

A Virtual Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:00pm via “GoTo Meeting”. Council President Matthews announced the meeting can be viewed live on Cable Channels Optimum Channel 77, Verizon FIOS Channel 28 and Live Streaming on Facebook: Borough Hawthorne NJ Group, <https://www.facebook.com/groups/1135979460070290>. Questions/comments can be emailed to the Borough Clerk, Lori Fernandez in advance of the meeting at lfernandez@hawthornenj.org, or you may call into the meeting during public comments and public hearings by dialing (312)757-3121 using the access code 472-199-829, or you may join from your computer, Tablet or Smartphone by logging into: <https://global.gotomeeting.com/join/472199829>.

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

The following were present via GoTo Meeting:

Mayor	Richard S. Goldberg
Council President	Frank E. Matthews
Council Vice President.....	John V. Lane
Councilman	Bruce A. Bennett
Councilman	Dominic Mele
Councilwoman.....	Rayna Laiosa
Councilman.....	Mike Sciarra
Councilman	Joseph Wojtecki
Borough Administrator	Eric Maurer
Borough Attorney	Michael J. Pasquale
Borough Engineer	Dr. Stephen T. Boswell
Borough Clerk.....	Lori Fernandez

FLAG SALUTE

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

STATEMENT

Adequate notice of this meeting has been provided by the Annual Schedule of Regular Meetings heretofore adopted and posted on the Public Bulletin Board at the Municipal Building, emailed to The Herald News, The Record, The Gazette and all persons who have requested the mailing of such schedule, and a copy of said schedule has remained on file in the office of the Borough Clerk from and since December 3, 2020. In accordance with Executive Orders issued by Governor Murphy relating to the COVID-19 Pandemic, this meeting will take place in a virtual setting on the GoTo Meeting platform.

APPROVAL OF MINUTES

Approval of the regular meeting minutes for the meeting of May 5, 2021 and Bid Minutes for Large Truck Repairs and Animal Control Services, motion by Councilman Bennett, seconded by Councilman Wojtecki. On roll call, all voted yes, with the exception of Councilman Mele who abstained, motion carried.

PUBLIC COMMENT (Agenda Items Only)

Council President Matthews opened the meeting to the public. He stated if anyone desired to be heard for agenda items only, please call in at (312)757-3121 access code 472-199-829, or email the Borough Clerk at

lfernandez@hawthornenj.org. Members of the public who are logged into the GoTo Meeting can chat in now with their questions.

Seeing no one, Council President Matthews entertained a motion to close public comment, moved by Council Vice President Lane, seconded by Councilman Sciarra. Carried on voice vote.

ADOPTION OF ZONING ORDINANCE 2273-21

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 540, ZONING ORDINANCE OF THE BOROUGH OF HAWTHORNE, PASSAIC COUNTY, NEW JERSEY SO AS TO CREATE HEREUNDER ARTICLE XXVIII, MULTIFAMILY AFFORDABLE HOUSING REDEVELOPMENT

WHEREAS, the Borough of Hawthorne has filed a lawsuit entitled, In the Matter of the Application of the Borough of Hawthorne, County of Passaic, Docket No. PAS-L-2412-15, the purpose being the satisfaction of the Borough's Fair Share obligation to provide the realistic opportunity for the creation of low- and moderate-income housing pursuant to the 2015 decision rendered by the New Jersey Supreme Court regarding the same; and

WHEREAS, Ronson 3, LLC, the owner of property known as Block 89 Lot 6 and Block 90 Lots 1, 2.01 and 2.02 on the Tax Map of the Borough of Hawthorne, filed an Answer to the Complaint filed by the Borough and was granted intervenor status by the Superior Court of the State of New Jersey, County of Passaic; and

WHEREAS, the Borough and representatives of 3 Ronson, LLC, with assistance of the Court Appointed Special Master, engaged in Court proceedings and conferences with the purpose of attempting to reach settlement of the litigation as to said parcel of land, thereby partially satisfying the obligation of the Borough as determined by the New Jersey Supreme Court; and

WHEREAS, as a result of those actions the parties reached settlement of all issues pertaining to the litigation as it relates to the parties and have created a Settlement Agreement, the same being subject to final Court approval, which includes the rezoning of the subject properties and designating such as a redevelopment area as to meet in part the obligation of the Borough to create the realistic opportunity for the development of affordable housing; and

WHEREAS, the Governing Body authorized the Planning Board to conduct an investigation of the subject area pursuant to N.J.S.A. 40A:12A, the Local Redevelopment and Housing Law (LRHL); and

WHEREAS, the Planning Board conducted a public hearing on November 10, 2020 and determined that the subject area qualified as an area in need of redevelopment pursuant to statute and made this recommendation to the Governing Body; and

WHEREAS, upon the recommendation of the Borough Planning Board the Governing Body designated the subject area as an area in need of redevelopment by resolution adopted April 7, 2021; and

WHEREAS, upon such determination the Governing Body authorized Burgis Associates to prepare the necessary redevelopment plan; and

WHEREAS, pursuant to the Governing Body's authorization a redevelopment plan dated April 29, 2021 was prepared by Burgis Associates, the Borough's planning consultant;

BE IT ORDAINED by the Governing Body of the Borough of Hawthorne, New Jersey that it does hereby amend and supplement the Zoning Ordinance of the Borough of Hawthorne as follows:

SECTION 1. Article I §540-4 Establishment of zones is hereby amended and supplemented to add the following new zoning district:

R-12-R Multifamily Affordable Housing Redevelopment Zone

SECTION 2. The official Zoning Map of the Borough of Hawthorne is hereby amended to zone tax lots 1, 2.01, 2.02 within Block 90 and tax lot 6 within Block 89 as R-12-R, Multifamily Affordable Housing Redevelopment Zone subject to the regulations of Article XXVIII created herein.

SECTION 3. New Article XXVIII, Multifamily Affordable Housing, R-12-R Zone is hereby added as follows:

§ 540-197 Purpose

Purpose. The purpose of this district is to encourage the production of low and moderate-income multifamily housing in conformance with the latest procedural and substantive rules for affordable housing as determined by the Courts or other applicable authority, by permitting inclusionary multi-family development subject to the R-12-R regulations enumerated herein. This ordinance is created in fulfillment of a Settlement Agreement by and between the Borough of Hawthorne, New Jersey, 3 Ronson, LLC and the Fair Share Housing Center in connection with the Borough of Hawthorne’s declaratory judgment action captioned “In the Matter of the Application of the Borough of Hawthorne” bearing docket number PAS-L-2412-15 pursuant to *In re the Adoption of N.J.A.C. 5:96 and 5:97 by the Council on Affordable Housing, 221 N.J. 1 (2015)*.

§ 540-198 Principal permitted uses.

Permitted principal uses shall be limited to residential multifamily development as regulated by this Article.

§ 540-199 Permitted accessory uses

- (1) Any use which is ordinarily subordinate and customarily incidental to the principal permitted uses R-12-R zone.
- (2) Surface parking.
- (3) Signs as permitted by ordinance.
- (4) Retaining walls as regulated by § 540-204
- (5) Fences as permitted by ordinance.

§ 540-200 Development Requirements

The total number of residential units permitted in the R-12-R Zone shall not exceed 116 units plus 1 caretaker unit and the total number of required affordable housing units shall not be less than 17.

§ 540-201 Area and Bulk Requirements

A. Lot area, external yard and bulk requirements.

- (1) Minimum lot area (acres): 6.0
- (2) Minimum distance between buildings (feet): 60
- (3) Minimum setbacks from external lot lines (feet):
 - (a) Front yard (feet): 85
 - (b) Side yard (feet):
 - i. Buildings with direct frontage on Goffle Road. 30
 - ii. Buildings setback within 350 feet to Goffle Road 75
 - iii. Buildings setback within 480 feet to Goffle Road 60

- (4) Rear yard (feet): 60
- (5) Maximum number stories and building height (stories/feet): 4 /45*
- (6) Maximum impervious lot coverage (percent): 50 percent
- (7) Maximum building length (feet): 260

*height shall be measured from the finished floor of the first residential level above parking but in no event shall any portion of a building exceed the height of 55 feet as measured from the average finished grade of the building as determined by measurements taken at the midpoint of the length of each building wall at the foundation to the ridge line of the building.

§ 540-202 Parking and Circulation requirements

Residential Site Improvement Standards (RSIS) shall apply.

§ 540-203 Fire Access Lanes

A secondary emergency access road serving any development within the R-12-R Zone shall be provided subject to the review and approval of the Planning Board.

- A. A dedicated and unobstructed 15-foot wide fire lane shall be provided for any building with direct frontage on Goffle Road.

§ 540-204 Retaining Walls

Retaining walls may be located within a perimeter buffer or elsewhere on-site as needed subject to the following:

- A. Retaining walls shall be tiered wherever possible.
- B. Retaining walls shall have a landscaped shrub base when wall height exceeds 5’.
- C. Retaining walls adjacent to existing residential properties where the exposed face of wall faces such properties (i.e. the proposed improvements are above the adjacent residential property) shall be setback from the property line minimally the same height of the proposed retaining wall but in no event shall an outward facing retaining wall exceed a maximum height of 8 feet.
- D. Retaining walls adjacent to existing residential properties AND greater than 200’ setback from Goffle Rd. where the exposed face of wall faces away from such properties (i.e. the proposed improvements are below the adjacent residential property) shall not exceed 25’ feet in height. Such walls serve to lessen visual height impact on adjacent single-family homes.
- E. Walls setback less than 100’ from Goffle Rd. shall not exceed 10’ in height.
- F. Retaining wall color shall be of earth-tone and complimentary to proposed structure finishes.
- G. Retaining walls shall have a protective, black vinyl coated chain link fence on top for safety when wall height is more than 3’.
- H. Retaining walls are permitted within all required setbacks and buffers.

§ 540-205 Required Buffers

A planted landscaped perimeter buffer shall be provided subject to the following standards in addition to § 540-209 as follows:

- A. No less than a 50-foot planted buffer shall be maintained along the front yard.
- B. No less than a 15-foot planted buffer shall be maintained along the northerly side and rear yards.
- C. No less than a 30-foot planted buffer shall be maintained along the southerly side yard for a distance of no less than 300 feet as measured from the intersection of the rear lot line with the southerly lot line extending east.
- D. No accessory structures, parking, or storage of materials shall be permitted within the required buffer. Circulation drives, pedestrian walkways and stormwater swales are permitted within all required buffers except that not more than 10% of the required buffer shall be affected. All underground utilities are permitted within required buffer areas.
- E. Buffer Areas. Buffers shall comply with the following standards:
 - (1) Buffer planting shall provide year-round visual screen in order to minimize adverse impacts from a site on an adjacent property or from adjacent areas. It may consist of evergreen and deciduous trees and shrubs, berms, boulders, mounds, or combinations thereof to achieve the stated objectives as approved by the appropriate land use board. While fencing may be installed to delineate the property line, the use of fencing or walls shall not be relied upon as the primary source of screening.
 - (2) Where required, buffers shall be measured from property lines and street rights-of-way. Compliance shall be determined by the Planning Board, and any approvals required pursuant to this Section shall be obtained at the time of site plan and subdivision review. Buffer areas may overlap required setbacks.
 - (3) The landscaping shall be designed to provide a visual screen along the majority of the buffer area. Planting shall be installed at a variety of sizes which conform to the following minimum sizes:

Shade Trees	2 ½-3-inch caliper
Evergreen Trees	7-8 feet
Shrubs	18-24 inches
 - (4) Existing vegetation within the required transition buffer shall be preserved to the extent feasible and as determined appropriate by the Planning Board. It shall be supplemented with shade tolerant naturalistic massed plantings where necessary to provide screening of adjoining land uses.

§ 540-206 Soil Movement

Any development within the R-12-R Zone shall comply with § 540-420 of the Borough code regulating the movement of soil.

§ 540-207 Steep Slope Regulations

The Borough's steep slope regulations (Ch. 540, Art. XXI) and steep slope disturbance provisions in Sec. 540-160 Limitation on Site Disturbance are not applicable to the R-12-R Zone.

§ 540-208 Design Standards

Development within the R-12-R Zone shall be subject to the following design standards. Relief from any required site design standard under § 540-209, shall be considered a design standard exception pursuant to N.J.S.A. 40:55D-51 (b) and not a variance.

A. Architectural Design Standards

- (1) Rooflines. Rooflines are not to be flat but pitched. Roofline offsets, dormers or gables shall be provided in order to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.
- (2) Fenestration shall be architecturally compatible with the style, materials, colors and details of the building. Windows shall be vertically proportioned.
- (3) All buildings should relate harmoniously to the site's natural features and existing buildings, as well as other structures in the vicinity that have a visual relationship and orientation to the proposed buildings. Such features should be incorporated into the design of building form and mass, and assist in the determination of building orientation in order to preserve visual access to natural and man-made community focal points.
- (4) Buildings with expansive blank walls are prohibited. Appropriate facade treatments should be imposed to ensure that such buildings and facades are integrated with the rest of the development and the entirety of the building.
- (5) Refuse and recycling shall be located interior to a building or alternatively, be placed such that they are conveniently located for residents. If located outside, the refuse area shall be appropriately screened by fencing not to exceed 6 feet.

B. Landscaping

- (1) Landscaping shall be provided to promote a desirable visual environment, to accentuate building design, define entranceways, screen parking areas, mitigate adverse visual impacts and provide windbreaks for winter winds and summer cooling for buildings, and enhance buffer areas. The impact of any proposed landscaping plan at various time intervals shall be considered. Plants and other landscaping materials shall be selected in terms of aesthetic and functional considerations. The landscape design shall create visual diversity and contrast through variation in size, shape, texture and color. The selection of plants in terms of susceptibility to disease and insect damage, wind and ice damage, habitat (wet-site, drought, sun and shade tolerance), soil conditions, growth rate, longevity; root pattern, maintenance requirements, etc., shall be considered. Consideration shall be given to accenting site entrances and unique areas with special landscaping treatment. Flowerbed displays are encouraged.
- (2) Parking rows longer than 20 parking spaces should provide for a landscape island to break the pavement where practical and feasible.
- (3) Landscaped islands should be at least six feet in width to accommodate plantings.
- (4) Landscaping within sight triangles shall not exceed a mature height of 30 inches.
- (5) Shade trees shall be pruned up to an 8-foot branching height above grade.
- (6) All areas that are not improved with buildings, structures and other man-made improvements shall be landscaped with trees, shrubs, and ground cover.
- (7) Shade trees should be a 2.5 to 3-inch caliper with a canopy height of at least the minimum American Nursery and Landscape Association Standards for this caliper.
- (8) Ornamental Trees shall be installed at a minimum size of 6 feet in height.

- (9) Shrubs shall be planted at a minimum size of 18 to 24 inches.
- (10) All plant material shall meet the minimum latest American Nursery and Landscape Association Standards.
- (11) Irrigation shall be provided for all buffer plantings and sodded lawn areas in a manner appropriate for the specific plant species. A growth guarantee of two growing seasons shall be provided and all dead or dying plants shall be replaced by the applicant, as required, to maintain the integrity of the site plan.
- (12) Landscape Plantings. A minimum of 30 percent of the plantings proposed shall be indigenous to the region.
- (13) Landscape Plan Content. A landscape plan shall be submitted with each major site plan or major subdivision application. In addition to the major site plan or subdivision submission requirements, the landscape plan shall include and identify the following information:
 - (a) Existing and proposed underground and above ground utilities such as site lighting, transformers, hydrants, manholes, valve boxes, etc. existing wooded areas, rock outcroppings and existing and proposed water bodies.
 - (b) Location of individual existing trees noted for preservation within the area of development and 30 feet beyond the limit of the disturbance. Trees 4 inches in diameter (measured 4 1/2 feet above the existing ground level) shall be located and identified by name and diameter unless the wooded area is shown with a specific limit line. In this case, specimen trees shall be located within thirty feet of the line. Indicate all existing vegetation to be saved or removed.
 - (c) Existing and proposed topography and location of all landscaped berms.
 - (d) Location, species and sizes of all proposed shade trees, ornamental trees, evergreen trees and shrubs and areas for lawns or any other ground cover. Different graphic symbols shall be used to show the location and spacing of shade trees, ornamental trees, evergreen trees, shrubs and ground cover. The size of the symbol must be representative of the size of the plant shown to scale.
 - (e) A plant schedule indicating botanical name, common name, size at time of planting (caliper, height and spread), quantity, root condition and any special remarks (spacing, substitutions, etc.) for all plant material proposed. Plants within the plant schedule shall be keyed to the landscape plan utilizing the first letter of the botanical plant name.
 - (f) Planting and construction details and specifications.

C. Lighting

- (1) All lighting fixtures and foot-candle standards for parking areas and recreation facilities should be consistent with the standards outlined by the Illuminating Engineering Society of North America (IESNA) and regulations of the Borough of Hawthorne.
- (2) The intensity, shielding, direction and reflecting of lighting shall be subject to site plan approval by the approving authority.
- (3) All parking areas, walkways, building entrances, and driveways required for uses in this zone shall be adequately illuminated during the hours of operation that occur after sunset. Any adjacent

residential zone or use shall be shielded from the glare of illumination from site lighting and automobile headlights.

- (4) The use of creative lighting schemes to highlight building facades and related areas of a site shall be encouraged. The use of traditional style lanterns and similar fixtures shall also be encouraged. Exterior neon lights and lighting generating glare and unnecessary night-glow impacts shall be prohibited.
- (5) Whenever possible, light poles should be integrated into landscaped islands.

D. Green infrastructure

- (1) All development shall be in accordance with the regulations set forth in the Borough's Stormwater Management Ordinance (Chapter 437). Site design is encouraged to incorporate green design elements to achieve the following goals: reduce stormwater volume, minimize impervious coverage, decrease and delay peak discharge, reduce pollution and recharge groundwater.
- (2) Various design elements may be incorporated into site design with the following specifically low impact development techniques encouraged: rain gardens, bio-infiltration planters, infiltration basins, vegetated swales and pervious paving.

§ 540-209 Application Requirements.

Application Requirements

- (1) An applicant for development in the R-12-R Zone shall submit a site plan indicating the manner in which the site is to be developed. Said plan shall include all the data required by ordinance for site plan review unless otherwise waived by the Board.
- (2) The application shall contain, in addition to the site plan application checklist provisions, a report detailing the total number of dwelling units by bedroom count. The total number of units shall be indicated and intensity of use of the entire tract shall be noted.

A. Application Process.

Notwithstanding the provisions of § 540-210 A. above, it is the intent of this ordinance for the Planning Board to expedite its review of any application submitted for this zone within the time frames established under N.J.S.A. 40:55D-1 et. seq. It is further the intent of this ordinance to not require off-site or off-tract improvements for development, unless the need for such improvements arise from the development within the zone nor shall the approving authority require items deemed as “cost-generating” as defined by N.J.A.C 5:93-10.1 et. seq.

§ 540-210 Low and Moderate-Income (Mount Laurel) Housing Requirements

The following requirements as to the density and distribution of low-and moderate-income dwelling units shall apply.

A. Low- and moderate-income (Mount Laurel) housing requirements:

- (1) Market-rate and minimum low- and moderate-income housing set aside: The total number of housing units shall not exceed 116 units plus 1 caretaker unit and the total number of affordable housing units shall not be less than 17.
- (2) All low- and moderate-income housing units shall be in conformance with the latest applicable rules for affordable housing as determined by the Council on Affordable Housing, the Courts or other applicable authority, as determined appropriate, including such issues as phasing of building low- and moderate-income units in concert with market rate units.

- (3) Bedroom distribution of low- and moderate-income housing units. Subject to the most current applicable COAH or other rules, the bedroom distribution of low- and moderate-income units for affordable units constructed in the R-12-R Zone shall be as follows:
 - (a) No more than 20 percent of the low- and moderate-income units shall be one bedroom units.
 - (b) At least 20 percent of the low- and moderate-income units shall be three bedroom units.
 - (c) At least 30 percent of the low- and moderate-income units shall be two bedroom units.
- (4) Low- and moderate- income unit split. The distribution of inclusionary affordable units to be provided as part of this development shall be in accordance with those requirements as set forth by COAH rules or otherwise deemed appropriate by the Court.

B. Procedures regarding affirmative marketing of low- and moderate-income units and other requirements of inclusionary development units are subject to and determined by COAH rules or other rules determined appropriate by the Court.

SECTION 4. The Redevelopment Plan, a copy of which is annexed hereto and made a part of this Ordinance, is adopted in accordance with N.J.S.A. 40A:12A-7.

SECTION 5. This Ordinance constitutes an amendment to the zoning district map included in the Borough's zoning ordinance.

SECTION 6. All ordinances or parts of ordinances of the Borough of Hawthorne which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 7. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to such section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 8. This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.

Public Hearing

Council President Matthews opened the meeting to the public, he stated if anyone desired to be heard regarding this ordinance, please join the meeting now.

Tovah Margarucci, 11 Tonia Terrace, Hawthorne, NJ

Ms. Margarucci stated she has a problem with the ordinance as Goffle Road is a very difficult road to cross over to get into town, so the additional traffic from this development will not help the situation.

Diane Oliver, 6 Brockhuizen Lane & 67 Beverly Road, Hawthorne, NJ

Ms. Oliver asked what the area of re-development is currently zoned for. Council President Matthews explained most of it is a planned unit development and the lots in the front are R-1. She feels that 117 units are too many for that area. Council President Matthews invited Ms. Oliver to attend the Planning Board meetings where all of her issues will be discussed. Attorney Pasquale explained how the process works with determining the number of affordable units allowed in a development.

Craig Cayetano, 59 Pasadena Place, Hawthorne, NJ

Mr. Cayetano would like to see the borough try to maximize the number of affordable housing units in each development in the future.

Councilman Lane stated he concurs with the caller's concerns about the development of the property, specifically regarding fire trucks getting in there and traffic control.

Seeing no one else, Council President 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, motion by Councilman Sciarra, seconded by Councilman Mele. On roll call, all voted yes, with the exception of Councilman Bennett, who voted no, and Councilman Wojtecki who voted no, motion carried.

OLD BUSINESS

Councilman Wojtecki questioned why Smith Soudy is still parked at the gas station as they were supposed to be out by the end of April. Borough Administrator Maurer stated it's in the hands of the Zoning Officer and they would need to go back to the Planning Board. Mayor Goldberg stated Mr. Shotmeyer brought an application to the Planning Board a while back. He asked for the status of the mill where there are vehicles, equipment, car parts and engine blocks. Borough Administrator Maurer stated it's in the hands of the Zoning Officer and he will follow up with him. Borough Attorney Pasquale stated the municipality does not have the power to padlock properties or physically kick people out, only the power to impose fines.

Council Vice President Lane asked Borough Attorney Pasquale if the case can be brought to Superior Court where an eviction notice could be issued. Borough Attorney Pasquale stated we do not have the right to evict, only the landlord does. He asked Administrator Maurer for the status on the quotes for improvements to the Wagaraw field area. He stated they are still in the process of getting quotes on fences.

NEW BUSINESS

Councilwoman Laiosa asked if the netting was looked at as well as the fencing at the Wagaraw fields. Administrator Maurer stated they are also looking at the netting.

Councilman Wojtecki questioned the tractor trailers that are parked at the former Murphy Busing property. Council President Matthews stated they have been asked to leave. He asked Administrator Maurer about the Pod storage unit that is parked at the pool parking lot. He stated that is part of the Altice cable project and is supposed to be moved shortly.

ADMINISTRATIVE AGENDA PRESENTED BY MAYOR GOLDBERG

Mayor Goldberg stated June is Pride month and presented Mike Stracco, Chairman of the Hawthorne Pride Alliance, with a proclamation.

PRIDE MONTH

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

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

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

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

WHEREAS, the efforts of the Hawthorne Pride Alliance consistently illustrate their works through the symbolic colors of the pride flag: Life (red), Healing (orange), Sunlight (yellow), Nature (green), Harmony (blue) and Spirit (purple) bringing life, healing, sunlight, nature, harmony and spirit to the community; and

WHEREAS, the Borough of Hawthorne recognizes and supports the LGBTQIA+ community and its allies and will proudly raise the Pride Flag on June 5, 2021.

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

Pride Alliance Chairman Mike Stracco thanked the Mayor, Council and community members for their support. He announced two scholarships will be awarded to two high school seniors at scholarship night. He stated the Pride flag flies on Goffle Road next to the Community Garden and 911 Memorial, with another flag being raised at St. Clements church on Lafayette Avenue. About ten businesses in town will be providing Pride Day specials. He thanked everyone for their support.

MAYOR'S APPOINTMENT *(with advice & consent)*

Mayor Goldberg entertained a motion to appoint Danilo Ramirez to the Board of Health of the Borough of Hawthorne to fill an unexpired 4-year term ending December 31, 2022 or until a successor shall be appointed and qualified. Motion by Council Vice President Lane, seconded by Councilman Wojtecki, on roll call, all voted yes, motion carried. Mayor Goldberg administered the Oath of Office.

Mr. Ramirez thanked Mayor Goldberg and the Council and looks forward to serving on the Board.

I would like to thank everyone who made the Memorial Day service a huge success. It was gratifying to see the community come together to honor those who made the ultimate sacrifice. My congratulations to the thespians of the Hawthorne Pride Alliance on their production last Thursday. A good time was had by all, and this may be the impetus for community theater in Hawthorne. Congratulations to Hawthorne's Kylie Sciarra on her State Semi-Finalist winning essay in the 27th Annual Louis Bay 2nd Future Municipal Leaders Scholarship Competition. Congratulations Kylie. On June 23 at 7pm, United for Prevention in Passaic County will be holding a virtual on-line program on the impact of marijuana in our community. I urge the community to sign up for this program. Please see our website – the Municipal Alliance page – for details on how to register. Among the points covered will be:

1. What marijuana looks like now versus the marijuana from the 90's.
2. Marijuana bill – brief summary of what is in the new MJ bill (includes zoning).
3. Community impact – taxes, law enforcement, distracted driving.
4. Advertising – what restrictions communities can put in place around MJ advertising.
5. Youth - how it affects our youth.

The municipal pool is open on weekends; please sign up at the pool and see our website for details. On Monday, June 7 the J&J Covid vaccine will be given out by the Paterson Health Department in Hawthorne. Please call my office for an appointment at 973-427-1168. The County is looking for poll workers to work on the Primary Election on June 8. You must be a registered voter and live in Passaic County to work the poll. If you are interested, please call Passaic County Board of Elections at 973-881-4528 or email kenh@passaiccountynj.org

REPORTS

Borough Attorney Michael J. Pasquale

Borough Attorney Pasquale commented on the success of the Pride Committee and its work to date.

Gaeta Lawsuit – Mr. Pasquale noted that little has happened since an appeal was filed. An application for expedited proceedings was filed but is yet to be considered, rendering the term expedited somewhat moot. He

noted that RTS is providing very good communication and professional management and thus far the contract is a success.

Affordable Housing – The Council adopted an Ordinance earlier in the meeting rezoning 542 Goffle Road. Steps from here are the finalization of the Housing Element and Fair Share Plan, re-zoning of the downtown area and Royal and Grand Avenues to allow for additional housing, and an overlay for the entire community. 204 Wagaraw had its ground-breaking and the project is under way.

Bandshell – Mr. Pasquale spoke further of the partnership of the Board of Recreation, the Board of Education, the Bandshell committee and the Municipal Alliance, with a series of movies and concerts scheduled for the summer. Joe Zisa is back by popular demand as well as the Billy Joel tribute band, Captain Jack. National Night Out will be the first week of August. The first movie event will be July 8th, with Borough Clerk Lori Fernandez and Board of Rec member Sue Dietrich running the show. Stay tuned for more.

Borough Engineer Dr. Stephen T. Boswell

Engineer Boswell offered his congratulations to Mike, Kylie and Danilo.

Hawthorne Library Lighting Improvements – The application will be submitted tomorrow for the second round of funding.

Municipal Building North Section Roof Replacement – They are still waiting for Verizon to move their fiber optic tray, once that is done, they will replace the roof.

Washington Avenue Sanitary Sewer – Final closeout with \$130 additional.

2021 NJDOT Municipal Aid Project – Bamford Avenue – Pre-construction meeting will be tomorrow morning or Friday morning.

Little Franklin Field Area/Walkway Lighting - Plans and specifications are being prepared for the area/walkway lighting.

Hawthorne Municipal Pool Area Playground – The Public Works Committee had some questions, once that is awarded, work will begin.

2021 Road Improvement Program – The concrete sub-contractor for Macchione, Paving Plus, is expected to begin work on 10th Avenue tomorrow morning.

Recycling Center – Waste Oil Collection Area – The JIF wanted an inspection done to address concerns raised from a recent inspection done of the Recycling Center to bring the waste oil recycling center into compliance with NJDEP regulations.

Risk & Resilience Assessment of Water System – A proposal was provided and has to be submitted by June 30th. The emergency response plan has to be completed by December 31.

Potential Leaking Concerns - Hawthorne Municipal Pool – Potential leaks will be discussed along with corrective actions.

2022 NJDOT Municipal Local Aid Application – Still awaiting direction from Public Works as to what street will be chosen.

Engineer Boswell stated at the next meeting there will be a presentation regarding the water treatment that is necessary due to new regulations by the EPA and DEP.

Borough Administrator Eric Maurer

Administrator Maurer reported the municipal pool is open, but there is a shortage on chlorine. The snack stand is expected to open this weekend. Work is concluding with the CFO on a report on the CARES Grant money the Borough received. We are still waiting for direction on the ARPA money from the state. Construction official Rich Stewen will be leaving the Borough in July and we have several applicants to interview. Shared services options are being explored as well. Ordinance 2274-21 on the agenda tonight is a bond ordinance that would fund the purchase of new street sweeper as we have had problems with the existing sweeper. Resolution R 95-21 is for the purchase of a roll-off truck using a recycling grant. R 98-21 is to install fire alarms at various municipal buildings. R 96-21 & R 97-21 are for award of bids for truck maintenance and animal control services. Resolution R 99-21 is for the purchase of body worn cameras for our police department from Axon which was reviewed by the Public Safety Committee and recommended by a consultant as well. We received word from the state today that we were awarded an \$83,000 grant that would offset a quarter of the cost.

Questions for the Administration

Council Vice President Lane explained all of our buildings have fire alarms but we do not have a central station. This will help protect our equipment stored in our buildings and garages.

Councilman Wojtecki thanked the Mayor, Ellen and Lori for their efforts at the Memorial Day celebration, it was very enjoyable.

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

INTRODUCTION OF ORDINANCES

BOND ORDINANCE 2274-21

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PUBLIC WORKS CAPITAL EQUIPMENT, SPECIFICALLY A STREET SWEEPER, IN AND BY THE BOROUGH OF HAWTHORNE IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING TWO HUNDRED THOUSAND FORTY (\$240,000) DOLLARS THEREFOR, AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES IN THE AMOUNT OF TWO HUNDRED TWENTY-EIGHT THOUSAND (\$228,000) 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 \$240,000 said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$12,000 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.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$240,000 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 \$228,000 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 \$228,000 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 acquisition by the Borough of a new Street Sweeper for use by the Department of Public Works of the Borough of Hawthorne, as well as related equipment incidental to the purchase and all work and materials necessary or incidental thereto, all in accordance with specifications

therefore prepared or about to be prepared by the Department of Public Works of the Borough of Hawthorne, and on file with the Borough Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$228,000.

(c) The estimated cost of said purpose is \$228,000, the excess thereof over the said estimated maximum amount of bonds or notes being the amount of the said \$12,000 down payment.

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 five (5) 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 \$228,000 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 \$5,000 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 by said Local Bond Law.

BE IT RESOLVED, this Ordinance does now pass a first reading and that said Ordinance be further considered for final passage at a meeting of the Governing Body in the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, or by way of virtual platform, on July 7, 2021 and at said time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and

directed to publish said ordinance in The Record once, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage, motion by Councilman Bennett, seconded by Councilman Wojtecki. On roll call, all voted yes, motion carried.

RESOLUTIONS

CONSENT AGENDA: MR 03-21, R 94-21 through R 99-21

MR 03-21 Introduced by Councilman Sciarra

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

1. The words and phrases used herein shall have the same meaning respectively ascribed to them in Subtitle 1 of Title 39 of the Revised Statutes of New Jersey.
2. Pursuant to the Authority granted under N.J.S.A. 39:4-197.6, the following location is hereby designated as a restricted parking space for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles. No other person shall be permitted to park in this space.
3. The parking space will be located directly in front of 40 Post Avenue. Utility pole #6105HE located on the south east corner curb line of Post Avenue was utilized as the reference point for measurements. The handicap parking space will start twenty-six feet (26') east of the reference point, extending twenty-two feet (22') east to end at forty-eight feet (48'), located directly in front of the dwelling known as 40 Post Avenue.
4. The property, 40 Post Avenue, is identified as Block 110 Lot 3 on the Borough Tax Map.
5. The handicap parking stall shall be in compliance with the American Disability Act (28 CFR Part 36) with proper signage and a painted blue curb.
6. The Police Department is hereby directed to have proper signs calling attention to the provisions of the resolution erected or placed upon said street.
7. Attached to this resolution is the diagram, pictures of site for proposed handicap parking space.

This resolution shall take effect on adoption and posting of the signs required above.

R 93-21 Pulled

R 94-21 Introduced by Councilman Sciarra

WHEREAS, application has been made by Calibra Group, LLC, for a person-to-person transfer to it of plenary retail consumption liquor license 1604-33-002-007, which is currently owned by Evad Been, Corporation, which has consented to the transfer; and

WHEREAS, the license is to remain in place at its current location, 105 Mohawk Avenue, where it is operating as a business known as Jiggles; and

WHEREAS, the applicant has submitted, in support of its application, all required documentation so as to support the person-to-person transfer, said documentation having been reviewed and approved as to form and content by the Borough Attorney; and

WHEREAS, the Hawthorne Police Department has conducted a background check and has determined there to be no impediment to the person-to-person transfer of said liquor license to the applicant; and

WHEREAS, the applicant caused to be published notice of its application for person-to-person transfer and that the said transfer was to be considered by the Municipal Council of the Borough of Hawthorne, the said notice being satisfactory in the opinion of the Borough Attorney; and

WHEREAS, the Municipal Clerk has advised the Council that no objection to the person-to-person transfer has been received in her office in response to the notice of transfer; and

WHEREAS, the Municipal Council considered the application for transfer at its Regular Meeting of June 2, 2021, hearing from any members of the public wishing to speak as to the same; and

WHEREAS, the Municipal Council considered the report of the Borough Clerk, opinion of the Borough Attorney and findings of the Hawthorne Police Department and finds it may approve the transfer as proposed;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that it does hereby approve the person-to-person transfer of plenary retail consumption license number 1604-33-002-007 from Evad Been, Corporation to Calibra Group, LLC, for continued use at the premises located at 105 Mohawk Avenue.

R 95-21 Introduced by Councilman Sciarra

WHEREAS, the Borough of Hawthorne requires equipment for use by its Department of Public Works in connection with daily operations; and

WHEREAS, the Borough has identified the availability of 2022 Kenworth T880 Truck with American Roll-Off mounted equipment through the Sourcewell Cooperative Pricing System under Contract No. 060920-KTC, with a total price for vehicle and equipment of \$198,975.05; and

WHEREAS, the purchase through a Municipal Cooperative Pricing System satisfies the requirements of the Local Public Contracts Law and the New Jersey Pay to Play laws applicable to such purchases; and

WHEREAS, the Chief Financial Officer has certified availability of funds through the Recycling Tonnage Grants available to the Borough as follows:

G-02-2130-40-7013-023 for \$120,329.29; G-02-2130-40-7704-000 for \$16,300.87
G-02-2130-40-8000-002 for \$19,070.84; G-02-2130-40-8000-011 for \$43,274.05

so as to allow for an award of a purchase order for the equipment in total certified amount of \$198,975.05;

NOW THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne does approve the issuance of a purchase order and remittance of payment by way of check in the sum of \$198,975.05 to Gabrielli Truck Sales, 239 Ridgefield Turnpike, Ridgefield Park, New Jersey 07886.

CERTIFICATION OF AVAILABILITY OF FUNDS

As required by NJSA 40A:4-57, NJAC 5:30-14.5 and any other applicable requirement of law, I Laurie A. Foley, Chief Financial Officer of the Borough of Hawthorne, have determined that there are available, sufficient funds, not committed to any other purpose, through Recycling Tonnage Grants available to the Borough, G-02-2130-40-7013-023 for \$120,329.29; G-02-2130-40-7704-000 for \$16,300.87; G-02-2130-40-8000-002 for \$19,070.84; and G-02-2130-40-8000-001 for \$43,274.05 so as to allow for an award of a purchase order for the vehicle and equipment identified above in total certified amount of \$198,975.05.

R 96-21 Introduced by Councilman Sciarra

WHEREAS, the Borough of Hawthorne solicited quotations for the 2021-22 Large Vehicle Repair contract, with the Borough reserving the right to extend the contract for one additional year, and received and opened such bids on May 26, 2021; and

WHEREAS, the bid solicitation required a quotation for vehicle repair on an hourly basis and for emergency repair on off-hours, together with any percentage discount for parts; and

WHEREAS, one bid was received, that being from the current vendor Elvin Automotive, at an hourly rate of \$120 per hour, an emergency rate of \$375 per hour, and no discount on parts; and

WHEREAS, the bid was reviewed by the Borough Attorney, who found the same responsive to the bid solicitation and compliant with the Local Public Contracts Law; and

WHEREAS, the amount of the bid was within the expectation of the solicitation and the Borough has a long and positive work history with the vendor; and

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

Elvin Automotive Services, Inc.
23 East 24th Street
Paterson, New Jersey 07514

in accordance with its bid, incorporated herein by reference, and does authorize the Mayor and the Clerk to execute and deliver a contract to the said entity upon approval as to form by the Borough Attorney.

R 97-21 Introduced by Councilman Sciarra

WHEREAS, the Borough of Hawthorne solicited bids for animal control services for the period from July 1, 2021- June 30, 2022, with an option in favor of the Borough for one additional year, and opened such bids on May 26, 2021; and

WHEREAS, one bid was received, that being a bid from the current vendor of such services, Tyco Animal Control at a price of \$27,600 for each year and a rate of \$60 per hour for nights, weekends and holidays; and

WHEREAS, the bid was reviewed by the Borough Attorney, who found that same was responsive to the bid solicitation and compliant with the Local Public Contracts Law, and by the Administration which found that the amount of the bid was within the expectation of the solicitation; and

WHEREAS, the Chief Financial Officer has certified availability of funds under the Municipal Budget of the Borough under Animal Control O/E, line item 01-2010-27-3402-020 and under the Dog Dedicated Trust, account T-14-1100-10-8514-010 so as to allow for the award of contract in total certified amount of \$27,600 per year;

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

Tyco Animal Control
1 Stouts Lane
Ho-Ho-Kus, New Jersey 07423

in accordance with its bid, incorporated herein by reference, and does authorize the Mayor and the Clerk to execute and deliver a contract to the said entity upon approval as to form by the Borough Attorney.

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 Foley, Chief Financial Officer of the Borough of Hawthorne, have determined that there are available, sufficient funds, not committed to any other purpose, under the Municipal Budget of the Borough, Animal Control O/E, line item 01-2010-27-3402-020 and under the Dog Dedicated Trust, account T-14-1100-10-8514-010 so as to allow for the award of contract in total certified amount of \$27,600 per year to Tyco Animal Control.

R 98-21 Introduced by Councilman Sciarra

WHEREAS, the Borough of Hawthorne maintains multiple facilities in connection with its day-to-day operations including a Fire Rescue Building, Ambulance Corps Building, DPW Garage, and multiple locations utilized by its Water Utility to provide potable water; and

WHEREAS, a review of facilities has revealed the need for the installation of fire alarm equipment for the safety of employees, volunteers, and guests as well as protection of the facilities and equipment; and

WHEREAS, the Borough solicited quotations from contractors who can provide such systems including installation and received a quotation from C.K. Electronics, LLC, dated May 27, 2021, in total sum of \$43,896.90; and

WHEREAS, the price submitted is in line with the expectation of the solicitation and the contractor is deemed capable of performing the work, resulting in a recommendation by the Administration to issue a purchase order; and

WHEREAS, the total sum to be awarded is below the threshold set forth in the Local Public Contracts Law but in excess of the New Jersey Pay to Play Law, however the Borough Attorney has advised that a purchase order may nevertheless be issued as the vendor has certified in writing to the Municipal Clerk that it is in compliance with the Pay to Play Law by submitting an entity disclosure; and

WHEREAS, the Chief Financial Officer has certified availability of funds pursuant to Municipal Budget, Outlay/Fire Alarm, line item 1-01-2010-44-9012-104 so as to allow for the issuance of a purchase order in total certified amount of \$43,896.90;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does authorize issuance of a purchase order in the sum of \$43,896.90 to C.K. Electronics, LLC, 10 Storrs Street, Mahwah, New Jersey 07430.

CERTIFICATION OF AVAILABILITY OF FUNDS

As required by NJSA 40A:4-57, NJAC 5:30-14.5 and any other applicable requirement of law, I Laurie A. Foley, Chief Financial Officer of the Borough of Hawthorne, have determined that there are available, sufficient funds, not committed to any other purpose, provided in the Municipal Budget, Outlay/Fire Alarm, line item 1-01-2010-44-9012-104 so as to allow for the issuance of a purchase order in total certified amount of \$43,896.90.

R 99-21 Introduced by Councilman Sciarra

WHEREAS, the Borough of Hawthorne and its Police Department determined it advisable to purchase for its Police Officers Body Worn Cameras; and

WHEREAS, subsequent to that determination, the State of New Jersey mandated the use of such equipment with guidance regarding the same provided by the Attorney General of the State of New Jersey; and

WHEREAS, the Borough and its Police Department undertook analysis of the products and support available to meet this need and ultimately identified two products, both available through State Contract, one manufactured by Watchguard, the other manufactured by Axon, which would address the needs of the Department; and

WHEREAS, the Borough also retained the services of a consultant who reviewed both products as well as existing infrastructure within the Police Department to support such systems and received from the consultant recommendations that both enhanced the products offered and also resulted in areas of cost savings to the Borough; and

WHEREAS, the two products were compared side-by-side in terms of capabilities, cost and long-term expense with a determination being made that the product best meeting the needs of the Borough and its Police Department was the product offered by Axon; and

WHEREAS, price of the Axon product is significantly higher, in point of fact slightly greater than twice the cost of the product available through Watchguard, however a five-year projection of total cost savings with the purchase of the Axon product revealed a long-term savings to the Borough with the purchase of the Axon product; and

WHEREAS, certain features of the Axon product, not available with the Watchguard product, also made purchase of the Axon product more desirable, including superior redaction software, automatic activation in the event an officer draws his or her weapon and automatic alerts to supervisory personnel in the event a weapon is drawn; and

WHEREAS, the Administration, with recommendation of its Police Department and its retained consultant, recommends the purchase of the Axon product, at a total cost of \$334,609.40, based upon its quotation dated May 26, 2021; and

WHEREAS, the purchase through a State Contract, T0106/17-FLEET-00738, satisfies the requirements of the Local Public Contracts Law and the New Jersey Pay to Play laws applicable to such purchases; and

WHEREAS, the Borough Attorney has advised that even though the Axon product is more costly than the Watchguard product, the Borough and the Police Department appropriately compared the two systems in terms of both long-term cost and ability to best meet the needs of the Department; and

WHEREAS, the Chief Financial Officer has certified availability of funds through the Municipal Budget, Police Equipment, Capital Outlay, line item 1-01-2020-44-9012-100 as to \$328,904, and Police Department O/E, Equipment and Supplies, as to \$5,705.40, so as to allow for an issuance of a purchase order in total certified amount of \$334,609.40;

NOW THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne does approve the issuance of a purchase order and remittance of payment by way of check in the sum of \$334,609.40 to

Axon Enterprises, Inc.
17800 N. 85th Street
Scottsdale, Arizona 85255

CERTIFICATION OF AVAILABILITY OF FUNDS

As required by NJSA 40A:4-57, NJAC 5:30-14.5 and any other applicable requirement of law, I Laurie A. Foley, Chief Financial Officer of the Borough of Hawthorne, have determined that there are available, sufficient funds, not committed to any other purpose, through the Municipal Budget, Police Equipment, Capital Outlay, line item 1-01-2020-44-9012-100 as to \$328,904, and Police Department O/E, Equipment and Supplies, as to \$5,705.40, so as to allow for an issuance of a purchase order in total certified amount of \$334,609.40.

Council President Matthews entertained a motion to adopt consent agenda resolutions MR 03-21, and R 94-21 through R 99-21, moved by Councilman Sciarra, seconded by Councilman Mele. On roll call, all voted yes,

with the exception of Councilman Wojtecki who voted no on R 97-21 and abstained on R 98-21, motion carried.

REPORTS OF SPECIAL COUNCIL COMMITTEES

Councilman Sciarra reminded everyone the next Library Board meeting will be on June 9th at 4:30 and the next Board of Education meeting will be on June 8th at 7:00.

Councilwoman Laiosa reported there is going to be a bird walk on Sunday at 9:00 at the Rea Mansion, Goffle Brook Park.

Councilman Mele thanked Chief Knepper, Captain Carr, Captain King, and Lt. Hoogmoed, for doing an excellent job in explaining to the committee the difference in the body worn cameras.

Council Vice President Lane reported we have some new restaurants moving into town. Duo Fratelli will take the place of Primo Amore on Diamond Bridge Avenue, Franco’s Pizza will be replaced by Yellas Sandwich Shop and Deli and Rispoli’s Pastry Shop will be located in the strip mall on Goffle Road. On behalf of the Board of Health, he thanked everyone who continues to bring food to our food pantry.

Council President Matthews reported the Planning Board had a meeting with four applicants, two additional medical tenants in the new building across from the movie theatre and the old Zen Garden will now be a Thai takeout restaurant. Dr. Berger’s Chiropractic office will be relocating to the empty bank on Lafayette Avenue. A plumbing supply company is going in at 8th Avenue that will just be for material storage. The Chamber of Commerce Farmer’s Market will start on June 27th from 10:00am to 1:30pm and will run through October 24th.

CORRESPONDENCE None.

BILLS

Vendor Name	Description	Amount	Check Id
10-75 EMERGENCY LIGHTING, LLC	ENGINE 1 PORTABLE CREW AREA	\$ 380.00	29652
10-75 EMERGENCY LIGHTING, LLC	ENGINE 1 IMPACT ADAPTER CUP	96.00	29652
10-75 EMERGENCY LIGHTING, LLC	SHIPPING	12.00	29652
A-VAN ELECTRICAL	MISC. PARTS & SUPPLIES ROAD	46.47	29654
A-VAN ELECTRICAL	LIGHTS FOR THE LIBRARY	294.00	29654
AGRA ENVIRONMENTAL SVC	MONTHLY WATER TESTING- BORO	1,018.75	42255
AGRA ENVIRONMENTAL SVC	MONTHLY WATER TESTING- BORO	1,002.00	42255
ALBERTA TREE SERVICE, LLC	SHADE TREE FIELD WORK- ALBERTA	4,080.00	29653
BOB'S TIRES & WHEELS INC	W-5 TIRES-GY WRANGLER LT245/75	956.00	42257
BOB'S TIRES & WHEELS INC	W-5 TIRES-FRT END ALIGNMENT	55.00	42257
BOBCAT OF NORTH JERSEY	BOBCAT FRT DOOR & WINDOW	57.53	42256
BOBCAT OF NORTH JERSEY	BOBCAT FRT DOOR & WINDOW	2,158.93	42256
BOBCAT OF NORTH JERSEY	BOBCAT PM SERVICE & REPAIR-LAB	1,430.00	42256
BOBCAT OF NORTH JERSEY	BOBCAT PM SERVICE & REPAIR-PAR	999.46	42256
BOBCAT OF NORTH JERSEY	BOBCAT PM SERVICE & REPAIR-MIS	219.50	42256
BOSWELL ENGINEERING, INC	RESO51-20 2020 ROAD PROGRAM	4,295.50	3823
BOSWELL ENGINEERING, INC	SANITARY SEWER IMPROVEMENT	619.50	3823
BOSWELL ENGINEERING, INC	2021 ROAD PROGRAM RESO 55-21	19,569.42	3823
BOSWELL ENGINEERING, INC	2021 LOCAL AID PROJECT R56-21	3,047.00	3823
BOSWELL ENGINEERING, INC	VISH DEV STAR, LLC ESCROW	1,279.00	5604
BOSWELL ENGINEERING, INC	293 LAYAFETTE AVE ESCROW	388.00	5605
BOSWELL ENGINEERING, INC	ROYAL REALTY LLC ESCROW	177.00	5606
BOSWELL ENGINEERING, INC	204 WAGARAW ROAD ESCROW	3,028.25	5608

BOSWELL ENGINEERING, INC	69 MAZUR PLACE ESCROW	177.00	5609
BRIAN BERTOLLO	REIMB GLASSES SELF	250.00	29656
BROWN'S JANITORIAL SUPPLY	DPW GARAGE	147.08	29657
BROWN'S JANITORIAL SUPPLY	POOL JANITORIAL SUPPLIES	218.77	29657
BURGIS ASSOCIATES, INC	204 WAGARAW ROAD	35.00	5603
CANON FINANCIAL SVCS INC	ROAD COPIER LEASE FEE	43.00	29658
CANON FINANCIAL SVCS INC	WATER	43.00	42258
CHRIS DI BELLA	REIMB FIRE LICENSES	182.00	29659
CINTAS CORP	BORO HALL RUG SRV. DOOR MATS	225.67	29660
CINTAS CORP	DPW GARAGE BI-WKLY DOOR MATS	51.26	42259
CLAYTON TURNER	EYE GLASS REIMB CLAYTON	223.97	29661
CROSS COUNTRY BERGEN, LLC	BMW MOTOR CYCLE REPAIR	175.93	29662
DELLA RICA & SONS	67 WASHINGTON AVE LATERAL REP	3,635.00	29663
DELLA RICA & SONS	BORO HALL SEWER BACKUP	800.00	29663
DOWNES TREE SERVICE, INC.	2021 VARIOUS REMOVALS	675.00	29664
DR. JOSEPH DESANTO	RABIES CLINIC MAY 11 2021 DR	275.00	6272
ELLIOTT LEWIS CORP	SERVICE THE CHILLER UNIT	533.00	29665
FDR HITCHES LLC	TRUCK REPAIRS FOR DPW -ROAD	27.20	29666
FIRE COMPANIES. COM	DOMAIN RENEWAL HAWTHORNEFIRE	20.00	29667
FIRE COMPANIES. COM	1 YEAR HOSTING/MAINTENANCE	839.88	29667
FIRE COMPANIES. COM	5% DISCOUNT	-42.99	29667
FOR THE RECORD	RECORDING SOFTWARE COURT/COUN	1,398.00	5774
GATES FLAG & BANNER CO, INC	FLAG POLE FOR SPECIAL FLAGS	775.00	29668
GINA BROWN	GLASSES AND LENSES GINA	106.98	29669
HARRIS UNIFORMS	POLICE OFFICER UNIFORM	939.70	29670
HARRIS UNIFORMS	POLICE OFFICER BADGES	1,866.00	29670
HARRIS UNIFORMS	UNIFORM PATCHES	560.00	29670
HAWTHORNE BOARD OF EDUCATION	SCHOOL SECURITY MAY 2021	7,118.75	29671
HAWTHORNE FIRE DEPT	CAR WASH 05/11/21	14.00	29672
HAWTHORNE ROLLER HOCKEY ASSN	ROLLER HOCKEY REIMB. 20-21	1,080.00	29673
HAWTHORNE ROLLER HOCKEY ASSN	ROLLER HOCKEY REIMB. 20-21	1,100.00	29673
HENRY'S PLUMBING & HEATING INC	RECYCLING CENTER WATER PUMP	354.75	111
HENRY'S PLUMBING & HEATING INC	RECYCLING CENTER WATER PUMP	354.75	111
HENRY'S PLUMBING & HEATING INC	MISC. PARTS/SUPPLIES AT POOL	65.86	29674
HERITAGE FLAGS & BANNERS	2021 US FLAGS FOR THE BOROUGH	2,002.98	29675
JACKIE HIRSCH	RABIES CLINIC 2021	100.00	6273
JAMES HAYES	REIMB K9 SUBSCRIPTIONS	168.00	29676
JOHN F. MEOLA, JMC	ZOOM ACCOUNT 2021	159.83	5775
LINCOLN LANDSCAPING INC.	LANDSCAPING OF THE LIBRARY	1,200.00	29677
LINCOLN TECHNOLOGY, LLC	CAMERA/HD OVER COAX/COLOR DOME	1,600.00	3824
LINCOLN TECHNOLOGY, LLC	32CH HYDRID PENTAPLIX	3,000.00	3824
LINCOLN TECHNOLOGY, LLC	ADDITIONAL CAMERAS	800.00	3824
LORCO PETROLEUM SERVICES	LORCO PETROLEUM SERVICES	125.00	5776
METLIFE	TM05001743 0001 JUNE 2021	325.40	29678
MICHAEL J. PASQUALE, ESQ	204 WAGARAW ROAD ESCROW	752.50	5607
MONTAGUE TOOL AND SUPPLY INC	GARBAGE GRABBERS TOOLS	44.95	29679
MONTAGUE TOOL AND SUPPLY INC	GARBAGE GRABBERS TOOLS	44.95	29679
MONTAGUE TOOL AND SUPPLY INC	SIZE L SAFETY BOMBER JACKETS	59.95	112
MONTAGUE TOOL AND SUPPLY INC	SIZE XL SAFETY BOMBER JACKETS	59.95	112

MONTAGUE TOOL AND SUPPLY INC	VARIOUS SIZE WORKING GLOVES	62.91	112
MONTAGUE TOOL AND SUPPLY INC	MAGNETIC PICKUP TOOL	43.98	112
MONTAGUE TOOL AND SUPPLY INC	SIZE L SAFETY BOMBER JACKETS	59.95	112
NJ DEPARTMENT OF HEALTH	LICENSE 731-739 VOID 716	50.40	6274
NORA C. ADAMS	APRIL 15 AND APRIL 22 INTERP	300.00	29680
NORTH JERSEY MEDIA GROUP INC	AD BIDS 2021 RD PROGRAM	141.30	3825
NORTH JERSEY MEDIA GROUP INC	NOTICE ACTION TAKEN	22.04	29681
NORTH JERSEY MEDIA GROUP INC	NOTICE HERALD NEWS	41.34	29681
NORTH JERSEY MEDIA GROUP INC	NOTICE THE RECORD	44.35	29681
NORTH JERSEY MEDIA GROUP INC	ORD# 2270 POOL AREA	19.80	3825
NORTH JERSEY MEDIA GROUP INC	ORD# 2270 POOL AREA	8.10	29681
NORTH JERSEY MEDIA GROUP INC	ORD# 2270 POOL AREA	9.90	29681
NORTH JERSEY MEDIA GROUP INC	ORD# 2270 POOL AREA	33.75	29681
NORTH JERSEY TIRE DIST	2020 TIRE PURCHASES - DRAWDOWN	1,080.00	29682
NORTH JERSEY TIRE DIST	2020 TIRE PURCHASES - DRAWDOWN	1,120.00	29682
NORTH JERSEY TIRE DIST	2020 TIRE PURCHASES - DRAWDOWN	1,184.00	29682
NORTH JERSEY TIRE DIST	2020 TIRE PURCHASES - DRAWDOWN	600.00	29682
NUNZIO DI BENEDETTO	DJ PRIDEDAY FLAG RAISING EVENT	600.00	29683
OAKLAND MARINE & EQUIPMENT INC	OUT DOOR POWER EQUIPMENT	220.00	29684
OAKLAND MARINE & EQUIPMENT INC	OUT DOOR POWER EQUIPMENT	42.50	29684
OCCUPATIONAL MEDICAL ASSO	NEW MEMBER TESTING	170.00	29685
PABCO INDUSTRIES	CLEAR BAGS RECYCLING.GARBAGE	565.00	29686
POST & KELLY ELECTRIC CO, INC	WELL#4 DISCONNECT SWITCH	610.00	42260
PREFERRED BUSINESS SYSTEMS	POSTAGE TAPE	87.77	29687
PREMIER VISION CARE NETWORK	PREMIER VISION CARE 11 PARTICI	407.00	5777
PROCOPY INC	WASTE TONER BOTTLES	23.67	29688
PROCOPY INC	WASTE TONER BOTTLES	23.67	29688
R & R RADAR INC	RADAR UNIT RECERTIFICATION	286.00	29691
REDICARE LLC	NON CONTACT THERMOMETERS SPORT	204.00	5778
REDICARE LLC	NON CONTACT THERMOMETERS SPORT	136.00	5778
REPLACE UPS BATTERY	RADIO ROOM BATTERIES/MOUNT	56.96	29689
REPLACE UPS BATTERY	RADIO ROOM BATTERIES/MOUNT	104.95	29689
RR DONNELLEY	SAFETY PAPER REG-42A	73.50	29690
RR DONNELLEY	SAFETY PAPER REG-42B	73.50	29690
RT OFFICE PRODUCTS	SUPPLIES FOR FINANCE OFFICE	45.14	42261
RT OFFICE PRODUCTS	SUPPLIES FOR FINANCE OFFICE	50.63	29692
RT OFFICE PRODUCTS	SUPPLIES FOR FINANCE OFFICE	230.36	42261
RT OFFICE PRODUCTS	SUPPLIES FOR FINANCE OFFICE	56.62	29692
RT OFFICE PRODUCTS	SUPPLIES FOR FINANCE OFFICE	25.95	29692
RT OFFICE PRODUCTS	SUPPLIES FOR FINANCE OFFICE	25.95	42261
RT OFFICE PRODUCTS	SUPPLIES FOR FINANCE OFFICE	48.55	29692
STATE LINE FIRE & SAFETY INC	RESCURE 5 EMERG REPAIR HURST	283.20	29693
STONE INDUSTRIES, INC	ROAD DEPT- STONE SUPPLIES	181.03	29655
STONE INDUSTRIES, INC	ROAD DEPT- STONE SUPPLIES	154.74	29655
STONE INDUSTRIES, INC	ROAD DEPT- STONE SUPPLIES	182.63	29655
STRATEGIC SAFETY DYNAMICS LLC	M2 TURNOUT GEAR RICOCHET	6,222.21	29694
STRATEGIC SAFETY DYNAMICS LLC	JACKET/PANTS RICOCHET	2,074.07	29694
TANIS HARDWARE	MISC PARTS & SUPPLIES FOR POOL	66.43	29695
TANIS HARDWARE	MISC PARTS & SUPPLIES FOR POOL	111.90	29695

TRAFFIC SAFETY & EQUIP, INC	18" X 18" STOP HIP	22.50	29696
VERIZON	FIOS 156624944000131	121.33	29699
VERIZON	5/16-6/15 150716970000104	1,003.80	29697
VERIZON WIRELESS (N)	5/16-6/15/21 742284815-00001	343.10	29698
W.B. MASON CO INC	OFFICE FURNITURE	5,423.72	29700
W.B. MASON CO INC	SUPPLIES	30.76	29700
W.B. MASON CO INC	SUPPLIES	20.69	29700
WINDSTREAM	ACT 5494017	1,336.05	29701
WINDSTREAM	ACT 5494017	235.78	42262
WITMER PUBLIC SAFETY GRP, INC	HARNESS/GLOVES/ROPE BAGS	329.00	29702
WITMER PUBLIC SAFETY GRP, INC	HARNESS/GLOVES/ROPE BAGS	339.00	29702
WITMER PUBLIC SAFETY GRP, INC	HARNESS/GLOVES/ROPE BAGS	251.75	29702
WL CONSTRUCTION SUPPLY INC	ENG4 20MM BLUE RESCUE BLADE	399.99	29703
WL CONSTRUCTION SUPPLY INC	SHIPPING	20.01	29703
TOTAL		\$108,064.61	

Council President Matthews entertained a motion to approve the bills and forward them to the Treasurer for payment, motion by Councilman Sciarra, seconded by Councilman Mele. On roll call, all voted yes with the exception of Council Vice President Lane who abstained from bills pertaining to the Fire Department and Ambulance Corps., and Councilman Wojtecki who abstained from bills pertaining to the Fire Department, motion carried.

PUBLIC COMMENT

Council President Matthews opened the meeting to the public. He stated if anyone desired to be heard, please call in now.

Craig Cayetano, 59 Pasadena Place, Hawthorne, NJ

Mr. Cayetano asked for an update on Carlos Bagel Shop on Lafayette Ave. Council President Matthews reported there was some work done without permits. He thanked Mayor Goldberg for the formation of the Pride Alliance last year and the work that has been done. He reported Juneteenth is coming up and suggested maybe a Juneteenth flag could be raised. He invited the Council to tour Ascend, the new marijuana dispensary in Rochelle Park to see how the facility is run.

Melissa Lambert, 185 Second Avenue, Hawthorne, NJ

Ms. Lambert asked if the Council will still continue to have a virtual platform with the meetings now moving to in-person. Council President Matthews stated when in-person meetings start, it will be in-person only. It will still be streamed on Facebook and cable channels. She reminded everyone that the town had committed to body cameras some time ago and that this isn't something new. Council President Matthews explained the small grant that we received only got us a limited number of cameras, but now all of our police officers have to have one which brings the price up considerably. She suggested maybe having a coordinated food pantry with Martha's Food Pantry who are open the first and third Saturday of each month. Mayor Goldberg stated we have sent some food to Martha's Pantry in the past.

Jack Lohr, 319 Van Winkle Avenue, Hawthorne, NJ

Mr. Lohr asked if the body cameras included the Cloud storage. Administrator Maurer stated it does include the Cloud storage which is fixed for a 5-year period. He asked with the implementation, will it require additional staffing within the department to deal with the evidence that it will be creating. Administrator Maurer stated it is a concern but rather than making speculative decisions, they will see what occurs and then make a decision.

Jeff Hanson, 50 Mountain Avenue, Hawthorne, NJ

Mr. Hanson asked if the virtual option is prohibited when there is an in-person Council meeting. Council President Matthews stated yes, it either has to be virtual or in-person.

Council President Matthews entertained a motion to close the public portion of the meeting, motion by Councilman Sciarra, seconded by Councilman Mele. Carried on voice vote.

**THE NEXT MEETING OF THE MUNICIPAL COUNCIL IS
AN IN-PERSON MEETING ON
WEDNESDAY, JUNE 16, 2021 at 7:00 PM**

Council President Matthews explained the first three rows will be for vaccinated people, you do not have to wear a mask with the back rows will be for people who are not vaccinated preferably wearing masks and social distancing.

ADJOURNMENT

At 8:46pm Council President Matthews entertained a motion to adjourn the virtual meeting, motion by Council Vice President Lane, seconded by Councilman Wojtecki. Carried on voice vote.