

June 20, 2012
Hawthorne, NJ

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:10 p.m., in the Council Meeting Room of the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, with the following present:

Mayor.....Richard S. Goldberg
Council President.....John Bertollo
Council Vice President.....Bruce Bennett
Councilman.....John Lane
Councilman.....Dominic Mele
Councilman.....Garrett Sinning
Borough Administrator.....Eric Maurer
Borough Attorney.....Michael J. Pasquale
Borough Engineer.....Dr. Stephen T. Boswell

Councilman Matthews, Councilman Wojtecki, Director of Revenue and Finance Hewitt and Acting Borough Clerk DiBella were not present.

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, 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 7, 2011.

APPROVAL OF MINUTES

None.

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 Councilman Mele, seconded by Councilman Sinning. On roll call, all voted yes with the exception of Councilman Matthews and Councilman Wojtecki who were absent.

ADOPTION OF ORDINANCES

ORDINANCE NO. 2069-12

AN ORDINANCE TO AMEND ORDINANCE 1994-09 HERETOFORE ADOPTED BY THE BOROUGH OF HAWTHORNE, PROVIDING FOR THE ACQUISITION OF VARIOUS ITEMS OF WATER DEPARTMENT CAPITAL EQUIPMENT AND THE MAKING OF SPECIFIED IMPROVEMENTS, ALL AS SET FORTH HEREIN IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY AND APPROPRIATING \$495,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME SO AS TO INCREASE THE AMOUNT OF THE FUNDING SET FORTH THEREUNDER TO \$1,215,000 AND INCLUDING ROOF REPLACEMENT AT WELL HOUSES AND WATER TREATMENT FACILITIES WITHIN THE SCOPE OF WORK SET FORTH THEREIN.

Public Hearing

Council President Bertollo opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2069-12 please raise your hand to be recognized, come forward to the microphone and state your name and address and sign the sheet for the record.

Seeing none, Council President Bertollo entertained a motion that the public hearing on Ordinance No. 2069-12 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 Lane, seconded by Councilman Sinning. On roll call, all voted yes with the exception of Councilman Matthews and Councilman Wojtecki who were absent.

ORDINANCE NO. 2070-12

AN ORDINANCE TO AMEND ORDINANCE 2063-12, HERETOFORE ADOPTED BY THE BOROUGH OF HAWTHORNE, PROVIDING FOR REPLACEMENT OF SIDEWALKS AND DRIVEWAY APRONS ON DIXIE AVENUE, EAST PROSPECT STREET, GLEN COURT, HORIZON TERRACE, SUMMER STREET, UNION STREET, UTTER AVENUE, FOREST AVENUE AND NINTH AVENUE AS DESCRIBED SPECIFICALLY HEREIN, IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING ONE HUNDRED TEN THOUSAND (\$110,000) DOLLARS THEREFOR, AUTHORIZING THE ISSUANCE OF BONDS OR NOTES FOR FINANCING PART OF THE COST THEREOF AND DIRECTING SPECIAL ASSESSMENT OF THE COST THEREOF SO AS TO INCREASE THE AMOUNT APPROPRIATED THEREUNDER TO ONE HUNDRED FORTY THOUSAND (\$140,000) DOLLARS AND INCREASING THE EXPENSE PERMITTED UNDER SECTION 40A:2-20 FROM TWENTY-FIVE THOUSAND (\$25,000) DOLLARS TO FORTY THOUSAND (\$40,000) DOLLARS.

Public Hearing

Council President Bertollo opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2070-12 please raise your hand to be recognized, come forward to the microphone state your name and address and sign the sheet for the record.

Seeing none, Council President Bertollo entertained a motion that the public hearing on Ordinance No. 2070-12 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 Council Vice President Bennett, seconded by Councilman Mele. On roll call, all voted yes.

OLD BUSINESS

Councilman Lane - asked Administrator Maurer for an update on the Police Department renovations regarding door locks and the height of the dispatch window, discussion followed.

NEW BUSINESS

Accident on Rea Ave. Extension (#38), fire hydrant has not been replaced as yet. Request for Borough Administrator follow up ASAP. Fire Alarm System - does not sound the same, new system was put in. Because of the temporary police desk, not all of the mechanisms are available that were at the main police desk. This will be temporary until the new main desk is done.

Appointment of Vanessa Kingslow as Deputy Borough Clerk, appointed June 20, 2012, and effective July 9, 2012 for a one year probationary term.

Council President Bertollo entertained a motion to approve appointment of Vanessa Kingslow as Deputy Borough Clerk. Motion was moved by Councilman Sinning, seconded by Councilman Mele. On roll call, all voted yes.

Vanessa Kingslow was sworn in as Deputy Borough Clerk by Mayor Goldberg.

ADMINISTRATIVE AGENDA PRESENTED BY THE MAYOR

Mayor Goldberg - Dedicated portions of two streets in the memory of two Borough residents who died in WWII. Both died on the same day about an hour apart in the battle of Saipan. Buena Vista Ave. at the corner of Diamond Bridge Ave. is dedicated to PFC David Dougherty, the corner of May St. and Maitland Ave. is dedicated to the memory of Lt. Irving Workhoven. Thank you to Paul Chepurko and Charlene Elvin for the work done for the dedication. The 9-11 Memorial Committee is moving ahead with plans for an ad journal and dinner dance to finance the Borough's 9-11 Memorial. Plans are to break ground September 2012. Summer recreation begins Monday, June 25, pre-registration is closed, can still register in person on Monday the 25th. Program is split between Roosevelt School, which is doing grades K - 4 and Lincoln School which is doing grades 5 - 8. Tube night and Movie night at the pool are June 29th, July 13th, and July 27th all of this information is available on the Borough web site. The Library will be open on Summer Saturdays from 10 am - 5 pm. Applications for Leadership Camp are still

being accepted, and are available on the Borough web site. Congratulations to tonight's Middle School graduates and tomorrow night's High School graduates. Best of luck on all your future endeavors.

REPORTS

Attorney Pasquale

June 21st court date regarding the preliminary hearing for In Spa. July 6th court date on behalf of the Borough for an initial conference with regard to the appeal of the 204 Wagaraw Rd. property. The 7-11 matter remains under appeal, transcripts are on order, once received we will submit our briefs. Over 300 tax appeals were filed, deadline was last week.

Borough Engineer Boswell

Forest Avenue Improvements - bids were received on June 14, 2012 and project was awarded to Cifelli & Sons.

2012 Road Resurfacing Program - is now under way. There is a change order for four trees, three on Dixie and one on the corner of Genevieve and Fourth. The Shade Tree Commission is in agreement the trees should come down. Second change order for removal of a tree on Dixie is under discussion.

Underground Storage Tank - on hold until funding is available.

Christian Health Care Center - Special meeting in Wyckoff took place on June 15th and was carried to June 18th because of improper notice. The purpose of the hearing was to determine Inherently Beneficial Use and the Board voted that it was Inherently Beneficial Use. The applicant's traffic engineer indicated that the traffic from the Vista units would be less than if the site was developed as currently zoned. The hearing is expected to continue on July 23rd, there will be no special meeting for August, the next meeting after July will be in September. Councilman Sinning attended the meeting on behalf of the borough, which lasted almost until midnight.

Lafayette Hills Fence – they have agreed the fence has to be installed and are drafting plans for final installation of the fence.

Warburton, Rea Avenue and Goffle Brook Project - near completion. Warburton Avenue will go out to bid, followed by Rea Avenue bids. County Engineer Edmonds indicated this is his highest priority.

Drainage Improvement Project - liquidated damages issue has now been closed out.

Pumping Station Specifications - Giselle from Boswell Engineering met with Joe Clementi and Dan Tedeschi and they are putting together a proposal.

Administrator Eric Maurer

June has been designated by the National Safety Council as National Safety Month. The Borough Safety Office in collaboration with Emergency Services Agencies has put together a display in the atrium of the municipal building. Residents are invited to review the display and

take home informational pamphlets provided. The Police Dept. completed the test of the traffic pattern at Washington School and see two different alternatives. The results will be reviewed at an upcoming Ordinance Committee meeting. Attended a working group meeting for Passaic County that is making plans for the CDBG Disaster Recovery Grant. Assuming everything goes well, expect possibly 90% of funds needed to complete buyout of 3 residential properties. The Borough would still need to acquire the balance of funding from Green Acres, FEMA, or County Open Space Funds. The problem Borough is running into with the State is that the staffer at DCA is pushing for competitive applications from various communities, with the State making the decision where the money goes, rather than the cooperative shared services that we agreed upon with other municipalities. We believe our approach will minimize administrative costs, speed the process from beginning to end, and to also give the nine municipalities some certainty on their funding and moving forward. We intend to address this issue with higher ups at the DCA, so we can proceed in this cooperative approach and end up with the funding we are seeking. Report on property inspection violations and court hearings regarding property maintenance violations, and an illegal apartment was discovered, more information will be available when the investigation is completed. The auction for three older model police cars has been set for Tuesday, June 26, 2012 at 4:00 p.m.

Questions for the Administration

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

Councilman Lane – Asked Engineer Boswell whether the new fence at Lafayette Hills will be installed as per the original plans? Mr. Boswell responded yes. Tree on Dixie Ave. - discussion that the tree is a safety hazard and should be removed. Inquired whether there was any word from the county regarding Warburton Avenue and Rea Avenue bridges. Engineer Boswell indicated County Engineer Edmonds is trying to get bids out for Warburton by the end of June, and Rea Avenue will follow shortly thereafter. Goffle Brook is scheduled to go out in that time frame as well. The plan is everything out to bid four weeks from now. They have half the funding and are working on obtaining the other half while working on the bids. Mr. Boswell's office keeps in contact with the county to follow up on progress. The bridges should take 180 days to finish once the project begins. Inquired what we have heard from FEMA regarding the reimbursement of funds to the Borough from the flooding. Administrator Maurer to follow up. Status of the new police vehicles? They have to be put on the Borough's insurance, the doors have to be painted and radios installed, should be ready to go out on patrol next month.

Councilman Mele – Asked Engineer Boswell if the path at the public pool will be paved. He responded that, yes it was on the list to be paved. Discussion followed as to when it would be paved.

Councilman Sinning – Commented about the special meeting at Christian Health Care Center. The Board claimed not to be there to vote that night due to legal issues, then a motion was made and they voted anyway.

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

INTRODUCTION OF ORDINANCES

None.

RESOLUTIONS...

CONSENT AGENDA: MR33-12, R108-12, R119-12 through R145-12:

- **MR 33 -12** **Introduced by Council Vice President Bennett**

RESOLUTION REQUESTING SHERIFF RICHARD H. BERDNICK TO REINSTATE THE "SHERIFF'S LABOR ASSISTANCE PROGRAM"

WHEREAS, the Borough of Hawthorne, like other smaller Passaic County communities has taken full advantage of the Sheriff's Labor Assistance Program (SLAP) for many years; and

WHEREAS, in many cases, this program has supplied much needed additional labor to countless projects including last year's clean up in the aftermath of flooding; and

WHEREAS, the Borough was led to believe this program's cancellation was a result of budget cuts by the Board of Chosen Freeholders only to find the Sheriff's budget was increased by nearly four (4%) percent over the last year in an era of a two (2%) cap; and

WHEREAS, the residents of the Borough of Hawthorne and Passaic County should not be held hostage to internal county policies.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hawthorne, County of Passaic, State of New Jersey that it hereby implores Sheriff Richard H. Berdnick to reinstate the SLAP Program which has benefited Passaic County communities for many years by allowing non-violent offenders to perform community service.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Sheriff Richard H. Berdnick, the Passaic County Board of Chosen Freeholders, and our sister Passaic County Communities.

- **R 108-12** **Introduced by Council Vice President Bennett**

WHEREAS, application was been made by Diamond Unlimited Corporation by Manuel Antigua, President, for a person to person and/or transfer of Plenary Retail Consumption Liquor License 1608-32-044-003; and

WHEREAS, the owner of the license, Diamond Liquors, LLC by Robert Roncone, Managing Member, consented to the said transfer; and

WHEREAS, the applicant submitted, in support of its application, all required documentation so as to support the transfer, said documentation having been reviewed and approved as to form and content by the Borough Attorney; and

WHEREAS, the Hawthorne Police Department conducted a background check and determined there to be no impediment to the transfer of said liquor license to the applicant; and

WHEREAS, the applicant caused to be published and served notice of a hearing wherein the said transfer was to be considered by the Municipal Council of the Borough of Hawthorne, the same being satisfactory in the opinion of the Borough Attorney; and

WHEREAS, the Municipal Council conducted a public hearing regarding the transfer of the said liquor license on May 16, 2012, taking testimony at such time from a duly appointed representative of the applicant; and

WHEREAS, the Municipal Council approved the transfer of the liquor license as aforesaid based upon the testimony presented, documentation received, opinion of the Borough Attorney and findings of the Hawthorne Police Department that it may approve the transfer of the aforesaid liquor license; and

WHEREAS, it was subsequently discovered that the application contained a typographical error in the designation of the liquor license, the correct license number being 1604-32-004-004; and

WHEREAS, the Borough Attorney has advised that the typographical error does not impact the hearing or notice thereof that took place as sufficient identification of the transfer proposed was contained in the advertisement including the location of the business, the name of the transferee and the name of the transferor, thus enabling any person wishing to raise objection to the transfer adequate notice as defined by law;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that it does hereby re-approve the person to person transfer of plenary retail consumption license number correctly identified as 1604-32-004-004 from Diamond Liquors, LLC to Diamond Unlimited Corporation, subject to compliance with all rules and regulations established by the State of New Jersey and Borough of Hawthorne pertaining to such license.

- **R 119-12 Introduced by Council Vice President Bennett**

WHEREAS, the Borough of Hawthorne has heretofore entered into a contract with AJM Contractors, Inc. for the 2011 Road Improvements Program authorized by ordinance #2046-12,

WHEREAS, the municipal engineer has recommended approval of the following change orders:

Change Order No. 2	
As built-quantities	<\$58,999.08>

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the above-cited Change Order No. 2 decreasing the amount of the payment required under said contract by the sum of <\$58,999.08>, shall be and hereby is approved, and the Mayor is hereby authorized and directed to execute the same for and on behalf of the Borough of Hawthorne.

- **R 120-12 Introduced by Council Vice President Bennett**

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated June 15, 2012.

CURRENT FUND	WT 888889	\$	248,544.85
WATER OPERATING FUND	WT 888889	\$	39,837.81
OTHER TRUST II FUND	WT 888889	\$	17,549.91
DOG DEDICATED TRUST	WT 888889	\$	120.00
TOTAL PAYROLL		\$	<u>306,052.57</u>
CURRENT FUND TO PAYROLL/FICA	WT 888889	\$	13,641.37
WATER OPERATING FUND TO PAYROLL/FICA	WT888889	\$	-
TOTAL FICA		\$	<u>13,641.37</u>

- **R 121-12 Introduced by Council Vice President Bennett**

WHEREAS: Tax Sale Certificate #2007-01 was sold on June 19, 2007 in the amount of \$4,435.52 on Block 16 Lot 5 then assessed to Muller, Russell & Nancy and said lien was originally purchased by Fernwood Funding, LLC. 92 Main Ave., Wallington, NJ 07057, and

WHEREAS: said lien was redeemed on June 13, 2012 in the amount of \$33,834.34, said lienholder is entitled to a refund including the amount of the lien \$4,435.52, penalty of \$88.71 , search and recording fee of \$52.00, legal fees \$268.00, subsequent taxes of \$18,340.43 and interest of \$10,649.68 for a total of \$33,834.34 and

NOW, THEREFORE, BE IT RESOLVED: that the Collector of Taxes recommends that a check be issued by the Treasurer from the Other Trust II/Trustee Account to Fernwood Funding, LLC in the amount of \$33,834.34 to reimburse the lienholder for the lien, penalty, fees, subsequent taxes and interest and a check from the Other Trust I account for \$8,600.00 for Premium paid.

- **R 122-12 Introduced by Council Vice President Bennett**

WHEREAS: Tax Sale Certificate #2011-01 was sold on October 25, 2011 in the amount of \$7,849.95 on Block 16 Lot 5 then assessed to Muller, Russell & Nancy and said lien was originally purchased by Robert Rothman 411 Grand Ave., Englewood, NJ 07631, and

WHEREAS: said lien was redeemed on June 13, 2012 in the amount of \$19,239.49, said lienholder is entitled to a refund including the amount of the lien \$7,849.95, penalty of \$314.00, interest on certificate \$922.37, search and recording fee of \$55.00, subsequent taxes of \$9,345.84 and interest of \$752.33 for a total of \$19,239.49 and

NOW, THEREFORE, BE IT RESOLVED: that the Collector of Taxes recommends that a check be issued by the Treasurer from the Other Trust II/Trustee Account to Robert Rothman in the amount of \$19,239.49 to reimburse the lienholder for the lien, penalty, fees, subsequent taxes and interest.

- **R 123-12 Introduced by Council Vice President Bennett**

WHEREAS, The Council has heretofore adopted Ordinance 2009-10, providing for the reconstruction of sidewalks and driveway aprons, in addition to other work, on a portion of various roads in the Borough as part of its 2010 Road Improvement Program, which Ordinance provided for the Assessment of the costs of said improvements on property specially benefitted thereby in accordance with the provisions of N.J.S.A. 40:56-21 et seq.; and

WHEREAS, upon completion of said project the Borough Engineer certified the cost of the same to the Board of Assessment Commissioners, who held hearings, on notice to all affected property owners, and thereafter reported to the Council; and,

WHEREAS, the Council held a public hearing on said assessments on June 6, 2012, on notice to all affected property owners, and heard and considered the statements of all persons desiring to be heard thereon; and,

WHEREAS, the Council has determined that no adjustments, corrections and modifications should be made in the recommended assessments reported by the Assessments Commissioners, it being noted that several modifications to the recommendations were made prior to the time of hearing; and

NOW THEREFORE, BE IT RESOLVED, that the Schedule of Assessments, as revised and filed with the Borough Clerk, and attached to this Resolution, shall be and hereby is approved, fixing and allocating the total assessments of \$129,817.04; and, the Borough Clerk shall give notice to each affected property owner of this determination, and of the amount of assessment applicable to the respective property of each owner; and

BE IT FURTHER RESOLVED, that a copy of the Schedule of Assessments be delivered to the Tax Collector for billing and collection of the assessments, as provided by law; and, each assessment shall be repaid in the manner provided in the Ordinance, at an interest rate of 3.92%, through the issuance of bond anticipation notes and fixed by the Chief Financial Officer, payable over a term of five (5) years, subject to the penalty rate for delinquent payments in the same manner as delinquent payments of taxes and other municipal charges; and

BE IT FURTHER RESOLVED, the cost of the project which exceeds the amount of the assessments herein confirmed, shall be paid out of the General Treasury.

- **R 125-12 Introduced by Council Vice President Bennett**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License w/Broad Package Privilege Renewal Application for renewal approval for the license renewal term 2012-2013

Lic#1604-32-004-005 Diamond Unlimited Inc. 203 Diamond Bridge Ave.

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

- **R 126-12 Introduced by Council Vice President Bennett**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License Renewal Applications for renewal approval for the license renewal term 2012-2013

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

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

- **R 127-12 Introduced by Council Vice President Bennett**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License Renewal Applications for renewal approval for the license renewal term 2012-2013

Lic#1604-33-002-005 Evad Been, Inc. t/a Jiggle 105 Mohawk Avenue

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

- **R 128-12 Introduced by Council Vice President Bennett**

WHEREAS, The Municipal Clerk is submitting the following Club License Renewal Applications for renewal approval for the license renewal term 2012-2013

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

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

- **R 129-12 Introduced by Council Vice President Bennett**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License w/ Broad Package Privilege Renewal Application for renewal approval for the license renewal term 2012-2013

Lic#1604-32-018-004 Holst & Lehman Corp. t/a 610 Lafayette Avenue
 Hawthorne Liquors/Rumors

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

- **R 130-12 Introduced by Council Vice President Bennett**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License Renewal Applications for renewal approval for the license renewal term 2012-2013

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

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

- **R 131-12 Introduced by Council Vice President Bennett**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License Renewal Applications for renewal approval for the license renewal term 2012-2013

Lic#1604-33-015-005 Nissan Spirits LLC 1060 Goffle Road

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

- **R 132-12 Introduced by Council Vice President Bennett**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License Renewal Applications for renewal approval for the license renewal term 2012-2013

Lic#1604-33-010-002 Mattar 98A, Corp. t/a Macaluso's 161 Rea Avenue

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

- **R 133-12 Introduced by Council Vice President Bennett**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License Renewal Applications for renewal approval for the license renewal term 2012-2013

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

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

- **R 134-12 Introduced by Council Vice President Bennett**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License Renewal Applications for renewal approval for the license renewal term 2012-2013

Lic#1604-33-008-003 Phiefer Company LLC 237 Diamond Bridge Ave.
t/a Kirker's Inn

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

- **R 135-12 Introduced by Council Vice President Bennett**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License Renewal Applications for renewal approval for the license renewal term 2012-2013

Lic#1604-33-013-007 Puzo's Pizza International 4 Garfield Avenue

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

- **R 136-12 Introduced by Council Vice President Bennett**

WHEREAS, The Municipal Clerk is submitting the following Club License Renewal Applications for renewal approval for the license renewal term 2012-2013

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

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

- **R 137-12 Introduced by Council Vice President Bennett**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License Renewal Application for renewal approval for the license renewal term 2012-2013

Lic#1604-33-019-008 Rurff Inc. t/a R.D. Bender's 587-589 Lafayette Avenue

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

- **R 138-12 Introduced by Council Vice President Bennett**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License Renewal Application for renewal approval for the license renewal term 2012-2013

Lic#1604-33-006-003 San Giuseppe Santa Croce Camerina Society 131 Wagaraw Rd

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

- **R 139-12 Introduced by Council Vice President Bennett**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License Renewal Application for renewal approval for the license renewal term 2012-2013

Lic#1604-33-016-004 Shortway's Barn Inc. 991 Goffle Road

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

- **R 140-12 Introduced by Council Vice President Bennett**

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Consumption License Renewal Application for renewal approval for the license renewal term 2012-2013

Lic#1604-33-009-007 Zira, Inc. t/a Ossy's Café 158-160 Lincoln Avenue

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

- **R 141-12 Introduced by Council Vice President Bennett**

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

WHEREAS, the Borough of Hawthorne has identified a bandshell on the municipal pool property as a project eligible for this funding that would be beneficial to the Borough; and

WHEREAS, the estimate for the total cost of the project, including design, inspection, and construction is \$285,000.00; and

WHEREAS, the Borough commits to matching funds of \$55,000, or 20% of the total cost of the project, making the grant request \$220,000; and

WHEREAS, the Borough Council will hold a public hearing on this application on July 11, 2012;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne that the Borough Administrator is hereby authorized to submit an application for an application for a \$220,000.00 Open Space Grant to the County of Passaic for the construction of a bandshell and related improvements.

- **R 142-12 Introduced by Council Vice President Bennett**

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HAWTHORNE, IN THE COUNTY OF PASSAIC, NEW JERSEY AS FOLLOWS:

Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds of the Borough of Hawthorne, in the County of Passaic, New Jersey (the “Borough”) authorized pursuant to the bond ordinances of the Borough heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of Special Assessment Bonds in the principal amount of \$600,000.

The principal amount of Bonds authorized by each ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Number of Ordinance	Principal Amount of Bonds	Amount to Be Combined for Issue	Description of Improvement and Date of Adoption of Ordinance	Useful Life
#1939-08	\$71,250	\$10,000	Phase I of road reconstruction or replacement of sidewalks and driveway aprons on Van Winkle Avenue, finally adopted on May 7, 2008	10 years
#1948-09	\$80,750	\$20,000	Construction of sidewalks and driveway aprons on various streets in the Borough, finally adopted on August 6, 2008.	10 years
#1972-08	\$61,750	\$40,000	Various improvements to and around Borough avenues including reconstruction and replacement of various sidewalks and driveway aprons, grading and tree planting, finally adopted May 6, 2009.	10 years
#1989-09	\$380,000	\$198,000	Road reconstruction and installation of stormwater improvements, finally adopted August 5, 2009	10 years
#2009-10	\$308,750	\$129,000	Sidewalk improvements, finally adopted April 21, 2010	10 years
#2047-11	\$114,000	\$70,000	Replacement of driveway aprons, trees and sidewalks along Pasadena Place and Mohawk Avenue, finally adopted June 15,	10 years

Number of Ordinance	Principal Amount of Bonds	Amount to Be Combined for Issue	Description of Improvement and Date of Adoption of Ordinance	Useful Life
			2011.	
#2063-09 as amended by #2070-12	\$104,500	\$104,500	Sidewalk and driveway improvements on various streets, finally adopted April 18, 2012.	10 years
#2070-12	\$28,500	\$28,500	Sidewalk and driveway improvements on various streets, finally adopted April 18, 2012.	10 years
TOTAL	\$1,149,500	\$600,000		10 years

The following matters are hereby determined with respect to the combined issue of Bonds:

The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 10 years. The Bonds of the combined issue shall be designated “Special Assessment Bonds” and shall mature within the average period of usefulness herein determined.

The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

The following additional matters are hereby determined, declared, recited and stated:

None of the Bonds described in Section 2 hereof has been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.

The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement. This resolution shall take effect immediately.

- **R 143-12 Introduced by Council Vice President Bennett**

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HAWTHORNE, IN THE COUNTY OF PASSAIC, NEW JERSEY AS FOLLOWS:

Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds of the Borough of Hawthorne, in the County of Passaic, New Jersey (the “Borough”) authorized pursuant to the bond ordinances of the **Borough** heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of General Improvement Bonds in the principal amount of \$4,392,000.

The principal amount of Bonds authorized by each ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or

average period of usefulness determined in each of the bond ordinances are respectively as follows:

Number of Ordinance	Principal Amount of Bonds	Amount to Be Combined for Issue	Description of Improvement and Date of Adoption of Ordinance	Useful Life
#1938-08	\$285,000	\$45,150	Phase I of road reconstruction, drainage and curb improvements from the Van Winkle Avenue Bridge spanning Route 208 to Lafayette Avenue, finally adopted May 7, 2008.	20 years
#1949-08	\$285,000	\$264,500	Phase I of road reconstruction, drainage and curb improvements on various streets, finally adopted May 7, 2008.	20 years
#1956-08	\$959,500	\$695,500	Various drainage and stormwater improvements, finally adopted November 5, 2008.	20 years
#1959-08 amends #1817	\$14,250	\$9,500	Creation of a recreation facility at Wagaraw Road, finally adopted November 5, 2008.	20 years
#1961-08	\$80,750	\$80,750	Various Improvements and repairs to Sicomac Avenue Pump Station, finally adopted December 3, 2008.	20 years
#1963-08	\$237,500	\$237,500	Purchase and installation of an HVAC system at the municipal building, finally adopted February 26, 2009.	15 years
#1970-09 amends #1885-06	\$6,650	\$4,500	Renovations to Hawthorne Municipal Swimming Pool, finally adopted on October 4, 2006 and amended on April 15, 2009.	5 years
#1975-09	\$209,000	\$4,000	Phase I reconstruction or resurfacing of a portion of Central Ave., finally adopted May 4, 2009	20 years
#1976-09	\$570,000	\$570,000	Road reconstruction, curbing, resurfacing and drainage improvements, finally adopted May 6, 2009.	20 years
#1989-09	\$380,000	\$182,000	Road reconstruction including the installation of stormwater conveyance improvements, curbing and other resurface and surface improvements, finally adopted August 5, 2009.	10 years
#2004-10	\$285,000	\$285,000	Purchase of street sweeper, purchase and installation of oil/water separator and repair to swimming pool, finally adopted March 17, 2010.	10 years
#2008-10	\$570,000	\$570,000	2010 Road Program, finally adopted May 19, 2010.	10 years
#2009-10	\$308,750	\$89,000	Construction of sidewalks and driveway aprons on various streets in the Borough, finally adopted on April 21, 2010.	10 years
#2032-10	\$85,700	\$85,700	Rehabilitation of substandard housing united pursuant to the Fair Housing Act of 1985, finally adopted November 3, 2010.	10 years
#2043-11	\$237,500	\$237,500	Various sewer main improvements, roof replacement at Wagaraw facility, CAD mapping and installation of various pumps and other equipment, finally adopted June 15, 2011.	20 years
#2044-11, as	\$161,500	\$125,000	Removal and replacement of library roof and	20 years

Number of Ordinance	Principal Amount of Bonds	Amount to Be Combined for Issue	Description of Improvement and Date of Adoption of Ordinance	Useful Life
amended by #2057-11			drainage system including replacement of windows, finally adopted June 15, 2011 and amended October 19, 2011.	
#2046-11	\$190,000	\$190,000	Reconstruction of parts of roads, drainage system and curbing of various Borough roads, finally adopted June 15, 2011.	20 years
#2048-11	\$313,500	\$40,000	Road reconstruction, resurfacing and drainage on Mohawk Avenue, finally adopted June 15, 2011	10 years
#2062-12	\$570,000	\$570,000	2012 Road resurfacing and reconstruction program, finally adopted May 16, 2012.	20 years
#2067-12	\$76,000	\$76,000	Forest Avenue Road Improvements, finally adopted May 16, 2012.	20 years
#2068-12	\$30,400	\$30,400	Installation of curbs, sidewalks, handicapped ramps and signage on Warburton Avenue, finally adopted on May 16, 2012.	10 years
TOTAL	\$5,856,000	\$4,392,000		16.79 years

The following matters are hereby determined with respect to the combined issue of Bonds:

The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 16.79 years. The Bonds of the combined issue shall be designated “General Improvement Bonds” and shall mature within the average period of usefulness herein determined.

The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

The following additional matters are hereby determined, declared, recited and stated:

None of the Bonds described in Section 2 hereof has been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.

The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.

- **R 144-12 Introduced by Council Vice President Bennett**

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HAWTHORNE, IN THE COUNTY OF PASSAIC, NEW JERSEY AS FOLLOWS:

Section 1. The \$4,392,000 General Improvement Bonds, Series 2012A of the Borough of Hawthorne, in the County of Passaic, New Jersey (the “Borough”) referred to and

described in the various resolutions adopted by the Borough Council pursuant to the Local Bond Law of the State of New Jersey on June 20, 2012, and entitled, “Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Borough of Hawthorne, in the County of Passaic, New Jersey into a Single Issue of Bonds Aggregating \$4,392,000 in Principal Amount,” shall be issued as “General Improvement Bonds, Series 2012A” (the “General Improvement Bonds”). The General Improvement Bonds shall mature in the principal amounts on July 15 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2013	\$175,000	2021	\$275,000
2014	200,000	2022	300,000
2015	225,000	2023	300,000
2016	225,000	2024	325,000
2017	225,000	2025	325,000
2018	250,000	2026	350,000
2019	250,000	2027	350,000
2020	275,000	2028	342,000

Section 2. The \$600,000 Special Assessment Bonds, Series 2012B of the Borough referred to and described in the various resolutions adopted by the Borough Council pursuant to the Local Bond Law of the State of New Jersey on June 20, 2012, and entitled, “Resolution Providing for the Combination of Certain Issues of Special Assessment Bonds of the Borough of Hawthorne, in the County of Passaic, New Jersey into a Single Issue of Bonds Aggregating \$600,000 in Principal Amount,” shall be issued as “Special Assessment Bonds, Series 2012B” (the “Special Assessment Bonds”). The Special Assessment Bonds shall mature in the principal amounts on July 15 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2013	\$60,000	2018	\$60,000
2014	60,000	2019	60,000
2015	60,000	2020	60,000
2016	60,000	2021	60,000
2017	60,000	2022	60,000

Section 3. The \$1,154,000 Water Utility Bonds, Series 2012C of the Borough referred to and described in the various resolutions adopted by the Borough Council pursuant to the Local Bond Law of the State of New Jersey on June 20, 2012, and entitled, “Resolution Providing for the Combination of Certain Issues of Special Assessment Bonds of the Borough of Hawthorne, in the County of Passaic, New Jersey into a Single Issue of Bonds Aggregating \$1,154,000 in Principal Amount,” shall be issued as “Water Utility Bonds, Series 2012C” (the “Water Utility Bonds” and, together with the General Improvement Bonds and the Special Assessment Bonds, the “Bonds”). The Water Utility Bonds shall mature in the principal amounts on July 15 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
-------------	-------------------------	-------------	-------------------------

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2013	\$50,000	2021	\$80,000
2014	60,000	2022	80,000
2015	60,000	2023	80,000
2016	70,000	2024	90,000
2017	70,000	2025	90,000
2018	70,000	2026	100,000
2019	70,000	2027	104,000
2020	80,000		

Section 4. The Bonds shall be subject to redemption prior to their stated maturity in accordance with the Notice of Sale attached hereto as Exhibit A.

Section 5. The General Improvement Bonds shall be sixteen in number, with one certificate being issued for each year of maturity, and shall be numbered GIB-1 to GIB-20, inclusive. The Special Assessment Bonds shall be ten in number, with one certificate being issued for each year of maturity, and shall be numbered SAB-101 to SAB-110. The Water Utility Bonds shall be fifteen in number, with one certificate being issued for each year of maturity, and shall be numbered WUB-1001 to WUB-1015.

Section 6. The Bonds shall be dated their date of issuance and shall bear interest payable semiannually on the fifteenth day of July and January in each year until maturity, commencing on January 15, 2013, at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1% and proposed by the successful bidder in accordance with the Notice of Sale authorized herein.

Section 7. The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Borough Clerk.

Section 8. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Borough to market the Bonds and/or in accordance with the requirements of the Securities Depository:

REGISTERED
NUMBER A. _____

REGISTERED
\$ _____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF PASSAIC

BOROUGH OF HAWTHORNE

B. _____

PRINCIPAL AMOUNT:

DATED DATE:

MATURITY DATE:

RATE OF INTEREST PER ANNUM:

CUSIP NUMBER:

BOROUGH OF HAWTHORNE, in the County of Passaic, New Jersey (the "Borough") hereby acknowledges itself indebted and for value received promises to pay to CEDE & CO., as nominee of The Depository Trust Company, which will act as Securities Depository, on the MATURITY DATE, the PRINCIPAL AMOUNT, and to pay interest on such sum from the DATED DATE of this bond until the MATURITY DATE at the RATE OF INTEREST PER ANNUM semiannually on the fifteenth days of July and January in each year until maturity, commencing on January 15, 2013. Interest on this bond will be paid to the Securities Depository by the Borough and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of July 1 and January 1 next preceding the date of such payments (the "Record Dates" for such payments). Principal of this bond, upon presentation and surrender to the Borough will be paid to the Securities Depository by the Borough and will be credited to the participants of The Depository Trust Company.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

The bonds of this issue maturing prior to July 15, 2023, are not subject to redemption prior to their stated maturities. The bonds of this issue maturing on or after July 15, 2023 are redeemable at the option of the Borough in whole or in part on any date on or after July 15, 2022 at 100% of the principal amount outstanding (the "Redemption Price") plus interest accrued to the date of redemption upon notice as required herein.

Notice of Redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the owners of such bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Borough or a duly appointed Bond Registrar. Any failure of the depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any Notice of Redemption shall not affect the validity of the redemption proceedings. If the Borough determines to redeem a portion of the bonds prior to maturity, the bonds to be redeemed shall be selected by the Borough; the bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations.

If Notice of Redemption has been given as provided herein, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Interest shall cease to accrue on the bonds after the date fixed for redemption and no further interest shall accrue beyond the redemption date. Payment shall be made upon surrender of the bonds redeemed.

C. _____

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Borough, is within every debt and other limit prescribed by such constitution or statutes.

- **R 145-12 Introduced by Council Vice President Bennett**

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HAWTHORNE, IN THE COUNTY OF PASSAIC, NEW JERSEY AS FOLLOWS:

Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds of the Borough of Hawthorne, in the County of Passaic, New Jersey (the "Borough") authorized pursuant to the bond ordinances of the Borough heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of Water Utility Bonds in the principal amount of \$1,154,000.

The principal amount of Bonds authorized by each ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Number of Ordinance	Principal Amount of Bonds	Amount to Be Combined for Issue	Description of Improvement and Date of Adoption of Ordinance	Useful Life
#1994-09 amended by #2069-12	\$495,000	\$495,000	Acquisition of various items of water department capital equipment, finally adopted October 7, 2009.	15 years
#2069-12 amending by #1994-09	\$659,000	\$659,000	Acquisition of various items of water department capital equipment, finally adopted June 20, 2012.	15 years
TOTAL	\$1,154,000	\$1,154,000		15 years

The following matters are hereby determined with respect to the combined issue of Bonds:

The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 15 years.

The Bonds of the combined issue shall be designated "Water Utility Bonds" and shall mature within the average period of usefulness herein determined.

The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

The following additional matters are hereby determined, declared, recited and stated:

None of the Bonds described in Section 2 hereof has been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.

The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement. This resolution shall take effect immediately.

Council President Bertollo entertained a motion to approve resolutions MR33-12, R108-12, R119-12 through R145-12 moved by Council Vice President Bennett, seconded by Councilman Mele. Council President Bertollo asked if there was any discussion. Discussion on R141-12, if approved, is the Borough locked into the present plan? No, the plan can be changed. Discussion on MR-33-12, this is the second resolution sent. Borough is reacting to other towns that are creating similar resolutions. On roll call, all voted yes.

REPORTS OF SPECIAL COUNCIL COMMITTEES

Councilman Lane - Board of Health meets tomorrow evening. Farmer's Market begins Sunday, June 24th at 9:00 a.m.

Councilman Mele - Municipal Alliance met yesterday regarding Leadership Camp, which will run during the week of August 20th. Free movie nights will be in July, sponsored by the Municipal Alliance and Board of Recreation. Joanne Graziano, Chairman of the Municipal Alliance, will be attending Passaic County Municipal Alliance training. Public Safety - met with the Fire Department, Mayor Goldberg and Administrator Maurer to discuss a new fire truck. Project Pride - now discussing cleanup of the pool area, this is one of our projects for clean air. Thank you to Eric Maurer for applying for the Borough.

Council Vice President Bennett - Bd. of Recreation met last Wednesday, will hold a special meeting in September to explain the Meagan Nicole Kanker Foundation Check Them Out program. The program implements background checks of coaches in an effort to protect children. Hawthorne Baseball and Softball Association had a problem with a parent abusing an umpire this year. The parent has been banned from attending anymore games this season and

must go before the association next year for a review. They took prompt action and handled the situation well.

Councilman Matthews

No report.

Councilman Sinning

No report.

Councilman Wojtecki

No report.

Council President Bertollo - Traffic flow trial for Washington School is completed. Thank you to Patrolman DeLallo and Chief Scully for their due diligence in the trial. There were two plans, Plan B seemed to be the more acceptable plan for the residents. Patrolman DeLallo and Chief Scully are putting together the data for a report and it will be on the agenda for the July meeting.

CORRESPONDENCE

None recorded.

MISCELLANEOUS

None recorded.

BILLS

Council President Bertollo entertained a motion to approve the bills and forward them to the Treasurer for payment. Motion moved by Councilman Mele, seconded by Councilman Sinning. Council President Bertollo asked if there was any discussion. On roll call, all voted yes. Councilman Lane abstained from checks for Fire Dept. Council President Bertollo abstained from check for Downs Tree Service.

VENDOR	CHECK#	TOTAL	DESCRIPTION
CURRENT FUND			
A T & T	13733	48.55	TELEPHONE CHARGES
A-VAN ELECTRICAL	13734	345.54	VARIOUS
ACADEMY ELECTRICAL CONTRACTORS	13735	1,364.74	SWIMMING POOL O/E
ACORN TERMITE & PEST CONTROL	13736	100.00	DPW ADMIN O/E
AGL WELDING SUPPLY CO, INC	13737	195.46	STREETS & ROADS O/E
ALL AMERICAN FORD	13738	1,565.36	VARIOUS
ALL BERGEN LOCKSMITHS, INC	13739	564.00	DPW ADMIN O/E
ALL MOBILE SMALL ENGINE REPAIR	13740	611.98	FIRE DEPT O/E
ALLISON BLAU	13741	50.00	MUNI COURT
BCB JANITORIAL SUPPLY CO INC	13742	640.90	VARIOUS
BOB'S TIRES & WHEELS INC	13743	853.00	VEHICLE MAINT POLICE

BOSWELL ENGINEERING, INC	13744	5,180.00	VARIOUS
BRAEN STONE INDUSTRIES, INC	13745	2,269.30	STREETS & ROADS O/E
CABLEVISION	13746	253.63	VARIOUS
CADILLAC CLUB OF NORTH JERSEY	13747	200.00	PUBLIC EVENTS O/E
CHARLENE ELVIN	13748	441.83	VARIOUS
CINTAS CORP	13749	547.55	DPW ADMIN O/E
CINTAS FIRST AID AND SAFETY	13750	189.76	SWIMMING POOL O/E
CITY WIDE TOWING	13751	405.00	STREETS & ROADS O/E
COACHMAN INT'L TOURS INC	13752	775.00	BOARD OF REC O/E
DECOTIIS, FITZPATRICK & COLE	13753	3,172.50	LEGAL SERV& COSTS O/E
DENVILLE LINE PAINTING INC	13754	10,000.00	STREETS & ROADS O/E
DOWNES TREE SERVICE, INC.	13755	2,209.00	VARIOUS
EARTHLINK BUSINESS	13756	1,678.14	TELEPHONE CHARGES
ELECTRICAL POWER SYSTEMS, INC	13757	699.14	SEWER SYSTEM O/E
EXTEL COMMUNICATIONS, INC	13758	484.58	VARIOUS
FED EX	13759	32.98	POLICE DEPT O/E
FEDERATED EMERGENCY SERVICES	13760	3,096.50	VARIOUS
FELDMAN BROS. ELECTRIC SUPPLY	13761	114.40	DPW ADMIN O/E
FREMGEN POWER EQUIPMENT INC	13762	127.00	STREETS & ROADS O/E
FUTURE SANITATION INC	13763	39,375.00	VARIOUS
GAGE-IT, INC	13764	160.55	SEWER SYSTEM O/E
GARDEN STATE HGWY PROD, INC	13765	688.00	VARIOUS
GET A CAN	13766	8,250.00	RECYCLING PRO O/E
GRO-RITE	13767	583.50	DPW ADMIN O/E
HAWTHORNE CAFETERIA ACCT	13768	1,236.70	VARIOUS
HAWTHORNE FIRE DEPT	13769	928.18	VARIOUS
HAWTHORNE HITCH AND TRAILER	13770	27.00	VEHICLE MAINT ROAD
HAWTHORNE J D BASEBALL	13771	5,640.00	VARIOUS
HAWTHORNE PAINT CO INC	13772	90.50	VARIOUS
HAWTHORNE PRESS INC	13773	104.00	VARIOUS
HENRY'S PLUMBING & HEATING INC	13774	119.70	DPW ADMIN O/E
HESS CORPORATION	13775	6,165.63	VARIOUS
HOME DEPOT SUPPLY	13776	669.85	VARIOUS
HOME SUPPLY & LUMBER CO., INC.	13777	85.56	POLICE DEPT O/E
JERSEY CHEMICALS INC	13778	82.85	SWIMMING POOL O/E
JERSEY ELEVATOR INC	13779	150.65	DPW ADMIN O/E
JOHN DEERE LANDSCAPE	13780	280.20	MAINTEN OF PARKS
KEN SMITH MOTORS INC	13781	54.66	VEHICLE MAINT POLICE
KNAPP, TRIMBOLI & PRUSINOWSKI	13782	870.00	LEGAL SERV& COSTS O/E
KONICA/MINOLTA	13783	190.80	DPW ADMIN O/E
LORRAINE POWELL	13784	378.06	MUNICIPAL ALLIANCE
LOUIS BAY 2nd LIBRARY	13785	100.00	CONTRA REVENUE
LUK OIL	13786	10,422.48	BULK PURCHASE GASOLINE
LUSCHER'S AUTO INC	13787	374.65	VEHICLE MAINT ROAD

M & B SEPTIC SERVICE, LLC	13788	84.00	BOARD OF REC
MARY JEANNE HEWITT	13789	60.88	VARIOUS
MGM AUTO BODY SUPPLIES	13790	401.52	VEHICLE MAINT ROAD
MURPHY COMMUNICATIONS	13791	3,797.50	VARIOUS
NEWTEL PAYPHONE OPERATIONS	13792	50.00	DPW ADMIN O/E
NJ STATE VOL FIREMAN'S ASSN	13793	25.00	FIRE DEPT O/E
OFFICE CONCEPTS GROUP INC	13794	39.00	SEWER SYSTEM O/E
PLANNED BUILDING SERVICES, INC	13795	1,430.00	STREETS & ROADS O/E
PODS ENTERPRISES, INC.	13796	223.15	DPW ADMIN O/E
PRINTMASTERS	13797	335.00	CONST CODE OFFICIAL O/E
PUBLIC SERV ELEC & GAS	13798	18,075.81	VARIOUS
RICOH AMERICAS CORPORATION	13799	595.77	VARIOUS
RIDGEWOOD PRESS	13800	283.00	POLICE DEPT O/E
RIVERSIDE IRON & METAL, INC	13801	100.00	BOARD OF REC O/E
ROYAL SUSSEX REGIMENT SOCIETY	13802	200.00	PUBLIC EVENTS O/E
RT OFFICE PRODUCTS	13803	320.14	VARIOUS
SHOTMEYER BROS FUEL CO	13804	7,812.98	BULK PURCHASE GASOLINE
SPRINT-WIRELESS	13805	319.92	POLICE DEPT O/E
STAPLES	13806	79.74	PEOSHA O/E
STATE LINE FIRE & SAFETY INC	13807	143.30	FIRE DEPT O/E
SUPLEE, CLOONEY & COMPANY	13808	750.00	FINANCIAL ADMIN O/E
TANIS HARDWARE	13809	231.23	VARIOUS
THE CECEILYN MILLER INSTITUTE	13810	125.00	MUNICIPAL ALLIANCE
THOMAS ZACONIE	13811	58.65	CONST CODE OFFICIAL O/E
THOMSON WEST INC	13812	84.00	BOARD OF HEALTH O/E
TREADWAY GRAPHICS INC	13813	2,054.79	MUNICIPAL ALLIANCE
TYCO ANIMAL CONTROL SERVICES	13814	1,460.00	ANIMAL CONTROL O/E
UNITED COMPUTER	13815	2,325.20	VARIOUS
VERIZON	13816	309.08	VARIOUS
VERIZON WIRELESS (N)	13817	907.22	VARIOUS
VITAL COMMUNICATIONS, INC.	13818	575.00	VARIOUS
WASTE MANAGEMENT OF NJ	13819	36,171.79	TRANSFER STATION
ZOLL	13820	<u>101.36</u>	FIRE DEPT O/E
TOTAL CURRENT		\$ 194,774.39	
GENERAL CAPITAL			
AERUS ELECTROLUX	3172	999.99	SAFETY COMMUNICATIONS
AJM CONTRACTORS, INC.	3173	39,083.85	VARIOUS
BOSWELL ENGINEERING, INC	3174	13,704.00	VARIOUS
DELL MARKETING LP	3175	7,531.83	SAFETY COMMUNICATIONS
HAWTHORNE MECHANICAL CONTRACTO	3176	2,300.00	SAFETY COMMUNICATIONS
HAWTHORNE PAINT CO INC	3177	46.72	SAFETY COMMUNICATIONS
HAWTHORNE PRESS INC	3178	185.64	VARIOUS
HOME SUPPLY & LUMBER CO., INC.	3179	129.19	SAFETY COMMUNICATIONS

LINCOLN TECHNOLOGY, LLC	3180	375.00	SAFETY COMMUNICATIONS
MCCABE ENVIRONMENTAL SERVICES	3181	480.00	SAFETY COMMUNICATIONS
P & A AUTO PARTS, INC	3182	32.34	SAFETY COMMUNICATIONS
POST & KELLY ELECTRIC CO, INC	3183	5,900.00	SAFETY COMMUNICATIONS
TANIS HARDWARE	3184	31.48	SAFETY COMMUNICATIONS
WPCS INTERNATIONAL, INC	3185	<u>96,620.40</u>	SAFETY COMMUNICATIONS
TOTAL GENERAL CAPITAL		\$ 167,420.44	

WATER OPERATING

AGRA ENVIRONMENTAL SVC	8948	3,190.00	VARIOUS
AP CERTIFIED TEST	8949	250.00	WATER UTILITY O/E
BOB'S TIRES & WHEELS INC	8950	15.00	WATER UTILITY O/E
CABLEVISION	8951	69.16	WATER UTILITY O/E
EARTHLINK BUSINESS	8952	525.00	WATER UTILITY O/E
FREMGEN POWER EQUIPMENT INC	8953	22.00	WATER UTILITY O/E
HENRY'S PLUMBING & HEATING INC	8954	28.65	VARIOUS
HESS CORPORATION	8955	22,832.48	WATER UTILITY O/E
HOME DEPOT SUPPLY	8956	4.97	WATER UTILITY O/E
LUK OIL	8957	1,107.20	WATER UTILITY O/E
LUSCHER'S AUTO INC	8958	374.65	WATER UTILITY O/E
ONE CALL CONCEPTS, INC.	8959	70.80	WATER UTILITY O/E
PRECISION ELECTRIC MOTOR WORKS	8960	2,485.00	WATER UTILITY O/E
PUBLIC SERV ELEC & GAS	8961	11,633.27	WATER UTILITY O/E
SHOTMEYER BROS FUEL CO	8962	377.60	WATER UTILITY O/E
TANIS HARDWARE	8963	9.65	WATER UTILITY O/E
UNITED COMPUTER	8964	575.00	WATER UTILITY O/E
VERIZON WIRELESS (N)	8965	<u>203.82</u>	WATER UTILITY O/E
TOTAL WATER OPERATING		\$ 43,774.25	

WATER CAPITAL

PRECISION ELECTRIC MOTOR WORKS	1036	<u>1,664.00</u>	CAPITAL EQUIPMENT
TOTAL WATER CAPITAL		\$ 1,664.00	

OTHER TRUST II

BELMAR SPRING WATER COMPANY	4422	52.10	RECYCLING
FERNWOOD FUNDING, LLC	4423	33,834.34	TRUSTEE
HOME DEPOT SUPPLY	4424	99.98	RECYCLING
KEN'S AUTO ELECTRIC, LLC	4425	650.00	RECYCLING
LUKE GALLO	4426	95.99	RECYCLING
PRINTMASTERS	4427	740.00	VARIOUS
ROBERT ROTHMAN	4428	<u>19,239.49</u>	TRUSTEE
TOTAL OTHER TRUST II		\$ 54,711.90	

DOG DEDICATED

NJ DEPARTMENT OF HEALTH	6061	70.80	STATE OF NEW JERSEY
TYCO ANIMAL CONTROL SERVICES	6062	<u>1,300.00</u>	PROFESSIONAL FEES
TOTAL DOG DEDICATED		\$ 1,370.80	

OTHER TRUST I ESCROW

FERNWOOD FUNDING, LLC	7033	<u>8,600.00</u>	TAX SALE PREMIUMS
TOTAL OTHER TRUST I ESCROW		\$ 8,600.00	

TOTAL BILL LIST \$ 472,315.78

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, state your name and address, there is a five minute limit, sign the sheet for the record. Council President Bertollo asked if anyone wished to be heard and remarked those who may come forward to comment on the Walmart at 204 Wagaraw Road application, due to pending litigation against the Borough Council and Planning Board, no comments can be made by Borough officials, nor will they engage in conversation or dialog concerning the application. As information comes forward through the Borough Attorney that can be given to the public, we will do so.

Connie Gordon, Rea Ave.

Concerned about the traffic speed on Rea Ave. between 8th and 9th Street. Can a speed bump be put in to slow traffic, can a sign be put up that notifies the driver the speed they are driving. School is out and children are outside playing, something needs to be done. Council President Bertollo responded he will refer the issue to the Police Department for recommendations.

Joe Osbourne, 112 Cedar Ave.

Hope for a better project on 204 Wagaraw Road. Over 1,000 residents have signed a petition against the project. Please give some answer regarding the petition, even if it is no. Asking for repeal of ordinances 2052-11 and 2054-11, they were passed for the developer, instead of the developer adapting to our laws. Those two ordinances need to be repealed and replaced by laws based on what is best for Hawthorne, not what the developer needs. Would like the Council to take their side in this, but will welcome true neutrality as an improvement, residents feel that they are being tolerated. We look forward to the day you look at us as a majority of your constituents and adopt our positions and represent us in our concerns. Mr.Osbourne thanked the Council for their time.

Mark McCullough, 3 Starfield Road, Glen Rock

The Wagaraw Road project will have a negative effect on neighboring towns.

Patty Pasquino, 51 MacFarlan Ave.

Considering buying a larger home in Hawthorne, concerned about the impact of Walmart on traffic, she has two young children and is worried about traffic close to her home and recreational areas. Would like to remain in Hawthorne because she feels it is an amazing town, but considering leaving.

Joseph Tilley, 92 Passaic Ave.

During the winter, there were a series of “Design Meetings” to create a more charming and beautiful town. Interesting how we went from a charming and beautiful town to Walmart, the enemy of anything charming and beautiful.

Council President Bertollo asked if anyone else desired to be heard. 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.

Mayor Goldberg commented on the meeting he had on May 16th, 2012 in his office. The meeting was arranged by John Nicoli, President of the Meat Cutters Union, who was contacted by Mayor Goldberg as a potential suitor for the site at Wagaraw Road. The 6:00 p.m. meeting started with a tour of the site and surrounding area followed by discussions back in his office. Mayor Goldberg left the meeting at 7:00 p.m. to attend the Council Work Session and authorized the two men to continue their meeting in his office and lock the door behind them when finished.

Council President Bertollo entertained a motion to adjourn the regular meeting, moved by Councilman Mele, seconded by Council Vice President Bennett. On roll call, all voted yes.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE ON JULY 11, 2012. THE WORK SESSION WILL BEGIN AT 7:00 PM AND THE REGULAR MEETING WILL BEGIN IMMEDIATELY FOLLOWING. 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.

John Bertollo
Council President

Lori DiBella
Acting Borough Clerk