

September 2, 2009
Hawthorne, NJ

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 8:00 p.m., in the Auditorium of the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey. Present were Councilpersons Bennett, English, Matthews, Mele, Sinning, and Bertollo. Councilman Wojtecki was not present. Also present were Mayor Goldberg, Borough Administrator Maurer, Borough Attorney Pasquale, Director of Revenue and Finance Hewitt, Borough Engineer Boswell and Borough Clerk Witkowski.

FLAG SALUTE

Council President Bertollo invited all present to join him in the flag salute.

STATEMENT

Council President Bertollo stated adequate notice of this meeting had 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, The 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 17, 2008.

APPROVAL OF MINUTES

Council President Bertollo entertained a motion to approve the minutes of the Regular Meeting of August 19, 2009, moved by Councilman Sinning, seconded by Councilwoman English. On roll call, all said yes.

PUBLIC COMMENT

Council President Bertollo opened the meeting to the public. He stated if anyone desired to be heard, please raise your hand to be recognized, come forward to the microphone and state your name and address. He stipulated this was for agenda items only.

Seeing no one, Council President Bertollo entertained a motion to close the public portion, moved by Councilman Sinning, seconded by Councilman Matthews. On roll call, all voted yes.

PRESENTATION:

Borough Auditor, Jeffrey Bliss, CPA, RMA, PSA, of Lerch, Vinci & Higgins LLP, presented the 2008 annual audit report. Auditor Bliss stated that the audit report reflects an unqualified opinion on all the funds, which need a clean opinion for financial statements to be relied on by the County and the State. All funds were audited with the exception of the LOSAP fund, which in accordance to the Division of Local Government Services only requires a review. There were no findings with any of the funds. There are two other reports in the audit report, one of internal controls and the other on compliance with government auditing standards. There are no control

deficiencies or non compliance issues. The condition of the books and records of the Borough are excellent, with very few adjusting journal entries being required by the auditors. There were two minor recommendations that are not at a level of a reportable condition. One recommendation was that the Borough adopts an Ordinance creating a defined contribution retirement program, which is required under the pension system. The Ordinance will identify the positions that fall under the DCRP. Many of the positions that are DCRP eligible are currently filled by employees that are grandfathered into the PERS system. Council President Bertollo stated Ordinance 1992-09 is on the Council agenda for adoption. The other recommendation was that certain payroll expenditures, election workers and legal expenditures were charged to the other expense line item instead of being charged to salary and maintenance. Director of Revenue and Finance Hewitt stated that the audit went very smoothly, with a limited number of questions asked. Thank you to Deputy Treasurer Bartalotta, who is a tremendous asset to the Finance Department and manages much of the internal control. Councilman Matthews asked if the typing mistake in the audit report before the recommendation page was removed. Director Hewitt indicated that it was removed. Council President Bertollo thanked Auditor Bliss, Director Hewitt, Deputy Treasurer Bartalotta and Administrator Maurer for all of their work.

ADOPTION OF ORDINANCES

Ordinance No. 1990-09 for Adoption

REFUNDING BOND ORDINANCE OF THE BOROUGH OF HAWTHORNE, IN THE COUNTY OF PASSAIC, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF GENERAL IMPROVEMENT BONDS, SERIES 2000, APPROPRIATING \$1,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE BY THE BOROUGH OF REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$1,800,000 FOR FINANCING THE COST THEREOF.

Public Hearing

Council President Bertollo opened the meeting to the public and asked anyone who desired to be heard to come forward and state your name and address for the record.

No one desired to be heard.

Council President Bertollo entertained a motion that the public hearing on Ordinance No. 1990-09 is 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.

Council President Bertollo entertained a motion to adopt Ordinance No.1990-09, moved by Councilwoman English, seconded by Councilman Matthews. On roll call, all voted yes.

Ordinance No. 1991-09 for Adoption

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE EXISTING FORCE MAIN FOR THE GOFFLE HILL ROAD AND SICOMAC ROAD SEWAGE PUMPING STATIONS IN AND BY THE BOROUGH OF HAWTHORNE, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$700,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

Public Hearing

Council President Bertollo opened the meeting to the public and asked anyone who desired to be heard to come forward and state your name and address for the record.

No one desired to be heard.

Council President Bertollo entertained a motion that the public hearing on Ordinance No. 1991-09 is 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.

Council President Bertollo entertained a motion to adopt Ordinance No.1991-09, moved by Councilman Bennett, seconded by Councilman Mele. On roll call, all voted yes.

Ordinance No. 1992-09 for Adoption

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 5, DEPARTMENT OF ADMINISTRATION, SECTION 5-7, PERSONNEL, OF THE MUNICIPAL CODE SO AS TO PROVIDE FOR THE ESTABLISHMENT OF POSITIONS ELIGIBLE FOR PARTICIPATION IN THE STATE OF NEW JERSEY DEFINED CONTRIBUTION RETIREMENT PROGRAM IN THE BOROUGH OF HAWTHORNE, PASSAIC COUNTY, NEW JERSEY.

Public Hearing

Council President Bertollo opened the meeting to the public and asked anyone who desired to be heard to come forward and state your name and address for the record.

No one desired to be heard.

Council President Bertollo entertained a motion that the public hearing on Ordinance No. 1992-09 is 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.

Council President Bertollo entertained a motion to adopt Ordinance No.1992-09, moved by Councilman Matthews, seconded by Councilman Mele. On roll call, all voted yes.

Ordinance No. 1993-09 for Adoption

AN ORDINANCE TO FURTHER AMEND AND SUPPLEMENT CHAPTER 210 OF THE CODE OF THE BOROUGH OF HAWTHORNE, VEHICLES AND TRAFFIC, SO AS TO DESIGNATE ELEVENTH AVENUE, BIRCHWOOD ROAD AND CORNELL AVENUE, ALL BETWEEN EKINGS AVENUE AND PARKER AVENUE, AS STREETS WHERE TRUCKS OVER CERTAIN WEIGHTS ARE PROHIBITED AND TO REVISE ARTICLE VIII, SCHEDULE XII, SO AS TO ADD THERETO THE SAID LOCATIONS

Public Hearing

Council President Bertollo opened the meeting to the public and asked anyone who desired to be heard to come forward and state your name and address for the record.

No one desired to be heard.

Council President Bertollo entertained a motion that the public hearing on Ordinance No. 1993-09 is 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.

Council President Bertollo entertained a motion to adopt Ordinance No.1993-09, moved by Councilman Bennett, seconded by Councilwoman English. On roll call, all voted yes.

OLD BUSINESS

Councilwoman English stated that Verizon recently reported that the fiber optic network needed for public access is in the design phase and will be installed the first quarter of 2010. The FIOS free drops have been installed at the Board of Education and certain fire houses and are planned to be installed tomorrow at Rescue 5. Verizon is expediting the build out of the public access channel and understands the importance to the market.

NEW BUSINESS

No new business to report.

ADMINISTRATIVE AGENDA

Mayor Goldberg reported the following:

1. On September 11th at 6:00 p.m., the Borough will hold a remembrance ceremony. Please join the Borough as we remember those who lost their lives, the gallantry of the first responders and the courage of the passengers that crashed the plane in Pennsylvania.
2. Councilwoman English will be giving an update on Hawthorne Day later this evening. Thank you to the Committee Chairman, Vice Chairman and Committee Chairs for all of their hard work. This is an exciting event to celebrate Hawthorne, with entertainment, fireworks and vendors. All are encouraged to come out and enjoy the day.
3. There have been complaints in the past in regard to cars failing to yield to pedestrians in the crosswalks. On September 1st, an undercover operation was launched between the hours of 9:00 a.m. and 1:00 p.m. at two locations. The first was Diamond Bridge and Grand Avenue and the second was the crosswalk on Lafayette Avenue by the Bike Pad and movie theatre. The detail yielded twenty-two summonses for failing to yield to pedestrians and nine other summonses for cell phone use and drivers not wearing their seat belts. Thank you to Chief Scully and Officer Finstra for their work in making the roads safer.
4. A proclamation was presented to Alan Traino:
WHEREAS, Alan Traino is the owner of S. Pollack Opticians at 769 Lafayette Avenue in the borough, and

WHEREAS, Alan is the recipient of the Astronomical League Award presented to him for his worthwhile contribution to the science of astronomy, and

WHEREAS, for ten years, Alan Traino has organized the world's largest astronomy show held every April at Rockland Community College in New York, and

WHEREAS, Traino's interest in astronomy began at the age of eighteen. His collection of telescopes numbers more than one hundred and includes an 1891 Alvin Clark, once owned by Oliver Wendell Holmes and an African cocobolo wood telescope that was hand-carved for him by an astronomer friend in Canada, and

WHEREAS, Alan has started his own company which makes solar telescopes to study the sun. He can often be found outside his office with a solar telescope, when students from the nearby Roosevelt School stop to take a look, and

WHEREAS, the theme of the 2010 Northeast Astronomy Forum is "Kids"; One of the goals of the Astronomical League is to reach out to youth to get these future citizens interested in this field. To that end, Alan Traino will host an Astronomy Club to get local youth interested in gazing at the stars.

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Hawthorne do hereby recognize Alan Traino's contributions to the community and congratulate him on this prestigious award.

Mr. Traino indicated that the first astronomy open house will be held at the library, in the children's wing, at 7:00 p.m. on September 16th, with a rain date of September 17th.

5. Appointment of Michael Phillips, 11 First Ave, Hawthorne, to Patrolman of the Hawthorne Police Department effective August 31, 2009, with a probationary period of one year satisfactory to the Mayor and the Chief of Police in accordance to regulations set forth in Ordinance 891 and if not performed satisfactory the appointment shall expire and terminate at the end of the one year period or sooner. Officer Phillips replaces Sergeant Polito, who retired last month after a long and dedicated career. Officer Phillips grew up in Hawthorne, graduated from Hawthorne High School and is a great addition to the Borough's police force.

Council President Bertollo entertained a motion to record the appointment, moved by Councilman Sinning, seconded by Councilman Matthews. On roll call, all voted yes. Council President Bertollo thanked Sergeant Polito and wished him well in his retirement.

Mayor Goldberg called upon Borough Attorney Pasquale for his report.

Attorney Pasquale reported on the following:

1. Congratulations to the Phillips family and to Director of Revenue and Finance Hewitt on a stellar audit.
2. Tax appeals have increased significantly, which have been filed at a state level. Further reports will be forth coming.
3. K Hovnanian was granted an extension to responding to the Borough's complaint. Their response is expected to be filed within the next two weeks.
4. Borough Attorney Pasquale spoke with the owner of Pan Chemical to express the Borough's dissatisfaction in regard to the progress that is being made. The painting of the building got off to a great start but needs to be finished. Pan Chemical received three conceptual plans from NJ Transit on how they would like the property configured. Borough Attorney Pasquale met with Senator Girgenti, who is monitoring the situation to keep progress moving.
5. Borough Attorney Pasquale has had numerous discussions with Rayna Laiosa, Chairperson of the Environmental Commission. Starting September 1st, property owners who have contamination issues are required to take certain notice steps including publishing in newspapers and posting signs. Ms. Laiosa requested that the public be informed that these are not new claims or issues, but are sites that are going through on-going remediation and now have publishing obligations. There are four or five sites in Hawthorne that are going through remediation, which are commercial sites. Hawthorne Springs, which waiting for final clean up sign off. Pan Chemical, which is waiting for the State to approve their plan. The gas station on Wagaraw and Lafayette Avenue, which has completed the clean up and is being monitored. The Pyrolac site, which the County has engaged in a Phase 1 environmental audit. All sites that need to be remediated are either completed or in good progress. Ms. Laiosa has done a great job in monitoring the situation.

That concludes Borough Attorney Pasquale's report.

Mayor Goldberg stated that Ms. Laiosa grew up in Hawthorne and acted as secretary to the Environmental Commission and then went on to become Chairperson.

Mayor Goldberg called upon Borough Engineer Boswell for his report.

Borough Engineer Boswell reported on the following:

1. 2009 Road Program and Local Aid (Central Avenue) was awarded to English Paving. A pre-construction meeting was held on August 26th and the project is expected to begin mid September, starting with concrete work for handicap ramps.
2. Wyckoff has deemed the application complete for the Christian Health Care Center and is scheduled to be heard at the September 23rd Zoning Board meeting.
3. The final change order for the HVAC equipment is on the agenda tonight as Resolution 6, which addresses the split system and the ethylene glycol-propylene glycol issue.
4. Menke & Menke are currently working on the historical landscape plan for the Goffle Brook Stream Bank Stabilization project.
5. The NJEIT Financial Addendum Form has been submitted for the Goffle Hill Force Main.
6. Borough Engineer Boswell has been meeting with Ridgewood Water to discuss the joint project.
7. The Arcadis application was scheduled to be heard on September 1st but has been postponed to the September 15th meeting.
8. The GIS mapping has been completed and submitted to the State for the Chlorine Conversion project. Engineer Boswell is working with Dan Tedeschi from the Water Department to address their questions regarding the metering pumps and minimum storage requirement.
9. Borough Engineer Boswell will submit a draft of the fertilizer Ordinance to Borough Attorney Pasquale next week for review. This is another part of the State's effort in pollution control and will prohibit residents to fertilize lawns when it is expected to rain.
10. Van Der Wall Heating & Fuel Co. has been notified that they have been awarded the UST Removal project and have applied for permits today. Removal of the tank is planned for the week of September 21st.
11. The dirt pile has been removed from Norma Terrace. The contractor owes the adjacent resident a seepage pit and driveway. A time line will be provided by the contractor as a part of the extended developer's agreement.
12. The traffic study that was submitted for the Tilcon Quarry was for zoning. When reviewing the actual zoning that has been approved for the site, it has been determined that certain traffic issues will be created within Hawthorne. During the site plan review process, Borough Engineer Boswell recommends that Hawthorne be an interested party, requesting Tilcon to look at the impact on the roads within the Borough to mitigate any concerns. Traffic estimates are 367 a.m. trips (73 in and 294 out) and 446 p.m. trips (290 in and 156 out). If 25% of the trips are assumed to travel north during peak hours, the numbers affecting Hawthorne would be 18 out and 74 in during the morning and 73 out and 39 in during the evening, which is a significant impact on the Borough.

13. Borough Engineer Boswell contacted the President of Tilcon in regard to the shoving issue. The response once again was that over the road taxes are being paid and it is not their issue.

That concludes Borough Engineer Boswell's report.

Mayor Goldberg called on Borough Administrator Maurer for his report.

Administrator Maurer reported on the following:

1. The final day of operation for the swimming pool is Monday, September 7th. The annual patron survey is underway and may be obtained from pool staff.
2. The Borough's annual blood screening clinic will be held on September 24th. Residents may pre-register at a cost of \$20 by September 22nd at the Board of Health office. For more information residents may visit the web site www.hawthornenj.org or by calling 973-427-4011.
3. The new telephone system is operational. There was an issue with cutting off the Board of Education telephones, which has since been corrected. There are still some intermittent problems with inbound calls that Extel is troubleshooting. The telephone lines at the pump house are scheduled to be transferred over next week.
4. Borough Administrator Maurer attended a negotiation session with the blue collar union today, with discussions focusing primarily on non-economic issues. Another session is being scheduled within the next few weeks to discuss economic issues.
5. The white collar union has requested the commencement of negotiations for a new contract, with the old contracts due to expire at the end of this year.
6. Administrator Maurer has submitted the Greenhouse Gas Reduction Grant application, prepared by the Environmental Commission.
7. Code Enforcement Official, Don Turner and Administrator Maurer will be meeting on-site with Pan Chemical property representatives to review what must be done to avoid additional summonses and to obtain a settlement agreement on the existing summonses. The Borough will not settle until work is completed, specifically the painting of the building and the removal of the debris in the back of the building. The status conference before the Bergen County Superior Court is scheduled for next week rather than the private property area toward Wagaraw Road.
8. To assist residents that are holding garage sales, the Clerk's office will begin posting the addresses where garage sale permits have been issued for the weekend on the Borough website, www.hawthornenj.org.
9. Borough Clerk Witkowski has requested to announce a new State ballot, the mail-in ballot, which replaces the absentee ballot and has revised rules and procedures. Additional information may be found on the Borough website, the County website, www.passaiccountynj.org or by calling the County Clerk 973-225-3632 extension 500.

That concludes Administrator Maurer's report.

Councilwoman English asked Borough Engineer Boswell about the status of making the ramp off of Route 208 on to Goffle Road a double lane. Borough Engineer Boswell indicated that it will most likely not be done due to the striping involved.

Councilman Mele asked Borough Administrator Maurer about the Environmental Committee's grant in regard to the police cars. Administrator Maurer stated that was the application that was just submitted and it will be some time before there is an update.

Councilman Mele asked Borough Attorney Pasquale about the re-development of the Pan Chemical site. Attorney Pasquale stated that NJ Transit submitted three or four ideas on how parking could be accommodated. Commissioner Diltz from NJ Transit called Senator Girgenti's office to affirm their commitment to the project. The biggest issue is that there is a significant drop off from the street into the property. NJ Transit would like to have the property build up to avoid drainage issues and allow for a station to be built. Council President Bertollo stated that building the property up to street level would assist in having the parking lot level with the platform and avoid the need for stairs. One of the other benefits of raising the grade is that drainage may be directed to Washington Street into the storm water system.

Councilman Matthews questioned why we would extend the response time in the K Hovnanian lawsuit considering their unresponsiveness to the Borough. Borough Attorney Pasquale stated that he gave them a lawyer to lawyer professional courtesy, since K Hovnanian finally hired outside lawyers. An extension of thirty days most likely would have been granted by the court since the case is now with outside counsel and time is needed to become familiar with the case.

Councilman Matthews asked Borough Engineer Boswell about the change order and the split system for the HVAC. Engineer Boswell indicated that it was unknown that the two separate computer rooms would need their own cooling system and there would not be any additional engineering fees incurred.

Council President Bertollo inquired about the pool repairs scheduled for next week. Mayor Goldberg stated that water will remain in the pool for Hawthorne Day for safety issues. Borough Engineer Boswell indicated that discussions with the contractor have begun and repairs will begin after Hawthorne Day.

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

ORDINANCES AND RESOLUTIONS

Ordinance No. 1994-09 for Introduction

BOND ORDINANCE 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.

BE IT RESOLVED, that Ordinance No.1994-09 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 October 7, 2009, and at said time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Hawthorne Press once, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage.

Council President Bertollo entertained a motion to approve introduction, moved by Councilwoman English, seconded by Councilman Sinning. On roll call, all voted yes.

CONSENT AGENDA –MR-1, R-1 through R-8

MR-1 Resolution, Introduced by Councilman Matthews

RESOLUTION OPPOSING TRANSFERS FROM THE EMT TRAINING FUND

WHEREAS, the Emergency Medical Technician (“EMT”) Training Fund was created by New Jersey P.L. 1992, chapter 143 (N.J.S.A. 26:2K-54 et seq.) as a dedicated, non-lapsing, revolving fund, established to reimburse any private agency, organization or entity which is certified by the Commissioner of Health and Senior Services to provide training and testing for volunteer ambulance, first aid and rescue squad personnel who are seeking EMT certification and/or recertification; and

WHEREAS, the Fund has allowed thousands of Volunteer EMTs to earn and maintain their EMT certification without incurring out-of-pocket personal expense and without the need for funding from their volunteer squad or municipality; and

WHEREAS, the EMT Training Fund is not supported through the use of any tax money, but rather is supported by a \$0.50 surcharge on each fine, penalty and forfeiture imposed and collected by the State of New Jersey for motor vehicle or traffic violations and is currently running at approximately a \$ 1,000,000 deficit per year; and

WHEREAS, on April 23, 2009 the Department of Health and Senior Services Office of Emergency Medical Services (OEMS) informed the New Jersey State First Aid Council of Governor Corzine’s intention to redirect \$4,000,000 from the dedicated EMT Training Fund to the general treasury of the State of New Jersey leaving only a proposed \$400,000 balance in the Fund; and,

WHEREAS, a \$400,000 balance in the EMT Training Fund is inadequate to meet the annual training needs of the Volunteer EMTs of this State and will result in severe cut-backs of state-paid EMT training for New Jersey’s EMS Volunteer Community;

BE IT RESOLVED, that the Borough of Hawthorne formally opposes Governor Corzine’s plan to transfer money from the EMT Training Fund, because of the detrimental effect this will have on the availability of EMT training for New Jersey’s Volunteer EMS Community; and that the Borough of Hawthorne opposes the intended re-appropriation of monies from the dedicated EMT Training Fund, which would shift the cost of Volunteer EMT Training to Wm B.

Mawhinney Ambulance Corps, the municipality and its residents, which during this time of economic hardship, when squads continue to see a decrease in donations, contributions, and a short fall in fund raising, is fundamentally unfair to those who already volunteer their time to attend training courses and answer emergency calls and to require them to pay for their own training, when they already provide so much to their community, and which will, further, significantly impact the recruitment of new members, as well as retention of existing members since many will not be able to pay for their training; and

BE IT FURTHER RESOLVED, that the Governor and the Legislature of the State of New Jersey are requested not to remove any money from the EMT Training Fund and to return any money to the Fund that has already been removed for purposes other than those specified in New Jersey P.L.1992, Chapter 143.

NOW, THEREFORE, BE IT RESOLVED, that copies of this resolution be forwarded to Governor Corzine, to our State Legislators and to the New Jersey League of Municipalities.

R-1 Resolution, Introduced by Councilman Matthews

Resolved: To ratify the actions of the Municipal Council of the Borough of Hawthorne payroll dated August 28, 2009.

	Check #	
CURRENT FUND	54312	\$264,802.72
WATER OPERATING FUND	14985	\$39,348.30
OTHER TRUST II FUND	6584	\$18,251.37
TOTAL PAYROLL		\$ 322,402.39
CURRENT OPERATING FUND TO PAYROLL/FICA	54313	\$15,081.41
WATER OPERATING FUND TO PAYROLL/FICA	14986	\$308.71
TOTAL FICA		\$ 15,390.12

R-2 Resolution, Introduced by Councilman Matthews

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and the Annual Report of Audit for the year 2008 has been filed by a Registered Municipal Accountant with the *Municipal Clerk*

pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, and the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto, and such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

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

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

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

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

R-3 Resolution, Introduced by Councilman Matthews

WHEREAS, the 2008 Annual Audit of the Borough of Hawthorne, conducted by Lerch, Vinci & Higgins, contained certain recommendations requiring action; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Borough of Hawthorne, that the Corrective Action Plan for the 2008 Annual Audit, hereto attached, is hereby approved and accepted; and

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

R-4 Resolution, Introduced by Councilman Matthews

RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159), P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount.

SECTION 1

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Borough of Hawthorne hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$4,000.00 which item is now available as revenue for the Obey the Signs Grant Program.

SPECIAL ITEM OF REVENUE OFF-SET WITH APPROPRIATIONS

Obey the Signs Grant \$4,000.00

pursuant to the provision of the statute; and

SECTION 2

BE IT FURTHER RESOLVED, that a like sum of \$4,000.00 be and is hereby appropriated under the caption of:

OPERATIONS EXCLUDED FROM "CAPS"

PUBLIC AND PRIVATE PROGRAMS OFF-SET BY REVENUE

Obey the Signs Grant \$4,000.00

SECTION 3

BE IT FURTHER RESOLVED, that the above is the result of funds due to the Borough of Hawthorne from the State of New Jersey that were not available at the time of the adoption of the 2009 budget and are now available by law.

R-5 Resolution, Introduced by Councilman Matthews

WHEREAS, there exists a need for engineering services for the inspection phase of the 2009 Road Improvement Program in the Borough of Hawthorne at a cost not to exceed \$92,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that Boswell Engineering be awarded a contract in the amount not to exceed \$92,000.00, and that the Mayor and Municipal Clerk be directed and authorized to enter into and execute a contract, in a form approved by the Borough Attorney subject to certification by the Chief Financial Officer.

R-6 Resolution, Introduced by Councilman Matthews

WHEREAS, the Borough of Hawthorne has heretofore entered into a contract with Reiner Group, Inc. for Improvements to the Municipal Building HVAC in the Borough of Hawthorne authorized by Ordinance #1963-09, and,

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

Change Order No. 2

Unforeseen Conditions & Server Room \$20,457.60

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 \$20,457.60 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-7 Resolution, Introduced by Councilman Matthews

WHEREAS, the semi-annual payment of \$10,188.56 of the Wastewater Trust loan has become due and payable as of October 1, 2009

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized to wire funds in the amount of \$10,188.56 from the Current Fund in payment of the Wastewater Trust loan.

BE IT ALSO RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to wire funds in the amount of \$2,452.50 from the Current Fund to The Bank of New York in payment of the New Jersey Wastewater Treatment Trust semi-annual Administration Fee.

R-8 Resolution, Introduced by Councilman Matthews

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT TO EXCEED \$1,800,000 OF GENERAL IMPROVEMENT REFUNDING BONDS OF THE BOROUGH OF HAWTHORNE, IN THE COUNTY OF PASSAIC, NEW JERSEY OR SUCH OTHER AMOUNT AS DETERMINED BY THE CHIEF FINANCIAL OFFICER TO ACCOMPLISH THE REFUNDING ON THE TERMS APPROVED BY THE LOCAL FINANCE BOARD CONSISTENT WITH THE REFUNDING PROVISIONS OF THE INTERNAL REVENUE CODE AND PROVIDING FOR THE SALE AND THE DELIVERY OF SUCH BONDS TO ROOSEVELT & CROSS, INC.

Section 1. An amount not to exceed \$1,800,000 of General Improvement Refunding Bonds of the Borough of Hawthorne, in the County of Passaic, New Jersey (the “Borough”), in specific amounts to be determined as provided herein and as more fully described in a bond ordinance finally adopted by the Borough pursuant to the Local Bond Law on September 2, 2009, and entitled, “Refunding Bond Ordinance of the Borough of Hawthorne, in the County of Passaic, New Jersey, Providing for the Refunding of All or a Portion of General Improvement Bonds, Series 2000, Appropriating \$1,800,000 Therefor and Authorizing the Issuance by the Borough of Refunding Bonds in the Aggregate Principal Amount of Not Exceeding \$1,800,000 for Financing the Cost Thereof” shall be issued as “General Improvement Refunding Bonds” (the “Bonds”).

Section 2. The Bonds are hereby authorized to be sold to Roosevelt & Cross, Inc. (the “Underwriter”) at a purchase price determined by the parameters set forth below and otherwise consistent with the terms included in the approval by the Local Finance Board in the Department of Community Affairs, State of New Jersey (the “Local Finance Board”):

- (a) the principal amount of the Bonds does not exceed \$1,800,000;
- (b) the Net Interest Cost of the Bonds does not exceed an interest rate that would enable the Borough to complete the refunding within the parameters established by the Local Finance Board;

(c) the Underwriter's discount does not exceed the amount referenced in the approved Local Finance Board application;

(d) the maturity structure or weighted average maturity for the Bonds is substantially similar to the structure submitted to and approved by the Local Finance Board together with any adjustments recommended by the Underwriter on the sale date designed to reduce the total costs of the borrowing to the Borough;

(e) all conditions required by the Local Finance Board for the sale of the Bonds are satisfied.

Section 3. The Chief Financial Officer is hereby authorized and directed, without further authorization, to enter into and execute a purchase contract (the "Purchase Contract") on behalf of the Borough with the Underwriter in the form satisfactory to bond counsel to the Borough and upon terms consistent with the above parameters. Upon execution of the Purchase Contract, the signature of the Mayor and/or the Chief Financial Officer shall be conclusively presumed to evidence any necessary approvals for the sale of the Bonds. If the Chief Financial Officer, after consultation with the Underwriter, determines that the above parameters cannot be satisfied in the present market, the Bonds shall not be sold until such time as said parameters may be amended, in whole or in part, or a sale on different terms is otherwise approved by resolution of this Borough Council.

Section 4. (a) The Bonds shall be issued in the par amounts consistent with the parameters set forth in Section 2 hereof and determined by the Chief Financial Officer to be necessary to pay costs of issuance and to provide an escrow fund that, when invested, will be sufficient to provide for the timely payment of the principal and redemption premium, if any, of and interest on all or a portion of the following outstanding bonds (collectively, the "Refunded Bonds"):

(i) \$1,553,000 outstanding principal amount of the \$3,193,000 original principal amount of General Improvement Bonds, dated October 15, 2000, which amount matures on October 15 in the years 2010 through 2016;

(b) The Bonds shall be dated and shall bear interest at the rates per annum as the Chief Financial Officer shall determine.

(c) The Bonds shall be numbered and have such prefix or prefixes as determined necessary by the Chief Financial Officer and be sold and issued with such serial maturities or with such term bond maturities payable from mandatory sinking fund payments made by the Borough as determined in the Purchase Contract.

(d) The Bonds shall mature in each of the years 2009 to 2016, inclusive, or such other dates deemed consistent with the approved Local Finance Board resolution and in the principal amounts as may be determined by the Chief Financial Officer and shall bear interest on the dates as may be determined by the Chief Financial Officer.

(e) The Bonds are not subject to redemption prior to their stated maturities.

(f) The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of Bonds maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of CEDE & Co., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with the Securities Depository. The Securities Depository will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of

\$5,000 or any integral multiple thereof through book-entries made on the books and the records of the Securities Depository and its participants except that an amount maturing in any one year in excess of the largest principal amount thereof equaling a multiple of \$5,000 will be in the denominations of \$1,000 or any integral multiple thereof.

(g) The principal of and the interest on the Bonds will be paid to the Securities Depository by the Borough on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of the Securities Depository as listed on the records of the Securities Depository as of the 15th next preceding each maturity date (the "Record Dates" for the Bonds). The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal of the Borough (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Clerk.

Section 5. The Bonds shall be substantially in the following forms with such additions, deletions and omissions as may be necessary for the Borough to market the Bonds:

REGISTERED		REGISTERED
No. GIRB-___		\$_____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY

BOROUGH OF HAWTHORNE

GENERAL IMPROVEMENT REFUNDING BOND

DATED DATE:	MATURITY DATE:	RATE OF INTEREST PER ANNUM:	CUSIP:
___/___/09	___/___/___	_____%	_____

BOROUGH OF HAWTHORNE, a municipal corporation of the State of 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 Security Depository on the Maturity Date specified above, upon presentation and surrender of this bond,

the principal sum of _____ DOLLARS (\$_____), and to pay interest on such sum from the Dated Date stated above until it matures at the Rate of Interest Per Annum specified above semiannually on the first day of _____ and _____ in each year until maturity, commencing _____. Principal of and interest on this bond will be paid to the Security 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 the _____ and _____ next preceding the date of such payments (the "Record Dates"). The principal of and interest on this bond are payable in lawful money of the United States of America.

This bond is not transferable as to principal or interest. The participants are responsible for maintaining the records regarding the beneficial ownership interest in the bonds on behalf of the individual purchasers 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.

This bond is not subject to redemption prior to its stated maturity.

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of the State of New Jersey, a bond ordinance of the Borough finally adopted September 2, 2009, and entitled, "Refunding Bond Ordinance of the Borough of Hawthorne, in the County of Passaic, New Jersey, Providing for the Refunding of All or a Portion of General Improvement Bonds, Series 2000, Appropriating \$1,800,000 Therefor and Authorizing the Issuance by the Borough of Refunding Bonds in the Aggregate Principal Amount of Not Exceeding \$1,800,000 for Financing the Cost Thereof" and a resolution of the Borough adopted September 2, 2009.

As long as The Depository Trust Company is the depository for the Bonds as provided herein, the procedures of The Depository Trust Company will determine the method of selection for redemption within a maturity. Otherwise, it will be by lot or by a similar method.

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.

IN WITNESS WHEREOF, the Borough has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual or facsimile signature of its Clerk and this bond to be dated the Dated Date as specified above.

Section 6. The law firm of McManimon & Scotland, L.L.C. is authorized to arrange for the

printing of the Bonds. The proper officials of the Borough are hereby authorized and directed to execute the Bonds and to deliver them to the purchaser upon receipt of payment therefor.

Section 7. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by the law firm of McManimon & Scotland, L.L.C., complete except for omission of its date. The Clerk is hereby authorized and directed to certify the truth and the correctness of the copy of such opinion by executing on each of the Bonds by facsimile signature a certificate in form satisfactory to that law firm and to file a signed duplicate of such written opinion in the Clerk's office. Alternatively, each Bond may be accompanied by the signed legal opinion or copy thereof.

Section 8. The Bonds are being issued to refund the Refunded Bonds. The Chief Financial Officer shall take all steps necessary to call the Refunded Bonds on the first available call date at the applicable redemption price, deposit the proceeds of the Bonds with a bank for the purpose of defeasing the Refunded Bonds, invest the proceeds of the Bonds for this purpose and assist with the redemption of the Refunded Bonds. The Chief Financial Officer is hereby authorized to enter into an agreement with a bank (the "Escrow Deposit Agreement") to effectuate the purpose of this Section 8.

Section 9. The Borough hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code") in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, and that it will refrain from taking any action that would adversely affect the tax exemption of the Bonds under the Code.

Section 10. The Borough hereby approves the preparation and the distribution of the Preliminary Official Statement on behalf of the Borough in the form approved or to be approved by the Chief Financial Officer. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Borough by the Mayor or the Chief Financial Officer. The Preliminary Official Statement shall be prepared in final form in connection with the issuance of the Bonds and the Mayor and/or the Chief Financial Officer of the Borough are authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Final Official Statements shall be delivered to the Underwriter of the Bonds within the earlier of seven business days following the sale of the Bonds or to accompany the Underwriter's confirmations that request payment for the Bonds.

Section 11. The Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with the Securities Depository, as may be necessary in order to provide that the Bonds will be eligible for deposit with the Securities Depository and to satisfy any obligation undertaken in connection therewith.

Section 12. In the event that the Securities Depository may determine to discontinue providing its service with respect to the Bonds or is removed by the Borough and if no successor Securities Depository is appointed, the Bonds which were previously issued in book-entry form shall be converted to Registered Bonds (the "Registered Bonds") in denominations of \$5,000, or any integral multiple thereof, except that an amount maturing in any one year in excess of the largest principal amount thereof equaling a multiple of \$5,000 will be in denominations of \$1,000, or any integral multiple thereof. The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered

owner of such Registered Bonds. The Borough shall be obligated to provide for the execution and delivery of the Registered Bonds in certificate form.

Section 13. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Borough shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to 270 days from the end of each fiscal year, beginning with the fiscal year ending December 31, 2009, to the Municipal Securities Rulemaking Board through the EMMA dataport (the "MSRB") and to the appropriate State information depository ("State Repository"), if any, annual financial information with respect to the Borough consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Borough and certain financial information and operating data consisting of (i) Borough and overlapping indebtedness including a schedule of outstanding debt issued by the Borough, (ii) the Borough's most current adopted budget, (iii) property valuation information, and (iv) tax rate, levy and collection data. The audited financial information will be prepared in accordance with modified cash accounting as mandated by State of New Jersey statutory principles in effect from time to time or with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law and shall be filed electronically and accompanied by identifying information with the MSRB;

(b) in a timely manner to the MSRB, and to the State Repository, if any, notice of the following events with respect to the Bonds, if material (herein "Material Events"):

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions or events affecting the tax-exempt status of the security;
- (7) Modifications to rights of security holders;
- (8) Bond calls;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities; and
- (11) Rating changes;

(c) in a timely manner to the MSRB, and to the State Repository if any, notice of failure of the Borough to provide required annual financial information on or before the date specified in this resolution.

(d) If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provisions of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

(e) The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Borough prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

(f) In the event that the Borough fails to comply with the Rule requirements or the written contracts or undertakings specified in this certificate, the Borough shall not be liable for

monetary damages. The sole remedy is hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 14. If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provision of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

Section 15. The Chief Financial Officer shall determine, in consultation with bond counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Borough prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

Section 16. In the event that the Borough fails to comply with the Rule requirements or the written contracts or undertakings specified in this resolution, the Borough shall not be liable for any monetary damages, remedy of the beneficial owners of the Bonds being hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 17. The undertaking may be amended by the Borough from time to time, without the consent of the Bondholders or the beneficial owners of the Bonds, in order to make modifications required in connection with a change in legal requirements or change in law, which in the opinion of nationally recognized bond counsel complies with the Rule.

Section 18. There can be no assurance that there will be a secondary market for the sale or purchase of the Bonds. Such factors as prevailing market conditions, financial condition or

market position of firms who may make the secondary market and the financial condition of the Borough may affect the future liquidity of the Bonds.

Section 19. The Mayor, the Chief Financial Officer, the Clerk and other appropriate representatives of the Borough are hereby authorized to take all steps necessary to provide for the issuance of the Bonds and the refunding of the Refunded Bonds, including preparing and executing such agreements and documents on behalf of the Borough, satisfying in full the requirements of notice of redemption of the Refunded Bonds and taking all steps necessary or desirable to implement this resolution, such agreements and documents as may be necessary and appropriate and the transactions contemplated thereby.

Section 20. The Chief Financial Officer is hereby authorized and directed to pay all costs of issuance in connection with the sale of the Bonds pursuant to a certificate of the Chief Financial Officer to be executed upon delivery of the Bonds in an aggregate amount not to exceed the aggregate amount authorized.

Section 21. This resolution shall take effect immediately.

Council President Bertollo entertained a motion to approve Resolutions MR-1, R-1 through R-8 moved by Councilman Matthews, seconded by Councilman Mele.

Mayor Goldberg stated that MR 1 is an important resolution to the Council and the Borough EMTs. The Borough of Hawthorne has joined many other municipalities to object the Governor taking money out of the EMT training fund for other purposes. Having had conversations with the Hawthorne Ambulance Corp. President and Vice-President, Council President Bertollo stated that taking money out of the EMT training fund could cripple the Corp. going forward since there is a significant amount of money at stake.

On roll call, all voted yes.

REPORTS OF SPECIAL COUNCIL COMMITTEES

Councilman Sinning

The Ordinance Committee met on September 1st and prepared an Ordinance to maintain traffic control at the Wagaraw Fields. Discussions also included the Fiber Technologies proposal, requesting a line be run through town. The proposal will be reviewed by Borough Attorney

Pasquale and Borough Administrator Maurer to see what the advantages would be for the Borough. Borough Attorney Pasquale stated that he sent out a letter today, raising objections to the agreement.

Councilman Matthews

The Chamber of Commerce fishing derby will be held on September 19th, 8:30 a.m. to 11:00 a.m. All Hawthorne children are welcome to attend.

The Farmers Market is doing well, with a nut vendor being added for a total of six vendors. All residents are encouraged to visit and support the cause.

The Planning Board met last night. The Arcadis soil movement application was not heard and has been postponed until September 15th. A number of certificates of compliance applications were heard, most being approved and one denied.

Councilman Mele

The Municipal Alliance does not meet in August, however the two movie nights were cancelled due to rain. Joanne Graziano is attempting to get a date at the Hawthorne movie theatre for sometime in September.

The Project Pride Committee is now supervising the work being done at the Goffle Brook Park, as conditions are not acceptable. Councilman Mele spoke with Anthony De Nova, County Administrator, to schedule a meeting for next week to discuss what can be done to begin cleaning up the park.

Councilwoman English

As a follow up to the last Council meeting, Councilwoman English has two, possibly three, interested landscapers to participate in the "Adopt the Spot" program. The two Goffle Road entrances to Route 208, north and south, have both been adopted by landscapers. The third location is Utter Avenue exit/entrance, southbound off of Route 208.

The annual blood screening is September 24th from 7:00 p.m. to 9:00 p.m. in the court room. The fee is \$20, which includes Chem 23, lipid profile, and CBC. Other tests may be added for a fee. The Board of Health nurse has attended conferences regarding mass immunizations for the H1N1 virus, however there is still no update if the Borough will be getting the immunization.

Final details are being put together for Hawthorne Day. Many food vendors are participating and will offer hamburgers, cheeseburgers, pizza, hot dogs, empanadas, roast beef, blimpies, Bergen BBQ chicken, ribs, corn, seafood, zeppole, ice cream, Italian ice, and pastries. Amusements will include inflatable activities, rock climbing, spin art, petting zoo, pony rides, two live animal shows and a clown. Entertainment includes The Caballeros, The Latin Express, Hawthorne Institute of Martial Arts, North Jersey Chorus, Hawthorne High School of Dance, Hawthorne High School Band, Bergen County Pipe and Drums, Squawbrook, and The Nerds. There will be games, trivia contests, booths, Chamber of Commerce Halloween contests, apple

pie baking contests, blood drive, NJ Clean Energy program exhibits, and ending the day with fireworks. Parking will be at the bottom of Lafayette and Wagaraw Road at the Merck/Calgon site. Overflow parking will be behind the Hawthorne Discount Shopping Center. Senior citizen and handicap parking will be in the pool parking lot at May and Wagaraw Road. Hawthorne Day workers will be parking at the Kohler site. There will be no on-street parking from 10:00 p.m. on May Street from Wagaraw Road to Franklin Avenue, the entire length of Franklin Avenue, Elberon Avenue and Coolidge Place. Please remember, there is no smoking at all recreational facilities within the Borough and violators will be subject to fines, not less than \$250.

Mayor Goldberg stated that provisions are being made to use the Boys and Girls Club parking lot for those residents that live on the affected streets where there is no parking.

Councilman Bennett

Report was previously given regarding the repairs to the pool. No additional information.

Council President Bertollo

The Washington Street railroad crossing of the New York Susquehanna has been completely painted. Residents were pleased that the concrete abutments will be painted. The Borough is waiting to hear from Nathan Fenno, in regard to a hold-harmless agreement so the Borough may begin painting in the near future. Mayor Goldberg asked Council President Bertollo to also inquire about the volunteer railroad.

CORRESPONDENCE

No Correspondence to Report.

MISCELLANEOUS

RL-1 RL#954 Ramapo-Bergen Animal Refuge, Inc. has requested permission to conduct an On Premise Merchandise Raffle on October 14, 2009 at Macaluso's

Council President Bertollo entertained a motion to approve miscellaneous. Motion moved by Councilman Matthews, seconded by Councilman Sinning. On roll call, all voted yes.

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 Bennett. On roll call, all voted yes.

VENDOR	CHECK#	TOTAL	DESCRIPTION
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CURRENT FUND

PAYROLL ACCOUNT	54312	264,802.72	VARIOUS
PAYROLL ACCOUNT	54313	15,081.41	VARIOUS
ACE REPROGRAPHIC SERV, INC	54314	199.00	PUBLIC WORKS ADMIN
AM/PM SERVICES	54315	49.50	STREETS & ROADS
ASCAP	54316	310.50	GENERAL ADMIN
B & C COMMUNICATIONS, INC	54317	2,445.50	POLICE
BOB'S STORES	54318	71.60	STREETS & ROADS
BOB'S TIRES & WHEELS INC	54319	362.00	VEHICLE MAINTENANCE
BRAEN STONE INDUSTRIES, INC	54320	4,615.12	VARIOUS
BURGIS ASSOCIATES, INC	54321	383.25	MUN LAND USE
FESTIVAL ICE CREAM, INC	54322	1,107.84	SWIMMING POOL
FIFTH AVENUE LANDSCAPING	54323	960.00	STREETS & ROADS
FIRE COMPANIES. COM	54324	239.97	FIRE DEPT
G T B M, INC	54325	125.00	POLICE
GILL ASSOCIATES	54326	1,153.60	VARIOUS
GLOBAL SOFT DIGITAL SOLUTIONS	54327	648.00	PUBLIC WORKS ADMIN
HAWTHORNE PRESS INC	54328	60.06	ZONING BOARD
HAWTHORNE'S BEST PIZZA INC	54329	160.00	BOARD OF REC
HENRY'S PLUMBING & HEATING INC	54330	73.19	MAINTEN OF FIELDS
HOME SUPPLY & LUMBER CO., INC.	54331	46.78	VARIOUS
INSTITUTE FOR FORENSIC PSYCHOL	54332	425.00	POLICE
JOHN DEERE LANDSCAPE	54333	1,066.80	MAINTEN OF FIELDS
JOSEPH CARR	54334	300.86	VEHICLE MAINTENANCE
JP HOME ARAMA, INC	54335	364.65	VARIOUS
JPSC, INC	54336	129.80	PUBLIC WORKS ADMIN
LAB SAFETY SUPPLY	54337	21.80	PUBLIC WORKS ADMIN
LUSCHER'S AUTO INC	54338	869.91	VEHICLE MAINTENANCE
MARK JOUSTRA	54339	103.00	ZONING BOARD
MES, INC	54340	2,692.13	VARIOUS
METLIFE	54341	322.83	GROUP INSURANCE
MGL PRINTING SOLUTIONS	54342	308.00	REVENUE COLLECT
MIDLAND AUTO PARTS	54343	71.09	STREETS & ROADS
MIRACLE CHEMICAL, INC	54344	1,621.20	SWIMMING POOL
MONTONE REMOD & CONS CO, INC	54345	2,325.00	VARIOUS
MOORE WALLACE NORTH AMERICA IN	54346	199.74	EMERGENCY MGT
NJ TRANSIT	54347	354.00	VARIOUS
NJLCA	54348	145.00	STREETS & ROADS
NO JERSEY MUNI EMPL BNFT FUND	54349	131,529.00	GROUP INSURANCE
NY FF EVENTS.COM	54350	1,815.00	FIRE DE
OFFICE CONCEPTS GROUP INC	54351	114.48	PUBLIC WORKS ADMIN
ONE COMMUNICATIONS	54352	605.72	TELEPHONE
P & A AUTO PARTS, INC	54353	130.78	VARIOUS
PRECISION ELECTRIC MOTOR WORKS	54354	185.00	EMERGENCY MGT
PROCOPY INC	54355	885.25	VARIOUS
RAPID PUMP & METER SERVICE CO	54356	5,113.41	VARIOUS

REGIONAL COMMUNICATIONS INC	54357	985.00	EMERGENCY MGT
RICHIES SERVICE CTR INC	54358	236.00	VEHICLE MAINTENANCE
RIDGEWOOD PRESS	54359	97.00	PUBLIC WORKS ADMIN
ROBERT POLITO LANDSCAPING	54360	125.00	STREETS & ROADS
RT OFFICE PRODUCTS	54361	35.80	FINANCIAL ADMIN
RUTGERS - CENTER FOR GOV'T SER	54362	445.00	MUNICIPAL CLERK
S & W PRINTING	54363	210.00	EMERGENCY MGT
SIR SPEEDY, INC	54364	260.55	GENERAL ADMIN
SPECIALTY AUTO EQUIP CO	54365	250.00	STREETS & ROADS
ST ANTHONY'S SERVICE CLUB	54366	250.00	CLEAN COMMUNITIES
STATE LINE FIRE & SAFETY INC	54367	1,153.30	VARIOUS
THOMAS ZACONIE	54368	70.95	CONST CODE
TREASURER, ST OF NEW JERSEY	54369	1,015.00	RECYCLING PROGRAM
TURNOUT UNIFORMS	54370	721.50	POLICE
TWISTER DISPLAY	54371	113.00	FIRE DEPT
VERIZON	54372	161.67	VARIOUS
VERIZON WIRELESS (N)	54373	64.01	EMERGENCY MGT
WALTER MARSTON	54374	311.00	VARIOUS
WATER RESOURCE SALES-SERV, LLC	54375	325.00	EMERGENCY MGT
AIG-VALIC	54376	<u>637.00</u>	LOSAP
TOTAL CURRENT		\$ 452,061.27	
 WATER OPERATING			
PAYROLL ACCOUNT	14985	39,348.30	VARIOUS
PAYROLL ACCOUNT	14986	308.71	SOCIAL SECURITY
AM/PM SERVICES	14988	49.50	WATER UTILITY
BOB'S STORES	14989	767.95	VARIOUS
CR INDUSTRIAL SERVICES INC	14990	777.40	WATER UTILITY
JP HOME ARAMA, INC	14991	222.65	WATER UTILITY
MONTONE REMOD & CONS CO, INC	14992	250.00	WATER UTILITY
NO JERSEY MUNI EMPL BNFT FUND	14993	25,000.00	GROUP INSURANCE
ONE COMMUNICATIONS	14994	77.35	WATER UTILITY
P & A AUTO PARTS, INC	14995	26.01	WATER UTILITY
STATE LINE FIRE & SAFETY INC	14996	<u>912.45</u>	WATER UTILITY
TOTAL WATER OPERATING		\$ 67,740.32	
 OTHER TRUST II			
PAYROLL ACCOUNT	6584	18,251.37	VARIOUS
STATE OF NJ - DEPT OF LABOR	6585	5,248.02	TRUSTEE
BRAEN STONE INDUSTRIES, INC	6586	350.00	RECYCLING TRUST
LAB SAFETY SUPPLY	6587	299.67	RECYCLING TRUST
LAVELLE REPAIR SERVICE, INC	6588	755.00	RECYCLING TRUST
LUSCHER'S AUTO INC	6589	65.96	RECYCLING TRUST
MIDLAND AUTO PARTS	6590	11.86	RECYCLING TRUST

SIR SPEEDY, INC	6591	337.80	MUNICIPAL ALLIANCE
SUPERIOR DISTRIBUTORS	6592	69.36	RECYCLING TRUST
BRAEN STONE INDUSTRIES, INC	6593	<u>550.00</u>	RECYCLING TRUST
TOTAL OTHER TRUST II		\$ 25,939.04	
OTHER TRUST I ESCROW			
BOSWELL ENGINEERING, INC	2123	161.00	METRO PCS
BOSWELL ENGINEERING, INC	2124	47.75	JFWHOMES
BOSWELL ENGINEERING, INC	2125	413.50	PUDDINGSTONE
BOSWELL ENGINEERING, INC	2126	<u>281.75</u>	VERIZON WIRELESS
TOTAL OTHER TRUST I ESCROW		\$ 904.00	
TOTAL BILL LIST		<u>\$ 546,644.63</u>	

PUBLIC COMMENT

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

Paul Cantello, 37 Sylvester Avenue, congratulated Patrolman Phillips on his appointment. Mr. Cantello thanked Chief Scully and the Hawthorne Police Department for all of their hard work, particularly under stressful situations such as the large bar fight recently at Shortway's Barn. Mr. Cantello thanked the Hawthorne, North Haledon, Fair Lawn, Wyckoff, and Passaic County Police for restoring order and peace to the community as well as the Ambulance Corp. for transporting the injured to the hospital.

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

ADJOURNMENT

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

Council President Bertollo indicated that the next regular council meeting will be on September 16, 2009. The work session will begin at 7:00 p.m. and the regular meeting will begin at 8:00 p.m.

John Bertollo
Council President

Susan Witkowski
Borough Clerk