

February 1, 2012
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 Bertollo, Council Vice President Bennett, Councilpersons Lane, Matthews, Mele, Sinning and Wojtecki. Also present were Mayor Goldberg, Borough Administrator Maurer, Borough Attorney Pasquale, Borough Engineer Boswell and Borough Clerk Witkowski. Director of Revenue and Finance Hewitt was absent.

FLAG SALUTE

Council President Bertollo 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, e-mailed 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 7, 2011.

APPROVAL OF MINUTES

Council President Bertollo entertained a motion to approve the minutes of the Regular Meeting of January 18, 2012 and Closed Session January 18, 2012, moved by Councilman Mele, seconded by Councilman Sinning. On roll call, all voted yes with the exception of Councilman Wojtecki who abstained.

PUBLIC COMMENT (Agenda items only)

Council President Bertollo opened the meeting to the public. He stated if anyone desired to be heard, please raise your hand to be recognized, come forward to the microphone, state your name and address and sign the sheet for the record. He stipulated this be for agenda items only. Seeing none, Council President Bertollo entertained a motion to close the public portion, moved by Council Vice President Bennett, seconded by Councilman Mele. On roll call, all voted yes.

ADOPTION OF ORDINANCES

ORDINANCE NO. 2058-12

AN ORDINANCE TO AMEND ORDINANCE 1765 HERETOFORE ADOPTED BY THE BOROUGH OF HAWTHORNE, PROVIDING FOR ACQUISITION AND INSTALLATION OF PUBLIC SAFETY COMMUNICATIONS EQUIPMENT FOR POLICE, FIRE, AMBULANCE AND OTHER COMMUNICATION RELATED SERVICES, ALL AS SET FORTH THEREIN, SO AS TO CHANGE THE SCOPE OF WORK THEREUNDER TO INCLUDE REPLACEMENT OF AMBULANCE CORPS RADIOS, ACQUIRE AND INSTALL FIBER NETWORK CAPABILITIES, PURCHASE, INSTALL OR CONSTRUCT POLICE DEPARTMENT ACCREDITATION RELATED UP-GRADES, AND PROVIDE FOR CONSTRUCTION SUPERVISION THEREUNDER, AND FURTHER SO AS TO INCREASE THE AMOUNT OF THE APPROPRIATION FROM \$900,000 TO \$1,240,000 AND AUTHORIZE THE ISSUANCE OF BONDS OR NOTES FOR THE FINANCING OF THE SAME, IN AND BY THE BOROUGH OF HAWTHORNE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY.

Public Hearing

Council President Bertollo opened the meeting to the public. He stated if anyone desired to be heard regarding Ordinance No. 2058-12 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Seeing no one, Council President Bertollo entertained a motion that the public hearing on Ordinance No. 2058-12 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted and published in the Hawthorne Press. Copies of said ordinance were made available to the general public.

Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same according to law.

Motion was moved by Councilman Matthews, second by Councilman Mele. Council President Bertollo asked if there was any discussion. On roll call, all voted yes with the exception of Councilman Lane and Councilman Wojtecki who both abstained.

OLD BUSINESS

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

Councilman Lane thanked Administrator Maurer for the Rea Avenue Extension traffic study which indicates vehicles are travelling within ten miles of the speed limit and is acceptable speed. Councilman Lane asked Administrator Maurer for an update on the curb at Warburton and Hawthorne Avenues and the dumpster at Rescue 5 building. Administrator Maurer stated the curb issue will be discussed at the next Ordinance Committee meeting with police department reps and he will follow-up on the dumpster.

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

NEW BUSINESS

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

Councilman Wojtecki thanked Library Director Kathie O'Dowd on the improvements and remodeling that have taken place at the Library. The website has also been improved and a newsletter has been introduced. All are encouraged to visit the new and improved Library.

Councilman Lane suggested the Board of Health input be included in applications submitted to the Zoning Department which may involve kitchens, etc. which pertain to health standards. Also, three new kitchens have been constructed in the borough without the health department's knowledge and without collection of fees when rented as per ordinance. Attorney Pasquale responded he would recommend this be discussed among Administration with input from the Planning Board. Councilman Lane continued and asked how the E-ticketing system was working out and how many police vehicles have it installed. Administrator Maurer responded September was down from October and November and he would provide January's report at the next meeting. Mayor Goldberg responded the system is installed in the six vehicles that had the computer capability for the system.

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

Council President Bertollo called upon Mayor Goldberg for his Administrative Agenda.

ADMINISTRATIVE AGENDA PRESENTED BY THE MAYOR

Mayor Goldberg reported the county nutrition site previously located at St. Clements Church is moving to the Ambulance Corps building keeping a vital Senior service in the borough. Thank you to Council President Bertollo and Councilman Lane who were instrumental in this move. The DEA raided a Hawthorne house, finding drugs, guns and cash sending our message that this will not be tolerated in the Borough of Hawthorne, you will be caught and you will go to jail. We received a check from Cablevision in the amount of \$202,513 in franchise fees due to the \$5 million plus in usage fees through the borough. This amount is five times more than Verizon's payment. The first Hawthorne Day meeting is scheduled for February 27 at 7:00 p.m. We are planning a bigger and better day and are seeking additional volunteers. The 911 Memorial Committee meets tomorrow at 4:30 p.m. in the 2nd floor conference room. The 20th Annual Cel-Earth-Bratton and Shredding Day both will take place on April 21st, this year's theme is "Building a Green Future". The Economic Development Committee will be meeting with the Planner to create a new zone from Lafayette Avenue to the border to make it easier for businesses to open in Hawthorne. The Planning Board has given final approval for a supermarket at 204 Wagaraw Road but there are no signed leases at this time and negotiations are ongoing.

APPOINTMENT

Member of Shade Tree Commission

John Terry

Mayor Goldberg stated Mr. Terry's appointment is a holdover.

REPORTS

Mayor Goldberg reported Director of Revenue and Finance Hewitt is closing out the books and not present tonight.

Mayor Goldberg called upon Attorney Pasquale for his report.

Attorney Pasquale reported on the following:

Tax appeals are back logged; thirty cases will be heard next Tuesday in Morristown. 55 Westervelt is moving very quickly and making progress. The contractor suggests the project could be done in nine to ten months. The judge has denied our motion to dismiss the complaint filed by Mr. Cook and 7-11 due to Mr. Cook relying upon a mathematical mistake. We will be serving a 28-day notice to dismiss complaint or seek sanctions and we will seek sanctions against Mr. Cook, Puddingstone LLC and 7-11. We will file again for dismissal and pursue aggressively.

This concluded Attorney Pasquale's report.

Mayor Goldberg called upon Engineer Boswell for his report.

Engineer Boswell reported on the following:

Muffin Monster / Southfield Pumping Station - The Muffin Monster should be repaired and back by next meeting.

Mohawk Avenue – The close-out documents and maintenance bond were forwarded to the Borough for signature and payment. The project comes in under contract, original contract was \$242,500, and final cost \$174,200 and a grant in the amount of \$180,000.

UST Underground Monitoring – The project remains on hold (pending funding).

Christian Health Care Center – The oppositions planner provided testimony at the January 23rd meeting. Cross examination of the planner is expected to take place at the next Special meeting which is scheduled for March 12th, 2012.

Lafayette Hills Wetlands Blow Out – The breach of the wetland's pond was repaired today. Our office suggested maintenance of the area be performed twice a year, spring and fall, and the area inspected after a major storm. There is a fence in question we are working on with the home owner's association and property management.

2012 Road Resurfacing Program - Our office is reviewing the current list of road candidates for consideration as part of the 2012 Road.

Goffle Brook Bridge and Bank Stabilization - We met with Passaic County on Friday, January 27th. The County has funds available for both Warburton and Rea Avenue improvements and \$1.1 million for Goffle Brook. The total Goffle Brook improvements are estimated at \$2.5 million. The County has asked us to break the project into phases with available funds for this year being phase one and next year being phase two. The County would like to bid each project separately then together as one in March in the following order, Warburton Avenue, Rea Avenue then Goffle Brook. Construction is expected to begin either May or June.

Kiddie Pool - New ADA compliance requirements come in effect on March 15, 2012 that would require adult and kiddie public pools to have a ramp or lift if and when they were undergoing renovations. It is our opinion we are not affected by this requirements due to renovations not taking place.

Royal Ave Drainage - Discussions and follow-up needs to continue with Public Works, Borough Attorney, Administration and our office since there is no easement in the area and it may be possible to do right-of-entry.

Engineer Boswell asked Attorney Pasquale if Stacey Contractors has settled the liquidated damages charges. Attorney Pasquale responded no and he would follow up.

This concluded Engineer Boswell's report.

Mayor Goldberg called upon Administrator Maurer for his report.

Administrator Maurer reported on the following:

Auditors are working on the annual financial statement s/b complete by due date 2/10. First quarter property taxes are due, grace period ends February 10, if not paid by then, interest will be calculated back to February 1st. Application for bond re-financing, Ordinance # 2058-12, will be heard next week by the local finance board which will save us a total of \$216,000 over eight years. Rating of the bonds will take place in two weeks where we should do well based on our conservative financial practice and amount of surplus. The Table of Equalized Values report shows our equalization ratio is up to 49.45 % which helps with defending tax appeals. Our tax base, values which tax rate is calculated, is down 0.45% as compared to last year, due to last year's tax appeals and few new added assessments. OEM Coordinator McAuliffe is completing reimbursement forms for Hurricane Irene which should capture us \$140,000. Tropical Storm Lee will be filed next. Thank you to Captain McAuliffe and his team, and Public Works Director Clementi in preparing and documenting all to maximize our reimbursement. State Police have conducted an audit on our crime reporting and found no problems. The County has approved a \$75,000 open space grant for field lighting at Wag 4 which is only half of the estimated cost leaving the borough cost more than anticipated. Will be attending workshop on CDBG program. In the process of blue & white collar negotiations on agreements that expired on December 31, 2011. RFP's are being prepared for the Police Department renovations, ITS and recycling receptacles for downtown area.

This concluded Administrator Maurer's report.

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

Councilman Wojtecki asked the status of his suggestion the health department update the ordinance on inspections, i. e., limits to failures, imposing fees. Mayor Goldberg commented it has been added the agenda for the next Ordinance Committee meeting.

Councilman Mele asked Engineer Boswell if the pool was poured in pieces. Engineer Boswell responded yes, the old way was to pour it in slabs but could not comment if and why it has separated.

Councilman Lane asked Attorney Pasquale if Stacey Contracting has a time limit in which to respond to the liquidated damages charges. Attorney Pasquale responded no and he would make a call to their attorney.

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

INTRODUCTION OF ORDINANCES

ORDINANCE NO. 2059-12

REFUNDING BOND ORDINANCE OF THE BOROUGH OF HAWTHORNE, IN THE COUNTY OF PASSAIC, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF CERTAIN GENERAL OBLIGATION BONDS OF THE BOROUGH, CONSISTING OF GENERAL IMPROVEMENT BONDS AND WATER UTILITY BONDS, APPROPRIATING \$5,200,000 THEREFOR AND AUTHORIZING THE ISSUANCE BY THE BOROUGH OF REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$5,200,000 FOR FINANCING THE COST THEREOF

BE IT RESOLVED, that Ordinance No. 2059-12 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 March 7, 2012, 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.

Motion was moved by Councilman Matthews, second by Councilman Wojtecki. Council President Bertollo asked if there was any discussion. On roll call, all voted yes.

CONSENT AGENDA MR 26-12, MR 27-12, R 30-12 through R 37-12:

MR 26-12 Introduced by Council Vice President Bennett

AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE DOCUMENTS

WHEREAS, as part of its Housing Element and Fair Share Plan, the Borough of Hawthorne concluded that it had an obligation to provide funding for the rehabilitation of 19 units of residential housing; and

WHEREAS, as part of the obligation to provide such funding, the Borough has designated Community Grants and Planning as its administrator, responsible for oversight of the program and screening of applicants for assistance through the Housing Fund; and

WHEREAS, the Borough has received an application for the rehabilitation of a residence through utilization of funds from the Housing Fund which has been reviewed and approved by Community Grants and Planning for compliance with the program protocol;

NOW THEREFORE BE IT RESOLVED, that the Hawthorne Municipal Council does approve of the application, a copy being annexed hereto, and does authorize the Mayor and Clerk to execute such documents as may be required in connection with the same.

MR 27-12 Introduced by Council Vice President Bennett

HANDICAP PARKING SPACE

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

1. The words and phrases used herein shall have the same meaning respectively ascribed to them in Subtitle 1 of Title 39 of the Revised Statutes of New Jersey.
2. Pursuant to the Authority granted under N.J.S.A. 39:4-197.6, the following location is hereby designated as a restricted parking space for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles. No other person shall be permitted to park in this space.
3. The parking space located on the west side of Buena Vista Avenue, beginning fifty-one feet (51') north of the end of the private driveway of 144 Buena Vista Avenue and extending twenty-two feet (22') to the north in front of the premises known as 150 Buena Vista Avenue, shown as Block 141 Lot 32 on the Borough Tax Map.
4. The Police Department is hereby directed to have proper signs calling attention to the provisions of the resolution erected or placed upon said street.

This resolution shall take effect on adoption and posting of the signs required above.

R 30-12 Introduced by Council Vice President Bennett

Ratify actions of the Municipal Council of the Borough of Hawthorne payroll dated January 27, 2012:

CURRENT FUND	WT 888889	\$	235,424.70
WATER OPERATING FUND	WT 888889	\$	39,732.39
OTHER TRUST II FUND	WT 888889	\$	12,909.74
TOTAL PAYROLL		\$	<u>288,066.83</u>

CURRENT FUND TO PAYROLL/FICA	WT 888889	\$	13,185.09
WATER OPERATING FUND TO PAYROLL/FICA	WT888889	\$	-
TOTAL FICA		\$	13,185.09

R 31-12 Introduced by Council Vice President Bennett

WHEREAS, There was a Veteran who filed for a deduction in the Tax Assessor's office after the close of the Assessor's book, and

Whereas, He was entitled to receive the deduction for 2011,

THEREFORE, BE IT RESOLVED, By the Municipal Council of the Borough of Hawthorne that the Treasurer be authorized to issue a check to the taxpayer listed below:

<u>BLOCK & LOT</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
287/3C0203	Romeo Podesta	5 Goffle Brook Ct.	\$250.00

R 32-12 Introduced by Council Vice President Bennett

WHEREAS, County Appeal Judgment was received to reduce the added assessment for the following block and lot for 2011:

WHEREAS, the 2011 4th quarter was already paid, a refund will be issued for Maria Cassibba, 16 Tenth Ave. Unit B:

<u>Block/Lot</u>	<u>Original Assessment</u>	<u>Judgment</u>	<u>Difference</u>	<u>Overpayment</u>
181.01/17	241,800.00	205,900.00	35,900.00	\$1,830.54

WHEREAS, the 2012 1st and 2nd quarters will receive a credit for \$457.64 and \$457.63.

NOW, THEREFORE BE IT RESOLVED, that the Tax Collector be authorized by the Municipal Council of the Borough of Hawthorne to issue a refund for overpayment for added assessment for 2011 and to apply credits to 2012 1st and 2nd quarters.

R 33-12 Introduced by Council Vice President Bennett

AUTHORIZING DISPOSAL OF SURPLUS PROPERTY

WHEREAS, the Borough of Hawthorne is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Municipal Council are desirous of selling said surplus property in an "as is" condition without express or implied warranties.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council in the Borough of Hawthorne in the County of Passaic, as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Borough Clerk's Office;
- (2) The sale will be conducted online and the address of the auction site is govdeals.com;
- (3) The fee charged by GovDeals is seven and one-half (7 ½%) percent of the gross sale receipt with no listing charge or advertising charge;
- (4) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (5) A list of the surplus property to be sold is as follows:

2008 Tiger Flail Mower
Viper AF3400 Anti Freeze Recycler
2003 Pelican Sweeper
HP Design Plotter
Olathe Turf Sweeper
Computer monitors (5)
Computer printers (3)
Computer Towers-no hard drives (11)
Keyboard (3)
Gateway Lap Top
Toughbook Lap Top
1997 Ford Crown Victoria
1998 Ford Crown Victoria
1999 Chevrolet Lumina
2000 Ford Taurus
2007 Ford Crown Victoria

(6) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(7) The Borough Administrator is authorized to set minimum bids, set reserves below which bids will be rejected, set bidding increments, group items for sale by lots, and the right to accept or reject any bids submitted.

(8) The Borough Administrator sets the auction date.

R 34-12 Introduced by Council Vice President Bennett

WHEREAS, the semi-annual interest payment for the General Serial Bonds of 2005 becomes due and payable on February 15, 2012.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer is hereby authorized to wire funds in the amount of \$24,113.00 in payment of interest from the Current Fund to Chase Bank NY Account #066027306.

R 35-12 Introduced by Council Vice President Bennett

WHEREAS, the Borough of Hawthorne has determined the need to create a Request for Proposal so as to enhance and update Information Technology services through the provision of goods and services for the maintenance and support of Borough computer networks including, but not limited to, hardware, software and peripherals; and

WHEREAS, the Local Public Contracts Law, at NJSA 40A:11-4.1, specifically authorizes the use of competitive contracting for acquisition of the goods and services anticipated by the Request for Proposal; and

WHEREAS, in order to initiate the competitive contracting process, a local unite must first adopt a resolution authorizing the use of such protocol and procedure; and

WHEREAS, the award of any contract pursuant to such process is nevertheless subject to the approval of an application by the Director of the Division of Local Government Services;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that it does hereby authorize the use of competitive contracting for the acquisition of goods and services as described above, subject to the approval by the Director of the Division of Local Government Services.

R 36-12 Introduced by Council Vice President Bennett

WHEREAS, the County of Passaic, through its Department of Senior and Disability Services and Veterans' Affairs, operates Congregate Nutrition Sites at various locations throughout the County, providing meals to eligible Senior Citizens, including one at St. Clement's Episcopal Church in the Borough of Hawthorne; and

WHEREAS, the County of Passaic and Borough of Hawthorne have tentatively agreed to enter into an Interlocal Agreement so as to permit the Congregate Nutrition Program now operated at St. Clement's Church to be located at and operated from the Ambulance Corps Building, located on Goffle Road in Hawthorne, with the County agreeing to pay to the Borough the sum of \$900 per month for use and occupancy of the premises; and

WHEREAS, the Mayor and Council of the Borough are cognizant of the fact that this increased use of the Ambulance Building will cause a degree of wear and tear, conceivably disrupt current use of the premises by the Ambulance Corps and require a degree of care and maintenance by the Corps beyond that which it currently provides; and

WHEREAS, given the important service provided by the volunteer members of the Hawthorne Ambulance Corps to the citizens of this community, the needs to the Corps to raise funds to provide these essential services, the potential increase in operating cost that additional use of the facility might entail, and the fundamental fairness entailed in sharing the revenue to be derived between the Borough, which owns and maintains the building and the Ambulance Corps, which calls the same its home, it is the belief of the Mayor and Council that a revenue sharing be made part of the agreement with the County;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that it does agree to share in the revenue to be derived from its Interlocal Agreement with the County of Passaic for use of the Ambulance Corps Building so that the Borough will provide to the Ambulance Corps the sum of \$1,250 per quarter from the revenues it receives for so long as the agreement with the County remains in place.

R 37-12 Introduced by Council Vice President Bennett

WHEREAS, the County of Passaic, through its Department of Senior and Disability Services and Veterans' Affairs, operates Congregate Nutrition Sites at various locations throughout the County, providing meals to eligible Senior Citizens, including one at St. Clement's Episcopal Church in the Borough of Hawthorne; and

WHEREAS, the County of Passaic came to learn that the rental it paid to St. Clement's Church was about to be raised from \$975 per month to \$1,200 per month, threatening the viability of the program; and

WHEREAS, in order to continue this important service, available to residents in the Borough of Hawthorne, the Mayor and Council of the Borough of Hawthorne entered into discussions with the County of Passaic regarding the use of Borough owned property, specifically the Ambulance Corps Building, located on Goffle Road in Hawthorne as an alternative site for conducting the Congregate Nutrition Program; and

WHEREAS, the Passaic County Board of Chosen Freeholders has adopted a resolution agreeing to enter into a Shared Services Agreement with the Borough of Hawthorne whereby the County of Passaic would continue to operate this important service in Hawthorne at the Ambulance Corps Building, paying the sum of \$900 per month to the Borough by way of use and occupancy fee; and

WHEREAS, there is mutual benefit to be derived from the arrangement insofar as citizens of the municipality and county would continue to receive an important service, the Borough of Hawthorne

will receive remuneration for making available its facility, and the County of Passaic will be able to continue to offer this program to county residents at a cost less than that it was required to pay if it was to continue at the current site, thereby furthering the objectives of the Interlocal Services Act, NJSA 40:8A-1, et. seq.; and

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that it does authorize and approve of the execution of a shared services agreement with the County of Passaic, allowing for use of the Ambulance Corps Building on Goffle Road in connection with its Congregate Nutrition Program, with payment as set forth herein, and subject to review and approval of such agreement by the Borough Attorney.

Council President Bertollo entertained a motion to approve Resolutions MR 26-12, MR 27-12 and R 30-12 through R 37-12 moved by Council Vice President Bennett, seconded by Councilman Matthews. Council President Bertollo asked if there was any discussion. Council President Bertollo commented R 36 and R 37-12 is a win-win for the County, Borough and the Ambulance Corps in utilizing shared services. Seniors are encouraged to take advantage of this service. On roll call, all voted yes with the exception of Councilman Lane who abstained from R 36-12 and R 37-12.

REPORTS OF SPECIAL COUNCIL COMMITTEES

Councilman Lane

Work continues on Ustreaming. Attended the Public Works meeting.

Council Vice President Bennett

Public Works Committee will be calling for bids on cleaning services for the borough offices. Listing of roads for the 2012 Road Program has been forwarded to the Borough Engineer, pricing to follow. A vehicle inventory list was compiled by Administrator Maurer and Public Works Director Clementi. The 1988 International needs to be replaced. Five vehicles will get diesel emissions retro-fit through this State program. The snow-plowing plan was tested recently with a light snow which worked fairly well and will need a little tweaking.

Councilman Matthews

Planning Board met last week and approved the memorializing resolution for the supermarket on Wagaraw Road, a lease has not been signed. The Finance Committee will be meeting on Monday, February 13th and Monday, February 20th will be moved to Tuesday, February 21st. The Insurance Committee plans to meet quarterly this year. Thank you for the support and to those who attended the Chamber of Commerce's company of the year dinner.

Councilman Sinning

At yesterday's Ordinance Committee meeting, goals and priorities were discussed and set for the year, no action was taken. The July 3rd meeting will be moved to July 10th.

Councilman Wojtecki

At the Shade Tree Committee meeting discussion took place on the remaining damaged trees from October's snow storm, Certified Tree Expert bid results and updates, and commissioners for 2012. The next meeting is February 7th. Council President Bertollo inquired about the five or six locations with roots pushing sidewalks up, that were to be included in the road improvement specs, and asked Administrator Maurer to follow up with Chairman Pieter Slump.

Council President Bertollo

The Ordinance Committee will be addressing the parking and traffic issues around Washington School, the High School, Llewellyn and South Avenue as recommended by the Police Department.

CORRESPONDENCE

None.

MISCELLANEOUS

None.

BILLS

Council President Bertollo entertained a motion to approve the bills and forward them to the Treasurer for payment, moved by Council Vice President Bennett, seconded by Councilman Mele. Council President Bertollo asked if there was any discussion. On roll call, all voted yes. Council President Bertollo abstained from check #13103. Councilman Lane and Councilman Wojtecki abstained from checks #13111, 13114, 13123, 13130, 13136, 13139, 13142, and 13146.

VENDOR	CHECK#	TOTAL	DESCRIPTION
CURRENT FUND			
HESS CORPORATION	13094	7,636.94	VARIOUS
PUBLIC SERV ELEC & GAS	13095	21,687.84	VARIOUS
A T & T	13096	47.90	TELEPHONE CHARGES
AMSTERDAM PRINTING	13097	58.61	FINANCIAL ADMIN
BOSWELL ENGINEERING, INC	13098	7,971.00	VARIOUS
CHARLENE ELVIN	13099	100.00	GROUP INSURANCE
CITY WIDE MAINTENANCE	13100	1,350.00	PUB WORKS ADMIN
DANIELLA'S TRACK SIDE GRILL	13101	375.00	MUNICIPAL ALLIANCE
DONALD TURNER, SR	13102	136.98	VARIOUS
DOWNES TREE SERVICE, INC.	13103	900.00	SHADE TREE
EARTHLINK BUSINESS	13104	208.56	TELEPHONE CHARGES
FRANCOTYP-POSTALIA, INC	13105	194.85	PUB WORKS ADMIN
FREMGEN POWER EQUIPMENT INC	13106	43.35	STREETS & ROADS
GARY TAMBURRO	13107	180.00	GROUP INSURANCE
GENERAL CODE PUBLISHERS, INC	13108	1,786.53	MUNICIPAL CLERK
GOFFCO INDUSTRIES, INC	13109	272.00	MUNI CO
HAWTHORNE BOYS & GIRLS CLUB	13110	3,767.00	MUNICIPAL ALLIANCE
HAWTHORNE FIRE DEPT	13111	31.12	FIRE DEPT
HAWTHORNE PRESS INC	13112	241.80	VARIOUS
HOME DEPOT SUPPLY	13113	16.03	SHADE TREE
INSURANCE RESTORATION SPECIALI	13114	108.54	FIRE DEPT
JANICE PATMOS	13115	50.00	GROUP INSURANCE
JERSEY ELEVATOR INC	13116	150.65	PUB WORKS ADMIN
JUNGLE LASERS LLC	13117	1,370.00	FEES PAYABLE
KNAPP, TRIMBOLI & PRUSINOWSKI	13118	6,681.00	VARIOUS
KONICA/MINOLTA	13119	95.40	PUB WORKS ADMIN
LITTLE FALLS TROPHY & ENGRAVIN	13120	324.00	BOARD OF RECREATION
MARIA CASSIBBA	13121	1,830.54	OPERATIONS
MARY JEANNE HEWITT	13122	115.28	VARIOUS
MES, INC	13123	388.47	VEHICLE MAINT FIRE DEPT
METLIFE	13124	314.88	GROUP INSURANCE
MGL PRINTING SOLUTIONS	13125	404.00	MUNICIPAL CLERK
MUNICIPAL CLERKS ASSOC OF NJ	13126	100.00	MUNICIPAL CLERK
MUNIDEX, INC	13127	1,463.98	REVENUE COLLECTION
NJ MEADOWLANDS COMMISSION	13128	697.50	TRANSFER STATION
NO JERSEY MUNI EMPL BNFT FUND	13129	186,498.00	GROUP INSURANCE
PENQUIN COMMUNICATIONS, LLC	13130	828.00	FIRE DEPT
PHYLLIS WOOLDRIDGE	13131	460.00	VARIOUS
RC ADVERTISING	13132	525.00	VARIOUS
RIDDELL/ALL AMERICAN	13133	3,900.00	BOARD OF RECREATION
ROMEO PODESTA	13134	250.00	OPERATIONS
RT OFFICE PRODUCTS	13135	335.64	VARIOUS
SAFE T	13136	4,053.74	FIRE DEPT
STATE OF NJ - DEPT OF LABOR	13137	35.00	FINANCIAL ADMIN
STEWART'S DELI	13138	120.00	PUBLIC EVENTS
TANIS HARDWARE	13139	227.03	VARIOUS
TREADWAY GRAPHICS INC	13140	2,599.12	MUNICIPAL ALLIANCE
TREASURER, ST OF NEW JERSEY	13141	2,282.50	RECYCLING PROGRAM
US SECURENET PUBLIC SAFETY DIV	13142	4,507.50	FIRE DEPT
VERIZON	13143	1,820.03	VARIOUS

VITAL COMMUNICATIONS, INC.	13144	1,078.53	TAX ASSESSMENT
WASTE MANAGEMENT OF NJ	13145	38,464.83	VARIOUS
YANKEE PROPANE, INC	13146	<u>36.00</u>	FIRE DEPT
TOTAL CURRENT		\$ 309,120.67	
GENERAL CAPITAL			
BOSWELL ENGINEERING, INC	3143	7,441.25	VARIOUS ORD
COMMUNITY GRANTS & PLANNING, I	3144	2,180.00	VARIOUS ORD
MCMANIMON & SCOTLAND LLC	3145	1,314.55	2011 ROAD PROGRAM
PAINO ROOFING COMPANY INC	3146	<u>2,650.49</u>	ROOF REPL LB 2nd
TOTAL GENERAL CAPITAL		\$ 13,586.29	
WATER OPERATING			
HESS CORPORATION	8800	22,772.40	WATER UTILITY
PUBLIC SERV ELEC & GAS	8801	10,401.83	WATER UTILITY
AGRA ENVIRONMENTAL SVC	8802	2,089.50	VARIOUS
ALL AMERICAN FORD	8803	579.60	WATER UTILITY
DANIEL TEDESCHI	8804	10.65	WATER UTILITY
HOME DEPOT SUPPLY	8805	163.06	VARIOUS
L&P INTEGRATORS	8806	480.00	WATER UTILITY
ONE CALL CONCEPTS, INC.	8807	64.96	WATER UTILITY
TANIS HARDWARE	8808	16.99	WATER UTILITY
TREASURER, ST OF NEW JERSEY	8809	200.00	WATER UTILITY
VERIZON	8810	<u>1,463.52</u>	WATER UTILITY
TOTAL WATER OPERATING		\$ 38,242.51	
WATER CAPITAL			
AC SCHULTES INC	1033	<u>22,239.00</u>	CAPITAL EQUIPMENT
TOTAL WATER CAPITAL		\$ 22,239.00	
TOTAL BILL LIST		<u>\$ 383,188.47</u>	

PUBLIC COMMENT

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

Rosemarie Spinelli, 169 Lafayette Avenue, Hawthorne

Asked Council for clarification as to why Big E's Auto Sales (she is land owner) wholesale license was denied renewal at last meeting. She had read an article in the Hawthorne Press which stated the Building Inspector, Code Enforcement and Borough Attorney all stated the property was in compliance. She is here today to ask the Council to reconsider renewing the license. Council President Bertollo commented at the last meeting, Mr. Gensinger stated he was reluctant to invest any money in the property due to the fact that he not received a signed lease until recently. Items he was to correct from previous meeting have not been done. Ms. Spinelli stated Mr. Gensinger understands the Councils point and is dedicated to complying and correcting the issues. He has the lease, the State license and just needs approval from the Council. Council President Bertollo stated he would make the recommendation to Administration that the Building Inspector and Code Enforcement visit the site again to see if he is in compliance with the certificate of compliance. Councilman Matthews interjected he is in violation of our zoning code as well as the certificate of compliance. Council President Bertollo asked Attorney Pasquale where he stands once he is in compliance. Attorney Pasquale responded that in his opinion, he has the right to reapply once the property is in compliance as per the Council. He can reapply at a later point, it is a continuing opportunity. Mr. Gensinger asked how to comply and he would do whatever it takes. Mayor Goldberg stated we will send both inspectors back to the property and have meeting with them and Mr. Gensinger to review their findings. Council President Bertollo stated if and when he complies with the points as outlined in the certificate of compliance, this item can go back on the agenda for as a renewal.

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

ADJOURNMENT

Council President Bertollo entertained a motion to adjourn the meeting at 9:11 p.m., moved by Councilman Matthews, seconded by Councilman Mele. On roll call, all voted yes.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE ON **WEDNESDAY, FEBRUARY 15, 2012**. WORK SESSION TO BEGIN AT 7:00 P.M. AND REGULAR MEETING AT 8:00 P.M. IF A PERSON WITH DISABILITIES REQUIRES 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.

John Bertollo
Council President

Susan Witkowski
Borough Clerk