

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:04pm, 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 Engineer | Dr. Stephen T. Boswell |
| Borough Clerk | Lori Fernandez |

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 since November 21, 2021.

APPROVAL OF MINUTES

Approval of the minutes for the regular meetings of May 4th and May 18th, 2022 and Bid Minutes for the IT Services contract and the Library Lighting Improvements, motion by Councilwoman Laiosa, seconded by Councilman Wojtecki. On roll call, all voted yes, motion carried.

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 no one, Council President Matthews entertained a motion to close the public portion of the meeting, motion by Council Vice President Bennett, seconded by Councilman Wojtecki. Carried on voice vote.

ADOPTION OF ORDINANCES None.

OLD BUSINESS No old business.

NEW BUSINESS

Councilwoman Laiosa reported that Governor Murphy issued a press release today about the intended use plan for the \$169 million that has been awarded to the State of New Jersey for drinking water in the Clean Water Revolving Funds from the New Jersey Infrastructure Bank. Works continues on the application for the PFOA/PFOS treatment and it's looking pretty good. We will be going out to bid and hopefully qualifying for some money from the bank.

Councilman Bennett reported work has begun on replacing the water lines on Post Avenue and so far, he is very impressed. In two days about 12 houses have been done with minimal scarring. He wished his wife a very Happy Birthday.

ADMINISTRATIVE AGENDA PRESENTED BY MAYOR LANE

Mayor Lane thanked everyone who attended our Memorial Day Service on Monday, and for everyone who participated in the parade, whether you were working on the parade or participating or watching. The weather was great, and we had a terrific turnout throughout the town. To our Grand Marshals, Ken Houtsma and Joe Metzler, thank you again for your service – we were honored to have you as our Grand Marshals. Commander John Touw, Commander Doug Tennis, and John Bertollo, thank you for all your hard work. Congratulations to Hawthorne High School's Peer Leaders for taking 2nd place in Passaic County's Teen Summit: "Inspiring Positive Change with Natural Highs." The Teen Summit tackles substance abuse and/or mental health concepts. We are so proud of all of you! I stopped over at 5th Avenue unannounced on Tuesday afternoon, and met with Eric Tavares from Roman Corp. who is the Field Supervisor, and Gerry Kerr from Boswell Engineering. I went into a home with Eric where they had installed the new water line. I checked the grounding, and all is correct. The Field Supervisor showed me how they installed the pipe and sealed it. I met the homeowners who were pleased with the work. Our next street dedication will be on June 14th in honor of Private First Class James P. McGrath, United States Army, who was killed in action during World War II. The dedication will take place at the corner of Dixie Avenue and Lincoln Avenue. Please join us at 1pm as we honor our serviceman. The Master Plan is complete, the Administration will be having a meeting on June 15th to review. In my inaugural address on January 1st, I addressed the Master Plan and promised the Council I would have it done in six months, it was done in five. He thanked Borough Attorney Pasquale and John Szabo of Burgis Associates for getting the project done. The **"Those Who Host, Lose the Most: Don't be a party to teenage drinking, it's against the law"** campaign that helps prevent underage drinking has started. Our police will be diligent in enforcement and education during the prom and graduation celebratory season. Our Police Department Traffic Bureau has been working with the New Jersey Motor Vehicle Commission to bring their services to us. On Saturday July 9th, from 10am to 2pm, the NJMVC will be at our Municipal Building parking lot offering a few services. We've posted the registration link on our Borough website under "News" and on our Facebook page. Thank you to Lt. Michalski and Sgt. Delallo for making this happen.

PRESENTATIONS

Chief James W. Knepper and Detective/Lieutenant Matthew Hoogmoed accepted the Accreditation Certification presented to the Hawthorne Police Department by Harry J. Delgado, NJSACOP Accreditation Program Director.

Mayor Lane presented Hawthorne Pride Alliance Co-Chair, Erica Prinzo, with a Pride Month Proclamation.

PRIDE MONTH

WHEREAS, in 2020 members of the community came forward and together with Mayor Emeritus Richard Goldberg and the Borough of Hawthorne created the Hawthorne Pride Alliance; and

WHEREAS, the mission of the Hawthorne Pride Alliance is to educate, motivate, dedicate, and celebrate the LGBTQIA+ community and its allies; and

WHEREAS, June, otherwise known as LGBT Pride Month, commemorates the 1969 Stonewall riots, and is dedicated to uplifting the voices of the LGBTQIA+ community, celebrating the LGBTQIA+ culture, and encouraging LGBTQIA+ equality and acceptance; and

WHEREAS, Pride Month recognizes the impact of the LGBTQIA+ community historically, locally, nationally and globally; and

WHEREAS, the efforts of the Hawthorne Pride Alliance consistently illustrate their works through the symbolic rainbow colors of the pride flag: Life (red), Healing (orange), Sunlight (yellow), Nature (green),

Harmony (blue) and Spirit (purple) bringing life, healing, sunlight, nature, harmony, and spirit to the community; and

WHEREAS, Mayor John V. Lane, the Hawthorne Borough Council, and the Borough of Hawthorne recognizes and supports the LGBTQIA+ community and its allies, and proudly raised the Pride Flag this afternoon, June 1, 2022, in honor of Pride Month.

NOW, THEREFORE, BE IT PROCLAIMED, that the Mayor and Council of the Borough of Hawthorne do hereby recognize and observe the month of June as LGBTQIA+ Pride Month.

Ms. Prinzo, co-chair of the Hawthorne Pride Alliance accepted the proclamation on behalf of the Hawthorne Pride Alliance along with Chairperson Mike Stracco. Pride Month is not just about a flag, in Mike's words, "we continue the work of those who dare to dream the impossible dream, and fight for equality of LGBTQ citizens across this country" it is events like this one that serve as a reminder that the work is not done and that our words and actions, big or small, have a great impact on our community. After the Stonewall Riots in 1969, the word pride and the bold and colorful flag were an answer to the shame that many in the LGBTQ community were forced to feel as a result of social neglect and stigma. Today, we continue to fly this flag to celebrate Pride Month as a reminder that we will never go back to those days of shame and neglect. And while we have made much progress over these last few decades, we all know that there is still work to be done. She acknowledged the four other members of the Pride Alliance who were in attendance, who have worked tirelessly for weeks to plan a number of pride events during the month of June and have done so much work to get the organization to where it is today. We look forward to continuing to amplify the voices of our LGBTQ friends and neighbors so they feel welcome in our town. On behalf of the Hawthorne Pride Alliance and Foundation, she thanked the Mayor and Council for proclaiming June as Pride Month in Hawthorne once again this year. While we made a great impact last year, it is a follow through year after year that continues our dedication to equality in the town of Hawthorne. She gladly accepted the proclamation on behalf of the Pride Alliance.

Mayor Lane called Chief Knepper up to the podium to say a few words.

Chief Knepper thanked the Mayor and Council, Administrator Maurer and the staff who all work very well together for the community. He thanked the citizens of Hawthorne for having faith in the police department.

Mayor Lane presented a Certificate of Participation to Julianna DellaCroce, State Finalist in the 28th Annual Louis Bay 2nd Future Municipal Leaders Scholarship Competition.

POLICE APPOINTMENTS & OATH of OFFICE

Council President Matthews entertained a motion to appoint Kevin T. Foley, Permanent Police Officer of the Police Department of the Borough of Hawthorne, moved by Council Vice President Bennett, seconded by Councilman Wojtecki. On roll call, all voted yes; motion carried. Mayor Lane administered the Oath of Office.

Council President Matthews entertained a motion to appoint Sarah L. Kearsley, Probationary Police Officer of the Police Department of the Borough of Hawthorne, moved by Council Vice President Bennett, seconded by Councilman Wojtecki. On roll call, all voted yes; motion carried. Mayor Lane administered the Oath of Office.

Council President Matthews entertained a motion to appoint Stephen T. Zukofsky, Probationary Police Officer of the Police Department of the Borough of Hawthorne, moved by Council Vice President Bennett, seconded by Councilman Wojtecki. On roll call, all voted yes; motion carried. Mayor Lane administered the Oath of Office.

REPORTS

Borough Attorney Michael J. Pasquale

Borough Attorney Pasquale congratulated everyone on their promotions.

Gaeta – Attorney Pasquale appeared in Trenton for oral argument before The Appellate Division. A three Judge Panel asked good questions showing a grasp of the issues. A decision is likely to come later in the summer.

Master Plan – Attorney Pasquale explained what a Master Plan is. Mayor Lane made the delivery of a Master Plan Update to the Planning Board in the first six months of his term an objective and that will happen. Attorney Pasquale reviewed the draft plan, prepared by our Planner, John Szabo. Beginning with the 1968 Plan through the 2011 Re-examination, prior assumptions were reviewed. Changes in the community were next reviewed followed by an analysis of current goals and the means to get there. The major recommendations remain the adoption of a new Zoning Ordinance, which will be presented to the Council in the coming months, implementation of the NPP with a revitalization of commercial areas, and the creation of new housing opportunities to meet the needs of the population. The last census showed a 4.5% growth in the population of Hawthorne, nearing 20,000 residents. Our Hispanic population grew from 14 to 28%. African Americans make up 6% of our population. Property values have remained relatively flat until the last year and now they have taken off, rentals have skyrocketed. The Plan will be reviewed by the Mayor, Borough Attorney and Administrator Maurer and then go to the Planning Board who ultimately controls the Plan. Once adopted, the Council will adopt a new Zoning Ordinance.

Bandshell – Today the Committee finalized its Summer Concert Schedule with a total of 8 shows, more than ever before, and 2 movies. Here is the updated list of performers:

Opening Night, Tuesday, June 21 – first day of summer with the Soul Cruisers

Sunday, June 26 -Joe Zisa and Friends.

Thursday, July 14 – Nashville North

Sunday, July 24 – Beach Boys

Sunday, July 31 – Captain Jack

Tuesday, August 2 – National Night Out

Sunday, August 14 – School of Rock

Sunday, August 21 – Big Hix

Thursday, August 25 – Sivan Arbel

Borough Engineer Dr. Stephen T. Boswell

Little Franklin Field Area/Walkway Lighting – Project is complete.

Hawthorne Municipal Pool Area Playground – There are a few punch-list items, but the playground can be used.

Municipal Building North Section Roof Replacement – On June 3rd Verizon will be lifting the cables on the roof of the building so the roofing company can replace the roof.

Louis Bay 2nd Library Lighting Improvements – The second set of bids were all rejected, this will free us up to negotiate the same way we did on the Band Shell and the DPW building so we can get a price within the budget. Some additional grants, if they exist, will be offered through Public Service.

Security Cameras – Still waiting for the third vendor's proposal.

2022 NJDOT MA Project - Utter Avenue and 5th Avenue – Revised plans were submitted to the DOT through their PRMS system. We should have comments back this week and then be able to go out to bid.

2022 Road Improvement Project – A pre-construction meeting was held today.

2021 NJDOT Municipal Aid Project - Bamford Avenue – DLS expects to have everything completed by the end of this week, as well as Macchione.

2021 Road Improvement Program – DLS expects to have everything completed by the end of this week, as well as Macchione.

Municipal Emergency Pool Repairs – The work was all done on time, however, it was discovered that the previous bonded and grounded equipment was not done correctly, that was the first change order for \$7,600. Then there was a foundation slab that was entirely hollowed out that had to be replaced at \$4,100. The trench drain still has to be installed as well as a fence post along with a certification of the new bonding which has been approved by Mayor Lane.

PSE&G Gas Main Replacement – Work continues with the gas main replacement throughout the Borough.

Lafayette Avenue Sanitary Sewer – A schedule has been requested from National Water Main.

Recreational Facilities Upgrades – Rob Gross is going to meet with Administrator Maurer who will represent the Recreation Committee. A scope will then be put together to do the work requested.

Sotnick & Braen Avenues Drainage - Mike Kelly will be meeting with residents regarding the drainage issues at Sotnick and Braen Avenues on Monday.

Borough Administrator Eric Maurer

Administrator Maurer congratulated Kevin, Sarah and Stephen on their appointments and the Police Department on their renewed accreditation from the New Jersey Chiefs of Police. Although the construction on the pool was completed in time to open, there were some other issues not directly related to it that kept it from opening this past weekend. The pool should open this weekend with a successful summer. He apologized to the Council for the salary ordinance amendment on the agenda which was due to several titles being omitted on the original. As noted in the bid minutes, two proposals for IT Services were received last week, the committee review, as required under the competitive contracting process, was kicked off on Tuesday. A recommendation for award will be at the June 15th Council meeting.

Mayor Lane asked Dr. Boswell if he knew when the roofers were going to be doing the work as there is work that needs to be done inside the building once the roof is completed. Dr. Boswell stated he will know that by tomorrow, the roofer has to make sure they have the materials first.

Questions for the Administration

Councilman Sciarra asked Borough Attorney Pasquale where the band shell schedule could be found. He stated the schedule has not been published yet because they just got their last act in this afternoon and it should be ready by Monday. He stated it will be posted on Facebook, Twitter, the website, Instagram and posted all around town.

Councilwoman Laiosa asked Dr. Boswell where the drainage issue is on Sotnick & Braen Avenues. He stated he was not sure but Council President Matthews stated it is at the telephone pole.

Councilman Mele asked Attorney Pasquale if the Council would have a chance to go over the Master Plan before they vote on it. He stated the Council does not vote on the Master Plan, the Planning Board. Mayor Lane stated a copy will be placed in the Council room for their review.

Council President Matthews asked Administrator Maurer who the third vendor is they are waiting for regarding the security system as he was not aware of any plan that was in place yet. Administrator Maurer stated they have a plan they will bring to the Council to decide what part of the plan is needed once they have all of the information. Council President Matthews stated he understood but is hesitant for this to go any further without any input from the Council.

Councilman Wojtecki asked where we stand with the vendor who hadn't paid their Board of Health fees and was going to be shut down by the Mayor. Mayor Lane explained the fees are due by the end of January and hadn't been paid as of April 21st, he stated the vender had until that Friday to pay or they would be shut down. The vendor paid that Friday but since then the restaurant has closed.

Council President Matthews entertained a motion to record the Administrative Agenda, motion by Councilman Mele, seconded by Councilman Sciarra. Carried on voice vote.

INTRODUCTION OF ORDINANCE 2295-22

AN ORDINANCE TO AMEND 2294-22, FIXING THE 2022 SALARIES, WAGES AND COMPENSATION OF THE EMPLOYEES OF THE BOROUGH OF HAWTHORNE, COUNTY OF PASSAIC AND STATE OF NEW JERSEY.

The Municipal Council of the Borough of Hawthorne in the County of Passaic and the State of New Jersey, do ordain as follows:

Section 1. Ordinance No. 2295-22 of the Borough of Hawthorne, an Ordinance to Fix the Salaries, Wages and Compensation of the Employees of the Borough of Hawthorne, County of Passaic and State of New Jersey, is hereby amended as follows:

SALARY ORDINANCE 2022

| <u>Position/Title</u> | 2022 |
|--------------------------------------|-------------|
| Chief, Fire Prevention Bureau | 73,383.00 |
| Zoning Officer | 13,000.00 |
| Local Code Supervisor | 7,000.00 |
| Building Sub-Code Official F/T | 94,300.00 |
| Municipal Housing Liaison | 15,000.00 |
| COVID Nurse (per hour) | 43.10 |
| Videographer | 25.00 |

Section 2. Except as herein amended, Ordinance No. 2294-22 remains in full force and effect.

Section 3. All ordinance and parts of ordinances inconsistent with the provision of this ordinance be and the same are hereby repealed, but only to the extent of such inconsistencies.

Section 4. This ordinance shall take effect twenty (20) days after final passage, provided notice of the same has been duly published all as required by law.

BE IT RESOLVED, this Ordinance 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 June 15, 2022 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 Record once, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage, motion by Council Vice President Bennett, seconded by Councilman Mele. On roll call, all voted yes, motion carried.

RESOLUTIONS: CONSENT AGENDA: R 91-22 through R 94-22

R 91-22 Introduced by Council Vice President Bennett

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 2022 in the sum of \$3,000.00 which item is now available as revenue for the Drunk Driving Enforcement Fund (DDEF) in the Borough of Hawthorne.

| | |
|---|------------|
| SPECIAL ITEM OF REVENUE OFF-SET WITH APPROPRIATIONS | |
| Drunk Driving Enforcement Fund (DDEF) | \$3,000.00 |

Pursuant to the provision of the statute; and

SECTION 2

BE IT FURTHER RESOLVED, that a like sum of \$3,000.00 be and is hereby appropriated under the caption of:

| | |
|--|------------|
| OPERATIONS EXCLUDED FROM "CAPS" | |
| PUBLIC AND PRIVATE PROGRAMS OFF-SET BY REVENUE | |
| Drunk Driving Enforcement Fund (DDEF) | \$3,000.00 |

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 2022 budget and are now available by law.

R 92-22 Introduced by Council Vice President Bennett

WHEREAS, the Municipal Council of the Borough of Hawthorne has awarded a contract for Professional Engineering Services to the firm of Boswell Engineering for the year 2022; and

WHEREAS, Boswell Engineering has submitted a proposal relative to the replacement of the Roller Hockey Rink Dasher Boards, consisting of two tasks, contract preparation and bid assistance, and construction inspection, as set forth in a proposal, dated March 30, 2022, revised to May 5, 2022, a copy of the same being on file in the office of the Municipal Clerk; and

WHEREAS, the Administration has recommended the award of a contract in total sum not to exceed \$35,400; 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 but requires that the award of such contract for professional services be publicly advertised; and

WHEREAS, the Administration recommendation of an award of contract to Boswell Engineering relative to the within project is based upon its experience in the field, familiarity with the Borough of Hawthorne and the submission of a contract within the expectation of the solicitation for a quotation; and

WHEREAS, the Chief Financial Officer has certified availability of funds through the Municipal Budget, Capital Outlay, Field Equipment, Line Item 2-01-2010-44-9012-107, so as to allow for the award of a contract in total certified amount not to exceed \$35,400; and

WHEREAS, Boswell Engineering has submitted to the Borough of Hawthorne a duly completed Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Borough of Hawthorne in the previous one year and that it would be prohibited 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 Boswell Engineering for Professional Engineering Services in connection with the Roller Hockey Rink Dasher System Replacement Project, in accordance with its proposal, in a sum not to exceed \$35,400.
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. Funding for the award of this contract has been certified 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 shall remain on file with a true copy of this resolution.

CERTIFICATION OF AVAILABILITY OF FUNDS

As required by NJSA 40A:4-57, NJAC 5:30-14.5 and any other applicable requirement of law, I Laurie A. Foley, Chief Financial Officer of the Borough of Hawthorne, have determined that there are available, sufficient funds, not committed to any other purpose, through the Municipal Budget, Capital Outlay, Field Equipment, Line Item 2-01-2010-44-9012-107, so as to allow for the award of a contract in total certified amount not to exceed \$35,400 to Boswell Engineering for Engineering Services relative to the Roller Rink Dasher System Replacement.

R 93-22 Introduced by Council Vice President Bennett

WHEREAS, the Borough of Hawthorne solicited bids for the Lighting Improvements at the Louis Bay 2nd Public Library, all in accordance with plans and specifications prepared by its Municipal Engineer, and received and opened such bids on May 25, 2022; and

WHEREAS, the bid solicitation consisted of a base bid together with two bid alternates, funded through an appropriation in the Municipal Budget; and

WHEREAS, three bids were received, with the apparent low bid for the base bid only being submitted by Power with Prestige, Inc., in the sum of \$384,000 with second low bid submitted by Post and Kelly in the sum of \$390,000; and

WHEREAS, the bid submitted for alternates 1 and 2 submitted by Post and Kelly were \$40,000 and \$33,000 respectively versus the bid of Power with Prestige at \$47,000 and \$44,000, making Post and Kelly the apparent low bidder if Alternate 1 or Alternates 1 and 2 were to be awarded; and

WHEREAS, in all events the amounts of the bids, even as to base bid alone, greatly exceed the amount appropriated for the improvement in the Municipal Budget and greatly exceed the estimate for the work prepared by the Borough Engineer requiring the rejection of the bids in their entirety;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that it does reject all bids submitted for reasons stated herein and does authorize the Municipal Clerk to so notify each bidder and return any bid bond received.

R 94-22 Introduced by Council Vice President Bennett

WHEREAS, the Borough of Hawthorne owns and operates a municipal pool, open for the benefit of its residents and other permitted guests during the pool season; and

WHEREAS, the DPW staff discovered significant cracks in curb wall sections north and south of the pump room, threatening the integrity of the pool and its operation during the season, scheduled to begin in matter of weeks; and

WHEREAS, the Borough Engineer, once assessing the situation, concluded that repairs needed to be made on an emergency basis to both protect the pool from serious damage and as well as its operating system and to ensure opening as scheduled for the end of the month; and

WHEREAS, the Municipal Council awarded an emergency contract to Cipriano Enterprises, Inc., adopting R 76-22 on May 4, 2022, in an amount not to exceed \$35,928.34; and

WHEREAS, upon commencement of the work, additional defects, not detectable until the work commenced, were discovered, resulting in the submission by Cipriano of two Change Orders seeking an increase in the scope of the work authorized and increase in the price authorized by the original Resolution; and

WHEREAS, Change Order 1, date May 25, 2022, relates to additional electrical work, determined to be necessary and emergent in nature, in total sum of \$7,563.55 and Change Order 2, also dated May 25, 2022, relates to additional foundation work discovered upon removal of existing concrete, excavation related to electrical work and replacement of a snapped fence post that had rusted, in total sum of \$4,060.00; and

WHEREAS, the Borough Engineer has reviewed the work entailed and the price submitted and has rendered an opinion to the Borough that the work relates to conditions not known to exist at the time the original contract was awarded, was emergent in nature given its structural nature and relationship to the time the pool is scheduled to open, and is at a price deemed to be fair and reasonable; and

WHEREAS, the total sum originally awarded was below the threshold set forth in the Local Public Contracts Law but with the two change orders would now exceed by a small amount the bid threshold; and

WHEREAS, the Borough Attorney has advised that the change orders may be approved nevertheless as they are for a sum bringing the total contract just above the bid threshold, were emergent in nature and only discovered at a point where work had already commenced, and it would have been inefficient and impractical to solicit additional quotations while a work crew was already mobilized on site and ready to complete the same prior to the opening of the pool; and

WHEREAS, the amount of the original contract exceeded the New Jersey Pay to Play Statute however the contractor has certified in writing to the Municipal Clerk that it is in compliance with the Pay to Play Law by submitting an entity disclosure; and

WHEREAS, the Chief Financial Officer has certified availability of funds pursuant to the Municipal Budget, Capital Outlay, Pool Repairs, Line Item 01-2010-44-9012-108 so as to allow for the issuance of a purchase order in total certified amount not to exceed \$1,146.66 and Line Item C-04-2150-55-2270-001 in total certified amount not to exceed \$10,476.89, for a total of \$11,623.55 for both change orders, thereby increasing the amount of the award of contract from \$35,928.34 to \$47,551.89;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does approve Change Orders One and Two, as detailed above, increasing the contract amount awarded to Cipriano Enterprises, Inc., from \$35,928.34 to \$47,551.89.

CERTIFICATION OF AVAILABILITY OF FUNDS

As required by NJSA 40A:4-57, NJAC 5:30-14.5 and any other applicable requirement of law, I Laurie A. Foley, Chief Financial Officer of the Borough of Hawthorne, have determined that there are available, sufficient funds, not committed to any other purpose, provided in the Municipal Budget, Capital Outlay, Pool Repairs, Line Item 01-2010-44-9012-108 so as to allow for the issuance of a purchase order in total certified amount not to exceed \$1,146.66 and Line Item C-04-2150-55-2270-001 in total certified amount not to exceed \$10,476.89, for a total of \$11,623.55 for both change orders, thereby increasing the amount of the award of contract from \$35,928.34 to \$47,551.89 to Cipriano Enterprises, Inc., for emergency pool repairs.

Council President Matthews entertained a motion to adopt consent agenda resolutions R 91-22 through R 94-22, motion by Council Vice President Bennett, seconded by Councilman Mele.

Discussion

Council President Matthews asked Dr. Boswell if R 92-22 is based on a not to exceed/hourly rate approach. Dr. Boswell stated yes.

On roll call, all voted yes, motion carried.

REPORTS OF SPECIAL COUNCIL COMMITTEES

Councilman Wojtecki reported the Shade Tree Commission meeting will be on June 6th at 7:00pm, the St. Anthony’s Feast will be on June 8th through the 11th and the next Board of Health meeting on June 16th at 7:00pm.

Councilman Sciarra reported the Ordinance Committee had a meeting last Wednesday with a very full agenda. Additional stop signs were discussed for streets that are being used as cut-throughs, the Traffic Division suggestion about no parking on Utter Avenue from 9th Avenue to Rte. 208, noxious weeds bamboo growth and control, tree roots lifting the concrete slabs around the Shade Tree trees around the Borough, and a plan moving forward to replace the Shade Trees. Residents clear-cutting trees on their property was also discussed for a good portion of the meeting. The boy’s baseball team won their first playoff game today 7-2, with their next game on Saturday. The Lady Bears flag football team had an 8-0 season with a game scheduled for today, he was not sure of the score. The next Board of Education meeting will be on June 7th at 7:00pm with the location to be determined.

Councilwoman Laiosa reported the Borough of Hawthorne filed for recertification on May 21st, 2022 maintaining the Borough’s silver certification. The first round of comments will be heard in July with a second round of comments in August. Once approved in September, we will be recognized at the League of Municipalities at the Annual Sustainable New Jersey luncheon. She thanked everyone for all their help in putting this all together.

Council Vice President Bennett reported the next Public Works Committee meeting is on June 13th at 6:00pm.

Councilwoman Sasso reported the next Hawthorne Ambulance Corps. meeting is Monday, June 6th at 7:00pm.

Councilman Mele reported the Municipal Alliance Committee is very active with a new leader in place who is doing an excellent job, he is very proud to belong to the committee.

Council President Matthews reported the next Planning Board meeting is next Tuesday possibly including the Goffle Road application providing they have all of their revised information ready. Mayor Lane stated he received a new set of plans and specs, but Mike Kelly is waiting for some additional items.

Mayor Lane thanked Councilwoman Laiosa for all of her hard work she put in to get the Sustainable New Jersey recertification.

CORRESPONDENCE None.

BILLS

| Vendor Name | Description | Amount | Check Id |
|-------------------------|------------------------------|-------------|----------|
| AGRA ENVIRONMENTAL SVC | DRAW DOWN-MO. WATER TESTING | \$ 1,338.75 | 42682 |
| AGRA ENVIRONMENTAL SVC | DRAW DOWN-MO. WATER TESTING | 782.00 | 42682 |
| AGRA ENVIRONMENTAL SVC | FEE FOR EACH MONTH | 840.00 | 42682 |
| AGRA ENVIRONMENTAL SVC | FEE FOR EACH MONTH | 840.00 | 42682 |
| ALERT GRAPHICS | MAYOR LANE PENCIL GIVEAWAYS | 160.00 | 31480 |
| ALERT GRAPHICS | MAYOR LANE PENCIL GIVEAWAYS | 30.00 | 31480 |
| ALERT GRAPHICS | MAYOR LANE PENCIL GIVEAWAYS | 31.00 | 31480 |
| ALLEGiant WIRELESS, LLC | COMMUNICATIONS EQUIPMENT R28 | 7,350.00 | 31481 |

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| AMERICAN MOBILE GLASS | WINDSHIELD REPLACEMENT | 465.96 | 31482 |
| AMERICAN TRAFFIC & STREET SIGN | STREET DEDICATION REPLACEMENT | 73.65 | 31483 |
| AQUARIUS IRRIGATION SUPPLY,INC | MISC PARTS/SUPPLIES BORO HALL | 107.61 | 31484 |
| BOBBY VAN PLUMBING INC | UPSTAIRS BATHROOM REPAIRS | 7,400.00 | 3878 |
| BOLTZER LANDSCAPING INC | LANDSCAPING POOL/RR/MULCH | 1,954.29 | 31485 |
| BOSWELL ENGINEERING, INC | 2021 ROAD PROGRAM RESO 55-21 | 452.50 | 3879 |
| BOSWELL ENGINEERING, INC | MUNICIPAL POOL RESO 77-21 | 947.00 | 3879 |
| BOSWELL ENGINEERING, INC | PLAYGROUND MUNICIPAL POOL R78 | 3,385.50 | 3879 |
| BOSWELL ENGINEERING, INC | PFOA/PFOS TREATMENT PLAN R125 | 9,081.50 | 1263 |
| BOSWELL ENGINEERING, INC | INVESTIGATION OF WELLS | 1,110.00 | 42683 |
| BOSWELL ENGINEERING, INC | PSEF GAS MAIN REPLACEMENT R150 | 3,527.00 | 31486 |
| BOSWELL ENGINEERING, INC | R55-22 WATER LINE REPLACEMENTS | 4,827.50 | 1263 |
| BOSWELL ENGINEERING, INC | CAMERA SECURITY SYSTEM R77-22 | 2,256.00 | 31486 |
| BOSWELL ENGINEERING, INC | CAMERA SECURITY SYSTEM R77-22 | 1,903.00 | 42683 |
| BOSWELL ENGINEERING, INC | CAMERA SECURITY SYSTEM R77-22 | 822.00 | 31486 |
| BOSWELL ENGINEERING, INC | CAMERA SECURITY SYSTEM R77-22 | 896.00 | 42683 |
| BOSWELL ENGINEERING, INC | CAMERA SECURITY SYSTEM R77-22 | 896.00 | 31486 |
| BOSWELL ENGINEERING, INC | PRO ENG SVC | 4,732.00 | 31486 |
| BRAEN SUPPLY INC | DPW CEMENT & GRAVEL PRODUCTS | 83.84 | 31487 |
| BROWN'S JANITORIAL SUPPLY | JANITORIAL SUPPLIES-BORO HALL | 95.28 | 31489 |
| BROWN'S JANITORIAL SUPPLY | JANITORIAL SUPPLIES-BORO HALL | 86.36 | 31489 |
| BROWN'S JANITORIAL SUPPLY | JANITORIAL SUPPLIES-BORO HALL | 394.62 | 31489 |
| CAMPBELL - ERS | TYPE 'N' INLET | 450.00 | 31490 |
| CAMPBELL - ERS | TYPE 'N' INLET | 180.00 | 31490 |
| CANON FINANCIAL SVCS INC | ROAD COPIER LEASE FEE | 43.00 | 31491 |
| CANON FINANCIAL SVCS INC | WATER EQUIPMENT | 43.00 | 42684 |
| CINTAS CORP | BORO HALL RUG SRV DOOR MATS | 227.79 | 31492 |
| COASTAL DISTRIBUTION PATERSON | TRANSFER STATION FEES | 193.80 | 31493 |
| COASTAL DISTRIBUTION PATERSON | TRANSFER STATION FEES | 405.12 | 31493 |
| COYNE CHEMICAL | CHOLRINE TABLETS | 13,946.97 | 42685 |
| CRAZY CAR VINYL LLC | VEHICLE LETTERING | 1,400.00 | 31494 |
| DIANE KORZINSKI | SHADE TREE "CALL OF THE FOREST | 75.00 | 31495 |
| DIANE KORZINSKI | SHADE TREE "CALL OF THE FOREST | 39.95 | 31495 |
| DOWNES TREE SERVICE, INC. | SHADE TREE REMOVALS | 1,950.00 | 31496 |
| DOWNES TREE SERVICE, INC. | HAWTHORNE 2022 DLC FRANKLIN | 375.00 | 31496 |
| DOWNES TREE SERVICE, INC. | HAWTHORNE 2022 DLC WAGS (ALL3) | 450.00 | 31496 |
| DOWNES TREE SERVICE, INC. | HAWTHORNE 2022 DLC VETERANS | 375.00 | 31496 |
| DOWNES TREE SERVICE, INC. | HAWTHORNE FIELDS | 7,050.00 | 31496 |
| DOWNES TREE SERVICE, INC. | HAWTHORNE FIELDS | 21,450.00 | 31496 |
| DOWNES TREE SERVICE, INC. | REMOVALS TREES FOR MARCH | 2,650.00 | 31496 |
| ELECTRONIC DRIVER & CONTROLS | PUMP REPAIRS | 942.25 | 42686 |
| ELLEN BROGNO | STIGMA WALK SUPPLIES | 30.90 | 31497 |
| ELLEN BROGNO | PEN REFILLS | 50.00 | 31497 |
| ELVIN AUTOMOTIVE SERVICES | VARIOUS VEHICLE REPAIRS | 595.16 | 31498 |
| GATES FLAG & BANNER CO, INC | EMS FLAG | 58.07 | 31499 |
| GATES FLAG & BANNER CO, INC | EMS FLAG | 18.00 | 31499 |
| GILL ID SYSTEMS | WRISTBANDS POOL 2022 | 350.00 | 31500 |
| GILL ID SYSTEMS | WRISTBANDS POOL 2022 | 20.00 | 31500 |
| GRAINGER, INC | CALIBRATION GAS 20MF65 | 127.89 | 31501 |
| GRAINGER, INC | CALIBRATION GAS CYLINDER 8FYD2 | 304.46 | 31501 |

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| GRAINGER, INC | SELFRETRACTING LIFELINE 178T94 | 272.52 | 31501 |
| GRAINGER, INC | GAS REGULATOR 30N956 | 138.62 | 31501 |
| HAWTHORNE AUTO LAB | POLICE VEHICLE REPAIRS | 28.00 | 31502 |
| HAWTHORNE AUTO LAB | POLICE VEHICLE REPAIRS | 1,025.55 | 31502 |
| HAWTHORNE AUTO LAB | POLICE VEHICLE REPAIRS | 182.40 | 31502 |
| HAWTHORNE AUTO LAB | POLICE VEHICLE REPAIRS | 451.97 | 31502 |
| HAWTHORNE AUTO LAB | POLICE VEHICLE REPAIRS | 81.50 | 31502 |
| HAWTHORNE AUTO LAB | POLICE VEHICLE REPAIRS | 252.40 | 31502 |
| HAWTHORNE AUTO LAB | POLICE VEHICLE REPAIRS | 462.35 | 31502 |
| HAWTHORNE AUTO LAB | POLICE VEHICLE REPAIRS | 744.50 | 31502 |
| HAWTHORNE BOARD OF EDUCATION | SR CIT. DINNER FOR 4/27 EVENT | 20.63 | 171 |
| HAWTHORNE BOARD OF EDUCATION | SR CIT. DINNER FOR 4/27 EVENT | 769.14 | 171 |
| HAWTHORNE BOARD OF EDUCATION | SR CIT. DINNER FOR 4/27 EVENT | 184.98 | 171 |
| HAWTHORNE BOARD OF EDUCATION | SR CIT. DINNER FOR 4/27 EVENT | 375.25 | 171 |
| HAWTHORNE CAR WASH, INC | POLICE VEHICLE WASHING | 493.00 | 31503 |
| HENDERSON TRUCK EQUIPMENT | BRINE UNIT SERVICE | 542.98 | 31504 |
| HENDERSON TRUCK EQUIPMENT | BRINE UNIT SERVICE | 1,250.00 | 31504 |
| HENDERSON TRUCK EQUIPMENT | OPEN CREDIT CUST 700417 | -179.76 | 31504 |
| JACK DOHENY COMPANIES INC | BALL VALVE | 60.00 | 31505 |
| JOHN LANE | 2022 CONF MAYORS LODGING | 285.48 | 31506 |
| JP MONZO, MUNIC CONSULTING LLC | FINANCE GUIDE | 50.00 | 31507 |
| KELLY CLIFFORD | PEER LEADERS ATTENDANCE | 25.98 | 5877 |
| LIFE STORAGE | MONTHLY STORAGE 06/17-07/17 | 344.00 | 31537 |
| LogMeIn COMMUNICATIONS, INC. | GO TO MEETING JAN 2022 | 117.13 | 31508 |
| LORI FERNANDEZ | EYE GLASS REIMB | 210.00 | 31509 |
| LOUIS BAY 2nd LIBRARY | 2022 MUNICIPAL APPROP | 232,785.00 | 31510 |
| LOWES HOME IMPRV BUSINESS ACCT | SUPPLIES | 213.28 | 31511 |
| LOWES HOME IMPRV BUSINESS ACCT | SUPPLIES | 668.40 | 42687 |
| LOWES HOME IMPRV BUSINESS ACCT | SUPPLIES | 222.84 | 31511 |
| LUSCHER'S AUTO INC | A/C REPAIR W-2 | 2,324.25 | 42688 |
| MAIN POOL & CHEMICAL CO, INC | POOL-CHLORINE CHEMICALS | 604.00 | 31512 |
| MAUREEN COOK | REIMB CELEBRATION AT LIBRARY | 51.80 | 31513 |
| METLIFE | JUNE 2022 TM05001743 0001 | 307.92 | 31514 |
| MICHAEL DALY | MILEAGE | 17.55 | 31515 |
| MONTONE REMOD & CONS CO, INC | DRAW DOWN-WATER CATCH BASIN | 550.00 | 31516 |
| MONTONE REMOD & CONS CO, INC | DRAW DOWN-WATER CATCH BASIN | 495.00 | 31516 |
| MONTONE REMOD & CONS CO, INC | DRAW DOWN-WATER CATCH BASIN | 1,650.00 | 31516 |
| MONTONE REMOD & CONS CO, INC | DRAW DOWN-WATER CATCH BASIN | 525.00 | 31516 |
| MORTON SALT, INC. | ROADWAY SALT | 25,554.02 | 31517 |
| MUNICIPAL RECORD SERVICE | ATS/ACS MAILERS | 1,410.00 | 31518 |
| NEW JERSEY FIRE EQUIPMENT CO. | SCBA REPAIRS | 197.89 | 31519 |
| NICHOLAS TAFURI | REIMBURSEMENT JR POLICE ACAD | 95.46 | 5878 |
| NORA KHOURY | GLASSES REIMBURSEMENT DEPEND | 210.00 | 31520 |
| NORTH JERSEY MEDIA GROUP INC | RD PROGRAM AWARD OF CONTRACT | 16.20 | 3880 |
| NORTH JERSEY MEDIA GROUP INC | ADOPTION OF ORDINANCE | 10.35 | 31521 |
| NORTH JERSEY MEDIA GROUP INC | ADOPTION OF ORDINANCE | 8.55 | 31521 |
| NORTH JERSEY MEDIA GROUP INC | ADOPTION OF ORDINANCE | 9.00 | 31521 |
| NORTH JERSEY MEDIA GROUP INC | SANITARY SEWER AWARD CONTACT | 18.90 | 31521 |
| NORTH JERSEY PUMP & CONTROLS | PUMP EVALUATION | 370.00 | 31522 |
| P & A AUTO PARTS, INC | AUTO SUPPLIES DPW WATER EQUIP | 55.96 | 42689 |

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| P & A AUTO PARTS, INC | AUTO SUPPLIES DPW SEWER PARTS | 71.56 | 31523 |
| P & A AUTO PARTS, INC | AUTO SUPPLIES ROAD-EQUIPMENT | 15.13 | 31523 |
| P & A AUTO PARTS, INC | AUTO SUPPLIES ROAD-EQUIPMENT | 21.86 | 31523 |
| P & A AUTO PARTS, INC | AUTO SUPPLIES ROAD-EQUIPMENT | 56.11 | 31523 |
| P & A AUTO PARTS, INC | AUTO SUPPLIES ROAD-EQUIPMENT | 3.47 | 31523 |
| PASCACK DATA SERVICES | UPGRADE IT SERVICES | 65,422.55 | 31524 |
| PASCACK DATA SERVICES | INTERAL PC | 125.00 | 31524 |
| PASSAIC COUNTY MUTUAL AID ASSO | 2022 ANNUAL DUES | 100.00 | 31525 |
| PERRY'S FLORIST | FRED SODER FLOWERS | 184.99 | 31526 |
| PRECISION ELECTRIC MOTOR WORKS | REBUILD PUMP | 7,350.00 | 42690 |
| PREFERRED BUSINESS SYSTEMS | INK POSTAGE MACHINE | 15.00 | 31527 |
| PRINTMASTERS | 1000 #10 ENVELOPES | 150.00 | 31528 |
| PRINTMASTERS | WATER METER PINK CARDS | 150.00 | 42691 |
| PROCOPY INC | WASTE TONER BOTTLES | 24.34 | 31529 |
| PROCOPY INC | WASTE TONER BOTTLES | 24.35 | 31529 |
| RIO SUPPLY, INC | METER GASKETS AND WASHERS | 50.00 | 42692 |
| RIO SUPPLY, INC | METER GASKETS AND WASHERS | 26.00 | 42692 |
| ROBERT BERGER | SUPPLIES POOL | 55.30 | 31530 |
| RT OFFICE PRODUCTS | SUPPLIES FOR ASSESSOR OFFICE | 267.98 | 31531 |
| STONE INDUSTRIES, INC | ROAD DEPT-STONE SUPPLIES | 233.85 | 31488 |
| STONE INDUSTRIES, INC | ROAD DEPT-STONE SUPPLIES | 304.65 | 31488 |
| T&M SCREEN PRINTING, LLC | HAWTHORNE SUMMER REC. T-SHIRTS | 2,297.90 | 31533 |
| T&M SCREEN PRINTING, LLC | POOL STAFF/GUARD T-SHIRTS | 937.50 | 31533 |
| TANIS HARDWARE | MISCELLANEOUS SUPPLIES | 97.94 | 31532 |
| TRI-STATE RENTALS INC | FILTERS | 63.80 | 31534 |
| TRI-STATE RENTALS INC | FILTERS | 112.50 | 31534 |
| TRI-STATE RENTALS INC | FILTERS | 15.25 | 31534 |
| TRUIVIEW BSI, LLC | FIRE DEPARTMENT BACKGROUND CK | 3,138.85 | 31535 |
| UGI ENERGY SERVICES, LLC | ELECTRIC THROUGH MARCH 2022 | 444.70 | 31536 |
| UGI ENERGY SERVICES, LLC | ELECTRIC THROUGH MARCH 2022 | 418.00 | 31536 |
| UGI ENERGY SERVICES, LLC | ELECTRIC THROUGH MARCH 2022 | 67.10 | 42693 |
| UGI ENERGY SERVICES, LLC | ELECTRIC THROUGH MARCH 2022 | 338.50 | 31536 |
| UGI ENERGY SERVICES, LLC | ELECTRIC THROUGH MARCH 2022 | 933.42 | 31536 |
| UGI ENERGY SERVICES, LLC | ELECTRIC THROUGH MARCH 2022 | 92.09 | 42693 |
| UGI ENERGY SERVICES, LLC | ELECTRIC THROUGH MARCH 2022 | 94.72 | 42693 |
| UGI ENERGY SERVICES, LLC | ELECTRIC THROUGH MARCH 2022 | 127.62 | 42693 |
| UGI ENERGY SERVICES, LLC | ELECT THROUGH APRIL 2022 | 563.18 | 42693 |
| UGI ENERGY SERVICES, LLC | ELECT THROUGH APRIL 2022 | 2.20 | 31536 |
| UGI ENERGY SERVICES, LLC | ELECT THROUGH APRIL 2022 | 80.57 | 31536 |
| UGI ENERGY SERVICES, LLC | ELECT THROUGH APRIL 2022 | 76.51 | 42693 |
| UGI ENERGY SERVICES, LLC | ELECT THROUGH APRIL 2022 | 37.16 | 42693 |
| UGI ENERGY SERVICES, LLC | ELECT THROUGH APRIL 2022 | 209.15 | 31536 |
| UGI ENERGY SERVICES, LLC | ELECT THROUGH APRIL 2022 | 304.81 | 31536 |
| VERIZON | FIOS DPW BUILDING | 114.66 | 31540 |
| VERIZON | 5/15/2022 150716970000104 | 404.32 | 31538 |
| VERIZON WIRELESS (N) | 5/16-6/15/22 742284815-00001 | 342.76 | 31539 |
| W.B. MASON CO INC | DPW GARAGE & OFFICE SUPPLIES | 144.31 | 31541 |
| W.B. MASON CO INC | DPW GARAGE OFFICE SUPPLIES | 76.02 | 42694 |
| WINDSTREAM | ACT 5494017 | 46.83 | 31542 |
| WINDSTREAM | ACT 5494017 | 46.83 | 42695 |

Council President Matthews entertained a motion to approve the bills and forward them to the Treasurer for payment, motion by Councilman Sciarra, seconded by Councilman Mele.

Councilwoman Sasso asked how many t-shirts were ordered for Summer Rec, she feels it is an exorbitant amount. Administrator Maurer explained there are hundreds of children who register for Summer Rec. Car washes were also questioned on the bill list, Mayor Lane stated they were for the police department. Administrator Maurer explained there are various entries and only the top entry appears on the description, there may be a long list of other things including other car washes.

On roll call, all voted yes, with the exception of Councilman Wojtecki who abstained from bills pertaining to the Fire Department, motion carried.

PUBLIC COMMENT

Council President Matthews opened the meeting to the public. He stated if anyone desired to be heard, to 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 Mele, seconded by Councilman Wojtecki. Carried on voice vote.

THE NEXT COUNCIL MEETING IS WEDNESDAY, JUNE 15, 2022 AT 7 PM

ADJOURNMENT

At 8:21pm Council President Matthews entertained a motion to adjourn, motion by Council Vice President Bennett, seconded by Councilman Wojtecki. Carried on voice vote.