

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 12:00pm, in the Council Meeting Room of the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, with the following present:

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|-----------------------------|------------------------|
| Mayor | John V. Lane |
| Council President | Frank E. Matthews |
| Council Vice President..... | Bruce A. Bennett |
| Councilwoman | Anna Marie Sasso |
| Councilman | Dominic Mele |
| Councilwoman..... | Rayna Laiosa |
| Councilman..... | Mike Sciarra |
| Councilman | Joseph Wojtecki |
| Borough Administrator | Eric Maurer |
| Borough Attorney | Michael J. Pasquale |
| Borough Clerk | Lori Fernandez |
| <u>ABSENT</u> | |
| Borough Engineer | Dr. Stephen T. Boswell |

FLAG SALUTE

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

STATEMENT

Adequate notice of this meeting has been provided by the Annual Schedule of Regular Meetings heretofore adopted and posted on the Public Bulletin Board at the Municipal Building, emailed to The 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 November 15, 2021.

INVOCATION

Council President Matthews invited Pastor Howie Van Dyk to give the invocation.

INTRODUCTION OF DIGNITARIES

Council President Matthews stated due to COVID, many dignitaries could not present today and thanked those who were present.

ADMINISTERING OATH OF OFFICE FOR ELECTED OFFICIALS

- | | |
|---|-------------------------------|
| John V. Lane, Mayor | The Honorable John F. Meola |
| Bruce Bennett, Councilman At Large | Michael J. Pasquale, Esq. |
| Dominic Mele, Councilman At Large | Lori Fernandez, Borough Clerk |
| Anna Marie Sasso, Councilwoman At Large | Michael J. Pasquale, Esq. |

Borough Clerk Fernandez took a new roll call with all present.

Council President Matthews turned the meeting over to Borough Clerk Fernandez.

NOMINATION & ELECTION OF 2022 COUNCIL PRESIDENT

Borough Clerk Fernandez welcomed everyone to the 2022 meeting and wished everyone a Happy and Healthy New Year. Clerk Fernandez asked for nominations for Council President, the nomination call order was done by a drawing that took place in the company of some councilmen. Councilwoman Laiosa nominated

Councilman Matthews, seconded by Councilman Mele. There were no other nominations. On roll call, all voted yes, with the exception of Councilman Matthews who abstained, motion carried. Mayor Lane administered the Oath of Office to Council President Frank Matthews.

NOMINATION & ELECTION OF 2022 COUNCIL VICE PRESIDENT

Clerk Fernandez asked for nominations for Council Vice President. Council President Matthews nominated Councilman Bennett, seconded by Councilwoman Sasso. There were no other nominations. On roll call, all voted yes, with the exception of Councilman Bennett who abstained, motion carried. Mayor Lane administered the Oath of Office to Council Vice President Bruce Bennett.

Borough Clerk Fernandez turned the meeting back over to Council President Frank Matthews.

COUNCIL PRESIDENT MATTHEWS REMARKS

I'd like to thank everyone for joining us today and I'd like to thank my colleagues for their vote of confidence. Over the last couple of years, it seems I've spoken about "Change". This year it seems to be a re-occurring theme. We will welcome a new Councilperson, a new Mayor, and say goodbye to our previous Mayor. We thank Mayor Goldberg for his years of service and wish him well on his next adventure. He's left his mark on our Borough and will be missed. As for our newest members of the governing body, we welcome Councilwoman Sasso to the Council and look forward to working with her and getting her input on various issues as they arise. We also look forward to working with Mayor Lane in continuing the agenda forward that we've set in motion last year. With new people come new approaches and we look to be flexible and work with the new Administration. I've said in previous speeches that we need to focus on local issues, work together to get the job done. We do a good job in Hawthorne of not playing politics when making decisions and doing the right thing for our residents and I intend to keep it that way. Last year the items on our agenda fell into two categories; quality of life issues and administrative issues, this year will be the same.

Quality of Life Issues

1. Garbage and recycling collection has been an issue this past year and we need to work out better systems with our contracted vendors to make sure there are improvements in service. We can't continue this year how we ended last year.
2. Last year vehicular speed signs and flashing pedestrian crossing signs were installed at certain intersections. This, with enhanced enforcement, has had an impact and will continue where needed. Truck Traffic and illegal parking issues were also addressed and will continue to be monitored. We will need help from the Traffic Division of the Police Department to continue to help enforce our Ordinances.
3. Being Green whenever possible was also a goal. We applied for a grant to add a for-profit electric charging station at the library, but did not receive one. We've re-applied for two different grants and are determined to secure the funding to provide a charging station at no or as little cost as possible. We will continue our paper shred days and will increase the number of our packing foam collection drives to keep less waste out of our garbage stream.

Administrative Issues

We have a number of large-scale capital project's that we need to address.

1. Some of those big-ticket projects are being mandated with little to no funding to support them. We will need to spend \$4 to \$5 million to install a water filtration system to our pump houses to meet new lower State requirements when we already meet federal requirements. This is fine but will cost our water users.
2. The other mandate is to replace all of our water supply piping to our older homes that are galvanized. Under new "get the lead out" legislation, most of our main supply lines and the lateral lines that feed our older homes will need to be replaced. We test our water regularly and don't have any lead in our system.

Galvanized pipe is made of Zinc, not lead, but has been lumped in with this bill. This mandate will cost between \$10 to \$25 million to implement. This will also cost our water users.

3. Another large project will be a total overhaul of our town-wide communication systems for Police, Fire, and EMS. With changing technology and aging infrastructure, we need to modernize our systems for both our ability to communicate and safety. This will be a multimillion-dollar project but one that is needed, no questions asked.
4. We've also identified a number of infrastructure projects to address as part of a long-range plan. This year's Public Works project will be to address the replacement of the Lafayette Ave sanitary sewer main.
5. You may have noticed, some changes occurred to the outside of the Municipal Building's landscaping. We're also looking into repairing the front steps and patio and possibly improving the appearance of the exterior of the building.
6. Last year we secured a grant to install lighting, similar to lights downtown, along the pathway and replace the pathway to match the new barrier free ramp to the field behind the pool. The ramp is done and the lighting is in the process of being installed. A new playground will also be completed at the pool complex for this season as well.
7. We were lucky to be awarded a grant last year called a Neighborhood Preservation Program Grant. Last year the zone and parameters of the grant were established in order to apply for the grant. This year, the specifics of the who, what and where will be defined. A committee of residents, business owners and Borough representatives will be working together on this program.
8. We look forward to working with the Administration to prepare a fiscally sound budget that hopefully comes in near a 2% increase. We have a number of high-cost capital projects on our plan so this year's theme will be frugality in the budget. It will be a challenge balancing capital and yearly items.

As you can see, we have a lot going on this year. The above-mentioned goals are not a complete list but rather an overview of what we would like to do this year. There will always be challenges ahead but keeping the line on tax increases is a top priority. We look forward to the year ahead, working with the Administration and our residents, to keep Hawthorne the place we all love and call home. Thank you again for joining us today and I hope we all have a Happy and Healthy 2022!

COUNCIL VICE PRESIDENT BENNETT REMARKS

Happy New Year everyone. To those of you who came out today, thank you for your support. We truly appreciate you being here. To those of you who wanted to be here but couldn't due to COVID restrictions, we understand and share your frustration. We will get through this, together, the same way we get through everything that confronts us here in Hawthorne, and there will be better days ahead... I promise you that. And to those of you who tuned in on TV, the good news is this show is NOT going into syndication. So, as I enter my sixth term as one of your elected officials, what are my goals and objectives? They're pretty simple really. My top priority will be to support and assist our new Mayor in implementing his agenda, policies and strategy for leading Hawthorne into the future. Having served under three Mayors, all with very different management styles, I think I have the experience and expertise to do that... but I'm sure John will let me know if I don't. My second goal, as Council Vice President, will be to support Council President Matthews and my colleagues up here in planning and executing the day-to-day functions required to keep a town like Hawthorne running, and trust me... there are many of them. There are a lot of pieces to the puzzle when it comes to running a municipality, and the reason Hawthorne runs smoother than a lot of other towns is because each of my colleagues up here is equipped with valuable skills and expertise that, when combined and focused on a problem, usually provides a solution. If Frank's job, as Council President, is to chart our course and lead the team, my job as Vice President is to herd the cats, make sure we're all moving in the same direction. The right direction. My third and final goal is to apply my expertise and experience to performing the work assigned to the committees I am part of. As head of the Public Works committee - arguably the LEAST glamorous committee ever created - I will continue to

work with the administration and Boswell Engineering to pave and rebuild our 45 miles of streets and roads; to maintain and improve the borough's aging infrastructure; and ensure that our water system is clean, safe, and in compliance with whatever regulations the state imposes upon us. As a member of the Public Safety committee, I will continue working with our emergency service providers and first responders to ensure they have the resources and support they need to keep our residents safe. And as a member of the IT committee, I'll be working to make sure we always have the tools and procedures in place to protect the borough's data processing system and keep our residents' personal information secure. Simple goals, like I said. But executing them is a vital part of maintaining the quality of life we have all come to expect in Hawthorne. As a famous football coach once said: "Focus on the fundamentals." And with that, I'd like to thank the voters of Hawthorne for once again putting their trust and confidence in me; I'd like to thank my wife, family and friends for patiently putting up with all it takes for me to do this job; and I'd like to thank my colleagues on the council for always putting the best interests of the residents above their own. Happy New Year everyone, and here's to a happier, healthier 2022.

COUNCIL MEMBERS REMARKS

COUNCILWOMAN LAIOSA

I would like to congratulate Mayor John Lane on his well-deserved opportunity to lead Hawthorne as our next Mayor. I would also like to congratulate Council At Large Dominic Mele, Bruce Bennet, and newly elected Councilwoman Anna Marie Sasso on their new terms. I look forward to working with our strong council team in the years to come. For the past two years, it's been a challenging and rewarding year! In March, I was honored to be recognized by the Hawthorne Pride Alliance during Women's History Month for my dedication and service to the LGBT community and all the people of Hawthorne. It's always important to remember that we represent all the people. In June, our Council meetings returned to in person meetings. By the start of summer, Hawthorne was slowly coming out of the pandemic as vaccines became available to everyone. We held events, which included the new Hawthorne Business Grand Openings, the Pride Flag raising at the Ambulance Building Corp Complex, concerts, plays and movies held at the Boro Bandshell, our National Night Out, Leadership Camp, the Domestic Violence Awareness Ceremony, and we celebrated our beloved Hawthorne Day and Green Fair in September! Our community demonstrated its resilience in overcoming many challenges and obstacles that we faced in 2021. As part of the Hawthorne's beautification committee, we were able to hire Lincoln Landscaping to maintain the landscaping and grounds at Borough Hall and the Hawthorne Library. As a contributor to the Neighborhood Preservation Program grant application, we were able to incorporate parts of Hawthorne's Green Map. These included the Library, Diamond Bridge Avenue downtown area, and 8 Acre Woods, and the Hawthorne Pool Complex area. The Neighborhood Preservation Program is to enhance open spaces and walking paths with beautiful native plants, and revitalize and stimulate Hawthorne's economy. I would especially like to thank Councilman Mike Sciarra for championing the submittal of our Neighborhood Preservation Program grant application! I look forward to working with the Borough Administration in implementing our Neighborhood Preservation Program, it's all about teamwork! One of the biggest accomplishments of 2021 that I worked on was the review, approval, and submission of the remediation reports for 55 Schoon Avenue, the former Pyrolac site. All of this work was accomplished by utilizing NJDEP's Hazardous Discharge Site Remediation Funds of \$52,650. No tax dollars were utilized! In December 2021, the Council authorized a Re-Development Study to be conducted, and our Planning Board will manage the study. These are only the first steps to bring this property back on the tax rolls. It's been a long time coming! Also, I would like to extend a huge thank you to our Fire, Police, and Ambulance – First Responders, who are incredibly dedicated and always there for the call of duty to protect our residents and businesses! Let's not forget our Borough employees working at the Municipal Building; our Borough Clerk, Finance, Tax, Health, Building, Recycling, and DPW Departments who continue to serve our residents! We did not miss a beat! We truly are lucky to have dedicated and caring employees who make Hawthorne special! As a leader, we need to see the "Big Picture" and build partnerships and communicate to the public – it's a two-way street. Also, it's important to continue to support and promote our local businesses. We need to say thank you and recognize them as a valuable contributor to our community. If you don't know by now, my nickname is "Ms. Persistence" and I will find a way to make it happen by working as a team and a united front on the Council. We can accomplish anything we set our minds to, believe it! Please mark your calendars for our next

Polystyrene Collection Day on Saturday, January 8, 2022 at the Hawthorne Pool Complex from 9:00 am until the container is full. Hawthorne residents only! It is truly an honor to serve the residents of Hawthorne! Again, congratulations Mayor Lane and my fellow council men and woman, as we look forward to getting 2022 off to a great start. Have a Happy, Safe, and Healthy New Year!

COUNCILMAN MELE

I would thank my wife, Jean, and all of my family and friends for their support and help during the re-election campaign. I would like to thank the people of Hawthorne. It means a great deal to me that you - my fellow citizens - have the confidence in me, and team Lane, to have us work for you towards the continued betterment of our Borough. Also, thank you to all of Team Lane. Thanks for your patience with me during the election! Further, I would like to take a minute to congratulate my friend, Mayor Goldberg, on his retirement from public service. Not only did he do an incredible job for us as a council man, but then he went on to lead our town as Mayor for 13 years. He will be missed. I personally will miss our afternoon talks, focused on ways to make Hawthorne a better place to live. Congratulations to our new Mayor, Mayor Lane! I look forward to working with you for years to come and I am excited as we work together on completing some of the projects we already have in motion like body cameras for police officers, a new engine for fire Company 4, a new playground at the pool complex, and a new communication system for our emergency responders. Finally, to the people of Hawthorne. It is a shame that due to COVID, you are only able to watch our events here today virtually, and not in person. I look forward, in the days to come, to seeing you all about town and speaking with you. I always enjoy hearing what is on your minds and including your ideas as we make our plans to keep Hawthorne successfully moving forward. Thank you.

COUNCILWOMAN SASSO

Congratulations to Mayor Lane, Councilman at Large Bennett and Councilman at Large Mele; it was my honor to be on your slate and I look forward to working as a team along side you with Council President Matthews, Councilmembers Laiosa, Sciarra and Wojtecki. To say I am humbled, honored and appreciative to be here would be an understatement. I decided to ask our town for the opportunity to serve you on a greater level; and our town said yes. I am touched by the outpouring of support and I give my word to you that I will always have our town's best interest in mind while sitting up here just as all of our council has done so successfully in the past. Each one of us loves Hawthorne, is passionate about our very special town and only wants the best for us. Which is what we have had; we will now work together to reach even greater goals for our residents. I hope to play an important role in moving our community forward; however, anything great must be achieved together with all of your support. Throughout the campaign, I was focused on key issues as well as listening to our residents who shared their concerns which helped shape my target areas for our future as a community. Assisting our many businesses in our town currently and attracting future commerce to our borough strengthening our revenue base. We are currently and will continue to need to upgrade our aging infrastructure; these are necessary improvements that will last for many generations to come. Continuing to support our Emergency Response Services, our Police Department, Fire and Ambulance who keep our quality of life here in town top notch and put us before theirs daily. Attending to our athletic fields which are the lifeblood of our children's fabric; they need upgrading which is long overdue. With the common thread of We Are One; we will achieve all of our goals and then some. I like the motto E Pluribus Unum from the great seal of the United States meaning, "from many, one." I have a very enthusiastic heart today. I cannot conclude without thanking my family, who truly supports me, cheers me on and makes me feel like my cup runneth over each day. My wonderful sons, Giancarlo & Domenic, my brother Vic Jr and my amazing father Victor, my bonus mom Kathy, my sister Natasha. At the risk of getting in trouble for forgetting anyone very important; I will finish up by saying I love and thank all of my tribe. Thank you for your vote of confidence, I look forward to work with and for you. Have a Happy, Healthy 2022.

COUNCILMAN SCIARRA

Councilman Sciarra congratulated new Mayor John Lane and Council-at-Large Elect Bruce Bennett, Dominic Mele and Anna Marie Sasso, he looks forward to working with all of them. He thanked Mayor Goldberg for his

24 years of service, 13 of them as Mayor and for his personal guidance he gave him. He will continue to serve the public the best he can, and looks forward to increasing communication with the public. He is happy with the growth of new businesses that came into Hawthorne this past year. He looks forward to working with the Economic Development Committee to continue to grow the Borough's development. He is very excited with the Neighborhood Preservation Project that will enhance Hawthorne as a gateway community. He wished everyone a Happy New Year.

COUNCILMAN WOJTECKI

Councilman Wojtecki wished everyone a Happy New Year and congratulated Mayor Lane, Councilwoman Sasso, Councilman Mele, Council President Matthews and Council Vice President Bennett.

APPROVAL OF MINUTES None.

PUBLIC COMMENT (Agenda items only)

Council President Matthews opened the meeting to the public. He stated if anyone desired to be heard, please raise their hand to be recognized, come forward to the microphone and state their name and address. Seeing none, Council President Matthews entertained a motion to close the public portion of the meeting, moved by Councilman Mele, seconded by Councilman Sciarra. Carried on voice vote.

ADMINISTRATIVE AGENDA PRESENTED BY MAYOR LANE

Good afternoon, family, associates, friends and neighbors. To those of you present, those watching via live streaming, and to all the residents of Hawthorne, my very best wishes for a happy, healthy and safe new year. Despite the diligence and pro-active efforts of so many, the COVID virus and its variants are threatening all of us again. The decision to alter the format of this meeting is an attempt to keep all of us safe. We are fortunate to have vaccines and boosters available that can help prevent or reduce the severity of this disease. If you are not already vaccinated, I would encourage you to consider vaccination to protect yourself, your friends and loved ones, and others within our community. I would like to congratulate Dominic Mele, Bruce Bennett and Anna Marie Sasso on being sworn into their offices as At-Large Borough Council members. I would also like to congratulate Richard S. Goldberg on his retirement after serving the Borough of Hawthorne as Mayor for 13 years, second only to Louis Bay 2nd in tenure of office as Mayor in Hawthorne's history. Those of you who live in Hawthorne have likely already received in the mail our 2022 Community Calendar. It is a handy reference about what is going on in our town. Please take a few minutes to browse through it when it arrives. I would encourage you to register to receive important updates on emergencies and local events via text message and/or email by registering for one or more Hawthorne Nixle groups, and I would encourage you to put Hawthorne first by shopping and eating local to support our hometown businesses and restaurants, which are vital components of our thriving community. Now getting to some items before us and the plans that I have laid out working closely with our Administrator and Council. We expect to stay the course with all we have accomplished over these past years, and we are committed to working hard to keep our municipal budget increase under 2 percent. Looking forward, however, you should know that there are several major projects that must be addressed. I'll just mention a few here.

- For example, the radios that are used by our Police Department, Fire Department and Ambulance Corps. need to be totally replaced. These life-safety communications tools have been in service for many years, and the key components are no longer supported by the manufacturer. We cannot, will not, take chances with radios that are not functioning properly for our emergency service professionals.
- The New Jersey Department of Environmental Protection sent every municipality in our State an order that they are tightening the drinking water standards even beyond levels acceptable by the United States Environmental Protection Agency. Every property owner received information on what steps our Borough is taking and how we plan to correct any issues that exist.
- Other projects that we will be addressing are Lafayette Avenue sewer improvements, the 2022 Road Resurfacing Program, equipment purchases including a new fire truck for Company #4, our main sewer

pumping station, and Grand Avenue storm water system improvements. There are just a few of the projects we will be undertaking.

How are we going to pay for all of this? The good news is we will be using money from the Federal Government American Rescue Plan Act of 2021 funds that we are receiving, and we will continue to apply for additional grants, and bond some of the projects as well. Mayor Goldberg recently appointed a committee to review all of our athletic facilities. I have received a copy of the Committee's report and it is under discussion with my administration team and the Council Committee. It is important that we commit to improving and maintaining our athletic complexes for our children. The Borough also received a grant from the State of New Jersey called the Neighborhood Preservation Program. This program includes our Borough's central business district and the adjoining commercial and mixed-use areas, which also includes public facilities, open space and recreational facilities. We are putting a map on our Borough website for your review. Those of you who know me best know that I am especially committed to the enforcement of our ordinances especially regarding zoning and property maintenance. You can expect action will be taken. I am pleased to say that we've upgraded our Police Department's traffic division, which focuses on keeping our roadways safe for our residents. There are a number of programs that Mayor Goldberg has instituted that I can assure you we will continue, including the Mayor's weekly letter to our residents, the naming of streets in town after our fallen hero veterans, our Memorial Day and Veteran's Day Services, our 9/11 program held at the beautiful memorial complex on Goffle Road, the family-friendly programs being held at our bandshell, and the flag raising ceremonies at our Goffle Road Borough complex, just to name a few. We will also be celebrating Hawthorne Day, which has been a huge success. Keep in mind that Hawthorne Day is funded by sponsors, donations, and corporate contributions, not your taxpayer dollars. As your new Mayor, I don't claim to have all of the answers to all of the challenges ahead. That's why I will be conferring with our Council members, my administration, our professional experts, and our talented and capable Borough employees to ensure that we find the best solutions to the issues at hand. It doesn't take just a village to raise a child, it also takes a village to ensure a thriving, inclusive community. We will all be working together for what is best for Hawthorne. I am looking forward to by new relationship with our Council members, all of our Borough employees who keep our town functioning efficiently every day, and the dozens of citizens of our town who volunteer their time and share their expertise while serving on our commissions and boards. I would like to thank the residents of the Borough of Hawthorne for putting their faith and trust in me as your Mayor. In closing, I would like to thank Margo for always supporting me in my lifetime commitment to community service here in Hawthorne. Thank you also to Megan, our daughter; Brian, our son; and Tina, our daughter-in-law, who encouraged me to take on this new challenge, and to my beautiful grandchildren, Margo and Charlie, who like the many other children of our community will benefit from the efforts and quality of life decisions we make together for Hawthorne's future. Thank you.

MAYOR'S APPOINTMENTS (With Advice and Consent of Council)

Borough Attorney

Michael J. Pasquale, Esq.

Council President Matthews entertained a motion to approve Michael J. Pasquale, Esq. as Borough Attorney, motion by Council Vice President Bennett, seconded by Councilman Mele. On roll call, all voted yes, motion carried.

Borough Engineer

Dr. Stephen T. Boswell

Council President Matthews entertained a motion to approve Dr. Stephen T. Boswell as Borough Engineer, motion by Council Vice President Bennett, seconded by Councilman Sciarra. On roll call, all voted yes, motion carried.

Borough Administrator

Eric Maurer

Council President Matthews entertained a motion to approve Eric Maurer as Borough Administrator, motion by Councilman Mele, seconded by Councilman Wojtecki. On roll call, all voted yes, motion carried.

**Chief Financial Officer &
Director of Revenue & Finance**

Laurie A. Foley

Council President Matthews entertained a motion to approve Laurie A. Foley as CFO & Director of Revenue & Finance, motion by Council Vice President Bennett, seconded by Councilwoman Sasso. On roll call, all voted yes, motion carried.

Prosecutor	David C. Stanziale, Esq.
Assistant Prosecutor	Hisham I. Masri, Esq.
Public Defender	Richard Baldi, Esq.

Board of Health Members	Victor Terraglia, Jr. Helen Pasquale Sherrine Schuldt Christopher Connolly
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Library Board of Trustees	Joseph Metzler
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Environmental Commission Members	Rayna Laiosa; Mary Mahon; Michael Mariani; Carol Robertson; Dawn Zagatta
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Zoning Board of Adjustment Members	Eleanor Conley Wenzke; Lyle Hatch; Victor Cuttitta, Jr.; Jodi DeMarco; Marco A. Totaro;
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Zoning Board of Adjustment Member Alternate #1	Brian J. Lind
Zoning Board of Adjustment Member Alternate #2	Danilo Ramirez

Risk Management Consultant	David Vozza, Vozza Agency
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Council President Matthews entertained a motion to approve, motion by Councilman Sciarra, seconded by Councilman Mele. On roll call, all voted yes, with the exception of Councilwoman Laiosa who abstained on Environmental Commission Members, motion carried.

MAYOR'S APPOINTMENTS

Shade Tree Commission Members	Albert Ianacone; Jodi DeMarco
Shade Tree Commission Member Alternate #1	Leslie Hines
Shade Tree Commission Member Alternate #2	John Manke

Municipal Alliance Committee Members

Nancy Agnello, Chair	Brian Cosgrove	Sherrine Schuldt
Kyle Graham	Matt Corvo	Richard Spirito, Jr.
Thomas J. Bushnauskas	Capt. Robert King	Det./Sgt. Ian Spohn
Capt. Joseph Carr	Police Chief James Knepper	Pastor Howard Van Dyk
Kelly Clifford	Honorable John Meola	Lt. Benjamin Veenema
Diana Connolly	Helen Pasquale	Karen Rambala

Board of Recreation Committee Members	James Hayes, Sr.; Susan Deitrich; Erick Gill
Planning Board Class IV Members	Robert Lucibello; Gene DeAugustines
Planning Board Alternate No. 2 Member	Robert Verrengia
Acting DPW Director	Eric Maurer
Public Agency Compliance Officer	Eric Maurer
Alternate Rep Solid Waste Advisory Council	Eric Maurer
Chief of the Bureau of Fire Prevention, Land Use Administrator & Housing Officer	Gene DeAugustines

Council President Matthews entertained a motion to record, motion by Council Vice President Bennett, seconded by Councilman Sciarra. Carried on voice vote.

COUNCIL APPOINTMENTS

CA-1 Appointment of the 2022 Municipal Auditors Suplee, Clooney & Company

Council President Matthews entertained a motion to approve, moved by Councilman Mele, seconded by Councilman Sciarra. On roll call, all voted yes, motion carried.

CA-2 Planning Board Class III Member/Council Representative, Frank Matthews

Council Vice President Bennett entertained a motion to approve, moved by Councilman Sciarra, seconded by Councilwoman Sasso. On roll call, all voted yes with the exception of Council President Matthews who abstained, motion carried. Mayor Lane administered the Oath of Office.

RESOLUTIONS

CONSENT AGENDA: R 1-22 through R 22-22

R 1-22 Introduced by Council Vice President Bennett

WHEREAS, N.J.S.A. 40A:4-19 provides that where contracts, commitments of payments are to be made prior to the final adoption of the 2022 budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, this resolution will take effect on the first day of January 2022; and

WHEREAS, the said temporary appropriations are limited to 26.25% of the total appropriation in the 2021 budget, exclusive of any appropriations for Debt Service, Public Assistance and Capital Improvement Fund in the said 2022 budget.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Treasurer for her records.

R 2-22 Introduced by Council Vice President Bennett

WHEREAS, the Petty Cash Funds for the Treasury is returned to general funds as of December 31, 2022 and must be re-established.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized to draw a check on the Current Fund and as follows:

<u>Department</u>	<u>Custodian</u>	<u>Amount</u>	<u>Fund</u>
Treasury	Laurie A. Foley	\$300.00	Current

R 3-22 Introduced by Council Vice President Bennett

WHEREAS, N.J.S.A. 40A:5-14 mandates that the governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository of its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state.

NOW, THEREFORE, BE IT RESOLVED on this 1st day of January, 2022, by the Council of the Borough of Hawthorne, County of Passaic, State of New Jersey, that:

1. Columbia Savings Bank, Hawthorne, N.J.
2. Spencer Savings Bank, Saddle Brook, N.J.
3. New Jersey Cash Management Fund, Division of Investment, Department of Treasury, Trenton, N.J.

be and are hereby designated as depositories for the Borough of Hawthorne for the year 2022.

Prior to the deposit of any municipal funds in the above-mentioned depositories, said bank shall file with the Chief Financial Officer a statement indicating that the bank is covered under the Government Units Deposit Protection Act (R.S. 17:9-41).

R 4-22 Introduced by Council Vice President Bennett

WHEREAS, as per N.J.S.A. 40:53 1-2, the Borough of Hawthorne designates the following newspapers as legal papers for the Year 2022:

The Herald News
The Record
The Newark Star Ledger

R 5-22 Introduced by Council Vice President Bennett

WHEREAS, the Municipal Council of the Borough of Hawthorne has previously adopted rules, protocols and resolutions setting forth procedural matters for the conduct and operation of the Council meetings and business; and

WHEREAS, the Municipal Council wishes to extend and continue all such rules and resolutions;

NOW THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne does hereby ratify and reaffirm all previously adopted procedural rules, protocols and resolutions for the year 2022.

R 6-22 2022 Professional Services Contract for Borough Engineer

WHEREAS, the Borough Council of the Borough of Hawthorne has the need for the services of a Municipal Engineer for the year 2022 and has determined to award the same as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A 20.5; and

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5 permits a contract for professional services to be awarded without the need for competitive bids; and

WHEREAS, N.J.S.A. 40A-11-5 requires that the award of contracts for professional services be publicly advertised; and

WHEREAS, Dr. Stephen T. Boswell and Boswell Engineering, has submitted a proposal and contract for said engineering services, with both fixed rate and hourly based general services on behalf of the Borough in an

amount not to exceed \$190,000 absent further action by the Council, as well as project based and escrow services, said contract to be available for inspection in the office of the Borough Clerk; and

WHEREAS, the Administration recommends the award of contract to Dr. Stephen T. Boswell and Boswell Engineering, based upon experience in the given field, familiarity with the Borough of Hawthorne and the submission of a contract within the expectation of the budget for such services; and

WHEREAS, Dr. Stephen T. Boswell and Boswell Engineering has submitted to the Borough of Hawthorne a duly completed entity disclosure certification which certifies that Dr. Stephen T. Boswell and Boswell Engineering has not made any reportable contributions to a political or candidate committee in the Borough of Hawthorne in the previous one year and that the contract will prohibit Dr. Stephen T. Boswell and Boswell Engineering from making any reportable contributions during the term of the contract;

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne, County of Passaic, State of New Jersey, as follows:

1. The Mayor and the Clerk of the Borough of Hawthorne are hereby authorized and directed to enter into a contract with Dr. Stephen T. Boswell of the engineering firm Boswell Engineering for engineering services as Municipal Engineer for the period of January 1, 2022, through December 31, 2022, in accordance with the attached contract and at the rate of compensation as set forth in the contract as annexed.
2. The contract is entered into without competitive bidding as “Professional Service,” pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.
3. The award of this contract is subject to certification of funds by the Chief Financial Officer.
4. Notice of this award or a copy of the Resolution shall be published in the official newspaper of the Borough of Hawthorne within ten (10) days of passage as required.
5. The Business Disclosure Entity Certification and Determination of Value shall be placed on file with a true copy of this resolution.

R 7-22 Introduced by Council Vice President Bennett

WHEREAS, the Borough Council of the Borough of Hawthorne has the need for the services of a Municipal Planning Consultant for the year 2022 and has determined to award the same as a non-fair and open contract pursuant to the provisions of NJSA 19:44A 20.5; and

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5 permits a contract for professional services to be awarded without the need for competitive bids; and

WHEREAS, N.J.S.A. 40A-11-5 requires that the award of contracts for professional services be publicly advertised; and

WHEREAS, Joseph H. Burgis, P.P., AICP and Burgis Associates, Inc., has submitted a proposal and contract for said planning consulting services, based upon provision of general consulting services to the Borough as well as project based services as may be awarded by the Council, and escrow services, all services billed at hourly rates, with the general consulting services not to exceed \$20,000 absent further Council action, said contract to be available for inspection in the office of the Borough Clerk; and

WHEREAS, the Administration recommends the award of contract to Joseph H. Burgis, P.P., AICP and Burgis Associates, Inc., based upon experience in the given field, familiarity with the Borough of Hawthorne and the submission of a contract within the expectation of the budget for such services; and

WHEREAS, Joseph H. Burgis, P.P., AICP and Burgis Associates, Inc., has submitted to the Borough of Hawthorne a duly completed entity disclosure certification which certifies that Joseph H. Burgis, P.P., AICP and Burgis Associates, Inc., has not made any reportable contributions to a political or candidate committee in the Borough of Hawthorne in the previous one year and that the contract will prohibit Joseph H. Burgis, P.P., AICP and Burgis Associates, Inc., from making any reportable contributions during the term of the contract;

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne, County of Passaic, State of New Jersey, as follows:

1. The Mayor and the Clerk of the Borough of Hawthorne are hereby authorized and directed to enter into a contract with Joseph H. Burgis, P.P., AICP of the planning services firm of Burgis Associates, Inc., as the Municipal Planning Consultant for the period of January 1, 2022, through December 31, 2022, in accordance with the attached contract and at the rate of compensation as set forth in the contract as annexed.
2. The contract is entered into without competitive bidding as “Professional Service,” pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.
3. The award of this contract is subject to certification of funds by the Chief Financial Officer.
4. Notice of this award or a copy of the Resolution shall be published in the official newspaper of the Borough of Hawthorne within ten (10) days of passage as required.
5. The Business Disclosure Entity Certification and Determination of Value shall be placed on file with a true copy of this resolution.

R 8-22 Introduced by Council Vice President Bennett

WHEREAS, the Borough Council of the Borough of Hawthorne will require professional services of Special Labor and Employment Counsel for legal services for the year 2022 and has determined to award the same as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A 20.5; and

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5 permits a contract for professional services to be awarded without the need for competitive bids; and

WHEREAS, N.J.S.A. 40A-11-5 requires that the award of contracts for professional services be publicly advertised; and

WHEREAS, Trimboli & Prusinowski, LLC, has submitted a proposal and contract for said special labor counsel legal services, setting forth an hourly rate for such services with the contract value not to exceed \$18,000 absent further Council action, said contract to be available for inspection in the office of the Borough Clerk; and

WHEREAS, the Administration recommends the award of contract to Trimboli & Prusinowski, LLC, based upon experience in the given field, familiarity with the Borough of Hawthorne and the submission of a contract within the expectation of the budget for such services; and

WHEREAS, Trimboli & Prusinowski, LLC, has submitted to the Borough of Hawthorne a duly completed Entity Disclosure Certification which certifies that Trimboli & Prusinowski, LLC, has not made any reportable contributions to a political or candidate committee in the Borough of Hawthorne in the previous one year and that the contract will prohibit Trimboli & Prusinowski, LLC, from making any reportable contributions during the term of the contract;

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne, County of Passaic, State of New Jersey, as follows:

1. The Mayor and the Clerk of the Borough of Hawthorne are hereby authorized and directed to enter into a contract with Trimboli & Prusinowski, LLC, for professional services of Special Labor and Employment Counsel for legal services for the period of January 1, 2022, through December 31, 2022, in accordance with the attached contract and at the rate of compensation as set forth in the contract as annexed.
2. The contract is entered into without competitive bidding as "Professional Service," pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.
3. The award of this contract is subject to certification of funds by the Chief Financial Officer.
4. Notice of this award or a copy of the Resolution shall be published in the official newspaper of the Borough of Hawthorne within ten (10) days of passage as required.
5. The Business Disclosure Entity Certification and Determination of Value shall be placed on file with a true copy of this resolution.

R 9-22 Introduced by Council Vice President Bennett

WHEREAS, the Municipal Council of the Borough of Hawthorne has the need for the professional services of Bond Counsel legal services for the year 2022 and has determined to award the same as a non-fair and open contract pursuant to the provisions of NJSA 19:44A 20.5; and

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the contract will not exceed \$17,500; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5 permits a contract for professional services to be awarded without the need for competitive bids; and

WHEREAS, N.J.S.A. 40A-11-5 requires that the award of contracts for professional services be publicly advertised; and

WHEREAS, McManimon, Scotland & Baumann, LLC, has submitted a proposal and contract for said bond counsel legal services, with an amount not to exceed \$5,000 absent further Council action, said contract to be available for inspection in the office of the Borough Clerk; and

WHEREAS, the Administration recommends the award of contract to McManimon, Scotland & Baumann, LLC, based upon experience in the given field, familiarity with the Borough of Hawthorne and the submission of a contract within the expectation of the budget for such services; and

WHEREAS, McManimon, Scotland & Baumann, LLC, has submitted to the Borough of Hawthorne a duly completed Entity Disclosure Certification which certifies that McManimon, Scotland & Baumann, LLC, has not made any reportable contributions to a political or candidate committee in the Borough of Hawthorne in the previous one year and that the contract will prohibit McManimon, Scotland & Baumann, LLC, from making

any reportable contributions during the term of the contract in the event the value of the contract exceeds \$17,500;

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne, County of Passaic, State of New Jersey, as follows:

1. The Mayor and the Clerk of the Borough of Hawthorne are hereby authorized and directed to enter into a contract with McManimon, Scotland & Baumann, LLC, for bond counsel legal services for the period of January 1, 2022, through December 31, 2022, in accordance with the attached contract and at the rate of compensation as set forth in the contract as annexed.
2. The contract is entered into without competitive bidding as “Professional Service,” pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.
3. The award of this contract is subject to certification of funds by the Chief Financial Officer.
4. Notice of this award or a copy of the Resolution shall be published in the official newspaper of the Borough of Hawthorne within ten (10) days of passage as required.
5. The Business Disclosure Entity Certification and Determination of Value shall be placed on file with a true copy of this resolution.

R 10-22 Introduced by Council Vice President Bennett

WHEREAS, the Municipal Council of the Borough of Hawthorne has the need for the services of a Municipal Attorney for the year 2022 and has determined to award the same as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A 20.5; and

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5 permits a contract for professional services to be awarded without the need for competitive bids; and

WHEREAS, N.J.S.A. 40A-11-5 requires that the award of contracts for professional services be publicly advertised; and

WHEREAS, Michael J. Pasquale, Esq., has submitted a proposal and contract for said legal services, with both retainer service and hourly rate services, with a total amount not to exceed \$120,000 absent further Council action, said contract to be available for inspection in the office of the Borough Clerk; and

WHEREAS, the Administration recommends the award of contract to Michael J. Pasquale, Esq., based upon experience in given field, familiarity with the Borough of Hawthorne and the submission of a contract within the expectation of the budget for such services; and

WHEREAS, Michael J. Pasquale, Esq., has submitted to the Borough of Hawthorne a duly completed Entity Disclosure Certification which certifies that Michael J. Pasquale, Esq. and Michael J. Pasquale & Associates has not made any reportable contributions to a political or candidate committee in the Borough of Hawthorne in the previous one year and that the contract will prohibit Michael J. Pasquale, Esq. and Michael J. Pasquale & Associates from making any reportable contributions during the term of the contract;

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne, County of Passaic, State of New Jersey, as follows:

1. The Mayor and the Clerk of the Borough of Hawthorne are hereby authorized and directed to enter into a contract with Michael J. Pasquale, Esq., of the law firm of Michael J. Pasquale & Associates, for legal services as Municipal Attorney for the period of January 1, 2022, through December 31, 2022, in accordance with the attached contract and at the rate of compensation as set forth in the contract as annexed.
2. The contract is entered into without competitive bidding as "Professional Service," pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.
3. The award of this contract is subject to certification of funds by the Chief Financial Officer.
4. Notice of this award or a copy of the Resolution shall be published in the official newspaper of the Borough of Hawthorne within ten (10) days of passage as required.
5. The Business Disclosure Entity Certification and Determination of Value shall be placed on file with a true copy of this resolution.

R 11-22 Introduced by Council Vice President Bennett

WHEREAS, the Municipal Council of the Borough of Hawthorne has the need for the professional services of a Registered Municipal Accountant for the year 2022 and has determined to award the same as a non-fair and open contract pursuant to the provisions of NJSA 19:44A 20.5; and

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5 permits a contract for professional services to be awarded without the need for competitive bids; and

WHEREAS, N.J.S.A. 40A-11-5 requires that the award of contracts for professional services be publicly advertised; and

WHEREAS, Robert Swisher, CPA, RMA, and the firm of Suplee, Clooney & Company, has submitted a proposal and contract for said for said accounting services, with a contract value not to exceed \$45,900, said contract to be available for inspection in the office of the Borough Clerk; and

WHEREAS, the Administration recommends the award of contract to Robert Swisher, CPA, RMA, and the firm of Suplee, Clooney & Company, based upon experience in the given field, familiarity with the Borough of Hawthorne and the submission of a contract within the expectation of the budget for such services; and

WHEREAS, Robert Swisher, CPA, RMA, and the firm of Suplee, Clooney & Company, has submitted to the Borough of Hawthorne a duly completed Entity Disclosure Certification which certifies that Robert Swisher, CPA, RMA, and the firm of Suplee, Clooney & Company has not made any reportable contributions to a political or candidate committee in the Borough of Hawthorne in the previous one year and that the contract will prohibit Robert Swisher, CPA, RMA, and the firm of Suplee, Clooney & Company from making any reportable contributions during the term of the contract;

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne, County of Passaic, State of New Jersey, as follows:

1. The Mayor and the Clerk of the Borough of Hawthorne are hereby authorized and directed to enter into a contract with Robert Swisher, CPA, RMA, and the firm of Suplee, Clooney & Company for accounting services for the period of January 1, 2022, through December 31, 2022, in accordance with the attached contract and at the rate of compensation as set forth in the contract as annexed.

2. The contract is entered into without competitive bidding as “Professional Service,” pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.
3. The award of this contract is subject to certification of funds by the Chief Financial Officer.
4. Notice of this award or a copy of the Resolution shall be published in the official newspaper of the Borough of Hawthorne within ten (10) days of passage as required.
5. The Business Disclosure Entity Certification and Determination of Value shall be placed on file with a true copy of this resolution.

R 12-22 Introduced by Council Vice President Bennett

WHEREAS, the Municipal Council of the Borough of Hawthorne has the need for the professional services of a Risk Management consultant for the year 2022 and has determined to award the same as a non-fair and open contract pursuant to the provisions of NJSA 19:44A 20.5; and

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5 permits a contract for professional services to be awarded without the need for competitive bids; and

WHEREAS, N.J.S.A. 40A-11-5 requires that the award of contracts for professional services be publicly advertised; and

WHEREAS, David Vozza and the Vozza Agency, Inc., has submitted a proposal and contract for said risk management services, with a contract value not to exceed \$34,900, said contract to be available for inspection in the office of the Borough Clerk; and

WHEREAS, the Administration recommends the award of contract to David Vozza and the Vozza Agency, Inc., based upon experience in the given field, familiarity with the Borough of Hawthorne and the submission of a contract within the expectation of the budget for such services; and

WHEREAS, David Vozza and the Vozza Agency, Inc., has submitted to the Borough of Hawthorne a duly completed Entity Disclosure Certification which certifies that David Vozza and the Vozza Agency, Inc., has not made any reportable contributions to a political or candidate committee in the Borough of Hawthorne in the previous one year and that the contract will prohibit David Vozza and the Vozza Agency, Inc. from making any reportable contributions during the term of the contract;

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne, County of Passaic, State of New Jersey, as follows:

1. The Mayor and the Clerk of the Borough of Hawthorne are hereby authorized and directed to enter into a contract with David Vozza and the Vozza Agency, Inc., for risk management services for the period of January 1, 2022, through December 31, 2022, in accordance with the attached contract and at the rate of compensation as set forth in the contract as annexed.
2. The contract is entered into without competitive bidding as “Professional Service,” pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.
3. The award of this contract is subject to certification of funds by the Chief Financial Officer.

4. Notice of this award or a copy of the Resolution shall be published in the official newspaper of the Borough of Hawthorne within ten (10) days of passage as required.
5. The Business Disclosure Entity Certification and Determination of Value shall be placed on file with a true copy of this resolution.

R 13-22 Introduced by Council Vice President Bennett

WHEREAS, the Municipal Council of the Borough of Hawthorne has the need for the professional services of a Grant Writer for the year 2022 and has determined to award the same as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A 20.5; and

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5 permits a contract for professional services to be awarded without the need for competitive bids; and

WHEREAS, N.J.S.A. 40A-11-5 requires that the award of contracts for professional services be publicly advertised; and

WHEREAS, Capital Alternatives Corporation, Inc., has submitted a proposal and contract for said grant writing services, with all payment to be project based and therefore not subject to a not to exceed value, said contract to be available for inspection in the office of the Borough Clerk; and

WHEREAS, the Administration recommends the award of contract to Capital Alternatives Corporation, Inc., based upon experience in the given field, familiarity with the Borough of Hawthorne and the submission of a contract within the expectation of the budget for such services; and

WHEREAS, Capital Alternatives Corporation, Inc., has submitted to the Borough of Hawthorne a duly completed Entity Disclosure Certification which certifies that Capital Alternatives Corporation, Inc., has not made any reportable contributions to a political or candidate committee in the Borough of Hawthorne in the previous one year and that the contract will prohibit Capital Alternatives Corporation, Inc., from making any reportable contributions during the term of the contract;

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne, County of Passaic, State of New Jersey, as follows:

1. The Mayor and the Clerk of the Borough of Hawthorne are hereby authorized and directed to enter into a contract with Capital Alternatives Corporation, Inc., for grant writing services for the period of January 1, 2022, through December 31, 2022, in accordance with the attached contract and at the rate of compensation as set forth in the contract as annexed.
2. The contract is entered into without competitive bidding as “Professional Service,” pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.
3. The award of this contract is subject to certification of funds by the Chief Financial Officer.
4. Notice of this award or a copy of the Resolution shall be published in the official newspaper of the Borough of Hawthorne within ten (10) days of passage as required.

5. The Business Disclosure Entity Certification and Determination of Value shall be placed on file with a true copy of this resolution.

R 14-22 Introduced by Council Vice President Bennett

WHEREAS, the Borough of Hawthorne has determined to continue the use of a financial consultant as a professional service for the year 2022 and has determined to award the same as a non-fair and open contract pursuant to the provisions of NJSA 19:44A 20.5; and

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the contract will not exceed \$17,500; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5 permits a contract for professional services to be awarded without the need for competitive bids; and

WHEREAS, N.J.S.A. 40A-11-5 requires that the award of contracts for professional services be publicly advertised; and

WHEREAS, John E. Barrett of PM Consultants, who has acted in such capacity since October 1, 2017, has submitted a proposal and contract for said financial consulting services extending from January 1, 2022 through the end of 2022, subject to an amount not to exceed \$5,000 absent further Council approval, said contract to be available for inspection in the office of the Borough Clerk; and

WHEREAS, the Administration recommends the award of contract to PM Consultants based upon experience in given field, familiarity with the Borough of Hawthorne and the submission of a contract within the expectation of the budget for such services; and

WHEREAS, PM Consultants has submitted to the Borough of Hawthorne a duly completed Entity Disclosure Certification which certifies that PM Consultants Inc. has not made any reportable contributions to a political or candidate committee in the Borough of Hawthorne in the previous one year and that the contract will prohibit PM Consultants Inc. from making any reportable contributions during the term of the contract in the event the value of the contract exceeds \$17,500;

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne, County of Passaic, State of New Jersey, as follows:

1. The Mayor and the Clerk of the Borough of Hawthorne are hereby authorized and directed to enter into a contract with PM Consultants for financial consulting services for the period of January 1, 2022, through December 31, 2022, in accordance with the attached contract and at the rate of compensation as set forth in the contract as annexed.
2. The contract is entered into without competitive bidding as “Professional Service,” pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.
3. The award of this contract is subject to certification of funds by the Chief Financial Officer.
4. Notice of this award or a copy of the Resolution shall be published in the official newspaper of the Borough of Hawthorne within ten (10) days of passage as required.
5. The Business Disclosure Entity Certification and Determination of Value shall be placed on file with a true copy of this resolution.

R 15-22 Introduced by Council Vice President Bennett

WHEREAS, the Municipal Council of the Borough of Hawthorne has the need for the professional services of a Certified Tree Expert for the year 2022 and has determined to award the same as a non-fair and open contract pursuant to the provisions of NJSA 19:44A-22.5; and

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5 permits a contract for professional services to be awarded without the need for competitive bids; and

WHEREAS, N.J.S.A. 40A-11-5 requires that the award of contracts for professional services be publicly advertised; and

WHEREAS, Alberta Tree Services, LLC, has submitted a proposal and contract for said Certified Tree Expert services, said contract to be available for inspection in the office of the Borough Clerk, said contract being subject to an amount not to exceed \$44,000 for the year absent further Council approval; and

WHEREAS, the Administration recommends the award of contract to Alberta Tree Services, LLC, based upon its experience in the given field, past service to and familiarity with the Borough of Hawthorne and the submission of a contract within the expectation of the budget for such services; and

WHEREAS, Alberta Tree Services, LLC, has submitted to the Borough of Hawthorne a duly completed Entity Disclosure Certification which certifies that Alberta Tree Services, LLC and its principal Kevin Alberta, have not made any reportable contributions to a political or candidate committee in the Borough of Hawthorne in the previous one year and that the contract will prohibit Alberta Tree Services, LLC, from making any reportable contributions during the term of the contract;

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne, County of Passaic, State of New Jersey, as follows:

1. The Mayor and the Clerk of the Borough of Hawthorne are hereby authorized and directed to enter into a contract with Alberta Tree Services, LLC, for grant writing services for the period of January 1, 2022, through December 31, 2022, in accordance with the attached contract and at the rate of compensation as set forth in the contract as annexed.
2. The contract is entered into without competitive bidding as “Professional Service,” pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.
3. The award of this contract is subject to certification of funds by the Chief Financial Officer.
4. Notice of this award or a copy of the Resolution shall be published in the official newspaper of the Borough of Hawthorne within ten (10) days of passage as required.
5. The Business Disclosure Entity Certification and Determination of Value shall be placed on file with a true copy of this resolution.

R 16-22 Introduced by Council Vice President Bennett

WHEREAS, the Borough of Hawthorne has determined there is a need to utilize the services of an appraiser from time to time in support of tax appeal litigation and other matters requiring such services and has determined to award the same as a non-fair and open contract pursuant to the provisions of NJSA 19:44A 20.5; and

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the contract will likely exceed \$17,500; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5 permits a contract for professional services to be awarded without the need for competitive bids; and

WHEREAS, N.J.S.A. 40A-11-5 requires that the award of contracts for professional services be publicly advertised; and

WHEREAS, Robert McNerney and McNerney & Associates has acted in such capacity for many years and has submitted billing rates to the Borough for such purposes for the calendar year 2022, said services to be on a project basis, with the schedule available for inspection in the office of the Borough Clerk; and

WHEREAS, the Administration recommends the award of contract to McNerney & Associates based upon experience in given field, familiarity with the Borough of Hawthorne and the submission of a proposal and schedule within the expectation of the budget for such services, with the contract value not to exceed \$15,000; and

WHEREAS, McNerney & Associates has submitted to the Borough of Hawthorne a duly completed Entity Disclosure Certification which certifies that McNerney & Associates and its principal, Robert McNerney, has not made any reportable contributions to a political or candidate committee in the Borough of Hawthorne in the previous one year and that the contract will prohibit McNerney & Associates from making any reportable contributions during the term of the contract;

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne, County of Passaic, State of New Jersey, as follows:

1. The Mayor and the Clerk of the Borough of Hawthorne are hereby authorized and directed to enter into a contract with McNerney & Associates appraisal services for the period of January 1, 2022, through December 31, 2022, in accordance with the attached schedule and at the rate of compensation as set forth therein.
2. The contract is entered into without competitive bidding as “Professional Service,” pursuant to the Local Public Contracts Law as this is a professional service within the meaning of the law.
3. The award of this contract is subject to certification of funds by the Chief Financial Officer.
4. Notice of this award or a copy of the Resolution shall be published in the official newspaper of the Borough of Hawthorne within ten (10) days of passage as required.
5. The Business Disclosure Entity Certification and Determination of Value shall be placed on file with a true copy of this resolution.

R 17-22 Introduced by Council Vice President Bennett

WHEREAS, it is deemed necessary that the Public Agency (the Borough of Hawthorne) shall designate an officer or employee to serve as Public Agency Compliance Officer (P.A.C.O.), whose name title, business address, telephone number and fax number shall be forwarded to the State Affirmative Action Office by January 10, of every year; and

WHEREAS, the P.A.C.O. is the liaison official for matters concerning P.L. 1975, c. 127 (N.J.A.C. 17:27) and should have the authority to make the appropriate correction(s) to the Borough of Hawthorne’s contracting procedures if required; and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council that the Borough Administrator be and is hereby designated as the 2022 Compliance Officer and the Clerk if hereby directed to file a copy of this resolution with the Department of the Treasury, Affirmative Action Office, CN-219, Trenton, New Jersey 08625-0209.

**2022 PUBLIC AGENCY COMPLIANCE OFFICER DESIGNATION
FOR THE BOROUGH OF HAWTHORNE: ERIC MAURER**

R 18-22 Introduced by Council Vice President Bennett

WHEREAS, N.J.S.A. 54:4-67 permits the Governing Body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law; and

WHEREAS, N.J.S.A. 54:4-67 has been amended to permit the fixing of said rate of 8 % per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 and allows an additional penalty of 6% be collected against a delinquency in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hawthorne, County of Passaic, State of NJ, as follows:

1. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes becoming delinquent after due date and 18% per annum on any amount of taxes in excess of \$1,500.00 becoming delinquent after due date and if a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31st, an additional penalty of 6% shall be charged against delinquency.

2. Effective January 1, 1994, there was and will continue to be a ten (10) day grace period of quarterly tax payments made by cash, check or money order.

3. Any payments not made in accordance with paragraph two of this resolution shall be charged interest from the due date as set forth in paragraph one of this resolution.

4. This resolution shall be published in its entirety once in an official newspaper of the Borough of Hawthorne.

5. A certified copy of this resolution shall be provided by the Borough Clerk to the Tax Collector, Borough Attorney and Borough Auditor for the Borough of Hawthorne.

R 19-22 Introduced by Council Vice President Bennett

WHEREAS, the Borough of Hawthorne issues licenses, renewable on an annual basis, permitting the sale of used cars, both retail and wholesale; and

WHEREAS, the Municipal Clerk has received renewal applications and payment of required fees from the persons or entities set forth on the schedule annexed hereto wishing to renew licenses previously issued; and

WHEREAS, required inspections have been performed with satisfactory results reported to the Municipal Clerk;

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne does hereby authorize the issuance of renewal licenses for used car sales, retail or wholesale as indicated, to the persons or entities on the attached schedule for the year 2022.

R 20-22 Introduced by Council Vice President Bennett

WHEREAS, the Borough of Hawthorne issues licenses, renewable on an annual basis, permitting the use of amusement devices at various establishments; and

WHEREAS, the Municipal Clerk has received renewal applications and payment of required fees from the persons or entities set forth on the schedule annexed hereto wishing to renew licenses previously issued; and

WHEREAS, required inspections have been performed with satisfactory results reported to the Municipal Clerk;

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne does hereby authorize the issuance of renewal licenses for amusement devices to the persons or entities on the attached schedule for the year 2022.

R 21-22 Introduced by Council Vice President Bennett

WHEREAS, the Borough of Hawthorne issues licenses, renewable on an annual basis, permitting the operation of a massage establishment at identified locations; and

WHEREAS, the Municipal Clerk has received renewal applications and payment of required fees from the persons or entities set forth on the schedule annexed hereto wishing to renew licenses previously issued; and

WHEREAS, required inspections have been performed with satisfactory results reported to the Municipal Clerk;

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne does hereby authorize the issuance of renewal licenses for massage establishments to the persons or entities on the attached schedule for the year 2022.

R 22-22 Introduced by Council Vice President Bennett

WHEREAS, the United State Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program the Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies; and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting law enforcement agency; and

WHEREAS, participation in the 1033 Program allows municipal and county law enforcement agencies to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county law enforcement agencies, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Hawthorne that the Hawthorne Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31, 2022; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Hawthorne Police Department is hereby authorized to acquire items of non-controlled property designated “DEMIL A,” which may include: office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the next twelve months, based on the needs of the Hawthorne Police Department without restriction; and

BE IT FURTHER RESOLVED that Hawthorne Police Department is hereby authorized to acquire the following “DEMIL B through Q” property, if it shall become available in the next twelve months: (2) utility trucks, (2) cargo trucks, (4) off road utility vehicles, (10) personal protection shields, (25) .223 millimeter rifles; (2) capabilities set non- lethal; and

BE IT FURTHER RESOLVED that the Hawthorne Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Hawthorne Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year from January 1, 2022 to December 31, 2022.

Council President Matthews entertained a motion to adopt consent agenda resolutions R 1-22 through R 22-22, moved by Council Vice President Bennett, seconded by Councilman Mele.

Discussion

Councilman Wojtecki asked Borough Clerk Fernandez if the applicants for amusement applications just submit the application or is an inspection done. She stated Police & Fire do inspections, she then emails them the application, then they return the application with the fees. On roll call, all voted yes, motion carried.

CORRESPONDENCE

Motion to approve new firefighter applicant Joseph L. Wojtecki to Company 3, moved by Council Vice President Bennett, seconded by Councilman Mele. On roll call, all voted yes, with the exception of Councilman Wojtecki who abstained. Motion carried.

BILLS

Vendor Name	Description	Amount	Check Id
AGRA ENVIRONMENTAL SVC	LAB TESTING	\$ 18,154.88	42484
LAURIE A FOLEY	PETTY CASH	300.00	30738
LIFE STORAGE	MONTHLY STORAGE RENTAL	319.00	30744
LOUIS BAY 2nd LIBRARY	2022 MUNICIPAL APPROPRIATION	75,000.00	30739
LOWES HOME IMPRV BUSINESS ACCT	WATER DEPARTMENT SUPPLIES	291.57	42485
METLIFE	BOROUGH LIFE GROUP JAN2022	312.80	30740
MORRIS COUNTY MUNI JT INS FUND	FIRST INSTALLMENT FUND 2022	25,000.00	42486
MORRIS COUNTY MUNI JT INS FUND	FIRST INSTALLMENT FUND 2022	75,000.00	30741
MORRIS COUNTY MUNI JT INS FUND	FIRST INSTALLMENT FUND 2022	15,000.00	30741
MORRIS COUNTY MUNI JT INS FUND	FIRST INSTALLMENT FUND 2022	48,496.00	30741
PASSAIC VALLEY SEWER COM	FIRST QTR BILLING 2022	334,213.00	30742

SPECTROTEL HOLDING COMPANY LLC	BODY WORN CAMERAS	388.33	30743
STATE OF NJ - PWT	4TH QTR 2021 WATER TAX	1,898.35	42487
STATE OF NJ - PWT	2021 4TH QTR WATER TAX	242.07	42488
US BANK EQUIPMENT FINANCE	MONTHLY RENTAL	322.00	30745
VOZZA AGENCY, INC	2022 VOLUNTEER FIRE/AMBULANCE	500.00	30746
	TOTAL	\$595,438.00	

Council President Matthews entertained a motion to approve the bills and forward them to the Treasurer for payment, motion by Councilman Mele, seconded by Councilman Sciarra. On roll call, all voted yes with the exception of Councilman Wojtecki who abstained on bills pertaining to the fire department and Council President Matthews who voted no on all bills pertaining to the State. Motion carried.

PUBLIC COMMENT

Council President Matthews opened the meeting to the public. He stated if anyone desired to be heard, please raise their hand to be recognized, come forward to the microphone and state their name and address. Seeing no one, Council President Matthews entertained a motion to close the public portion of the meeting, moved by Councilman Sciarra, seconded by Councilman Wojtecki. Carried on voice vote.

BENEDICTION Council President Matthews invited Pastor Howie Van Dyk to give the Benediction.

ADJOURNMENT

At 1:08pm Council President Matthews entertained a motion to adjourn, motion by Councilman Wojtecki, seconded by Councilman Sciarra. Carried on voice vote.

**THE NEXT MEETING OF THE MUNICIPAL COUNCIL IS
WEDNESDAY, JANUARY 19TH AT 7:00 PM**