

The Regular Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:02pm, 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 N. Bertollo
Councilman	Bruce A. Bennett
Councilman	John V. Lane
Councilman	Dominic Mele
Councilman	Garret G. Sinning
Councilman	Joseph Wojtecki
Borough Administrator	Eric Maurer
Borough Attorney	Michael J. Pasquale
Borough Engineer Representative	Mike Kelly
Borough Clerk	Lori DiBella

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 November 29, 2018.

APPROVAL OF MINUTES None.

PUBLIC COMMENT (Agenda Items Only)

Council President Matthews opened the meeting to the public. He stated if anyone desired to be heard, please raise 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 Matthews entertained a motion to close public comment, moved by Council Vice President Bertollo, seconded by Councilman Lane. Carried on voice vote.

ADOPTION OF ORDINANCES

ORDINANCE NO. 2238-19

AN ORDINANCE TO AMEND CHAPTER 361 OF THE CODE OF THE BOROUGH OF HAWTHORNE, PEDDLING, CANVASSING, SOLICITING AND ITINERANT VENDING, ARTICLE II, SOLICITORS AND CANVASSERS, SECTION 361-8, ENTERING ON POSTED PROPERTY PROHIBITED, SO AS TO REPEAL AND REPLACE THE SAME WITH THE TITLE TO READ, DO NOT KNOCK REGISTRY

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

Section 1. Chapter 361, Peddling, Canvassing, Soliciting and Itinerant Vending, Article II, Solicitors and Canvassers, Section 361-8, Entering on Posted Property Prohibited, is hereby amended so as to repeal and replace Section 361-8 as currently titled and written, with the same to now read as follows:

§ 361-8 Do Not Knock Registry

A. Any owner or occupant of real property within the Borough of Hawthorne who refuses to be solicited pursuant to this Chapter may enroll in the Borough's "No Knock" registry by completing the application for "No Knock" registration through the Borough of Hawthorne Police Department Records Clerk.

B. No person, peddler or solicitor, as defined herein, engaged in Trade Solicitation, shall sell, buy or dispose of or offer to sell, buy or dispose of any goods, wares, merchandise, other personal property or services to be rendered in the future, or take orders for any goods, wares, merchandise, other personal property or services to be rendered in the future, or to solicit business from any owner or occupant whose name and property address is included on the "No Knock" registry maintained by the Hawthorne Police Department.

C. The following are exempt from the limitations of this section:

1. Persons specifically invited to a premises by a person having authority to do so including the delivery of goods by order previously made.

2. Persons engaged in Canvassing, as defined herein, or soliciting for civic, religious, charitable, or political purposes, or on behalf of an educational, recreational, cultural, scientific or similar non-profit organization.

D. Any person, peddler or solicitor violating the provisions of this section shall be subject to fines and penalties as set forth in Section 361-11 and revocation of any license granted as set forth herein.

Section 2. Except as amended by this ordinance, all portions of Chapter 361 shall remain in full force and effect. 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 Matthews opened the meeting to the public. He stated if anyone desires 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 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 Hawthorne Press and available on the borough website. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved this ordinance be adopted and the Clerk is authorized to advertise the same according to law, moved by Councilman Bennett, seconded by Councilman Wojtecki. On roll call, all voted yes, motion carried.

ORDINANCE NO. 2239-19

AN ORDINANCE TO AMEND CHAPTER 370 OF THE CODE OF THE BOROUGH OF HAWTHORNE, PROPERTY MAINTENANCE, ARTICLE I, PROPERTY MAINTENANCE CODE, SECTION 370-2, AMENDMENTS, ADDITIONS AND DELETIONS, BY ADDING THERETO SUBSECTION K, TREES WHICH THREATEN PUBLIC SAFETY

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

Section 1. Chapter 370, Property Maintenance, Article I, Property Maintenance Code, Section 370-2, Amendments, Additions and Deletions, is hereby amended so as to add Subsection K, Trees Which Threaten Public Safety, the same to now read as follows:

§ 370-2 Amendments, additions and deletions

K. Trees Which Threaten Public Safety. The Borough may notify, in writing, any property owner of the existence of any tree(s) located on said owner's property which may, for any reason, threaten the public safety and may require the removal, treatment or pruning of such tree(s) or limbs or branches thereof, at the property owner's expense, within 30 days of the date such notice was issued. In the event of an emergency situation, the 30 day notice may be reduced as determined by the Borough. Any work required to be undertaken shall be performed by a contractor licensed to do such work and insured in an amount deemed acceptable to the Borough. The Borough may remove, treat or prune any tree, tree part, limb or branch in the event of the property owner's failure to cause such removal, treatment or pruning, and the cost thereof shall be included in the next property tax bill rendered to the property owner. The Borough shall give reasonable notice of the intention to remove, treat or prune any tree, tree part, limb, or branch, unless public safety requires immediate action, in which case no notice shall be required.

Section 2. Except as amended by this ordinance, all portions of Chapter 370 shall remain in full force and effect. 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 Matthews opened the meeting to the public. He stated if anyone desires 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 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 Hawthorne Press and available on the borough website. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved this ordinance be adopted and the Clerk is authorized to advertise the same according to law, moved by Councilman Lane, seconded by

Councilman Wojtecki. On roll call, all voted yes, motion carried.

OLD BUSINESS

Councilman Wojtecki asked Administrator Maurer for an update on the light bulb on Washington Avenue underneath the trestle, and the tree that was cut at the dead-end of Llewellyn Avenue that is blocking the entrance to the 8 Acre Woods. Administrator Maurer stated he would do a follow-up on both with the DPW.

Council Vice President Bertollo reported the finance committee met last week and discussed moving forward on the LED pedestrian signs. Administrator Maurer spoke to the vendor, the prices were half of what they originally thought they were, especially if they buy in quantity.

Councilman Lane thanked Administrator Maurer for the quarterly finance reports he requested.

NEW BUSINESS

Councilman Bennett reported the street sign at Harrison Place is leaning at a 45° angle, he asked if someone from the DPW could take care of it and would like the no parking signs on Washington Avenue removed.

Councilman Sinning reported he received a couple of calls from residents on Third Avenue who are having a problem with the Rea Avenue Reformed Church. The day of Hawthorne Day, they were playing loud music from 9am to 10pm and parking all over the place. At 124 First Avenue, there is a tree that was planted by Shade Tree that is lifting up the sidewalk. Administrator Maurer stated he would look into it.

Council President Matthews reported he received a call from a resident at 170 Tenth Avenue, where a tree within the easement between Tenth and Eleventh Avenue lost a limb, he would like it looked at.

Councilman Wojtecki reported he went to the Rea Avenue Reformed Church at the request of a friend. He reported when he got there, there were no violations going on at the time and to report an incident while it is happening. Resident Chesyre Novoa of 90 Third Avenue spoke about the noise coming from the church and the traffic situation, she stated the police have been called numerous times as well. Residents from 93 Third Avenue were also present. Attorney Pasquale stated this matter will have to be looked into. Council President Matthews believes it is a matter for the Police and Zoning official.

ADMINISTRATIVE AGENDA PRESENTED BY MAYOR GOLDBERG

Mayor Goldberg thanked everyone who made Hawthorne Day a great success, Joe Ross and the Hawthorne Day Committee, Chief McAuliffe and the Police, DPW Director Bob Scully and the entire DPW, Chief Ken Houtsma and the Ambulance Corps, Chief Speranza and the Fire Department, and the many volunteers who came out to help. It was a very hot day, but the day was still a great success, and the event ended with a spectacular fireworks display. Next year's date will be Saturday, September 26. He thanked all of the volunteers including Ellen Brogno, his Administrative Assistant. The Taste of Hawthorne was last night, it was a great success, he thanked everyone who attended. Hawthorne Restaurant Week kicks off this Saturday so please eat local. Borough Offices will be closed on Monday, October 14, in observance of Columbus Day and open on Election Day. Just a reminder, the Chamber of Commerce Farmers' Market ends at the end of the month, be sure to visit on Sundays in the Library parking lot from 9am to 2pm. This month is Domestic Violence Awareness Month, a vigil was held outside of Borough Hall last Wednesday and the volunteers of the Domestic Violence Response Team were honored. The Council and Administration are wearing pink in honor of Breast Cancer Awareness Month and the police department is wearing a purple patch for domestic violence and pink for breast cancer awareness.

REPORTS

Borough Clerk Lori DiBella

Clerk DiBella reminded everyone about the upcoming General Election to be held on Tuesday, November 5. There are four Council Ward seats on the ballot and voters can only vote for the candidate that represents their ward. Polls are open from 6:00am to 8:00pm, the last day to register or make changes to your voter registration is Tuesday, October 15th and her office will remain open until 9:00pm. Vote by mail ballot requests must be received in the county clerk's office no later than October 29th or you can go directly to the County Clerk's office in Paterson until Monday, November 4th by 3:00pm. All applications are available in the clerk's office, on the borough and county websites, or we can email the application to you. Mayor Goldberg asked Borough Clerk DiBella to explain how one got stuck on the mail-in-ballot list from a previous election. Clerk DiBella explained in 2016 if you requested a vote by mail ballot, you would then receive mail-in-ballots going forward until you filed an OPT-OUT form with the county. Forms are available in the clerk's office and also on the county website. If you do go to the polls you will not be denied to vote, but will vote by paper (provisional). Letters from Governor Murphy were sent out to residents who requested mail-in-ballots in 2017 and 2018, as they would be stuck on this list as well.

Borough Attorney Michael J. Pasquale

Attorney Pasquale congratulated Mayor Goldberg for another successful Hawthorne Day.

Affordable Housing – Continued talks have taken place with the owners of the properties at 204 Wagaraw Road and the former Patriot site on Goffle Road. No final plans have been presented and all talks are largely conceptual. Once the administration is satisfied, it can recommend a plan for either site, it will present the same formally to the Council.

Household Auctions – Mr. DeAugustines has issued a revocation of the certificate of occupancy of the business due to continued non-compliance with the terms of the Planning Board approval for the site. The owner was given a brief period to clear out from the site.

Bandshell – On Saturday night the Bandshell is presenting Rocky Horror Picture Show at 8 pm. There will be a costume contest with grounds opening at 7 pm. Bring chairs, blankets and toast.

Mayor Goldberg added the court case for the Household Auctions business is being transferred to Prospect Park because one of the borough's court employees could be a witness to the case.

Attorney Pasquale added there will be a chili cook-off this weekend at Shortway's Barn from 2-4pm.

Borough Engineer Representative Mike Kelly

Goffle Hill Water Storage Tank LSRP Services – Five of the ten samples taken still show levels of contamination. Additional soil excavation is planned for Wednesday, October 2nd. Estimate Certificate No. 3, in the amount of \$96,989.40, and Change Order No. 2, in the amount of \$63,968.78, were submitted to the Borough.

Mary Street Water Storage Tank LSRP Services – A pre-construction meeting was held on Tuesday, October 1, with Tricon Enterprises. They are scheduled to start work on October 7.

Band Shell Restroom Yard Inlet – The contractor has to address the soil matting, which has moved. He has been asked to address this, as well as add additional top soil and seed.

2019 NJDOT Municipal Aid Application – Arlington Avenue, Phase 2, and Alexandria Avenue – Milling was performed on Saturday, September 28th and paving performed on Monday, September 30th. A punch list will be prepared.

2019 Road Improvement Program – The DPW parking lot paving (top course), was performed on Monday, September 30th. Punch list items still need to be addressed.

Tuxedo Avenue Drainage Improvements – An alternate route for the Tuxedo Avenue drainage pipe through Goffle Brook Park to reduce or eliminate the removal of trees is being designed, which should be completed with 7-10 days. Once the design is completed, a cost estimate will be prepared.

LSRP Services for the Gateway to the Passaic River Project – We are awaiting the DPW equipment to be back up and running. Once available, the two anomalies observed outside of the work area for the rain gardens will be scraped and investigated to determine what these items may actually be.

Passaic Avenue Sewer Lining – The project was advertised on Monday, September 30th with bids to be received on Tuesday, October 15th at 11:00am.

Mayor Goldberg announced Paws in the Park is on October 12th and he will be a judge.

Borough Administrator Eric Maurer

Resolution R 188-19 authorizes the borough to participate in the state health benefits plan as of January 1, 2020. This switch will provide the borough with significant budgetary savings and proportional savings for employees who all contribute to the cost of benefits premiums. He thanked the unions and the council's insurance committee for its roll in the process. Resolutions R 184 & 185-19 accept a grant and appropriate money for a preliminary assessment and remedial investigation for the Pyrolac property in order to get that parcel back into productive use. R 181-19 authorizes the purchase of radios in order to get our police department on the state police radio system. The switch will eliminate dead zones, conflicts with ambulance corps. communications, improve communications security and facilitate communication with other departments who will also be making the switch. Appraisal Systems has now completed inspections on 49% of residential properties and 85% of commercial properties. Preliminary reviews of the Best Practices Inventory Questionnaire show that Hawthorne should have no problem scoring high enough to retain 100% of its state aid. Tomorrow the borough will receive bids for a lease to succeed the one with SBA Communications for the monopole at the DPW yard which expires in December. Yesterday final edits were submitted to the state office of the comptroller for the bid specs for the disposal of solid waste for the Mid Passaic County Cooperative Pricing System. It will hopefully be out to bid next week in order to award a contract in November. He attended a program sponsored by the Passaic County Improvement Authority for registering bank foreclosed properties. It would require

passing an ordinance that would work hand in hand with the current vacant and abandoned property ordinance and then signing on for the service through the PCIA. I would like to have further discussions at the next Ordinance Committee meeting as this will also generate revenue for the borough. The administration is proceeding with plans to implement background checks for volunteer coaches in the recreation program using Sterling Volunteer Services. The process will be in effect for winter sports and expand to spring and fall sports next year as well as to Summer Rec and pool staff. Fire department and ambulance squad volunteers will be considered next year. As PSE&G is continuing work in the Ashley Heights area, work has been completed on various streets off of Lafayette Avenue Extension along with plans to do their follow-up pavement restoration. The state's reconstruction work on the Ethel Avenue footbridge will be completed in the next two or three weeks. Specs have been completed for the next round of tree planting with the Shade Tree Commission.

Questions for the Administration

Councilman Lane reported the Bloodmobile Bus received over thirty donors on Hawthorne Day and they have already confirmed their return to Hawthorne Day next year. The ambulance corps. team has purchased pink hats in support of Breast Cancer Awareness Month.

Councilman Mele asked Attorney Pasquale if Patriot Development has to go to the Zoning Board so those interested can ask questions about the project at the Zoning Board meeting. He stated it would go in front of the Planning Board and to the Ordinance Committee, not the Zoning Board unless there is a zoning change.

Councilman Wojtecki asked Engineer Mike Kelly if he was referring to the drain above ground level at the Bandshell by the men's room, he confirmed it is a yard inlet and there is topsoil that needs to be added around it. Councilman Wojtecki believes the drain should be lowered. Mike Kelly will speak to the inspector to confirm.

Council Vice President Bertollo reported there were a lot of good comments on Hawthorne Day about the new walkway installed for wheelchair access.

Councilman Sinning suggested having the ice cream truck located somewhere else as the lines for ice cream were blocking the walkway.

Council Vice President Bertollo asked Administrator Maurer if the planters and outdoor seating in front of Primo Amore were approved by the Planning Board. Council President Matthews stated they were approved for outdoor seating against the building but it seems there may be too many tables out and they have been contacted about it.

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

INTRODUCTION OF ORDINANCES None.

RESOLUTIONS: CONSENT AGENDA: R 181-19 through R 188-19

R 181-19 Introduced by Council Vice President Bertollo

WHEREAS, the Hawthorne Police Department is in need of communications equipment for use in connection with daily operations and has identified a specific need for portable radios, mobile units, consolettes, antenna systems, PSIC Network Equipment and motorcycle helmet equipment, so as to allow the Department to significantly upgrade communications and participate in the New Jersey State Police Interoperable Communication System; and

WHEREAS, all such equipment is available through State Contracts 83932 and 83898, through Northeast Communications, Inc., which has provided six separate quotations, all dated June 19, 2019, at a total price of \$379,985.39; and

WHEREAS, the purchase through State Contract satisfies the requirements of the Local Public Contracts Law as the price was obtained through a fair and open bid process, and satisfies the New Jersey Pay to Play Law; and

WHEREAS, the Chief Financial Officer has certified availability of funds in the Municipal Budget, Capital Outlay, Police Equipment, C-04-2150-55-9000-001, so as to allow for an award of a purchase order in total certified amount of \$379,985.39;

NOW THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne does approve the issuance of a purchase order and issuance of checks in the total sum of \$379,985.39 to:

Northeast Communications, Inc., 244 East Union Turnpike, Wharton, New Jersey 07885

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, Capital Outlay, Police Equipment, C-04-2150-55-9000-001, so as to allow for an award of a purchase order in total certified amount of \$379,985.39 to Northeast Communications, Inc. for the purchase of police communications equipment.

R 182-19 Introduced by Council Vice President Bertollo

WHEREAS, an additional Bandshell Event in the Borough of Hawthorne will take place on October 5, 2019 requiring payment immediately following the event.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Treasurer be and is hereby authorized to draw checks against the Other Trust II fund in the amounts, and for the organizations, listed below, and that these checks be distributed after their services have been performed.

Saturday October 5 Ultimate Outdoor Entertainment \$ 787.24

R 183-19 Introduced by Council Vice President Bertollo

WHEREAS, A-5450/S-3827 seeks to clarify telecommunications industry corporate tax responsibilities and shield taxpayers from the costs of endless tax court litigation; and

WHEREAS, a misinterpretation of P.L. 1997,c.162 (C.54:10A-3 et al.) has resulted in municipalities facing the cost of litigating Verizon’s tax appeals filed for every tax year subsequent to 2009, up to and including the current year; and

WHEREAS, tax court litigation in one municipality took ten years to ensure that Verizon would pay its 2008 business personal property taxes (BPPT), and further litigation will be needed to secure BPPT payments for each subsequent year in which the exemption was claimed; and

WHEREAS, every municipality faces the same prospect of costly annual tax court filings and appeals, adding to taxpayers burden; and

WHEREAS, A-5450/S-3827 would clarify the intent to permanently apply the business personal property tax on local exchange telephone companies that were subject to the BPPT tax as of April 1, 1997.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that it does hereby support A-5450/S-3827, which will clarify the telecommunications industry corporate tax responsibilities; and

BE IT FURTHER RESOLVED, that a true copy of this resolution be forwarded to the Office of the Governor, our State Legislators, and the New Jersey League of Municipalities.

R 184-19 Introduced by Council Vice President Bertollo

WHEREAS, the Borough of Hawthorne has applied for and has been awarded a grant in the amount of \$56,650 through the Hazardous Discharge Site Remediation Fund (HDSRF) Municipal Program, through the New Jersey Department of Environmental Protection (NJDEP) and the New Jersey Economic Development Authority (NJEDA), for the conduct of a Preliminary Assessment and Remedial Investigation at property known as Block 17, Lot 11 on the Tax Map of the Borough of Hawthorne, located at 55 Schoon Avenue, and identified as the Pyrolac Property, the same being in the Borough of Hawthorne and County of Passaic; and

WHEREAS, the Borough is committed to the redevelopment of properties within the Borough’s designated redevelopment areas, and has determined or has reason to believe that a discharge of hazardous substances or hazardous waste has taken place at the above site, which is in an area in need of redevelopment, and finds that a reasonable opportunity exists within three years for the redevelopment of the property in question after completion of remediation either through a planned redevelopment project or through alternative redevelopment; and

WHEREAS, the Borough of Hawthorne has deemed EWMA to be a qualified consultant to perform the Preliminary Assessment and conduct Remedial Investigation activities at the site in accordance with a proposal it has submitted, detailing all action to be taken, the cost of the same being within the scope of the grant amount set forth above;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that it does hereby accept the award of such grant from the HDSRF and does further authorize the Mayor and the Municipal Clerk to execute and deliver such documents as may be necessary to confirm such acceptance, execute grant documents as may be necessary including closing documents, and otherwise act as authorized representative of the Borough of Hawthorne; and

BE IT FURTHER RESOLVED, that the Borough of Hawthorne does authorize EWMA, 100 Misty Lane, Parsippany, New Jersey 07054 to perform the Preliminary Assessment and conduct Remedial Investigation activities, as well as prepare all necessary reports regarding such actions, all in accordance with its quotation for such work, the same being incorporated herein by reference; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the NJDEP and NJEDA.

R 185-19 Introduced by Council Vice President Bertollo

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount.

SECTION 1

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that the Borough of Hawthorne hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$56,650.00 for the Hazardous Discharge Site Remediation Fund Grant.

SPECIAL ITEM OF REVENUE OFF-SET WITH APPROPRIATIONS

Hazardous Discharge Site Remediation Fund Grant	\$56,650.00
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pursuant to the provision of the statute; and

SECTION 2

BE IT FURTHER RESOLVED, that a like sum of \$56,650.00 be and is hereby appropriated under the caption of:

OPERATIONS EXCLUDED FROM "CAPS"

PUBLIC AND PRIVATE PROGRAMS OFF-SET BY REVENUES

Hazardous Discharge Site Remediation Fund Grant	\$56,650.00
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SECTION 3

BE IT FURTHER RESOLVED, that the above is the result of funds due to the Borough of Hawthorne from the State of New Jersey that were not available at the time of the adoption of the 2019 budget and are now available by law.

R 186-19 Introduced by Council Vice President Bertollo

WHEREAS, the State Constitution of the State of New Jersey authorizes veterans and widowed spouses of veterans who served in active duty during war or other times of emergency to receive a property tax deduction, in the amount of \$250 per year, in well-deserved recognition of their service to our country; and

WHEREAS, veterans and widowed spouses of veterans who reside in Continuing Care Retirement Communities (CCRC's) have been unfairly denied eligibility for the \$250 property tax deduction because they do not own their units, even though they instead contribute to property taxes through monthly payments to the CCRC's; and

WHEREAS, there are 25 CCRC's in the State which collectively house approximately 2,500 veterans or widowed spouses who are being denied a property tax deduction; and

WHEREAS, Senator Vin Gopal has sponsored legislation (S1331), that has been approved by the Senate and Assembly, to extend the deduction to veteran's and widowed spouses of veterans living in CCRC's; and

WHEREAS, the extension of the deduction requires amendment to the State Constitution and as such must be approved by the voters by way of referendum in November in order to become effective; and

WHEREAS, the Mayor and Council of the Borough of Hawthorne wish to memorialize their support for the extension of the tax deduction and urge voters to support this referendum in the November election;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that it does hereby urge voters to support the referendum on the ballot in November of 2019 so that veterans and widowed spouses of veterans who have served our country and now live in Continuing Care Retirement Communities will be eligible for the \$250 property tax deduction; and

BE IT FURTHER RESOLVED, that a true copy of this resolution be forwarded to the Office of the Governor, our State Legislators, and the New Jersey League of Municipalities.

R 187-19 Introduced by Council Vice President Bertollo

WHEREAS, the Shared Services and Consolidation Act, NJSA 40A: 65-1, et. seq., authorizes agreements between local government units in furtherance of the underlying principles of the Act; and

WHEREAS, the County of Passaic, Department of Health Services, through its Office of Solid Waste and Recycling, has received by way of grant 20 Q-Star Solar Powered Flashcams for use in the detection and prosecution of illegal dumping of solid waste and recyclables and related actions against the environment; and

WHEREAS, the County has agreed to make one camera available to each of the 16 municipalities in Passaic County and utilize the other four cameras in its own efforts to protect the environment; and

WHEREAS, in consideration for the availability of the camera, the Borough of Hawthorne is asked to ensure that the equipment will be used solely for the purposes outlined above and described in more detail in the Shared Services Agreement prepared by the County and incorporated herein by reference; and

WHEREAS, the County of Passaic has adopted a resolution authorizing the execution of the Shared Services Agreement, subject to adoption of a companion resolution by the Municipal Council of the Borough of Hawthorne; and

WHEREAS, the Administration recommends approval of the agreement as the same benefits the residents of the Borough of Hawthorne at no expense to the taxpayers and furthers important goals of the Borough and the County in protecting the environment from illegal activities;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, that it does authorize and approve of the execution of a Shared Services Agreement with the County of Passaic so as to accept the camera and any related equipment made available to the Borough, in accordance with the agreement referenced herein, and does authorize the Mayor and the Clerk to execute such agreement as and for the act of the Borough of Hawthorne.

R 188-19 Introduced by Council Vice President Bertollo

1. The Borough of Hawthorne (Location number 0071-00) hereby elects to participate in the Health Program provided by the New Jersey State Health Benefits Act of the State of New Jersey (N.J.S.A. 52:14-17.26 and N.J.S.A. 52:14-17.46.2) and to authorize coverage for all the employees and their dependents thereunder in accordance with the statute and regulations adopted by the State Health Benefits Commission and/or School Employees' Health Benefits Commission.

2. a. We elect to participate in the Employee Prescription Drug Plan defined by N.J.S.A. 52:14- 17.25 et seq. and authorize coverage for all employees and their dependents in accordance with the statute and regulations adopted by the State Health Benefits Commission and/or School Employees' Health Benefits Commission.

b. We will be maintaining _____ as our Prescription Drug Plan. This plan is *Name of Plan* comparable in design to the State Employee Prescription Drug Plan.

c. We will not have a stand-alone prescription drug plan and understand that prescription drug coverage will be provided based on the medical plan chosen by the subscriber.

3. a. We elect to participate in the Employee Dental Plans defined by N.J.S.A. 52:14-17.25 et seq. and authorize coverage for all employees and their dependents in accordance with the statute and regulations adopted by the State Health Benefits Commission and/or School Employees' Health Benefits Commission.

b. We will be maintaining _____ as our dental plan. *Name of Plan*

c. We will not have a dental plan.

4. We elect thirty (30) hours per week (average) as the minimum requirement for full-time status in accordance with N.J.A.C. 17:9-4.6.

5. As a participating employer we will remit to the State Treasury all charges due on account of employee and dependent coverage and periodic charges in accordance with the requirements of the statute and the rules and regulations duly promulgated thereunder.

6. We hereby appoint Laurie Foley, Director of Revenue and Finance, to act as Certifying Officer in the administration of this program.

Note: An individual is permitted coverage as an employee, retiree, or dependent. Multiple coverage under the SHBP or SEHBP is prohibited.

7. This resolution shall take effect immediately and coverage shall be effective as of January 1, 2020, or as soon thereafter as it may be effectuated pursuant to the statutes and regulations (can be no less than 75 or 90 days pursuant to the provisions of N.J.S.A. 17:9-1.4)

Council President Matthews entertained a motion to approve consent agenda resolutions R 181-19 through R 188-19, moved by Council Vice President Bertollo, seconded by Councilman Lane.

Discussion

Councilman Wojtecki referred to R 187-19 and asked where the camera will be mounted. Administrator Maurer stated it is movable and will be placed at different locations around town. Councilman Wojtecki suggested putting the camera at the recycling center.

Council Vice President Bertollo, referring to R 184-19, thanked Rayna Laiosa for her effort in getting the Pyrolac Property clean-up started.

On roll call all voted yes, motion carried.

REPORTS OF SPECIAL COUNCIL COMMITTEES

Councilman Wojtecki reported the next Shade Tree Commission meeting is October 7th at the Municipal Building.

Councilman Sinning requested to have an Ordinance Committee meeting.

Council Vice President Bertollo reported the Finance Committee will be meeting within the next month or so to discuss end of the year transfers.

Councilman Bennett reported the Public Works Committee met on the 23rd to go over the 2020 Road Program. There is about \$200,000 left over in the budget from the 2019 Road Program.

Councilman Mele reported the Rotary Club “Taste of Hawthorne” was very good. Municipal Alliance met last week and are working on their grant for next year.

Councilman Lane reported the Board of Health is still issuing dog licenses and collecting late fees. The Ambulance Corps annual beefsteak and tricky tray will be held on Thursday, October 17 at the Brownstone, tickets are \$60, doors open at 6:30pm. Anyone interested in tickets can call the Ambulance Corps at 973-427-1818.

Councilman Matthews reported the Chamber of Commerce Farmers’ Market runs through the end of the month. Restaurant Week starts October 5th and runs through October 12th, all participating restaurants are listed on the Chamber’s website. This Sunday the 13th is the Craft & Art Show at the Farmer’s Market as well.

Council Vice President Bertollo asked Councilman Wojtecki for a follow-up on the tree at 93 Hawthorne Avenue that is blocking the electronic speed sign. He asked Councilman Bennett if the dirt area at the corner of Grand and Washington Street could be paved.

Councilman Wojtecki asked if the 1-800 Got Junk truck should be parked by the railroad tracks in the area of Grand and Washington Street.

BILLS

Vendor Name	Description	Amount	Check Id
A-VAN ELECTRICAL	MISC. PARTS & SUPPLIES - ROAD	\$ 14.98	26850
A-VAN ELECTRICAL	MISC. PARTS & SUPPLIES - WATER	74.91	12263
A-VAN ELECTRICAL	MISC. PARTS & SUPPLIES - WATER	74.91	12263
A-VAN ELECTRICAL	MISC. PARTS & SUPPLIES - WATER	55.98	12263
ACE REPROGRAPHIC SERV, INC	PHOTOCOPIER CHARGES	2,780.54	26846
ACORN TERMITE & PEST CONTROL	LIBRARY SQUIRREL ISSUES	375.00	26847
ACTION DATA SERVICES	PR PROC PR#19 9/13/19	501.97	26848
ACTION DATA SERVICES	PR PROC PR#19 9/13/19	125.49	12261
AGRA ENVIRONMENTAL SVC	MONTHLY - WATER LAB TESTING	680.00	12262
AGRA ENVIRONMENTAL SVC	MONTHLY - WATER LAB TESTING	450.00	12262
AGRA ENVIRONMENTAL SVC	MONTHLY - WATER LAB TESTING	480.00	12262
AGRA ENVIRONMENTAL SVC	MONTHLY - WATER LAB TESTING	720.00	12262
ARMAMENT SYSTEMS AND	EXPANDABLE BATONS	6,534.33	26849
BALDI & MAROTTA ESQ	9/19/19 SESSION	300.00	26851
BOB’S TIRES & WHEELS INC	TIRES FOR CODE VEHICLE	224.00	26852

BOB'S TIRES & WHEELS INC	TIRES FOR CODE VEHICLE-BAL	60.00	26852
BOB'S TIRES & WHEELS INC	TIRES FOR CODE VEHICLE-FEE	6.00	26852
BOSWELL ENGINEERING, INC	TUXEDO AVE DRAINAGE RESO109-19	2,504.50	26853
BOSWELL ENGINEERING, INC	PRO ENG SVC	4,298.00	26853
BOSWELL ENGINEERING, INC	PRO SERVICES	893.50	26853
BROWN'S JANITORIAL SUPPLY	RECYC CAN 50 GALLON	119.00	44
CAPITOL SUPPLY CONSTR PRODS IN	CURB BOX & LINE SUPPLIES	6,335.94	12264
CAPITOL SUPPLY CONSTR PRODS IN	CURB BOX & LINE SUPPLIES	3,805.61	12264
CHIEF FIRE EQUIP CO	FIRE EXT REFILLS	267.41	26854
CINTAS CORP	BORO HALL WKLY RUG SERVICE	145.88	26855
CINTAS CORP	BORO HALL WKLY RUG SERVICE	145.88	26855
CINTAS CORP	MONTHLY RUG SRVC - DPW GARAGE	54.48	12265
COASTAL DISTRIBUTION PATERSON	CONST.& DEBRIS TRANSFER FEES	216.63	26856
COASTAL DISTRIBUTION PATERSON	CONST.& DEBRIS TRANSFER FEES	438.24	26856
DEBRA FORD-WUNEJ	EYE GLASSES AND EXAM SELF	304.00	26857
DENVILLE LINE PAINTING INC	THERMO PLAST LINE STRIPPING	13,935.86	26858
DOWNES TREE SERVICE, INC.	MAY TREE PRUNING IN TOWN	600.00	26859
DOWNES TREE SERVICE, INC.	JUNE TREE PRUNINGS	450.00	26859
DUNKIN DONUTS	POLLWORKERS-BOE ELECTION 92419	368.43	26860
EAST COAST POWER & GAS OF	ELEC THRU AUG	3.24	26861
EAST COAST POWER & GAS OF	THRU AUGUST	6.19	12266
ELLEN BROGNO	SUPPLIES FOR HAWTHORNE DAY & A	92.00	5508
ELLEN BROGNO	SUPPLIES FOR HAWTHORNE DAY & A	8.00	26862
ELVIN AUTOMOTIVE SERVICES	W-12 INSPECTION & WIPER BLADES	100.00	12267
ELVIN AUTOMOTIVE SERVICES	W-12 INSPECTION & WIPER BLADES	30.00	12267
FIRE & SAFETY SERVICES	EMERGENCY REPAIRS ENGINE ONE	525.00	26863
FIREFIGHTER ONE LLC	BLANKET ORDER SCBA REPAIRS	844.20	26864
GABRIELLI KENWORTH OF NJ, LLC	R-5 REPAIRS	5,093.16	26865
GARY TAMBURRO	EYE GLASS SPOUSE	190.00	26866
HARRIS UNIFORMS	CLASS II UNIFORM NEEDS	239.90	26867
HAWTHORNE CHEVROLET	PREVENTATIVE MAINT 50 57 58 61	651.26	26868
HAWTHORNE FIRE DEPT	WAWA GAS RETURN FUAL AFTER MAI	40.00	26869
HAWTHORNE PRESS INC	LEGAL NOTICE	43.68	26870
HORIZON BLUE CROSS BLUE SHIELD	OCTOBER	2,387.25	26871
HORIZON BLUE CROSS BLUE SHIELD	OCTOBER	184,219.45	26871
INTERACTIVE DATA, LLC	ID DATA & BACKGROUND DRAWDOWN	50.00	26872
INTERACTIVE DATA, LLC	ID DATA & BACKGROUND DRAWDOWN	50.00	26872
INTERACTIVE DATA, LLC	ID DATA & BACKGROUND DRAWDOWN	50.00	26872
INTERACTIVE DATA, LLC	ID DATA & BACKGROUND DRAWDOWN	50.00	26872
INTERACTIVE DATA, LLC	ID DATA & BACKGROUND DRAWDOWN	50.00	26872
JP MONZO, MUNIC CONSULTING LLC	BESTPRACINV WEBI 10/17 L.FOLEY	50.00	26873
LANGUAGE LINE SERVICES	AUGUST SVC	196.13	26874
LAURIE FOLEY	CEUS FOR CFO LICENSE	393.02	26875
LAWSOFT, INC	ONLINE DATA BACK UP	600.00	26876
LORI DIBELLA	REIMB SIGNS AND RENEW FEE	53.50	26877
LORI DIBELLA	REIMB SIGNS AND RENEW FEE	25.00	26877
METLIFE	SEP/OCT 2019	311.12	26878
MICHAEL J. PASQUALE, ESQ	MOVIE PURCHASE	49.98	5509
MONTONE REMOD & CONS CO, INC	STORM BASIN REPAIRS HIGH/WOOD	895.00	26879
MUNICIPAL CLERKS ASSOC OF NJ	CLERKS MINI CON LORI DIBELLA	40.00	26880
MURPHY COMMUNICATIONS	VEHICLE EQUIPMENT REMOVAL	510.00	26881
MURPHY COMMUNICATIONS	R-11 SWEEPER BKUP CAMERA	245.00	26881
NICHOLAS MARKETS	CONVENTION PICNIC 9-14-19	799.96	26882
NJ MOTOR VEHICLE COMMISSION	19 FORD DUMP TRUCK DPW	60.00	26902
NORA C. ADAMS	INTERPRETING FEE	180.00	26883
P & A AUTO PARTS, INC	AUTO SUPPLIES/PARTS - WATER	107.98	12268
P & A AUTO PARTS, INC	AUTO SUPPLIES/PARTS - WATER	102.53	12268
P & A AUTO PARTS, INC	AUTO SUPPLIES/PARTS - ROAD	219.58	26884
P & A AUTO PARTS, INC	AUTO SUPPLIES/PARTS VEH MAINT.	167.78	26884
P & A AUTO PARTS, INC	VARIOUS ENGINE SUPPLIES	50.97	26884
PASCACK DATA SERVICES	COMPUTER KEBOARD LAPTOP	375.15	26885

PC RICHARD & SON	HP 15.6 INTEL i3 DUAL CORE NBK	400.00	26886
PRINTMASTERS	WATER DOOR HANGERS	195.00	12269
PUBLIC SERV ELEC & GAS	AUGUST GAS & ELECTRIC	11,246.42	26887
PUBLIC SERV ELEC & GAS	AUGUST GAS & ELECTRIC	969.50	26887
PUBLIC SERV ELEC & GAS	AUGUST GAS & ELECTRIC	12,386.63	26887
PUBLIC SERV ELEC & GAS	AUGUST GAS & ELECTRIC	54,340.89	12270
RC ADVERTISING	HMAC SUPPLIES	700.00	5510
RC ADVERTISING	HMAC SUPPLIES SHIPPING	22.78	5510
RIDGEWOOD PRESS	OFFICE SUPPLIES	279.40	26888
RIDGEWOOD PRESS	BUSINESS CARDS	179.00	26888
RT OFFICE PRODUCTS	OFFICE SUPPLIES	264.37	26889
RT OFFICE PRODUCTS	SHREDDER BAGS	48.95	26889
RT OFFICE PRODUCTS	PAPER FOR TAX/FINANCE OFFICE	47.90	26889
RT OFFICE PRODUCTS	PAPER FOR TAX/FINANCE OFFICE	47.90	26889
SHERWIN WILLIAMS CO.	PAINT SPRAYER PARTS-PROTECTOR	43.96	26890
SHERWIN WILLIAMS CO.	PAINT SPRAYER PARTS-EZ STRAINER	64.75	26890
SHERWIN WILLIAMS CO.	PAINT SPRAYER PARTS-DISCOUNT	-16.84	26890
SHERWIN WILLIAMS CO.	WATER DEPT PAINT-GAL TAN	96.99	12271
SHERWIN WILLIAMS CO.	WATER DEPT PAINT-DISCOUNT	-32.01	12271
SHERWIN WILLIAMS CO.	WATER DEPT PAINT-9IN PAINT TRA	13.49	12271
SHERWIN WILLIAMS CO.	WATER DEPT PAINT-DISCOUNT	-3.51	12271
SHERWIN WILLIAMS CO.	WATER DEPT PAINT-TRAY LINERS	6.99	12271
SHERWIN WILLIAMS CO.	WATER DEPT PAINT-DISCOUNT	-1.82	12271
STATE OF NJ - PWT	3RD QTR 2019 WATER TAX	1,189.78	12272
T&M SCREEN PRINTING, LLC	HAWTHORNE DAY 2019 T-SHIRTS	2,266.00	5511
TANIS HARDWARE	EQUIPMENT SUPPLIES	24.72	26891
THOR GUARD INC.	LIGHTNING PROTECTION EQUIPMEN	800.00	26892
THOR GUARD INC.	LIGHTNING PROTECTION EQUIPMEN	375.00	26892
THOR GUARD INC.	FREIGHT	107.38	26892
TRACY GRIBBEN TRANSCRIPTION	CT APPEAL 4/12/19 TRANSCRIPTS	389.64	26893
TRIMBOLI & PRUSINOWSKI LLC	LEGAL THROUGH 8/25	240.00	26894
TROPICANA CASINO HOTEL	GARRETT SINNING CONF 58878	244.00	26895
TYLER SLOOTMAKER	NTL CHILD PSGR SAFE CERTIFICAT	95.00	26896
V.E. RALPH & SON, INC	MEDICAL GLOVES	225.00	26897
VERIZON	9/16-10/15 150716970000104	227.36	26898
VERIZON	9/17-10/16 000601742153 54Y	101.36	26898
W.B. MASON CO INC	Supply Materials	228.81	26899
WINDSTREAM	5494017	1,115.71	26900
WINDSTREAM	5494017	371.90	12273
WL CONSTRUCTION SUPPLY LLC	RESCUE 5 14" WOOD CUT BLADE	399.99	26901
WL CONSTRUCTION SUPPLY LLC	SHIPPING	20.00	26901
	TOTAL	\$338,219.89	

Council President Matthews entertained a motion to approve the bills and forward them to the Treasurer for payment, moved by Councilman Bennett, seconded by Councilman Mele. On roll call all voted yes, with the exception of Council Vice President Bertollo who abstained from bills pertaining to Downes Tree Service, Councilman 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 desires to be heard, please raise your hand to be recognized, come forward to the microphone and state your name and address.

Rayna Laiosa, 89 Minerva Avenue

Ms. Laiosa stated Pyrolac was the first Brownfield in Passaic County to receive money through the Passaic County Brownfield Economic Development EPA Grant. There are two reports; the Preliminary Assessment and Remedial Site Investigation that will give them a better idea of what they are dealing with. These reports are the basis for going further with a Remedial Action Plan. EWMA will be conducting the work who are connected with the NJEDA. The Patriot Property raises three environmental concerns: steep slopes, environmental restraints on the property and stormwater management (the developer proposed stormwater will be discharged into the Goffle Brook via the Passaic County stormwater system). There will be a Styrofoam and Shredding Day on Saturday, October 19 from 9:00am to 12:00pm at the Municipal Building. She

acknowledged Craig Cayetano for bringing the Styrofoam recycling idea to Hawthorne and to please bring clean Styrofoam (no peanuts).

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

ADJOURNMENT

At 8:10 pm Council President Matthews entertained a motion to adjourn the regular meeting, moved by Councilman Sinning, seconded by Councilman Lane. Carried on voice vote.

THE NEXT REGULAR MEETING OF THE MUNICIPAL COUNCIL IS WEDNESDAY, OCTOBER 16th at 7:00 PM

PERSONS WITH DISABILITIES WHICH REQUIRE AIDES SUCH AS: SIGN LANGUAGE INTERPRETER, TELECOMMUNICATIONS, BRAILLE, TAPES OR LARGE PRINT, SHOULD NOTIFY THE BOROUGH CLERK'S OFFICE TEN DAYS PRIOR TO ATTENDANCE AT A MEETING SO ACCOMMODATIONS MAY BE MADE.

Frank E. Matthews, Council President

Lori DiBella, RMC, CMC Borough Clerk