

**TOWNSHIP OF MAHWAH
COMBINED WORK SESSION AND PUBLIC MEETING MINUTES
THURSDAY, JULY 7, 2016**

The Meeting was called to order at 8:09PM by Council President Roth who read the Open Public Meetings Act Statement as prescribed by law. Notice was advertised in The Record and The Ridgewood News on October 9, 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, July 7, 2016 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 both here and abroad. It is because of their valor and bravery that we can hold meetings such as these.

Present: Councilmembers Amoroso present at 8:11PM, Ariemma, DiGiulio, Roth, Sbarra and Wong

Absent: Councilmember Hermansen

Also present were Mayor William Laforet, Business Administrator Brian Campion, Township Attorney Brian Chewcaskie, Township Engineer Mike Kelly and Clerk Assistant Carolyn George.

PUBLIC PORTION

On a motion by Wong, seconded by Sbarra, the meeting was opened to the public at 8:11PM. All in favor. Motion carried.

On a motion by Sbarra, seconded by Wong, the meeting was closed to the public at 8:12PM. All in favor. Motion carried.

ANNUAL 2015 AUDIT

Township Auditor, Louis C. Mai, provided a summary concerning the Township's 2015 Audit. Mr. Mai stated the audit and the Township is in a very good financial position. One comment relating to check deposits for Dog Licensing within the Clerk's office was reviewed and a Corrective Action Plan set forth. Mr. Mai added there are no other comments. The State looks at the Township's operations and the AAA Rating.

Wong asked if the Township's AAA Rating would be in jeopardy if the surplus should drop below \$6,000,000. Mr. Mai stated no because the Township has a plan and specific criteria for

the surplus. The State looks at trends, management and consistency; and all of these are very good.

Wong asked if there are any concerns on raising water and sewer rates. Mr. Mai responded that it is not an issue with this town.

Wong thanked Mr. Mai for the good news.

DiGiulio asked if the Corrective Action Plan was okay. Mr. Mai indicated that it is okay.

Roth stated he was pleased with everything. The audit would not contain an evaluation of the water/sewer rates; the rates had no discrepancy so nothing was mentioned in the audit.

Mayor Laforet asked how far does the Township's spending needs to be projected in future plans. Mr. Mai indicated the Township has a very good three-year plan. It would not be more than three years due to emergencies like hurricanes. Any longer plans would be a guesstimate.

Mayor Laforet asked if two AAA Ratings is commonplace. Mr. Mai stated it is a good spot to maintain. Many municipalities that receive one AAA rating are lucky and do not pursue a second. The State looks at other areas such as other reserves and various funds as a conglomerate. Mayor Laforet extended his thanks to the Chief Financial Officer and the Business Administrator for their efforts.

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. A.D.P.P. Enterprises, Inc., 231 Route 17 North – Block 59, Lots 20 and 21; Request to Execute Developer's Agreement (Docket No. 1341-12)

Township Engineer indicated that there is a resolution to develop the USave Property on Route 17 North before West Ramapo Avenue. Sbarra stated this was approved by Zoning Board of Adjustment 2½ years ago and questioned the delay at this point. Township Engineer agreed and stated the developer has been working on getting all of the approvals and the conditions of the approvals. Township Attorney added that this has multi-jurisdictions; and therefore, it is not unusual.

Roth asked if the Township Engineer was comfortable with the many variances. Township Engineer responded yes. Zoning Board of Adjustment was satisfied in granting the variances. In addition, it was a tough site concerning the layout, one ordinance asked for parking spaces to be 10 feet x 20 feet but it is not needed for a convenience store.

Sbarra asked if the exit area is okay. Township Engineer stated the Department of Transportation (DOT) gave their approval.

1b. Discretionary Aid Application; NJDOT – Macarthur Boulevard
Township Engineer requests the adoption of a Resolution of Approval to prepare and execute an endorsement resolution for discretionary aid for the Road Improvements for Macarthur Boulevard. Boswell submitted a Local Aid Application six months ago but the application was denied. Administration recommended the application be resubmitted for discretionary aid and is now reapplying for the guardrail to be replaced for Section 5, Eastbound. The application can be submitted once the State's Transportation Trust Fund is resolved.

Resolution shall be voted on in the Public Meeting.

1c. Written Status Report – July 2016

MA 1541- Ramapo and Mahwah Rivers Stream Cleaning and Flood Control:
Mosquito Commission cut in the road this week and will begin working on the dredging next week using long reach equipment.

MA 1625 - 2016 Road, Curb and Sidewalk Program:

The Sidewalk Pre-Construction Meeting will be held on July 13. Governor Christie has placed a freeze due to the lack of funding for the Transportation Trust Fund. Therefore, Hilltop Road construction was shut down. Hilltop Road project is \$149,000. This project may have to reorganize its time schedule with the contractor but the Township Engineer does not want to jeopardize the overall program. No other roads in Mahwah are affected by this state shutdown.

DiGiulio stated that Chapel Road flooded during a recent rainstorm. Township Engineer, Business Administrator and DPW Director went to look at the location today with a survey that confirms the basin is not a dead end catch basin. It was determined a line runs west to an inlet; travels further west to a manhole and discharges into wetlands. At the point of discharge, it is filled with silt and the large area is overgrown. The water does recede within one to two hours. The Township cannot excavate in the wetlands and jeopardize the wetland permit that currently exists. When that work is completed, DPW will dig a channel from the outfall into the wetlands within Township property. The DPW Director will direct his crew to jet the lines, remove the silt, and overgrown brushes.

Sbarra asked if there would be work on the Darlington water main on Monday. Business Administrator indicated that it is Ramsey's Sanitary Sewer line replacement in Darlington Avenue between Jean Street and Albert Street. The traffic will be diverted. Sbarra asked how long this would take. Business Administrator stated three months.

ADMINISTRATION

2a. Chapter 159—Bergen County Open Space Trust Fund – Fitness Course
This has been authorized for a \$25,000 Fitness Court.

Resolution shall be voted on in the Public Meeting.

2b. Chapter 159—Municipal Court- Alcohol Education, Rehabilitation and Enforcement
Fund

The Municipal Court has approximately \$30,000 for DWI and has put the money in the budget to spend.

Resolution shall be voted on in the Public Meeting.

2c. Award of Bid MTB #16-10; Electrical Services

The Department of Public Works electric services was advertised again and the lowest bidder declined the bid so the lowest responsive bidder, JC Electric, accepted.

Resolution shall be voted on in the Public Meeting.

2d. Pool Building Contract; Change Order No. 3 (Decrease)

This is the Final Change Order concerning the refurbishment and construction at the Municipal Pool. There is a credit with the pool contract.

Sbarra asked about getting defibrillators for the pool. Business Administrator stated the pool would be getting one.

Resolution shall be voted on in the Public Meeting.

2e. Joint Road Paving; Ramsey/Mahwah; West Crescent Avenue and Skytop Drive

The two roadways share boundaries down the center of the roads. We will pave all of Skytop Drive and Ramsey will pave all of West Crescent Avenue. Since Ramsey is paving a greater length, Mahwah will adjust the cost and a net payment will be paid to Ramsey from Mahwah.

Resolution shall be voted on in the Public Meeting.

2f. Professional Recruitment Proposals

Roth stated four to five resumes were submitted that were not a good fit. Mayor Laforet provided an update. The lack of response may be associated with the upcoming election. As of this date, 12 resumes have been received. Three candidates have been interviewed; two candidates are being brought back for a second interview. There was an additional resume received after the due date and the Mayor will consider it. Mayor Laforet does not agree to spend money for a Professional Recruitment Search. There have been good candidates from the job posting through New Jersey League of Municipalities. Roth and Mayor Laforet reviewed and independently agreed on these candidates.

Roth stated there were two very good candidates, one possible and one promising. Mayor Laforet stated the Administrative Assistant and Human Resources/Benefits Associate, and he were present at the initial interviews. Roth would like a one-on-one interview with the candidate. Mayor Laforet explained they could work with these. Business Administrator stated the next stage is to narrow down with a second interview. Roth wants assurance in the ability to meet with the candidates. Mayor Laforet explained that the Business Administrator position requires a team for this important position. Roth agreed and needs engagement advice and consent, engage Council near end. The incumbent must go through a chemistry check and referral check. Roth believed that if the Township uses a recruiter, it would take any issues off the table.

Wong asked what happens if there is no Business Administrator in place when the current Business Administrator leaves on August 31. Township Attorney explained the Mayor may appointment a temporary replacement for 60 days. The permanent position would be voted on by the Council. This is not a statutory position.

Sbarra questioned why the Administrative Assistant and the Human Resources/Benefits Associate were in the first round of interviews. Mayor Laforet responded he needed to use every resource possible. Sbarra does not agree with this process.

DiGiulio recalls the previous Mayor had interviewed and then the Council would interview as a group. DiGiulio disagrees with one person from the Council interviewing one person. Roth stated that a consultant proposal gives the Township a recommendation and the Council and the Mayor can provide their consideration.

Amoroso stated the one-to-one interview for Roth is acceptable but no for the consultant at this point.

Ariemma stated the concern with the amount of candidates but no for the consultant at this point.

A straw poll was taken to retain the services of a Professional Recruiter for the Business Administrator's position. Amoroso, no; Ariemma, yes; DiGiulio, no; Sbarra, no; Wong, no; Roth, no. Straw poll fails.

TOWNSHIP COUNCIL and MUNICIPAL CLERK

3a. Resolution for Corrective Action Plan; Audit Report

Roth stated it pertains to the Municipal Clerk deposits of Dog Licenses. The Corrective Action Plan is acceptable.

Resolution shall be voted on in the Public Meeting.

3b. ~~Approval of Access for All Commission By-Laws~~ Removed

Roth explained the original ordinance indicated 20 positions for the Commission. Fourteen are members of the general public, six are Township designees but not appointed yet. Therefore, a quorum of 11 would be required and that is difficult due to summer schedules. It has been requested the Township Attorney review both the Ordinance and the By Laws to change the wording so a quorum of eight can be used. For that reason, the Resolution was removed from the Agenda.

CLOSED SESSION

On a motion by Amoroso, seconded by Sbarra, Council went into Closed Session at 9:17PM for the express purposes of discussing:

- C1. Tax Appeals
 - 1. 49 James Brite Circle; Block 21.01, Lot 8.
 - 2. 30 Industrial Avenue; Block 110.01, Lot 2.
- C2. Pending Litigation
- C3. Personnel Issue

All in favor. Motion carried.

On a motion by Wong, seconded by DiGiulio, Council came out of Closed Session at 9:55PM. All in favor. Motion carried.

RESOLUTIONS

Resolutions #185-16 and #186-16 were voted on and are attached to and made part of these Meeting Minutes.

PUBLIC MEETING

APPROVAL OF BILLS AND CLAIMS

On a motion by DiGiulio, seconded by Sbarra, the Bills and Claims, previously signed, totaling, \$6,074,344.42 were approved. Roll call vote: Amoroso, yes; Ariemma, yes; DiGiulio, yes; Hermansen, absent; Sbarra, yes; Wong, yes; and Roth, yes. A List of Bills and Claims is on file in the Municipal Clerk's Office.

TOWNSHIP COUNCIL; COMMENTS, COMMUNICATIONS AND REPORTS OF SUBCOMMITTEES

Amoroso stated she attended the Ridgewood fireworks and learned they charge \$15, even for veterans.

Ariemma attended the Ridgewood Fourth of July Parade and the last vehicle in their parade was a Mahwah Police car.

Ariemma attended the fireworks at the Northern Highlands High School.

Ariemma attended the Senior Luncheon and served alongside Wong.

DiGiulio reported she was in the hospital last meeting.

DiGiulio extended condolences to Mike DeLuca because his wife passed away.

Wong extended a safe and happy 4th of July.

Wong attended the Senior Luncheon and enjoyed the historian speaker.

Wong attended the Senior Picnic on July 21 at Continental Soldier's Field.

Roth attended the wake for Mike DeLuca's wife.

Roth attended on June 24th Stu Stolarz retirement party.

Roth attended on June 25th a Grand Opening for Locomotion on Franklin Turnpike. The store has a large inventory consisting of very big motorcycles and ATVs.

Roth attended on June 28th an internal review for the final draft of Matrix Consulting with the Police Chief, two Police Captains, Mayor Laforet and the Business Administrator. The review contained good ideas with valuable information.

Roth stated Police Chief would be attending the Special Meeting on July 19 for the Closed Session Matrix review. Rosario Zito is the new PBA President.

Roth attended with Sbarra on July 6th the public events meeting on the Pilgrim Pipeline held at Mahwah Public Library regarding the Township's accomplishments.

REPORTS OF MAYOR AND BUSINESS ADMINISTRATOR

Mayor Laforet stated that the Senior Center is a cooling center for any residents in need of a cool spot to get away from the heat wave.

Mayor Laforet reported that the Wifi would be up and running next week.

Mayor Laforet reported that there is a new Public Address system for the Senior Center.

PUBLIC PORTION

Roth dispensed with the second Public Portion because there were no members of the public present.

CONSENT AGENDA

Resolutions #174-16 to #181-16, #183-16 to #184-16, were voted on under the Consent Agenda. Resolutions are attached to and made part of these Meeting Minutes.

Resolution #182-16 was removed from the Agenda.

OLD BUSINESS

None.

NEW BUSINESS

None.

On a motion by Sbarra, seconded by Wong, the meeting was adjourned at 10:14PM. All in favor. Motion carried.

Respectfully submitted,



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