

**TOWNSHIP OF MAHWAH  
COMBINED WORK SESSION AND PUBLIC MEETING MINUTES  
THURSDAY, SEPTEMBER 1, 2016**

The Meeting was called to order at 8:05PM 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, September 1, 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 have been 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 are serving in the military both here and abroad, living and deceased. It is because of their bravery and valor that we can hold meetings such as these.

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

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

**PRESENTATION OF MAYORAL PROCLAMATION – "CONSTITUTION WEEK"**

Item postponed to the September 15, 2016 Combined Work Session and Public Meeting.

**PUBLIC PORTION**

On a motion by Hermansen, seconded by Ariemma, the meeting was opened to the public at 8:07PM. All in favor. Motion carried.

Mr. George Remo of 110 Christie Avenue feels no parking on his street would punish the residents. He said the problem is with the first 150 feet at the beginning of the street.

Roth thanked Mr. Remo for coming to the meeting and giving his comments. An Ordinance, he added, will be sent to the Ordinance Committee to be reviewed further.

Mr. Robert Feldscott of Folsom Corporation on McKee Drive said no loading of trucks takes place on McKee Drive. All loading and unloading is done on the individual properties.

Mrs. Diane Adler of 112 Christie Avenue asked when the Ordinance Committee will be meeting. DiGiulio said the Ordinance Committee is waiting to hear from the residents on Christie Avenue.

Amoroso asked how many residents are on Christie Avenue. Mrs. Adler answered 5.

Roth said the Ordinance Committee will discuss the matter further and return to the Council with a recommendation.

Mr. Nick Lorenzo said he has a business on Christie Avenue. He pointed out Christie Avenue is a street in a commercial zone. He added he is a permitted use.

The Owner of Bagel Express said he has no problem with the parking situation.

Sbarra said the Ordinance needs to be researched further.

On a motion by Hermansen, seconded by Sbarra, the meeting was closed to the public at 8:23PM. All in favor. Motion carried.

### **WORK SESSION**

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

Roth said the Bills and Claims List was placed in the Drop Box. Should anyone have any questions on the Bills and Claims, confer with Administration before the Public Meeting.

#### **ENGINEERING**

1a. Michael Trizano/Green Energy Source LLC; 21 Avenue A; Block 54, Lot 27.03; Request For Township Approval to Permit Encroachments into Township Utility Easement (E-BDF-216-2897)

Item moved to the September 15, 2016 Combined Work Session and Public Meeting.

1b. Treatment Works Application Authorization; Township Engineer To Sign Applications Recommendation has been made to have the Township Engineer endorse Water and Sewer Main Extension Applications on behalf of the Township. Resolution shall be voted on in the Public Meeting.

1c. Vacation of Jefferson Street; Discussion

Item moved to the September 15, 2016 Combined Work Session and Public Meeting.

1d. Written Status Report – September 2016

The Township Engineer's Associate reported on the following:

- Health and Wellness Center – The Planning Board approved the Health and Wellness Center on MacArthur Boulevard. A Pre-Construction Meeting was held yesterday. Construction will start in a week or two. Expect to be in operation by end of 2017.

Mayor said the Ground Breaking Ceremony will be in September or October. Council will be invited to the Ceremony.

- MA-1525 Wyckoff Avenue Infrastructure Improvements: The Treatment Works Approval has been received from the NJDEP.

- MA-1625 2016 Road, Curb and Sidewalk Program: Project is going smoothly. Work on Storms Drive has been finished. Several streets in Fardale were worked on. Crew will be in West Mahwah next week as well as the Stag Hill area. And back to Fardale the following week.

Hermansen suggested on Chapel Road signs be put up alerting drivers to the conditions of the road.

DiGiulio asked about the flooding on Chapel Road. The Township Engineer's Associate responded we are waiting the Permit before work can begin.

## LEGAL

### 2a. Revision to Sign Ordinance; Temporary Non-Commercial Signs

Township Attorney explained Ordinance would permit signs in the Township Right-of-Ways with restrictions. The signs would need to be removed after 10 days.

The Township Attorney reviewed what was discussed at the previous Meeting – Ordinance will be revised on Non-Commercial Signs definition, signs placed within the Township Right-of-Ways, restrictions on placement, provision for removal of signs within 10 days and fines and penalty of \$25. per sign not to exceed \$250.00.

Sbarra was concerned with the amount of signs. The Township Attorney said he did not include in the Ordinance a limit on the number of signs. He went on further to say the Township is permitted to regulate signs in the Township Right-of-Ways. However, limiting the number of signs prevents the party from getting the word out. He also questioned if the number of signs is limited who will monitor this?

The Township Attorney said in previous requests signs totaling 500 have been granted. He suggested that be the limit.

The Township Engineer's Associate said most are placing signs on the Township Right-of-Ways but on their property. He questioned if that is considered the Township Right-of-Way. The Township Attorney answered no because it is maintained by the Township. The Township Attorney shall include verbage on same in the proposed Ordinance.

Roth said the Township Attorney shall take the revisions discussed tonight, revise the Ordinance and provide a draft Ordinance for introduction at the next Council Meeting.

### 2b. McKee Drive Parking; Discussion

The Township Attorney said 3 alterations were made to the Ordinance. The Ordinance Committee recommended parking on both sides.

Ariemma asked for the Township Engineer's Associates opinion. The Township Engineer's Associate said the road is wide enough for parking on both sides.

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

Mr. Robert Feldscott of Folsom Corporation on McKee Drive said no accidents have occurred on McKee Drive. He suggested parking be on one or both sides of the street as not to confuse drivers. Mr. Feldscott clarified his business can only park in half of the parking lot near his business.

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

Straw Poll Vote was taken of the Council as to the parking on McKee Drive: Amoroso, both sides; Ariemma, both sides; DiGiulio, both sides; Hermansen, parking on long side of McKee Drive; Sbarra, parking on long side of McKee Drive; Wong, both sides; Roth, parking on long side of McKee Drive.

Ordinance shall be introduced in the Public Meeting.

### ADMINISTRATION

3a. Renewal Request to Park at Mahwah Swim and Hockey Complex – Fall/Winter 2016; Net-A-Porter

Resolution shall be voted on in the Public Meeting to permit Net-A-Porter to park in the Raymond and Timothy McGill Swim and Hockey Complex Parking Lot from October 15, 2016 through May 15, 2017.

Hermansen expressed concern over the plowing of the lot when the lot is being used. Mayor answered the lot is plowed by Net-A-Porter. Same is included in the Agreement.

3b. Resolution of Endorsement -- CDBG Grant; Pascaek Valley Meals on Wheels – Mahwah Region

Resolution of Endorsement shall be voted on in the Public Meeting.

DiGiulio made a motion, seconded by Amoroso, to appoint Robert Hermansen as the CDBG Representative from the Council. All in favor. Motion carried.

3c. Approval of Revised Personnel Manual  
Resolution shall be voted on in the Public Meeting.

3d. Resolution Authorizing Mayor and Chief Financial Officer to Execute MMA Grant  
Resolution shall be voted on in the Public Meeting.

3e. Resolution Authorizing Execution of the Extension of the Ramapo River DEP Grant; Time Extension  
Extension shall be to May 1, 2017. Resolution shall be voted on in the Public Meeting.

3f. Mayoral Appointment; Co-Public Defender Replacement  
Resolution, appointing Matthew G. Miller Esq. as Co-Public Defender, shall be voted on in the Public Meeting.

3g. Appointment of Qualified Purchasing Agent (QPA)  
Resolution, appointing Denise M. Storms as the Qualified Purchasing Agent for the Township, shall be voted on in the Public Meeting.

3h. Amendment to Salary Ordinance  
Ordinance shall be introduced in the Public Meeting to increase the salaries of the Secretary's to the Environmental Commission and Historic Preservation Commission. In addition a salary increase is being given to the Administrative Assistant in Administration for assuming the duties of the QPA.

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

4a. Request for Permission to Post Political Signs in Township Right of Ways; Councilman Jonathan Wong and Council Candidate Jonathan Marcus  
Individual Resolutions shall be voted on in the Public Meeting.

4b. Resolution Opposing Bear Hunting in Mahwah  
Item removed from this Agenda and placed on the September 15, 2016 Council Meeting Agenda.

4c. Resolution Honoring the Bergen Volunteer Center on their 50<sup>th</sup> Anniversary  
Resolution shall be voted on in the Public Meeting.

#### **PUBLIC MEETING**

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

On a motion by Amoroso, seconded by Ariemma, the Bills and Claims, previously signed, totaling \$6,022,416.73 was approved. Roll Call Vote: Amoroso, yes; Ariemma, yes; DiGiulio, yes; Hermansen, yes; 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 Wong, seconded by Hermansen, the Combined Work Session and Public Meeting Minutes of July 7, 2016 and Combined Work Session and Public Meeting Minutes of July 21, 2016 were approved. Roll Call Vote: Amoroso, yes; Ariemma, yes; DiGiulio, yes; Hermansen, abstained on July 7, 2016 and yes to July 21; Sbarra, yes; Wong, yes; Roth, yes.

#### **REPORTS OF TOWNSHIP COUNCIL and MUNICIPAL CLERK**

##### **TOWNSHIP COUNCIL; COMMENTS, COMMUNICATIONS AND REPORTS OF SUBCOMMITTEES**

Amoroso said school is starting. The Police Department is working on organizing a Safety Plan at Ramapo College.

Amoroso said the Hot Rod Show is this weekend at the Sheraton Crossroads.

Amoroso said farewell to Mr. Brian Campion.

Amoroso welcomed back the Municipal Clerk.

Ariemma wished her daughter, who is 26 today, a Happy Birthday.

DiGiulio said farewell to Mr. Brian Campion.

DiGiulio reminded everyone of the 9/11 Remembrance Ceremony on Sunday, September 11, 2016 at 2PM.

Hermansen welcomed back the Municipal Clerk.

Hermansen said school is open. The DPW is drawing lines on the streets for the kids to be safe.

Hermansen said the 9/11 Ceremony is at 2PM on September 11, 2016. He thanked DiGiulio for what she has done in the past for the Township and the 9/11 Ceremony.

Hermansen attended the Access for All Meeting. The Committee has great ideas. He encouraged everyone to go by the table on Mahwah Day.

Hermansen said the Pool Season is coming to an end. The Pool Director said we had a good year.

Hermansen wished a belated Happy Birthday to the Council President.

Hermansen wished everyone a happy and safe Labor Day.

Roth said on August 25<sup>th</sup> he attended the Access For All Meeting.

Roth said today he attended a conference with the Municipal Pipeline Group. The Group currently has 15 municipalities. They will be issuing a Press Release soon.

Roth said Jersey Professional Management was retained in July for the search of a Business Administrator. Thirty resumes were received and 4 in-depth interviews were held. Thirty six man hours were spent reviewing everything between Jersey Professional Management, the Mayor and himself. He said it was a completely collaborative process and outcome. Positive results have been produced which he will endorse. A job offer has been extended to and accepted subject to the Council approval and consent. The Mayor will announce his appointment within the next few days. At this time, the name of the individual cannot be disclosed due to confidentiality restrictions with the candidate. At the September 15, 2016 Council Meeting, complete details will be provided. The Mayor will issue his Appointment letter to the Council for consent. Joint Press Release from the Mayor and Council President announcing the appointment is in the process. Roth said the individual is highly experienced as a Business Administrator. He commended Jersey Professional Management on doing an exceptional job.

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

Mayor Laforet, on the subject of the Business Administrator, said 32 resumes were reviewed. Many hours were spent but the collaboration and hard work results will be favorable. He said he appreciate the assistance from the Council President and Mr. Dan Mason from Jersey Professional Management for the time involved. He said the process was done very thoroughly. And he is very excited about the upcoming Report on his appointment.

**ORDINANCES - INTRODUCTIONS**

**#1786: An Ordinance establishing procedures for the erection of Temporary Non-Commercial Signs within the Township Right-of-Ways**

Ordinance #1786 was not introduced. Township Attorney shall make changes to the Ordinance and same shall be on the September 15, 2016 Council Meeting Agenda.

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The title of an Ordinance was read as follows:

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII ENTITLED "TRAFFIC", SECTION 7-3 "PARKING", SUBSECTION 7-3.2 ENTITLED "PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS" OF THE CODE OF THE TOWNSHIP OF MAHWAH**

**RESOLUTION – ORDINANCE NO. 1787**

Introduced by DiGiulio, Seconded by Amoroso

**RESOLVED** that the Ordinance be passed and adopted on first reading.

**FURTHER RESOLVED** that said Ordinance be considered for final passage at a meeting to be held on September 15, 2016 at the Richard J. Martel Municipal Offices at 8:00PM.

**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: Amoroso, yes; Ariemma, yes; DiGiulio, yes; Hermansen, yes; Sbarra, no; Wong, yes; Roth, no.

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The title of an Ordinance was read as follows:

**AN ORDINANCE TO AMEND SALARY ORDINANCE NO. 1773**

**RESOLUTION – ORDINANCE NO. 1788**

Introduced by Hermansen, Seconded Wong

**RESOLVED** that the Ordinance be passed and adopted on first reading.

**FURTHER RESOLVED** that said Ordinance be considered for final passage at a meeting to be held on September 15, 2016 at the Richard J. Martel Municipal Offices at 8:00PM.

**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: Amoroso, yes; Ariemma, yes; DiGiulio, yes; Hermansen, yes; Sbarra, yes; Wong, yes; Roth, yes.

**PUBLIC PORTION**

On a motion by Wong, seconded by Hermansen, the meeting was opened to the public at 10:30PM. All in favor. Motion carried.

Being no comments were made from the public, on a motion by Hermansen, seconded by Amoroso, the meeting was closed to the public at 10:32PM. All in favor. Motion carried.

**CONSENT AGENDA**

Resolutions #216-16 through #226-16 and #229-16 were voted on under the Consent Agenda. Resolutions are attached to and made part of these Meeting Minutes.

**OLD BUSINESS**

None.

**NEW BUSINESS**

None.

**CLOSED SESSION**

On a motion by Amoroso, seconded by Wong, Council went into Closed Session at 10:34PM for the express purposes of discussing:

- C1. Tax Appeals
  - a. 28 Seminary Drive; Block 21.04, Lot 5
  - b. 86 McIntosh Drive; Block 120.01, Lot 115.01

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.

**RESOLUTIONS**

Resolutions #227-16 and #228-16 were voted on. Resolutions are attached to and made part of these Meeting Minutes.

On a motion by Ariemma, seconded by Hermansen, the meeting was adjourned at 10:38PM. All in favor. Motion carried.

Respectfully submitted,



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