

September 8, 2014
Hawthorne, NJ

A Special Meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 6:35 p.m., in the Council Meeting Room of the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, with the following present:

Council President.....	Frank E. Matthews
Council Vice President	John Bertollo
Councilman	John Lane
Councilman	Dominic Mele
Councilman	Garret Sinning
Councilman.....	Joseph Wojtecki
Borough Administrator	Eric Maurer
Borough Attorney	Michael J. Pasquale
Borough Clerk	Lori DiBella

Mayor Goldberg and Director of Revenue and Finance Hewitt were absent. Councilman Bennett arrived at 6:57 p.m.

STATEMENT

Adequate notice of this special meeting has been published and posted on the Borough website, and on the Public Bulletin Board at the Municipal Building, emailed to the Hawthorne Press, The Herald News and The Record, and all persons who have requested the mailing of such notice.

FLAG SALUTE

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

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 sign the sheet giving your name and address for the record. Seeing none, Council President Matthews entertained a motion to close the public comment portion of the meeting, moved by Council Vice President Bertollo, seconded by Councilman Mele. On roll call, all voted yes.

NEW BUSINESS

Recycling Program

CLOSED SESSION

Pursuant to N.J.S.A. 10:4-13 and Attorney General's Formal Opinion 29-1976, Council President move that the public be excluded from this portion of the meeting in order that the Council discuss and consider emergency action relating to the recycling program. Items to be discussed in the Closed Session can be disclosed to the public when a course of action is determined, or a decision has been reached.

At 6:40 p.m., Council President Matthews entertained a motion to enter into Closed Session, moved by Council Vice President Bertollo, seconded by Councilman Sinning. Discussed by Councilman Wojtecki who stated he is unclear why we are going into closed session. Attorney Pasquale stated it is a matter of litigation. On roll call, all voted yes.

At 7:10 p.m., Council President Matthews entertained a motion to adjourn closed session and return to regular session, moved by Councilman Bennett, seconded by Councilman Sinning. On roll call, all voted yes.

CONSENT AGENDA:

R 161-14 Introduced by Council Vice President Bertollo

Declare and Authorize Emergency Contract

WHEREAS, the Borough of Hawthorne previously entered into a contract with Green Sky Industries, Inc., relative to the delivery of recyclable materials to its facility in connection with Hawthorne's recycling program; and

WHEREAS, on September 4, 2014, Hawthorne received notice that Green Sky would be closing its facility and no longer accepting recyclable materials effective September 5, 2014; and

WHEREAS, as a result of the unilateral action of Green Sky and cessation of services under the contract between the parties, Hawthorne is left without a vendor to accept recyclable materials relative to its recycling program; and

WHEREAS, the Municipal Council of the Borough of Hawthorne conducted an emergency meeting on September 8, 2014 for the specific purpose of considering emergency action so that it may continue to supply recycling activities in the Borough; and

WHEREAS, the Municipal Council does find that there is an emergency based upon the termination of services by Green Sky on 24 hour notice and the need to maintain its recycling program for the benefit of its residents, all affecting the health, safety and welfare of the residents of the community;

NOW, THEREFORE, IT IS RESOLVED, by the Municipal Council of the Borough of Hawthorne that it declares an emergency to exist based upon the cessation of services by Green Sky Industries, Inc., relative to the Borough's recycling program; and

IT IS FURTHER RESOLVED, that the Mayor and Clerk are empowered and authorized to enter into an emergency contract to provide services previously provided by Green Sky Industries, subject to review and approval of said contract by the Municipal Attorney, and action as may be required by the Chief Financial Officer relative to the same.

Council President Matthews entertained a motion to approve consent resolution R161-14 moved by Council Vice President Bertollo, seconded by Councilman Wojtecki. On roll call, all voted yes.

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. Seeing none, Council President Matthews entertained a motion to close the public comment portion of the meeting, moved by Councilman Lane, seconded by Councilman Wojtecki. On roll call, all voted yes.

ADJOURNMENT

Council President Matthews entertained a motion to adjourn the meeting at 7:13 p.m., moved by Council Vice President Bertollo, seconded by Councilman Sinning. On roll call, all voted yes.

Frank E. Matthews
Council President

Lori DiBella, RMC
Borough Clerk