

The regular meeting of the Municipal Council of the Borough of Hawthorne was held on the above date at 7:00pm, in the Council Meeting Room of the Municipal Building, 445 Lafayette Avenue, Hawthorne, New Jersey, with the following present:

Mayor	John V. Lane
Council President	Frank E. Matthews
Council Vice President.....	Rayna Laiosa
Councilman	Dominic Mele
Councilman.....	Bruce Bennett
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
<u>ABSENT</u>	
Councilwoman	Anna Marie Sasso

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 since December 7, 2022.

APPROVAL OF MINUTES

Approval of the bid minutes for the Franklin Field Lighting Improvements project, motion by Councilman Wojtecki, seconded by Councilman Sciarra. On roll call, all voted yes, motion carried.

PUBLIC COMMENT (Agenda Items Only)

Council President Matthews opened the meeting to the public. He stated if anyone desired to be heard, please raise their hand to be recognized, come forward to the microphone and state your name. Seeing no one, Council President Matthews entertained a motion to close the public portion of the meeting, motion by Councilman Sciarra seconded by Councilman Wojtecki. Carried on voice vote.

ADOPTION OF ORDINANCE 2324-23

AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH SPGM HAWTHORNE URBAN RENEWAL, LLC

WHEREAS, on June 19, 2020, the Borough of Hawthorne (the “Borough”), the Borough of Hawthorne Planning Board and 3 Ronson, LLC entered into a settlement agreement (the “Settlement Agreement”), resolving disputes between the Parties in the legal action captioned In the Matter of the Borough of Hawthorne, Docket No. PAS-L-2412-15 (the “Legal Action”), relating to the Borough’s fair share affordable housing obligation and the proposed residential development of the property owned by 3 Ronson, LLC located at 542 Goffle Road, and identified on the Borough Tax Map as Block 89, Lot 6 and Block 90, Lots 2.01, 2.02 and 1 (the “Property”); and

WHEREAS, 3 Ronson, LLC formed an affiliate entity named SPGM Hawthorne Urban Renewal, LLC (“SPGM”), as authorized by the Settlement Agreement, for the purpose of implementing the development of the Property, pursuant to the Settlement Agreement, and has secured site plan approval from the Planning Board for the development of the Property with 116 residential apartments, of which 17 will be “affordable units”, pursuant to the Settlement Agreement (the “Project”); and

WHEREAS, Section 4(e) of the Settlement Agreement provides that the Borough and 3 Ronson, LLC will negotiate in good faith an agreement providing for a twenty (20) year payment in lieu of taxes (“PILOT”) at a rate of ten percent (10%) of gross rental income; and

WHEREAS, the Borough and SPGM entered into a redevelopment agreement in December 2021, designating SPGM as redeveloper for the Property and setting forth the agreements and obligations between Borough and SPGM for the development of the Project (the “Redevelopment Agreement”); and

WHEREAS, pursuant to Section 2.06(a) of the Redevelopment Agreement, SPGM would submit an application for approval of a PILOT for a term of at least twenty (20) years but not more than thirty (30) years; and

WHEREAS, on January 27, 2023, SPGM submitted an application and proposed form of financial agreement to the Borough, pursuant to N.J.S.A. 40A:20-8 of the Long-Term Tax Exemption Law (“LTTE Law”), seeking approval of a PILOT at ten percent (10%) of gross revenue for a term of thirty (30) years (the “Application”); and

WHEREAS, the Borough and SPGM engaged in negotiations concerning the proposed thirty (30) year PILOT, in connection with which the Borough determined that it was in the Borough’s interest to approve the Application and a financial agreement for a thirty (30) year PILOT; and

WHEREAS, the Borough determined that it was necessary to amend the Settlement Agreement, which did not provide for a thirty (30) year PILOT but contemplated a twenty (20) year PILOT; and

WHEREAS, on August 16, 2023, the Borough adopted a Resolution R 122-23, approving the amendment to the Settlement Agreement to provide for a thirty (30) year PILOT; and

WHEREAS, the Borough Council, based upon recommendation by the Administration, wishes to approve the Application and has determined that it is appropriate to enter into the proposed financial agreement submitted with the Application for the Project for a term of thirty (30) years (the “Financial Agreement”) and to accept annual service charges from SPGM in lieu of real property taxes associated with the Project Site; and

WHEREAS, the parties have negotiated the Financial Agreement, and the Mayor and Council have determined that it is appropriate to approve the execution of the Financial Agreement between it and the Entity; and

WHEREAS, the Borough makes the following findings in accordance with Section 11 of the LTTE Law with respect to the Project (as hereinafter defined):

1. Relative Benefits of the Project: In accordance with the LTTE Law, specifically N.J.S.A. 40A:20-11(a), the Borough hereby finds and determines that the Financial Agreement is to the direct benefit of the health, safety, welfare and financial well-being of the Borough and its citizens. The Project will accelerate the redevelopment of the Property, provide for affordable housing in furtherance of the Borough’s regional fair share housing obligation, generate jobs and increase tax ratables. The Borough finds that the costs associated with the tax exemption, if any, are outweighed by the benefits of granting the exemption.

2. Assessment of the Importance of the Tax Exemption: In accordance with LTTE Law, specifically N.J.S.A. 40A:20-11(a), the Borough hereby finds and determines that the Financial Agreement is a critical incentive for SPGM in obtaining development of the Project and influencing the locational decisions of the

probable occupants of the Project: The tax exemption permits the development of the Project by reducing the expenses associated with the development of the Project on a site that has remained vacant and for which the Borough has sought to encourage redevelopment. Reduced expenses assist in subsidizing the inclusion of affordable units and allows market rents to be set at competitive levels which would not be the case as a result of costs incurred as part of development were required to be recovered through rents. As a result, the locational decisions of the probable tenants (residential and retail) will be influenced positively by the tax exemption.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Borough of Hawthorne, County of Passaic and State of New Jersey as follows:

Section 1. The findings set forth above are hereby adopted and made part of this Ordinance.

Section 2. Pursuant to the authority granted to the Borough under the LTTE Law, this Ordinance approves the Application and authorizes the execution of the Financial Agreement with SPGM Hawthorne Urban Renewal, LLC for a 30-year tax exemption with respect to the construction of a residential Project on the Property, pursuant to the Settlement Agreement and the and Redevelopment Agreement.

Section 3. The Mayor and Clerk are hereby authorized to execute the Financial Agreement in substantially the form attached to the Application.

Section 4. This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.

Council President Matthews opened the meeting to the public and stated if anyone desired to be heard regarding this Ordinance, please raise your hand to be recognized, come forward to the microphone and state your name. Seeing no one, 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 made 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 Bennett, seconded by Councilman Sciarra. On roll call, all voted yes, motion carried.

OLD BUSINESS

Councilman Wojtecki stated the newly painted fire hydrants look great. Council President Matthews explained the tag on the fire hydrants that state do no use doesn't mean they are out of order, they just don't want the public using them. He asked for the status of the traffic signal at Lafayette and Wagaraw. Mayor Lane stated it is all done. He stated he thought there was going to be one going from Lafayette to 204. Mayor Lane stated they were supposed to be, he was told they were both installed a week ago today. Councilman Wojtecki stated he would check it out. Traffic is so backed up on Wagaraw, it's impossible to make a left from May Street onto Wagaraw. Mayor Lane stated the county sets the timing of the lights. Councilman Sciarra stated he went down May Street today and he was able to make the left around 3:00pm but there was no green arrow, sometimes it works and sometimes it doesn't. Dr. Boswell explained it may not work sometimes because it has to detect traffic coming in the other direction. Mayor Lane stated he would look into it tomorrow.

NEW BUSINESS

Councilman Mele reported they hung 45 hanging baskets through the center of town and they look very nice, but now there are four missing, people are starting to take them. Mayor Lane stated about ten are missing now, they are going to try and raise them up so people can't reach them.

Councilman Bennett reported Public Service installed a new gas line at a house on Post Avenue and dug a nice big hole and did a terrible patch job. He would like someone to follow-up and see if they can smooth the patch out. Mayor Lane stated he thinks it's probably just a temporary patch.

Councilman Sciarra reported he had concerns from residents recently about the lighting on Wagaraw Road. He suggested maybe looking into some additional lighting just past the ball fields across from the pet supply location.

ADMINISTRATIVE AGENDA PRESENTED BY MAYOR LANE

There was a meeting held at the roller hockey rink last week that included the Borough Engineer, the Chairman of the Board of Recreation, Superintendent of Schools Dr. Spirito, Barry Huston, and me to make sure the rink was safe to play on. It was found that there were a number of side panels, or boards, that were damaged, and those boards that were damaged will be removed, and new boards will be installed. We will then have a follow-up meeting on site to make sure that everything is safe before the roller hockey season starts. At the Board of Education meeting last night, the Board of Education approved the use of the rink pending the reinspection by the Engineer. The lead green lights were installed on Wagaraw Road at the intersection of Lafayette Avenue. I have outlined more streets for PSE&G to change the street lights from mercury vapor and high-pressure sodium to LEDs. The LEDs are brighter and will make the streets safer at night. I will be asking the Chairman of the Ordinance Committee to schedule a meeting to go over some proposed new ordinances. The Ambulance Corps beefsteak was last Friday night and was a great success. Thank you to everyone who came to support us. On Saturday, November 11, at 11am we will hold our annual Veterans Day Service. Please join us as we honor our Veterans. The Passaic County Office of Recovery was here on Tuesday in our first-floor conference room. They will be with us monthly on the third Tuesday from 9 am to 1 pm. The next time will be November 21st. Should you require their services as they relate to mental health and addiction, please stop in. Everything is confidential. The Hawthorne Fire Department Auxiliary will hold a Trunk or Treat on Saturday, October 28th from 6pm to 8pm at Fire Headquarters, corner of Lafayette & Goffle Road. Space is limited, so please call Joni at 973-725-6786 for details. The Fire Department is hosting an open house and free pancake breakfast on Sunday, October 29th from 9am to 11:30am at the Fire Rescue Building, corner of Lafayette Avenue & Goffle Road. Please stop by, all are welcome. The Annual Mayor's Halloween Parade will take place on Monday, October 30th, at 7pm in the Roosevelt School Gym. Please come out for this great family event. The Library is holding a rummage sale on Saturday, November 4th, from 10am to 3pm.

REPORTS

Borough Attorney Michael J. Pasquale

PFAS Litigation - The settlement with 3M and DuPont would be comprehensive, covering fire foam and other potential contaminants and comes from the two largest entities in the litigation. California counsel, hired specially for this litigation, was going to brief the council in more detail in private session.

Tax Appeal Settlement, 40 Schoon Avenue - Attorney Pasquale and Tim Henderson, the Assessor, recommend the settlement as a good outcome.

On tonight's agenda for introduction are two ordinances putting into place a plan for redevelopment of the former Pyrolac property. The Ordinance and Plan recommend redevelopment for light industrial uses, most notably along the lines of commercial condominiums. The neighborhood is mixed, with residential, commercial and industrial uses all in one place. The suggestion is to get away from a heavier use, such as that which caused substantial environmental damage to the site, but also to avoid adding more residential in this particular location.

Attorney Pasquale reported on affordable housing efforts in town and turned over a portion of his report to Borough Clerk Fernandez, the Affordable Housing Administrator and Liaison.

Borough Clerk Fernandez reported on the Hedges at Hawthorne which has 17 units that fall under affordable housing category. The application deadline was August 31st and they received 2,803 applications. On October 11th, she and Borough Attorney Pasquale sat in on the live drawing where Garrett Bedrin explained the property and Piazza & Associates, who are the housing professionals who developed the applications, will follow through with the process gave a presentation as well. All 2,803 applications will be loaded into a program called Research Randomizer and spits out the numbers. Five applicants per unit will be chosen which means the top 85 people on the list will receive the final application which they have to attach all of their supporting documentation including their income. The rest of the process will probably take two more months by the time the process is complete. There is one one-bedroom unit that will rent for \$940/month, eleven two-bedroom units that fall under three different categories; two very low-income units at \$584/month, three low-income units at \$1,126/month and six moderate income units at \$1,397/month. In the three-bedroom category there is one very low-income unit at \$669/month, two low-income units at \$1,295/month and two moderate income units at \$1,608/month. This does not include water, sewer, gas and electric. More details can be found on the Piazzanj.com website and in the clerk's office as well. Borough Attorney Pasquale reported there is no preference given to residents of the community, it is purely a lottery system. Borough Clerk Fernandez added that preference is given to residents of Passaic County. Winners of the lottery who did not join in on the zoom lottery can check the Piazza website by inputting the last four digits of their social security number to check their status.

Borough Engineer Dr. Stephen T. Boswell

Galvanized Service Line Replacement, Phase 2 – A tentative bidding schedule was developed for submission to the NJIB, still waiting for approval.

Recreational Field/Facilities Upgrades – On hold until November.

Franklin Field Lighting Installation – Bids were received on October 11th to address the installation and labor associated with the lights which already have been purchased. TA Quality Electric was the low bidder at \$273,000 and recommend the Borough consider awarding. He thanked Mayor Lane for his input on the electrical plans.

Deep Voll Brook Water Main – Colonnelli Brothers installed the mat but the seeding and bank stabilization still needs to be addressed but will be done in the spring.

2023 Road Program – Paving is complete. Striping began on Monday, October 16th with punch list items to be completed in two to three weeks.

Hawthorne Kiddie Pool Enhancements – A site inspection was done yesterday prior to the preparation of plans and specs to address enhancements to the kiddie pool including the installation of three low flow ground mounted water features and the associated control valves and piping. Improvements are expected to be completed this winter/spring prior to the 2024 pool season.

Downtown Revitalization Phase III – The borough received a grant in the amount of \$700,000 from the NJDOT. The proposed limits are from the east side of Lafayette from the Public Library north to Warburton Avenue as the base bid. The west side of Lafayette from Jefferson to McKinley will be the alternate bid.

Franklin Field Bleacher Improvements – A survey is being prepared with construction plans and specs starting shortly.

Louis Bay 2nd Public Library – Three contractors were asked to investigate the soffit and roof issues. Paino roofing will be there tomorrow, GDC Contracting and Strober-Wright Roofing are coming next week. He explained there are three people coming just to get three prices.

Borough Administrator Eric Maurer

Administrator Maurer explained resolution R 159-23 on the agenda tonight will approve an updated employee handbook. As explained in the memo attached, recommended updates are proposed every two years by the Morris County Jif. They are then reviewed by the labor council before presenting them to the counsel. No further progress has been made on either the UPSEU Blue Collar or White Collar contract negotiations although follow-up meetings have been set for the coming weeks. The police dispatchers, represented by the Teamsters, have requested initiation of negotiations for a new contract beginning on January 1, 2024 with an initial session set for November 8th. Through water shut-offs and the threat of water-shut-offs, over \$120,000 of the \$125,000 owed from 2022 and earlier has been collected, reducing the number of delinquent accounts from 184 to 18. Several of these accounts have several days yet to pay before they are shut off. Bids for 2024-2025 maintenance and repair of passenger vehicles and small trucks and for snow plowing, two separate bids, are in the works and we expect to advertise to receive bids in November and award contracts in November for next year. The 2024 budget introduced last week by the Morris County JIF includes rate increases averaging 9.6%. The initial increase was expected to be 15%. The primary culprit is property insurance which is experiencing big increases everywhere in the market, public, private and across the country due to more extreme weather events and increased cost of repairs and construction. There is hope for a small reduction in the 9.6% increase. The JIF is completing property appraisals on the larger properties being insured within the JIF, and if the total value comes in less than projected, the adopted budget could be a percent or so less. The vendor for the flashing pedestrian signs that we ordered for Lincoln Avenue, Wagaraw Road and a replacement on Lafayette Avenue never received the PO that we mailed, so we will have to send a duplicate PO so that project can proceed. We were awarded a \$60,000 CDBG grant from the county for ADA curb ramps in the Kaywin neighborhood. The existing ramps were among the earliest installed in town that will meet ADA standards. A resolution accepting that grant will be presented at the next council meeting with the work being included in next years' road program. We expect a resolution next week for a \$200,000 open space grant from the county for the football and lacrosse bleachers at Franklin Field which Steve's people are already working on. The county commissioners are expected to authorize this grant at their meeting next week.

PRESENTATION Environmental Commission's updated Green Map, Chairperson Rayna Laiosa and Vice Chair Mary Mahon

Chairperson Laiosa went over some of the new additions to the Hawthorne Green Map. The Band Shell, Community Garden, Farmer's Market and the 9/11 Memorial were added to the map. The name of the Rea House was updated to the John W. Rea House. Also included in the changes are the NPP areas that are highlighted in yellow, the Gateway to the Passaic River Rain Gardens along with an interactive QR code that will guide you through the map. The new maps have been presented to the five schools, along with two more to be given out this evening to St. Anthony's School and the Hawthorne Christian Academy, Lower School along with Mayor Lane and the Hawthorne Library.

Questions for the Administration

Councilman Bennett asked Dr. Boswell if there is any chance that Trenton is dragging its feet on approvals for the next stage of the line replacement because they are rethinking the galvanized portion of it. Dr. Boswell stated if that were only true, he would be very happy but he believes it is bureaucratic incompetence.

Councilman Sciarra asked Council Vice President Laiosa if the new green map is the same map that were little pocket maps that they had in the vestibule. She stated this is a different map. He asked if there will be pocket versions of this map, he thinks it would be a nice addition to the welcome bags for new residents. She stated that it is a good idea. He asked if the average rent at the Hedges is about \$3,000, Borough Attorney Pasquale stated

that's the low end, there are substantially higher rentals. He asked what the current vacancy is, Attorney Pasquale stated they are about half filled on the market rate units. By the beginning part of next year, they should have occupancy complete. Councilman Sciarra thanked Borough Clerk Fernandez for the affordable housing report.

Councilman Wojtecki reported there is ponding at the library and asked Dr. Boswell to report on it. Dr. Boswell reported the concrete was replaced with stamped concrete and they created as much of a slope as they could to the sides. The water will sit on top for a while but that water will come off.

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

INTRODUCTION OF ORDINANCES

ZONING ORDINANCE 2326-23

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 540, ZONING ORDINANCE OF THE BOROUGH OF HAWTHORNE, PASSAIC COUNTY, NEW JERSEY SO AS TO CREATE THEREUNDER NEW ARTICLE XXV, SCHOON AVENUE REDEVELOPMENT ZONE

WHEREAS, the Governing Body authorized the Planning Board to conduct an investigation of 55 Schoon Avenue, further identified as Block 17, Lot 11 by Borough Tax Records to determine if the property qualified as an area in need of redevelopment without condemnation 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 May 16, 2023 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 September 6, 2023 ; 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 August 14, 2023 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 XIII §540-109 Establishment of zones is hereby amended and supplemented to add the following new zoning district:

Schoon Avenue Redevelopment Zone

SECTION 2. Article XIII §540-110, the official Zoning Map of the Borough of Hawthorne is hereby amended to zone Tax Lot 11 within Block 17 as the Schoon Avenue Redevelopment Zone subject to the regulations of Article XXV created herein.

SECTION 3. The Borough Zoning Ordinance is hereby amended to create new Article XXV entitled Schoon Avenue Redevelopment Zone as follows:

§540-241. Purpose.

- (1) The redevelopment plan is intended to promote and permit the development of industrial flex space which would allow for multiple small scale industrial tenants to use and occupy a commercial building designed specifically for smaller scale operations in a manner consistent with the redevelopment plan prepared by Burgis Associates and dated August 14, 2023 which is referenced herein in its entirety as if set forth verbatim.
- (2) The purpose and intent of this zone is to allow for the industrial development of the site in a manner that will return the property to productive use providing for industrial flex facility while resulting in the environmental remediation of a contaminated industrial site. In all situations, where development regulations are not specifically addressed herein, the Borough of Hawthorne Zoning Regulations shall remain in effect.

§540-242. Permitted uses.

A. Permitted principal uses shall be limited to the following:

- (1) Assembly operations limited to product assembly where previously processed components or manufactured parts are produced off-site and fitted together to form a complete non-combustible and non-explosive final product. Such activity occurs entirely within an enclosed building and associated noise, odor, smoke, heat, glare and vibration are confined entirely within the building.
- (2) Research and Development facilities.
- (3) Computer and Informational Technology Services.
- (4) Woodworking including cabinet fabricators.
- (5) Contractor Offices including related accessory storage provided, that all such storage is maintained indoors.
- (6) Artisan and craftsman involved in the creation of crafted artwork, jewelry, sculpture, pottery, leathercraft, hand-woven articles, and related items.
- (7) Photography studio.

B. Permitted accessory uses:

- (1) Any use which is ordinarily subordinate and customarily incidental to the principal permitted uses in the SARZ.
- (2) Warehousing and storage limited solely to the principal use.
- (3) Office space limited solely to the principal use.
- (4) Surface parking.
- (5) Signs as permitted by ordinance.

§540-243. Development Requirements

A. Area and Bulk Requirements

- (1) Minimum lot area (acres): 2.4

(2) External yard and bulk requirements:

- (a) Minimum distance between buildings (feet): 20
- (b) Minimum setbacks (feet):
 - i. From the perimeter of all property lines 10
 - ii. From any residentially zoned or used property 25
- (c) Maximum number of stories and building height (stories/feet): 2/40
- (d) Maximum impervious lot coverage (percent): 80 percent

B. Maximum occupiable space. To prevent occupancy by a single user, no single user may occupy a maximum of 5,000 square feet of building floor area within a building.

C. Parking and Loading requirements:

- (1) Assembly Use 1 parking space for each 400 square feet of gross floor area or for each employee during a maximum shift, whichever is less, but in no event shall there be less than a ratio of two spaces for every three employees.
- (2) All other permitted uses including ancillary office space 1 parking space per 300 square feet of gross floor area.
- (3) Where there are multiple uses proposed, the required parking shall be the sum of each individual use.
- (4) Parking requirements may be reduced, at the discretion of the approving body, to account for shared parking among uses. A parking study shall be submitted by the applicant demonstrating that there will not exist substantial conflict in the peak hours of parking demand for the uses for which shared parking is proposed.
- (5) All parking areas shall be continuously maintained throughout the duration of the use. In all cases the parking spaces and the entrance, exit and maneuvering space shall be paved with a minimum of four-inch standard macadam-type pavement and shall be properly drained.
- (6) A total area of 180 square feet, exclusive of driveways, is hereby determined as the minimum space necessary for the parking of a single motor vehicle in determining the total requirements set forth in this plan and the minimum aisle width shall be no less than 24 feet for 90-degree parking aisles.

D. Loading:

- (1) At least one off-street loading space shall be maintained on the premises for every building or use requiring the receipt or distribution of materials or merchandise in vehicles.
- (2) Loading restricted in parking spaces. Trucks and other delivery and shipping vehicles shall not be parked in loading spaces except during the course of loading and unloading operations; provided,

however, that overnight parking of such vehicles is permitted, but only when loading and unloading operations are not conducted during overnight hours.

E. Required Buffers. A planted landscaped perimeter buffer shall be provided subject to the following standards in addition to landscaping requirements as set forth herein as follows:

(1) No less than a 25-foot planted buffer shall be maintained along any portion of the property that abuts a residential zone or residential property.

(2) No accessory structures, parking, or storage of materials shall be permitted within the required buffer. Circulation drives and underground infrastructure 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.

(3) Buffer Areas. Buffers shall comply with the following standards:

(a) 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.

(b) 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. Buffer areas may overlap required setbacks.

(c) 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:

- | | | |
|------|-----------------|--------------------|
| i. | Shade Trees | 2 ½-3-inch caliper |
| ii. | Evergreen Trees | 7-8 feet |
| iii. | Shrubs | 18-24 inches |

(d) 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.

(e) Buffer areas shall be maintained in perpetuity.

F. Solid Waste and Recycling. Provision shall be made for the orderly deposit, storage and collection of trash, garbage and recyclable materials in accordance with the requirements below:

(1) Trash, garbage and recyclable materials stored outside a building shall be stored in suitable containers and in fenced or walled enclosures. Said enclosures may adjoin the rear wall of a building, may adjoin a side wall of a building which does not face on either a street or a residential district or may be located in the rear yard and apart from the building, provided that the setbacks for parking areas are met. Said enclosures shall be screened from view from any adjoining street or property when deemed necessary by the Planning Board.

- (2) The area for storage of trash, garbage and recyclable materials shall be well lit, and shall be safely and easily accessible by collection personnel and vehicles. Collection vehicles shall be able to access the recycling area without interference from parked cars or other obstacles.
- (3) Any trash, garbage and recyclable materials shall be so contained as to be protected from the elements and to eliminate the potential for accumulation or scattering of debris. Garbage of an animal or vegetable nature, any trash or waste material that would attract vermin and insects and any other waste material which, by its nature, would present a health hazard if exposed to the elements shall be stored in airtight and/or leakproof, covered metal containers as may be necessary.

G. Signage. Signage shall be in accordance with the relevant sections of Article XIX of the Borough Zoning Ordinance.

H. Utilities.

- (1) Utilities services shall be placed underground.
- (2) Meters shall be located such that they are either interior to the building or otherwise screened.
- (3) To the extent feasible, transformers, metering vaults and other similar type appurtenances shall be integrated into the site design and located so as to reduce their visibility from the public.

I. Hours of operations. Hours of operations shall be limited to 7 a.m. to 8 p.m. Monday through Saturday. Sunday activity is prohibited and is limited to office operations only that do not extend beyond 5 p.m.

J. Operations and Outdoor Storage. All operations occurring onsite shall be occur within an enclosed building and outdoor storage of any kind is prohibited.

§540-244. Design Standards

Development within the 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) Building Façade Standards.

- (a) Permitted Foundation Materials: Brick masonry, stone masonry, cement-parged concrete block, split face block, tilt-up concrete.
- (b) Permitted Façade Materials: Brick masonry, stone masonry, stucco, metal panels.
- (c) Permitted Façade Accent Materials: Cast stone, wood, fiber-cement trim, siding, and panels, composite trim, siding, and panels, architectural metal

(2) Building Articulation. Articulation requirements shall be met in one or more of the following methods:

- (a) Façade offset with a minimum depth of 2 feet that extends to within 2 feet of the full height of the façade.

- (b) Facade projection or recession with a minimum depth of 4 inches and a minimum width of 1 foot that extends the full height of the first story of the facade.
- (c) Buildings shall have simple massing and details in order to clearly distinguish the main body of the building and the primary pedestrian entry.
- (d) Building facades shall be built of no more than two primary materials, excluding accent materials, and shall only change material along a horizontal line (with the heavier material below the lighter material), outside corners (where material wraps the corner a minimum of 2 feet), or inside corners.
- (e) The following materials are prohibited:
 - I. E.I.F.S.
 - II. Vinyl siding
- (f) Materials, other than masonry, shall be painted, stained, or have a factory-applied finish.

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 Zoning Ordinance Articles X and Article XI relating to Environmentally Sensitive Areas and Stormwater Management. 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.

§540-245. Administration

- A. Applicability. The standards and procedures contained herein within Administration, shall apply to all projects within the designated redevelopment area.
- B. Computations. Rounding: Where cumulative requirements or limitations are to be computed for purposes of this Plan, fractions shall be carried forward in the summation, and the total rounded to the nearest whole number.
- C. Other Actions by the Borough in Furtherance of the Plan. Other actions may be taken by the Borough to further the goals of the Plan. These actions may include, but shall not be limited to, provisions for public infrastructure necessary to service new development and vacation of public utility easements and other easements and rights-of-way as may be necessary for development. Unless otherwise agreed to by the Designated Developer and the Borough as part of a Redevelopment Agreement, the costs for such actions shall be apportioned in accordance with N.J.S.A. 40:55D-42.

D. Approval process.

- (1) No development shall occur within the designated redevelopment area without the developer first being designated redevelopment developer by the Borough Governing Body.
- (2) Upon designation of a developer, the developer shall enter into a Redevelopment Agreement with the Borough. Only a Designated Developer(s) with an executed Redevelopment Agreement with the Borough shall have standing to submit application to the Borough Planning Board for development. No development nor application for development may occur within the Redevelopment Area without an executed Redevelopment Agreement. As part of the redevelopment agreement, the Designated Developer shall indicate whether the proposed redevelopment project is intended for rental or subdivision of units for individual sale. In the event of any future or subsequent intention to subdivide units for sale from an initial rental project, the redeveloper shall submit all related documentation to the Borough for review prior to the subdivision of units.

- (3) The designated redeveloper shall provide the Borough with a comprehensive site remediation plan including timetable demonstrating, to the Borough's satisfaction, that the site is to be remediated and existing environmental conditions are abated in a manner that complies with applicable State statutes and NJDEP requirements.
- (4) Green technologies to promote sustainability are to be encouraged as part of the redevelopment agreement.
- (5) Upon the execution of a Redevelopment Agreement with the Borough, an application shall be made to the Borough Planning Board for Site Plan approval in accordance with the Redevelopment Plan.
- (6) Site Plan and Subdivision Review. Prior to commencement of construction, site plans for the construction of improvements within the Redevelopment Area, prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et. seq.) and consistent with the applicable attachments to the Redevelopment Agreement, shall be submitted by the Designated Developer for review and approval by the Borough Planning Board. If there is a material change to the attachments to the Redevelopment Agreement, such material changes must be approved by the Council as a prerequisite to site plan approval.
- (7) A detailed traffic analysis shall be prepared and submitted by a qualified New Jersey licensed engineer whose primary practice is in the area of traffic engineering as a requirement for any site plan application filed in connection to any redevelopment project pursuant to d) above. The traffic analysis will detail traffic generation and any required improvements to the public right of way as a result of proposed development.
- (8) Excepting de minimis field changes to an approved site plan approved by the Borough Construction Code Official, no construction or alteration to existing or proposed buildings shall take place until a site plan reflecting such additional or revised construction has been submitted to, and approved by, the Planning Board. This pertains to revisions or additions prior to, during, and after completion of the improvements.
- (9) The Designated Developer shall be required to provide the Borough with copies of all permit applications made to federal, state and county agencies upon filing such applications, as may be required by the Redevelopment Agreement to be executed between the Redeveloper(s) and the Borough.
- (10) Deviations. The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan where, by reason for exceptional narrowness, shallowness, or shape of a specific piece of property, or by reason of exceptional topographic conditions, preexisting structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective, or regulation adopted pursuant to this Redevelopment Plan would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Redevelopment Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of this Redevelopment Plan. An application for a deviation from the requirements

of this Redevelopment Plan shall provide public notice of such application in accord with the requirements of public notice as set forth in NJSA 40:55D-12. a. and b.

- (11) Notwithstanding the above, any changes to the uses permitted in the zone, or any other deviation requiring a "d" variance shall be permitted only by means of an amendment of the Redevelopment Plan by the Governing Body.
- (12) Redevelopment Actions. The Borough shall have such powers and duties as set forth in the LRHL and as may be conferred by this Redevelopment Plan, including, but not limited to, the authority to relocate residents and businesses, to designate Redevelopers, establish clear terms and conditions for rehabilitation through the negotiation, execution, and administration of redevelopment agreements, and to do such other things as permitted by law.
- (13) Escrows. The Redevelopment Agreement shall provide that the Designated Developer shall be responsible to post sufficient escrows to cover the reasonable costs of the Borough and the professional consultants retained by the Borough to negotiate the Redevelopment Agreement, any other agreements associated with the project, undertake any studies in connection with the project, review the proposed project and advise the Borough on any and all aspects of the redevelopment process and as otherwise set forth in the Redevelopment Agreement.
- (14) Infrastructure. In accordance with N.J.S.A. 40:55D-42 or as may otherwise be required by the Borough and agreed to by the Redeveloper in the Redevelopment Agreement, the Redeveloper shall, at Redeveloper's cost and expense, provide all necessary engineering studies for, and construct or install all on-and off-site municipal infrastructure improvements and capacity enhancements or upgrades required in connection with traffic control measures, water service, sanitary sewer service, stormwater management, and flood mitigation measures to the project, in addition to all required tie-in or connection fees subject to appropriate credits as required by law. In accordance with N.J.S.A. 40:55D-42, or as may otherwise be required by the Borough and agreed to by the Redeveloper in the Redevelopment Agreement, the Redeveloper shall, at Redeveloper's cost and expense, also be responsible for providing all sidewalks, curbs, streetscape improvements (street trees and other landscaping), street lighting, and on-and off-site traffic controls and road improvements for the project or required due to the impacts of the project. The Redeveloper shall be required to receive all necessary approvals for infrastructure, including at the County and State level as applicable.
- (15) This Redevelopment Plan may be amended from time to time upon compliance with the requirements of state law and a request for same may be submitted to the Borough Council. The Borough of Hawthorne reserves the right to amend this plan. The Redeveloper shall remit an escrow for professional fees if it requests a Plan amendment, while the Borough shall bear its own professional fees if the Plan amendment request originates from the Borough or an agency of the Borough. The Borough, at its sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a professional planner licensed in the State of New Jersey and other additional professionals.
- (16) The provisions of this Redevelopment Plan specifying the redevelopment of the Schoon Avenue Redevelopment Zone and the requirements and restriction with respect thereto shall be in effect for a period of fifty (50) years from the date of adoption of this Redevelopment Plan by the Borough Council.
- (17) Certificate of Completion. Upon completion of a project, the developer shall submit for a Certificate of Completion.

E. Other Applicable Design and Performance Requirements. Any design or performance standards not addressed within this Redevelopment Plan shall rely on the applicable design and performance standards set forth in the Land Development Code

SECTION 4. The Redevelopment Plan, prepared by Burgis Associates dated August 14, 2023, 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.

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, on November 13, 2023 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 Mele, seconded by Council Vice President Laiosa. On roll call, all voted yes, motion carried.

ORDINANCE 2327-23

AN ORDINANCE APPROVING REDEVELOPMENT PLAN FOR 55 SCHOON AVENUE, BLOCK 17, LOT 11

WHEREAS, the Municipal Council of the Borough of Hawthorne previously authorized the Planning Board to conduct an investigation of 55 Schoon Avenue, further identified as Block 17, Lot 11 on the Tax Map of the Borough of Hawthorne, to determine if the property qualified as an area in need of redevelopment without condemnation 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 May 16, 2023, 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 Planning Board the Municipal Council designated the subject area as an area in need of redevelopment by resolution adopted September 6, 2023; 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 August 14, 2023, was prepared by Burgis Associates, the Borough's planning consultant; and

WHEREAS, the Municipal Council, having considered the Redevelopment Plan now wishes to adopt the same as and for the act of the Borough of Hawthorne;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Borough of Hawthorne that is does adopt the Redevelopment Plan prepared by Burgis Associates, dated August 14, 2023.

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, on November 13, 2023 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 Council Vice President Laiosa, seconded by Councilman Mele. On roll call, all voted yes, motion carried.

RESOLUTIONS

CONSENT AGENDA: R 154-23 through R 160-23:

R 154-23 Introduced by Councilman Bennett

WHEREAS, Ordinance No. 2312-23 fixing salaries and compensation for the Borough of Hawthorne to \$450.00, Section 3, provides for clothing compensation for all Hawthorne Volunteer Ambulance Corps members who have met the criteria of attending a minimum of 52 calls/meetings per year for the current year and who have been certified by the Hawthorne Volunteer Ambulance Corps as having met the requirements thereof.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to issue checks to all qualified members in the amounts authorized by the Hawthorne Volunteer Ambulance Corps. with a total of 30 qualified members.

R 155-23 Introduced by Councilman Bennett

WHEREAS, Ordinance No. 2312-23 fixing salaries and compensation for the Borough of Hawthorne, Section 2, provides for clothing compensation for all firefighters who have met the criteria set forth by Ordinance 2058-16 for the current year and who have been certified by the Board of Fire Commissioners as having met the requirements thereof.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne that the Treasurer be and is hereby authorized to issue checks to all qualified firefighters in the amounts authorized by each fire company and approved by the Board of Fire Commissioners with a total of 67 qualified members, 2 partial qualified members, and 10 retired members.

R 156-23 Introduced by Councilman Bennett

WHEREAS, on August 4, 2022, the Department of Veteran Affairs granted Mr. Herbert Marshall 100% permanently disabled,

WHEREAS, the assessor approved the exemption on Block 229 Lot 8 at 337 Van Winkle Ave Hawthorne, NJ as of August 25, 2023 when the VA issued the letter.,

WHEREAS, the homeowner should be entitled to a refund for 100% of anything that was paid after August 25, 2023 which,

NOW, THEREFORE, BE IT RESOLVED, that the treasurer be and she is hereby authorized to issue a check to refund the amount that was paid for the 3rd quarter, 2023 in the amount of \$1,070.72 and to cancel the 4th quarter taxes.

Mr. Herbert Marshall \$1,070.72
337 Van Winkle Ave
Hawthorne, NJ 07506

R 157-23 Introduced by Councilman Bennett

WHEREAS, the Borough of Hawthorne received bids on October 11, 2023 for the Installation of Outdoor Field Lighting at Franklin Field; and

WHEREAS, two bids were received with the apparently low bid submitted by John J. Faccas, Inc., t/a Quality Electrical Construction, at a total cost of \$273,000; and

WHEREAS, the bid was reviewed by the Borough Attorney, who found that the same was compliant and took no exception to an award of contract; and

WHEREAS, the Municipal Engineer determined the price to be fair and reasonable and consistent with the estimate for the work and found that the contractor had experience indicating an ability to perform the work in question; and

WHEREAS, the Chief Financial Officer has certified availability of funds through Bond Ordinance 2298-23 for the installation of outdoor field lighting for a total certified expenditure not to exceed \$273,000;

NOW THEREFORE, BE IT RESOLVED, that the Municipal Council of the Borough of Hawthorne does hereby award a contract to John J. Faccas, Inc., t/a Quality Electrical Contractors, 9 Plum Lane, Holmdel, New Jersey 07733 for the installation of outdoor field lighting at Franklin Field in the sum of \$273,000.

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 Bond Ordinance 2298-23 for the installation of outdoor field lighting for a total certified expenditure not to exceed \$273,000.

R 158-23 Introduced by Councilman Bennett

WHEREAS, the Tax Assessor has recommended the settlement of a real estate tax appeal now pending in the Tax Court of New Jersey, by adjustment of the assessment for the tax years in dispute for the properties listed below and the same appears to be fair and reasonable;

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Borough of Hawthorne, in the County of Passaic and State of New Jersey, that the following settlement of cases pending in the Tax Court of New Jersey be, and hereby is, approved, and the Borough Attorney is hereby authorized and directed to execute a Stipulation of Settlement, and any other document necessary or appropriate to effectuate the same, in accordance with the memo submitted herewith and made a part hereof.

<u>Property Owner</u>	<u>Property Address</u>	<u>Block and Lot</u>
285 Wagaraw Road, LLC	40 Schoon Avenue	Block 15, Lot 2

R 159-23 Introduced by Councilman Bennett

WHEREAS, it is the policy of the Borough of Hawthorne to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against

Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General’s guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Mayor and Council of the Borough of Hawthorne has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations and a need to amend the same from time to time to ensure continued compliance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Hawthorne that the Personnel Policies and Procedures Manual as amended and attached hereto is hereby adopted.

BE IT FURTHER RESOLVED, that these personnel policies and procedures shall apply to all Borough officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED, that this manual is intended to provide guidelines covering public service by Borough employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Mayor and Council of the Borough of Hawthorne.

BE IT FURTHER RESOLVED, that to the maximum extent permitted by law, employment practices for the Borough shall operate under the legal doctrine known as “employment at will.”

BE IT FURTHER RESOLVED that the Borough Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Borough Clerk and the Borough Attorney shall assist the Borough Administrator in the implementation of the policies and procedures in this manual.

R 160-23 Introduced by Councilman Bennett

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 2023 in the sum of \$ 8,276.50 which item is now available as revenue for the Municipal Alliance Program.

SPECIAL ITEM OF REVENUE OFF-SET WITH APPROPRIATIONS	
Municipal Alliance Program	\$6,207.38
Cash Match	\$2,069.13

pursuant to the provision of the statute; and

SECTION 2

BE IT FURTHER RESOLVED, that a like sum of \$ 8,276.50 be and is hereby appropriated under the caption of:

OPERATIONS EXCLUDED FROM “CAPS”	
PUBLIC AND PRIVATE PROGRAMS OFF-SET BY REVENUE	
Municipal Alliance Program	\$6,207.38
Cash Match	\$2,069.13

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 2023 budget and are now available by law.

Council President Matthews entertained a motion to adopt consent agenda resolutions R 154-23 through R 160-23, motion by Councilman Bennett, seconded by Council Vice President Laiosa. On roll call, all voted yes, with the exception of Councilman Wojtecki who abstained on R155-23, motion carried.

REPORTS OF SPECIAL COUNCIL COMMITTEES

Councilman Wojtecki reported the Shad Tree Commission met the day after the last council meeting. We discussed new plantings and we have four areas that need to be reviewed for possible take downs by residents who are requesting those trees to be addressed. The next Shade Tree Commission is on November 7th and the Board of Health is November 16th.

Councilman Sciarra reported the Board of Education had their meeting last night, one of the topics that was discussed was their purchase of the building where they approved, by resolution, a withdrawal of \$715,000 from a capital reserve account leaving a balance of \$1.6 million. The rent amount of \$20,000 based on the lease has expired, so we need to renew based on new negotiations. The funds to make this purchase are coming out of capital, not the operating budget. The hockey rink was discussed and it was determined that the current condition was deemed to be unsafe by the borough engineer. The Sun Devils president agreed to get the boards and replace them before the start of hockey season. It was voted conditionally on by the board pending the replacement of the boards. The next meeting will be held on November 14th at 7:00pm. Last Sunday was the Hispanic Heritage event and was a great success. He thanked all the sponsors and committee members who volunteered their time.

Council Vice President Laiosa reported an announcement will be made regarding the polystyrene collection on Saturday as the weather does not look good for Saturday. We do have a date the first weekend in January after the holidays.

Council President Matthews reported the Chamber of Commerce is working on their Christmas parade and annual tree lighting, they thanked everyone for participating in Restaurant Week. The Farmer’s Market is still ongoing on Sundays for another couple of weeks. Last night the Planning Board met for the first time in three meetings, where an informal discussion took place with someone who wants to subdivide a property on Braen Avenue and also a convenience store applicant pending further information.

CORRESPONDENCE

Council President Matthews entertained a motion for new firefighter applicant Michael Akor to Company 2, motion by Councilman Mele, seconded by Councilman Sciarra. On roll call, all voted yes, with the exception of Councilman Wojtecki who abstained. Motion carried.

BILLS

Vendor Name	Description	Amount	Check Id
10-75 EMERGENCY LIGHTING, LLC	5-8 SOUNDOFF SIGNAL	\$ 1,030.45	33881

A-VAN ELECTRICAL	MISC PARTS & SUPPLIES	152.94	33888
A-VAN ELECTRICAL	BLDG PARTS & SUPPLIES	181.07	33888
A-VAN ELECTRICAL	BLDG PARTS & SUPPLIES	48.90	33888
ABLE SECURITY LOCKSMITHS	REPLACEMENT LOCK SYSTEM	265.00	43289
ABLE SECURITY LOCKSMITHS	REPLACEMENT LOCK SYSTEM	1,199.00	43289
ABLE SECURITY LOCKSMITHS	REPLACEMENT LOCK SYSTEM	166.00	43289
ABLE SECURITY LOCKSMITHS	REPLACEMENT LOCK SYSTEM	1,579.00	43289
ABLE SECURITY LOCKSMITHS	ADDITIONAL CARDS	450.00	43289
ABLE SECURITY LOCKSMITHS	REPLACEMENT LOCK SYSTEM	262.00	43289
ACORN TERMITE & PEST CONTROL	TERMITE & PEST CONTROL	100.00	33882
ACTION DATA SERVICES	PAYROLL PROCESSING PR#20	433.50	33883
ACTION DATA SERVICES	PAYROLL PROCESSING PR#20	108.38	43290
AGRA ENVIRONMENTAL SVC	MONTHLY WATER TESTING	582.00	43291
AGRA ENVIRONMENTAL SVC	MONTHLY WATER TESTING	641.25	43291
AGRA ENVIRONMENTAL SVC	MONTHLY WATER TESTING	876.00	43291
ALBERT KREIS	ELECTRICAL INSPECT 9/5-9/28	85.81	33884
ANTHONY MANZO	TELEPHONE REIMB 3RD QTR	30.00	33885
AQUARIUS IRRIGATION SUPPLY,INC	MISC PARTS/SUPPLIES BORO HALL	120.92	33886
ASLAN & COMPANY, INC.	MONTHLY CLEANING IN PD- 5 DAYS	876.49	33887
ATLANTIC COAST RECYCLING, LLC	AUG 23 COMMINGLED	10,541.82	5987
BARNWELL HOUSE OF TIRES	TIRE REPAIR	345.00	33889
BEACON ATHLETICS LLC	NETTING FOR WAG-4	2,300.00	33890
BEACON ATHLETICS LLC	NETTING FOR WAG-4	300.00	33890
BOB'S TIRES & WHEELS INC	DRAW DOWN-TIRE REPAIRS	25.00	33892
BOBBY VAN PLUMBING INC	GENERATOR LONGVIEW CELLTOWER	2,800.00	33891
BOLTZER LANDSCAPING INC	GRASS & GROUNDS MAINTENANCE	1,882.04	33893
BORGATA HOTEL CASINO & SPA	League of Municipalities Room	700.00	33971
BOROUGH OF NO HALEDON	SHARED SERV TAX COLL 3RD QTR	7,500.00	33894
BOSWELL ENGINEERING, INC	2019 ROAD PROGRAM RESO 90-19	113.50	3960
BOSWELL ENGINEERING, INC	CAMERA SECURITY SYSTEM R77-22	183.00	33895
BOSWELL ENGINEERING, INC	CAMERA SECURITY SYSTEM R77-22	231.00	43292
BOSWELL ENGINEERING, INC	CAMERA SECURITY SYSTEM R77-22	414.00	43292
BOSWELL ENGINEERING, INC	CAMERA SECURITY SYSTEM R77-22	207.00	43292
BOSWELL ENGINEERING, INC	R92-22 ROLLER RINK DASHER SYS	113.50	33895
BOSWELL ENGINEERING, INC	WATER SRV LINES PHASE II R115	2,296.50	1323
BOSWELL ENGINEERING, INC	PFOA/PFOS SYSTEM	29,908.00	1323
BOSWELL ENGINEERING, INC	R19322 SOIL STUDY RECYCLE	1,397.00	33895
BOSWELL ENGINEERING, INC	R195-22 NOISE CONSULTANCY	111.50	271
BOSWELL ENGINEERING, INC	R196-22 FRANKLING FLD LIGHTING	1,789.50	3960
BOSWELL ENGINEERING, INC	R196-22 FRANKLING FLD LIGHTING	1,737.00	3960
BOSWELL ENGINEERING, INC	ENGINEERING 2023 RD PROGRAM	1,872.75	3960
BOSWELL ENGINEERING, INC	ENGINEERING 2023 RD PROGRAM	27,178.00	3960
BOSWELL ENGINEERING, INC	R87-23 WATER MAIN REPLACEMENT	794.00	43292
BOSWELL ENGINEERING, INC	ENGINEERING SRVS RECREATION I	1,740.50	3960
BOSWELL ENGINEERING, INC	PRO ENGINEERING	647.00	33895
BOSWELL ENGINEERING, INC	PROF ENGINEERING	2,230.00	33895
BOSWELL ENGINEERING, INC	204 WAGARAW RD ESCROW	1,006.75	5792
CABLEVISION/OPTIMUM	CABLEVISION/OPTIMUM SERVICES	106.76	43293
CABLEVISION/OPTIMUM	CABLEVISION/OPTIMUM SERVICES	88.05	33897

CABLEVISION/OPTIMUM	CABLEVISION/OPTIMUM SERVICES	631.81	33897
CINTAS CORP	DRAW DOWN-BORO HALL RUG SERV	267.33	33898
COMMERCIAL BUSINESS FORMS, INC.	25,000 LASER PERFORATED PAPER	594.90	43294
COMMERCIAL BUSINESS FORMS, INC.	SHIPPING	182.96	43294
COMMUNICATION SPECIALISTS	RADIO REPAIR	85.00	33899
CORE & MAIN LP	DRAW DOWN-WATER WELL ISSUES	1,810.00	43297
CORE & MAIN LP	DRAW DOWN-WATER WELL ISSUES	-1,220.00	43297
DARRYL W. SISS	CONTRACT FEE AUG	916.66	33900
DARRYL W. SISS	CONTRACT FEE SEP	916.66	33900
DEVIN HUGHES	TELEPHONE REIMB 3RD QTR 23	30.00	33901
DOWNES TREE SERVICE, INC.	EMERGENCY TREE PRUNINGS	750.00	33902
DOWNES TREE SERVICE, INC.	EMERGENCY TREE PRUNINGS	150.00	33902
DOWNES TREE SERVICE, INC.	EMERGENCY TREE PRUNINGS	200.00	33902
DOWNES TREE SERVICE, INC.	TRUCK REPAIRS VARIOUS VEHICLES	406.25	33902
DOWNES TREE SERVICE, INC.	FRANKLIN FIELD LINE	375.00	33902
DOWNES TREE SERVICE, INC.	289 WAGARAW RD FIELD LINES	900.00	33902
DOWNES TREE SERVICE, INC.	11 THOMAS ROAD LINE	750.00	33902
DOWNES TREE SERVICE, INC.	FRANKLIN FIELD LINE	375.00	33902
ELECTRONIC SYSTEMS SOLUTIONS	HIGH BAND RADIO REPAIRS	432.50	33903
ELLEN BROGNO	REIMB TABLE CLOTHES	146.25	33904
ELLIOTT LEWIS CORP	DRAW DOWN AC/HEAT SERVICE	869.00	33905
ELLIOTT LEWIS CORP	WEB CONTROLLER ON SITE	8,654.00	33905
ELLIOTT LEWIS CORP	ONE (1) TABLET FOR WEB CONTRLR	1,669.00	33905
FDR HITCHES LLC	DRAW DOWN-DPW TRUCK REPAIRS	84.90	33906
FDR HITCHES LLC	DRAW DOWN-DPW TRUCK REPAIRS	199.23	43295
FEUERSENGER ELECTRIC INC	KOHLER KW1 GENERATOR INSTALL	6,000.00	33907
FIFTH AVENUE LANDSCAPING	CUT CLEAN COURT ORDER CLEAN	955.00	33908
GAETA RECYCLING CO, INC.	DRAW DOWN YARD WASTE CURBSIDE-	15,184.13	33909
GAETA RECYCLING CO, INC.	SEPT 2023 WASTE	46,659.45	33909
GARDEN STATE LABORATORY, INC	ANALYTICAL SERVICE 23 SEASON	2,895.00	33910
GENTILINI FORD INC.	R117-23 BLDG VEHICLE PURCHASE	46,665.70	33911
GILL ID SYSTEMS	MAGICARD YMCKOK RIBBON COLOR	125.00	33912
GO ORGANIC LAWN CARE	HAWTHORNE DAY GROUNDS SPRAYING	668.00	5988
GOLD TYPE BUSINESS MACHINES,	E-TICKET QUARTERLY FEE JUL-SEP	1,561.16	33914
GOLDSTAR PRODUCTS INC	SPILL PADS AND SEWER CHEMICEL	998.00	33913
GOLDSTAR PRODUCTS INC	SPILL PADS AND SEWER CHEMICEL	998.50	33913
GOLDSTAR PRODUCTS INC	SPILL PADS AND SEWER CHEMICEL	279.48	33913
GOTO COMMUNICATIONS USA, INC.	GO TO MEETING PLUS 10/1-10/31	129.43	33915
GRAINGER, INC	GRANULAR CLAY FLOOR ABSORBENT	642.00	33916
HACKENSACK MERIDIAN WORKS	MEDICAL ASSESSMENT FOR P.O.	2,400.00	33917
HAWTHORNE AUTO LAB	POLICE VEHICLE REPAIRS	83.50	33918
HAWTHORNE AUTO LAB	POLICE VEHICLE REPAIRS	106.30	33918
HAWTHORNE AUTO LAB	POLICE VEHICLE REPAIRS	194.16	33918
HAWTHORNE AUTO LAB	POLICE VEHICLE REPAIRS	81.99	33918
HAWTHORNE AUTO LAB	POLICE VEHICLE REPAIRS	79.00	33918
HAWTHORNE AUTO LAB	POLICE VEHICLE REPAIRS	508.04	33918
HAWTHORNE AUTO LAB	POLICE VEHICLE REPAIRS	1,256.79	33918
HAWTHORNE AUTO LAB	POLICE VEHICLE REPAIRS	98.50	33918
HAWTHORNE AUTO LAB	POLICE VEHICLE REPAIRS	882.40	33918

HAWTHORNE AUTO LAB	POLICE VEHICLE REPAIRS	274.00	33918
HAWTHORNE AUTO LAB	POLICE VEHICLE REPAIRS	197.07	33918
HAWTHORNE AUTO LAB	POLICE VEHICLE REPAIRS	81.50	33918
HAWTHORNE AUTO LAB	VEHICLE LABOR FOR REPAIRS/PART	1,435.82	33918
HAWTHORNE AUTO LAB	VEHICLE LABOR FOR REPAIRS/PART	111.49	43296
HAWTHORNE AUTO LAB	VEHICLE LABOR FOR REPAIRS/PART	498.78	33918
HAWTHORNE AUTO LAB	VEHICLE LABOR FOR REPAIRS/PART	420.22	43296
HAWTHORNE MUNICIPAL COURT	SEPT 2023 CRED CARD FEES	106.86	33919
HENRY'S PLUMBING & HEATING INC	DRAW DOWN-PLUMBING & HEATING	35.44	33920
HENRY'S PLUMBING & HEATING INC	DRAW DOWN-PLUMBING & HEATING	8.00	43298
HENRY'S PLUMBING & HEATING INC	DRAW DOWN-PLUMBING & HEATING	23.19	43298
HENRY'S PLUMBING & HEATING INC	DRAW DOWN-PLUMBING & HEATING	55.44	43298
HENRY'S PLUMBING & HEATING INC	DRAW DOWN-PLUMBING & HEATING	53.75	43298
HERBERT MARSHALL	100% DIS BET REIMBURSE 3RD QT	1,070.72	33921
HFD #1	2023 RENT 2-4 QTR	2,057.00	33922
HFD #1	2023 2-4TH QTR PHONE	45.00	33922
HFD #1	2023 2-4TH QTR INTERNET	90.00	33922
HFD #1	STANDBY 9/9/23	74.09	33922
HFD #2	2023 204 QTR RENT	2,057.00	33923
HFD #2	2023 2-4TH QTR PHONE	45.00	33923
HFD #2	2023 2-4TH QTR INTERNET	90.00	33923
HFD #3	2023 2-4TH QTR RENT	2,057.00	33924
HFD #3	2023 2-4TH QTR PHONE	45.00	33924
HFD #3	2023 2-4TH QTR INTERNET	90.00	33924
HFD #4	2023 2-4TH QTR RENT	2,057.00	33925
HFD #4	2023 2-4TH QTR PHONE	45.00	33925
HFD #4	2023 2-4TH QTR INTERNET	90.00	33925
HFD #5 RESCUE	256GM SATA SSD DRIVES	59.97	33926
HUDSON COUNTY MOTORS, INC.	ROLL OFF TRUCK REPAIRS	2,241.43	33927
JERSEY ELEVATOR INC	BORO HALL ELEVATOR	182.76	33928
JOHN CARLO	TELEPHONE REIMB 3RD QTR 23	30.00	33929
JOSEPH LONGO	TELEPHONE REIMB 3RD QTR 23	30.00	33930
LANGUAGE LINE SERVICES	LANGUAGE LINE SERVICE	6.80	33931
LAWSOFT, INC	LAWSOFT SOFTWARE UPGRADES	12,500.00	33932
LINCOLN LANDSCAPING INC.	LANDSCAPE CONTRACT -BORO HALL	510.00	33933
LINCOLN LANDSCAPING INC.	LANDSCAPE CONTRACT-LIBRARY	612.00	33933
M & B SEPTIC SERVICE, LLC	PORT-A-POTTY SRVC @ BOREC H.S.	95.00	33934
MALL CHEVROLET	R72-23 EXPRESS 2500 CARGO TRK	40,670.76	43299
MCMANIMON,SCOTLAND & BAUMANN	PREP AND REVIEW BOND SALE	600.00	3961
MCMANIMON,SCOTLAND & BAUMANN	PREP AND REVIEW BOND SALE	600.00	3961
MCMANIMON,SCOTLAND & BAUMANN	PREP AND REVIEW BOND SALE	600.00	3961
MCMANIMON,SCOTLAND & BAUMANN	PREP AND REVIEW BOND SALE	600.00	1324
MCMANIMON,SCOTLAND & BAUMANN	PREP AND REVIEW BOND SALE	600.00	3961
MCMANIMON,SCOTLAND & BAUMANN	PREP AND REVIEW BOND SALE	600.00	3961
MCMANIMON,SCOTLAND & BAUMANN	PREP AND REVIEW BOND SALE	600.00	3961
MICHAEL J. PASQUALE, ESQ	SEPTEMBER 2023 ORDINANCES	87.50	3962
MICHAEL J. PASQUALE, ESQ	SEPTEMBER 2023 ORDINANCES	87.50	3962
MICHAEL J. PASQUALE, ESQ	TAX APPEALS	1,616.25	33935
MICHAEL J. PASQUALE, ESQ	MISCELLANEOUS	1,942.50	33935

MICHAEL J. PASQUALE, ESQ	LITIGATION	367.50	33935
MICHAEL J. PASQUALE, ESQ	AFFORDABLE HOUSING	131.25	33935
MICRO CENTER	SMART TV, TRAINING	235.00	33936
MICRO CENTER	SMART TV, TRAINING	234.99	43300
MOTOROLA SOLUTIONS, INC.	R114-23 POLICE CONSOLETES	450.00	33937
NJ DEPARTMENT OF HEALTH	COVER LICENSE 721-727	11.40	6327
NJ MOTOR VEHICLE COMMISSION	REGISTRATION 2023 CHEVY DPW	60.00	33938
NJ MOTOR VEHICLE COMMISSION	REGISTRATION 23 FORD EX BUILDI	60.00	33970
NORTH JERSEY MEDIA GROUP INC	NOTICE OF ACTION	32.76	33939
NORTH JERSEY MEDIA GROUP INC	NOTICE TO BIDDERS	134.64	33939
NORTH JERSEY MEDIA GROUP INC	NOTICE TO BIDDERS	83.16	33939
OCCUPATIONAL MEDICAL ASSO	MEMBER TESTING/PHYSICALS	200.00	33940
OCCUPATIONAL MEDICAL ASSO	DRUG TESTING	140.00	33940
ONE CALL CONCEPTS, INC.	DRAW DOWN-DPW MONTHLY MARKOUTS	143.00	43301
P & A AUTO PARTS, INC	DRAW DOWN-AUTO SUPPLIES WATER	465.37	43302
P & A AUTO PARTS, INC	DRAW DOWN-ROAD EQUIPMENT	179.50	33941
PACT TWO, LLC	WATER SYSTEM IMPROVEMENT R174	13,570.06	1325
PACT TWO, LLC	WATER SYSTEM IMPROVEMENT R174	1,620,450.83	1325
PAINO ROOFING COMPANY INC	REPAIR TO TPO ROOF FR ANIMAL D	986.00	33942
PASCACK DATA SERVICES	Web control with Elliott Lewis	431.23	33943
PASCACK DATA SERVICES	BACKUP AND SYSTEM RECOVERY	2,746.74	33943
PASCACK DATA SERVICES	ANTIVIRUS/SECURITY SOFTWARE	3,033.52	33943
PASCACK DATA SERVICES	HARDWARE	4,414.33	33943
PASCACK DATA SERVICES	DELL LATITUDE 3540, BTX	1,119.54	33943
PASCACK DATA SERVICES	DELL LATITUDE 3540, SECURITY	116.00	33943
PASCACK DATA SERVICES	DELL LATITUDE 3540, INSTALL	375.00	33943
PASCACK DATA SERVICES	IT SERVICES 11/1-11/30/23	2,490.00	33943
PASCACK DATA SERVICES	IT SERVICES 11/1-11/30/23	830.00	43303
PASSAIC CTY COMMUNITY COLLEGE	FF2 JUSTIN SPERANZA	450.00	33944
PASSAIC VALLEY SEWER COM	USER CHARGES 4TH QTR 2023	358,761.21	33945
POST & KELLY ELECTRIC CO, INC	LIBRARY LIGHTING R128-22	16,501.00	33946
PUBLIC SERV ELEC & GAS	ELEC THRU SEPT 23	21,338.51	33947
PUBLIC SERV ELEC & GAS	ELEC THRU SEPT 23	903.27	33947
PUBLIC SERV ELEC & GAS	ELEC THRU SEPT 23	13,984.21	33947
PUBLIC SERV ELEC & GAS	ELEC THRU SEPT 23	38,875.61	43304
PUMPING SERVICES, INC	R137-23 GRINDER PUMP	56,545.24	33948
RECYCLE TRACK SYSTEMS NJ LLC	OCTOBER SERV	55,676.00	33949
RECYCLE TRACK SYSTEMS NJ LLC	OCTOBER SERV	30,778.43	33949
RIDGEWOOD PRESS	SHIRT FOR POOL MANAGERS/ASST.	351.00	33950
RT OFFICE PRODUCTS	OFFICE SUPPLIES	294.47	33951
SHOTMEYER BROS FUEL CO	DRAW DOWN-DIESEL FUEL	39.98	43305
SHOTMEYER BROS FUEL CO	DRAW DOWN-DIESEL FUEL	3,677.08	33952
SHOTMEYER BROS FUEL CO	DEF 2.5 GALLON CASE 4	63.00	33952
STAPLES	MULTI ANGLE LAPTOP STAND	44.99	33953
STAPLES	SMEAD SEAL VIEW LABELS 100/PK	9.28	33953
STAPLES	PAPER TRAY FRONT LOAD	3.77	33953
STAPLES	GENERAL OFFICE SUPPLIES	27.48	33953
STAPLES	GENERAL OFFICE SUPPLIES	37.79	33953
STAPLES	GENERAL OFFICE SUPPLIES	37.79	33953

STAPLES	GENERAL OFFICE SUPPLIES	24.22	33953
STAPLES	GENERAL OFFICE SUPPLIES	39.99	33953
STAPLES	GENERAL OFFICE SUPPLIES	-64.21	33953
STAPLES	GENERAL OFFICE SUPPLIES	139.99	33953
STAPLES	GENERAL OFFICE SUPPLIES	79.97	33953
STERLING PARTY RENTALS	2023 HAWTHORNE DAY TENTS	11,326.00	5989
STONE INDUSTRIES, INC	DRAW DOWN-STONE SUPPLIES	144.00	33896
STRATEGIC SAFETY DYNAMICS LLC	R 105-23 FF TURN OUT GEAR	8,883.00	272
STRATEGIC SAFETY DYNAMICS LLC	M2 RICOCHET GEAR	5,862.00	33954
STRATEGIC SAFETY DYNAMICS LLC	SHIPPING	80.00	33954
SUSTEEN INC.	DATAPILOT YEARLY MAINTENANCE	1,095.00	33955
SWAN ANALYTICAL USA INC	SWAN FLUID	1,903.05	43306
SWAN ANALYTICAL USA INC	SWAN FLUID	5,653.05	43306
TANIS HARDWARE	DRAW DOWN-HARDWARE PARTS & SUP	322.68	33956
TANIS HARDWARE	DRAW DOWN-HARDWARE PARTS & SUP	54.37	33956
TANIS HARDWARE	ALL COMPANIES SUPPLIES	12.48	33956
TANIS HARDWARE	MISCELLANEOUS SUPPLIES	112.05	33956
TANIS HARDWARE	MISCELLANEOUS SUPPLIES	131.82	33956
TRAFFIC SAFETY & EQUIP, INC	BARRICADE "A" FRAME	1,160.00	33957
TRAFFIC SAFETY & EQUIP, INC	EMERGENCY CONE TOPPER SIGNS	450.00	33957
TRANSUNION RISK & ALTERNATIVE	SDL LLC PROGRAM 12 MONTHS	131.02	33958
TRAVIS LODDER	TELEPHONE REIMB 3RD QTR 2023	30.00	33959
TROPICANA CASINO HOTEL	23 NJLM J.WOJTECKI ID 14783	256.00	33960
TRUVIEW BSI, LLC	BOARD OF REC BACKGROUND	88.00	33961
TRUVIEW BSI, LLC	FIRE DEPARTMENT BACKGROUND	44.00	33961
TULPEHOCKEN SPRING WATER	RECYCLING CENTER WATER COOLER	17.70	33962
TULPEHOCKEN SPRING WATER	RECYCLING CENTER WATER COOLER	22.95	33962
TULPEHOCKEN SPRING WATER	RECYCLING CENTER WATER COOLER	7.00	33962
TYCO ANIMAL CONTROL SERVICES	SEPT 23 ANIMAL CONTROL SRVS	2,350.00	6328
TYCO ANIMAL CONTROL SERVICES	SEPT 23 EMERGENCIES	300.00	6328
VERIZON	201V62134818034Y 10/1-10/31	306.76	33964
VERIZON	1507169700001-04 9/16-10/15	543.72	33964
VERIZON	10/1-10/31 250787716000194	2,998.04	33964
VERIZON	10/1-10/31 250787716000194	1,342.40	43307
VERIZON	10/1-10/31 250787716000194	134.24	33964
VERIZON WIRELESS (N)	742284815-00001 9/16-10/15	342.78	33965
VERIZON WIRELESS (N)	387268254-00001 9/24-10/23	608.16	33965
VERIZON WIRELESS (N)	9/26-10/25 282699838-00001	210.73	33965
VERIZON WIRELESS (N)	9/26-10/25 282699838-00001	210.73	43308
WELLS FARGO FINANCIAL LEASING,	POLICE COPIER LEASE AGREEMENT	507.17	33966
WEX BANK	SEPT 7-OCT 6	13,943.36	33967
WEX BANK	SEPT 7-OCT 6	2,714.50	43309
WINDSOR BUSINESS GROUP LLC	HFD ITALIAN ICE EVENT 8/21/23	355.00	33963
WITMER PUBLIC SAFETY GRP, INC	HFD QUOTE QU0103253	2,580.00	33968
WITMER PUBLIC SAFETY GRP, INC	HFD QUOTE QU0103253	200.00	33968
WM B MAHWINNEY AMBULANCE CORPS	AMBULANCE NURTRITION CTR	1,250.00	33969
	TOTAL	\$2,658,258.35	

Council President Matthews entertained a motion to approve the bills and forward them to the Treasurer for payment with the addition of a bill pertaining to the League of Municipalities, motion by Councilman Mele, seconded by Councilman Sciarra. On roll call, all voted yes, with the exception of Councilman Wojtecki who abstained on bills pertaining to the Fire Department and the Tropicana for the League of Municipalities, and Councilman Sciarra who abstained on bills pertaining to Ridgewood Press, motion carried.

PUBLIC COMMENT

Council President Matthews opened the meeting to the public. He stated if anyone desired to be heard, to please raise their hand to be recognized, come forward to the microphone and state their name.

Alan Tenhoeve, Hawthorne

Mr. Tenhoeve asked the Council when leaf bags will become available. Mayor Lane stated he would get back to Mr. Tenhoeve and Administrator Maurer stated he would send out a Nixle.

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

Council President Matthews announced the proposed 2024 Council meeting schedule dates, he asked Council members to let him know next week if there are any conflicts.

CLOSED SESSION

Pursuant to N.J.S.A. 10:4-13 and the Attorney General's Formal Opinion 29-1976, I entertain a motion to adopt resolution **CS 03-23**, that the public be excluded from this portion of the meeting in order that the **Council can discuss the potential settlement with DuPont and 3M with California Counsel**. 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, motion by Councilman Mele, seconded by Councilman Sciarra. Carried on voice vote.

ADJOURN CLOSED SESSION, RETURN TO REGULAR MEETING

At 8:57pm Council President Matthews entertained a motion to adjourn closed session and return to the regular meeting, motion by Councilman Bennett, seconded by Councilman Mele. Carried on voice vote.

ADJOURNMENT

At 8:58pm, Council President Matthews entertained a motion to adjourn, motion by Councilman Bennett, seconded by Councilman Wojtecki. Carried on voice vote.

**THE NEXT COUNCIL MEETING IS
WEDNESDAY, NOVEMBER 1, 2023 AT 7 PM**





TUESDAY,

NOVEMBER 7th