

**TOWNSHIP OF MAHWAH
COMBINED WORK SESSION AND PUBLIC MEETING MINUTES
THURSDAY, SEPTEMBER 14, 2017**

The meeting was called to order at 7:30PM by Council President Hermansen who read the Open Public Meetings Act Statement as prescribed by law. Notice was advertised in The Record on June 14, 2017 and The Ridgewood News on June 16, 2017 stating this meeting would be held in the Council Chambers of the Richard J. Martel Municipal Offices, 475 Corporate Drive, Mahwah, New Jersey on Thursday, September 14, 2017 at 7:30PM.

The Minutes of this Meeting shall be available in the Municipal Clerk's Office once they are approved by the Township Council.

SALUTE TO THE FLAG

MOMENT OF SILENCE FOR VETERANS AND THOSE SERVING IN THE MILITARY

Moment of Silence was observed for those who served and those who are serving in the military both here and abroad. It is because of their valor and bravery that we can hold meetings such as these.

Present: Councilmembers Ariemma, Ervin, Hermansen, May, Sbarra, Wong and Wysocki

Also present were Mayor William C. Laforet, Business Administrator Quentin Wiest, Township Attorney Brian Chewcaskie, Township Engineer's Associate Michael Kelly, and Deputy Clerk Jan Fox.

RESOLUTIONS

- #311-17 Childhood Cancer Awareness Month
- #312-17 National Atrial Fibrillation Awareness Month
- #313-17 Healthy Aging Month
- #314-17 National Cholesterol Education Month
- #315-17 National Preparedness Month
- #316-17 National Guide Dog Month
- #317-17 Reye's Syndrome Awareness Month
- #318-17 National Sickle Cell Awareness Month

Hermansen read a synopsis of Resolutions #311-17 through 318-17.

Resolutions were voted on as a body of a whole and are attached to and made part of the Meeting Minutes.

PUBLIC PORTION

On a motion by May, seconded by Ariemma, the meeting was opened to the public at 7:40PM. All in favor. Motion carried.

Mr. Peter Cassotis of South Mahwah Road asked Administration and the Township Council to help the Mahwah Youth Track Program. Ramapo College is a potential host for the Regional Meet on July 5 to July 8, 2018 and he needs help in getting the track procured for those four days. Hermansen said the Recreation Director can help with this.

Mr. Cassotis asked if Administration and the Council could ask the Police Chief to come to a Council Meeting to explain what his position is on Ordinances and what can be enforced. Hermansen answered he spoke to the Township Attorney and recommended the Chief come to the next Council Meeting to see what decisions he has made, what we have made and where we are looking to go.

Mr. Cassotis mentioned the Sign Ordinance should state "no cooking allowed" not just "no grilling". The Township Attorney agreed that cooking is a safety issue.

Mrs. Millie Baretta from Church Street and the Mahwah Post Office asked what the Council is doing to prevent the Post Office from moving to Industrial Avenue. She explained all the reasons the Post Office should not be moved there. She said she does not understand why the Township is not holding the owner of the building responsible or penalize them for the terrible shape the building and driveway is in. Hermansen mentioned they have thought of areas they could relocate the Post office to. Hermansen said they will get an update for the next Council Meeting. Mrs. Baretta said she was told by the former Post Master there was no Ordinance to have retail on Industrial Avenue and asked if anything has changed. Mayor Laforet said he will get an answer for her.

Mary Ann Pieshala of 14 North Bayard Lane, President of the Indian Field Homeowners Association thanked Administration and the Township Council for continuing to pursue the Cell Tower issue. She said she attended the Board of Education Meeting two weeks ago and found it interesting that Verizon was there and made a presentation to the Board. Their placement of their tower is to be in the area across the street from Secor's in the wooded area. A question was raised if the tower is put way in the woods will it take care of the reception needs that are not met now. The gentlemen making the presentation answered, he did not know, and he will not know until it is up. Ms. Pieshala mentioned it will be by the New York border so they will have good reception. He said, again, he cannot answer this until it is up. Ms. Pieshala then asked if the new homes being put up will have reception. His answer was absolutely not. Ms. Pieshala has real concerns it is not going to reach part of Mountain Ridge. Ms. Pieshala asked if the Fire Department would be a better for the cell tower. He answered it was proposed 10 years ago and the Township Council said to take that site off this year. Mr. Pieshala appealed to the Council to think about everything as the residents need the Council's help.

Hermansen answered the Verizon Representative he spoke to showed the difference of all poll heights. Verizon, he said, would put the cell tower in the spot of the highest elevation. Verizon plus two other companies felt this would take care of the majority of the problem. He feels comfortable with where the tower is being place.

Mr. Vamshi Puram of 55 West Airmount Road thanked May for live streaming the Council Meetings. He made a statement about moving to our Township. He said many negative things have been said to him in various places and sometimes has been told he should go back to his country. However, in Mahwah, this has never happened to him. Mr. Puram feels the people in

Mahwah are fighting to preserve a quality of life in our community and he is proud of our Township. The Township is fighting against the violation of our sign Ordinance not a religion. Just because this is a religious sign does not mean it should stay up. He questioned how the citizens have lived close to our border without a need for an Ervu. He also questioned if the Township has reached out to people of various faiths who live inside the Ervu and asked how they feel about it.

Mr. Steve Schachter of 14 Indian Field Court serves on the Board there and members have come before him stating they cannot make a cell phone call in their home. A month ago, he said, it also became a problem to him as all of his cell phone calls were dropped. He knows that the Council is aware of the problem but he just wanted to reiterate the sense of urgency to get the problem fixed.

Hermansen said the Board of Education passed a resolution to put out bids in October for a cell tower on the property. They feel like the residents, without a cell tower it is a safety issue. The Board of Education feels comfortable that between 10 months to 18 months they will have a cell tower in the designated spot.

Mr. Schachter stated two years ago they had asked for their street to be repaved. They were told they were not on the list. They did, however, fill some potholes but after the winter the road is a gravel pit. He said he received a notice from the Township that roads would be repaired but for Indian Field Court only says curb repair. He said the road is dangerous and asked if another look can be done to evaluate the street again.

The Township Engineer's Associate mentioned they have looked at that street and it is rated a 3. Due to the budget constraints 4 ½ and 5 designated roads are being done this year. He said there are a lot of complaints about curbs and they are in the Budget.

Ms. Denise Sarantino of Indian Field Condominiums mentioned she was before the Council in July explaining the severe injuries she sustained and was unable to call for assistance as there was no cell phone service. She has concerns about the words "I hope" it will cover the dead zone and "I hope" it will be 18 months. She cannot believe it has taken 10 years to get as far as it has.

Mayor Laforet commented one study they looked at was called an RF Study. It was from Verizon and depicted all the dead zones and placement of the towers. The studies gave Administration and the Council comfort to move forward and the best coverage they could get would be from this specific property. They did reject nodes. Hermansen agreed and commented there are a lot of hills. They will not know the effect until the tower goes up. He said they are diligently working on this and feels, that the majority of area is being covered in the dead zone. Mayor Laforet stated they also have "Talk to Talk" in that area for the responders.

Mr. Howard Waldrop of 20 Romopock Court thanked the Council for moving the cell tower issue along.

Mr. Waldrop said he is not a bigot. He grew up in Jackson, New Jersey and they are going through what our Township is going through. There is room for everyone in the Township but

has concerns for people who do not want to pay taxes or conform. He feels if the piping is not taken down then it should be painted brown.

Mr. Waldrop mentioned on Ordinances the Township needs to be prudent and ahead of the curve. We have to do whatever we can do to not turn Mahwah into Lakewood, New Jersey as many of those houses are Yeshivas. Mr. Waldrop sent letters to the Council, the Mayor and the Police Chief saying he feels the Eruv's are going up to scare us. He sent them a link about New York parks that are asking for I.D. for people entering their parks. He feels nothing is being done about our parks and Chief Batelli should do some kind of enforcement. He thanked all for retaining Counsel.

The Township Attorney said since everything Mahwah does is under a microscope he met with six Attorneys yesterday and they are looking at everything that needs to be done. Ordinances will be addressed.

Mr. Glen Grillo of 20 Romopock Court asked what leverage the Township has relating to Rockland Electric and have we thought about pulling their business. Sbarra answered this has been thought about but he does not know if there is enough money to make this happen. Mr. Grillo said if people paid to have piping put up why can't we pay to have them taken down. We pay the taxes and he does not understand why the Township is taking the back seat. Hermansen stated some of the sentiments Mr. Grillo expressed are ones that he has heard from numerous people in the Township. Mr. Grillo added that his parents moved to Lakewood, New Jersey to an Adult Community where things have changed and he has concerns for his parents' safety.

Ms. Barbara Mills of 7 Romopock Court requested the Board of Education Verizon Presentation can be put on the website. Sbarra said he has the presentation and will put in on the website.

Mr. Bill Almonte of 9 Aspen Court asked if Fire Company #3 was considered for a cell tower. Hermansen said four sites were considered and the Board of Education was the best site. Mayor Laforet said they had to weigh more than just coverage and looked at all aspects. Mr. Almonte asked if the winning bidder could put up a temporary tower. Hermansen suggested Mr. Almonte contacting the Board of Education.

Mr. Almonte asked if the Council has looked at the Municipality taking over the utilities. Sbarra said our goal should be to handle the issue that Orange and Rockland allowed to happen. Ideally, Sbarra said the cables should be on the ground. The Township Attorney commented Orange and Rockland has a franchise. He said whether a Municipality can obtain its own franchise, he does not know the answer to this.

Mr. Philip Ross of 579 Laramie Lane read into the record a prepared statement about installing video cameras and issuing permits for the parks. Also, he mentioned the Eruv and since there was no permission given to install the piping, he asked if permits were issued and fines issued. Mr. Ross cannot understand why this Rockland group is so interested in our Township.

Mr. Tony Lamanna of 129 Oweno Road thanked the Council for all of their time they have put into the Eruv issue. He requested Chief Batelli speak with officers of other Townships to see what they have done regarding the ordinances and enforcement. He said when Chief Batelli went to the County Prosecutor his answer to the question was "no" and gave no advice or assistance.

Hermansen said when they asked the Prosecutor to come and discuss the matter with the Council he said he did not want to get political. Hermansen said he has been told by the Police Chief to write an Ordinance, he will read it to decide if it is enforceable and then he would go through with enforcing it. Hermansen feels this is not the way this should work. Hermansen explained the proper procedure. He said he has shown the Mayor's Ordinances from other Townships that have never been challenged. Hermansen said we have stand together in this Township for the rights of the people.

Mr. Anthony Cureton, President of the Bergen County NAACP and a former Police Officer, mentioned history is repeating itself. He feels tension in the air driven toward certain cultures and has witnessed some form of hate. Hermansen interrupted Mr. Cureton and told him about hate and things that have been said about him and the Township. Mr. Cureton mentioned even though he respects our Police Officers he questions if he should be concerned, as a black man, driving through our Township. Mr. Cureton feels our Township is on the "attack mode".

Hermansen questioned that we have hate in this Township as it is the other way around. He is tired of this, and he is defending our rules as our Township comes first. Hermansen stated our Township never asked for this situation of the piping to happen especially without permission.

Mr. Ralph Musco of 54 Walnut Street West asked if there have been any results in tracking down the people that vandalized the piping on the poles. The Mayor commented the vandalism is under investigation.

Mr. Musco commended the Council on the Law Firms they hired as they are impressive legal firms. Our Township will prevail, he said.

Ms. Karen Levy of 3811 Melville Court said she is Jewish and gets angry when people pull the religion card. She said it is about intimidation and feels she will be run out of this Township for people coming in claiming religion. Additionally, she commented we are being bullied.

Hermansen explained the Council never knew about the Eruv. When we talk about parks and facilities somehow that becomes front page news. Our residents come first in using our facilities as our residents pay the taxes. He feels there has to be something broken in our Township. Also, he stated, the press has not given us our fair share but we will protect our rules and regulations.

On a motion by Ervin, seconded by Sbarra, the meeting was closed to the public at 9:10PM. All in favor. Motion carried.

Hermansen said there have been questions about the leaves and Director of Department of Public Works Glenn Dowson is present.

May said some Townships give their leaves to landscapers to compound and asked what we do with our leaves. He feels there could be money generated by doing this. Mr. Dowson said we do not give any product to anyone. He said he looked into other Townships that give up product and some sell their product to multiple contractors but found out that it also, is not easy to sell. Mr. Dowson said they would have to find a contractor that will mix the compound with top soil

to make a better product. Mr. Dowson said other Townships offer the compost to residents and he is looking to do this in the future.

Hermansen asked if the Township gets charged to remove the compound. Director Dowson said we do and they go out for bid for a contractor. Director Dowson said he would like to designate an area for residents to come and get product for their garden.

Mayor Laforet said we have a very significant DEP obligation. They inspect the decomposing of the material every month. The contractor removing the compost is the most efficient way to remove this. Dowson said the site where we put the leaves now is near Stag Hill.

Hermansen commented if we are giving the product to a contractor to remove why are they charging us as they make money of this. Dowson said our area is granite and it needs to be broken down and our system is the most cost effective way for us.

Ariemma said she is upset with the Township removing trees and not replacing them especially on Macarthur Boulevard. She feels money should be taken out of the tree bank to plant suitable trees. Director Dowson said a lot of trees get choked out so when they remove the trees they just grind everything to make the area look nice. Ariemma suggested there be a plan after cutting down trees. She also feels we need a Shade Tree Commission. Mayor Laforet said Developers' put in small trees and then eventually, as they grow, they can become a problem to the Township especially when plowing.

Mayor Laforet mentioned Director Dowson and his crew has everything in the Township looking better. He said the Director has new equipment and has a plan to pick up leaves quicker. Hermansen suggested advising people where they are allowed and not allowed to put out with their leaves. Director Dowson said in the coming year he will be stricter with the rules of putting out leaves. Hermansen suggested doing a Nixle on where leaves can be put.

May asked where the Department of Public Works stands on the new system that was put into the Budget. Mr. Dowson said he is working on it when he has free time.

Hermansen asked where they stand with new radios. Mr. Dowson said he does not know. The Business Administrator answered they are placing an order by the end of the month.

The Business Administrator asked if the hours of recycling are okay. Director Dowson said he feels the 7:00am to 1:00pm is the best effective time.

WORK SESSION

SUBMISSION OF BILLS AND CLAIMS

The Bills and Claims were placed in the Dropbox. Any Councilmember with questions was asked to speak with Administration before the Public Meeting.

ENGINEERING

- 1a. Authorization for Township Engineer to Submit State Aid Application for FY 2018 with NJ DOT; Macarthur Boulevard, Eastbound (south side) from Darlington Avenue to Ridge Road

The Township Engineer's Associate stated Macarthur Boulevard is the eligible road for this

Grant. The Grants are competitive he said. Applications are due October 6, 2017.

Resolution shall be voted on in the Public Meeting.

1b. Route 202 Culvert Replacement over Darlington Brook; Proposed Sidewalk from Culvert at Darlington School House to Driveway for Continental Soldiers Park

The Township Engineer's Associate said the estimated cost from the County for this project is \$45,000. The Township has \$35,000. in the Sidewalk Fund. He suggested partnering with the NY/NJ Trail Conference. The Township Engineer's Associate said he will provide an estimate and evaluate the cost in coordinating with NY/NJ Trail Conference. He mentioned the County has run into some issues and as soon as he gets a new Schedule from them he will provide it to the Council.

Ariemma asked if they are widening this road. The Township Engineer's Associate said they are widening it approximately eight feet.

Hermansen said a contract is established with a set time and if they meet that they get a perk. He feels if they do not meet their deadline they should be docked. This road being closed for so long is very troublesome.

Resolution shall be voted on in the Public Meeting.

1c. Written Status Report

MA-1695 - 2017 Road, Curb and Sidewalk Program: The Township Engineer's Associate stated the curb work has been started. The Contractor may be able to start milling and paving and he expects them to meet their deadline.

The Township Engineer's Associate asked if the Council wants him to go back to the County and tell them not to do the sidewalks on Route 202 from Continental Park to the Culvert. Hermansen answered yes as we do not have the funds. The Township Engineer's Associate said They will provide the Council with an estimate and the Township can budget this for the future. Also, he stated he will have conversations with the NJ/NY Trail Conference.

Ariemma asked how the residents will know when they are going to pave. The Township Engineer's Associate stated everyone will be notified.

MA-1525 – Wyckoff Avenue Infrastructure Improvements: The Township Engineer stated the water mains are being completed and when the trenches settles they will pave the road.

MA-1606 – Blueberry Court Sanitary Sewer Improvements: The Township Engineer's Associate said the contractors ran into some issues with the ground water. They have increased the pump sizes and have issues with the storm but are proceeding with this project.

MA-1667 - Chapel Road NBCUA Sanitary Sewer Concerns: The Township Engineer's Associate mentioned Hold Harmless Agreements were submitted to the residents for the

installation of the roof vent filters. He said the filters should be installed on Tuesday.

LEGAL

2a. Professional Services Contract and Agreement; Special Counsel
The Township Attorney mentioned Resolution #304-17 will be amended for the Holwell, Shuster & Goldberg, LLP contract to \$30,000.

Resolution shall be voted on in the Public Meeting.

ADMINISTRATION

3a. Authorization to Purchase Electricity Supply Services for Public Use on Online Auction Website

The Business Administrator stated due to the Hurricane in Texas the Auction was interrupted. He said it will be another couple of weeks when he gives information to the Council so they can watch the auction.

3b. Cancellation of Taxes; Block 120.01 Lot 23

The Business Administrator mentioned this is a duplicate Block and Lot created by the Tax Assessor. Normally this would be removed prior to the Mahwah Tax Duplicate that is completed in January. This year there was a communication error.

Resolution shall be voted on in the Public Meeting.

3c. Best Practices Inventory; Municipal Tax Appeal Policy

The Business Administrator mentioned this Inventory Policy has to be completed by each Municipality. One item is that the Tax Assessor must notify the Chief Financial Officer and the Governing Body of all Tax Appeals no later than June 1st of every year.

Resolution shall be voted on in the Public Meeting.

3d. Pay-to-Play Compliance; Water Works Supply Co., Inc.

The Business Administrator explained the Mahwah Water Department is going to solicit quotes for various unrelated equipment purchases.

Resolution shall be voted on in the Public Meeting.

3e. Possible Sale of Public Property; Discussion

The Business Administrator mentioned this property had originally been used as a pump station for the Water Utility. The Water Utility is no longer interested in using this site. The Township owns the property which is a little over two acres. It has been appraised at a value of \$230,000 and it is a buildable lot. The Business Administrator said he conveyed all of this information to Airmont, in case they have an interest in this lot. Airmont said they will discuss it. Hermansen suggested hearing what Airmont has to say and then this issue can go back on the Agenda for discussion.

3f. Refund of Water Turn Off/On Fee; 148 Airmount Road

The Business Administrator mentioned this resident had issues with a cracked main water line and had asked the Water Department to turn off and on his water a few times. He was not aware,

nor did anyone mention to him, there was a charge for this. The resident is asking for a credit of \$150.00.

Resolution shall be voted on in the Public Meeting.

3g. Grant Agreement; Governor's Council on Alcoholism & Drug Abuse; 2018 Grant Cycle – July 2014 through July 2019

The Business Administrator stated this is an Agreement Between the Bergen County Department of Health Services and Township of Mahwah for participation in the Municipal Alliance to Prevent Substance Abuse.

Resolution shall be voted on in the Public Meeting.

3h. Request for Waiver of Insurance Requirement and Fee for Participation in Mahwah Day; Mahwah Strong

The Business Administrator explained what this insurance is. He mentioned for a nominal fee someone can get a General Liability Policy for a day or whatever they are looking for. This is an option for people or groups wanting to use the Township facilities and do not have their own insurance coverage. He said the system is being set up on the website now and the Township will get a venue code and then people can go on it and fill out the form for the insurance.

Hermansen questioned how we can do this for Mahwah Strong, and for Mahwah Day, that will work. He said he does not want to be put in a situation we do for one and not someone else. Hermansen asked the Council how they felt about the Waiver of Insurance and /or nominal fee. Sbarra said he does not feel we should waive anything as that would be setting a precedence.

The Business Administrator next year they will require everyone to get a certificate through the Tulip Program. Hermansen suggested they go with the Tulip Plan and the Council then, would have nothing to do with this. However, if the program charges more than \$150.00 this year the Council will waive the fee for this year only.

The Township Attorney feels the cost will not be excessive as they are done through the Risk Manager. It is his believe that everyone has provided the insurance.

Resolution shall not be voted on in Public Meeting.

TOWNSHIP COUNCIL and MUNICIPAL CLERK

4a. Request for Permission to Post Signs in Township Right-of-Ways

1. Mrs. Vicky Galow and Mrs. Susan Steinberg
2. Mr. George Ervin
3. Senator G. Cardinale, Assemblywoman H. Schepisi & Assemblyman R. Auth
4. K. Guadagno for Governor and Carlos Rendo for Lt. Governor
5. J. Driscoll and R. Cottiers for Bergen County Freeholder

Hermansen mentioned these signs are for candidates running in the November, 2017 Election. They all meet our requirements for posting signs.

Individual Resolutions shall be voted on in the Public Meeting.

4b. Amendment to Chapter II, Subchapter 2-3.12: Deputy Clerk Hermansen mentioned this item is removed as it is an Ordinance.

4c. Cell Tower; Discussion
Hermansen mentioned the Cell Tower has already been discussed.



PUBLIC MEETING
APPROVAL OF BILLS AND CLAIMS

On a motion by Wong, seconded by May, the Bills and Claims, previously signed, totaling \$6,148,601.15, were approved. Roll call vote: Ariemma, yes; Ervin, yes; May, yes; Sbarra, yes; Wong, yes; Wysocki, absent; Hermansen, yes. A List of Bills and Claims is on file in the Municipal Clerk's Office.

REPORTS OF TOWNSHIP COUNCIL and MUNICIPAL CLERK
TOWNSHIP COUNCIL; COMMENTS, COMMUNICATIONS AND REPORTS OF
SUBCOMMITTEES

Ariemma attended the Environmental Commission Meeting. They will have two booths on Mahwah Day, one in conjunction with MEVO. MEVO will also have their own farm stand and their theme will be the removal of illegal dumping at Stag Hill.

MEVO will be recruiting for Sustainable New Jersey and people can join that day. They will also be asking for volunteers for cleanup.

Ariemma said MEVO would like the Council to take a tour of Stag Hill to see all the dumping. They have suggested October 21, 2017 at 10:00 a.m.

Ariemma mentioned there will be a Ribbon Cutting at 10:30 a.m. on Mahwah Day for the Rain Garden. Everyone is invited.

Ariemma said the Commission is getting letters as people would like to have a water forum like Ridgewood does. Hermansen said that has been discussed and Council is looking to put this on a potential Agenda with a presentation.

Ariemma attended a meeting of Access for All also has a booth at Mahwah Day. They are planning to have a basketball event and possible an Open House in October.

Ariemma attended the 9/11 Ceremony and Lisa DiGiulio did an excellent job once again.

Ariemma is attending an AARP Conference at Ramapo College tomorrow. They will be discussing State Candidates running. Ramapo College has been named one of the best colleges in New Jersey and ranks number one among nine of the public colleges in New Jersey. It ranks number three among the two top ranking; Princeton University and Stevens Institute.

Hermansen mentioned the Mahwah Pool closed and it was a phenomenal year. Pool Manager Jay Esposito was named the top Manager of running the pool. Hermansen suggested bringing him in to a Council Meeting and honoring him. We also had a phenomenal food vendor the Whistle Stop.

Hermansen stated there is a Hot Rod Event at the Sheraton Crossroads on Labor Day Weekend.

Hermansen said a fire truck was delivered to Company #2.

Hermansen expressed his condolences to Officer Rapp in the loss of his dog. The dog was special to the Township.

Hermansen mentioned a story that appeared in the Record of a Mahwah man who took pictures of 9/11. It was a moving story as he takes the pictures out to look at every year. Hermansen suggested people going on line people and look at this moving story.

Hermansen wished the Township Attorney a Happy Birthday on Sunday.

REPORTS OF MAYOR and BUSINESS ADMINISTRATOR

The Mayor stated they have the final order for the radios which will help the Police Department, DPW and the volunteer groups. He thanked our Purchasing Agent for being so diligent in this task and she has received significant discounts.

Mayor Laforet mentioned the mini-pumper was delivered.

Mayor Laforet mentioned the score boards are almost that Valley Health and Wellness gave donations to. He thanked the Recreation Director for getting this donation. There will be a ribbon cutting.

Mayor Laforet mentioned at the 9/11 Ceremony it was so special that a couple of people who were in in the audience came up to him and the Council President and said they general go to Ground Zero for the 9/11 Ceremony but decided to come to ours. She commented how special the Council President's speech was.

The Mayor mentioned that Harry Breen past away. He was a fireman and the Superintendent of the Department of Public Works years ago.

The Business Administrator said the phone system has been installed at the Police Department the cost was \$60,000.

The Business Administrator said on September 15th there is a Community Development Block Grant Training Session.

ORDINANCE – INTRODUCTION

The title of an Ordinance was read as follows:

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER IV "GENERAL LICENSING" OF THE REVISED GENERAL ORDINANCE OF THE TOWNSHIP OF MAHWAH, SUBCHAPTER 4-3 "PEDDLING AND SOLICITING"

Ervin attended the 9/11 Memorial Service and said it was very moving. He thanked Lisa for all the work she does on it.

Ervin commented the Planning Board Meeting that was scheduled was cancelled.

May attended the Youth Football Pep Rally on September 7th.

May mentioned September 8, 2017 was the first High School Football Game that he attended.

May attended the 9/11 Ceremony and thanked everyone that attended especially Lisa DiGiulio.

May attended the Youth Sports Booster Meeting last night.

May said they have received an update on the Score Board.

May thanked the Department of Public Works for all the work they are doing on the Rain Garden.

May reminded everyone that on Mahwah Day there will be the MMA Car raffle.

May mentioned the Mahwah School Foundation Ladies Night tickets are on sale.

Sbarra said there were two School Meetings. The School Board has been authorized to go out for an RSP for the Cell Tower. Also, he said the schools had successful school openings this year.

Sbarra attended the 9/11 Ceremony and Lisa DiGiulio did a tremendous job. It was a solemn occasion.

Although he did not attend, Wong thanked Lisa DiGiulio for the great job she did and always does for the 9/11 Ceremony.

Wong mentioned on October 7th MEVO will have their Farm Feast. Tickets will go on sale for this at \$135.00 each.

Wong mentioned on September 24th Beverly Hills Car Wash will celebrate their 25th Anniversary and will have a Ribbon Cutting Ceremony. \$100.00 of proceeds will be given to their charity of choice.

Hermansen attended the 9/11 Ceremony. Lisa DiGiulio have been putting this ceremony together for 16 years. He thanked everyone who attended and especially the DPW, EMS, the Chorus, the Bagpipers from Don Bosco High School. This ceremony shows how unified our Township is.

Hermansen said last night he attended a Senior Fund Raiser at the Mahwah Bar and Grill.

Hermansen mentioned Mahwah Day is coming up and is always a wonderful day.

RESOLUTION – ORDINANCE NO. 1814

The Business Administrator mentioned there is a slightly revised #1814 that encompasses the Board of Health comments.

Introduced by Ervin, seconded by Hermansen

RESOLVED that the ordinance be passed and adopted on first reading.

FURTHER RESOLVED that said ordinance be considered for final passage at a meeting to be held in the Council Chambers of the Richard J. Martel Municipal Offices, 475 Corporate Drive, Mahwah, New Jersey on Thursday, September 28, 2017 at 7:30PM.

FURTHER RESOLVED that the Clerk publish said ordinance with notice of introduction, passage and time and place where said ordinance will be considered for final passage.

Roll call vote: Ariemma, yes; Ervin, yes; May, yes; Sbarra, yes; Wong, yes; Wysocki, absent; Hermansen, yes.

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ORDINANCE – INTRODUCTION

The title of an Ordinance was read as follows:

ORDINANCE AMENDING CHAPTER IX “RECREATIONAL FACILITIES” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MAHWAH, SUBCHAPTER 1.3 “USE OF FACILITIES”

RESOLUTION – ORDINANCE NO. 1815

Ordinance #1815 Ordinance Amending Chapter IX “Recreational Facilities” of the Revised General Ordinances of the Township of Mahwah, Subchapter 1.3 “Use of Facilities”
Tabled as per advice of Township Attorney.

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ORDINANCE – INTRODUCTION

The title of an Ordinance was read as follows:

ORDINANCE AMENDING CHAPTER IX “RECREATIONAL FACILITIES” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MAHWAH, SUBCHAPTER 1.4 “UNLAWFUL USE”

RESOLUTION – ORDINANCE NO. 1816

Introduced by Wong, seconded by Hermansen

RESOLVED that the ordinance be passed and adopted on first reading.

FURTHER RESOLVED that said ordinance be considered for final passage at a meeting to be held in the Council Chambers of the Richard J. Martel Municipal Offices, 475 Corporate Drive, Mahwah, New Jersey on Thursday, September 28, 2017 at 7:30PM.

FURTHER RESOLVED that the Clerk publish said ordinance with notice of introduction, passage and time and place where said ordinance will be considered for final passage.

Roll call vote: Ariemma, yes; Ervin, yes; May, yes; Sbarra, yes; Wong, yes; Wysocki, absent; Hermansen, yes.

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ORDINANCE – INTRODUCTION

The title of an Ordinance was read as follows:

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER II
“ADMINISTRATION” OF THE REVISED GENERAL ORDINANCES OF THE
TOWNSHIP OF MAHWAH, SUBCHAPTER 2-3.13 “DEPUTY CLERK”**

RESOLUTION – ORDINANCE NO. 1817

Introduced by Wong, seconded by Sbarra

RESOLVED that the ordinance be passed and adopted on first reading.

FURTHER RESOLVED that said ordinance be considered for final passage at a meeting to be held in the Council Chambers of the Richard J. Martel Municipal Offices, 475 Corporate Drive, Mahwah, New Jersey on Thursday, September 28, 2017 at 7:30PM.

FURTHER RESOLVED that the Clerk publish said ordinance with notice of introduction, passage and time and place where said ordinance will be considered for final passage.

Roll call vote: Ariemma, yes; Ervin, yes; May, yes; Sbarra, yes; Wong, yes; Wysocki, absent; Hermansen, yes.

PUBLIC PORTION

On a motion by Ervin, seconded by May, the meeting was open to the Public at 11:00PM. All in favor. Motion carried.

Mrs. Jackie Sinclair of 16 Lynn Terrace said she took her two grandchildren to Continental Soldiers Park and there were two buses and vans with about 50 kids. They were at Lake Henry, took over the picnic area and went into the play area. Two weeks later she went to Winters Park and there were all New York License plates in the parking area. Mrs. Sinclair said she has paid taxes and been a resident in the Town for 40 years and cannot even take her grandkids to our parks.

Mr. Robert Ferguson of 23 Appert Terrace asked what is being done to the Jaguar Building now that they are moving to Sharp Plaza. Mayor Laforet said there are rumors that a school is going

in there but this property is zoned for business only and the Township would not approve zoning for anything else. He said he hopes it is a Data Center or a High Tech Company.

Mrs, Susan Steinberg of 96 Armour Road questioned the verbiage and/or additions that should be added on a few of the Ordinances. The Township Attorney answered her questions.

Dr. Lisa Wisotsky of Hovington Road in Englewood, N.J. said she is she is a member of the Board of Health in Englewood. Mrs. Wisotsky read a statement to the Council. She said she has attended several meetings in our Township and in Upper Saddle River. She comes to the meetings as when groups go to Englewood facilities they do not need identity cards. She hopes the Elected Officials and residents of Mahwah consider that we are a county that strives to be inclusionary rather than to exclude others as they are conceived different.

Mr. Keith Kaplan of Ramapo Road, Teaneck, NJ asked what the inadequacy was on the previous Park Ordinance. The Township Attorney answered the Ordinance was modeled off the previous one that only had four or five provisions. The Ordinance Committee suggested this is the format we use. Hermansen said when something happens in a Town that had been overlooked it gets fixed. Mr. Kaplan mentioned in a blog to Hermansen that we did this because a table was burned in the park. Hermansen said who wants a table burned by anyone. Somehow we got labeled by doing this when we are only trying to fix a problem like other Townships do.

Mr. Kaplan agreed that Hermansen likes people coming into the Township. Hermansen answered we like all people coming into the Town and are open to everyone. Our Town comes first he said. Mr. Kaplan stated that if Hermansen had a problem with large groups coming into a park why didn't the Ordinance just deal with large groups. Mr. Kaplan then read into the record a case in California in the 1800's. He mentioned that our own Chief of Police and the Bergen County Prosecutor found enforcement problems.

Hermansen said we are looking into everything. We just want people paying taxes to use the facilities. We need an Ordinance that is enforceable and not hurting anyone. In 2014, volunteers raised money to renovate Winters Park and Mahwah should come first. Mr. Kaplan said the Council enacts the laws and if the Chief is supposed to comment on the law then that is his role in this process. Hermansen said that is why the person that is going to enforce the law should have communicated with us how he wanted to enforce the law.

Mrs. Diane Homler of 2019 Orchard Drive asked in reference to Ordinance #1816, "Unlawful Use" is recreation fishing still okay as this does occur at Winters' Pond. The Township Attorney answered it still can occur.

Mr. Vince Crandon of James Brite Circle runs MahWatch on line said everyone is fed up with the lies and paid motivational speakers. He heard gun shots in Rio Vista and is upset there is no enforcement going on. He said this needs to be investigated. Mayor Laforet said there were Police Officers that went to his house and do look out for Mr. Crandon's best interest. Anything he hears or sees he should call the Police. Also, he said, Mr. Crandon can obtain a copy of the Cad Report filed that night.

Mr. Michael Cohen of 100 Huguenot Avenue in Englewood commented that anything he has written about has not been disrespectful. Most times, he said he has been shouted down. The

actions taken by the Council has led to outside anti-Semitism. Why perceptions are there, he stated, is for example, a person saying the Holocaust Survivor is a paid actor. He mentioned after the man from the NAACP spoke the comment made from the Council was "must have been paid to come and speak". Hermansen stated what Mr. Curteon commented on when he walked out was a disgrace. The NAACP should discuss if they have the right leader.

Sbarra said Mr. Cohen made references that people have said people are not being paid and that is not happening. Sbarra asked him if he has any firsthand knowledge that this is not happening. Mr. Cohen said he can say definitely they are not. Sbarra said, well his perception is that they are being paid.

Hermansen commented Wong has been phenomenal in getting these Ordinances done.

CONSENT AGENDA

Resolutions #311-17 through #319-17, #321-17 through #327-17, and #330 -17 through #332-17 were voted on and made part of these Meeting Minutes.

Resolutions #320-17, #328-17, and #329-17 were not voted on.

OLD BUSINESS

Ariemma asked if new signs will be installed at Stag Hill. Hermansen suggested putting up our own sign with the Ordinance number listed on it. The fine for dumping is \$1,250. The Business Administrator said he will see what they can do with a sign.

The Business Administrator mentioned he sent out an e-mail asking Council if they want to see the Swaget Webinar. He will suggest the day and time in another e-mail.

May asked if there is any information on the contaminated soil at the Gun Range at the Bergen County Police Academy. Hermansen said the EPA was still working on what was going on. The range was closed in June and will not be opened until next year. The Business Administrator interjected and said at this time there would not be a rush of people shooting on the ranges.

NEW BUSINESS

Hermansen mentioned on the advice of our Township Attorney the Affordable Housing item on the Agenda will be moved to the next meeting. He also suggested scheduling the meeting on the 28th at 6:00PM for this Special Closed Meeting.

CLOSED SESSION

On a motion by Wong, seconded by Ariemma, Council went into Closed Session at 12:25AM for the express purpose of discussing:

- C1. Advice of Township Attorney
- C2. Pending Litigation
- C3. Affordable Housing (carried over until the next Meeting)

All in favor. Motion carried.

On a motion by Sbarra, seconded by Ervin, Council came out of Closed Session at 12:50AM. All in favor. Motion carried.

RESOLUTIONS

The Township Attorney mentioned that Resolution #320-17 will be amended and Resolutions 333-17 and #334-17 will be added and voted on.

Resolutions #319-17 and 321-17 through #334-17 were voted on under the Consent Agenda. Resolutions are attached to and made part of these Meeting Minutes.

Resolution #320-17 was amended and voted on separately. Resolution is attached to and made part of these Meeting Minutes.

On a motion by Hermansen, seconded by Ervin, the meeting was adjourned at 1:00AM. All in Favor. Motion carried.

Respectfully submitted,



Kathrine G. Coviello, RMC/CMC/MMC
Municipal clerk