

The Virtual Reorganization Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:01pm via “GoTo Meeting”. Council President Matthews announced the meeting can be viewed live on Cable Channels Optimum Channel 77, Verizon FIOS Channel 28 and Live Streaming on Facebook: Borough Hawthorne NJ Group, <https://www.facebook.com/groups/1135979460070290>. Questions/comments can be emailed to the Borough Clerk in advance of the meeting at lfernandez@hawthornenj.org, you may call into the meeting during public comments and public hearings to be heard in person by dialing (312)757-3121 using the access code 472-199-829, or you may join from your computer, Tablet or Smartphone by logging into: <https://global.gotomeeting.com/join/472199829>.

Once logged on, all members of the public must mute themselves and remain muted until the public comment portion of the meeting. Persons wishing to speak may do so by raising their hand or using the chat feature and will be called upon by the Council President. Speakers must identify themselves by name and address before speaking. Any person disrupting the meeting will be muted by the organizer and should such disruption continue, they may be removed from the meeting. Thank you in advance for your cooperation.

The following were present via GoTo Meeting:

Mayor	Richard S. Goldberg
Council President	Frank E. Matthews
Council Vice President.....	John V. Lane
Councilman	Bruce A. Bennett
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 schedule, and a copy of said schedule has remained on file in the office of the Borough Clerk from and since December 3, 2020. In accordance with Executive Orders issued by Governor Murphy relating to the COVID-19 Pandemic, this meeting will take place in a virtual setting on the GoTo Meeting platform.

INVOCATION

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

INTRODUCTION OF DIGNITARIES

Council President Matthews introduced Prosecutor Patricia Qualey, Esq. and Hawthorne School Board President Alex Clavijo.

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

NOMINATION & ELECTION OF 2021 COUNCIL PRESIDENT

Borough Clerk Fernandez welcomed everyone to the 2021 Virtual Reorganization Meeting and wished everyone a Happy and Healthy New Year. Clerk Fernandez asked for nominations for Council President. Councilman Lane nominated Councilman Matthews, seconded by Councilman Wojtecki. There were no other nominations. On roll call, all voted yes, with the exception of Councilman Matthews who abstained, motion carried. Borough Clerk Fernandez announced the 2021 Council President is Frank Matthews. Mayor Goldberg administered the Oath of Office to Council President Frank Matthews.

NOMINATION & ELECTION OF 2021 COUNCIL VICE PRESIDENT

Clerk Fernandez asked for nominations for Council Vice President. Council President Matthews nominated Councilman Lane, seconded by Councilman Wojtecki. There were no other nominations. On roll call, all voted yes, with the exception of Councilman Lane who abstained, motion carried. Borough Clerk Fernandez

announced the 2021 Council Vice President is John Lane. Mayor Goldberg administered the Oath of Office to Council Vice President John Lane.

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

MAYOR'S 2021 ADDRESS

On January 1st I began my 24th year as an elected official. My 11 years on the Council prepared me for my time as Mayor. It has been an honor and a pleasure to serve as your Mayor. As I tell people, I am the Mayor of Hawthorne, not the Mayor of the Republicans of Hawthorne, but Mayor of the entire community. I am proud of the fact, that as Mayor, I have appointed more women and more Democrats to important leadership roles than any other Mayor in Hawthorne's history. Last year I created the Hawthorne Pride Alliance to give a voice to a community that wanted to serve and involve themselves in local government but were afraid or unsure of how to. I have strived to bring our Hawthorne community together and keep it strong. I have made our Police Department more reflective of our community. Hawthorne today is not the Hawthorne of the 1950's. We are a culturally diverse town, and I celebrate what unites us and not on what divides us. Former New York City Mayor David Dinkins said it best when he said that America is not a melting pot where we become the same, but a mosaic where we are part of the whole but maintain our own uniqueness. I celebrate our uniqueness and the fact that we come together as a family community. The small things we do like meal trains, clothing drives or just watching out for each other makes us the caring community that we are. We are *Hawthorne Strong*. We have done a lot in my soon-to-be thirteen years as Mayor. I am not going to take your time listing the accomplishments of my Administration, but they are many. From Super Storm Sandy to the current COVID-19 pandemic, I am proud how we have reacted as a community. Hawthorne is stronger than anything Mother Nature or a virus can throw at us. We endured the tragedy at the Farmers Market. Hundreds turned out for a Hawthorne victim that many of us never met, but our grief as a community helped us to survive. I have served with some incredible elected and appointed officials throughout my time as a public servant. I often think of Garry Sinning, Marge Shortway and Hank Van Ry who died doing what they loved: serving the community they loved. My core appointed officials Eric Maurer, my administrator, Mike Pasquale, my borough attorney, and Steve Boswell, my Borough Engineer have always made me look good, and solve problems and issues that at times seemed unsurmountable. They will always have my gratitude for a job well done. From Joe Metzler and John Lane, who took me under their wings to show me how to be an effective Councilman, to Rayna Laiosa and Mike Sciarra and their enthusiasm as newly-elected officials, as well as everyone in between: in particular Frank Matthews, Dominic Mele, Bruce Bennett, John Bertollo, et al. To my friend Joe Wojtecki, a member of the loyal opposition, I appreciate your support these many years. All of us past and present have moved Hawthorne forward to make this the great Borough that it is. 2020 was truly the year of the COVID-19 pandemic. All we did as a Borough and a community was to find ways to survive. We survived and at times thrived through the worst virus since the Spanish Flu of 1919. Through my years on the emergency management team we talked about different virus strains and about inoculation, but none were close to what we have endured this last year. There is, however, good news. Vaccines are here, and inoculations have already started for health care workers and EMTs. There will be an inoculation for every person living in Hawthorne. The vaccines are slated to be given in tiers: 1A for healthcare workers and EMTs; 1B for those over 75 years of age; 1C for those over 65, and then continuing until all are vaccinated. You will have a choice between the County sites and the City of Paterson's site at the International High School on Grand Ave in Paterson. In fact, you can go to any Passaic County site either run by the County or individual city within the County. You will have to register online, and the vaccinations are by appointment. I know that many of you have suffered severe complications by the shutdown of government or business. Some of you have lost jobs, housing or businesses. For that I am truly sorry. I do take solace in the fact that the Borough has weathered the storm; and because of prudent financial practices and the CARES grant, we have experienced no significant financial problems. We have met our obligations because you have met yours. There has been no significant change to our tax collection rate. That means we have paid our employees, our debt services and endeavored to maintain the same level of service to you, our residents. I am hopeful that we can resume many of the community programs we put on hold last year. Hopefully we can have a baseball/softball season and a Memorial Day Parade, just a few things I note that will help to return life to a new normal. As we enter 2021, I wish you all health and happiness. May God bless Hawthorne and may God Bless you all.

COUNCIL PRESIDENT MATTHEWS REMARKS

Council President Matthews thanked the Mayor for his guidance during these difficult times. He thanked everyone for joining the meeting, his family for giving him the time to do what needs to be done, and his colleagues for their vote of confidence. Last year I spoke of "Change" on the Council. Some change that was chosen and some that was thrust upon us. Mike was selected to fill Garry's seat and I know he'd be pleased with the job he did keeping it warm. He didn't just keep it warm, he made it a seat of his own. Both Mike & Rayna stepped up and hit the ground running and I could not be any prouder to call them my Council colleagues. I have said in previous speeches that we need to focus on local issues, work together, and concentrate on what unites us, not what divides us. After this year's National Election, this could not be more true. We do a good job in Hawthorne of not playing politics when making decisions and doing the right thing for our residents and I pledge to keep it that way.

Last year the items on our agenda fell into two categories; quality of life issues and administrative issues, and I think this year will be the same.

Quality of Life Issues:

1. Last year vehicular speed signs were installed and we installed flashing pedestrian crossing signage at certain intersections. This with enhanced enforcement has had an impact and will continue where needed. We will be looking to launch a full Traffic Division in the Police Department to help enforce and control our Ordinances.
2. Truck Traffic. The Ordinance Committee created an Ordinance to restrict large truck traffic exiting off 208 and Lincoln Ave through the numbered Avenues to finally address this issue. This is another area where the Traffic Division will be able to enforce this new regulation.
3. Parking in the same area has also been an issue. Numerous meetings with one of the large commercial properties, have secured a purchase of a property on 5th Ave to take both Truck and employee parking off the street. Other areas of town are also scheduled to be studied.
4. 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 are awaiting notification. We continued our paper shred days and increased the number of our Styrofoam collection drives to keep less waste out of our garbage stream. In the future we will also look into potentially purchasing renewable energy vehicles going forward.
5. Last year we tried to help our local businesses and those in need with cleaning supplies and food cards to local restaurants using CARES funding. We were notified that any unused money can be rolled over for another year so we will continue to look for ways to help this year with additional programs as long as funding is available.

Administrative Issues:

1. We concluded our Borough wide property Re-Evaluation that was mandated by a Lawsuit from Paterson. The process had a few bumps but as expected some properties increased, some decreased, some basically stayed the same. About 60 percent of single-family homes decreased some amount. Anyone not happy with their re-assessment should file a tax appeal. Contact the Borough Administrator and he can direct you who to contact and any timelines that need to be met.
2. We had to submit an Affordable Housing Plan at the end of the year in order to settle a lawsuit. Now that our plan has been approved by the State, we have some control over where and how many units any new development will bring. We now have a system for residents to inquire and apply for such units. Anyone interested should Contact the Borough's Housing Coordinator.
3. Now that our Affordable Housing Plan is in place, our Master Plan can finally be updated, and this should take about three months for our Planner to complete.
4. At the end of last year, we updated our Storm Water Management Ordinance to include State mandated controls as well as some additional measures to make sure we protect our environment and contain unwanted flooding that comes with over development of a property.
5. We look forward to working with the Administration to prepare a fiscally sound budget that hopefully comes in below a 2% increase. We've worked hard to set us up in previous budgets, so this goal is within reach this year. Last year's increase came in at .8% so that feat will be a challenge to do two years in a row.
6. You may have noticed, some changes occurring on the outside of the Municipal Building and its landscaping. We are also looking to explore options on improving the appearance of the exterior of the building as well.
7. As mentioned last year, we are continuing to listen to our pool user's comments and are looking at ways to make the Pool Experience better. The Mayor's Pool Advisory Committee ranked the users requested improvements, and some have been made already and hopefully more will be done this year. We will again apply for a grant to install lighting, similar to lights downtown, along the pathway and possibly replace the pathway to match the new barrier free ramp to the field behind the pool.

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 additional challenges ahead but keeping the line on tax increases is a top priority.

We look forward to the year ahead and working with the Administration, and our Residents, to keep Hawthorne the place we all love and call home.

Thank you again for joining us tonight and I hope we all have a Happy and Healthy 2021!

COUNCIL VICE PRESIDENT LANE REMARKS

Good Evening. Wow! What a year! We are all very well aware of how challenging 2020 was for all of us so there is no need to elaborate on it. With the start of 2021 and the Covid-19 vaccines now available, I'm confident we are on our way to defeating this deadly virus. Rest assured, even with vaccines, we aren't letting down our guard. I just ask everyone to please continue to wear your face covering, wash your hands and social distance. With these three very important practices and the help of vaccines, we will be able to stop the spread of the virus. Everyone on our Council and in our Administration worked tirelessly to get our jobs done like most of you through emails, text messages and "Go To Meeting" virtual platforms.

First, I want to give a shout out to my fellow Council representatives, our Mayor, our Administrator and our entire team at our Town Hall for keeping our public services going including our food pantry throughout shutdowns, quarantines and very uncertain times. And, of course, to our Hawthorne First Responders and essential workers; our Police Department, our Fire Department, our Emergency Medical Technicians who ride with the Hawthorne Ambulance Corps. and our Department of Public Works team – all of whom have done and continue to do outstanding jobs helping us get through this pandemic.

A heartfelt thank you to our Hawthorne residents who are doctors, nurses, health care providers, teachers, clergy, nursing home and day care workers, our mail and package deliverers, restaurateurs, grocery and drug store workers and gas station attendants, all of whom tirelessly show up every day to provide their talents and services to keep us all going.

I'm excited about what's ahead in 2021 for our community. We have outlined our Roads Program, and we continue to upgrade our water system by changing out a lot of the old equipment and proactively replacing it with new rather than waiting for something to break down. As part of this preventative maintenance program, we continue to purchase new equipment for our Department of Public Works so that our employees can work more efficiently and safely.

We just approved the purchase of a new fire truck for Engine Company 4, and we received this past fall a new apparatus for Truck Company 2. By purchasing this equipment, our Fire Department will have the best (most efficient) that is available in the market today. We just completed a renovation project on the second floor of our Town Hall by combining the Department of Public Works with the Building Department all in the same workspace. This will allow us to serve our residents and contractors more efficiently.

With the pandemic that hit our country, we were fortunate to have received over a million dollars in grant money through the federal government, which was granted to Passaic County and then to Hawthorne. What did we do with these dollars? First, we purchased personal protective equipment for our employees and our emergency services teams, police and fire departments and the ambulance corps. The additional equipment we were able to purchase, provides a huge benefit to our emergency services teams, and saves our taxpayers from having to fund these purchases. We will be utilizing this equipment to its fullest potential for years to come to the life safety benefit to our residents. The grant also allowed us to help our businesses in Hawthorne, and would like to especially thank Councilwoman Rayna Laiosa and Councilman Mike Sciarra for the outstanding job these two newest Council members did on behalf of our business community. They had a vision, and they took the opportunity to the next level. Thank you, Councilwoman Laiosa and Councilman Sciarra.

We continue to work on the 2021 budget, and we are tightening our belts to stay under the 2% cap. Even with all of the improvements that we have performed over the last number of years, we are able to stay under the 2%.

This past year we passed two very important ordinances - one being to address truck traffic challenges on our local streets. This will be a big help to our residents. Our Traffic Department within the Police Department has issued tickets to truckers driving on our streets with overweight trucks. The second one is the Stormwater Ordinance. Thank you, councilwoman Laiosa for taking the lead on this one. The New Jersey Department of Environmental Protection mandated that every municipality in the state adopt an ordinance in conjunction with their new rules. The Ordinance Committee along with our Administration, Boswell Engineering and our attorney drafted our ordinance, which will be a big help in controlling stormwater runoff especially for larger developments being proposed in our community.

In closing, I would like to wish everyone a Happy and Healthy New Year. Stay safe, stay healthy!

COUNCIL MEMBERS REMARKS

COUNCILMAN BENNETT

Councilman Bennett stated how proud he is of the people in the community for the way they have handled this pandemic, specifically going out of their way to help local restaurants and businesses who are struggling to survive. From what he has seen during the past year, he stated he made the right decision to move to Hawthorne 43 years ago, and told everyone to stay safe and have a happier and healthier New Year.

COUNCILWOMAN LAIOSA

It's been a year since I was sworn in as your Councilwoman. It's been a challenging and rewarding year! Who knew just one year ago that the World would be faced with a pandemic and how Hawthorne would stand and raise up for our residents and businesses! All public meetings shifted to virtual meetings, and beloved events (Cel Earth Bration, Hawthorne Day, National Night Out, Bandshell Events, and Green Fair) were forced to be cancelled. As a community, we had to adapt and make immediate changes in our daily lives. We are Hawthorne Strong!

However, Hawthorne always find a way to Make It Happen "Take Action" – Shredding Day, Styrofoam Collection, Grand Opening of the Gateway to the Passaic River Project, Virtual Green Lectures, Hawthorne's

Farmers' Market, Street Dedications, Hawthorne Pool, 9/11 Memorial Service, the Hawthorne Bee Defeat Litter Campaign, and the Holiday Drive By for Our Christmas Tree. A resident pointed out to me during the beginning of the pandemic that she was so thankful to the Borough that garbage and recycling continued to be collected on a weekly basis. A huge Thank You to our Fire, Police, and Ambulance – First Responders – Incredible Dedicated - Always There for the Call of Duty and Protect Our Residents and Businesses! Let's not forget our Borough Employees for working at the Municipal Building – Borough Clerk, Finance, Tax, Health, Building, Recycling, and DPW Departments to 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!

In March 2020, Governor Murphy issued an Executive Order to shut down all non-essential business, while allowing only essential businesses to be open. The Boro Administration and Council worked together to communicate the Governor's Executive Orders to our businesses. I want to Thank the Administration by Working tirelessly with our businesses – making it happen for all of outdoor dining, Diamond Bridge closure, who can open or not, capacity limits, and liquor licenses changes. I can't tell you how many times I heard from the businesses how Hawthorne worked with the businesses and Cut the Red Tape! We all knew without our businesses, we would be in trouble! They are the backbone of Hawthorne!

One of the biggest accomplishments of 2020 that I worked with the Boro and the Hawthorne Chamber of Commerce to develop a List of Hawthorne Essential & Non-Essential Businesses for Our Residents during the Pandemic. We promoted Buy and Shop local – encouraging residents to purchase take-out food and restaurant gift cards, follow them on social media, give them a shoutout/recommendation, or write a review.

Also, I worked with the Boro's administration to create the COVID-19 Button – Webpage containing – List of Essential and Non-Essential businesses, Mayor's letters, New Jersey and Federal COVID Programs, promote & communicate the Federal and New Jersey Grant and Loan Programs for our small businesses. It's one stop webpage for our residents and businesses to receive/learn about COVID information.

The 2nd biggest accomplishment for 2020 was utilizing Hawthorne's CARES Act funding, where we were able to "Give Back" to our small businesses and Hawthorne families in need. We created 2 Programs – PPE & Cleaning Supplies for our businesses, and purchase of restaurant gift cards for Hawthorne families in need from the Hawthorne food pantry/Board of Health. All of the businesses are extremely grateful and thankful that our Hawthorne leaders are taking care of them!

As a leader, we need to see the "Big Picture" and build partnerships and communicate to the public – it's a two-way street. I wanted to provide an update on specific issues that were raised by Ward 2 residents:

- Hawthorne Police is Working Addressing the Speeding of vehicles on our residential streets, such as Diamond Bridge Avenue, Washington Ave, Warburten Ave, Central Ave, and Dixie Ave and beyond Ward 2 area
- Garbage and recycling services are working better. There is always room for improvement.
- Completed the new property tax assessment and ensured fair equity for the residents and business and
- Continue Support and Promotion of 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 "Ms. Persistence" and I will find a way to Make It Happen! By working as a Team on Council, We can accomplish anything we set our mind to. Believe it!

It is truly an honor to Serve the Residents of Hawthorne! Have a Happy and Healthy New Year!

COUNCILMAN MELE

Councilman Mele wished everyone a Happy & Healthy New Year. He thanked the Public Safety and Finance Committee members for their continued service and is looking forward to making 2021 another great year for the Borough of Hawthorne. He congratulated Council President Matthews and Council Vice President Lane on their President and Vice President council positions and is looking forward to working with both of them. He mentioned the passing of Kevin Duffy, who lost his battle with cancer just before Christmas. He was a member of the Board of Adjustment, Hawthorne Republican Unit, previous member of the Hawthorne Board of Education and an active member of St. Anthony's Church Holy Name Society and Knights of Columbus and he will be missed.

COUNCILMAN SCIARRA

Councilman Sciarra started off by saying they have done well reaching out to residents by re-establishing the Borough's Facebook page, putting together Welcome Bags for new residents, doing PSA videos to promote shopping local for the Farmers' Market, the Fire Department, Ambulance Corps., the DVRT team, the Food Pantry, the Passaic County SPCA, and the Library. He will continue doing PSAs in 2021, and is very proud of being part of utilizing the CARES grant money by helping out local businesses with PPE supplies and purchasing gift cards from local restaurants to give to residents in need through the Food Pantry. He thanked the entire council, specifically Councilwoman Laiosa, the Mayor and his Administrative staff. He spoke about

2020 and how COVID has affected families and businesses. He looks forward to getting back to some type of normal. He ended his speech with Hawthorne is a special place to live and “Be Hawthorne Strong”.

COUNCILMAN WOJTECKI

Councilman Wojtecki began by saying 2020 has been the hardest year for Hawthorne and for himself. He thanked Mayor Goldberg for the way he led and communicated to the residents. He congratulated President Matthews and Vice President Lane for their re-elected seats, and all of the members of Council who were recently re-elected. He prays that 2021 will be a better year, and he thanked everyone for their service.

Council President Matthews acknowledged Alex Clavijo, recently elected president of the Board of Education, for joining the meeting.

APPROVAL OF MINUTES

Approval of the minutes of the Regular Meeting of December 16, 2020, motion by Councilman Bennett, 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 for agenda items only, please call in now at (312)757-3121, access code: 472-199-829, or you may raise your hand or use the online chat feature if you wish to be heard.

Seeing none, Council President Matthews entertained a motion to close public comment, motion by Council Vice President Lane, seconded by Councilman Wojtecki. Carried on voice vote.

OLD BUSINESS

Councilman Wojtecki thanked Chief Knepper and both Captains for assisting him with a resident regarding stepping up the street cleaning on Arlington & McKinley Avenues.

Councilman Bennett asked Administrator Maurer to do a follow-up on the Pan Chemical site clean-up as it looks like nothing more has been cleaned up.

NEW BUSINESS

Councilman Sciarra wished everyone a Happy New Year.

Councilman Wojtecki reported the oil separator at the Chinese Buffet needs to be addressed as the Dollar Store is moving into that spot. Dr. Boswell stated it is a grease trap and the plumbing code official can inspect it.

ADMINISTRATIVE AGENDA PRESENTED BY MAYOR GOLDBERG

Mayor Goldberg stated since the meeting is virtual, the appointments will be made but no one will be sworn in.

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

Prosecutor	Patricia Qualey, Esq.
Public Defender	Richard Baldi, Esq.

Board of Health Members	Nancy Agnello, Frank Kabrel, Jr.
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Library Board of Trustees	Dr. Richard Spirito
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Environmental Commission Members	Patricia MacDonnell, Robert Meier, Carol Robertson, Roseanne Zagatta
Environmental Commission Alternate #1 Member	Lisa DeVos
Environmental Commission Alternate #2 Member	Holly Cowen

Zoning Board of Adjustment Members	Raymond Hallock, AnnaMarie Sasso, Victor Cuttitta, Jr.
Zoning Board of Adjustment Member Alternate #1	Eleanor Conley Wenzke
Zoning Board of Adjustment Member Alternate #2	Lyle Hatch

Risk Management Consultant	David Vozza, Vozza Agency
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Council President Matthews entertained a motion to record, moved by Council Vice President Lane, seconded by Councilman Bennett. On roll call, all voted yes, motion carried.

Mayor Goldberg took a moment to remember Kevin Duffy, a long-time member of the Zoning Board and who also served on the Board of Education, he was an asset to the borough and he will be missed. He wished his family peace.

MAYOR'S APPOINTMENTS

Shade Tree Commission Members	Dria Lobosco, Thomas Dwyer
Shade Tree Commission Member Alternate #1	Jay Van Hoff
Shade Tree Commission Member Alternate #2	Jodi DeMarco

Municipal Alliance Committee Members

Joanne Graziano	Brian Cosgrove	Helen Pasquale
Lori Fernandez	Matt	Sherrine Schuldt
Corvo		Emily Spina
Thomas J. Bushnauskas	Kyle Graham	Richard Spirito, Jr.
Kelly Clifford	Chief James Knepper	Howie Van Dyk
Joseph Carr	John Meola	Jay Van Hoff
Diana Connolly		

Economic Development Committee Members

William Carafello, Paul J. Korzinski
John Minicozzi, Victor Terraglia,
Robert Verrengia

Planning Board Class IV Members

MaryLou DiMattia, Gene DeAugustines,
Robert Meier
Tiffany Della Croce

Planning Board Alternate No. 1 Member

Public Agency Compliance Officer

Representative to Solid Waste Advisory Council

Alternate Rep Solid Waste Advisory Council

Eric Maurer
Robert Scully
Eric Maurer

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

Mayor Goldberg wished everyone a Happy New Year and thanked his appointees.

Council President Matthews entertained a motion to record the Administrative Agenda, motion by Councilman Wojtecki, seconded by Council Vice President Lane. On roll call, all voted yes, motion carried.

COUNCIL APPOINTMENTS

CA-1 Appointment of the 2021 Municipal Auditors Suplee, Clooney & Company

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

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

Council President Matthews entertained a motion to record, moved by Councilman Wojtecki, seconded by Councilman Sciarra. On roll call, all voted yes with the exception of Council President Matthews who abstained, motion carried.

RESOLUTIONS

CONSENT AGENDA: R 1-21 through R 21-21

R 1-21 Introduced by Councilman 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 2021 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 sixth day of January 2021; 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 2021 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 2-21 Introduced by Councilman Bennett

WHEREAS, the Petty Cash Funds for the Treasury is returned to general funds as of December 31, 2020 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 3-21 Introduced by Councilman 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 6th day of January, 2021, by the Council of the Borough of Hawthorne, County of Passaic, State of New Jersey, that:

1. Bank of America, Hawthorne, N.J.
2. Valley National Bank, Fair Lawn, N.J.
3. Chase Bank, Hawthorne, N.J.
4. Wells Fargo, Hawthorne, N.J.
5. TD Bank, Hawthorne, N.J.
6. Columbia Savings Bank, Hawthorne, N.J.
7. 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 2021.

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 4-21 Introduced by Councilman 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 2021:

The Herald News
The Record
The Newark Star Ledger

R 5-21 Introduced by Councilman 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 2021.

R 6-21 Introduced by Councilman Bennett

WHEREAS, the Borough Council of the Borough of Hawthorne has the need for the services of a Municipal Engineer for the year 2021 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, 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, 2021, through December 31, 2021, 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 7-21 Introduced by Councilman Bennett

WHEREAS, the Borough Council of the Borough of Hawthorne has the need for the services of a Municipal Planning Consultant for the year 2021 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, 2021, through December 31, 2021, 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 8-21 Introduced by Councilman 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 2021 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, 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, 2021, through December 31, 2021, 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 9-21 Introduced by Councilman 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 2021 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, 2021, through December 31, 2021, 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 10-21 Introduced by Councilman Bennett

WHEREAS, the Municipal Council of the Borough of Hawthorne has the need for the services of a Municipal Attorney for the year 2021 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, 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, 2021, through December 31, 2021, 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 11-21 Introduced by Councilman 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 2021 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, 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, 2021, through December 31, 2021, 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 12-21 Introduced by Councilman 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 2021 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, 2021, through December 31, 2021, 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 13-21 Introduced by Councilman Bennett

WHEREAS, the Municipal Council of the Borough of Hawthorne has the need for the professional services of a Grant Writer for the year 2021 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, 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, 2021, through December 31, 2021, 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 14-21 Introduced by Councilman Bennett

WHEREAS, the Borough of Hawthorne has determined to continue the use of a financial consultant as a professional service for the year 2021 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, 2021 through the end of 2021, 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, 2021, through

December 31, 2021, 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 15-21 Introduced by Councilman 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 2021 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-21.5; 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, 2021, through December 31, 2021, 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 16-21 Introduced by Councilman Bennett

**2021 PUBLIC AGENCY COMPLIANCE OFFICER DESIGNATION
FOR THE BOROUGH OF HAWTHORNE: ERIC MAURER**

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 2021 Compliance Officer and the Clerk is 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.

R 17-21 Introduced by Councilman Bennett

WHEREAS, the purpose of N.J.A.C. 5:39-1 et seq., Emergency Remote Meeting Protocol for Local Public Bodies, is to ensure that local public bodies can continue to conduct official business in an open and transparent manner whenever a declared emergency exists that prohibits physical attendance by members of the public body or members of the public; and

WHEREAS, a "declared emergency" means a public health emergency pursuant to the Health Powers Act, N.J.S.A. 26:13-1 et seq., or a state of emergency, pursuant to P.L. 1942, c. 251 or both, or a state of local disaster emergency which has been declared by the Governor and is in effect; and

WHEREAS, N.J.A.C. 5:39-1.3 permits a local public body to hold a remote public meeting to conduct public business during a declared emergency if the emergency reasonably prevents a local public body from safely conducting public business at a physical location with members of the public present; and

WHEREAS, N.J.A.C. 5:39-1 et seq. also sets forth protocols to be followed if during a declared emergency a public body holds a physical meeting where, pursuant to State or Federal guidelines meant to mitigate risk, capacity restrictions are required to reduce the number of individuals that can be present in a meeting; and

WHEREAS, N.J.A.C. 5:39-1.4(h) requires a public body to adopt resolutions setting forth protocols for the conduct of a remote meeting or a meeting held in-person where attendance by members of the public is limited due to public health guidelines, including specifically protocols for the making of public comment during such meeting;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Borough of Hawthorne that the following standards and procedures for emergency remote and limited capacity meetings, as set forth in this resolution and as codified in N.J.A.C. 5:39-1 et seq., are hereby established and adopted:

1. Adequate notice of a remote public meeting shall include, in addition to the Open Public Meeting Act requirements of N.J.S.A. 10:4-8, clear and concise instructions for accessing the remote public meeting.
2. The content of the notice shall be posted on the main access door of the building where the public would routinely attend public meetings of the local public body in person, viewable from the outside.
3. Prior to the commencement of a remote public meeting, the Municipal Council shall make a copy of the agenda available to the public for download on the Borough's website and shall post a copy of same at the building where the meeting would otherwise be held, including posting of same at any designated and clearly delineated handicap accessible entrance to the building, by no later than 3:00 PM on the date of the meeting.
4. Instructions shall be posted on the Borough's website setting forth the means for making public comment and how to access any public documents on the Borough's website in the manner set forth at N.J.A.C. 5:39-1.5.
5. At the commencement of a remote public meeting the Chair or the Chair's designee shall announce publicly and shall cause to be entered into the minutes an accurate statement regarding adequate and electronic notice as set forth in N.J.A.C. 5:39-1.5(g).
6. The electronic communications used for a remote public meeting shall have a function that allows the Council to mute the audio of all members of the public, as well as allow members of the public to mute themselves, and the same shall be announced at the beginning of every remote public meeting. If the Municipal Council holds a remote meeting to conduct public business, it shall use electronic communication technology routinely used in business settings that can be accessed by the public at no cost and with participant capacity consistent with the reasonable expectations of the Council for the type of public meeting being held, and such participant capacity shall, at minimum, not be limited to fewer than 50 public participants, not including persons required to be present to conduct business at the meeting, including members of the Council and professional staff.

7. Remote public meetings may be held by the Council in a format as selected by the Council, by means including, but not limited to, electronic communications platforms with video and audio or live streaming via the internet and shall, additionally, provide a telephonic conference line to allow members of the public to dial in by telephone to listen and to provide public comment.

8. Whenever the Council holds a remote public meeting, it shall allow members of the public to make public comment by audio, or by audio and video if the meeting is being held over both, at such times during the course of the meeting where public comment may be made. Members of the public wishing to make comment shall indicate a desire to make such comment by the raising of a hand, if participating by way of video, by signifying a desire to speak by use of the “chat feature,” if enabled, or by making oral request where no other means of communicating is available. Any person wishing to speak shall wait to be recognized by the Chair. All members of the public shall remain muted until called upon by the Chair. Any person speaking shall identify himself or herself by name and address prior to making any comment. Persons wishing to speak shall be limited to five (5) minutes which shall be cumulative during each public portion of the meeting. Comments may also be made by electronic means by way of email to the Borough Clerk during the time frame established for public comment. The chat feature, where enabled, shall not be deemed part of the record of the meeting but solely a means by which a speaker indicates a desire to speak. Notwithstanding the same, the Chair may, in his or her discretion, permit use of the chat feature as a means of communicating where verbal or email communication is not possible.

9. In addition to making public comments at any remote public meeting, the Council, in advance of the remote meeting, shall allow public comments to be submitted to the Clerk by electronic mail and in written letter form to be read aloud and addressed during the remote public meeting, except that such written public comments shall not be treated as testimony where testimony is to be given. Public comments shall be submitted in accordance with the following requirements:

- a. Written public comments may be submitted by email to lfernandez@hawthornenj.org with the subject line “Written Public Comment”, or by regular mail to Lori Fernandez, Borough Clerk, 445 Lafayette Avenue, Hawthorne, New Jersey, 07506.
- b. All written public comments must be received at least twenty-four (24) hours prior to the beginning of the meeting to be read aloud.
- c. A time limit of five (5) minutes shall be allotted to the reading of each written public comment to ensure that all public comments have a fair opportunity to be heard.
- d. Written public comments that are duplicative may be summarized by the Council President, in his or her discretion, rather than read in full. In such event, all of the duplicative comments, and not just some of the comments, shall be summarized.

10. Where sworn testimony is being taken, any individual giving sworn testimony, including members of the public making comments that constitute sworn testimony, shall appear by video. Any presentation or documents that would otherwise be viewed by, or made available to, members of the public physically attending an in-person public meeting shall be made available on the internet website of the Borough or made visible during the video broadcast of the remote public meeting.

11. The Council recognizes that civil, respectful and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making. In an effort to preserve the intent of open government and maintain a positive environment for citizen input, policies and rules shall be established to promote civility and maintain decorum at in-person public meetings and remote public meetings in accordance with N.J.A.C. 5:39-1.4 (f)-(h). These include at a minimum conduct at remote meetings consistent with that which would be permitted at an in-person meeting. As such, if a member of the public becomes disruptive during a remote public meeting, including during any period for public comment, the Chair or the Chair’s designee shall mute or continue muting, or direct appropriate staff to mute or continue muting, the disruptive member of the public and warn that continued disruption may result in the member of the public being prevented from speaking during the remote public meeting or removed from the remote public meeting. Where such disruptive conduct at an in-person public meeting or remote public meeting includes sustained inappropriate behaviors including, but not necessarily limited to, shouting, interruption, inappropriate dress or physical gestures, and use of profanity, the member of the public may be removed from the meeting.

R 18-21 Introduced by Councilman 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 19-21 Introduced by Councilman 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 2021.

R 20-21 Introduced by Councilman 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 2021.

R 21-21 Introduced by Councilman 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 2021.

Council President Matthews entertained a motion to approve consent agenda resolutions R 1-21 through R 21-21, moved by Councilman Bennett, seconded by Councilman Sciarra.

Discussion

Councilwoman Laiosa asked about the possibility of an online newspaper subscription along with the legal Borough newspapers for 2021 stated in R 4-21. Council President Matthews stated R 4-21 only applies to the legal notices and it will be further discussed with the Mayor.

On roll call, all voted yes, with the exception of Councilman Wojtecki who voted no on R 7-21, motion carried.

CORRESPONDENCE

C-1 New firefighter applicant Carter Mascis to Company 1.

Council President Matthews entertained a motion to approve new firefighter Carter Mascis, motion by Councilman Bennett, seconded by Councilman Mele. On roll call, all voted yes with the exception of Councilman Wojtecki who abstained and Councilman Lane who abstained, motion carried.

BILLS

Current Fund

Petty Cash Resolution	\$	300.00	
Morris County JIF	\$	81,560.00	
The Vozza Agency, Inc.	\$	8,830.00	
Louis Bay 2 nd Library	\$	75,000.00	
Lowe's	\$	699.25	
			\$ 166,389.25

Water Operating Fund

Morris County JIF	\$	75,000.00	
State of NJ-PWT (Public Water System Tax)	\$	2,034.36	
			\$ 77,034.36

GRAND TOTAL \$ 243,423.61

Council President Matthews entertained a motion to approve the bills and forward them to the treasurer for payment, motion by Council Vice President Lane, seconded by Councilman Sciarra. 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, please call in now at (312)757-3121, access code: 472-199-829, or you may raise your hand or use the online Chat feature if you wish to be heard.

Dave Vozza, the Borough Risk Management Consultant, chatted in to thank the Mayor and Council for his reappointment and wished everyone a Happy New Year.

Seeing no one else, Council President Matthews entertained a motion to close public comment, motion by Councilman Bennett, seconded by Councilman Wojtecki. Carried on voice vote.

BENEDICTION

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

ADJOURNMENT

At 8:09pm Council President Matthews entertained a motion to adjourn the virtual meeting, moved by Councilman Wojtecki, seconded by Councilman Sciarra. Carried on voice vote.

Frank E. Matthews, Council President

Lori Fernandez, RMC, CMC Borough Clerk

**THE NEXT MEETING OF THE MUNICIPAL COUNCIL IS A
VIRTUAL MEETING ON**

WEDNESDAY, JANUARY 20th at 7:00 PM



**Happy
New Year**

