m. To date, one (1) contractor has picked up specifications.

UST Underground Monitoring – The project is awaiting borough authorization.

Christian Health Care Center – Architecture testimony was completed during the July 25th special meeting. The next special meeting is scheduled for September 26th.

Goffle Brook Bank Stabilization – The project requires review by the state Historic Advisory Committee and is scheduled for October 20th meeting.

NJDOT Local Aid Final Payment – NJDOT has completed review of final close-out documentation for both Buena Vista and Rock Road and we should expect checks soon.

Lafayette Hills Water Storage Tank – We now have an as-built drawing and it was built according to plan. Remaining issue is wash out of the wetlands which will be addressed when weather permits.

Sign Changes – The US Department of Transportation is now proposing that communities replace traffic signs when they're worn out rather than requiring signs be replaced by a specific

deadline. The changes will eliminate 46 deadlines mandated by federal traffic control regulations at an estimated 17 billion dollar savings.

This concluded Engineer Boswell's report.

Mayor Goldberg called upon Administrator Maurer for his report.

Administrator Maurer reported on the following:

Thank you to all employees and volunteers who assisted with the recent storm. Predictions river will crest Friday morning, Wagaraw Road will be closed again, Wag ball fields will be covered

and closed, and Veteran's Field is being dried and is closed. Information on clean-up and FEMA information can be found on our website at www.hawthornenjorg. The recycling center has been relocated to the pool parking lot. A meeting with FEMA will take place on Monday, September 12th. The borough is joining efforts with Passaic County for natural gas purchase, results should be available in the next few months. Police Department accreditation process continues, recommendations from the consultant include spending money, will confer with finance committee before proceeding. Annual borough employee and officials training continues with seminar on conduct and sexual harassment on Monday, September 12th and ethics course on Wednesday, September 21st, next year this course will take place in the evening to include volunteers. Construction on wall on North 8th continues. Pan Chemical violations continue to be documented as well as issues at Congress Mills.

This concluded Administrator Maurer's report.

Mayor Goldberg stated we are very pleased with the pool staff this summer; it was an overall positive summer with a few bumps and we'll look forward to the results of the survey.

Councilman Sinning asked Engineer Boswell how he resolved the handicap ramp issue on Mohawk Avenue reported by resident at last meeting. Engineer Boswell stated they added another ramp half-way between the block. The problem being it was around the corner and there was no sidewalk so a ramp was added in the sidewalk to connect the two. It meets code and the DOT was satisfied. Councilman Sinning asked if we had to replace all handicap ramps. Engineer Boswell indicated only when we resurface a road, we replace the ramp. When using borough funds we do not have to replace them, if state or federal funds, the ramps have to be replaced.

Council Vice President Bertollo commented our emergency services, volunteers and residents in Hawthorne come together in time of need. Residents on Vincent, Schoon and Passaic Avenues have come together to help each other out, with Engine 3 and 4 assisting to wash down streets.

Councilman Lane addressed Engineer Boswell and stated the roof continues to leak at the Ambulance Corp garage and there are new leaks in the ladies room, could he please send someone there to meet him and be shown the problem areas. Engineer Boswell replied he will have Mark Freschi contact Administrator Maurer tomorrow to arrange the meeting.

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 Council Vice President Bertollo, seconded by Councilman Lane. On roll call, all voted yes.

ORDINANCES FOR INTRODUCTION

There are no ordinances for introduction.

CONSENT AGENDA R 181-11 through R194-11

R 181-11 Resolution, introduced by Councilman Bennett

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated August 26, 2011.

CURRENT FUND	WT 888889	\$	264,281.49
WATER OPERATING FUND	WT 888889	\$	38,949.92
OTHER TRUST II FUND	WT 888889	\$	24,718.48
GENERAL CAPITAL FUND	WT 888889	\$	375.00
			\$ 328,324.89
			\$ 328,324.89
CURRENT FUND TO PAYROLL/FICA	WT 888889	\$	9,918.41
WATER OPERATING FUND TO PAYROLL/FICA	WT888889	\$	5,000.00
			\$ 14,918.41
			\$ 14,918.41

R 182-11 Resolution, introduced by Councilman Bennett

WHEREAS, interfunds, one in the amount of \$565.95, created by a county check error and one in the amount of \$68.91, created by a bank error, between the General Capital Fund and the Water Operating Fund, and Water Operating Fund and the Current Fund, respectively.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized, to liquidate said interfunds by transferring \$565.95 from the General Capital Fund to the Water Operating Fund, and \$68.91 from the Water Operating Fund to the Current Fund.

R 183-11 Resolution, introduced by Councilman Bennett

WHEREAS, the 2010 Annual Audit of the Borough of Hawthorne, conducted by Suplee, Clooney & Company, contained certain recommendations requiring action; and

WHEREAS, these recommendations have been reviewed by the Chief Financial Officer; and

WHEREAS, the Chief Financial Officer, in accordance with the requirements promulgated by the New Jersey Division of Local Government Services, has developed a plan to address the recommendations listed by the auditors;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Borough of Hawthorne, that the Corrective Action Plan for the 2010 Annual Audit, hereto attached, is hereby approved and accepted; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to transmit a certified copy of this resolution and its attachments to the Division of Local Government Services.

R 184-11 Resolution, introduced by Councilman Bennett

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2010 has been filed by a Registered Municipal Accountant with the *Municipal Clerk* pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Municipal Council of the Borough of Hawthorne, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

R 185-11 Resolution, introduced by Councilman Bennett

WHEREAS, there was a prior year balance on December 31, 2010 in the General Ledger for Grants Receivable in the amount of \$14,246.44 for the Municipal Alliance Program and;

WHEREAS, final funds for the 2010 Grant Program were received in the amount of \$13,237.89 and the program is complete for 2010.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized to cancel the excess balance of \$1,008.55 from the Grant Receivables in the General Ledger.

R 186-11 Resolution, introduced by Councilman Bennett

WHEREAS, an appeal was filed with the New Jersey State Tax Court for a reduction of the assessed value of property and a settlement was agreed upon as follows:

<u>Block/Lot</u>	<u>Original Assessment</u>	<u>Judgment</u>	<u>Difference</u>	<u>Overpayment</u>
2010 275/22	\$315,600	\$280,000	\$35,600	\$1,735.86

William S. Winters, Esq. for Rosario Gancitano, 30 Peach Tree Court, Hawthorne, NJ

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be authorized to issue a refund for the overpayment of taxes for 2010 in accordance with the state judgment.

R 187-11 Resolution, introduced by Councilman Bennett

WHEREAS, property located at 116 Washington Avenue, known as Block 29 Lot 32 was demolished, and

WHEREAS, the property owner has overpaid taxes for the 3rd and 4th quarter of 2011 due the an adjustment made by the Tax Assessor on the value of the property,

NOW, THEREFORE, BE IT RESOLVED, the Tax Collector recommends that a check be issued by the Treasurer to 116 Washington Ave., LLC in the amount of \$4,142.79 to refund the owner for this overpayment.

R 188-11 Resolution, introduced by Councilman Bennett

WHEREAS, the Estate of Frank Giotta is the owner of a residence located at 87 Elberon Avenue, Block 46, Lot 21, in the Borough of Hawthorne; and

WHEREAS, in or about the spring of 2010 gas service to the home was shut-off by PSE&G; and

WHEREAS, an application to remove a shade tree that had overgrown the gas line serving the home was denied by the Shade Tree Commission of the Borough of Hawthorne; and

WHEREAS, water service was subsequently shut-off to the home as the same was uninhabitable; and

WHEREAS, as a result of the failure by the homeowner to drain the water lines within the home at the time of shut-off, pipes in the home froze, causing extensive damage to the home including damage to the water meter serving the home; and

WHEREAS, in the spring of 2011 the Hawthorne Shade Tree Commission agreed to permit the removal of the shade tree that had overgrown the gas line thereby allowing the home to have utility service once again; and

WHEREAS, as part of the repair to the home, the Hawthorne Water Department replaced the water meter to the home and imposed a fee of \$250 upon the homeowner; and

WHEREAS, the homeowner has requested under the circumstances presented that the fee for the meter be waived in light of the significant sums expended by the homeowner in making repairs, the perceived delay occasioned by the decision and then reconsideration of the Shade Tree Commission, and the purported lack of understanding by the homeowner that certain precautionary measures would need to be made at the time of water shut-off; and

WHEREAS, the Municipal Council, without assessing fault or admitting to any liability, agrees that as a matter of fundamental fairness the fee imposed for the installation of a new water meter should be waived, given the circumstances presented in this unique situation;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that it does waive the fee imposed for the installation of a new water meter at the above premises.

R 189-11 Resolution, introduced by Councilman Bennett

WHEREAS, the Borough of Hawthorne previously undertook the installation of sanitary sewer lines at Charwalt Place and Highview Terrace, assessing homeowners living along the route of the installation a portion of the cost thereof; and

WHEREAS, as part of the cost of the installation, the Borough waived the sewer connection fee associated with the installation, based upon the fact that each individual homeowner would be paying an assessment which would, in essence, represent the basis for imposing such a fee in the first instance; and

WHEREAS, one property owner along the route of the sanitary sewer line elected not to connect to the same at the time of installation but nevertheless paid the assessment as imposed; and

WHEREAS, that homeowner, or successor thereto, now wishes to make an interconnection into the sewer line but has asked that the fee associated with such connection be waived; and

WHEREAS, it would be inequitable to impose a sewer connection fee upon the said homeowner as the same was more or less subsumed within the annual assessment imposed upon the homeowner for the installation;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does waive the imposition of a sewer connection fee upon Sami and Randa Yamisha, 150 Highview Terrace, Block 292.01, Lot 15.01, based upon their payment of the assessment previously imposed.

R 190-11 Resolution, introduced by Councilman Bennett

RESOLUTION AUTHORIZING AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR A 2012 STATE AID TO MUNICIPALITIES GRANT FOR THE FOREST AVENUE IMPROVEMENTS PROJECT

WHEREAS, the New Jersey Department of Transportation (“NJDOT”) awards grants to municipalities to perform road improvements under its “State Aid to Municipalities” program; and

WHEREAS, an application for State Aid must be submitted to the NJDOT in order to qualify for these grants; and

WHEREAS, Forest Avenue, from Diamond Bridge Avenue Road to Central Avenue, is a roadway within the Borough of Hawthorne that meets the requirements for State Aid applications, and the Borough wishes to improve the condition of this roadway;

NOW, THEREFORE BE IT RESOLVED, that the Council of Borough of Hawthorne, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2012-Hawthorne Borough-00176 to the New Jersey Department of Transportation on behalf of Borough of Hawthorne,

NOW BE IT RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Hawthorne, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

R 191-11 Resolution, introduced by Councilman Bennett

RESOLUTION OF THE BOROUGH OF HAWTHORNE AUTHORIZING ITS PARTICIPATION IN THE PASSAIC COUNTY IMPROVEMENT AUTHORITY'S RENEWABLE ENERGY PROGRAM AND AUTHORIZING THE AUTHORITY TO APPLY TO THE LOCAL FINANCE BOARD FOR THE NECESSARY APPROVALS ON BEHALF OF THE PARTICIPATING LOCAL UNIT IN CONNECTION WITH THE RENEWABLE ENERGY PROGRAM

WHEREAS, the Passaic County Improvement Authority (the "*Authority*") has developed a program (the "*Program*") for the financing, design, permitting, acquisition, construction, installation, operation and maintenance of photovoltaic and other renewable energy capital equipment and facilities, including any related electrical modifications, work related to the maintenance of roof warranties, or other work required, desirable or convenient for the installation of such systems (collectively, the renewable energy capital equipment and facilities, the "*Renewable Energy Projects*") for and on behalf of the County of Passaic (the "*County*") and local governmental units within the County, including without limitation municipalities, boards of education for school districts, local authorities and any other local government instrumentalities, public bodies or other local government entities (collectively, including the County, the "*Local Units*"); and

WHEREAS, the Renewable Energy Projects procured under the Program are to be installed on, in, affixed or adjacent to and/or for any other Local Unit-controlled buildings, other structures, lands or other properties of the Local Units (collectively, the "*Local Unit Facilities*"); and

WHEREAS, the primary goal of the Program is to expand the use of renewable energy sources available and utilized by the Local Units for their Local Unit Facilities, with the attendant environmental and financial benefits associated thereby, and to reduce the energy-related operating costs to the Local Units for their Local Unit Facilities, all intended to be offered at no net cost to the Local Units; and

WHEREAS, in accordance with (i) N.J.S.A. 40A:11-4.1(k) of the Local Public Contracts Law, (ii) Local Finance Board Notice 2008-20, December 3, 2008, *Contracting for Renewable Energy Services*, (iii) the State Board of Public Utilities (“*BPU*”) protocol for measuring energy savings in PPA agreements dated February 20, 2009 (*Public Entity Energy Efficiency and Renewable Energy Cost Savings Guidelines*), (iv) Local Finance Board Notice 2009-10 dated June 12, 2009, *Contracting for Renewable Energy Services: Update on Power Purchase Agreements*, and (v) all other applicable law, and pursuant to a competitive contracting process governed thereby, the Authority shall issue a request for solar developer proposals (the “*RFP*”) and

WHEREAS, upon review of proposals from prospective solar developers, including the proposal of the successful respondent (the “*Company Proposal*”), the Authority anticipates to select a Company (the “*Company*”) to design, permit, acquire, construct, install, operate and maintain the Renewable Energy Projects and design, permit, acquire, construct, renovate, and install the Capital Improvement Projects, if any, in both cases for the designated Local Unit Facilities of such Local Units, with the terms to be set forth in the contract documents to be entered into between the Company and, at a minimum, the Authority, or acknowledged by the Company, as applicable; and

WHEREAS, in order to implement the Program at no cost to the Local Units, the Authority has determined that if the Company Proposal is selected pursuant to either Option 2 or Option 3 of the RFP, it may finance the respective Renewable Energy Projects and Capital Improvement Projects (if any), on, in or about the respective Local Unit Facilities, all as set forth on the exhibits to the Local Unit License Agreement defined below for each of the following participating Local Units:

- (i) Municipalities:
- (ii) Boards of Education: and
- (iii) County of Passaic

(each a “*Local Unit*,” and together with any additional local governmental units within the County that might be added by the Authority to the Program pursuant to the Local Finance Board Application defined below or otherwise, collectively, the “*Local Units*”), through the issuance by the Authority of one or more series of bonds entitled “County of Passaic Guaranteed Renewable Energy Program Lease Revenue Bonds, Series 2011 (Federally Taxable)” in the aggregate principal amount not to exceed \$35,000,000 (the “*Series 2011 Bonds*”); and

WHEREAS, in the event that the Authority elects to finance the Renewable Energy Projects and Capital Improvement Projects (if any), prior to the issuance of the Series 2011 Bonds and in accordance with N.J.S.A. 40A:5A-6, 7 and 8 of the Local Authorities Fiscal Control Law, the Authority must file an application (the “*Local Finance Board Application*”) with, and seek, obtain, and officially recognize the findings from, the Local Finance Board in the Department of Local Government Services of the State Department of Community Affairs (the “*Local Finance Board*”); and

WHEREAS, the governing body of the Borough of Hawthorne adopting this resolution (the “*Participant*”) desires to authorize the Authority and its consultants to submit the Local Finance

Board Application on its behalf, if necessary, to finance the Renewable Energy Project(s) for the Participant (the “*Participant Project*”) set forth in Exhibit A attached hereto (it being understood that the Participant is taking no action in connection with the other Renewable Energy Projects of the other Local Units as set forth in Exhibit A); and

WHEREAS, the pricing terms for the purchase of renewable energy-generated electricity produced from the Participant Project and sold through the Authority to the Participant, and bought by the Participant at an agreed upon price lower than that presently being paid by the Participant for electricity from its local utility, which pricing terms shall be competitively procured through the public RFP process and the Company Proposal, shall be established under the Authority’s Program for an initial term no greater than 15 years; and

WHEREAS, the Participant has offered - and the Authority has accepted - public buildings for inclusion in the Program, and the Participant understands and acknowledges that by taking this official action it intends to participate in the Program with regard to the Participant Project, and that the Authority is taking several actions in reliance upon the inclusion of these public buildings, including, without limitation, proceeding with the issuance of the RFP, the selection of the Company, the establishment of the renewable energy pricing under the Company Proposal, potentially seeking the required approvals from the Local Finance Board to issue the Series 2011 Bonds in accordance with the Local Finance Board Application, and the marketing, sale and issuance of the Series 2011 Bonds; and

WHEREAS, the Participant desires to confirm its participation in the Program in order to permit the Authority to proceed with the issuance of the RFP, and if necessary, obtain the approval of the Local Finance Board and issue the Series 2011 Bonds;

NOW THEREFORE BE IT RESOLVED by the governing body of the Participant as follows:

Section 1. The Participant believes that its participation in the Program (a) is in the public interest through the accomplishment of the purposes described in the preamble paragraphs above, including the possible financing of the Participant Project; (b) benefits the health, wealth, convenience or betterment of the Participant’s citizens; (c) entails amounts to be expended for the these purposes that are not unreasonable or exorbitant; and (d) is an efficient and feasible means of providing services for the needs of the Participant’s citizens without creating any financial burden upon the Participant.

Section 2. The Mayor, Borough Administrator, and the Director of Revenue and Finance of the Participant (including their designees in writing, each an “*Authorized Officer*”) are each hereby severally authorized to assist the Authority, should the Authority determine to finance the Program, with the preparation and submission of the Local Finance Board Application for the purpose of financing the Participant Project through the issuance of the Series 2011 Bonds, and to take all action necessary, desirable, or convenient in connection therewith. Accordingly, the Authorized Officers, and any consultants of their choosing, shall, if necessary, represent the Participant at any public hearing held by the Local Finance Board in connection with the Local Finance Board Application.

Section 3. Upon a date to be selected by the Authority, the Authorized Officers shall deliver to the Authority a fully executed certificate, substantially in the form attached hereto as Exhibit B, evidencing the proper officials' approval of the substance and scope of the Participant Project.

Section 4. The Participant understands and acknowledges that by adopting this resolution, the Participant intends to participate in the Program, which may entail the funding of the Participant Project through a portion of the proceeds of the Authority's Series 2011 Bonds, and that the Authority is taking several actions in reliance upon this action by the Participant, including, without limitation, proceeding with the issuance of the Company RFP, the selection of the Company, the establishment of the renewable energy pricing under the Company Proposal, potentially seeking the required approvals from the Local Finance Board to issue the Series 2011 Bonds, as set forth in the Local Finance Board Application, and the marketing, sale and issuance of the Series 2011 Bonds, all for the benefit of the Participant and the other Local Units. The Participant further acknowledges that its continued participation in the Program is critical to the pricing to be obtained from Proposers during the RFP process and any change in the extent of its participation will have a negative impact on the other Local Units participating in the Renewable Energy Project.

Section 5. The Participant covenants to the Authority that: (i) except for extraordinary unforeseen circumstances not presently contemplated, the Participant intends to participate in the Authority's Program and will not withdraw any of the Local Unit Facilities in the Participant Project from inclusion in the that it has requested and the Authority has approved to be part of the Program, so long as the Company Proposal results in a savings to the Participant, and should it elect to withdraw such a Local Unit Facility for reasons other than an extraordinary unforeseen circumstance, that it will substitute a building with comparable energy usage or reimburse the Authority for the costs incurred to remove the public building from the Program, (ii) this official action authorizes the Authority to take all such actions contemplated above in order to develop the Participant Project and to provide the Participant with such savings and (ii) should the Authority determine to finance the Program, prior to the sale of the Series 2011 Bonds, the Participant shall (a), if it is a board of education, obtain any and all approvals from the State Department of Education with respect to the Participant Project, and (b) adopt a resolution authorizing, among other things, the Participant to enter into that certain "Power Purchase Agreement" and that certain "Site License Agreement," each to be dated as of the first day of the month of issuance of the Series 2011 Bonds in such form as shall be presented to the Participant prior to adoption of the supplemental resolution.

Section 6. The Authorized Officer shall direct the Participant official in charge of the officially adopted resolutions of the governing body of the Participant to (a) prepare an official, certified copy of this resolution, as adopted, and (b) deliver such certified copy in accordance with Section 11 below. Further, the Participant hereby consents to such certified copy of the resolution, and any further information regarding the Participant and/or the Participant Project, as the Authorized Officer shall determine to be necessary, desirable or convenient in connection with the Local Finance Board Application, to be submitted as part of, or pursuant to the Local Finance Board Application.

Section 7. The Authorized Officers are hereby severally authorized to take such other actions, and execute such other certificates, documents, and instruments, as such Authorized Officers shall deem to be necessary, desirable, or convenient to assist the Authority in developing the Participant Project, producing the contemplated energy savings for the Participant, issuing the RFP and selecting the Company through the most desirable Company Proposal in accordance with the terms of the RFP and applicable law, and potentially marketing, selling, and issuing the Series 2011 Bonds, procuring the final terms of the Renewable Energy Project documents, or any other action related to the implementation of the Program for the Series 2011 Local Units.

Section 8. The Local Finance Board is hereby respectfully requested to consider the Local Finance Board Application as the means to finance the Participant Project, pursuant to either Option 2 or Option 3 of the RFP, and to record its findings and recommendations as provided by N.J.S.A. 40A:5A-7 of the Local Authorities Fiscal Control Law.

Section 9. To the extent the Authority determines to finance the Program and Series 2011 Bonds are issued in any year other than 2011, references herein to “2011” may without any further action be changed to the year of issuance of such Series 2011 Bonds.

Section 10. All actions of the Authorized Officers or Participant consultants taken prior to the date of adoption hereof in connection with the possible issuance of the Series 2011 Bonds, the Participant Project or any of the foregoing transactions contemplated by this resolution, are hereby ratified and approved.

Section 11. Upon the adoption hereof, a certified copy of this resolution shall be forwarded to: Nicole Fox, Executive Director of the Authority, 401 Grand Street, Room 103, Paterson, New Jersey 07505, Telephone: (973) 881-4550, and Fax: (973) 278-5635, e-mail: nicolef@passaiccountynj.org, and Kevin A. Conti, Esq., Program Counsel to the Authority at DeCotiis, FitzPatrick and Cole, LLP, Glenpointe Centre West, 500 Frank W. Burr Boulevard, Teaneck, NJ 07666, Telephone: (201) 907-5202, and Fax: (201) 928-0588, e-mail: kconti@decotiislaw.com.

Section 12. This resolution shall take effect immediately.

R 192-11 Resolution, introduced by Councilman Bennett

WHEREAS, the Municipal Council of the Borough of Hawthorne has adopted, as part of its Municipal Code, a fee schedule setting forth fees and costs associated with certain permits that are to be issued through the Building Department of the Borough; and

WHEREAS, as a result of Hurricane Irene and the flooding that has taken place in the days following the storm, a number of Borough residents, property owners and business owners have experienced damage, requiring repair or replacement; and

WHEREAS, in order to assist those in need, the Municipal Council has agreed to waive all permit fees for repair or replacement work associated with and caused by Hurricane Irene and its aftermath; and

WHEREAS, the State of New Jersey, Department of Community Affairs, has advised the Borough that it may elect to waive fees as a result of this storm and, in such case, the Department of Community Affairs would, in turn, waive payment of permit surcharges due the State;

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne, does waive any and all permit fees and surcharges that may otherwise be imposed for all work, be it repair or replacement, undertaken to remedy damage caused by Hurricane Irene.

R 193-11 Resolution, introduced by Councilman Bennett

RESOLUTION ACCEPTING \$2,500.00 GRANT FROM THE CLEAN AIR/COOL PLANET ORGANIZATION FOR HAWTHORNE ENVIRONMENTAL COMMISSION'S GREEN MAP

WHEREAS, the Borough of Hawthorne Environmental Commission submitted an application to Clean Air/Cool Planet Organization for a grant for Green Map; and

WHEREAS, pursuant to the above-mentioned application, the Clean Air/Cool Planet Organization has offered to the Borough of Hawthorne a grant of \$2,500 for Green Maps; 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 Clerk are hereby authorized to execute the attached Community Catalyst Fund Grant Agreement accepting \$2,500 funds from Clean Air/Cool Planet Organization to be used for Green Maps within the Borough.

R 194-11 Resolution, introduced by Councilman Bennett

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 \$2,500.00 which item is now available as revenue for the Clean Energy Program.

SPECIAL ITEM OF REVENUE OFF-SET WITH APPROPRIATIONS
Community Catalyst Program - \$2,500.00

pursuant to the provision of the statute; and

SECTION 2

BE IT FURTHER RESOLVED, that a like sum of \$2,500.00 be and is hereby appropriated under the caption of:

OPERATIONS EXCLUDED FROM "CAPS"
PUBLIC AND PRIVATE PROGRAMS OFF-SET BY REVENUE
Community Catalyst Program - \$2,500.00

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.

Council President Matthews entertained a motion to approve Resolutions R181-11 through R194-11, moved by Councilman Bennett, seconded by Councilman Wojtecki. There were no questions on roll call all voted yes; Councilman Lane abstained from R188-11 and R191-11.

REPORTS OF SPECIAL COUNCIL COMMITTEES

Councilman Wojtecki

The fall planting will be done by November 21st, and the residents who have requested trees and who upon inspection can have a tree planted at their house will be getting trees. It looks right now that all residents should be filled. Phase II of the tree inventory will be completed by year's end. Members will be attending the Shade Tree Federation meeting October in Cherry Hill, NJ.

Councilman Sinning

The Ordinance Committee met last night and discussed traffic and parking issues for consideration.

Council Vice President Bertollo

Reporting for Councilman Mele: the Pocket Park is progressing, fall planting will begin and the park should be completed within the next month.

Councilman Lane

Electrical will be installed this weekend at the Pocket Park. Meeting took place a month ago with developer of 55 Westervelt, Mayor Goldberg and Attorney Pasquale. Developer will build project as approved by Planning Board and will have funding in two weeks, followed by

application to the Planning Board. Once funding is in place, back escrow will be paid. Anticipate four to six weeks for permit to be issued. Thank you to Mayor Goldberg and Attorney Pasquale for their due diligence in making this happen. New owner will be cleaning property, grass and weeds as well. Ambulance Corps has invited St. Joseph's Hospital to Hawthorne Day. They will be coming with medic truck, doc truck, rehab tent and vehicle, and offering blood pressure and cholesterol screening.

Councilman Bennett

Kudos to Department of Public Works for their stellar performance over the past couple of weeks dealing with the difficulty of the storms, in addition to a water main break on Goffle Hill Road where repair was made ahead of schedule due to it being a cast iron pipe. A motor was also lost at the Goffle Hill Pump Station at the same time. The drainage improvement at Royal and Washington Avenues was put to the test and although the system is working and draining, debris was rushing down with the water. This has been discussed with Engineer Boswell who will address stopping the debris in the culvert. Council Vice President Bertollo commented the system is working well and was able to drain the water in five to ten minutes.

Council President Matthews

Chamber of Commerce Farmer's Market continues on Sundays from 9:00 a.m. to 2:00 p.m. until October 30th. The Fishing Derby is scheduled for Saturday, September 17th from 8:30 a.m. until 2:00 p.m. Plans from Hawthorne Nissan LLC were submitted to the Planning Board last night; they are taking over Sabor Restaurant with a new car dealership, keeping the used car lot and service center across the street on Lafayette Avenue.

Mayor Goldberg announced the second Shred Day will take place on Saturday, September 10th behind the Library on Grand Avenue between 9:00 a.m. and 2:00 p.m. The first three bags are free, additional bags with donations to the Boys and Girls Club.

CORRESPONDENCE

None recorded.

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 Council Vice President Bertollo, seconded by Councilman Bennett. 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 #8658. Councilman Lane and Councilman Wojtecki abstained from checks #12366, 12381, 12383, 12384, 12392, 12401, 12406, and 12423.

VENDOR	CHECK#	TOTAL	DESCRIPTION
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CURRENT FUND

116 WASHINGTON AVE LLC	12363	4,142.79	TAX OVERPAY
A-VAN ELECTRICAL	12364	336.60	VARIOUS
ACE REPROGRAPHIC SERV, INC	12365	1,125.00	VARIOUS
ADVANCED AIR SYSTEMS LLC	12366	1,196.23	FIRE DEPT O/E
ALBERT AGNES	12367	1,800.00	VARIOUS
ALL BERGEN LOCKSMITHS, INC	12368	241.00	VARIOUS
AMERICAN HOSE CO INC	12369	262.00	STREETS & ROADS O/E
AMY HAMILTON-SOTO	12370	700.00	PUBLIC EVENTS O/E
ANDY'S CORNER	12371	2,223.00	POLICE DEPT O/E
AQUATIC DISTRIBUTORS INC.	12372	2,440.00	SWIMMING POOL O/E
BOLTZER LANDSCAPING INC	12373	2,492.00	STREETS & ROADS O/E
BOSWELL ENGINEERING, INC	12374	6,257.25	VARIOUS
CATHY DELLA PESCA	12375	1,584.95	VARIOUS
CHRISTOPHER DREW	12376	800.00	VARIOUS
CINTAS FIRST AID AND SAFETY	12377	300.13	VARIOUS
DCRP	12378	44.57	FINANCIAL ADMIN O/E
DELL MARKETING LP	12379	4,648.10	POLICE DEPT O/E
DONALD TURNER, SR	12380	280.00	VARIOUS
FREMGEN POWER EQUIPMENT INC	12381	99.00	FIRE DEPT O/E
GARDEN STATE FIREWORKS	12382	5,000.00	PUBLIC EVENTS O/E
GILBEY'S EMBROIDERY CO	12383	90.00	FIRE DEPT O/E
HAWTHORNE FIRE DEPT	12384	850.00	FIRE DEPT O/E
HAWTHORNE HITCH AND TRAILER	12385	336.00	MAINTEN OF PARKS
HAWTHORNE PRESS INC	12386	546.15	VARIOUS
HERITAGE INC	12387	832.75	SWIMMING POOL O/E
HHSPGC	12388	1,000.00	MUNICIPAL ALLIANCE
JERSEY ELEVATOR INC	12389	150.65	PUB WORKS ADMIN O/E
JOHN DEERE LANDSCAPE	12390	168.98	MAINTEN OF PARKS
JOSEPH CLEMENTI	12391	50.00	SEWER SYSTEM O/E
KRAFT ROOFING, INC.	12392	8,500.00	RESCUE 5 BLDG ROOF
LAB SAFETY SUPPLY	12393	157.60	SEWER SYSTEM O/E
MAIN POOL & CHEMICAL CO, INC	12394	2,154.00	SWIMMING POOL O/E
METLIFE	12395	300.38	GROUP INSURANCE O/E
MICRO CENTER	12396	378.07	POLICE DEPT O/E
MONSEN ENGINEERING CO	12397	1,840.00	PUB WORKS ADMIN O/E
NJ MEADOWLANDS COMMISSION	12398	879.51	TRANSFER STATION
NJ TRANSIT	12399	425.00	VARIOUS
NO JERSEY MUNI EMPL BNFT FUND	12400	169,799.00	GROUP INSURANCE O/E
NORTH HALEDON FIRE DEPT	12401	950.00	FIRE DEPT O/E
NUNZIO DI BENEDETTO	12402	700.00	PUBLIC EVENTS O/E
NY SUSQUEHANA & WESTERN RAILWA	12403	568.96	SEWER SYSTEM O/E

ONE COMMUNICATIONS	12404	213.00	TELEPHONE CHARGES
PASS CTY-SUPT OF ELECTIONS	12405	1,789.00	MUNICIPAL CLERK O/E
PASSAIC CTY COMMUNITY COLLEGE	12406	320.00	FIRE DEPT O/E
PHILIP SAVOIE	12407	129.99	SHADE TREE COMMISSION O/E
PREFERRED BUSINESS SYSTEMS	12408	345.00	PUB WORKS ADMIN O/E
PRINTMASTERS	12409	115.00	PUB WORKS ADMIN O/E
R & R RADAR INC	12410	526.80	VARIOUS
ROBERT POLITO LANDSCAPING	12411	175.00	STREETS & ROADS O/E
ROSANNE ZAGATTA	12412	223.00	ENVIRONMENTAL COMMITTEE O/E
RT OFFICE PRODUCTS	12413	430.98	VARIOUS
RUTGERS UNIVERSITY	12414	539.70	FINANCIAL ADMIN O/E
S & S WORLDWIDE INC	12415	1,396.00	BOARD OF REC O/E
STAPLES	12416	494.26	VARIOUS
STATE OF NEW JERSEY	12417	541.50	GROUP INSURANCE O/E
SUPERIOR DISTRIBUTORS	12418	41.65	STREETS & ROADS O/E
TEE-FX SCREEN PRINTING, LLC	12419	2,117.50	POLICE DEPT O/E
THOMSON WEST INC	12420	676.00	VARIOUS
TONY SANCHEZ LTD	12421	2,596.59	VEHICLE MAINT ROAD
TREASURER, ST OF NEW JERSEY	12422	85.00	BOARD OF HEALTH O/E
TRIANGLE TROPHY	12423	401.00	FIRE DEPT O/E
TURNOUT UNIFORMS	12424	1,281.00	VARIOUS
UNITED COMPUTER	12425	558.00	IT SERVICES
VALLEY HEALTH MEDICAL GROUP	12426	67.00	PEOSHA O/E
VALLEY HOSPITAL	12427	302.38	VARIOUS
VERIZON	12428	2,273.22	VARIOUS
VILLAGE OF RIDGEWOOD	12429	238.97	STREETS & ROADS O/E
WAGNER TOURS, INC	12430	725.00	BOARD OF REC O/E
WILLIAM S WINTERS, ESQ FOR	12431	<u>1,735.86</u>	OPERATIONS
TOTAL CURRENT		\$ 246,988.07	
GENERAL CAPITAL			
BOSWELL ENGINEERING, INC	3126	1,840.11	2011 NJDOT MOHAWK AVE
NORTH JERSEY MEDIA GROUP INC	3127	268.38	VARIOUS
WATER OPERATING ACCOUNT	3128	<u>565.95</u>	DUE TO/FROM WATER CAPITAL
TOTAL GENERAL CAPITAL		\$ 2,674.44	
WATER OPERATING			
AGRA ENVIRONMENTAL SVC	8654	2,430.00	VARIOUS
ALL BERGEN LOCKSMITHS, INC	8655	33.00	WATER UTILITY O/E
CINTAS FIRST AID AND SAFETY	8656	27.61	WATER UTILITY O/E
DELL GARDEN CENTER	8657	60.03	WATER UTILITY O/E
DOWNES TREE SERVICE, INC.	8658	110.00	WATER UTILITY O/E
HAWTHORNE AUTO BODY, INC	8659	3,879.97	WATER UTILITY O/E

HAWTHORNE HITCH AND TRAILER	8660	935.50	WATER UTILITY O/E
HOME DEPOT SUPPLY	8661	47.90	WATER UTILITY O/E
JOSEPH CLEMENTI	8662	119.50	VARIOUS
L&P INTEGRATORS	8663	1,048.25	WATER UTILITY O/E
MONTONE REMOD & CONS CO, INC	8664	290.00	WATER UTILITY O/E
RUTGERS UNIVERSITY	8665	231.30	WATER UTILITY O/E
SHERWIN WILLIAMS CO.	8666	268.12	WATER UTILITY O/E
STAPLES	8667	139.99	WATER UTILITY O/E
VERIZON	8668	<u>1,000.00</u>	WATER UTILITY O/E
TOTAL WATER OPERATING		\$ 10,621.17	

WATER CAPITAL

CR INDUSTRIAL SERVICES INC	1028	<u>7,550.00</u>	CAPITAL EQUIPMENT
TOTAL WATER CAPITAL		\$ 7,550.00	

BUILDERS ESCROW

BOSWELL ENGINEERING, INC	5109	603.75	ULMA FORM WORKS 174/15
BOSWELL ENGINEERING, INC	5110	3,493.50	116 WASHINGTON
BOSWELL ENGINEERING, INC	5111	<u>2,972.50</u>	PATRIOT DEVELOP 90/1
TOTAL BUILDERS ESCROW		\$ 7,069.75	

TOTAL BILL LIST **\$ 274,903.43**

PUBLIC COMMENT

Council President Matthews opened the meeting to the public. He stated if anyone desires to be heard, please raise your hand to be recognized, come forward to the microphone, and sign the sheet giving your name and address for the record. Council President Matthews asked if anyone wished to be heard.

James Dusenberry, 81 Roosevelt Avenue

Asked for an explanation of resolution R 182-11. Director of Revenue and Finance Hewitt explained inter-transfer of funds is when funds get transferred into the wrong fund. This is caused by posting or deposit errors which are most common. In this case, the county sent us a check for two items for two different funds on one check. The second was a bank error, a NSF check taken from the correct account and we deposited into the wrong account. Mr. Dusenberry asked that funds belonging to the water fund were not transferred to the current fund. Council President Matthews indicated no they were not; it was surplus not the general account funds. Mr. Dusenberry thanked the council for their time.

Ian Keller, 202 May Street

Asked if there was anything new on the crosswalks/pedestrian safety. Mayor Goldberg replied the Police Chief is testing the area, checking to see if people are stopping, when we see it, we try

to ticket. The new state law makes it clear once pedestrians are in the sidewalk, you must stop and let them cross. Mr. Keller continued and reported his research on pedestrian safety. Recent studies of 10 years of major combat, about 50,000 Americans were killed, over the same period 48,000 Americans were killed walking on the streets. Closer to home in New Jersey, there were 1,514 pedestrian fatalities from 2000-2009 and over the same period there were 11 fatalities from lightning strikes, about 100-150 times the risk walking in the street versus getting hit by lightning. The town has spent time and money on a lightning detection system, but pedestrians are 100 times at greater risk than one getting struck by lightning. Human nature tells us to be afraid of the things that are scary but we should be afraid of the things that are dangerous, crossing the street is a lot more dangerous than running around in the rain. It's an important issue not getting the attention it commensurate with the actual threat level.

Council President Matthews commented he agrees that pedestrian safety is an issue but doesn't believe you should pit a lightning detection system over crosswalks as they are both valuable to protect our residents and he would spend a million dollars to save one kid. It is an enforcement and education issue, a crosswalk on every street still has to be enforced and drivers have to obey them. Mayor Goldberg commented a crosswalk does not have to be a painted crosswalk, if someone has stepped into the street in an implied crosswalk, cars must stop for you. Council President Mathews continued we could paint and stripe additional areas to further enforce the issue of speeding.

Mr. Keller remarked it was not his intention to down play the importance of a lightning detection system, just to point out the statistical facts that the risk is far greater with pedestrians crossing the street. Mr. Keller thanked the council.

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

ADJOURNMENT

Council President Matthews entertained a motion to adjourn the meeting at 9:31 p.m., moved by Councilman Lane, seconded by Council Vice President Bertollo. On roll call, all voted yes.

COUNCIL PRESIDENT MATTHEWS INDICATED THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE ON **SEPTEMBER 21, 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.

Frank E. Matthews
Council President

Susan Witkowski
Borough Clerk