

**TOWNSHIP OF MAHWAH
COMBINED WORK SESSION AND PUBLIC MEETING MINUTES
THURSDAY, JUNE 11, 2015**

The meeting was called to order at 8:04PM 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 that the meeting would be held in the Council Chambers at the Richard J. Martel Municipal Offices, 475 Corporate Drive, Mahwah, New Jersey on Thursday, June 11, 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 who served and those who are serving in the military. It is because of their bravery that meetings such as this one can be held tonight.

Present: Councilmembers Amoroso, Ariemma, DiGiulio, Hermansen at 8:15PM, Roth and Wong.

Absent: Councilmember Sbarra.

Also present were Mayor William C. Laforet, Business Administrator Brian Champion, Township Attorney's Associate Steven Muhlstock until 9:25PM, Township Attorney Brian Chewcaskie at 9:25PM, Township Engineer's Associate Michael Kelly and Municipal Clerk Kathrine Coviello.

PUBLIC PORTION

On a motion by DiGiulio, seconded by Wong, the meeting was opened to the public at 8:05PM. All in favor. Motion carried.

Being no comments were made from the public, on a motion by Wong, seconded by Amoroso, the meeting was closed to the public at 8:06PM. All in favor. Motion carried.

2014 AUDIT REPORT; MR. LOUIS C. MAI

Township Auditor, Mr. Lou Mai, and Township Chief Financial Officer, Kenneth Sesholtz, were present.

Mr. Mai advised the Council the Audit for 2014 is complete. And no comments or recommendations were made. No disagreements with management on accounting policies were encountered. The Township's financial position is good.

WORK SESSION

SUBMISSION OF BILLS AND CLAIMS

Roth asked any Councilmember with questions on the Bills and Claims to contact Administration before the Public Meeting.

ENGINEERING (Boswell-McClave)

1a. Road Opening Permits; 116 Kilmer Road and 115 Armour Road

The Township Engineer's Associate explained Kilmer Road was paved in August of last year. The Township has an Ordinance that prohibits the opening of a road for 2 years after it has been paved unless an emergency exists. The Developer has proposed to mill the road from curb to curb where they disturb the area. The Township Engineer's Associate said he finds the proposal acceptable. The Developer will be required to post a Performance Guarantee. Council concurred that the proposal made by the Developer is acceptable.

1b. Written Status Report – June, 2015

MA-1322A Safe Routes to Schools Program: Contractor installed the foundations. Waiting for the poles from the sub-contractor.

The Township Engineer's Associate asked Council if they are interested in pursuing the contractor for liquidated damages as he is passed the April 15, 2015 completion date. Roth said the Township Engineer's Associate shall work with the Township Attorney to prepare a letter to the contractor that will state the matter will go on the next Council Agenda for action.

MA-1340 East Slope Booster Pumping Station: Advertisement will be in the newspaper tomorrow. Expect to receive bids on July 15, 2015.

MA-1417 ADA Curb Ramp Improvements – County Roads: PreConstruction Meeting was held. Contractor is on schedule. June 22, 2015 Contractor scheduled to start. Contractor has been advised of the County's paving schedule.

MA-1500 2015 Road, Curb and Sidewalk Program: PreConstruction Meeting was held. Contractor will start work on June 22, 2015 and expects to finish in August. There will be some inconveniences to the residents.

Hermansen spoke about the traffic on I-287 and the weave – he said something needs to be done by the State.

Ariemma said she wrote a letter to Debbie Hirt that she forward to the Mayor.

LEGAL

2a. Towing Update

The Township Attorney said three inspections of towing companies were done by the Police Department.

The Township Attorney went on to say he has reviewed the documentation from NAR and Allendale Towing and recommends the license be restored subject to the items being addressed in Captain Blank's memorandum. Resolution shall be voted on in the Public Meeting.

2b. Ramsey Auto Body; Request for Extension of Conditional License Resolution shall be voted on in the Public Meeting.

ADMINISTRATION

3a. Pay to Play Alternate Non-Fair and Open Agreement Request; Skylands Area Fire Equipment and Training LLC

The Business Administrator said the Company has not made any political contributions this year and have complied with the Pay to Play regulations. Resolution shall be voted on in the Public Meeting.

3b. Request from Tax Collector; Resolution to Cancel Taxes for 100% Disabled Veteran Resolution shall be voted on, to cancel the taxes for a 100% Disabled Veteran, in the Public Meeting.

3c. Authorization to Award Bid #MTB-15-09: Mobile Radio Water Meters and Transmitters Units System

The Business Administrator said the bid is being awarded to the lowest bidder, Atlantic Plumbing Supply Company in Long Branch, NJ. Resolution shall be voted on in the Public Meeting.

3d. Chapter 159; Clean Communities Grant

The Business Administrator said the Township has received a Clean Communities Grant. A request is being made through a Chapter 159 Resolution to add the money to the Budget. Resolution shall be voted on in the Public Meeting.

3e. Request from Tax Collector; Resolution to Cancel Tax Sale Certificates #2732 and #2733
The Business Administrator said at the end of year the Township holds a Tax Sale. At the last Tax Sale, two Certificates were sold for a property that had two blocks but one deed. Based on direction from the Division of Local Government Services, the Certificates will be canceled and resold. Resolution shall be voted on in the Public Meeting.

3f. Certificate of Determination and Award #2015-1; For Information Only

The Business Administrator said this Certificate is related to the Phase 5 Sewer Project. The Interest Rate for the Certificate is 1½ of 1%.

3g. Approval of Police Department Contracts

1. E-Ticketing
2. InfoShield Shredding
3. Leads Online

Individual Resolutions shall be prepared for all three of the above Contracts to be voted on in the Public Meeting.

TOWNSHIP COUNCIL and MUNICIPAL CLERK

4a. Mahwah Chief of Police Report

Roth thanked the Police Chief for his Report.

4b. Eagle Scout; William Patrick Romano II

Resolution shall be voted on in the Public Meeting.

- 4c. Firefighter Applications
1. Joseph F. Mauro to Fire Company #2
 2. Kevin R. Himber to Fire Company #2
 3. James R. Warnet to Fire Company #1

Individual Resolutions for each of the above Firefighters shall be voted on in the Public Meeting.

4d. Mahwah Youth Sports Boosters; Shed Request – Commodore Perry Field
A request was made by the Mahwah Youth Sports Boosters Association to install a storage shed at the Commodore Perry Field. Council gave their approval for the shed to be installed provided the proper permits are taken out.

PUBLIC MEETING

APPROVAL OF BILLS AND CLAIMS

On a motion by Hermansen, seconded by DiGiulio, the Bills and Claims, previously signed, totaling \$6,116,763.93, were approved. Roll call vote: Amoroso, yes; Ariemma, yes; DiGiulio, yes; Hermansen, yes; Sbarra, absent; Wong, yes; Roth, yes. A List of Bills and Claims is on file in the Municipal Clerk's Office.

APPROVAL OF MEETING MINUTES

On a motion by Amoroso, seconded by DiGiulio, the Combined Work Session and Public Meeting Minutes of May 7, 2015, Combined Work Session and Public Meeting Minutes of May 21, 2015, Closed Session Meeting Minutes of April 9, 2015, Closed Session Meeting Minutes of April 23, 2015 and Closed Session Meeting Minutes of May 7, 2015 were approved. Roll call vote: Amoroso, yes; Ariemma, yes; DiGiulio, yes; Hermansen, abstained on Closed Session Meeting Minutes of April 9, 2015 and yes to remaining; Sbarra, absent; Wong, abstained on Combined Work Session and Public Meeting of May 7, 2015 & Closed Session Meeting Minutes of May 7, 2015 and yes to remaining; Roth yes.

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

Amoroso said she was happy to get the Nixle alert on the 287 Accident.

Amoroso attended the Beautification Committee Meeting. The Mahwah Sign was discussed.

Amoroso attended the Board of Education Meeting. Business Administrator Ed Deptula is retiring the end of October. The High School Graduation is June 19th.

Ariemma attended the Memorial Day Parade on May 25th.

Ariemma attended the DARE Graduation on May 29th.

Ariemma said at the last Planning Board Meeting, approval was given for a small strip mall where Suburban Caps currently is located. Looking to put 4 stores and a drive through. Carmel

Retreat was voted on to subdivide the property into 2 lots. She read a statement into the record that she would like the property preserved.

Ariemma said she has been in contact with the NJDOT. She penned a letter regarding I-287 and the Environmental Noise – resurfacing I-287 with asphalt.

DiGiulio attended the Memorial Day Parade.

DiGiulio attended the DARE Graduation.

DiGiulio attended the Eagle Scout Ceremonies.

DiGiulio said the Beautification Committee met and discussed the color of the sign to be placed at the bottom of MacArthur Boulevard.

DiGiulio said Mrs. Kathy McElroy recently passed away.

Hermansen offered his condolences to the McElroy family.

Hermansen attended the Joyce Kilmner and Ramapo Ridge Band Concerts.

Hermansen said something has to be done with the traffic on I-287.

Hermansen thanked the Chief of Police for the Nixle Alerts on the I-287 Accident.

Hermansen said he attended the Towing Meeting. He thanked Captain Blank and the Municipal Clerk. He said it was one of the best meetings he has ever attended.

Hermansen said he attended the Pool Committee Meeting. The pool heater was not installed as it should have been. Membership is significantly up from this point last year. Suggestion was made to cover the pool from October to May so the pool could be an indoor pool.

Hermansen attended the Eagle Scout Ceremonies. He said at least 10 Scouts have become Eagle Scouts this month.

Hermansen attended the DARE Graduation.

Hermansen attended the Mauro Family. They have volunteered in the fire and ambulance services.

Hermansen said two individuals from Mahwah who go to school at IHA – Ali Dudick and Olivia Sulafara. He said Olivia finished 17 and 1 and won the Championship as a pitcher. Ali walked off single for a one nothing win in the Championship Games. He suggested both girls be honored by the Council.

Wong attended the DARE Graduation.

Wong attended the Ordinance Committee Meeting. He said he was impressed. He agreed it was one of the best meetings he has attended.

Roth attended the Memorial Day Parade on May 25th.

Roth attended the DARE Graduation.

Roth attended the Eagle Scout Ceremonies.

Roth attended the Press Preview for the new K-9 Dog, Remco on June 4th.

Roth on June 9th was invited to attend an AP Class on History and Government at the High School by Mrs. Beatrice. Every student in the class was attending college in the fall.

Roth said today he attended a meeting at the request of the Mayor. The Meeting was with the Les Paul Foundation and members of the Mahwah Museum to preview an idea with the Les Paul Foundation for different sites to locate a Memorial for Les Paul. An idea was put forth in the form of a walkway and a monument in Winters Park with significant upgrades to the park. Roth said two members of the Foundation will meet with the rest of the members of the Foundation and let us know if they are favorable on the idea. Roth added if the Foundation is favorable of the idea they will bring it to the Council for review.

REPORTS OF MAYOR AND BUSINESS ADMINISTRATOR

No reports.

ORDINANCE – PUBLIC HEARING

The title of an Ordinance was read as follows:

SALARY ORDINANCE – 2015

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

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

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

RESOLUTION – ORDINANCE NO. 1766

RESOLVED that the ordinance be passed and adopted on second reading and the Municipal Clerk is authorized and directed to advertise the Ordinance by title only as having been adopted, as required by law.

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

Roth said the Council reserves the right to modify the Ordinance.

PUBLIC PORTION

On a motion by DiGiulio, seconded by Hermansen, the meeting was opened to the public at 9:44PM. All in favor. Motion carried.

Mr. Joe Sind of 62 Sparrowbush Road spoke about the Blake Gardens Group Home. He said the home use was denied by the Zoning Board in Upper Saddle River and is being appealed. Mr. Sind made it clear he is not opposed to group homes. He is opposed to a commercial building of this size in an R-1 zone. He feels it would change the dynamics of the town. He added that Mr. Bloom, the prior owner of the house, petition the town to hook into the Mahwah Sewer System and Blake Gardens is grandfathered in. He questioned what happens if Blake Gardens petitions the town for a 15 bedroom building.

The Business Administrator explained the Township of Mahwah has a sewer main that runs down Sparrowbush Road to service Mahwah properties. In the last decade, 1 or 2 properties in Upper Saddle River have requested to connect to the Mahwah line. A request 2 years ago came from 62 Sparrowbush Road which was granted. The Agreement was between Upper Saddle River and the Township to allow for the connection. Upper Saddle River has an agreement with the Property Owner. The Township Engineer's Associate advised the Building Inspector in Upper Saddle River that the Agreement is for a 2 bedroom residence when it was approved.

The Township Attorney interjected and suggested the matter be discussed further in Closed Session.

On a motion by Hermansen, seconded by Wong, the meeting was closed to the public at 9:59PM. All in favor. Motion carried.

CONSENT AGENDA

Resolutions #156-15 through #169-15 were voted on under the Consent Agenda. Resolutions are attached to and made part of these Meeting Minutes.

OLD BUSINESS

None.

NEW BUSINESS

Subject of Council Meetings being televised was brought up.

DiGiulio said Council Meetings were televised at one time but it was stopped as residents did not want to be seen on television. Residents did not want to speak at Council Meetings and Councilmembers did not behave appropriately.

Roth said the Cable contract is up for renewal. He added the subject was talked about in the past and the cost was in 6 figures. However, technology has changed. He said the bigger issue is does the Council want the Council Meetings televised?

Ariemma said she is not in favor of having Council meetings televised.

Wong said that often residents are unable to attend the Meetings. He also said that as a Councilperson we need to be transparent.

Hermansen agrees with Wong. He said the advantage of televising Meetings is that the Meetings could be shown at different days and times for residents to view. He also feels that televising the meetings would bring civility to the meetings.

Amoroso feels the Meetings should be televised.

Roth said televising Meetings offers a level of transparency and convenience. And it offers a level of accountability. Roth added the Memorial Day Parade was televised on the Cable Channel and was viewed by 4,000 people -- more than a prime time TV show. Roth went on to say that when the negotiations are started with Cablevision, televising meetings will be discussed.

Ariemma asked about the letter to the NJDOT. Roth suggested Ariemma draft the letter with the Mayor and bring it back to the Council. Hermansen suggested that in the letter a priority be set as to what the Township wants from the NJDOT.

CLOSED SESSION

On a motion by Hermansen, seconded by DiGiulio, Council went into Closed Session at 10:33PM for the express purposes of discussing:

- C1. Tax Appeals
 - 1. 1000 Wyckoff Avenue; Block 173, Lot 135
 - 2. 13 Swan Road; Block 139.01, Lot 7.12
- C2. Personnel Issues
- C3. Pending Litigation; Settlement
- C4. Affordable Housing Litigation; Update

All in favor. Motion carried.

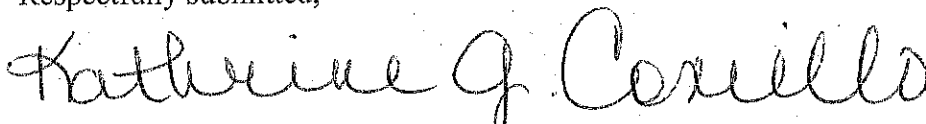
On a motion by DiGiulio, seconded by Amoroso, Council returned to open session at 11:19PM. All in favor. Motion carried.

RESOLUTIONS

Resolutions #170-15 and #171-15 were voted on together and are attached to and made part of these Meeting Minutes.

On a motion by DiGiulio, seconded by Hermansen, the Meeting was adjourned at 11:21PM. All in favor. Motion carried.

Respectfully submitted,



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