

**TOWNSHIP OF MAHWAH
COMBINED WORK SESSION AND PUBLIC MEETING MINUTES
THURSDAY, APRIL 9, 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 that this meeting would be held in the Council Chambers at the Richard J. Martel Municipal Offices, 475 Corporate Drive, Mahwah, New Jersey on Thursday, April 9, 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 have been approved by the Township Council.

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.

Roth also mentioned this week Mr. John Kelly passed away. He is a legacy that will continue to live on throughout the Township.

Present: Councilmembers Amoroso, Ariemma, DiGiulio, Roth, Sbarra and Wong.

Absent: Councilmember Hermansen.

Also present were Mayor William Laforet, Township Attorney's Associate Steven Muhlstock (until 8:55PM), Township Attorney Brian Chewcaskie (at 8:55PM) and Municipal Clerk Kathrine G. Coviello.

Roth welcomed the students from Mahwah High School.

DiGiulio apologized to her colleagues and the public for acting unprofessional at the last Council Meeting. She said she has never acted that way before. She said she was sorry for her actions.

PUBLIC PORTION

On a motion by Amoroso, seconded by Sbarra, the meeting was opened to the public at 8:06PM. All in favor. Motion carried.

Mr. Bob Zisgen of Hopkins Court said on Lydia Lane by the Clubhouse there are many potholes. He asked for the area of the road to be looked at.

Mr. Peter Cassotis of Mahwah Road said the taxpayers are fed up with what has been going on. He said the Council is here for the betterment of Mahwah.

Mrs. Jackie Sinclair of 16 Lynn Terrace thanked the Council for reinstating her husband as DPW Director. And for having the morales to stand up for justice.

Mr. Bob Lockwood of 10 Homespun Court read the Recall Petition document and Recall Mission Statement into the record. Roth informed Mr. Lockwood the Council is not involved in the Recall.

Mr. Michael Richards of Blue Ridge Lane supports Lisa. He added she is a great person. And he is proud to be a citizen of the Township.

On a motion by Sbarra, seconded by Wong, the meeting was closed to the public at 8:19PM. All in favor. Motion carried.

WORK SESSION

SUBMISSION OF BILLS AND CLAIMS

The Bills and Claims List was placed in everyone's Dropbox. Any Councilmember with questions was asked to speak with Administration prior to the Public Meeting.

ADMINISTRATION

2i. Water Department; Tank Maintenance Agreement

Mr. Paul Scherer, Superintendent of the Water Department and Mr. Joe Jasinski of United Water Group were present.

The Business Administrator said the Notice was published on March 26, 2015 in The Record advertising the meeting. There will be a public comments taken as well. An Opinion Letter from Bond Counsel dated March 31, 2015 states that entering the contract would not affect the debt of the Township. The Business Administrator said that the record shall remain open for 7 days for public comment. At the next meeting, the Council will adopt a Resolution. The Township is not retaining a private company to operate the water company. This is for maintenance of the water tank. The Contract will be over 20 years.

Mr. Jasinski of Utility Services Group said there are three keys to this type of Program: 1. Planning for what is being done, 2. Avoiding risk – their company is financially strong. There will be no surprises or change orders and 3. Sustainability – they understand the long term goals of the Township. Tanks will be kept out of service to the shortest time possible.

The Business Administrator said the Township solicited for formal proposals earlier this year. It is not anticipated that any rates will be increased as a result of this contract.

PUBLIC HEARING

Water Tank Maintenance Agreement

On a motion by Wong, seconded by Sbarra, the meeting was opened to the public at 8:49PM. All in favor. Motion carried.

A Resident of 116 Grove Street said he likes the taste of the water and he would like it to stay the way it is.

A Resident of Pompton Lakes who at one time lived in Mahwah spoke. He questioned what the difference in cost would be if the Township purchased all new tanks. The Business Administrator estimated \$20 million plus the Annual Maintenance.

On a motion by DiGiulio, seconded by Wong, the meeting was closed to the public at 8:53PM. All in favor. Motion carried.

LEGAL

1a. Towing Update

Ramsey Auto Body, A-1 Auto Body and Venusti Auto Body: Complaints were received late today on the Certificates of Occupancy for the three companies. Information has been requested from the Building Department. The Township Attorney went on to say it is his understanding the companies have been operating on the premises for many years. Suggested the three companies be conditionally approved until documents are received. Council concurred Resolution shall be voted on in the Public Meeting to conditionally approve Ramsey Auto Body, A-1 Auto Body and Venusti Auto Body for 28 days, until May 7, 2015, in which to obtain the Certificates of Occupancy information.

NAR Towing and Allendale Towing: various documents were received on the licensed premises which is in Ramsey and Upper Saddle River. Looking at the information, the Township Attorney said there is no doubt the Certificate of Occupancy was revoked. But for no other reason than there is no building on the property in Ramsey. The building is in Upper Saddle River. Another issue was the documents that came from the Enforcement Officer in Upper Saddle River on the Continued Certificate of Occupancy. Looking at the documents provided, the lease expired. There was a reference made to a Continued Certificate of Occupancy Application. The Township Attorney did not have same but has requested. Resolution, extending conditional approval for 2 weeks, shall be voted on in the Public Meeting.

On a motion by Sbarra, seconded by DiGiulio, the meeting was opened to the public at 9:00PM. All in favor. Motion carried.

Mr. Robert Zisgen, Attorney for Ramsey Auto Body, Venusti Auto Body and A-1 Auto Body, said he will work with the Township's legal counsel to provide the requested documents.

Mr. Tom Locieciero of All Points Towing said again he is not on the Council Agenda for approval to be a Township Tower. He said every time he believes he has done everything correctly, he is told he must do something else. He said he feels he is being singled out.

On a motion by Sbarra, seconded by DiGiulio, the meeting was closed to the public at 9:06PM. All in favor. Motion carried.

ADMINISTRATION

2a. Amendment; Contract with Suburban Disposal for Solid Waste Collection

The Business Administrator said the Resolution and Contract Amendment are to make the change of curbside pick up twice a week for the remainder of the contract. Resolution shall be voted on in the Public Meeting.

2b. Pay to Play Compliance; Transaxle LLC

Resolution shall be voted on in the Public Meeting.

2c. Authorization to Award Bid #MTB-15-05: HVAC Mechanical Repairs and Maintenance Services

Administration recommended the Contract be award for two years to Automated Building Controls. Resolution shall be voted on in the Public Meeting.

2d. Authorization to Dispose of DPW Vehicle

This item is to dispose of a 1988 Ford L8000 Tandem Dump Truck in the DPW Water and Sewer Department. Resolution shall be voted on in the Public Meeting.

2e. Resolution to Accept OEM Subgrant

Resolution, to apply for Grant through the New Jersey State Police Office of Emergency Management Agency, shall be voted on in the Public Meeting.

2f. Approval of Culvert Maintenance Agreement; Darlington Schoolhouse

The Business Administrator said the Township is the Co-Owner of the Darlington Schoolhouse with the New York – New Jersey Trail Conference. The Grand Opening was held. The building is open every day.

The Easement for Culvert Maintenance is required between the New York – New Jersey Trail Conference and the Township & the County of Bergen for a portion of the property.

Resolution, authorizing the Mayor and Municipal Clerk to execute the Easement, shall be voted on in the Public Meeting.

2g. 2015 Temporary Budget/Emergency Temporary Appropriations

Resolution shall be voted on in the Public Meeting.

2h. Approval; Care Trak Tracking System Donation

The Mayor said the Care Trak System is a donation being made by the Mahwah Municipal Alliance. He added the Police Department has been trained on the equipment. And today was the last day of the training. Mayor said he is looking for the approval of the Council on the equipment.

Mayor said that each Police car will have a photograph of each individual, medications and three spots which they would want to go with the parent's/caretaker's permission should the individual become lost and the parent's/caretaker's could not be located.

Council concurred to accept the donation from the Mahwah Municipal Alliance.

2i. Water Department; Tank Maintenance Agreement
Item discussed earlier in the Meeting.

2j. 2014 Tonnage Grant
1. Application and Appointment
2. 2014 Tax Reimbursement Certification
Individual Resolutions shall be voted on in the Public Meeting.

2k. Approval of Competitive Contract; Operations, Management and Administration of Data Processing Services and Computers
The Business Administrator said Administration is looking for approval to solicit proposals for data processing services. Resolution shall be voted on in the Public Meeting.

TOWNSHIP COUNCIL and MUNICIPAL CLERK

3a. Firefighter Application; Justin A. Roth to Fire Company #2
Resolution shall be voted on in the Public Meeting.

3b. Approval of Towing Companies; A-1 Auto Body, Venusti Auto Body and Ramsey Auto Body
Resolution, granting conditional approval until May 7, 2015, shall be voted on at the Public Meeting.

3c. Raffle Application; Mahwah Municipal Alliance (Off Premise)
Raffle Application was tentatively approved. Final approval shall be voted on at the Public Meeting.

3d. Extension of Conditional Approval; NAR Towing and Allendale Towing
Resolution, granting conditional approval for 2 weeks, shall be voted on in the Public Meeting.

PUBLIC MEETING

APPROVAL OF BILLS AND CLAIMS

On a motion by DiGiulio, seconded by Amoroso, the Bills and Claims, previously signed, totaling \$6,780,921.05, were approved. Roll call vote: Amoroso, yes; Ariemma, yes; DiGiulio, yes; Hermansen, absent; Sbarra, yes; 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 Sbarra, the Budget Work Session Meeting Minutes of February 21, 2015, Budget Work Session Meeting Minutes of February 25, 2015, Budget Work Session Meeting Minutes of February 28, 2015, Budget Work Session Meeting Minutes of March 2, 2015, Budget Work Session Meeting Minutes of March 7, 2015, Combined Work Session and Public Meeting Minutes of March 5, 2015 and Closed Session Meeting Minutes of March 5, 2015 were approved. Roll call vote: Amoroso, yes; Ariemma, yes; DiGiulio, yes;

Township of Mahwah Combined Work Session and Public Meeting Minutes of
April 9, 2015

Hermansen, absent; Sbarra, yes; Wong, abstained on Combined Work Session and Public Meeting Minutes of March 5, 2015 and Closed Session Meeting Minutes of March 5, 2015 & yes to remaining; Roth, yes.

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

Amoroso said the Board of Education will be introducing their Budget in May. The number of Teachers will be reduced by 6.

Amoroso said the Darlington Schoolhouse recently received their Certificate of Occupancy.

Amoroso said she is disheartened with the events going on recently. She feels is a recall is an extreme action and is away from the work we should be doing.

Ariemma attended the two Planning Board Meetings.

DiGiulio attended Meet the Bunny.

DiGiulio said the Beautification Committee's project will be working to get Welcome to Mahwah signs. They will be doing fundraising.

DiGiulio said at the last Beautification Meeting Karin LaGreca made a presentation on rain gardens.

DiGiulio said on April 18th is the Dedication of the Winter's Park Playground.

DiGiulio said recently Mr. John Kelly passed away. He was a wonderful, warm, giving person. He always put Mahwah first and he will be missed.

Sbarra offered his condolences to the Kelly family. He said John will be missed.

Sbarra attended Meet the Bunny on March 28th.

Wong reminded the public the paperwork viewed by the Council during the Meetings is available on the Township web site.

Roth attended Meet the Bunny on March 28th.

Roth attended the opening of the Library's Tween Facility.

Roth attended on April 7th the Ribbon Cutting Ceremony for the New York – New Jersey Trail Conference.

Roth said John Kelly was an extraordinary man. He served the town in so many capacities. He will certainly be missed.

REPORTS OF MAYOR AND BUSINESS ADMINISTRATOR

Mayor attended the opening of the Library's Tween Room.

Mayor attended the Darlington Schoolhouse Grand Opening.

Mayor thanked the Council for approving the Care Trak System. He said the System is of great importance to those in need. And the Township is one of two Agencies who deployed the System.

MAYOR'S PROCLAMATION

Mayor read the Proclamation on "Les Paul Appreciation Day" – June 9, 2015 into the record.

ORDINANCES – PUBLIC HEARINGS

The title of an Ordinance was read as follows:

BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE TOWNSHIP OF MAHWAH, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$1,400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,330,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

On a motion by Wong, seconded by DiGiulio, the following Resolution was passed and adopted:

RESOLUTION – ORDINANCE NO. 1760

RESOLVED that the Ordinance be passed and adopted on second reading and the Municipal Clerk is authorized to advertise in summary or in full as having been finally adopted, as required by law.

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

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The title of an Ordinance was read as follows:

AN ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY LOCATED IN THE TOWNSHIP OF MAHWAH AS SHOWN ON THE TAX MAP AS BLOCK 1, LOT 22

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

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

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

RESOLUTION – ORDINANCE NO. 1763

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

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

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The title of an Ordinance was read as follows:

**AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE IV ENTITLED
GENERAL LICENSING, SECTION 4-5 LEGALIZED GAMES OF CHANCE FOR THE
TOWNSHIP OF MAHWAH, COUNTY OF BERGEN, STATE OF NEW JERSEY**

On a motion by DiGiulio, seconded by Amoroso, 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 Sbarra, seconded by Wong, the following Resolution was passed and adopted:

RESOLUTION – ORDINANCE NO. 1764

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

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

PUBLIC PORTION

On a motion by Wong, seconded by Amoroso, the meeting was opened to the public at 9:52PM. All in favor. Motion carried.

Being no comments were made from the public, on a motion by Wong, seconded by Sbarra, the meeting was closed to the public at 9:53PM. All in favor. Motion carried.

CONSENT AGENDA

Resolutions #095-15 through #107-15 and the Raffle Application for the Mahwah Municipal Alliance (Off Premise) were voted on under the Consent Agenda. Resolutions are attached to and made part of these Meeting Minutes.

OLD BUSINESS

Wong asked the status of the Communications Ordinance. The Township Attorney said he is working on it.

NEW BUSINESS

None.

CLOSED SESSION

On a motion by Amoroso, seconded by Sbarra, Council went into Closed Session at 9:55PM for the express purposes of discussing:

C1. Affordable Housing Litigation; Update

C2. Personnel Release Agreement

All in favor. Motion carried.

On a motion by Wong, seconded by Amoroso, Council returned to Open Session at 10:36PM. All in favor. Motion carried.

Roth said an amicable Agreement has been reached on a Personnel Issue at the DPW. The Agreement presented to the Council will be voted on shortly.

RESOLUTION

Resolution #108-15 was voted on. Resolution is attached to and made part of these Meeting Minutes.

On a motion by Sbarra, seconded by Amoroso, the Meeting was adjourned at 10:37PM. All in favor. Motion carried.

Respectfully submitted,



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