

**TOWNSHIP OF MAHWAH  
COMBINED WORK SESSION AND PUBLIC MEETING MINUTES  
THURSDAY, SEPTEMBER 20, 2018**

The meeting was called to order at 7:00PM by Council President Hermansen who read the Open Public Meetings Act Statement as prescribed by law. Notice was advertised in The Record on November 2, 2017 and The Ridgewood News on November 10, 2017 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, September 20, 2018 at 7:00PM.

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 Ariemma, Ervin, Hermansen, May, Paz, Wong (at 9:20pm) and Wysocki

Also present were Business Administrator Quentin Wiest, Township Attorney Steven Muhlstock, Township Engineer's Associate Michael Kelly, and Deputy Municipal Clerk-Jan Fox.

**RESOLUTION**

**#385-18 Naming of Park: Lisa DiGiulio Tranquility Park**

Hermansen said he was so happy for the turnout at the dedication and the kind words everyone had for Lisa. He said Lisa has such passion for the Township.

Ariemma said she wants to thank Lisa for her mentoring new Councilmembers. Ariemma thanked her for her service throughout the years on the Council.

Resolution #385-18 was voted on as Body of the Whole. Resolution is attached to and made part of these Meeting Minutes.

**CELL TOWER; OVERVIEW**

Hermansen asked the Business Administrator to give an overview of what has happened this week in regard to Cell Towers. The Business Administrator said there was a Pre-Bidders Meeting. Bidders came in and there was a discussion about the Cell Tower on the Nielsen Water Tower site. He thinks three parties are interested bidders. He asked the bidders if they were awarded the bid, would they have an interest in bringing in a COW (a Cell Tower on Wheels). He also asked the carriers how long it would take to put a monopole up if an Award of Bid was made in November. The carriers answered by early summer. A discussion followed with more information being discussed on the COW.

Hermansen asked how high the COW would be. The Business Administrator feels it would be around 150 feet. He said everything has to be looked at further. He said the carriers prefer one site versus multiple.

Hermansen thanked Councilman May for suggesting the COW. Hermansen said it was a great idea and once the COW is up it can be determined where the best cell coverage will be received. Hermansen stated the Council is trying to do the best thing for our Township.

Hermansen asked what the carriers felt about the four properties of the Township's concern. The Business Administrator said they spoke about the properties of concern and the carriers are going to take a closer look. He has concerns about the companies wanting to install anything on the Water Tank. The Business Administrator commented the carriers did not feel erecting something on the Tank would be of benefit for them. The parties are all interested in installing a monopole of about 180 feet high on a site.

Ariemma mentioned we should get, in writing, from the Cell Carriers, what their opinions are for the best Cell Tower sites. This then can be released to the public also.

### **PUBLIC PORTION**

On a motion by Ervin, seconded by Paz, the meeting was opened to the public at 7:20PM. All in favor. Motion carried.

Mr. Howard Waldrop of 20 Romopock Court and on the Board of Directors of Indian Fields mentioned there needs to be an Analysis and vetting on both sites. Mr. Waldrop agrees with Ariemma and said everyone will be happy to have something in writing from the Cell Carriers. He said there was 450 signatures on a Petition that Cell Tower Service is needed in his area. On Coverage Maps, he said, it shows the Water Tower Site with 150 foot tower does not reach his area.

Mr. Waldrop stated he wants something that serves the community. He said the Council should be looking at the majority not the minority and an Analysis should be done on both sites in question. Waldrop suggested putting the tower in the woods by the Fire Station Site and have it look like a "pine tree". Mr. Waldrop feels, for the record, someone is going to die and then the residents will get the attention they need.

Hermansen commented that the Council is trying to find a solution. Hermansen asked the Business Administrator to get something in writing from the three bidders.

Ms. Elaine Ellman of 5 South Bayard Lane said she lives in Indian Fields and stated she has no problem with her cell service. She said she has concerns with our Government. She believes that Governing bodies were required to behave by morals and ethics and do the best for the greater good. For almost two years the Township Council has not been able to solve a serious problem for the residents. The professional companies that could be involved on installation and servicing have studied the problem and all agreed that a Cell Tower placed on the Masonicus Firehouse property would alleviate the problem. She has concerns about putting a Cell Tower at the Water Tower site which is being considered and also that they must be serviced promptly and properly.

Hermansen explained the history and said the Council has worked on this issue for over a year and feels Administration last year did nothing. The carriers never told us that the Masonicus Firehouse was the best property for the tower.

Ms. Mary Ann Pieshala of 14 North Bayard Lane and President of Indian Fields mentioned the Township should receive something in writing from the Cell Carriers so the Council knows where the Tower should go.

Her second issue, she said, is Bellgrove Drive. The Township has been there for over two months trying to find a massive leak. One resident does not have water and patches are all over Bellgrove Drive. She asked when will this be fixed and who will pave this road after they find the problem. The Township Engineer's Associate said it is incorrect that the leak has not been found. A Contractor was hired and a design had to be made for the repair. The leak is a large project. Bids were received and the contractor began the work on Tuesday. The Township Engineer's Associate expects the work to be done by the 28<sup>th</sup> of September. The road will then be patched on an acceptable level. For the road to be paved, and if the Township wants to pave the road, there will have to be a cost put together. This road is not one of the roads in the Road Program.

Hermansen asked when the Road Program will be finished. The Township Engineer's Associate answered by October 31, 2018. Hermansen asked for an estimate on paving Bellgrove Drive. The Township Engineer's Associate said it would be better to pave in the spring and to be put on next year's Road Program.

Mrs. Barbara Mills of 7 Romopock Court said she is focusing on an RFP process and has experience in RFP's. She feels it is not the decision of the vendor but the people putting out the RFP's as to where the Tower should be. Mrs. Mills suggested Administration to include an RFP for the Masonicus Firehouse so there is a comparison of sites. This, she said, could take emotions away. Mrs. Mills stated health problems are not an issue, as some people have had concerns about that. Mrs. Mills said if there is not a request for a second analyses, for the site, the residents will demand the facts.

Mrs. Regina Chase of 6 South Bayard Lane stated she has a lot of pot holes and has called the Township three times to see when and if something will be done before the winter. The Business Administrator said he will look into this for her. Wysocki commented he will take a ride there tomorrow to look at the road.

Mr. Ronald Nahum of 28 Romopock Court and Treasurer of the Homeowners Association has concerns the RFP will go out only for the Water Tower site and they will find that service will not cover what it needs to and there will be an additional cost incurred. He feels, at least two sites should be considered and urges the Council to expand the RFP's.

Mr. Charles Benigno of 55 North Bayard Lane stated he will not be satisfied until there is a true evaluation of both sites. Mr. Benigno applauded Ariemma for making the only logical sensible statements. Hermansen explained when the carriers all came in the first place they asked to put the RFP out for the Board of Education property. The second property was the Water Tank. Mr. Benigno asked if there was any thought about parking the COW by the Water Tank for three months and then by the Firehouse for three months. Hermansen stated it would be very expensive to move these COW's from one place to another.

Mr. Benigno explained that his son has special needs and could lose his job as his only means of transportation is Uber. Uber needs cell connection to the internet as they lose their connection in the Indian Field area.

Wysocki asked to get two mobile units as soon as possible and then discuss everything afterwards. He hopes this would stop the arguing.

Mr. Tom Zenovic of 2 Cortland Trail stated on the AT&T Maps it shows the best spot is the Masonicus Firehouse. The carriers should make the decision on where the Towers should be. Mr. Zenovic asked which Councilmember has a personal or professional relationship with anyone near the Masonicus Fire House. He said the Fire house is the place for this Tower. Hermansen, again, explained the whole situation with the Board of Education property. He wants a Cell Tower right now and no one has a relationship with anyone near the Masonicus Fire House.

Mr. Mallach of 17 Grismill Run mentioned he has prepared some notes. He would like to address the Council as who has the nerve to speak up. He heard an intelligent analyses of the issue from Mrs. Mills and Mr. Waldrop much more so than he has heard from the Council in the 8 years he has been a resident. He has concerns why residents are not being informed. He does not feel there will be any lawsuits and suggested doing an RFP on the most favorable site.

Ms. Roxanne Davis of 249 Westervelt Lane in Apple Ridge said there was a sewer back up in her area. She found out that the failsafe failed. She does not understand if the pump fails there is no communication saying the pump has failed. The Water and Sewer Department said there is communication, giving out a signal. The Sewer Department found out trees blocked the communication for giving out a signal. They fixed it and it happened again on Tuesday. Mrs. Davis said there should be a call from Central Station and feels the Township should have some way to know when there is a problem. Hermansen asked the Business Administrator to communicate with the Water Department to solve this issue. The system may have to be upgraded. May said there is a similar issue on Litchult Lane also.

Mrs. Davis asked if the three Cell Carriers can come to a meeting with the Township residents. Hermansen said this would be a great idea and suggested Administration to have the Carrier come to the next Council Meeting or a Special Meeting.

Mr. Sean Veres of Stag Hill and Ms. Kathy Veres of 30 Geiger Road were present Mr. Veres mentioned Geiger Road no longer exists. Since July, they have been sending e-mails about this road. The Township Engineer stated the road is on the Township Road List to be evaluated. It has been reviewed. For repair of this road it would cost approximately \$130,000 which is more than 10% of the Township's budget. Mr. Veres stated that five years ago, when he spoke to the Mayor, he was told this road would be a priority. Wysocki asked if we can do an Emergency Appropriation. Ariemma asked if the Administration can apply for a Block Grant from Bergen County. Hermansen said this is the first time he has heard about this road. The Business Administrator commented they have been applying for Block Grants and do receive them.

Wysocki said he will drive up to Stag Hill to look at the road. Mr. Veres urged all of the Council to drive up there to look at this road.

Mr. Robert Goldberg of 15 South Bayard Lane said he just moved to the Township and feels Wysocki had the right idea to get two COWs and get the job done.

Mr. Gary Paton of 83 Fisher Road said most of the conversation this evening has been about the Nilsen Water Tower. He stated no matter what sites are chosen there could be litigation so the Council should be prepared when this happens. Mr. Paton received an e-mail from a company called Homeland Towers, a while ago, stating the Fire Department is ideally situated in the area to provide coverage. That shows someone did a Study on this property. Mr. Paton did an OPRA request for any old maps or correspondence, from any Cell Service Company who has corresponded with this Township.

Mr. Paul Bolton of 206 Youngs Road mentioned there is an out of control deer population in his area. He asked, is there anything in his area to control the population. Hermansen answered there is nothing in place for this deer problem. Wysocki stated this problem has to be brought up to the New Jersey Division of Gaming. Ariemma asked if non-lethal methods be done first to control the deer population. Hermansen suggested Administration reaching out to the State and to Tyco Animal Control and see what we can do to control the over population. Also, he suggested having them come to a Council Meeting.

Ms. Kathy Fulum of 10 South Bayard Lane stated it would be a good idea to have all Cell Tower Vendors come to a Council Meeting. She also feels there should be another RFP put out.

Mr. Steve Wittman of 60 Fisher Road mentioned that Hermansen attended a Board of Education Meeting and was told the property that was recommended for the Cell Tower was condemned by the State. Hermansen said this is true, but afterwards, he found out that was not the case. Mr. Wittman said an RFP is out for one area. Mr. Wittman mentioned if we want to add another area we could amend the RFP or do a second RFP to include the Fire House. This should be done quickly and before Election Day.

Paz had concerns residents living near the Fire House were not attending Council Meetings. Hermansen stated, in the past, they have attended. Wysocki suggested setting up a meeting with each neighborhood involved with the Cell Service. Ariemma agreed with Wysocki.

Mr. Howard Waldrop said the Board of Education property is not all wetlands. The Township Engineer's Associate interjected and said the majority was wetlands but not all.

Ariemma asked if the firehouse property has wetlands. The Township Engineer's Associate said the only way the wetland would be confirmed would have it delineated by a certified Wetland Expert and sent to the Department of Environmental Protection for an interpretation and then the DEP can approve it.

Wysocki mentioned the Township has to move forward on this quickly. It has been going on too long.

Hermansen mentioned he reached out to a few companies about getting a Mobile Tower. The closest place to rent one would be Iowa.

On a motion by May, seconded by Wysocki, the meeting was closed to the public at 8:42PM. All in favor. Motion carried.

## WORKSESSION

### SUBMISSION OF BILLS AND CLAIMS

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

### ENGINEERING

- 1a. Mahwah Municipal Pool; Filtration System Improvements; 700 Darlington Avenue; Block 141, Lot 50; Proposal for Engineering Design and Inspection Services

The Township Engineer's Associate stated this item was removed. He said the funding has to be reviewed further.

- 1b. Verbal Status Report

The Township Engineer's Associate stated for the 2018 Road Program the contractor is doing basin repairs and concrete work. The contractor will begin milling and paving the roadways on October 1<sup>st</sup>. Due to weather delays his schedule has been pushed back.

The Township Engineer's Associate mentioned they are wrapping up the design work at Commodore Perry and are planning to have a meeting next week for final details. After that they will be out to bid.

The Township Engineer's Associate said for the State Aid Application, they are applying for a Grant for Macarthur Boulevard. The Applications are due October 8<sup>th</sup>. He stated the Application has been completed and will be sent to the Department of Transportation.

The Township Engineer's Associate said he had reviewed the issue with Ridge Road, the High School and Joyce Kilmer School at the last Council Meeting. He mentioned he is following up with items raised at that meeting. He would like to have Gary Asclease of his office, who prepared the Study and Design, come to the October 18<sup>th</sup> Council Meeting.

Hermansen mentioned residents from our Township and Upper Saddle River have contacted him about a sediment going into the brook from Mahwah and turning brown. He feels the brook should not be turning brown after all the work that has been done. The Township Engineer's Associate said everyone has been on top of Toll Brothers and they have done everything that has been expected of them. There may be some occasions where there is a discoloration of the brook. Hermansen said the problem is it is unknown what is in the sediment so no one knows what could happen in a few years. The Township Engineer's Associate said the Department of Environmental Protection has been involved the whole time and they have done everything required to make sure this is a safe site.

Ariemma suggested having a water sample tested. Wysocki agreed and asked if the Council has the authority to request testing. The Township Engineer's Associate said the Council can send a letter to the Department of Environmental Protection to request testing. Hermansen suggested Administration working with the Council on this.

Hermansen has concerns the run off could have arsenic. The Township Engineer's Associate commented that this whole area had been Apple Orchards and they are associated with arsenic. Arsenic may be found in other areas not associated with Apple Ridge if testing is started.

Wysocki mentioned Rozanski Lane was an Apple Orchard and a farm and the brook runs in

through Apple Ridge so it may not be Apple Ridge's issue.

Ervin mentioned the Resident Parking Area by Winters Pond now has an additional exit on South Railroad Avenue. This may have happened when the lot was paved as it looks like the curb was cut. The Township Engineer's Associate said he will look at this as he is not aware of this lot being paved.

May mentioned there is a lot of speeding on Hilltop Road and something should be done. It is not safe to walk in this area. The residents would like a Traffic Study done. The Township Engineer's Associate said he will reach out to the Police Department and will also look at it. Ariemma suggested putting a mobile unit in that area.

May mentioned a light fell at Commodore Perry Field and branches have dropped all over. The Township Engineer's Associate mentioned the Department of Public Works does trim trees on Township property. The Business Administrator said he will review this with the DPW.

### ADMINISTRATION

#### 2a. Pay to Play Compliance; Bogush Inc. dba Pump Express

The Business Administrator mentioned the Water Department has obtained quotes for water booster pumping station repairs and services. The lowest bidder is Bogush Inc., dba Pump Express.

Resolution shall be voted on in the Public Meeting.

#### 2b. Grant Agreement; Community Forestry Program Green Communities Grant

The Business Administrator explained that this Grant is to assist local Governments in the development of a Community Forestry Management Plan through the hiring of a Forester or a Professional Consultant. The Environmental Commission will use this Grant for retaining an Arborist.

Resolution shall be voted on in the Public Meeting.

#### 2c. Net-A-Porter; Parking Lease Renewal

The Business Administrator mentioned the Parking Lease Renewal Agreement is for Net-A-Porter to utilize the Mahwah Swim and Hockey premises for parking purposes.

Resolution shall be voted on in the Public Meeting.

#### 2d. Water Utility; Bond Ordinances #1165 and 1613 Amendments; for Well 18A

The Business Administrator stated there is an Ordinance on the Agenda amending two Ordinances for the improvement of the Township Water System.

Ordinances shall be voted on in the Public Meeting.

#### 2e. Water Department; ACH Electronic Payments for Customers

The Business Administrator mentioned the Township Water Department will now be offering the benefit of ACH Electronic Payments through the Bank of American to Account Owners. Customers.

Resolution shall be voted on in the Public Meeting.

- 2f. Award of Contract; Professional Planning Services for Affordable Housing; Maser Consulting P.A.

The Business Administrator stated Maser Consulting PA submitted a Proposal for Professional Planning Services to assist the Township in maintaining immunity in achieving Constitutional Compliance with its Affordable Housing Obligation.

Resolution shall be voted on in the Public Meeting.

- 2g. Private Data Communications Network; Macarthur Boulevard; Discussion

The Business Administrator distributed plans to the Council to show where Proposed Antenna Locations would be installed on Macarthur Boulevard.

- 2h. Cell Tower Update; Discussion

The Business Administrator mentioned the Cell Tower was discussed in the first part of the meeting.

### **TOWNSHIP COUNCIL and TOWNSHIP CLERK**

- 3a. Liquor License; Apple Ridge Food and Beverage LLC to Two Letters LLC; Person to Person & Place to Place Transfers

Resolution shall be voted on in the Public Meeting.

- 3b. Permission to Post Political Signs in the Township Right-of-Way; James Tedesco for Bergen County Executive Steven Tanelli and Tracey Zur for Freeholder.

Resolution shall be voted on in the Public Meeting.

- 3c. Permission to Post Political Signs in the Township Right-of-Way; Josh Gottheimer for Congress.

Resolution shall be voted on in the Public Meeting.

### **PUBLIC MEETING**

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

On a motion by Ervin, seconded by Wong, the Bills and Claims, previously signed, totaling \$672,841.60 were approved. Roll call vote: Ariemma, yes; Ervin, yes; May, yes; Paz, yes; Wong, absent; Wysocki, yes; Hermansen, 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**

Hermansen extended his condolences to the Conway family on the passing of Mr. Conway. Mr. Conway was the head of Dial America Marketing and very good to our community.

Wong arrived at 9:20PM.

Hermansen read a statement that was in the news this week on the Township settlement case with the Attorney General. He feels the settlement was a positive thing for the Township to do. There were a lot of things said about our Township that were not true. He explained that he, along with Councilman May and the Township Attorney asked for clarification before signing the Agreement. The Mayor was not there that day but sent a Representative. Hermansen went



on to read what led up to the lawsuit. Throughout the whole case the Council followed the legal advice of the Attorney. The Attorney General's Representative said the settlement is due to what our Administration has done also, and that is why the Mayor should have been there.

Hermansen departed at 9:25PM.

Ariemma attended the Ballot Drawing and she picked the position of #5 out of #6 for the Ballot.

Ariemma attended a Cable Committee Meeting on September 12<sup>th</sup> with Swagit. The new Playback Equipment was received and a member of Swagit did some training at this meeting. Slides will still be put on the Cable Channel by the Cable Committee. The Boards will be notified that their meetings will be broadcast probably the beginning of October.

On September 12<sup>th</sup> Ariemma attended an Environmental Commission Meeting. The Boy Scouts provided a sketch of what they want to put on the Floating Island.

Ariemma stated they discussed getting an Educational Sign at the Rain Garden.

Ariemma said the \$3,000 Green Communities Grant has been developed and is awaiting Council's approval.

Ariemma stated MEVO will have free Compost Raffle Tickets for an Earthmaker Machine that makes compost.

Ariemma mentioned on October 6<sup>th</sup> MEVO is having a Farm Harvest Feast Dinner from 4PM to 9PM with Blue Grass music. Tickets are \$135.00.

Ariemma commented on Mahwah Day the Environmental Commission will have two tents and will hand out recycling bags.

October 20<sup>th</sup>, Ariemma stated, is Mahwah Earth Action Day. Four sections of the Township will be cleaned up and they are looking for volunteers.

Ariemma attended the Lisa DiGiulio Tranquility Park Dedication on September 16<sup>th</sup>. She thanked her for all her years of service and dedication to the Township,

Ariemma attended the Library Board of Trustees on September 17<sup>th</sup>. They plan to have three "Meet the Candidate Nights".

Ariemma stated the Library is hiring three part-time assistants and are in the process of interviewing now.

The Children's Room is being renovated and is progressing well, Ariemma said.

Ariemma said she will be attending Mahwah Day on September 22<sup>nd</sup>.

Ervin mentioned on September 10<sup>th</sup> he selected his position for the ballot on the upcoming election. His position will be #4 on the ballot.

Ervin attended the September 11<sup>th</sup> Ceremony. It was very moving.

Ervin attended the Lisa DiGiulio Park Naming to honor her. Ervin thanked the DPW Director for having the sign made for the park.

Ervin stated the Planning Board Meeting was cancelled.

Ervin will be attending Mahwah Day on September 22<sup>nd</sup> and will be there all day.

Ervin attended a Recreation Meeting on September 19<sup>th</sup>. They discussed Mahwah Day.

On September 6<sup>th</sup> May attended the High School Tennis matches. They had positive results.

On September 6<sup>th</sup> May attended the Youth Football Pep Rally and the first football game of the season for the High School.

May attended the Ballot Drawing on September 10<sup>th</sup>.

On September 9<sup>th</sup> and September 16<sup>th</sup>, May volunteered to be a videographer for Pee Wee Football at Continental Soldiers Field.

May attended the 9/11 Ceremony which was very emotional.

May attended the Board of Education Meeting and the Youth Sports Booster Meeting on September 12<sup>th</sup>.

May attended the Lisa DiGiulio Dedication on September 16<sup>th</sup>. He mentioned when he first got involved with the Township he joined the Beautification Committee that Lisa was on and took everything she mentored him on to heart.

May had Jury Duty on September 18<sup>th</sup>.

May attended the Recreation Meeting on September 19<sup>th</sup>. They discussed upcoming events.

May attended the Grand Opening of Freedom Bank today, September 20<sup>th</sup>.

May mentioned on September 21<sup>st</sup>, Mahwah will be playing Ramsey in football.

May will be attending Mahwah Day, September 22<sup>nd</sup>.

Paz will be attending Mahwah Day, September 22<sup>nd</sup>.

On September 6<sup>th</sup>, Paz attended the Mahwah Football Pep Rally.

On September 8<sup>th</sup>, Paz helped support the Raiders by attending the Pig Roast at the Mason Jar.

Paz attended an Access for All Meeting on September 10<sup>th</sup>. They discussed Mahwah Day. A gentleman from the NJ/NY Trail Conference attended the meeting to discuss having an accessible trail by Lake Henry.

Paz attended the 10<sup>th</sup> Anniversary of Plant Church and congratulated them.

Paz attended the Election Drawing for the position on the Ballot on September 10<sup>th</sup>.

Paz attended the 9/11 Ceremony and said it was nice to see the Scouts as well as all of the participants.

Paz was present on September 15<sup>th</sup> when Conner Ogozalek, from Eagle Scout Troop 258, showed his project of a rebuilt bridge near the MEVO Site.

Paz attended the Lisa DiGiulio Dedication Ceremony on September 16<sup>th</sup>.

Paz gave a "shout out" to the DPW for making the Township look great for Mahwah Day.

Paz said she will be attending tomorrow night's Football Game.

Wysocki attended the Chamber of Commerce Golf Outing. It was a great outing.

Wysocki mentioned he is looking forward to Mahwah Day on September 22<sup>nd</sup>.

Wysocki mentioned this meeting is the third one the Mayor has missed. His job is to be at the Council Meetings.

Wysocki extended apologies to Lisa DiGiulio as he was on vacation for her Ceremony. He has known her for so many years, and no one has ever been more supportive than Lisa. It is a privilege, he said, to have Lisa in our Township.

Wong apologized for his lateness. He said having Swagit video tape the meetings is so great he was able to watch the meeting on his train trip to the Township. He hopes there will be a way in the future to have residents watching the meeting from home to be able to ask questions.

Wong feels to have a second RFP for the Cell Tower and the Cow should be considered. The cost should not be a factor as safety is the most important thing.

Wong attended the 9/11 Memorial Ceremony and extended thanks to Lisa DiGiulio, the DPW, EMS and all the other volunteers.

September 16<sup>th</sup> Wong attended the Lisa DiGiulio Tranquility Park Dedication. When he became a Councilman and had to look for guidance, Lisa was always there to help him. She had such devotion and passion for our Township.

Wong mentioned September 22<sup>nd</sup> is Mahwah Day.

Wong attended the 9/11 Ceremony. It was a solemn event. Wong thanked all of the volunteers that helped us remember this event.

**REPORTS OF MAYOR and BUSINESS ADMINISTRATOR**

The Business Administrator mentioned there have been discussions with Swagit preparing for the beginning of October for the Board Meetings to be televised. Administration will be posting the Meeting Schedules on the Township Website.

**ORDINANCES – INTRODUCTIONS**

The title of an Ordinance was read as follows;

**ORDINANCE AMENDING ORDINANCE NUMBER 1165 (AS AMENDED BY ORDINANCE 1183) OF THE TOWNSHIP OF MAHWAH, IN THE COUNTY OF BERGEN, FINALLY ADOPTED MARCH 9, 1995 (AS AMENDED ON OCTOBER 26, 1995) IN ORDER TO AMEND SECTION 4A).**

**RESOLUTION – ORDINANCE NO. 1846**

Introduced by May, seconded by Ervin

**RESOLVED** this Ordinance shall be passed and adopted on First Reading.

**FURTHER RESOLVED** said Ordinance shall be considered for Final Passage at the Township of Mahwah Combined Work Session and Public Meeting of October 4, 2018 at the Richard J. Martel Municipal Offices, 475 Corporate Drive, Mahwah, New Jersey at 7:00PM.

**FURTHER RESOLVED** the Municipal Clerk shall publish said Ordinance with the Notice of Introduction, Passage and Time and Place of where said Ordinance will be considered for Final Passage.

Roll Call Vote: Ariemma, yes; Ervin, yes; May, yes; Paz, yes; Wong, yes; Wysocki, yes; Hermansen, absent.

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The title of an Ordinance was read as follows:

**ORDINANCE AMENDING ORDINANCE NUMBER 1613 OF THE TOWNSHIP OF MAHWAH, IN THE COUNTY OF BERGEN, FINALLY ADOPTED MAY 15, 2008 IN ORDER TO AMEND SECTION 3B).**

**RESOLUTION – ORDINANCE NO. 1847**

Introduced by May, seconded by Wysocki

**RESOLVED** this Ordinance shall be passed and adopted on First Reading.

**FURTHER RESOLVED** said Ordinance shall be considered for Final Passage at the Township of Mahwah Combined Work Session and Public Meeting of October 4, 2018 at the Richard J. Martel Municipal Offices, 475 Corporate Drive, Mahwah, New Jersey at 7:00PM.

**FURTHER RESOLVED** the Municipal Clerk shall publish said Ordinance with the Notice of Introduction, Passage and Time and Place of where said Ordinance will be considered for Final Passage.

Roll Call Vote: Ariemma, yes; Ervin, yes; May, yes; Paz, yes; Wong, yes; Wysocki, yes; Hermansen, absent.

**ORDINANCE – PUBLIC HEARING**

The title of an Ordinance was read as follows:

**BOND ORDINANCE PROVIDING FOR RENOVATIONS TO COMPANY #5  
FIREHOUSE IN AND BY THE TOWNSHIP OF MAHWAH, IN THE COUNTY OF  
BERGEN, NEW JERSEY, APPROPRIATING \$90,000 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF \$85,000 BONDS OR NOTES OF THE TOWNSHIP  
TO FINANCE PART OF THE COST THEREOF**

On a motion by Wysocki, seconded by May, the meeting was opened to the public at 9:28PM.  
All in favor. Motion carried.

On a motion by Ervin, seconded by Paz, the meeting was closed to the public at 9:291PM. All in favor. Motion carried.

On a motion by Wysocki, seconded by May, the following resolution was passed and adopted:

**RESOLUTION – ORDINANCE 1845**

**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: Ariemma, yes; Ervin, yes; May, yes; Paz, yes; Wong, yes; Wysocki, yes; Hermansen, absent.

**FURTHER RESOLVED** that said Ordinance be considered for final passage at a meeting to be held on September 20, 2018 in the Honorable Anthony J. Gianni, Jr. Chambers at the Richard J. Martel Municipal Offices, 475 Corporate Drive, in Mahwah at 7:00PM.

**FURTHER RESOLVED** that the Municipal Clerk shall publish said Ordinance with notice of introduction, passage and time and place where said Ordinance will be considered for Final passage.

Roll Call Vote: Ariemma, yes; Ervin, yes; May, yes; Paz, yes; Wong, yes; Wysocki, yes; Hermansen, yes.

**PUBLIC PORTION**

On a motion by Ervin, seconded by Ariemma, the meeting was open to the Public at 9:57PM.  
All in favor. Motion carried.

Mrs. Megan Charles of 10 Skytop Drive said a few weeks ago she had discussed the addition of adding Title 40 for the Municipal and County Code for the New Jersey State Municipal Code into Mahwah. She thanked the Council for their correspondence and hopes they can have a review with the Township Attorney. She asked if she could get a list of the Townships in New Jersey that also have this code. The Township Attorney mentioned possibly from the League of Municipalities would have this. She thanked the five Council people that went to her home and hopes the other two will come too.

On a motion by Ervin, seconded by Ariemma, the meeting was closed to the Public at 10:10PM. All in favor. Motion carried.

**CONSENT AGENDA**

Resolutions #387-18 through #393-18 and #395-18 were voted on under the Consent Agenda. Resolutions are attached to and made part of these Meeting Minutes.

Resolution #386-18 was removed from the Agenda.

**OLD BUSINESS**

None.

**NEW BUSINESS**

Ervin asked the Business Administrator if they could see a Financial Report on how the Food Truck Festival did. He hopes it did not cost the Township money.

Ariemma asked if the Township could have a Street Fair with vendors and arts and crafts.

Ervin mentioned we do not have a Main Street like Ramsey does. May mentioned for Wong to reach out to the Chamber of Commerce about a Street Fair.

Paz asked if there has been any progress on the Ice Rink. The Business Administrator said he will find out. May suggested keeping track of this under Old Business.

**CLOSED SESSION**

C1. Negotiations

Wong mentioned there is no Closed Session this evening. Township Attorney Muhlstock was filling in for Township Attorney Chewcaskie and did not discuss any negotiations.

**RESOLUTION**

#394-18 Ratify PBA Memorandum of Understanding

Wong mentioned this Resolution was removed from the Agenda.

On a motion by Ariemma, seconded by Wysocki, the meeting was adjourned at 10:15 PM. 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 #385-18

Date: September 16, 2018

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

**WHEREAS**, Lisa DiGiulio ran for the Position of Councilmember in the May 1988 Municipal Election, was sworn into office at the July 1988 Reorganization Meeting and sat for her First Council Meeting on July 12, 1988; and

**WHEREAS**, during her years as a Councilmember she has served as Council President several times; and

**WHEREAS**, Lisa:

- was instrumental in the Township acquiring grant monies to construct Township's Senior Center as Seniors are very dear to Lisa,
- was Chair of the Township's Beautification Committee and involved, along with the Members of the Beautification Committee, in renovating Veterans' Park to what it is today,
- for many years Council Representative on the Bergen County Community Development Board successfully responsible for the Township receiving thousands of dollars in Grant Money to be used for various projects throughout the Township; and

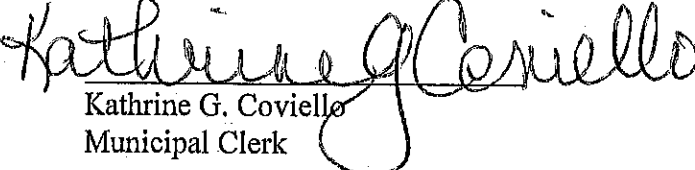
**WHEREAS**, Lisa is never too busy to listen to a Resident and always is ready to help in any way she can; and


**WHEREAS**, in addition to being a Councilmember, Lisa was a long-time Volunteer on the Mahwah Ambulance Corps. Co. #1, now Mahwah Emergency Medical Services; and

**WHEREAS**, every human beings goal is to leave where they have been better than it was. Because of Lisa and her devotion, Mahwah is definitely a better place.

NOW, THEREFORE, BE IT RESOLVED the Township Council of the Township of Mahwah hereby names the Park, across from Winters' Pond, near the Red Caboose, the Lisa DiGiulio Tranquility Park.

I hereby certify that this resolution consisting of two page(s), was adopted at a meeting of the Township Council of the Township of Mahwah, on this 16th day of September, 2018.

  
Kathrine G. Coviello  
Municipal Clerk

  
Robert G. Hermansen  
Council President



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

Resolution # 387-18

Date: September 20, 2018

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

**WHEREAS**, the Township of Mahwah has a need for repairs and services to the water booster pump stations within the Township 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 from Bogush, Inc. dba Pump Express will exceed \$17,500; and

**WHEREAS**, the anticipated term of this approval is through September 19, 2019; and


**WHEREAS**, Bogush, Inc. dba Pump Express, has completed and submitted a Business Entity Disclosure Certification which certifies that Bogush, Inc. dba Pump Express, 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.

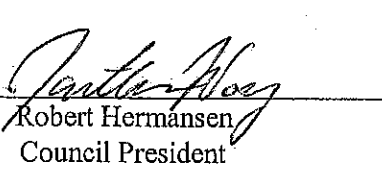
**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Mahwah authorizes the Purchasing Agent to approve purchase orders for Bogush, Inc. dba Pump Express, through September 19, 2019 as described herein not to exceed, in the aggregate, \$40,000.00; and

**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, Asst. to Administrator, QPA, DPW Director, Water and Sewer Superintendent, CFO, Accounts Payable, and Bogush Inc., dba Pump Express, 190 Main Avenue, Wallington, NJ 07057.

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 20<sup>th</sup> day of September 2018.

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

  
 Robert Hermansen  
 Council President

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

Resolution: #388-18

Date: September 20, 2018

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

**WHEREAS**, the Township of Mahwah wishes to submit an application (copy attached) for a Green Communities grant from the State of New Jersey Department of Environmental Protection State Forest Service for an initial 5-year Community Forestry Management Plan; and

**WHEREAS**, a Township match of \$3,000 will be provided from already budgeted funds.


**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of Mahwah formally approves the grant application for the above stated project.

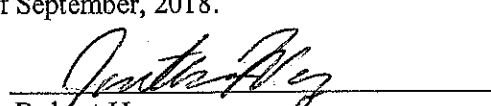
**BE IT FURTHER RESOLVED**, that the Township Business Administrator and Clerk are hereby authorized to submit a grant application to the New Jersey Department of Environmental Protection State Forest Service.

**BE IT FURTHER RESOLVED** that the Township Business Administrator and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Mahwah and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**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 shall forward a copy of this Resolution to the Business Administrator and to the Chairman of the Environmental Commission.

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 20<sup>th</sup> day of September, 2018.

  
Kathrine Coviello, BMC/CMC/MMC  
Municipal Clerk


  
Robert Hermansen  
Council President

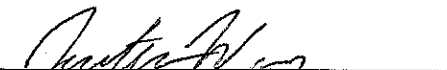
**RESOLUTION**  
**TOWNSHIP OF MAHWAH** Resolution #389-18  
P.O. Box 733  
**MAHWAH, NJ 07430** Date: September 20, 2018

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

**BE IT RESOLVED**, that the Mayor and Municipal Clerk are hereby authorized and directed to sign the Parking License Agreement between the Township of Mahwah and Net-a-Porter Group for the purpose of using the Raymond and Timothy McGill Swim and Hockey Complex for parking, at \$2,100.00 per month, commencing October 1, 2018 through May 15, 2019.

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 20<sup>th</sup> day of September, 2018.

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

  
Robert Hermansen  
Council President

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

Resolution #390-18

Date: September 20, 2018

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

**WHEREAS**, the Township of Mahwah Water Department has been requested by numerous customers to offer the benefit of ACH Electronic Payments to the customers; and

**WHEREAS**, it is estimated the service would be effective December 1<sup>st</sup>, 2018; and

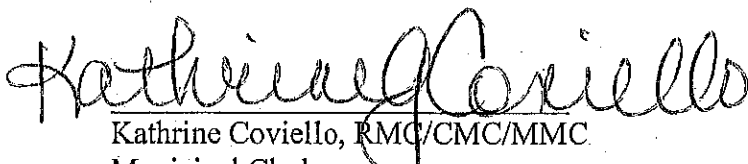
**WHEREAS**, the vendor chosen, Bank of America is the same as the one the Tax Department is currently enrolled with and is located at 1 Bryant Park NY, NY; and

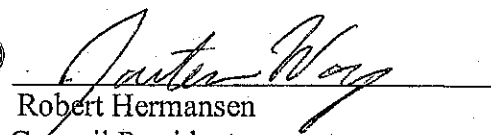
**WHEREAS**, the estimated cost of the service will not exceed \$1,140.00 and will be charged against the Township's accrued interest;

**NOW, THEREFORE, BE IT RESOLVED** that effective December 1<sup>st</sup>, 2018 the Township of Mahwah Water Department shall offer ACH Electronic Payment Services through the Bank of America; and

**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 shall forward a copy of this Resolution to the Utility Collector, the Chief Financial Officer, and the Auditor.

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 20<sup>th</sup> day of September 2018.

  
 Kathrine Coviello, RMC/CMC/MMC  
 Municipal Clerk

  
 Robert Hermansen  
 Council President

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

Resolution # 391-18

Date: September 20, 2018

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

**WHEREAS**, by Resolution #065-18, dated January 18, 2018 the Township of Mahwah entered into a Professional Services Contract with Maser Consulting P.A. in an amount not to exceed \$24,000.00 in connection with the Affordable Housing Litigation; and

**WHEREAS**, there exists a need for additional Professional Planning Services, as a result of the decision of the Fairness Hearing, to assist Mahwah Township in maintaining compliance with its affordable housing obligation; and

**WHEREAS**, Maser Consulting P.A. has submitted a written Special Project Proposal, copy attached, dated September 6, 2018 to perform Professional Affordable Housing Services as requested by the Township of Mahwah and as are outlined in the proposal at a cost not to exceed \$18,000.00; and

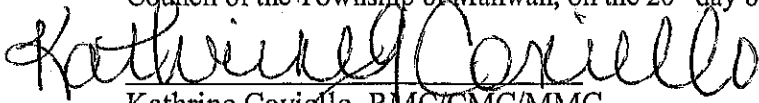
**WHEREAS**, the Chief Financial Officer has provided a Certification as to Availability of Funds in Operating Account 8-01-B50-204;

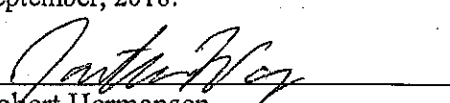
**NOW, THEREFORE, BE IT RESOLVED** that the Mahwah Township Council does hereby authorize amendment #1 to said agreement to increase by \$18,000.00 for a total contract amount not-to-exceed \$42,0000.00; and

**BE IT FURTHER RESOLVED**, that the contract amount shall not exceed \$42,000.00 without further authorization of the Governing Body and the Chief Financial Officer has certified that funds are available; and

**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 shall forward a copy of this Resolution to the Business Administrator, CFO, QPA, Assistant to the Business Administrator, and Maser Consulting 53 Frontage Road, Suite 110 Hampton, NJ 08827

I hereby certify that this resolution consisting of ~~two~~ page(s), was adopted at a meeting of the Township Council of the Township of Mahwah, on the 20<sup>th</sup> day of September, 2018.

  
Kathrine Coviello, RMC/CMC/MMC  
Municipal Clerk

  
Robert Hermansen  
Council President

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**      Resolution #392-18  
P.O. Box 733  
MAHWAH, NJ 07430      Date: September 20, 2018

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

**WHEREAS**, Mr. Jim Tedesco, has requested permission to post two different campaign signs, "Tedesco for County Executive, Tanelli Zur for Freeholder" and the second "Tedesco for County Executive" in the Township Right-of-Way from September 21, 2018 and removed within five days after Election Day; and

**WHEREAS**, Mr. Tedesco is requesting permission to post 500 lawn style signs in Township Right-of-Ways throughout the Township.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Mahwah hereby grants permission to Mr. Jim Tedesco to post 500 campaign signs in Township Right-of-Ways throughout the Township from September 21, 2018 and to be removed within five days after Election Day.

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 20<sup>th</sup> day of September, 2018.

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

  
Robert Hermansen  
Council President

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

Resolution #393-18

Date: September 20, 2018

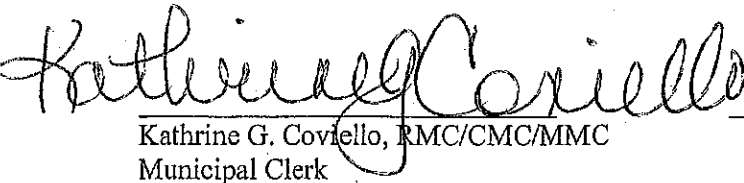
Name	Motion	Second	Yes	No	Abstain	Absent
Ariemma			X			
Ervin			X			
May	X		X			
Paz			X			
Wong			X			
Wysocki		X	X			
Hermansen						X

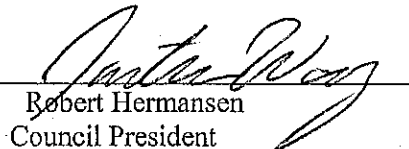
**WHEREAS**, Ms. Storm Wyche, Field Director, has requested permission to post campaign signs for Josh Gottheimer for Congress within the Township Right-of-Way; and

**WHEREAS**, Ms. Wyche is requesting permission to post 500 lawn style signs in Township Right-of-Ways throughout the Township.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Mahwah hereby grants permission to Ms. Wyche to post 500 campaign signs in Township Right-of-Ways throughout the Township from September 21, 2018 and to be removed by Sunday, November 11, 2018.

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 20<sup>th</sup> day of September, 2018.

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

  
 Robert Hermansen  
 Council President



**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
P.O. BOX 733  
MAHWAH NJ 07430

Resolution # 395-18

Date: September 20, 2018

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

**WHEREAS**, an Application has been filed for Person-to-Person and Place-to-Place Transfers of Plenary Retail Consumption License Number 0233-33-001-005, heretofore issued to Apple Ridge Food and Beverage LLC; and

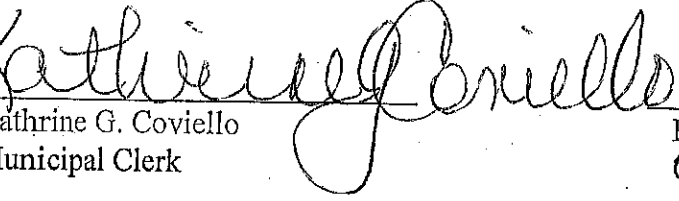
**WHEREAS**, the submitted Application is complete in all respects, the Transfer Fees have been paid, and the License has been properly renewed for the current license term; and

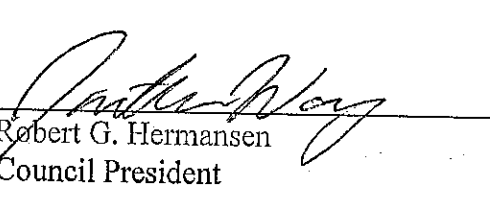
**WHEREAS**, the Applicants are qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, the Applicants have disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Mahwah, County of Bergen, State of New Jersey, does hereby approve effective September 21, 2018, the Person-to-Person and Place-to-Place Transfers of the aforesaid Plenary Retail Consumption License to Two Letters LLC and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Two Letters LLC, effective September 21, 2018".

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 this 20th day of September, 2018.

  
Kathrine G. Coviello  
Municipal Clerk

  
Robert G. Hermansen  
Council President