

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:10pm, in the Council Meeting Room of the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, with the following present:

Mayor ..... Richard S. Goldberg  
 Council President ..... 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 Hawthorne Press, Herald News, The Record, The Gazette and all persons who have requested the mailing of such schedule, and a copy of said schedule has remained on file in the office of the Borough Clerk from and since December 12, 2019.

**RESOLUTION FOR APPROVAL**

**R 41-20      Introduced by Councilman Wojtecki**

<b>POSITION</b>	<b>STUDENT NAME</b>
Mayor Richard Goldberg	Maria Angeles
Council President Frank Matthews	Alex Nadirashvili
Council Vice President John Lane	Lila Kawash
Councilman Bruce Bennett	Kyleigh Rica
Councilwoman Rayna Laiosa	Mike Ptak
Councilman Dominic Mele	Nick Sokolofsky
Councilman Mike Sciarra	Kylie Sciarra
Councilman Joseph Wojtecki	Giana Scola
Borough Administrator Eric Maurer	Ella Perini
Borough Attorney Michael Pasquale	Zamira Knight
Borough Engineer Dr. Stephen T. Boswell	Alison Perini
Borough Clerk Lori Fernandez	Caitlin Carone
Borough CFO Laurie Foley	Liliana Reilly
Police Chief Rich McAuliffe	Adam Lower
Fire Chief Joe Speranza	Estelle Barbieri
DPW Director Robert Scully	Alyssa Clemente
Ambulance Corps President Ken Houtsma	Alexandra Shehu

Council President Matthews entertained a motion to approve R 41-20, moved by Councilman Wojtecki, seconded by Council Vice President Lane. On roll call all voted yes, motion carried.

Council President Matthews turned the meeting over to Councilman Nadirashvili.

**APPROVAL OF MINUTES**

Council President Nadirashvili/Matthews made a motion to approve the minutes of the regular meeting of February 19, 2020 and Bid Minutes for the Purchase of Gasoline contract, moved by Councilwoman Scola/Councilman Wojtecki, seconded by Council Vice President Kawash/Lane, on roll call all voted yes, motion carried.

**PUBLIC COMMENT** (Agenda Items Only)

Council President Nadirashvili/Matthews opened the meeting to the public. He stated if anyone desired to be heard, please raise your hand to be recognized, come forward to the microphone state your name and address and sign the sheet for the record. He stipulated this be for agenda items only. Seeing none, Council

President Nadirashvili/Matthews entertained a motion to close public comment, moved by Councilwoman Scola/Councilman Wojtecki, seconded by Council Vice President Kawash/Lane. Carried on voice vote.

## **PUBLIC HEARING 2020 PASSAIC COUNTY OPEN SPACE GRANT APPLICATIONS**

An application has been submitted which requests funds for:

- 1) Area lighting for the bandshell walkway to allow attendees to find their way safely back to parking when events end after dusk.
- 2) Playground equipment for children to be installed near the tennis courts.

Council President Nadirashvili/Matthews opened the hearing to the public. He stated if anyone desires to be heard on this application, please raise your hand to be recognized, come forward to the microphone and state your name and address. Seeing none, Council President Nadirashvili/Matthews entertained a motion to close the hearing, moved by Councilwoman Scola/Councilman Wojtecki, seconded by Councilman Sokolofsky/Mele. Carried on voice vote.

## **ADOPTION OF ORDINANCES**

### **ORDINANCE NO. 2243-20**

AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 247 FLOOD DAMAGE PREVENTION

BE IT ORDAINED by the Municipal Council of the Borough of Hawthorne, in the County of Passaic and State of New Jersey, that:

Section One. Chapter 247, Flood Damage Prevention, is hereby repealed and replaced, with the revised Chapter to read as follows:

### ARTICLE I

#### STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

##### 247.1 STATUTORY AUTHORIZATION

The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1, et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the Municipal Council of the Borough of Hawthorne, Passaic County, New Jersey does ordain as follows:

##### 247.2 FINDINGS OF FACT

- a) The flood hazard areas of the Borough of Hawthorne are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- b) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, causes damage in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

##### 247.3 STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- a) Protect human life and health;
- b) Minimize expenditure of public money for costly flood control projects;
- c) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- d) Minimize prolonged business interruptions;
- e) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, bridges located in areas of special flood hazard;
- f) Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- g) Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- h) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

##### 247.4 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- a) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- b) Requiring that uses vulnerable to floods including facilities which serve such uses, be protected against flood damage at the time of initial construction;

- c) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- d) Controlling filling, grading, dredging, and other development which may increase flood damage; and,
- e) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

## ARTICLE II - DEFINITIONS

### 247.5 DEFINITIONS AND WORD USAGE

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

**AH Zone-** Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone

**AO Zone-** Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

**Appeal** — A request for a review of the Construction Official’s interpretation of any provision of this ordinance or a request for a variance.

**Area of Shallow Flooding** — A designated AO or AH zone on a community's Digital Flood Insurance Rate Map (DFIRM) with a one percent annual or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**Area of Special Flood Hazard** — Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone V, VE, V1-30, A, AO, A1-A30, AE, A99, or AH.

**Base Flood** — A flood having a one percent chance of being equaled or exceeded in any given year.

**Base Flood Elevation (BFE)** – The flood elevation shown on a published Flood Insurance Study (FIS) including the Flood Insurance Rate Map (FIRM). For zones AE, AH, AO, and A1-30 the elevation represents the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

**Basement** — Any area of the building having its floor subgrade (below ground level) on all sides.

**Best Available Flood Hazard Data** — The most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps or Preliminary FIS and FIRM.

**Best Available Flood Hazard Data Elevation** — The most recent available preliminary flood elevation guidance FEMA has provided. The Best Available Flood Hazard Data Elevation may be depicted on an Advisory Flood Hazard Area Map, Work Map or Preliminary FIS and FIRM.

**Breakaway Wall** — A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

**Development** — Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

**Digital Flood Insurance Rate Map (DFIRM)** — The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

**Elevated Building** — A non-basement building (i) built, in the case of a building in an Area of Special Flood Hazard, to have the top of the elevated floor, elevated above the base flood elevation plus freeboard by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

Elevation Certificate – An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

Erosion — The process of gradual wearing-away of land masses.

Existing Manufactured Home Park or Subdivision — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

FEMA Publication – Any publication authored or referenced by FEMA related to building science, building safety, or floodplain management related to the National Flood Insurance Program. Publications shall include but are not limited to technical bulletins, desk references, and American Society of Civil Engineers Standards documents.

Flood Design Class – An American Society of Civil Engineers (ASCE) classification of buildings and other structures for determination of flood loads and conditions and determination of minimum elevation requirements on the basis of risk associated with unacceptable performance.

Flood or Flooding — A general and temporary condition of partial or complete inundation of normally dry land areas from:

- a) The overflow of inland or tidal waters and/or
- b) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM) — The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) — The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

Floodplain Management Regulations — Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodproofing — Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodproofing Certificate – Certification by an engineer or architect to certify a floodproofing design for a non-residential building.

Floodway — The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without accumulatively increasing the water surface elevation more than 0.2 foot.

Freeboard — A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Highest Adjacent Grade — The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

Historic Structure — Any structure that is:

- a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c) Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or

d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

- (1) By an approved State program as determined by the Secretary of the Interior; or
- (2) Directly by the Secretary of the Interior in States without approved programs.

**Lowest Floor** — The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements of 44 CFR Section 60.3.

**Manufactured Home** — A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

**Manufactured Home Park or Manufactured Home Subdivision** — A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

**New Construction** — Structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.

**New Manufactured Home Park or Subdivision** — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by the municipality.

**Preliminary Flood Insurance Rate Map**— The draft version of the FIRM released for public comment before finalization and adoption.

**Recreational Vehicle** — A vehicle which is [i] built on a single chassis; [ii] 400 square feet or less when measured at the longest horizontal projections; [iii] designed to be self-propelled or permanently towable by a light duty truck; and [iv] designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**Start of Construction** — (For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348)) includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of pilings, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**Structure** — A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

**Substantial Damage** — Damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before damage would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

**Substantial Improvement** — Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- a) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- b) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Variance — A grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.

Violation — The failure of a structure or other development to be fully compliant with this ordinance. A new or substantially improved structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

Water Surface Elevation — the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

### ARTICLE III - GENERAL PROVISIONS

#### 247.6 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the Borough of Hawthorne, Passaic County, New Jersey.

#### 247.7 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard for the Borough of Hawthorne, Community No. 340400, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- a) A scientific and engineering report “Flood Insurance Study, Passaic County, New Jersey (All Jurisdictions)” dated April 17, 2020.
- b) Flood Insurance Rate Map for Passaic County, New Jersey (All Jurisdictions) as shown on Index and panels 34031C0206F, 34031C0207F, 34031C0208G, 34031C0209G, 34031C0216G, and 34031C0217G, whose effective date is April 17, 2020.
- c) Best Available Flood Hazard Data. These documents shall take precedence over effective panels and FIS in construction and development regulations only. Where the effective mapping or Base Flood Elevation conflict or overlap with the Best Available Flood Hazard Data, whichever imposes the more stringent requirement shall prevail.

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study and maps and advisory documents are on file or will be on file at 445 Lafayette Avenue, Hawthorne, New Jersey.

#### 247.8 PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$2,000 or imprisoned for not more than 90 days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Borough of Hawthorne, from taking such other lawful action as is necessary to prevent or remedy any violation.

#### 247.9 ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

#### 247.10 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- a) Considered as minimum requirements;
- b) Liberally construed in favor of the governing body; and,
- c) Deemed neither to limit nor repeal any other powers granted under State statutes.

#### 247.11 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not

imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

This ordinance shall not create liability on the part of the Borough of Hawthorne, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

#### ARTICLE IV - ADMINISTRATION

##### 247.12 ESTABLISHMENT OF DEVELOPMENT PERMIT

A Development Permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in section 247.7. Application for a Development Permit shall be made on forms furnished by the Construction Official and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; a description of the flood design class and the location of the foregoing. Specifically, the following information is required:

- a) Elevation in relation to 0 foot elevation NAVD 88 datum, of the lowest floor (including basement) of all structures;
- b) Elevation in relation to 0 foot elevation NAVD 88 datum to which any structure has been floodproofed.
- c) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in section 247.17(B); and,
- d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- e) Any forms, plans, or information required pursuant to any applicable FEMA publication

##### 247.13 DESIGNATION OF THE LOCAL ADMINISTRATOR

The Construction Official is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

##### 247.14 DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR

Duties of the Construction Official shall include, but not be limited to:

###### A. PERMIT REVIEW

- a) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
- b) Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.
- c) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of 247.18(a) are met.
- d) Review all permit applications to determine whether proposed building sites are reasonably safe from flooding;
- e) Review all permit applications to determine whether development complies with all applicable FEMA Publications;
- f) Review all permit applications to determine whether development complies with all applicable New Jersey Land Use requirements;

###### B. USE OF OTHER BASE FLOOD AND FLOODWAY DATA

When base flood elevation and floodway data has not been provided in accordance with section 247.7, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Construction Official shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer sections 247.17 A, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, and 247.17 B, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION.

###### C. INFORMATION TO BE OBTAINED AND MAINTAINED

- a) Obtain and record on a current Elevation Certificate the actual elevation (in relation to 0 foot elevation NAVD 88 datum) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- b) For all new or substantially improved floodproofed structures:
  - i. verify and record on a Floodproofing Certificate the actual elevation (in relation 0 foot elevation NAVD 88 datum); and
  - ii. maintain the floodproofing certifications required in section 247.12.
- c) Record the study date of the Best Available Flood Hazard Data (and other documents) used to determine the actual elevation of the lowest floor (including basement) of all new or substantially improved structures; and

- d) Maintain for public inspection all records pertaining to the provisions of this ordinance.

#### D. ALTERATION OF WATERCOURSES

- a) Notify adjacent communities and the New Jersey Department of Environmental Protection, Bureau of Flood Engineering and the Land Use Regulation Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- b) Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood carrying capacity is not diminished.

#### E. SUBSTANTIAL DAMAGE REVIEW

- a) After an event resulting in building damages, assess the damage to structures due to flood and non-flood causes.
- b) Record and maintain the flood and non-flood damage of substantial damage structures and provide a letter of Substantial Damage Determination to the owner and the New Jersey Department of Environmental Protection, Bureau of Flood Engineering.
- c) Ensure substantial improvements meet the requirements of sections 247.17(A), SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, 247.17(B), SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION and 247.17(C), SPECIFIC STANDARDS, MANUFACTURED HOMES.

#### F. INTERPRETATION OF FIRM BOUNDARIES

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in section 247.15.

#### G. REPORT CHANGES IN FLOODING CONDITIONS

Obtain and record changes in flooding conditions and report the technical or scientific data to the Federal Insurance Administrator on a six (6) month basis or sooner in accordance with Volume 44 Code of Federal Regulations Section 65.3.

### 247.15 VARIANCE PROCEDURE

#### A. APPEAL BOARD

- a) The Planning Board as established by the Municipal Council shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- b) The Planning Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Construction Official in the enforcement or administration of this ordinance.
- c) Those aggrieved by the decision of the Planning Board, or any taxpayer, may appeal such decision to the Superior Court of New Jersey, as provided by statute.
- d) In passing upon such applications, the Planning Board, shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:
  - i. the danger that materials may be swept onto other lands to the injury of others;
  - ii. the danger to life and property due to flooding or erosion damage;
  - iii. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - iv. the importance of the services provided by the proposed facility to the community;
  - v. the necessity to the facility of a waterfront location, where applicable;
  - vi. the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
  - vii. the compatibility of the proposed use with existing and anticipated development;
  - viii. the relationship of the proposed use to the comprehensive plan and floodplain management program of that area;
  - ix. the safety of access to the property in times of flood for ordinary and emergency vehicles;
  - x. the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
  - xi. the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- e) Upon consideration of the factors of section 247.15 A (d) and the purposes of this ordinance, the Planning Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- f) The Construction Official shall maintain the records of all appeal actions, including technical information, the justification for their issuance, and report any variances to the Federal Insurance Administration upon request.



## B. CONDITIONS FOR VARIANCES

- a) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items i.-xi. in section 247.15 A (d) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- b) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- c) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- d) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- e) Variances shall only be issued upon:
  - i. A showing of good and sufficient cause;
  - ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and,
  - iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in section 247.15 A (d), or conflict with existing local laws or ordinances.
- f) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

## ARTICLE V - PROVISIONS FOR FLOOD HAZARD REDUCTION

### 247.16 GENERAL STANDARDS

In all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is required:

#### A. ANCHORING

- a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- b) All manufactured homes to be placed or substantially improved shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

#### B. CONSTRUCTION MATERIALS AND METHODS

- a) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- b) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

#### C. UTILITIES

- a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;
- c) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
- d) For all new construction and substantial improvements, the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

#### D. SUBDIVISION PROPOSALS

- a) All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage;
- b) All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

- c) All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and,
- d) Base flood elevation data shall be provided for subdivision proposals and other proposed new development which contain at least fifty (50) lots or five (5) acres (whichever is less).

#### E. ENCLOSURE OPENINGS

All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two (2) openings in at least two (2) exterior walls of each enclosed area, having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

#### 247.17 SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data have been provided as set forth in section 247.7, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or in section 247.14 B, USE OF OTHER BASE FLOOD DATA, the following standards are required:

##### A. RESIDENTIAL CONSTRUCTION

- a) New construction and substantial improvement of any residential structure located in an A, or AE zone shall have the lowest floor, including basement together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated at or above the more restrictive base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1;
- b) Require within any AO or AH zone on the municipality's DFIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

##### B. NONRESIDENTIAL CONSTRUCTION

In an Area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure located in an A or AE zone shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities as well as all electrical, heating, ventilating, air-conditioning and other service equipment:

either

- a) Elevated at or above the more restrictive base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1; and
- b) Require within any AO or AH zone on the municipality's DFIRM to elevate above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures;

or

- a) Be floodproofed so that below the more restrictive, base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 6-1, the structure is watertight with walls substantially impermeable to the passage of water;
- b) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
- c) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in section 247.15 A ii.
- d) Record the method and elevation used above and, the Best Available Flood Hazard Design Data elevation, date and revision in the local Development Permit.

##### C. MANUFACTURED HOMES

- a) Manufactured homes shall be anchored in accordance with section 247.16 A.
- b) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall:
  - i. Be consistent with the need to minimize flood damage,
  - ii. Be constructed to minimize flood damage,
  - iii. Have adequate drainage provided to reduce exposure to flood damage,

Be elevated on a permanent foundation such that the top of the lowest floor is at or above the more restrictive base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1 and, as required by N.J.A.C 7:13-3.

AO or AH zone elevation based upon the highest adjacent grade, plus the depth number specified in feet, plus one (1) foot (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures,

- iv. Record the method and elevation used above and, the Best Available Flood Hazard Design Data elevation, date and revision in the local Development Permit.
- v. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.
- vi. All recreational vehicles located within an area of special flood hazard shall either:
  - i. Be on site for fewer than 180 consecutive days,
  - ii. Be fully licensed and ready for highway use, or
  - iii. Meet the requirements of sections 247.12 and 247.17(C) above.

#### 247.18 FLOODWAYS

Located within areas of special flood hazard established in section 247.7 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- a) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a technical evaluation demonstrates that encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- b) If section 247.18 A is satisfied, all new construction and substantial improvements must comply with Article V PROVISIONS FOR FLOOD HAZARD REDUCTION.
- c) In all areas of special flood hazard in which base flood elevation data has been provided and no floodway has been designated, , no new construction, substantial improvements, fill, or other development shall be permitted, unless it is demonstrated that the cumulative the accumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two-tenths (0.2) of a foot at any point.

Section 2. If any section, subsection or part of this ordinance is adjudged by a Court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not impair or invalidate the remainder of this ordinance.

Section 3. This Ordinance shall take effect 20 days after final adoption and publication as provided by law.

#### Public Hearing

Council President Nadirashvili/Matthews opened the meeting to the public. He stated if anyone desired to be heard regarding this ordinance, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Seeing none, Council President Nadirashvili/Matthews entertained a motion that the public hearing on this ordinance be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted, published in The Record and available on the borough website. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same according to law, moved by Councilwoman Scola/Councilman Wojtecki, seconded by Council Vice President Kawash/Lane. On roll call, all voted yes, motion carried.

#### **BOND ORDINANCE NO. 2244-20**

**BOND ORDINANCE PROVIDING FOR ROAD RECONSTRUCTION, INCLUDING MILLING, PAVING AND RESURFACING, AS WELL AS CURBING, HANDICAPPED RAMPS AND RELATED IMPROVEMENTS ON VARIOUS STREETS AND PROPERTIES DESCRIBED HEREIN OR HEREAFTER IDENTIFIED, ALL IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING NINE HUNDRED FIVE THOUSAND (\$905,000) DOLLARS THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE SAME.**

The Municipal Council of the Borough of Hawthorne, in the County of Passaic, New Jersey (not less than two-thirds of all members thereof affirmatively concurring), do hereby ORDAIN as follows:

Section 1. The improvement described in Section 3 of this Bond Ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Hawthorne, in the County of Passaic, New Jersey. For the said improvement or purpose stated in Section 3, there is hereby appropriated

the sum of \$905,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$42,500 as the down payment for said improvement or purpose required by law and now available therefor in the Capital Improvement Fund of the Borough by virtue of provision in a budget or budgets of the Borough previously adopted. A portion of the funding, in total sum of \$55,000, is to be provided through a Community Development Block Grant (CDBG Grant).

Section 2. For the financing of said improvement or purpose and to meet the part of said \$905,000 appropriation not provided for by application hereunder of said down payment, and subject to receipt of the CDBG Grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$807,500 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$807,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which said obligations are to be issued is the resurfacing or reconstruction of parts or portions of roads, curbing, handicapped ramps and the construction or reconstruction of related facilities, on various streets or properties located in the Borough of Hawthorne, together with all work and materials necessary therefor or incidental thereto, all as shown on and in accordance with plans therefor prepared by Boswell, McClave Engineering, P.E., now on file in the office of the Borough Clerk, and hereby approved. The following locations are identified as being subject to the terms of this Ordinance: Garden Avenue, Barker Avenue, Little Street, Kingston Avenue, Warren Avenue, Park Avenue, and Cynthia Court and such other locations as may be later identified in the place of or in addition to the foregoing, as well as handicapped accessible ramps at various locations. The CDBG Grant pertains to handicapped ramps.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$807,500.

(c) The estimated cost of said purpose is \$905,000, the excess thereof over the said estimated maximum amount of bonds or notes being the amount of the said \$42,500 down payment and is subject to the \$55,000 CDBG Grant.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate, and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, and according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance is 20 years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Finance in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Law is increased by the authorization of the bonds and notes provided for in this Bond Ordinance by \$807,500 and that the said obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense mentioned in and permitted under Section 40A:2-20 of said Law may be included in the foregoing estimate of the cost of said improvement or purpose.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitations of rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. Resolutions in the form promulgated by the Local Finance Board showing all detail of the amended capital budget and capital

program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption as provided for in said local bond law.

#### Public Hearing

Council President Nadirashvili/Matthews opened the meeting to the public. He stated if anyone desired to be heard regarding this ordinance, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Seeing none, Council President Nadirashvili/Matthews entertained a motion that the public hearing on this ordinance be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted, published in The Record and available on the borough website. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same according to law, moved by Council Vice President Kawash/Lane, seconded by Councilwoman Sciarra/Councilman Sciarra. On roll call, all voted yes, motion carried.

#### BOND ORDINANCE NO. 2245-20

BOND ORDINANCE PROVIDING FOR ROAD RECONSTRUCTION, RESURFACING, DRAINAGE, CURB, SIDEWALK AND HANDICAPPED RAMP IMPROVEMENTS ON PARMELEE AS DESCRIBED SPECIFICALLY HEREIN, IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING FIVE HUNDRED SEVENTY ONE THOUSAND, EIGHT HUNDRED (\$571,800) DOLLARS THEREFOR, AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES IN THE AMOUNT OF ONE HUNDRED FOURTEEN THOUSAND (\$114,000) DOLLARS OF THE BOROUGH FOR FINANCING THE SAME.

The Municipal Council of the Borough of Hawthorne, in the County of Passaic, New Jersey (not less than two-thirds of all members thereof affirmatively concurring), do hereby ORDAIN as follows:

Section 1. The improvement described in Section 3 of this Bond Ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Hawthorne, in the County of Passaic, New Jersey. For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$571,800, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$6,000 as the down payment for said improvement or purpose required by law and now available therefor in the Capital Improvement Fund of the Borough by virtue of provision in a budget or budgets of the Borough previously adopted. An additional portion of the down payment for such work is provided through grants applied for and received by the Borough of Hawthorne in excess of the amount required by law for such purpose in total sum of \$451,800. The amount of be financed by way of bond or note of the Borough of Hawthorne is \$114,000.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$571,800 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$114,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$114,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law. Said improvement is to be paid for in part by virtue of a grant from the New Jersey Department of Transportation in the amount of \$451,800, which sums beyond the amount utilized as down payment hereunder have been applied against or otherwise deducted from the amount to be financed hereunder.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which said obligations are to be issued is the resurfacing or reconstruction of parts or portions of road, the construction or reconstruction of drainage facilities, and the reconstruction and installation of, curbs, sidewalks and handicapped ramps on Parmelee Avenue, together with all work and materials necessary therefor or incidental thereto, all as shown on and in accordance with plans therefor prepared by Boswell, McClave Engineering, P.E., now on file in the office of the Borough Clerk, and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$114,000.

(c) The estimated cost of said purpose is \$571,800, the excess thereof over the said estimated maximum amount of bonds or notes being the amount of the down payment provided for by way of Department of Transportation Funds and down payment hereunder, as set forth herein.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this Bond Ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, and according to the reasonable life thereof computed from the date of the said bonds authorized by this Bond Ordinance is 20 years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Finance in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Law is increased by the authorization of the bonds and notes provided for in this Bond Ordinance by \$114,000 and that the said obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Law.

(d) An aggregate amount not exceeding \$140,000 for items of expense mentioned in and permitted under Section 40A:2-20 of said Law may be included in the foregoing estimate of the cost of said improvement or purpose.

Section 5. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this Bond Ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitations of rate or amount.

Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate, and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. Resolutions in the form promulgated by the Local Finance Board showing all detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by said Local Bond Law.

#### Public Hearing

Council President Nadirashvili/Matthews opened the meeting to the public. He stated if anyone desired to be heard regarding this ordinance, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Seeing none, Council President Nadirashvili/Matthews entertained a motion that the public hearing on this ordinance be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted, published in The Record and available on the borough website. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same according to law, moved by Councilwoman Sciarra/Councilman Sciarra, seconded by Council Vice President Kawash/Lane. On roll call, all voted yes, motion carried.

#### **ZONING ORDINANCE NO. 2247-20**

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF HAWTHORNE CHAPTER 540, ZONING, TO CREATE SECTION 540-8(V), DRIVE THRU RESTAURANTS**

BE IT ORDAINED by the Municipal Council of the Borough of Hawthorne in the County of Passaic and State of New Jersey that the following amendments be made to Chapter 540, Zoning.

SECTION 1. Chapter 540, Zoning, is hereby amended and supplemented so as to create Section 540(Z), permitting certain specified drive thru restaurants in all business zones, with the said section to read as follows:

§ 540-8(Z). Drive Thru Restaurants

1. Restaurants serving eat-in and take-out food, where permitted in any Business Zone or existing as a conforming or non-conforming use in any other Zoning District, may not engage in sale or distribution of food by way of drive thru window or other opening in an exterior wall of a building. Notwithstanding the same, a restaurant serving eat-in or take-out food and established as a coffee-based business, may be permitted to sell or distribute coffee, drinks and related foods through use of a drive thru lane or aisle and window or opening in an exterior wall, subject to the terms of this section.

a. Hours of operation for such business shall be limited to 6:00 a.m. to 10:00 p.m.

b. Prior to the issuance of any permit to construct such drive thru facility, site plan approval shall be applied for and granted by the Planning Board. The following standards shall apply:

1. Drive thru lanes shall be not less than 12 feet in width.

2. Order boards or other signs adjacent to the drive thru lanes shall have sound attenuation devices and illumination shall not be permitted after 10 p.m. No sign or order board shall have a height of greater than eight feet, measured from the ground below such sign, and have an area of greater than 32 square feet.

3. A by-pass lane shall be provided adjacent to the drive thru lane.

4. Vehicle stacking of at least four vehicles shall be accommodated in the drive thru lane.

5. Drive thru lanes on properties adjacent to residential zones or residential uses shall be screened from such adjoining property by way of opaque fence having a height of six feet or alternatively dense landscaping serving such purpose, as approved by the Planning Board. In addition to screening, the applicant shall provide a lighting plan demonstrating that light spillage is appropriately minimized.

SECTION 2. If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

SECTION 3. This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.

Public Hearing

Council President Nadirashvili/Matthews opened the meeting to the public. He stated if anyone desired to be heard regarding this ordinance, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Seeing none, Council President Nadirashvili/Matthews entertained a motion that the public hearing on this ordinance be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted, published in The Record and available on the borough website. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same according to law, moved by Council Vice President Kawash/Lane, seconded by Councilman Sokolofsky/Mele.

Councilman Ptak/Councilwoman Laiosa explained that this ordinance pertains only to drive thru coffee shops.

On roll call, all voted yes with the exception of Councilwoman Scola/Councilman Wojtecki who abstained, motion carried.

**OLD BUSINESS**

Council Vice President Kawash/Lane asked Mayor Angeles/Goldberg for an update on the post office and mail delivery situation. Mayor Angeles/Goldberg stated it would be addressed in her report. She asked Administrator Perini/Maurer for an update on the installation of the speed signs. She reported the Public Works Director will address this in her report. She asked Administrator Perini/Maurer for the status of the central station system for fire protection at our borough building. She reported we have had an inspection by a potential vendor and we are waiting for a proposal. She asked Mayor Angeles/Goldberg for an update on the administration of flu shots for our Borough's first responders. She reported it is a work-in-progress. She asked Borough Administrator Perini/Maurer for an update on the construction of the second floor of the municipal building. She reported we are currently getting quotes and it is a work-in-progress.

Councilwoman Scola/Councilman Wojtecki reported all missing street signs re-installed and tree posts removed.

Councilwoman Sciarra/Councilman Sciarra thanked Administrator Perini/Maurer for sending the information about the deteriorated posts on the bridge over Arnold Pond to the county and asked for the estimated date when the pedestrian signs will be installed. She reported it will be addressed in the Director of Public Work's report.

Councilman Ptak/Councilwoman Laiosa asked Administrator Maurer/Perini for the status on the Planning Board resolutions of new businesses in Hawthorne as we requested a bond during Council chambers. Administrator Maurer/Perini reported she will work on it.

Council President Nadirashvili/Matthews thanked the County Administrator for cutting down the tree on Lincoln Avenue.

### **NEW BUSINESS**

Councilwoman Scola/Councilman Wojtecki reported property maintenance on 204 Wagaraw needs to be addressed.

Councilman Ptak/Councilwoman Laiosa thanked Ellen Brogno, Walter Marston and Maureen Cook for addressing a resident complaint of trash and debris in the railroad area on Grand Avenue where non-residents park for the Hawthorne train station. It was addressed in a timely manner and much appreciated by the residents. Hawthorne is submitting an application to the NJDEP for "It Pays to Plug In: New Jersey's Electric Vehicle Workplace Charging Grant Program". The Borough is requesting up to \$6,000 to purchase, install and maintain one dual-port Level 2 ChargePoint charging station to be installed at the Hawthorne Library at 345 Lafayette Avenue. It will be powered by a PSE&G pole and not the Hawthorne Library.

Council Vice President Kawash/Lane asked Administrator Perini/Maurer if there are any plans by our Office of Emergency Management, Health Department or by the Passaic County Health Department for updating our borough employees, department heads, council members, board members and others for Coronavirus preparedness. Administrator Perini/Maurer stated not at this time.

Police Chief McAuliffe reported there will be a meeting at the County OEM to address the needs of the Coronavirus. That information will be brought back to the municipalities on Monday.

### **ADMINISTRATIVE AGENDA**

Mayor Angeles/Goldberg reported she is working with the Postmaster on the ongoing issues with mail delivery, he has been forthcoming in attempting to solve our problems and will continue to report on this. This is a work in progress, and we continue to speak regarding the problems in town. As you know, you have by now received the appraisal letter regarding the revaluation from Appraisal Systems. Should you have any concerns or questions, please call them directly or email them for an appointment. Please see their letter for their email and phone number. Mayor Angeles/Goldberg attended a meeting with the Hawthorne Baseball/Softball Association to make sure the fields will be ready for opening day. Our DPW Director will do a walk-through with the Baseball/Softball Association to make sure that the Association's issues are addressed. Last week Mayor Angeles/Goldberg had the pleasure of meeting with Mansour Bahij, Mayor of Isfiya, Israel. A request will be brought to the Council for Hawthorne to be a Sister City with Isfiya, Israel, which will involve an exchange of students, more details to follow. Due to the resignation from the Planning Board of Barbara Zakur, Rob Meier will complete her term, with Tiffany Della Croce moving into the Alternate #1 spot, and Pastor Howie Van Dyk into the Alternate #2 spot. Make sure to come in to Borough Hall to get your ROAR cards. Cards are in the Mayor's office and he carries them as well; if you see him out and about, please stop him and ask for his card.

### **REPORTS**

#### **Borough Attorney Zamira Knight / Michael Pasquale**

Affordable Housing – Attorney Knight/Pasquale is pleased to report that the settlement agreement negotiated with the owner of 204 Wagaraw Road has been approved by the Planning Board and signed by the property owner. The Mayor, Planning Board Chairperson and Borough Clerk will be signing the agreement shortly. Under the agreement, the property at 204 Wagaraw Road will be developed as a mixed-use development. There will be a total of 118 housing units with 100 market rate units, 17 affordable units and 1 superintendent unit. There will be a 30,000 square foot public storage building, a 14,000 square foot gym and 2,000 to 2,500 square feet of additional retail space. Negotiations continue with 3 Ronson, which is the owner of the former Patriot site, and the Fair Share Housing Center, with the hope that a final settlement can be reached satisfying the Borough's entire affordable housing obligation.

Tax Revaluation – As reported last meeting, all residential property owners, except the owners of apartment buildings, have received a notice of proposed reassessment. The letters contain the new proposed assessment, the old assessment for the property, which is equal to 47% of actual value, and a comparison allowing owners to see the effect the new assessment would have had on last year's taxes. Overall, 56.8% of all homeowners will see a reduction in taxes in 2020, 39.8% will see an increase and 3.4% will see no change at all. All property owners are encouraged to go to the website of ASI to see in detail the basis for



the new valuation. There are instances where homeowners have found mistakes such as an assumption that there is a finished basement when in fact it is unfinished. There is an ability to have an informal meeting with ASI to discuss these issues and in some cases, but not all, there will be adjustments in the figures. The Tax Assessor has advised that the Commercial Assessment letters will go out in the next two weeks. The familiar green cards will then be mailed to all property owners on April 1<sup>st</sup>. This card will have your final assessment figure for 2020. Once those cards are mailed, property owners are still able to file tax appeals to contest their assessments.

Borough Bandshell – The Boro Bandshell is getting ready for its fifth season. Opening night is scheduled once again for Father’s Day night with Joe Zisa and Friends returning to open the season. The Committee is very pleased to report that Captain Jack, the Billy Joel tribute band that brought a record audience last year, will be returning on July 9<sup>th</sup>. Fight for Autism V, featuring, among other performers Councilperson Kylie Sciarra on vocals, has been scheduled for Saturday, August 29<sup>th</sup>. A full schedule of events is being planned and donations are coming through the door. Please support the bandshell and follow us on the Borough Website and on Facebook, Instagram and Twitter.

**Borough Engineer Alison Perini / Dr. Stephen T. Boswell**

Goffle Hill Water Storage Tank LSRP Services - The Remedial Investigation/Remedial Action Report is being prepared.

Mary Street Water Storage Tank LSRP Services - Tricon will be scheduling the removal of the soil stockpile from the site and then will complete the final grading of the site.

2019 NJDOT Municipal Aid Project - Punch list items will be addressed in the spring.

2019 Road Improvement Program - Punch list items will be addressed in the spring.

Passaic Avenue Storm Sewer Lining - The Passaic Avenue storm sewer was lined on Wednesday, February 26<sup>th</sup>.

South Station Water Facility Study - The cost analysis is being prepared. The South Station pump study is expected to be completed by the end of this week.

2020 Road Improvement Program - The Road Program's Bond Ordinance was adopted tonight.

2020 NJDOT Municipal Aid Project - The 2020 Municipal Aid Project's Bond Ordinance was adopted tonight.

Library Lighting Improvements - Plans are being prepared to address LED lighting improvements for the Hawthorne Library. The Library will apply for a grant from the NJ State Library Board and PSE&G to subsidize costs.

Ravine Avenue Drainage Improvements - The Ravine Avenue drainage improvements in Wyckoff are being constructed and could be completed by the end of this week.

**Borough Administrator Ella Perini / Eric Maurer**

Last week the NJDOT opened the Ethel Avenue pedestrian bridge over Route 208. A jurisdictional agreement has been signed with regard to the borough having the responsibility of removing snow, ice and litter from the bridge. The Board of Education has been notified since it affects their students and bus routes. Assuming the adoption of R 47-20 later in this meeting, the Administration will work with the engineer to complete the application for both open space projects presented in tonight’s public hearing. If the County funds either or both projects, we should hear back sometime this fall with construction occurring in Spring 2021. Assuming the adoption of R 46-20 later in this meeting, the Administration will work with the engineer to complete the applications for two proposed community development block grant projects. The two projects are the installation of handicapped ramps at various intersections throughout the borough and the repaving of North Ethel Avenue. We can expect a funding decision from the County this coming Fall with construction taking place as part of the borough’s 2021 Road Program. Resolution R 44-20 will award a contract for the purchase of gasoline to Selin LLC who operates the Exxon station on Goffle Road, this is pursuant to a bid that was received last week at the Borough. The new contract should save the Borough significant money compared to the state contract we have been using in recent years. The Administration is working with the Shade Tree Commission and our Arborist’s bid on specifications for a contract for tree services. This contract will succeed the current one that expires April 30. The Administration is working with our information technology consultant, Pascack Data Service, on a cyber security plan which, if approved by the Morris County Joint Insurance Fund, would give the Borough a reduced deductible amount in the event we have a claim for losses under that coverage. For example, if we were hacked, following the plan we developed should lower the chances that we would have a claim. The plan will involve practices and procedures as well as training for all users of our system, employees and councilmembers alike. The Joint Insurance Fund has also launched a program on protecting our children from abuse, this will require the implementation of various procedures for programs that serve children such as our summer recreation

program. As part of this initiative, the JIF has required online training for all employees, volunteers and elected officials. Information and instructions for this training has already been distributed to the Council. The Administration continues to work with a prospective tenant for the final available space on the Longview Water Tank for the installation of antennas.

#### **Chief of Police Adam Lower / Rich McAuliffe**

Chief Lower reported last year the Hawthorne Police Department did 4,921 calls for service. In addition, we processed the following: 82 handicapped parking permits, 124 OPRA requests, 27 solicitor permits and 382 firearm applications. In 2019 Hawthorne was ranked in the “100 Safest Cities in America” report, placing Hawthorne on the list as the 17<sup>th</sup> safest city in the nation. We were also awarded the Outstanding Law Enforcement Agency by AAA for traffic and pedestrian safety initiatives. The men and women of the Hawthorne Police Department continue to provide exceptional police services that deters and reduces crime, brings offenders to justice, protects citizens and their property, address traffic concerns, and provides a comfortable and safe atmosphere for anyone within the Borough. The department strives to keep pace with new advances and the best practices in law enforcement. We continue to train officers on a continual basis to attain these goals and objectives. This is not possible without the support of the Mayor and Council. Also, with the support of Mayor Goldberg and Council members, the police department has continued its partnerships with the Hawthorne Board of Education, the Hawthorne Boys & Girls Club as well as the Hawthorne Municipal Alliance to provide quality education to our children and residents of the Borough, with 16 different public education programs from kindergarten to our senior population. One of these programs is the Junior Police Academy which is open to 7<sup>th</sup> and 8<sup>th</sup> graders. The next Junior Police Academy begins on Monday, March 16<sup>th</sup>, 2019 at 7:00pm at the Lincoln Middle School. Applications are on the Borough website or available at the police station. As always, residents are reminded to report a problem or suspicious activity by calling the Hawthorne Police Department at the time of the occurrence and not on social media. The quicker something is recognized to be out of the ordinary, the quicker we can respond to provide the best service to the community.

#### **DPW Director Alyssa Clemente / Robert Scully**

Director Clemente reported the DPW will be installing lighted pedestrian crossing signs at Diamond Bridge Avenue and Lafayette Avenue within the next few weeks. A forklift truck has been purchased which will facilitate safer delivery unloading practices and will be used inside the garage for equipment movement and placement. A new replacement sewer service vehicle and a new replacement road department mason dump truck have been purchased. A five-year vehicle replacement list is being completed. Due to the milder clearer weather, roadway pothole patching is taking place. There has been a substantial savings in budgeted funding due to the milder winter weather, which also means savings on vehicle use and repairs. The SCADA Computer and security systems are undergoing upgrades. The 2020 New Jersey Department of Environmental Sewer and Records inspections has been completed which the Borough has passed. A water capital improvement plan, which includes south station water pump replacements, is being worked on and a rehabilitation project on two Borough water storage tanks has been completed. Wooden tree support poles have been removed from the Fall 2017 and May 2018 tree plantings. The Department of Public Works is confident that with the continued support of the Borough, they will meet and possibly exceed every event they are confronted with.

#### **Fire Chief Estelle Barbieri / Joe Speranza**

Chief Barbieri reported the Hawthorne Fire Department responded to 96 calls for aid from the period January 1 through March 1, 2020. Sadly, one firefighter was injured on Sunday evening responding to a kitchen fire, that member remains out of service while undergoing treatment. Through this period members assisted at major incidences in North Haledon, Glen Rock, Fair Lawn, Paterson and Haledon. The department’s training program continues with upcoming training for officers and members including training concerning the COVID-19 Novel Coronavirus and Driver’s Education Programs. Firefighters are continuing to use the training center and the Bergenfield Fire Training Center. The center continues to grow with donations from local businesses. The new expansion will include a flashover simulator, a firefighter hammer sledge and cutting stations for saws and technical rescue tools. The Council and Administration are encouraged to visit the center. Repairs are nearing completion on Engine 3 and expect the truck to be returned by March 10<sup>th</sup>. Following the return of Engine 3, repairs will be made to Engine 4 and Rescue 5 which will place the units out of service for approximately one week. The truck’s chassis on Tower 2 has been assembled and the tower ladder installation will follow as it nears completion. The timeline for delivery on the aerial truck for Tower 2 is early to mid-May. The Cadet Firefighter Program currently has 14 active cadet firefighters. This program has expanded to multiple nights of dedicated training to cadets and enables them to be prepared for entrance into the State Fire Academy. DPW Supervisor Scully, Bertollo and the DPW employees were thanked for painting fire headquarters.

#### **Borough Clerk Caitlin Carone / Lori Fernandez**

Elections 2020 - The Primary Election takes place on Tuesday, June 2nd and the General Election on Tuesday, November 3<sup>rd</sup>. Visit the clerk’s office or Borough website at [www.hawthornenj.org](http://www.hawthornenj.org) to register to vote or update your registration. New voters must register 21 days before an election to be eligible to vote in

the next election. Polls are open from 6am to 8pm on election day.

Town-wide Garage Sale – The town-wide garage sale will take place this year and is scheduled for Saturday, May 30<sup>th</sup>, watch the Borough website for details.

The Hawthorne Municipal Alliance committee will be hosting The Dangers of Vaping on Tuesday, March 24<sup>th</sup> at 6:30pm at Hawthorne High School. The Director of Chilton Medical Center will discuss the effects of this epidemic overtaking our children, young adults and community. The flyer can be found on the Borough website, Borough cable channels and is being circulated by the schools and social media. You may also contact the clerk’s office for additional information at 973-427-1167.

County Clerk Services - The County Clerk staff visits borough hall monthly to offer passport services, notary oaths and veteran ID’s on the 2<sup>nd</sup> Tuesday of the month from 11am to 1pm and surrogate services on the 4<sup>th</sup> Tuesday of the month from 5pm to 7pm.

Lastly, I would like to wish Mayor Goldberg a very happy birthday on Saturday!

**CFO & Director of Revenue & Finance Liliana Reilly / Laurie Foley**

The Annual Financial Statement known as the AFS was submitted on Monday, March 2<sup>nd</sup> and work is ongoing on the 2020 Budget. The 2<sup>nd</sup> quarter taxes are due on May 1<sup>st</sup> and just a friendly reminder, please pay any outstanding 2019 water bills and/or taxes to ward off water shut-off or possible tax sale.

**Ambulance Corps President Ken Houtsma / Alexandra Shehu**

The Hawthorne Volunteer Ambulance Corps. which is 100% volunteer, relies on fund drives and donations to purchase supplies, oxygen and vehicles. Established in 1932, it is one of the oldest ambulance corps. in New Jersey with a total of 58 members. In 2019 the corps. took 1,172 including 380 daytime calls with members performing over 21,000 volunteer hours. We have an observer program that allows non EMTs ages 16 and up to ride along with current members to experience EMS up close, before enrolling in the state EMT program. The Mayor and Council were thanked for their support.

**Questions for the Administration**

Councilwoman Scola/Councilman Wojtecki asked if the PSE&G roadwork in the 1<sup>st</sup> ward was going to wait for the summer. Administrator Perini reported PSE&G reports the work on services should be completed in April, weather permitting, with repaving being done this summer while school is out. She stated she hopes one of the pedestrian signs will be installed in front of Bagel Express as it is a very dangerous intersection. She donated popcorn to the band shell chairman for the band shell.

Council President Nadirashvili/Matthews made a motion to record the administrative agenda, moved by Council Vice President Kawash/Lane, seconded by Councilwoman Scola. Carried on voice vote.

**INTRODUCTION OF ORDINANCES: None.**

**RESOLUTIONS**

**OFF-CONSENT**

**R 42-20 Introduced by Councilwoman Scola/Councilman Wojtecki**

WHEREAS, an emergency has arisen with respect to the amounts allocated in the 2020 Temporary Operating Budget and/or the 2020 Temporary Water Operating Budget; salary and wages and other expenses due to the permanent budget not yet being adopted, and the 2020 temporary appropriations are inadequate to provide for these expenses for the aforesaid reason, N.J.S.A. 40A:4-20 provides for the creation of emergency temporary appropriations, and

WHEREAS, the said temporary appropriations are limited to 26.25% of the total appropriation in the 2019 budget, exclusive of any appropriations for Debt Service, Public Assistance and Capital Improvement Fund in the said 2019 budget.

NOW, THEREFORE, BE IT RESOLVED, by Municipal Council of the Borough of Hawthorne (not less than two-thirds of the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20, that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Treasurer for her records.

Emergency Temporary Budget

Current S&W	Department	Amount
0.01.2010.20.1001.001	General Admin S&W	\$ 13,700.00
0.01.2010.20.1101.001	Mayor & Council S&W	\$ 3,100.00
0.01.2010.20.1201.001	Municipal Clerk S&W	\$ 9,100.00
0.01.2010.20.1201.005	Municipal Clerk S&W - Tech	\$ 500.00
0.01.2010.20.1301.001	Financial Admin S&W	\$ 9,200.00

0.01.2010.20.1501.001	Tax Assessment S&W	\$ 3,300.00
0.01.2010.21.1801.001	Planning Board S&W	\$ 500.00
0.01.2010.22.1951.001	Const Code S&W	\$ 14,600.00
0.01.2010.22.1953.001	Local Code S&W	\$ 4,100.00
0.01.2010.25.2401.001	Police Dept S&W	\$ 5,900.00
0.01.2010.25.2401.002	Police Dept S&W Uniform Police	\$ 255,000.00
0.01.2010.25.2411.001	PEOSHA S&W	\$ 1,900.00
0.01.2010.25.2413.001	Police Dispatchers S&W	\$ 17,500.00
0.01.2010.25.2651.001	Fire Dept S&W	\$ 200.00
0.01.2010.25.2661.001	Uniform Fire Safety S&W	\$ 5,200.00
0.01.2010.25.2751.001	Prosecutor S&W	\$ 2,100.00
0.01.2010.26.2901.001	Streets & Roads S&W	\$ 49,000.00
0.01.2010.26.3041.001	Sewer Systems S&W	\$ 13,000.00
0.01.2010.26.3101.001	DPW Admin S&W	\$ 7,000.00
0.01.2010.27.3301.001	Board of Health S&W	\$ 10,500.00
0.01.2010.28.3721.001	Board of Rec S&W Sec/Director	\$ 1,000.00
0.01.2010.29.3901.001	Free Public Library S&W Salaried	\$ 37,000.00
0.01.2010.29.3901.002	Free Public Library S&W Voucher	\$ 5,000.00
0.01.2010.43.4901.001	Muni Court S&W	\$ 10,500.00
0.01.2010.30.4232.066	IT Services O/E	\$ 2,500.00

Current O/E

0.01.2010.28.3712.043	Swimming Pool O/E	\$ 1,000.00
0.01.2010.20.1302.055	Financial Admin O/E	\$ 5,300.00
0.01.2010.20.1452.043	Revenue Collection O/E	\$ 5,600.00
0.01.2010.43.4902.043	Municipal Court O/E	\$ 1,000.00
	Total	\$ 494,300.00

Water Operating

0.05.2010.55.5010.001	Water Utility S&W	\$ 1,700.00
	Total	\$ 1,700.00

Council President Nadirashvili/Matthews entertained a motion to approve off-consent agenda resolution R 42-20, moved by Councilwoman Scola/Councilman Wojtecki, seconded by Councilman Sokolofsky/Mele. On roll call, all voted yes, motion carried.

**CONSENT AGENDA: MR 2-20 and R 43-20 through R 48-20**

**MR 2-20 Introduced by Council Vice President Kawash/Lane**

WHEREAS, the Borough of Hawthorne is obligated, as part of its Fair Share Housing Compliance Plan, to create and fill the position of Municipal Housing Liaison; and

WHEREAS, the Mayor of the Borough of Hawthorne has appointed Lori Fernandez to serve in such capacity, subject, as provided for in the Ordinance creating such position, to approval of the Municipal Council

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne, that it does hereby approve of the appointment of Lori Fernandez as Municipal Housing Liaison as aforesaid.

**R 43-20 Introduced by Council Vice President Kawash/Lane**

WHEREAS: Tax Sale Certificate #18-00006 was sold on November 14, 2019 in the amount of \$98.83 on Block 5 Lot 1 then assessed to Wilfrido M. Mejia-Dejesus and said lien was originally purchased by Christiana T C/F CE1/Firsttrust, P.O. Box 5021, Philadelphia, PA 19111, and

WHEREAS: said lien was redeemed on February 20, 2020 in the amount of \$3,182.89 said lienholder is entitled to a refund including the amount of the lien \$98.83, search and recording fee of \$67.00, subsequent taxes of \$2,548.58, interest on subsequent taxes of \$81.43 and subsequent water of \$371.62, interest on subsequent water of \$15.43 for a total of \$3,182.89 and

NOW, THEREFORE, BE IT RESOLVED: that the Collector of Taxes recommends that a check be issued by the Treasurer from the Other Trust II/Trustee Account to Christiana T C/F CE1/Firsttrust in the amount of \$3,182.89 to reimburse the lienholder for the lien, penalty, subsequent taxes, interest and subsequent penalty. Also a check for \$9,100.00 for the premium paid by the lienholder.

Christiana T C/F CE1/Firsttrust	\$3,182.89 Redemption
PO Box 5021	\$9,100.00 Premium
Philadelphia, PA 19111-5021	

**R 44-20 Introduced by Council Vice President Kawash/Lane**

WHEREAS, the Borough of Hawthorne received bids on February 26, 2020 for Gasoline vending for the period from March 1, 2020 to February 28, 2022, as authorized by the Local Public Contracts Law; and

WHEREAS, two bids were received with the only responsive bid being received from Selin, LLC, the operator of the Exxon station located at 716 Goffle Road, doing business as Hawthorne Quick & Fresh, said bid proposal being incorporated herein by reference; and

WHEREAS, the bid was reviewed by the Borough Attorney, who found that the bid of the apparent low bidder was compliant with the bid solicitation and the Local Public Contracts Law; and

WHEREAS, the Administration also considered the pricing offered by the vendor and compared the same to the non-responsive bid provided by Nishdev, Inc., dba Star Sunoco, the Borough's current vendor, and determined that the pricing offered by Selin, LLC, was more favorable than that set forth in the non-responsive bid or the current price being paid by the Borough and otherwise consistent with the expectation of the solicitation; and

WHEREAS, the Chief Financial Officer has certified availability of funds under the Municipal Budget, bulk purchase-gasoline, Line Item 01-2010-31-4602-050 so as to allow for the award of contract;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that it does award a contract to:

Selin, LLC, 716 Goffle Road  
Hawthorne, New Jersey 07506

for gasoline vending for a two-year period commencing March 1, 2020, in accordance with its bid, and does authorize the Mayor and the Clerk to execute and deliver a contract to said entity upon approval as to form by the Borough Attorney.

**R 45-20 Introduced by Council Vice President Kawash/Lane**

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Borough of Hawthorne ("Hawthorne") strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, Hawthorne has qualified for the "It Pays to Plug In: NJ's Electric Vehicle Workplace Charging Grant Program"; and

WHEREAS, Hawthorne desires to further the public interest by obtaining a grant from the State of New Jersey, Department of Environmental Protection ("NJDEP") in the amount of up to \$6,000.00 to fund a project to purchase, install and maintain one (1) dual-port Level 2 ChargePoint charging station to be installed at 345 Lafayette Avenue for electric powered vehicles; and

WHEREAS, the terms of the grant do not require that Hawthorne provide matching funds; and

WHEREAS, the NJDEP's grant agreement identifier for this grant is AQ20-001.

THEREFORE, the Borough Council has determined that the Borough of Hawthorne should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Hawthorne, State of New Jersey, authorize the submission of an application to "It Pays to Plug In: NJ's Electric Vehicle Workplace Charging Grant Program" for \$6,000 to fund a project to purchase, install and maintain one (1) dual-port Level 2 ChargePoint charging station to be installed at 345 Lafayette Avenue for electric powered vehicle.

**R 46-20 Introduced by Council Vice President Kawash/Lane**

WHEREAS, the County annually receives Community Development Block Grant Funds from the United State Department of Housing and Urban Development to allocate to eligible projects within participating county municipalities; and

WHEREAS, the Borough of Hawthorne is a participating municipality in the County of Passaic's Community Development Block Grant Program; and

WHEREAS, the Borough of Hawthorne has identified as an eligible projects: a) the Installation of Sidewalk Handicapped Ramps at various intersections, and b) the repaving of North Fourth Avenue; and

WHEREAS, it is in the best interest of the Borough of Hawthorne to apply for grant funds for these projects;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Hawthorne that the Borough Administrator is hereby authorized to submit applications to the County of Passaic for Community Development Block Grant funding for the Installation of Sidewalk Handicapped Ramps at various intersections; and, also for the repaving of North Fourth Avenue, and if awarded funds, the Borough shall implement activities in accordance with all applicable federal, state and local laws and regulations.

**R 47-20 Introduced by Council Vice President Kawash/Lane**

WHEREAS, the Passaic County Board of Chosen Freeholders (hereafter “Board”) provide grants to municipalities for the assistance in acquisition, development, stewardship, and historic preservation from the Passaic County Open Space, Farmland, and Historic Preservation Trust Fund (hereafter “Trust Fund”); and

WHEREAS, the Borough of Hawthorne desires to further the public interest by obtaining funding in the amount of \$100,000.00 from the Board for the County to fund the construction of walkway lighting from the parking lot to the bandshell at the Municipal Pool Property at a total project cost of \$100,000.00; and

WHEREAS, the Board has determined the applications are complete and in conformance with the scope and intent of the Trust Fund program and the rules and regulations established pursuant to R20170349, and any subsequent Resolutions passed by the Board governing the administration of the Trust Fund; and

NOW THEREFORE BE IT RESOLVED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF HAWTHORNE THAT:

1. The Borough Administrator is authorized to make application, provide all required information and documents as required, and correspond as necessary for a grant to the Passaic County Open Space, Farmland, and Historic Preservation Trust Fund;
1. That the Borough Administrator is hereby authorized to execute grant agreements and any amendment thereto with the County of Passaic for the construction of walkway lighting at the Municipal Pool Property and for the surface enhancements at the Municipal Tennis Courts;
2. That, if the funds provided by the County are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and
3. That, the applicant agrees to comply with all applicable federal, State, County, and local laws, rules, and regulations in its performance of the project; and
4. That this Resolution shall take effect immediately.

**R 48-20 Introduced by Council Vice President Kawash/Lane**

WHEREAS, the Borough of Hawthorne Department of Public Works, Sewer Department, and Hawthorne Water Department, utilize a SCADA system in connection with operations and have determined the need to upgrade software and hardware related to the system, soliciting a quotation from L & P Integrators, the entity that previously installed the SCADA system software and hardware and is therefore fully familiar with the system; and

WHEREAS, the Borough received a quotation, dated January 20, 2020, in total sum of \$24,300, which is deemed reasonable by the Departments and the Administration; and

WHEREAS, the amount of the quotation is less than the amount set forth in the Local Public Contract Law as the bid threshold but in excess of the amount set forth in the New Jersey Pay-to-Play law; and

WHEREAS, the Borough Attorney has advised that a purchase order may be issued nevertheless as the vendor has completed and filed with the Municipal Clerk a Certification that it has not made reportable contributions in excess of the amount set forth in such law: and

WHEREAS, the Chief Financial Officer has certified availability of funds for the issuance of a purchase order in total sum of \$24,300 with \$9,300 to be paid from the Sewer System O/E – Equipment and Supplies, Line Item 01-2010-26-3042-050 and \$15,000 to be paid from the Water Utility O/E – Equipment and Parts, Line Item 05-2010-55-5020-050;

NOW THEREFORE IT IS HEREBY RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does authorize the issuance of a purchase order to:

L & P Integrators  
12 East Gate Drive, Glenwood, New Jersey 07418

**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 by the Municipal Budget, with \$9,300 to be paid from the Sewer System O/E – Equipment and Supplies, Line Item 01-2010-26-3042-050 and \$15,000 to be paid from the Water Utility O/E – Equipment and Parts, Line Item 05-2010-55-5020-050, so as to allow for an award of a purchase order in total certified amount of \$24,300 to L & P Integrators for SCADA system improvements.

Council President Nadirashvili/Matthews entertained a motion to approve consent agenda resolutions MR 2-20 and R 43-20 through R 48-20, moved by Council Vice President Kawash/Lane, seconded by Councilwoman Scola/Councilman Wojtecki.

Councilman Ptak/Councilwoman Laiosa explained the Municipal Housing Coordinator is going to handle all of the affordable housing in town and keep track of all the units to make sure it is all done properly, this is in response to the 204 settlement. On roll call, all voted yes, motion carried.

**REPORTS OF SPECIAL COUNCIL COMMITTEES**

Council Vice President Kawash/Lane reported dog licensing continues as well as other town licenses for stores, restaurants. At this time there are two new establishments coming to the Borough, Black Jack Mulligan’s is taking the place of Kirker’s on Diamond Bridge Avenue and Carlos’ Bagels in what was previously Andy’s Bagels. The free rabies clinic will be held on May 12<sup>th</sup> from 6 to 8pm at the ambulance building. The borough nurse is available on Fridays for those residents who would like to get their blood pressure checked. The Food Pantry located in the Health Office is well stocked thanks to residents and various organizations, and is available to all Hawthorne individuals and families.

Councilman Sokolofsky/Mele reported the Finance Committee has begun the budget review process with the administration to keep the Borough increase at less than 2%. The budget will be introduced at the first meeting in April. The Municipal Alliance Committee will be hosting dinner and a show, Beauty and the Beast, on April 22 at Hawthorne High School with dinner at 5:30pm in the high school cafeteria.

Councilwoman Rica/Councilman Bennett reported due to the mild weather this year, our streets were saved from additional deterioration normally caused by salting and plowing. There are still plenty of streets in need of repair. This year ordinances 2244-19 and 2245-19 which were passed earlier, will commit over \$1,000,000 to the 2020 road program. Streets to be paved are Parmelee Avenue which will be NJDOT funded saving the Borough \$571,000, Kingston, Warren, Garden, Barker Avenues and Little Street. Park Avenue and Cynthia Court will be alternates if there is money left over after the contracted streets are done. The streets considered for 2021, 2022 and 2023 including those to be funded by an NJDOT Grant will include Emeline Drive, Cheryl Hills Drive, Oak Street, part of Post Avenue, part of Sylvester Avenue, Taylor Avenue, Utter Avenue, Legion Place, Bamford Avenue, North 4<sup>th</sup> Street, Horizon Terrace, 5<sup>th</sup> Avenue, the dead end of Ruth Avenue, Florence Avenue and 7<sup>th</sup> Avenue. Please let someone on the Public Works Committee know if you see a street in need of repair.

Councilwoman Sciarra/Councilman Sciarra reported on Tuesday, March 3<sup>rd</sup>, the Hawthorne Board of Education had a special public meeting work session on the 2020 - 2021 school budget. Interviews followed for the open board member seat, there were eight candidates who submitted resumes. The next regular meeting will be March 10<sup>th</sup> at 7:00pm at Washington School. The Mr. Hawthorne competition will be Friday, March 6<sup>th</sup> at 7:30pm. The Library Board meeting is scheduled for March 11<sup>th</sup> at 4:30.

Councilwoman Scola/Councilman Wojtecki reported the new Shade Tree secretary is Maureen Cook. The 2020 Tree City application has been submitted. The arborist is reviewing the road improvement projects with 70 trees to inspect. The Borough tree inventory was completed with 3,001 trees on the list. Arbor Day will be celebrated at Hawthorne High School on April 24<sup>th</sup>.

Council President Nadirashvili/Matthews reported the Chamber of Commerce’s Farmers Market at the library will take place on Sundays from June 28<sup>th</sup> to October 25<sup>th</sup> from 9:00am to 2:00pm. The Chamber networking group meets weekly Tuesday mornings at 7:00am at Fylstra & Fylstra. The “Hop the Shops” campaign runs April 4<sup>th</sup> through April 11<sup>th</sup>. The annual Chamber Easter Egg Hunt is on April 4<sup>th</sup> at the Library at 10:00am. The Classic Car Show will take place on August 16<sup>th</sup> behind the library and the Fishing Derby will be on September 12<sup>th</sup> at Arnold’s Pond. The next Planning Board meeting will be on March 17<sup>th</sup> at 7:00pm. The County is due to present their plan to remove the rotary “accessible” playground and put a parking lot in its place. The Finance Committee continues to meet weekly with department heads to discuss budgetary needs and requests.

**CORRESPONDENCE**

**C-1** New Firefighter applicants Noah Troast to Rescue Company 5, Kevin Kenerson to Company 3 and Christopher Mogen to Company 4, moved by Councilman Sokolofsky/Mele seconded by Councilwoman Sciarra/Councilman Sciarra, on roll call all voted yes with the exception of Councilwoman Scola/Councilman Wojtecki who abstained and Council Vice President Kawash/Lane who abstained, motion carried.

**BILLS**

Vendor Name	Description	Amount	Check Id
ACTION DATA SERVICES	PR#4 2/14/2020	\$ 436.18	27705
ACTION DATA SERVICES	PR#4 2/14/2020	109.05	12488

ACTION DATA SERVICES	4QTR2019 QTRLY TAX FILING	966.40	27705
ACTION DATA SERVICES	4QTR2019 QTRLY TAX FILING	241.60	12488
ACTION RUBBER & INDUST SUP INC	S-1 INTERIOR BED LINER 10'X4'	391.10	27704
AGRA ENVIRONMENTAL SVC	MONTHLY WATER LAB TESTING	93.75	12489
AGRA ENVIRONMENTAL SVC	MONTHLY WATER LAB TESTING	412.50	12489
AMERICAN HOSE & HYDRAULICS CO	W-12 BODY REPAIRS	527.36	12490
AMERICAN HOSE & HYDRAULICS CO	SALT PREADER HYDRAULIC PARTS	40.58	27706
ASLAN & COMPANY, INC.	CLEANING CONTRACT BORO HALL	1,450.00	27707
BERGEN COUNTY HARLEY-DAVIDSON	MOTORCYCLE REPAIRS	63.72	27708
BERGEN COUNTY HARLEY-DAVIDSON	MOTORCYCLE REPAIRS	63.17	27708
BERGEN COUNTY HARLEY-DAVIDSON	MOTORCYCLE REPAIRS	121.00	27708
BERGEN COUNTY HARLEY-DAVIDSON	MOTORCYCLE REPAIRS	139.04	27708
BOSWELL ENGINEERING, INC	SOUTH STATION PUMPS RESO 120-	840.75	12491
BRAEN STONE INDUSTRIES, INC	ROAD DEPT - STONE SUPPLIES	159.60	27709
BRAEN STONE INDUSTRIES, INC	ROAD DEPT - STONE SUPPLIES	450.00	27709
BRAEN STONE INDUSTRIES, INC	ROAD DEPT - STONE SUPPLIES	286.65	27709
BROWN'S JANITORIAL SUPPLY	JANITORIAL SUPPLIES BORO HALL	150.70	27710
CANON FINANCIAL SVCS INC	COPIER LEASE FEE DPW - WATER	43.00	12492
CANON FINANCIAL SVCS INC	COPIER LEASE FEE DPW - ROAD	43.00	27711
CAPITOL SUPPLY CONSTR PRODS IN	WATER VALE PARTS	1,402.55	12493
CAREER DEVELOPMENT INSTITUTE	HELO TRAINING	778.00	27712
CHOICE MARKETING SPORTS CARDS	FULL SETS COLOR TRADING CARDS	2,525.45	5549
CHOICE MARKETING SPORTS CARDS	FULL SETS COLOR TRADING CARDS	1,500.00	5549
CHRISTINA T C/F CE1/FIRSTRUST	CERT#18-00006 BLK 5 LT 1	3,182.89	5550
CHRISTINA T C/F CE1/FIRSTRUST	CERT#18-00006 BLK 5 LT 1	9,100.00	7100
CINTAS CORP	BORO HALL RUG SRV. DOOR MATS	583.52	27713
CINTAS CORP	DPW GARAGE BI-WKLY DOOR MATS	217.92	12494
COASTAL DISTRIBUTION PATERSON	CONST. & DEBRIS TRANSFER FEES	483.06	27714
COASTAL DISTRIBUTION PATERSON	CONST. & DEBRIS TRANSFER FEES	288.84	27714
COMMUNICATION SPECIALISTS	S-1 RADIO & ANTENNA KIT INSTAL	354.00	27715
COMMUNICATION SPECIALISTS	S-1 RADIO REMOVAL	60.00	27715
COMMUNITY SERVICE GARAGE	MOTORCYCLE REPAIRS	620.00	27716
COMMUNITY SERVICE GARAGE	MOTORCYCLE REPAIRS	678.40	27716
DOCTORS OFFICE OF NEW JERSEY,	ENCUMBERED HEP B VACCINATIONS	225.00	27717
DOCTORS OFFICE OF NEW JERSEY,	ENCUMBERED HEP B VACCINATIONS	75.00	27717
DOWNES TREE SERVICE, INC.	TREE REMOVALS PER ARBORISTS	3,900.00	27718
DOWNES TREE SERVICE, INC.	STUMPS TO GRIND PER ARBORISTS	1,025.00	27718
DOWNES TREE SERVICE, INC.	C-2 BLOCK HEATER KIT	97.68	27718
ELECTRONIC SYSTEMS SOLUTIONS	TOWER 2 -RADIO CHARGER	666.00	27719
ELECTRONIC SYSTEMS SOLUTIONS	TOWER 2 -RADIO CHARGER	570.00	27719
ELLEN BROGNO	EYE EXAM	135.00	27720
ELLIOTT LEWIS CORP	PD DISPATCH AREA - HV/AC UNIT	5,800.00	27721
ELLIOTT LEWIS CORP	FIRE RESCUE 5 REBUILD PUMP	4,195.87	27721
ELLIOTT LEWIS CORP	FIRE RESCUE 5 BLDG. PUMP CHECK	291.00	27721
EXTEL COMMUNICATIONS, INC	TELEPHONE HEARING HANDSET	100.00	27722
FDR HITCHES LLC	SNOW PLOW BLADE-8' X-BLADE	153.90	27723
FDR HITCHES LLC	SNOW PLOW BULBS	42.10	27723
FDR HITCHES LLC	SNOW PLOW BULBS - HH-11	29.67	27723
FDR HITCHES LLC	R-8 WIRE HARNESS-PARTS	103.68	27723
FDR HITCHES LLC	R-8 WIRE HARNESS-LABOR	125.00	27723
FIREFIGHTER ONE LLC	BLANKET ORDER SCBA REPAIRS	1,695.35	27724
FIREFIGHTER ONE LLC	BLANKET ORDER SCBA REPAIRS	178.40	27724
GENERAL CODE PUBLISHERS, INC	2019 SUPPLEMENT NO. 14	1,482.43	27725
GINA BROWN	GLASSES STEPHEN BROWN	210.00	27726
GINA BROWN	GLASSES & CONTACTS	210.00	27726
HARD ROCK HOTEL & CASINO	ACCOMODATIONS-CLERK CONFERENCE	476.00	27727
HAWTHORNE AUTO LAB	VEHICLE MAINTENANCE DRAWDOWN	2,493.16	27728
HAWTHORNE CHEVROLET	VEHICLE SERVICE	72.95	27729
HENDERSON TRUCK EQUIPMENT	BRINE APPLICATOR REPAIRS-SENSO	390.90	27730
HENDERSON TRUCK EQUIPMENT	BRINE APPLICATION PARTS	228.75	27730
IAN SPOHN	ROAR SUPPLES	42.72	27731
INSERRA SUPERMARKETS	FOOD GIFT CARDS HAWTH FOOD PAN	2,375.00	1409
INTERACTIVE DATA, LLC	IDI YEARLY MAINTENANCE	600.00	27732
JANICE PATMOS	REIMB EYE GLASSES JAN	210.00	27733



JOHN F GALLAGHER	LEE AVE RIGHT OF WAY BLK 229	75.00	27734
JORDAN TRANSPORTATION,INC	HAWTHORNE SENIORS BUS TRIPS	350.00	27735
JOSEPH DIGERONIMO	ROAR SUPPLIES	41.59	27736
KIMBALL MIDWEST	GARAGE SUPPLIES	400.00	27737
KIMBALL MIDWEST	GARAGE SUPPLIES	157.33	27737
KIMBALL MIDWEST	GARAGE SUPPLIES	100.00	12495
KIMBALL MIDWEST	WATER DEPARTMENT SUPPLIES	281.24	12495
LAURIE FOLEY	CMFO LIC RENEWAL	25.00	27738
LAURIE FOLEY	CMFO LIC RENEWAL	25.00	12496
LAWSOFT, INC	LAWSOFT MAINTENANCE	9,080.00	27739
LINCOLN MIDDLE SCHOOL	2020 LMS PROJECT SOAR COURSE	1,000.00	60
LINCOLN MIDDLE SCHOOL	2020 LMS PROJECT SOAR - TRANSP	500.00	60
LISA SLOOTMAKER	EYE EXAM & GLASSES SPOUSE	110.00	27740
LOWES HOME IMPRV BUSINESS ACCT	SUPPLES	514.73	12497
LOWES HOME IMPRV BUSINESS ACCT	SUPPLES	397.10	27741
LOWES HOME IMPRV BUSINESS ACCT	SUPPLES	493.76	27741
M & B SEPTIC SERVICE, LLC	PORTABLE RESTROOM FRANKLIN FLD	84.00	27743
MACALUSO'S RESTAURANT	2021 INSTALLATION DEPOSIT	1,000.00	27742
MAUREEN COOK	RUTGERS PUB POLICY COURSE MILE	79.68	61
METLIFE	FEB ACT TM05001743 0001	324.84	27744
MGL PRINTING SOLUTIONS	EDMUNDS CHECK STOCK	80.00	27745
MGL PRINTING SOLUTIONS	EDMUNDS CHECK STOCK	80.00	27745
MGL PRINTING SOLUTIONS	EDMUNDS CHECK STOCK	80.00	27745
MGL PRINTING SOLUTIONS	EDMUNDS CHECK STOCK	80.00	12498
MICHAEL NELSON	REIMB IMSA LICENSE	100.00	27746
MONTAGUE TOOL AND SUPPLY INC	GARBAGE GRABBERS	71.80	27747
MONTAGUE TOOL AND SUPPLY INC	GARBAGE GRABBERS	35.90	12499
MUNICIPAL RECORD SERVICE	HANDWRITTEN TRAFFIC SUMMONS	407.00	27748
MUNICIPAL RECORD SERVICE	PLEA AGREEMENTS - WHITE	143.00	27748
MUNICIPAL RECORD SERVICE	2020 DWI, IDRC, IIN FORMS	494.00	27748
NICHOLAS MARKETS	INSTALLATION DINNER STAND BY	175.00	27749
NJ POOL MANAGERS	CPO CERT 3/21-3/22 R.BERGER	300.00	27751
NJLCA	NJTRDESHW MONGE RAINEY HECHIN	90.00	27750
NORA C. ADAMS	2/20/2020 INTERP	200.00	27752
NORTH JERSEY MEDIA GROUP INC	2020 MTG DATES FOR PLANNING BD	59.40	27753
NORTH JERSEY MEDIA GROUP INC	AD ORD 2243-20 FLOOD DAMAGE	36.10	27753
NORTH JERSEY MEDIA GROUP INC	AD ZONING ORD 2247-20	73.15	27753
NORTH JERSEY TRAILER & TRUCK	S-1 VEH CRASH DAMAGE-PARTS	157.32	27754
NORTH JERSEY TRAILER & TRUCK	S-1 VEH CRASH DAMAGE-LABOR	574.00	27754
NY SUSQUEHANA & WESTERN RAILWA	ANNUAL FEE	2,494.47	27755
OAKLAND MARINE & EQUIPMENT INC	OUT DOOR POWER EQUIPMENT	55.50	27756
OAKLAND MARINE & EQUIPMENT INC	OUT DOOR POWER EQUIPMENT	51.64	27756
ONE CALL CONCEPTS, INC.	DPW MONTHLY MARKOUTS FOR 2020	190.40	12500
P & A AUTO PARTS, INC	AUTO SUPPLIES WATER AUTO/TRUCK	41.72	12501
P & A AUTO PARTS, INC	AUTO SUPPLIES ROAD - EQUIPMENT	79.98	27757
P & A AUTO PARTS, INC	AUTO SUPPLIES ROAD - EQUIPMENT	24.68	27757
PASCACK DATA SERVICES	IT DATA CLEANING TAPES	1,384.90	27758
PASCACK DATA SERVICES	IT SERVICES 3/1-3/20/2020	1,905.50	27758
PASCACK DATA SERVICES	IT SERVICES 3/1-3/20/2020	1,905.50	12502
PENGUIN MANAGEMENT, INC	1/1/20-6/30/20 EDISPATCH	888.00	27759
PERRY'S FLORIST	INSTALLATION DINNER FLOWERS	367.99	27760
PHYLLIS WOOLDRIDGE	GLASSES PHYLLIS 2019	210.00	27761
POST & KELLY ELECTRIC CO, INC	BOILER CIRCUIT BREAKER	1,500.00	27762
POST & KELLY ELECTRIC CO, INC	ELECTRIC HEATER HOOK UP - HPD	1,025.00	27762
PUBLIC SERV ELEC & GAS	THROUGH JANUARY	13,691.64	27763
PUBLIC SERV ELEC & GAS	THROUGH JANUARY	422.31	27763
PUBLIC SERV ELEC & GAS	THROUGH JANUARY	14,048.08	27763
PUBLIC SERV ELEC & GAS	THROUGH JANUARY	25,089.12	12503
PUBLIC WORKS ASSOCIATION OF NJ	S. BOSWELL MEMBERSHIP	75.00	12504
PUBLIC WORKS ASSOCIATION OF NJ	R. SCULLY MEMBERSHIP	15.00	12504
RAGNASOFT INCORPORATED	SCHEDULING PROGRAM	1,885.00	27764
REDDIN MASRI LLC	1/16 & 2/13/2020	600.00	27765
REDICARE LLC	FIRST AID SUPPLIES IN KITS	203.16	27766
REDICARE LLC	FIRST AID SUPPLIES IN KITS	69.30	12505

REDICARE LLC	FIRST AID SUPPLIES IN KITS	69.30	27766
RIO SUPPLY, INC	BATTERY PKS METER READERS	328.00	12506
RT OFFICE PRODUCTS	SUPPLIES FOR TAX/FIN OFFICE	129.75	27767
RT OFFICE PRODUCTS	SUPPLIES FOR TAX/FIN OFFICE	148.65	27767
RT OFFICE PRODUCTS	NEW STAMPS FOR CLERK OFFICE	128.80	27767
RT OFFICE PRODUCTS	OFFICE SUPPLIES	444.77	27767
SA-SO	DBLE SIDED SOLAR BEACON LIGHTS	39,998.20	27768
SCHWAAB INC	VARIOUS STAMPS	392.16	27769
SERVPRO OF PARAMUS &	BIO HAZARD CLEAN UP	400.00	27770
STERLING PARTY RENTALS	TREE LIGHTING THERMAL CONTAINS	75.00	27771
TANIS HARDWARE	CLEANING SUPPLIES	193.80	27772
TREASURER, STATE OF NEW JERSEY	ANNUAL ELEVATOR INSPECTION	258.00	27773
TRICON ENTERPRISES, INC.	MARY ST TANK REMEDIATION	44,394.00	1229
V.E. RALPH & SON, INC	FIRST AID SUPPLIES & GLOVES	225.00	27774
V.E. RALPH & SON, INC	FIRST AID SUPPLIES & GLOVES	112.50	27774
VERIZON	ACT 000601742153 54Y 2/17-3/16	97.32	27776
VERIZON	ACT 150-716-970-0001-04	278.84	27776
VERIZON WIRELESS (N)	ACT 742284815-00001 2/20-3/15	240.06	27775
VITAL COMMUNICATIONS, INC.	MOD IV FEB 2020	525.00	27777
VITAL COMMUNICATIONS, INC.	MOD IV FEB 2020	77.00	27777
WALDWICK PRINTING COMPANY	NEW NAMEPLATES COUNCIL-CLERK	48.00	27778
WEIGHTS & MEASURES FUND	TRUCK SCALES CALIBRATION	250.00	27779
WINDSTREAM	ACT 5494017	1,088.37	27780
WINDSTREAM	ACT 5494017	362.79	12507
WTH	GIS CAD INTEGRATION	225.00	27781
	TOTAL	\$233,994.48	

Council President Nadirashvili/Matthews entertained a motion to approve the bills and forward them to the Treasurer for payment, moved by Council Vice President Kawash/Lane, seconded by Councilman Sokolofsky/Mele. On roll call all voted yes, with the exception of Councilman Ptak/Councilwoman Laiosa who abstained from bills pertaining to PSE&G, Council Vice President Kawash/Lane who abstained from bills pertaining to the Fire Department and Ambulance Corps. and Councilwoman Scola/Councilman Wojtecki who abstained from bills pertaining to the Fire Department. Motion carried.

### **PUBLIC COMMENT**

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

#### **Brooke & Kevin Noonan – 56 Franklin Avenue**

Ms. Noonan stated they are having a tremendous problem with the post office. Her mail has been withheld for nine days, after the fifth day she went to the post office and had a discussion. She believes that in retaliation, the mail truck drove too close to her son while walking their dog. Mr. Noonan went to the post office and made a complaint. After that they did not get mail for a week but her neighbors did. She went back to the post office and they claimed they have had no complaints and were not aware of any problems. She was told its because her dog barks inside the house. They moved their mailbox off the porch to the location where the mail carrier requested. She was asked to go and pick up her own mail as well. Mayor Goldberg asked her to come in and talk to him tomorrow.

#### **Allyssa Clemente – 120 Lincoln Avenue**

Ms. Clemente thanked Councilwoman Scola for the popcorn donation and asked her if the popcorn has butter on it. Councilwoman Scola stated there is no butter on it just coconut oil.

#### **Rick Spirito – 18 Missonelli Court**

Mr. Spirito thanked Borough Administrator Eric Maurer for his help with the footbridge. He also thanked the Mayor and Council for the opportunity they have provided for the students and for the school district.

Council President Nadirashvili/Matthews entertained a motion to close the public portion of the meeting, moved by Council Vice President Kawash/Lane, seconded by Councilman Ptak/Councilwoman Laiosa. Carried on voice vote.

**THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL IS**

**WEDNESDAY, MARCH 18<sup>th</sup> at 7:00 PM**

Council President Matthews thanked the student counterparts for taking over the meeting and asked each student to announce their name, grade, and where they are thinking of going to college or what career path they may be choosing.

**ADJOURNMENT**

At 8:16pm Council President Nadirashvili/Matthews entertained a motion to adjourn the regular meeting, moved by Councilwoman Rica/Councilman Bennett, seconded by Councilman Ptak/Councilwoman Laiosa. Carried on voice vote.

Thank You and Good Night! :D

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Frank E. Matthews, Council President

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Lori Fernandez, RMC, CMC Borough Clerk