

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 8:10 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.....	Frank Matthews
Councilman.....	Dominic Mele
Councilman.....	Garrett Sinning
Councilman.....	Joseph Wojtecki
Borough Administrator.....	Eric Maurer
Director of Revenue and Finance.....	MaryJeanne Hewitt
Borough Attorney.....	Michael J. Pasquale
Borough Engineer.....	Dr. Stephen T. Boswell
Borough Clerk.....	Sue Witkowski

**FLAG SALUTE**

Council President Bertollo invited all present to join him in the flag salute and a moment of silence in remembrance of Hawthorne Volunteer Firefighter Bob Bell.

**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**

Council President Bertollo entertained a motion to approve the minutes for the Regular Meeting of April 4, 2012, Bid Minutes from April 10, 2012 for 2012 Tree Services and Bid Minutes from April 10, 2012 for Food Service Concessions, moved by Councilman Mele, seconded by Councilman Wojtecki. On roll call, all voted yes.

**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.

**ADOPTION OF ORDINANCES**

**ORDINANCE NO. 2060-12**

**2012 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PURSUANT TO N.J.S.A. 40A: 4-45.14**

**Public Hearing \*8:00 p.m. as advertised**

Council President Bertollo opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2060-12, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Seeing none, Council President Bertollo entertained a motion that the public hearing on Ordinance No. 2060-12 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 Ordinance 2060-12 be adopted and the Clerk is authorized to advertise the same according to law. Motion was moved by Councilman Wojtecki, seconded by Councilman Matthews. On roll call, all voted yes.

**PUBLIC HEARING:**

**2012 MUNICIPAL BUDGET**

Council President Bertollo opened the meeting to the public. He stated if anyone desired to be heard regarding the 2012 Municipal Budget, 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 the 2012 Municipal Budget be closed and that it be resolved that copies of said budget were made available to the general public at the Louis Bay II Public Library and in the Clerk's Office.

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 Matthews. On roll call, all voted yes.

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**2012 BUDGET RESOLUTIONS**

**R 89 -12      Resolution, Introduced by Councilman Matthews**

**AMEND THE 2012 BUDGET**

WHEREAS, the local municipal budget for the year 2012 was approved on the 21st day of March, 2012 and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget, now

THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne, County of Passaic, that the following amendments to the approved budget of 2012 be made:

CURRENT FUND BUDGET

GENERAL APPROPRIATIONS:	From	To
(D) Municipal Debt Service - Excluded From "CAPS"		
Interest on Bonds	320,649.00	294,649.00
NJ Environmental Infrastructure Loan-Loan Repayments for Principal and Interest	421,163.00	447,163.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the local municipal budget so amended.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 18th day of April, 2012. Council President Bertollo entertained a motion to approve R 89-12, moved by Councilman Matthews, seconded by Councilman Wojtecki. Council President Bertollo asked if there was any discussion. Councilman Matthews indicated the values of interest on bonds went down \$26,000 and NJEI loan payment increased \$26,000, for a gain of zero and no effect on previously published budget. On roll call, all voted yes.

**R 90-12 Resolution, Introduced by Councilman Wojtecki**

**ADOPTION OF THE 2012 MUNICIPAL BUDGET**

Council President Bertollo entertained a motion to approve R 90-12, moved by Councilman Wojtecki, seconded by Councilman Matthews. Council President Bertollo thanked the Chairman and members of the Finance Committee, Administration and all department heads for their effort in the budget process as the zero-base budgeting is working. On roll call, all voted yes.

**ORDINANCE ADOPTION CONTINUED...**

**ORDINANCE NO. 2061-12**

**AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT CHAPTER 220 OF THE CODE OF THE BOROUGH OF HAWTHORNE FEES, AT VARIOUS SECTIONS THEREOF**

**Public Hearing \*8:00 p.m. as advertised**

Council President Bertollo opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2061-12, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Seeing none, Council President Bertollo entertained a motion that the public hearing on Ordinance No. 2061-12 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 be adopted and the Clerk is authorized to advertise the same according to law. Motion was moved by Councilman Matthews, seconded by Councilman Wojtecki. On roll call, all voted yes.

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**ORDINANCE NO. 2062-12**

**BOND ORDINANCE PROVIDING FOR ROAD RECONSTRUCTION, CURBING, RESURFACING AND DRAINAGE IMPROVEMENTS ON VARIOUS STREETS AND PROPERTIES DESCRIBED HEREIN OR HEREAFTER IDENTIFIED, ALL IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING SEVEN HUNDRED AND TEN THOUSAND (\$710,000) DOLLARS THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME**

**Public Hearing \*8:00 p.m. as advertised**

Council President Bertollo opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2062-12, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Seeing none, Council President Bertollo entertained a motion that the public hearing on Ordinance No. 2062-12 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 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 Wojtecki. On roll call, all voted yes.

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**ORDINANCE NO. 2063-12**

**BOND ORDINANCE PROVIDING FOR RECONSTRUCTION OR 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**

**Public Hearing \*8:00 p.m. as advertised**

Council President Bertollo opened the meeting to the public. He stated if anyone desires to be heard regarding Ordinance No. 2063-12, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

David Troast, 53 Ninth Ave

Mr. Troast questioned whether there was a sidewalk plan in the Master Plan, if this ordinance was consistent, what is the criteria for sidewalk replacement and who paid for the handicap ramps installed last year. Mr. Troast expressed his concern that the ordinance is not applied equally to all residents, assessments being incurred in tough economic times and what was the time frame for notice of legal hearing. Clerk Witkowski to verify notice. Mr. Troast thanked the Council.

Jack Ferriday, 134 Ninth Ave

Mr. Faraday asked the interest rate on payments of the sidewalk assessment bill and when would they have to begin. Director of Finance and Revenue explained the bond interest rate currently is 3.58 % and could go down in July. The payments begin approximately one year after project completion and confirming process. Mr. Faraday inquired about the option of replacing the sidewalk himself, discussion ensued. Mr. Ferriday thanked the Council.

Carol Chamberlin, 30 Dixie Ave

Mrs. Chamberlin stated she has been assessed for sidewalk replacement although the two town tress are the reason for the raised sidewalk. Once replaced, is there a guarantee it will not occur again in five years. It was explained root pruning will take place and while there is no guarantee, the Shade Tree Commission works around the trees to preserve them. Ms. Chamberlin thanked the Council.

Victor Terraglia, 50 Ridge Road

Mr. Terraglia inquired as to the assessment letter for Franklin Avenue. It was explained the work was done in 2010 and assessment taking place now. Mr. Terraglia thanked the Council.

Rich Hoogemood, 374 Dixie Ave

Mr. Hoogemood asked who determines what gets replaced and whether this was a tax assessment. Engineer Boswell indicated it is his office and he can send someone out to meet with him to address his assessment. It was explained this is not a tax assessment.

Ralph Chamberlin, 30 Dixie Ave

Mr. Chamberlin asked if all slabs could be replaced if requested and why are the raised concrete slabs allowed. It was explained you can have all slabs replaced but they could not be included in the 5-year payment plan, and the raised concrete slabs are not allowed and will be re-assessed.

Dawn Mesler, 130 9<sup>th</sup> Ave

Mrs. Mesler inquired why her apron was marked for replacement as there is only a hairline crack and was this true cost. It was explained someone from the engineer's office would meet with her to re-assess and costs may change once the project goes to bid and contractor selected.

Jack Ferriday, 134 Ninth Ave

Mr. Ferriday asked if he replied within the noted timeframe could he change his decision afterward. Engineer Boswell replied yes.

Council President Bertollo entertained a motion that the public hearing on Ordinance No. 2063-12 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. Motion to close the public hearing was moved by Councilman Matthews, seconded by Councilman Mele. Council President Bertollo asked if there was any discussion. Councilman Wojtecki expressed concern on residents' comments. Attorney Pasquale commented if any ordinances were inconsistent with the Master Plan, they would be zoning and we are able to vote on the ordinance tonight with a notice sent to the residents as they near the award of contract. Now, therefore, be it resolved that this be adopted and the Clerk is authorized to advertise the same according to law. Motion to adopt moved by Councilman Mele, seconded by Councilman Lane. On roll call, all voted yes.

### **OLD BUSINESS**

Councilman Wojtecki inquired as to the status of detouring trucks through Prospect Park and parking on lower Franklin Field. It was stated updates will be forthcoming in two weeks. Councilman Matthews inquired whether DPW interviews were concluded. Response was no. Councilman Lane inquired as to the status of researching an island at the intersections of Braen Avenue and Goffle Road and do all police vehicle have the e-ticketing system installed. It was stated the intersection would be pursued with the County Engineer and all police vehicles are equipped with the system.

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

### **NEW BUSINESS**

Councilman Lane commended the Fire Department, Ambulance Corps and town personnel for their work at last week's structure fire on Hawthorne Avenue and requested access to a front-loader. Administrator Maurer indicated it has been discussed and a plan will be put in place. Councilman Lane thanked Director of Finance and Revenue Hewitt for her work on the LOSAP items. Councilman Sinning stated the library fees charged to Prospect Park residents has been questioned. It was indicated they would be reviewed upon the contract renewal. Councilman Wojtecki reported on May 1<sup>st</sup> the Shade Tree Commission meetings will begin at 4:30 p.m.

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

### **ADMINISTRATIVE AGENDA PRESENTED BY THE MAYOR**

Mayor Goldberg reported the passing of Hawthorne Firefighter Bob Bell. Agent P from Disney's Phineas and Ferb visited Borough Hall where he received an honorary Hawthorne Police badge. Thank you to all candidates who ran for School Board positions and congratulations to the winners. Baseball and softball has started. Cel-Earth-Bratton and Shred Day take place on Saturday, April 21. Operation Take Back, disposal of medications, takes place on Saturday, April 28. Thank you to Borough Clerk Witkowski for her years of service in Hawthorne.

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

Director of Revenue and Finance Hewitt reported the following:

Budget process begins in October, thank you to all who participate. R 79-12 requests trust fund for donations solicited and collected for the 9-11 Memorial Park project. An additional water bill delinquent notice has been sent and assisting in timely payments. Taxes are due no later than May 10<sup>th</sup> to avoid interest incurred from May 1. Thank you and good-bye to Borough Clerk Witkowski.

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

Mayor Goldberg called upon Engineer Boswell for his report.

Engineer Boswell reported on the following:

Mohawk Avenue - The contractor is expected to return during the week of April 9<sup>th</sup> to address the condition of the pavement.

Muffin Monster / Southfield Pumping Station - The unit was shipped last week from the Georgia factory.

2012 Road Resurfacing Program - Bond Ordinance No. 2062-12 in the amount of \$710,000.00 will be introduced tonight, April 18<sup>th</sup>, to address the proposed 2012 Road Resurfacing Program. Project should be awarded by May 16<sup>th</sup> meeting.

Christian Health Care Center – The next Special Meeting is scheduled for April 30<sup>th</sup>, 2012 and is expected to continue with planning testimony.

Lafayette Hills Fence – Awaiting update regarding fence installation.

Warburton, Rea and Goffle Brook - The Warburton Avenue project is expected to go out to bid in April and the Rea Avenue project in June.

Royal Ave Drainage Improvements - The trash rack is being designed, it is the only improvement currently proposed at this time.

Keith Court - The issue has been addressed and resolved.

Pavement Shoving, Mohawk and North 8<sup>th</sup> - Chris Nash has indicated there is no shoving of pavement at this location. Cost for concrete slab with steel is approximately \$40,000 for 300 square yards at \$1.33 per yard (whole intersection at the bottom).

Railroad Crossings Sidewalk Project - The project will be take three weeks and started once the railroad completes their utility work since sidewalks have to meet.

Second Avenue Repaving between Genevieve and Van Winkle - Costs for milling, asphalt and small portion of drainage is estimated at \$27,000 to \$30,000.

Resolution R73-12 and R74-12 are Change Orders No. 3 and No. 5 from Stacey Contracting reducing the original contract amount of \$697,000 to the final contract cost of \$596,000.

This concluded Engineer Boswell's report.

Mayor Goldberg called upon Attorney Pasquale for his report.

Attorney Pasquale reported on the following:

7-11 matter on hold. Filing answer to complaint on 204 Wagaraw Road project will take place this week. Over 300 tax appeals this year. Best wishes to Borough Clerk Witkowski.

This concluded Attorney Pasquale's report.

Mayor Goldberg called upon Administrator Maurer for his report.

Administrator Maurer reported on the following:

Recreation and pool registrations have begun, information on the website: [www.hawthornenj.org](http://www.hawthornenj.org). IT Services bids are under review. White collar settlement reached and awaiting approval. Meetings continue with blue collar unit. Clean-up of Passaic River bank by Wagaraw Fields took place last week, Goffle Brook clean-up follows. Police Department renovations are 50% completed. Resolution tonight for police, fire and ambulance radios. Illegal basement and fines issued on 1 Stam's Alley. Penalties imposed against One Washington Holdings LLC last week amounted to \$6,100 in fines, \$291 in court costs and \$1,700 restitution to the Borough. Defendant has indicated they will appeal. Trial date for this year's summonses for same property is scheduled for June 21 as clean-up effort has taken place. Thank you and best wishes to Borough Clerk Witkowski.

This concluded Administrator Maurer's report.

Mayor Goldberg stated he has been advised via email by Mr. Bedrin that he has voluntarily given up his right to 24 hours of operation for the supermarket and will be open from 6:00 a.m. until midnight. Thank you to Mr. Bedrin and the Bedrin Group for his continued commitment to being a good corporate citizen to the Borough of Hawthorne.

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

Councilman Sinning asked Engineer Boswell if he looked at Second Avenue. Engineer Boswell replied yes.

Councilman Lane inquired how to monitor road paving in order for aprons and driveways not be paved unnecessarily. Engineer Boswell responded yes, it is monitored and some needed paving due to drainage issues. Councilman Lane inquired how many violations are cited on illegal apartments under the zoning code. Administrator Maurer indicated summonses are issued for every violation.

Council President Bertollo asked if there were any other questions for the Administration. Council President Bertollo entertained a motion to record the Administrative Agenda, moved by Council Vice President Bennett, seconded by Councilman Lane. On roll call, all voted yes.

## **INTRODUCTION OF ORDINANCES**

### **ORDINANCE NO. 2064-12 - PULLED (May 2<sup>nd</sup> Agenda)**

#### **AN ORDINANCE TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE EMPLOYEES OF THE BOROUGH OF HAWTHORNE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY**

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### **ORDINANCE NO. 2065-12**

#### **AN ORDINANCE TO AMEND CHAPTER 25 OF THE CODE OF THE BOROUGH OF HAWTHORNE, DEPARTMENT OF PUBLIC SAFETY, ARTICLE II, POLICE DEPARTMENT, SECTION 25-9, APPOINTMENTS AND PROMOTIONS, SO AS TO AMEND AND MODIFY THE PROMOTION PROCEDURES AND PROVIDE FOR AN APPEAL PROCESS THEREUNDER**

BE IT RESOLVED, that Ordinance No. 2065-12 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 May 16, 2012, and at 7:00 p.m., at which 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 Mele, second by Councilman Lane. Council President Bertollo asked if there was any discussion. On roll call, all voted yes.

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### **ORDINANCE NO. 2066-12**

#### **AN ORDINANCE TO AMEND CHAPTER 25 OF THE CODE OF THE BOROUGH OF HAWTHORNE, DEPARTMENT OF PUBLIC SAFETY, ARTICLE II, POLICE DEPARTMENT, SO AS TO CREATE SECTION 25-12(A) AUXILIARY POLICE**

BE IT RESOLVED, that Ordinance No. 2066-12 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 May 16, 2012, and at 7:00 p.m., at which 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 Council Vice President Bennett, second by Councilman Matthews. Council President Bertollo asked if there was any discussion. On roll call, all voted yes.

**ORDINANCE NO. 2067-12**

**BOND ORDINANCE PROVIDING FOR MILLING, PAVING, ROAD RECONSTRUCTION, RESURFACING, DRAINAGE, CURB AND HANDICAPPED RAMP IMPROVEMENTS ON FOREST AVENUE, AS DESCRIBED SPECIFICALLY HEREIN, IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING TWO HUNDRED EIGHTY THOUSAND (\$280,000) DOLLARS THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME**

BE IT RESOLVED, that Ordinance No. 2067-12 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 May 16, 2012, and at 7:00 p.m., at which 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 Council Vice President Bennett, second by Councilman Mele. Council President Bertollo asked if there was any discussion. On roll call, all voted yes.

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**ORDINANCE NO. 2068-12**

**BOND ORDINANCE PROVIDING FOR CURBS, SIDEWALKS, HANDICAPPED RAMPS AND SIGNAGE ON WARBURTON AVENUE AT THE NYS&W RAILROAD CROSSING, AS DESCRIBED SPECIFICALLY HEREIN, IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING NINETY-SEVEN THOUSAND (\$97,000) DOLLARS THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME**

BE IT RESOLVED, that Ordinance No. 2068-12 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 May 16, 2012, and at 7:00 p.m., at which 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 Council Vice President Bennett, second by Councilman Mele. Council President Bertollo asked if there was any discussion. On roll call, all voted yes.

**CONSENT AGENDA: R 73-12, R 74-12, R 78-12 through R 88-12 and R 91-12**

**R 73-12 Resolution, Introduced by Mele**

WHEREAS, the Borough of Hawthorne has heretofore entered into a contract with Stacey Contracting, Inc. for Drainage and Stormwater Improvements in the Borough of Hawthorne authorized by Ordinance #1956-09, and,

WHEREAS, and Boswell Engineering has recommended approval of the following change order:

Change Order No. 3  
Traffic Control & Field Changes \$3,936.33

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the above-cited Change Order No. 2 increasing the amount of the payment required under said contract by the sum of \$3,936.33, shall be and hereby is approved, and the Mayor and Borough Clerk are hereby authorized and directed to execute the same for and on behalf of the Borough of Hawthorne.

**R 74-12 Resolution, Introduced by Mele**

WHEREAS, the Borough of Hawthorne has heretofore entered into a contract with Stacey Contracting, Inc. for drainage and stormwater improvements in the Borough of Hawthorne authorized by ordinance #1956-09,

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

Change Order No. 5  
As built quantities <\$2,348.80>

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the above-cited Change Order No. 1 decreasing the amount of the payment required under said contract by the sum of <\$2,348.80>, 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 78-12 Resolution, Introduced by Mele**

To ratify actions of the Municipal Council of the Borough of Hawthorne payroll dated, April 5, 2012

CURRENT FUND	WT 888889	\$	244,389.66
WATER OPERATING FUND	WT 888889	\$	39,680.20
OTHER TRUST II FUND	WT 888889	\$	23,288.56
TOTAL PAYROLL		\$	<u>307,358.42</u>
CURRENT FUND TO PAYROLL/FICA	WT 888889	\$	13,734.83



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

**R 81-12 Resolution, Introduced by Mele**

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12 and the Borough of Hawthorne has a need to purchase radios for the Police Department under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, Motorola, Inc. has been awarded New Jersey State Contract Nos. A53804 for the equipment to be purchased as follows:

HT1250 450-512MHz Radios	\$7,162.50
NIMH, 1500MAH, 7.2V	\$ 96.00
Remote Speakers	\$ 258.75

And,

WHEREAS, the administration recommends the utilization of this contract and the actual cost for the purchase of the listed equipment is \$7,517.25.

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

**R 82-12 Resolution, Introduced by Mele**

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12 and the Borough of Hawthorne has a need to purchase radios for the Ambulance Corps under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, Goosetown Communications has been awarded New Jersey State Contract Nos. A53764 for the equipment to be purchased as follows:

16-Channel VHF Portables	\$ 6,518.75
Associated Equipment	\$11,466.97
Installations	\$ 3,225.00
Base Radio Equipment	\$ 2,048.20

And,

WHEREAS, the administration recommends the utilization of this contract and the actual cost for the purchase of the listed equipment is \$23,258.92.

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

**R 83-12          Resolution, Introduced by Mele**

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12 and the Borough of Hawthorne has a need to purchase truck radios for the Fire Department under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, Motorola, Inc. has been awarded New Jersey State Contract Nos. A53804 for the equipment to be purchased as follows:

CDM1250 450-512MHz Radio	\$2,876.25
Associated Equipment	\$ 466.58
Instalation	\$1,575.00

And,

WHEREAS, the administration recommends the utilization of this contract and the actual cost for the purchase of the listed equipment is \$4,917.83.

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

**R 84-12          Resolution, Introduced by Mele**

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12 and the Borough of Hawthorne has a need to purchase radios for the Fire Department under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, ESS, Inc. has been awarded New Jersey State Contract No. A53764 for the equipment to be purchased as follows:

TK-3180K-LKP 450-520MHz Radios	\$11,025.00
Associated Equipment	\$ 2,182.20
License Assistance	\$ 250.00

And,

WHEREAS, the administration recommends the utilization of this contract and the actual cost for the purchase of the listed equipment is \$13,457.20.

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

**R 85-12          Resolution, introduced by Mele**

**RESOLUTION ACCEPTING A GRANT OF \$65,000 FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION LOCAL AID INFRASTRUCTURE PROGRAM FOR THE IMPROVEMENT OF THE RAILROAD CROSSING AT WARBURTON AVENUE AND AUTHORIZING EXECUTION OF A GRANT AGREEMENT**

WHEREAS, the Borough of Hawthorne made application to the New Jersey Department of Transportation for funds the Local Aid Infrastructure Fund program for funds to make improvements to the Warburton Avenue railroad crossing of the New York Susquehanna and Western Railroad, including sidewalks, curbs, handicapped ramps and signage; and

WHEREAS, the New Jersey Department of Transportation has awarded the Borough a grant in the amount of \$65,000.000 for the aforesaid purpose; and

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne that the Mayor and Borough Clerk are hereby authorized to execute grant agreement accepting a \$65,000 grant from the New Jersey Department of Transportation's Local Aid Infrastructure Fund program for improvements to the Warburton Avenue Railroad crossing Improvements.

**R 86-12          Resolution, introduced by Mele**

WHEREAS, it is the policy of the Borough of Hawthorne to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Mayor and Council of the Borough of Hawthorne have determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Hawthorne that the Personnel Policies and Procedures Manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Borough officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Borough employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Mayor and Council of the Borough of Hawthorne. BE IT FURTHER RESOLVED, that to the maximum extent permitted by law, employment practices for the Borough shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED, that Frederic M. Knapp of the firm Knapp, Trimboli & Prusinowski LLC is hereby appointed as Employment Attorney to advise the borough in personnel matters.

BE IT FURTHER RESOLVED that the Borough Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Borough Clerk and the Borough Attorney shall assist the Borough Administrator in the implementation of the policies and procedures in this manual.

**R 87-12      Resolution, introduced by Mele**

WHEREAS, on April 10, 2012, the Borough of Hawthorne received bids for providing tree services in the Borough of Hawthorne authorized by the 2012 Municipal Budget, Shade Tree Appropriation; and

WHEREAS, the bids have been received and reviewed by the Administration and they have recommended the low, responsive bid of:

Downes Tree Service Co., Inc.  
65 Royal Avenue  
Hawthorne, New Jersey 07506

At the rates annexed hereto.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne approves the acceptance of the above-cited contractor, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract between the Borough of Hawthorne and Downes Tree Service in a form approved by the Borough Attorney.

**R 88-12      Resolution, introduced by Mele**

WHEREAS, the semi-annual payment of the 1992 Wastewater Treatment Fund Loan in the amount of \$82,627.33 has become due and payable as of May 1, 2012.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized to pay to the New Jersey Department of Environmental Protection funds in the amount of \$82,627.33 from the Current Fund in payment of the Wastewater Fund Loan.

**R 91-12      Resolution, Introduced by Mele**

WHEREAS, the Borough of Hawthorne, through its administration, has negotiated a contract with the UPSEU, United Public Service Employees Union, White Collar Unit, as representative to its white collar employees for the period commencing January 1, 2012 and ending December 31, 2014; and

WHEREAS, a Memorandum of Understanding and outline of agreement have been created a copy each being annexed hereto; and

WHEREAS, the Administration has recommended approval of the contract, as summarized in the Memorandum of Understanding subject, nevertheless, to the creation of a final contract and review by legal counsel;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does hereby ratify and approve the contract, as summarized in the Memorandum of Understanding, subject nevertheless to approval of a formal contract and adoption of any and all required ordinances.

Council President Bertollo entertained a motion to approve resolutions R 73-12, R 74-12, R 78-12 through R 88-12 and R 91-12 moved by Councilman Mele, seconded by Councilman Matthews. Council President Bertollo asked if there was any discussion. On roll call, all voted yes with following exceptions: Councilman Wojtecki abstained on R80-12, R83-12, R84-12, and voted no on R 86-12. Councilman Lane abstained on R80-12, R82-12, R83-12, and R84-12 and Council President Bertollo abstained on R87-12.

**REPORTS OF SPECIAL COUNCIL COMMITTEES**

Councilman Lane

Cable TV Committee has received quotes on new computer, awaiting award of IT Services contract. Ambulance Corps has traded in old vehicle for new. Thank you and good luck to Borough Clerk Witkowski.

Councilman Mele

Board of Education budget was passed, question 2 defeated..

Council Vice President Bennett

Board of Recreation certified 54 new coaches this year. Next Public Works meeting is April 30, at 6:30 p.m.

Councilman Matthews

Concussion program online for coaches is encouraged to assist children. Last of the commercial condo's at end of Ninth Ave have been sold. Congress Mills renter application on hold. Farmer's Market scheduled for June 24 through October 28. Finance Committee met this week to modify salary ordinance, forward any comments.

Councilman Sinning

Ordinance Committee meeting was cancelled. Best wishes to Borough Clerk Witkowski.

Councilman Wojtecki

Arbor Day celebration in Eight Acre Woods will take place on Saturday April 28 from 10-11 am followed by clean-up of the woods. Shade Tree Commission meets at new time of 4:30 p.m. on May 1<sup>st</sup>. May 30<sup>th</sup> a kitchen sanitation class takes place for the St. Anthony's Feast, all food workers are encouraged to attend. Thank you to Borough Clerk Witkowski.

Council President Bertollo thanked Borough Clerk Witkowski and wished her well.

**CORRESPONDENCE**

C-1 Letter of Resignation, Susan Witkowski, Borough Clerk effective April 20, 2012

Council President Bertollo entertained a motion to approve the C-1 correspondence, moved by Councilman Wojtecki, seconded by Councilman Mele. On roll call, all voted yes.

**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 Wojtecki, seconded by Councilman Sinning. Council President Bertollo asked if there was any discussion. On roll call, all voted yes. Councilman Lane and Councilman Wojtecki abstained from checks pertaining to the Fire Department.

<b>VENDOR</b>	<b>CHECK#</b>	<b>TOTAL</b>	<b>DESCRIPTION</b>
<b>CURRENT FUND</b>			
A-VAN ELECTRICAL	13428	24.32	STREETS & ROADS O/E
AAA EMERGENCY SUPPLY CO INC	13429	285.40	FIRE DEPT O/E
ACORN TERMITE & PEST CONTROL	13430	100.00	PUB WORKS ADMIN O/E
ALL AMERICAN FORD	13431	6,382.86	VARIOUS
ALL BERGEN LOCKSMITHS, INC	13432	21.00	PUB WORKS ADMIN O/E

ALL STAR TRANSMISSION SPEC	13433	2,090.00	VEHICLE MAINT POLICE
ALLAN BRITWAY ELECTRIC CO	13434	5,292.05	MUNICIPAL INSURANCE O/E
AMERICAN HOSE CO INC	13435	270.05	VEHICLE MAINT SEWER
BOB'S TIRES & WHEELS INC	13436	968.95	VARIOUS
BOROUGH OF GLEN ROCK	13437	18,421.00	GLEN ROCK SEWERS
BOSWELL ENGINEERING, INC	13438	5,246.50	VARIOUS
BRAEN STONE INDUSTRIES, INC	13439	2,535.67	STREETS & ROADS O/E
CABLEVISION	13440	177.53	VARIOUS
CINTAS CORP	13441	547.55	PUB WORKS ADMIN O/E
CINTAS FIRST AID AND SAFETY	13442	379.63	VARIOUS
CMRS-FP	13443	2,000.00	GENERAL ADMIN O/E
DANIEL TEDESCHI	13444	100.00	GROUP INSURANCE O/E
DELL GARDEN CENTER	13445	260.64	VARIOUS
EARTHLINK BUSINESS	13446	1,601.96	TELEPHONE CHARGES
FASCO SECURITY PRODUCTS	13447	1,140.00	POLICE DEPT O/E
FEDERATED EMERGENCY SERVICES	13448	1,087.05	VEHICLE MAINT FIRE DEPT
FUTURE SANITATION INC	13449	39,375.00	VARIOUS
G T B M, INC	13450	2,625.00	POLICE DEPT O/E
HAWTHORNE AUTO LAB	13451	4,688.75	VARIOUS
HAWTHORNE BOARD OF ED	13452	2,695,531.00	SCHOOL TAX
HAWTHORNE CHEVROLET	13453	120.00	VEHICLE MAINT ROAD
HAWTHORNE HITCH AND TRAILER	13454	253.92	VEHICLE MAINT ROAD
HAWTHORNE PRESS INC	13455	59.28	VARIOUS
HENRY'S PLUMBING & HEATING INC	13456	126.32	VARIOUS
HOME DEPOT SUPPLY	13457	49.24	STREETS & ROADS O/E
HOME SUPPLY & LUMBER CO., INC.	13458	55.80	VARIOUS
KNAPP, TRIMBOLI & PRUSINOWSKI	13459	1,902.00	LEGAL SERV& COSTS O/E
LANGUAGE LINE SERVICES	13460	10.20	POLICE DEPT O/E
LUK OIL	13461	9,903.11	BULK PURCHASE GASOLINE
LUSCHER'S AUTO INC	13462	900.94	VARIOUS
M & B SEPTIC SERVICE, LLC	13463	84.00	BOARD OF REC
M J HEWITT	13464	50.00	GROUP INSURANCE O/E
MONSEN ENGINEERING CO	13465	336.00	PUB WORKS ADMIN O/E
MUNICIPAL CLERKS ASSOC OF NJ	13466	260.00	MUNICIPAL CLERK O/E
MURPHY COMMUNICATIONS	13467	3,445.50	POLICE DEPT O/E
NEWTEL PAYPHONE OPERATIONS	13468	50.00	PUB WORKS ADMIN O/E
NJ STATE LEAGUE MUNICIPALITIES NJDEP BUREAU OF MOBILE SOURCES	13469	60.00	GENERAL ADMINISTRATION O/E
NO.JERSEY JR LACROSSE LEAGUE	13470	155.00	ENVIRONMENTAL COMMITTEE O/E
NORTHEN NJ COUNCIL	13471	400.00	BOARD OF REC
NORTHERN NJ COUNCIL	13472	350.00	FIRE DEPT O/E
PASSAIC VALLEY SEWER COM	13473	272,892.52	PASSAIC VALLEY SEWER
PENQUIN COMMUNICATIONS, LLC	13474	828.00	FIRE DEPT O/E
POST & KELLY ELECTRIC CO, INC	13475	750.00	MAINTEN OF PARKS
PROFESSIONAL GOV EDUCATORS	13476	270.00	VARIOUS

PUBLIC SERV ELEC & GAS	13477	18,220.35	VARIOUS
R & R RADAR INC	13478	562.25	POLICE DEPT O/E
RIVERSIDE IRON & METAL, INC	13479	385.00	MAINTEN OF PARKS
RT OFFICE PRODUCTS	13480	746.50	VARIOUS
RUTGERS YOUTH SPORTS RESEARCH	13481	1,816.50	BOARD OF REC O/E
SHOTMEYER BROS FUEL CO	13482	9,784.71	VARIOUS
SKILL PATH SEMINARS	13483	180.90	PUB WORKS ADMIN O/E
SOME'S UNIFORM CO. INC	13484	706.50	EMERGENCY MGT A
SUSAN WITKOWSKI	13485	230.00	VARIOUS
TANIS HARDWARE	13486	303.19	VARIOUS
THE SHARP SHOP	13487	99.61	FIRE DEPT O/E
TODE LANDSCAPE CONTRACTORS	13488	1,500.00	SHADE TREE COMMISSION
TREASURER, STATE OF NEW JERSEY	13489	525.00	FEES PAY MARRIAGE
TREASURER, STATE OF NJ	13490	4,199.00	FEES PAY UCC
TURNOUT UNIFORMS	13491	740.00	EMERGENCY MGT A
TYCO ANIMAL CONTROL SERVICES	13492	2,100.00	ANIMAL CONTROL O/E
UNITED COMPUTER	13493	2,047.00	VARIOUS
US SECURENET PUBLIC SAFETY DIV	13494	13.25	POLICE DEPT O/E
VERIZON	13495	280.95	VARIOUS
VERIZON WIRELESS (N)	13496	1,076.36	VARIOUS
WASTE MANAGEMENT OF NJ	13497	35,467.07	TRANSFER STATION
WILFORD MAC DONALD, INC	13498	2,507.48	BOARD OF REC O/E
WPCS INTERNATIONAL, INC	13499	810.90	FIRE DEPT O/E
YANKEE PROPANE, INC	13500	36.00	FIRE DEPT O/E
ZEP SALES & SERVICE	13501	<u>667.20</u>	STREETS & ROADS O/E
<b>TOTAL CURRENT</b>		<b>\$ 3,169,469.46</b>	
 <b>GENERAL CAPITAL</b>			
BOSWELL ENGINEERING, INC	3156	1,451.50	VARIOUS
R & R PUMP & CONTROL	3157	<u>4,580.00</u>	SANITARY SEWER MAIN IMPROV
<b>TOTAL GENERAL CAPITAL</b>		<b>\$ 6,031.50</b>	
 <b>WATER OPERATING</b>			
A-VAN ELECTRICAL	8885	16.99	WATER UTILITY O/E
AGRA ENVIRONMENTAL SVC	8886	2,093.75	VARIOUS
ALL BERGEN LOCKSMITHS, INC	8887	121.00	WATER UTILITY O/E
CABLEVISION	8888	82.63	WATER UTILITY O/E
CINTAS FIRST AID AND SAFETY	8889	57.01	WATER UTILITY O/E
CMRS-FP	8890	3,000.00	WATER UTILITY O/E
COMMERCIAL BUSINESS FORMSINC	8891	482.00	WATER UTILITY O/E
E S C ENTERPRISES, INC	8892	500.00	WATER UTILITY O/E
EARTHLINK BUSINESS	8893	525.00	WATER UTILITY O/E
HENRY'S PLUMBING & HEATING INC	8894	16.54	WATER UTILITY O/E
HOME DEPOT SUPPLY	8895	49.23	WATER UTILITY O/E

LUK OIL	8896	1,228.82	WATER UTILITY O/E
PUBLIC SERV ELEC & GAS	8897	11,452.32	WATER UTILITY O/E
SHOTMEYER BROS FUEL CO	8898	1,257.93	VARIOUS
STATE OF NJ - PWT	8899	1,154.05	WATER UTILITY O/E
SUBURBAN GENERATOR	8900	275.88	WATER UTILITY O/E
TANIS HARDWARE	8901	117.01	WATER UTILITY O/E
TECHINICAL COMPENENTS CO,INC	8902	1,675.15	WATER UTILITY O/E
VERIZON WIRELESS (N)	8903	204.02	WATER UTILITY O/E
WINNER FORD	8904	<u>25,926.00</u>	CAPITAL OUTLAY
<b>TOTAL WATER OPERATING</b>		<b>\$ 50,235.33</b>	
 <b>WATER CAPITAL</b>			
E S C ENTERPRISES, INC	1034	<u>3,900.00</u>	CAPITAL EQUIPMENT
<b>TOTAL WATER CAPITAL</b>		<b>\$ 3,900.00</b>	
 <b>OTHER TRUST II</b>			
ALERT GRAPHICS	4385	978.00	RECYCLING
ALL AMERICAN FORD	4386	1,300.68	RECYCLING
DAVE STERN INC	4387	1,608.10	RECYCLING
HEWLETT-PACKARD CORP	4388	716.01	UCC PENALTIES
STAPLES	4389	79.99	RECYCLING
THOMAS ZACONIE	4390	74.82	UCC PENALTIES
UNITED COMPUTER	4391	195.00	RECYCLING
VERIZON WIRELESS (N)	4392	<u>70.78</u>	UCC PENALTIES
<b>TOTAL OTHER TRUST II</b>		<b>\$ 5,023.38</b>	
 <b>DOG DEDICATED</b>			
NJ DEPARTMENT OF HEALTH	6056	<u>181.80</u>	STATE OF NEW JERSEY
<b>TOTAL DOG DEDICATED</b>		<b>\$ 181.80</b>	
 <b>BUILDERS ESCROW</b>			
BOSWELL ENGINEERING, INC	5146	5,343.75	204 WAGARAW ROAD LLC
BOSWELL ENGINEERING, INC	5147	2,094.75	WESTERVELT-MILLVIEW 7/1
BOSWELL ENGINEERING, INC	5148	11,371.50	PATRIOT DEVELOP 90/1
BURGIS ASSOCIATES, INC	5149	2,187.50	PATRIOT DEVELOP 90/1
BOSWELL ENGINEERING, INC	5150	387.25	102 BRAEN LLC 281/21.03
THE CORNETT FAMILY TRUST	5151	<u>316.00</u>	CORNETT FAMILY TRUST
<b>TOTAL BUILDERS ESCROW</b>		<b>\$ 21,700.75</b>	
 <b>OTHER TRUST I ESCROW</b>			
HARBANS SINGH	7031	<u>666.48</u>	RES BE CLOSEOUT
<b>TOTAL OTHER TRUST I ESCROW</b>		<b>\$ 666.48</b>	
 <b>TOTAL BILL LIST</b>		 <b><u>\$ 3,257,208.70</u></b>	

## **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 sign the sheet for the record. Council President Bertollo asked if anyone wished to be heard.

### Diane Ryan, 95 Fifth Ave

Ms. Ryan indicated she lives across from the old gas station and another fence has been put up around the property but not all around the back. Property has been condemned, building is crumbling. Kids getting on property, why can't it be torn down, or fenced off completely. Administrator Maurer indicated it has gone through the building department and is contact with the NJDEP, will look into other violations.

Attorney Pasquale indicated this building has not been condemned by our building department. Discussion ensued.

### Betty Ryan, 99 Fifth Ave

Ms. Ryan indicated the building across the street, A-Stone and Churchill Furniture, have 18-wheel trucks blocking the road, unloading, parking in front of fire hydrants, idling, etc. There are ordinances restricting this activity, how can this be enforced? Discussion ensued.

### Jack Ferriday, 134 Ninth Ave

Mr. Ferriday inquired whether the railroad grant for Warburton Ave crossing will include the signal gates and what are the signs "No to Walmart and 24/7"? Engineer Boswell responded there are two grants, the first for sidewalks and second for signals and gates. Council President Bertollo explained a Planning Board application was submitted by the developer for a supermarket and five smaller stores on Wagaraw Road. It was approved in January with the option of 24-hours of operation and Wal-Mart as the supermarket. A town resident has filed a lawsuit against the developer and Planning Board therefore discussions are very limited. Mr. Ferriday thanked the Council.

### Sam Boonstra, "The Knead You Need" at 596 Lafayette Ave

Ms. Boonstra expressed her anger and frustration over the opening of another massage therapy business across the street from hers. Mayor Goldberg indicated he pointed out to that tenant and landlord they were moving 25 feet close to another massage therapy business and shares her concern. Discussion ensued. Ms. Boonstra thanked the Council.

### Joe Osborne, 112 Cedar Ave

Mr. Osborne thanked the Council and Mayor for taking their concerns on Walmart to Mr. Bedrin and announced a free movie at the Hawthorne Theatres next Thursday night.

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.

## **ADJOURNMENT**

Council President Bertollo entertained a motion to adjourn the meeting at 10:28 p.m., moved by Councilman Sinning, seconded by Councilman Wojtecki. On roll call, all voted yes.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL WILL BE ON **MAY 2, 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.

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John Bertollo  
Council President

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Susan Witkowski  
Borough Clerk