

**TOWNSHIP OF MAHWAH
COMBINED WORK SESSION AND PUBLIC MEETING MINUTES
THURSDAY, APRIL 23, 2015**

The meeting was called to order at 8:02PM by Council President Roth who read the Open Public Meetings Act Statement as prescribed by law. Notice was advertised in The Record on August 27, 2014 and the Ridgewood News on September 5, 2014 and January 2, 2015 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, April 23, 2015 at 8:00PM.

Notice of this meeting is posted on the Municipal Bulletin Board. 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 serving in the Armed Forces and who served. It is through their bravery and dedication that we can meet in freedom tonight.

Present: Councilmembers Amoroso, Ariemma, DiGiulio (8:12PM), Hermansen, Roth, Sbarra and Wong.

Also present were Mayor William C. Laforet, Business Administrator Brian Campion, Township Attorney, Brian Chewcaskie, Township Engineer's Associate Michael Kelly and Municipal Clerk Kathrine G. Coviello.

PUBLIC PORTION

On a motion by Sbarra, seconded by Amoroso, the meeting was opened to the public at 8:04PM. All in favor. Motion carried.

Mr. Ralph Miglioccio of 23 Avenue B asked the Council President what his duties and responsibilities are. Roth said his job is to set the Council Agenda and manage the Council Meetings. Mr. Miglioccio said he would like clarification on the "vote of confidence". Roth said he does not know if there is a legal definition. He said his interpretation would be do you rely on the individual that you are expressing confidence in or lack of.

Mr. Miglioccio said there was a motion to have a recall. Roth said the motion was for a "vote of confidence" and it did pass.

Mrs. Annette Freund of 63 Karen Drive commented she is the Chairman of the Recall Committee and said she wants to help everyone understand what is going on and went through the steps. She said this is a referendum allowing the residents to say yes or no on a ballot as it their constitutional right. They have to get a number of signatures in order to have the question on the ballot. To begin the process they had to write down their reasons and present them in a legal format and then it is legislated very carefully. She said, in this case there are five reasons. Once the reasons are presented they have to be certified by the Township Clerk and then she has to submit a Public Notice in the Record. Once the Public Notice is advertised they have to receive an answer from the Mayor and read what they have received.

Mrs. Freund said the Mayor's response was not an answer but an attempt to intimidate. She feels he is threatening residents and only illegal activities will be coming from him.

Mrs. Maureen Postolowski of 7 King Street said in reference to the political poster that was produced in the Closed Session Meeting on March 19, 2015, on March 24, 2015, there was an article that came out with Mayor Laforet stating he did not know how the poster got there. On March 25th there was another article that quotes Roth, and said that at the end of the session the Mayor asked Roth to get the large board in brown paper which Roth did. Mrs. Postolowski said she needs clarity on how the poster got in the Closed Session Meeting.

Roth said he handed the Mayor the large board in brown paper.

Mayor Laforet said what goes on in Closed Session stays in Closed Session and he cannot discuss what goes on in those Meetings.

Hermansen asked the Township Attorney if they can discuss what went on in the Closed Session Meeting. The Township Attorney said when the Closed Session Minutes are completed and authorized by the Council the minutes can be released and commented on.

Mrs. Postolowski said she does not like the Mayor's comment about the residents being "good old boys". She said she is glad the Council exercised their power to reinstate Mr. Sinclair since the evidence did not show he was not responsible for the pornography.

Mr. Tom Lociciero of All Points Towing said he raised a lot of issues at the last Council Meeting and has not had any response to those issues. The Township Attorney said he did send Mr. Lociciero an e-mail the day before. The Township Attorney said the Chief sent an officer over to his facility and they said no one was there. Mr. Lociciero said employees are there during business hours. The Township Attorney said he will resend

1e. Written Status Report

MA-1322A – East Slope Booster Pumping Station: The Township Engineer's Associate said the contractor put in the foundations and they are awaiting for the delivery of the signs.

MA-1417 – ADA Curb Ramp Improvements – County Roads: The Township Engineer's Associate said he has had many conversations with the County on this. He said the issue was they scheduled the work with them but they were not able to complete the concrete work. When they went out for bid the same company got the bid at higher prices. The contractor said it will be done under the new line item charges. The Township Engineer's Associate said he hopes to get this resolved in the next few days but with the old prices. The roads are Island Road, East and West Ramapo Avenue and Ramapo Valley Road. The County cannot pave until the curbs are done.

MA-1500 – 2015 Road, Curb and Sidewalk Program: The Township Engineer's Associate stated the project will be in tomorrow's paper for advertisement and bids go out May 8, 2015. They are looking to award the project at the May 21st Council Meeting.

LEGAL

2a. Towing Update

The Township Attorney said he will reach out to the Police Department to see if there are any additional issues and if there are this issue can be on the May Council Meeting Agenda.

The Township Attorney said on NAR and Allendale Towing there was an issue on the Certificate of Occupancy in Upper Saddle River. He recommended that the license be suspended.

The other issue, the Township Attorney mentioned, is Ramsey Auto Body, A-1 and Venusti that had a conditional license. He said he was presented documentation. He said he recommends A-1 and Venusti be granted licenses but Ramsey be suspended until such time that they provide their documentation.

DiGiulio said she cannot believe there is such a problem and hopes this can be fixed and everyone complies and gets their licenses.

The Municipal Clerk said it is not the Police Department's fault. Roth agreed and said most of the complaints are the towers complaining about each other.

4b. Firefighter Application; Jonathan S. Fishkin to Fire Company #4
Resolution shall be voted on in the Public Meeting.

PUBLIC MEETING

APPROVAL OF BILLS AND CLAIMS

On a motion by Sbarra, seconded by Hermansen, the Bills and Claims, previously signed, totaling \$4,817,006.84 were voted on. Roll call vote: Amoroso, yes; Ariemma, yes; DiGiulio absent; Hermansen, yes; Sbarra, yes; Wong, yes; Roth, 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

Amoroso attended the Board of Education Meeting. She said they are introducing their Budget on May 6, 2015.

Amoroso attended the Ribbon Cutting Dedication at Winter's Park.

Ariemma attended the Dedication at Winter's Park Playground. She said the Mahwah Moms did a great job.

Ariemma said she volunteered at the Senior Luncheon.

Ariemma said she called Debbie Hirt of the New Jersey Department of Transportation in regard to the paving of Route 287, and asked if they would consider asphalt rather than concrete to reduce the noise pollution.

Ariemma said she attended the Planning Board Meeting. She noted that there is an applicant that is considering moving a historic home to a new location. The Applicant said he will approach the Council on relocating this home. Ariemma said this is the Winter's house.

DiGiulio said she also attended the Dedication Ceremony at Winter's Park. She said Kim Bolan and her committee did a fantastic job.

DiGiulio said she attended the CDBG Grant Meeting this evening with the Business Administrator. She said the Business Administrator spoke and they secured \$100,000. for Stag Hill.

Hermansen attended the Winter's Park Ceremony. He thanked Kim Bolan and her Committee for what they did and especially Michael Kelly from Boswell Engineering for the tremendous time and work the engineers also did on this project.

The Business Administrator said he attended the Community Block Development Grant Meeting and was also down at the County Offices working with the Open Space Trust Program on Blue Acres to work on some funding.

REPORTS OF MAYOR AND BUSINESS ADMINISTRATOR (continued)

The Business Administrator said they put the Budget Presentation on the website so it is available to all. Auditor Lou Mai and Chief Financial Officer Ken Sesholtz were available. He explained the total Budget is up from last year of \$37,357,000 which is \$200,000 more than last year. The critical item is that the tax rate is going up from .375 to .382 which is .007 increase. It would be about a \$33.00 more per year for an average home.

The Business Administrator stated there is a slight increase in the ratables which is a positive thing. He said 22% is going for Municipal purposes.

Roth said the Council is very proud of this Budget. They spent 140 hours reviewing every Line Item and have made some considerable changes in the Budget from how it was presented to them. The Budget resulted in a tax increase of 1.9%. Staffing in all departments have been maintained and they have restored residential garbage pick up to two times a week all year.

Roth said the Seniors purchased a new dishwasher, upgraded the Municipal Pool, provided increased funding for the ambulance service and we also managed to maintain a reserve level of surplus of over \$6M. Roth said there were significant changes to the Capital Budget. We will be spending over \$1.3M in repairing roads, we have five new DPW vehicles, the Fire Department gets upgrades, the Police Department is getting a new Electronic Record System, and significant renovations at the pool that will be coming out of the Capital Budget.

Roth said the Council needs to approve several resolutions before adopting the Budget.

ORDINANCE – PUBLIC HEARING

The title of an Ordinance was read as follows:

CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

On a motion by Sbarra, seconded by Hermansen, the meeting was opened to the public. All in favor. Motion carried.

Being no comments were made from the public, on a motion by Sbarra, seconded by Amoroso, the meeting was closed to the public. All in favor. Motion carried.

On a motion by Wong, seconded by Sbarra, the following Resolution was passed and

ORDINANCE – PUBLIC HEARING (continued)

Municipal Clerk is authorized to advertise in summary or in full as having been finally adopted, as required by law.

Roth said before they adopt the budget the Council has to vote on two resolutions.

Hermansen said we would not have to be doing this if it was not for a rash an unjust decision by the Mayor. The Council is to protect the Township and should be the job of the Mayor to do. He thanked the Council for doing the right thing and hopes going forward the Council does not have to continue to make these decisions and adjustments to the Budget.

RESOLUTIONS

Resolutions #110-15 was voted on. Resolution is attached to and made part of these Meeting Minutes.

Hermansen thanked Roth for all the time and scheduling of meetings he put into the Budget. The tax increase of what the Mayor gave the Council of 3½% came down significantly from the Council President Roth. He said it was a great show of leadership and the taxpayers owes him a debt of gratitude. Roth said it is through the seven Councilmembers who played a significant role in lowering the Budget.

Resolution #111-15 was voted on. Resolution is attached to and made part of these Meeting Minutes

VOTE OF ADOPTION – ORDINANCE #1762: 2015 MUNICIPAL BUDGET

On a motion by Hermansen, seconded by Sbarra, the following Resolution was passed and adopted:

Roll call vote: Amoroso, yes; Ariemma, yes; DiGiulio, yes; Hermansen, yes; Sbarra, yes; Wong, yes; Roth, yes.

PUBLIC PORTION

On a motion from Hermansen, seconded by Wong, the meeting was opened to the public at 10:05PM. All in favor. Motion carried.

Mr. Tom Lociciero of All Points Towing said he wanted to make it clear about the statement of “towing companies throwing each other under the bus”. He said he has not done that and the problems that are occurring now are very easy to accomplish as other Townships have done.

On a motion from Sbarra, seconded by Hermansen, the meeting was opened to the public at 10:06PM. All in favor. Motion carried.

On a motion by Sbarra, seconded by Hermansen, the meeting was adjourned at 11:35PM. All in favor. Motion carried.

Respectfully submitted,

Kathrine G. Coviello

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

Meeting Minutes prepared and typed by Deputy Municipal Clerk Jan Fox