

**TOWNSHIP OF MAHWAH  
COMBINED WORK SESSION AND PUBLIC MEETING MINUTES  
TUESDAY, JANUARY 9, 2018**

This Meeting is a continuation of the Reorganization Meeting previously held.

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

Also present were Mayor William C. Laforet, Township Attorney Brian Chewcaskie, Township Engineer's Associate Michael Kelly, Municipal Clerk Kathrine Coviello and Clerical Assistant Carolyn George

**PUBLIC PORTION**

On a motion by Wysocki, seconded by Wong, the meeting was opened to the public at 8:01PM. All in favor. Motion carried.

Mrs. Susan Steinberg of 96 Armour Road asked the status of legal bills. The Business Administrator mentioned December was a light billing month; \$2,300 was paid out to Howell, Shuster and Goldberg LLP. Mrs. Steinberg said she has concerns the Attorneys' Contracts expired on December 31, 2017. The Township Attorney said the Contract Extension should be \$25,000 and not all the money allocated has been expended.

Mrs. Steinberg asked if anything has been considered on Charitable Fund Taxes. Mayor Laforet answered Administration will consider all avenues.

Mrs. Mary Ann Mauro of 143 Johnson Avenue congratulated everyone and said she is hoping for a better 2018. In reference to the Polo Grounds she seems to feel we are reactive after all is done. It is not good to hide behind a phone. We need to be proactive not reactive. She asked the Township Attorney to take some kind of action to protect us. Hermansen stated he has had an excessive amount of telephone calls from concerned Mahwah residents.

Mr. Vincent Maiello of Glasgow Terrance asked if there were any legal fees that are not being shown to the public. The Township Attorney answered everything has been budgeted for which includes the Township Attorney, Special Counsel, Eruv Group and Attorney General.

The Township Attorney stated the deductible for the Township is low. Hermansen further added there is a maximum out of pocket for the Township. If the cost is over that amount then the fees would have to be covered by the taxpayers.

Mr. Maiello asked would the Township Attorney recommend "no further comment". Township Attorney answered he always recommends no comment on pending litigation.

Ms. Lisa Watsoski of Englewood, NJ mentioned on December 17<sup>th</sup> she spoke and said at that time she had concerns about Anti-Semitism. Hermansen commented there is no anti-Semitism from our Council.

Ms. Watsoski said the Council has subjected the residents to exorbitant bills for representation and bad behavior. She feels the Council should be accountable for this. Hateful speech should

never be allowed at Township Meetings. When she last spoke in September she hoped the situation would change. Now 4 months later she asks Council President Hermansen to resign.

Mr. David Kopec of 142 Church Street wished everyone a Happy New Year and thanked the Council for what they do. There are so many hurtful attacks on the Township.

Ms. Melanie Sue of 13 Grenadier Drive thanked the Council for what they have gone through this year. She hopes they all stay. Hermansen said no one is making the Council leave.

Mr. Kevin Kaplin of 670 Ramapo Road, Teaneck, NJ spoke about Resolution #424-17. He said they never have an Ordinance expire with the Council. Hermansen said he will confer with the Township Attorney.

Mr. Kaplin said the Council interrupts people. The Township Attorney asked Mr. Kaplin to speak with decorum. He added the Open Public Meeting Act does not give anyone the right to speak without decorum. Mr. Kaplin disagrees with Hermansen's being selective with people at the microphone.

Mrs. Michele Crow Paz of 24 Island Road said there are bad apples in every community. What is done is done and we should move forward. She thanked the Council for everything they have done.

Mr. Bob Lockwood of 10 Homespun Court said thanked the Council. There is no need of stoking the fire. The Township should forgive and move forward.

On a motion by Ervin, seconded by May, the meeting was closed to the public at 8:45PM. All in favor. Motion carried.

Ariemma made a motion to limit speakers in the Public Portion to three minutes each. Hermansen said this will be addressed in New Business.

### **WORK SESSION**

#### **SUBMISSION OF BILLS AND CLAIMS**

Hermansen said the Bills and Claims List are in everyone's Drop Box.

### **ENGINEERING**

The Township Engineer's Associate congratulated Council President Hermansen and Council Vice President Wong. He also thanked the Mayor and Council for Boswell's reappointment.

#### 1a. Written Status Report – January 2018

The Township Engineer's Associate said the Sanzari Contractor was on site and is installing the Culvert on Route 202. Depending on the weather, this should be completed by the end of January.

The Township Engineer's Associate stated he will have a Change Order for the next Council Meeting on the Wyckoff Avenue Sanitary Sewer Force Main and Water Main Installation as well as the vacation of a portion of Jefferson Place.

Hermansen mentioned the odor by Chapel Road near the George Washington School. He is not satisfied with the solution over the past two years. He wants a solution from the County and hopes the Mayor helps with this. The people near this area deserve better and something has to be fixed forever. The Township Engineer's Associate said the majority of complaints were in the fall. He explained an Odor Control System was installed in the sewer. On Sunday, his office was contacted as the Odor System froze. Northwest Bergen County Utility Authority has to address this problem.

Wong asked if the houses are affected. The Township Engineer's Associate answered yes. They will have to restrict the flow off and fix it.

Mayor Laforet mentioned this problem was over a year, a solution was reached and it should endure the winter. He thanked the Township Engineer's Associate for helping the residents on Sunday.

Hermansen mentioned other areas in the Township have solutions and it is time to fix this completely.

### **ADMINISTRATION**

#### 2a. Pay to Play Compliance

##### 1. Edmunds and Associates Inc.

The Business Administrator said this company provides Accounting Software. This is for the Annual License Fee.

Resolution shall be voted on in the Public Meeting.

##### 2. York Motors Inc

The Business Administrator said York Motors Inc. is the lowest bidder and contracted the award for miscellaneous lighting and equipment parts for various trailers.

Resolution shall be voted on in the Public Meeting.

#### 2b. Professional Services Agreement and Contract; Assistant Prosecutor Removed from the Agenda.

#### 2c. Professional Services Contract; Tyco Animal Control Service

Resolution shall be voted on in the Public Meeting.

### **PUBLIC MEETING**

#### **APPROVAL OF BILLS AND CLAIMS**

On a motion by Ervin, seconded by May, the Bills and Claims previously signed, totaling \$6,328,622.05 were voted on. Roll call vote: Ariemma, yes; Ervin, yes; May, yes; Wong, yes; Wysocki, yes; Hermansen, yes. 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 wished everyone a Happy New Year.

Ariemma stated the Environmental Commission Meeting is tomorrow.

Ariemma said the Library Board Meeting is next Wednesday.

Ariemma attended the Access For All Meeting last night. The Meetings have been moved to Mondays. A representative from Camp Acorn was at the meeting last night.

Ariemma said Access For All is having a Basketball Game on January 27<sup>th</sup> at 12:00PM at Mahwah High School for those with physical or development disabilities up to 18 years old that live in Mahwah.

Ervin wished everyone a Happy New Year.

Ervin congratulated Councilmember Hermansen and Councilmember Wong.

Ervin attended the Recreation Committee Meeting. He said they were expanding and are open to suggestions.

May also wished everyone a Happy New Year.

May attended the Recreation Committee Meeting. It should be a fun filled year.

May mentioned today was Law Enforcement Day.

May congratulated Hermansen and Wong on their appointments.

Wong wished everyone a Happy New Year.

Wong mentioned the Ordinance Committee is meeting on January 16. The Meeting was rescheduled from January 4. The Marijuana Ordinance and Social Media Ordinance have been rescheduled.

Wong wished Ariemma a Happy Birthday.

Wysocki wished everyone a Happy New Year.

Wysocki congratulated Councilmen Hermansen and Wong.

Wysocki thanked the Department of Public Works for the great job they did handling the snowstorm.

Wysocki mentioned that Silver Creek is a very shallow pond and we should have an Ordinance not to allow ice skating. The Township Attorney said he will investigate this for the January 18<sup>th</sup> Council Meeting.

Hermansen wished everyone a Happy New Year.

Hermansen wished Mrs. Ervin and Councilwoman Ariemma a Happy Birthday.

Hermansen asked the Township Attorney to look at Policy/Standards.

Hermansen stated the Pool Committee will be meeting shortly.

Hermansen thanked the Council for trusting in him this year. He added it is not easy being a Councilmember.

Hermansen thanked all the residents for their trust in him.

Hermansen thanked the Municipal Clerk and her staff for all the work they do.

Hermansen thanked Wong and said he looks forward to working with him.

#### **REPORTS OF MAYOR AND BUSINESS ADMINISTRATOR**

Mayor Laforet wished everyone a Happy New Year and congratulated all the Professionals and Committee Appointees.

Mayor congratulated Geri Entrup who is replacing Mike Kelly as Administrative Officer.

The Business Administrator thanked Township Engineer's Associate Mike Kelly for his services as Administrative Officer. He is looking forward to working with Geri Entrup.

#### **PUBLIC PORTION**

On a motion by Wong, seconded by May, the Meeting was open to the public at 9:19PM. All in favor. Motion carried.

On a motion by Ariemma, seconded by Wysocki, the Meeting was closed to the public at 9:20PM. All in favor. Motion carried.

#### **CONSENT AGENDA**

Resolutions #055-18, #056-18 and #058-18 were voted on under the Consent Agenda. Resolutions are attached to and made part of these Meeting Minutes.

Resolution #057-18 was removed from the Agenda.

#### **OLD BUSINESS**

Ariemma asked status on the Cell Towers. Hermansen said Requests For Proposal's are due back on January 17<sup>th</sup> just before the next Council Meeting. He will ask the Board of Education to let us know the outcome.

**NEW BUSINESS**

Ariemma mentioned off shore drilling in the Atlantic. She asked if the Council could prepare a symbolic Resolution.

May suggested tracking New Business on the Agenda and making it Old Business.

**CLOSED SESSION**

On a motion by Wysocki, seconded by Ariemma, Council went into Closed Session at 9:27PM for the express purpose of discussing:

C1. Personnel

All in favor. Motion carried.

On a motion by Ervin, seconded by Wong, Council returned to Open Session at 10:32PM.

All in favor. Motion carried

On a motion by May, seconded by Ariemma, the meeting was adjourned at 10:32PM. All in favor. Motion carried.

Respectfully submitted,



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

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
**P.O. Box 733**  
**MAHWAH, NJ 07430**

Resolution #055-18

Date: January 9, 2018

Name	Motion	Second	Yes	No	Abstain	Absent
Ariemma			X			
Ervin						X
Hermansen			X			
May		X	X			
Wong			X			
Wysocki	X		X			

**WHEREAS**, the Township of Mahwah utilizes Edmunds & Associates Software Solutions for Local Government for its financial records system. The Township has a need to renew Edmunds & Associates MSCJ maintenance support services for the Township's Financial Records Systems as a proprietary computer hardware and software contract pursuant to the provisions of N.J.S.A. 40A:11-5(dd) and

**WHEREAS**, the current Maintenance Agreement is set to expire; and

**WHEREAS**, Edmunds & Associates, Inc. has submitted a letter verifying that the software to the MCSJ financial records system is proprietary to Edmunds and Associates, Inc., and Edmunds and Associates, Inc., will provide maintenance support services to the Township of Mahwah MCSJ financial records system in the amount not to exceed \$20,399.00; and

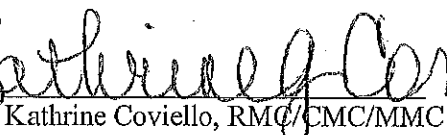
**WHEREAS**, the Chief Financial Officer has certified that funds are available in the Municipal Budget of the Township of Mahwah;

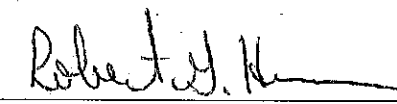
**WHEREAS**, Edmunds & Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Edmunds & Associates, Inc. has not made any reportable contributions to a political or candidate committee in the Township of Mahwah in the previous one year, and that it is prohibited from making any reportable contributions through the term of the contract,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Mahwah that the maintenance support services contract between Edmunds & Associates, Inc. and the Township of Mahwah for the MCSJ financial records system software shall be renewed for the period of January 1, 2018 through December 31, 2018 at a cost not to exceed \$20,399.00 and to include any additional financial records software enhancements to the Township's existing MCSJ financial records system with a total not to exceed \$40,000.00.

**BE IT FURTHER RESOLVED** the Municipal Clerk shall forward a copy of this Resolution to the Business Administration, Administrative Assistant/QPA, Chief Financial Officer and Edmunds & Associates, Inc., 301A Tilton Road, Northfield, NJ 08225.

I hereby certify that this resolution consisting of one page(s), was adopted at a meeting of the Township Council of the Township of Mahwah, 9<sup>th</sup> day of January, 2018.

  
 Kathrine Coviello, RMC/CMC/MMC  
 Municipal Clerk

  
 Robert G. Hermansen  
 Council President

**BUSINESS ENTITY DISCLOSURE CERTIFICATION**  
**FOR NON-FAIR AND OPEN CONTRACTS**  
 Required Pursuant To N.J.S.A. 19:44A-20.8  
**TOWNSHIP OF MAHWAH**

**Part I – Vendor Affirmation**

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that Edmunds Assoc, Inc located at 301 A TILTON RD, NORTHFIELD, NJ 08226, has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding January 1, 2018 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Mahwah as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Mayor William Laforet	Robert Hermansen
Janet Ariemma	
David May	Jonathan Wong
George Ervin	James Wysocki

**Part II – Ownership Disclosure Certification**

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership     
  Corporation     
  Sole Proprietorship     
  Subchapter S Corporation  
 Limited Partnership     
  Limited Liability Corporation     
  Limited Liability Partnership

Name of Stock or Shareholder	Home Address
ROBERT J. EDMUNDS	357 MURFIELD LOOP, RELEVIA, FL

**Part 3 – Signature and Attestation:**

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: EDMUNDS ASSOC, INC  
 Signed: \_\_\_\_\_ Title: PRES  
 Print Name: RICHARD EBY Date: 12/28/17

Subscribed and sworn before me this 28 day of Dec, 2017

My Commission expires: [Signature]

[Signature]  
 (Affiant)

(Print name & title of affiant) (Corporate Seal)

**KATHLEEN M AGGARDI**  
 ID # 2429888  
 NOTARY PUBLIC  
 STATE OF NEW JERSEY  
 My Commission Expires Feb. 11, 2018



**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
P.O. Box 733  
**MAHWAH, NJ 07430**

Resolution # 056-18

Date: January 9, 2018

Name	Motion	Second	Yes	No	Abstain	Absent
Ariemuna			X			
Ervin			X			X
Hermansen						
May			X			
Wong	X		X			
Wysocki		X	X			

**WHEREAS**, the Township of Mahwah has a need to acquire various unrelated lighting and trailer equipment replacement parts and services as an alternate non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44-20.5; and

**WHEREAS**, the Purchasing Agent has determined and certified in writing that the aggregate value of quote items for the twelve months to York Motors, Inc. will exceed \$17,500; and

**WHEREAS**, the anticipated term of this approval is through December 31, 2018; and


**WHEREAS**, York Motors, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that York Motors, Inc. has not made any reportable contributions to a political or candidate committee in the Township of Mahwah in the previous one year, and that it is prohibited from making any reportable contributions through the term of the contract.

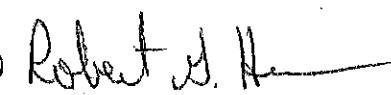
**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Mahwah authorizes the Purchasing Agent to approve purchase orders for York Motors, Inc. through December 31, 2018 as described herein not to exceed, in the aggregate, \$40,000.00; and

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

**BE IT FURTHER RESOLVED** that the Township Clerk shall keep a copy of this Resolution on file and available for inspection in the Office of the Township Clerk and that the Township Clerk shall forward a copy of this Resolution to the Business Administrator, Administrative Assistant/QPA, DPW Director, CFO, Accounts Payable, and York Motors, Inc. 1212 Route 23 North, Butler, New Jersey 07405.

I hereby certify that this resolution consisting of one page(s), was adopted at a meeting of the Township Council of the Township of Mahwah, on the 9<sup>th</sup> day of January, 2018.

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

  
Council President

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
P.O. Box 733  
MAHWAH, NJ 07430

Resolution #058-18

Date: January 9, 2018

Name	Motion	Second	Yes	No	Abstain	Absent
Ariemma			X			
Ervin						X
Hermansen			X			
May		X	X			
Wong			X			
Wysocki	X		X			

**WHEREAS**, the Township Council of the Township of Mahwah has reviewed the merits and abilities of Tyco Animal Control Service (the "Professional"), and is desirous of awarding a Professional Services Contract to Tyco Animal Control Service for Animal Control services for the period of January 1, 2018 through December 31, 2018.

**WHEREAS**, Tyco Animal Control Service has completed and submitted a Business Entity Disclosure Certification which certifies that Tyco Animal Control Service has not made any reportable contributions to a political or candidate committee in the Township of Mahwah in the previous one year, and that it is prohibited from making any reportable contributions through the term of the contract.

**BE IT RESOLVED** by the Township Council of the Township of Mahwah, County of Bergen, State of New Jersey, that a contract be and is hereby awarded to Tyco Animal Control Service, located at 1 Stout Lane, Ho Ho Kus, New Jersey 07423 for Animal Control services for the period of January 1, 2018 through December 31, 2018 for the sum of \$33,000 plus \$60.00 per emergency calls, and \$180.00 per rabies transport to Trenton and that adoption of the Resolution is contingent upon the Township C.F.O. submitting a certificate as to the availability of funds, and the Township Clerk shall attach said certificate to the original of this Resolution.

**BE IT FURTHER RESOLVED**, that said Contract is being awarded pursuant to N.J.S.A. 40A:11.5 et seq. because the practice of Animal Control services are regulated by law and because it has been determined that the personnel of Tyco Animal Control Service are authorized by law to practice said profession.


**BE IT FURTHER RESOLVED**, that the Mayor and Municipal Clerk are hereby authorized and directed to execute the aforesaid Contract in form to be approved by the Township Attorney.

**BE IT FURTHER RESOLVED**, that a notice of this action be printed in the official newspaper of the Township of Mahwah.

**BE IT FURTHER RESOLVED**, that the Township Clerk shall keep a copy of this Resolution and the Contract on file and available for inspection in the Office of the Township Clerk and forward a copy to the Business Administrator, Administrative Assistant/QPA, CFO, Health Officer, Police Chief, DPW Director.

I hereby certify that this Resolution consisting of two pages(s), was adopted at a meeting of the Township Council of the Township of Mahwah on the 9th day of January, 2018.

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

  
Robert G. Hermansen  
Council President

TOWNSHIP OF MAHWAH

REQUEST FOR CERTIFICATE OF FUNDS

DATE: 12/11/17

TO: KEN SESHOLTZ

FROM: DENISE STORMS

RE: CERTIFICATION OF FUNDS FOR TYCO ANIMAL CONTROL SERVICES; 2018 ANIMAL CONTROL SERVICE.

Please certify that the following account has sufficient funds to enter into an agreement with Tyco Animal Control Service for the period January 1, 2018 through December 31, 2018 at a cost not to exceed \$33,000.00, plus \$60.00/hr emergency after hour's calls, and \$180.00 rabies transport to Trenton.

Account: 8-01-A04-219 Amount: \$ not to exceed 2018 budget amount U/B \$ Award subject to 2018 budget adoption

This contract does  exceed \$17,500.00. Contract is an Alternate Non Fair and Open by Council Resolution

Quentin Wiest  
DEPARTMENT HEAD

DO NOT WRITE BELOW THIS LINE

TOWNSHIP COUNCIL

Pursuant to N.J.A.C. 5:30 – 1.10, I hereby certify that as of 1/4/18

the free and unencumbered balance in the appropriation account (s) entitled

ANIMAL CONTROL - O.E. is \$ SEE ABOVE and that there are

adequate funds available for the proposed contract noted above.

[Signature]  
Kenneth Sesholtz, C.F.O.

Resolution No.: \_\_\_\_\_  
Ordinance No.: \_\_\_\_\_

This is to certify that the required funds needed in connection with the attached has been or will be available in the 2018 Budget under Account #: \_\_\_\_\_

Dated: 1-3-18

Quentin Wiest  
Quentin Wiest  
Business Administrator

**BUSINESS ENTITY DISCLOSURE CERTIFICATION**  
**FOR NON-FAIR AND OPEN CONTRACTS**  
 Required Pursuant To N.J.S.A. 19:44A-20.8  
**TOWNSHIP OF MAHWAH**

**Part I - Vendor Affirmation**

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that Carol Tyler DBA Tyco Animal Control located at 1 Stout Lane Hoboken, N.J. 07423, has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding January 1, 2018 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Mahwah as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Mayor William Laforet	Robert Hermansen
Janet Ariemma	Steven Sbarra
David May	Jonathan Wong
George Ervin	James Wysocki

**Part II - Ownership Disclosure Certification**

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership     
  Corporation     
  Sole Proprietorship     
  Subchapter S Corporation  
 Limited Partnership     
  Limited Liability Corporation     
  Limited Liability Partnership

Name of Stock or Shareholder	Home Address
NONE	

**Part 3 - Signature and Attestation:**

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: Carol Tyler DBA Tyco Animal Control

Signed: Carol Tyler Title: OWNER

Print Name: Carol Tyler Date: 12/12/17

Subscribed and sworn before me this 12th day of December, 2017.

My Commission expires:

August 7, 2022

Laura Borchers  
 (Affiant)  
LAURA BORCHERS  
 (Print name & title of affiant) (Corporate Seal)