

**TOWNSHIP OF MAHWAH  
COMBINED WORK SESSION AND PUBLIC MEETING MINUTES  
THURSDAY, SEPTEMBER 3, 2015**

The meeting was called to order at 8:02 PM 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 15, 2014 and January 2, 2015 stating this meeting would be held in the Council Chambers at the Richard J. Martel Municipal Offices, 475 Corporate Drive, Mahwah, New Jersey on Thursday, September 3, 2015.

Notice was posted on the Municipal Bulletin Board and filed in the Municipal Clerk's Office. The Minutes of this meeting shall be available in the Municipal Clerk's Office once they are 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.

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

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

**PUBLIC PORTION**

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

Mr. George Wagner of Bartholf Lane was concerned about the tractor trailers parked on the side of Route 17 and asked if there is a town policy prohibiting this practice. Roth indicated Route 17 is a State Highway. The Township Attorney said there is nothing in the Township Code to regulate Route 17. He added whether the State has a policy, he is not aware. Administration will contact the Police Department to monitor the situation.

Howard Cherskie would like some clarity concerning the property on Ramapo Valley Road (Chai Lifeline). The home had been a single family home and then the Chai Lifeline charity group obtained ownership. He said over \$350,000 has been expended by the Township towards fighting the use of the property. Roth said over the past few years, the group has been in litigation with the Township due to Zoning laws being violated and tax issues. Mahwah was found correct in the Zoning laws and the tax issues are pending.

Santo Alampi was going to speak on behalf of Ordinance 1769, however, Roth explained later in the Meeting the Public Hearing on the Ordinance will be held where he will read the Ordinance Title and the Meeting will be opened to the public on the Ordinance. At that time, Mr. Alampi will be given an opportunity for him to speak.

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

### WORK SESSION

#### SUBMISSION OF BILLS AND CLAIMS

Roth said the Bills and Claims List was placed in the Dropbox. Anyone with questions is asked to speak with the Business Administrator before the Public Meeting.

#### ENGINEERING (Boswell-McClave)

- 1a. Brookwood Drive Culvert Improvements; Change Order #1 and Final (Decrease) (Bid #MTB-15-02)

This item is a reduction in price of \$12,100. The repairs were under budget because a lining was used instead of digging. Resolution shall be voted on in the Public Meeting.

- 1b. Update on Paving Projects; Township, County and NJDOT

Township: Majority of the project is completed. The drainage work for Third Street and Avenue A will begin on Tuesday (September 8) and will take approximately one week. Once it is complete, those streets in addition to McKee Drive will be paved.

State: The state is paving Route 17 and will need approximately four to six weeks. Route 202 has been closed at various times for minor repairs. Island Road has been paved ahead of schedule.

County: The county will be working on East and West Ramapo Avenue as well as Route 202 towards the end of September. Paving will be coordinated with the police and schools.

- 1c. Written Status Report – September 2015

MA-1340 East Slope Booster Pumping Station: Pre-Construction Meeting was held on August 25<sup>th</sup>. Shop Drawings continue to be reviewed. Completion date is December 31<sup>st</sup>.

MA-1541 and MA-1542 Ramapo and Mahwah Rivers Stream Cleaning and Flood Control: Pre-Construction Meeting was held. Permit on Ramapo River is expected any day.

### LEGAL

2a. Development Agreement Amendment; BCUW/Madeline Housing Partners LLC  
The Township Attorney said this item is an amendment to the documents previously executed. The number of units in the prior documents was 12 and should have been 13. It was determined the Agreements entered into were not consistent with the Planning Board documents. On the Agenda tonight are amended documents. Resolution shall be voted on in the Public Meeting.

### ADMINISTRATION

3a. Pay to Play Compliance; Magic Touch Cleaning LLC  
The Business Administrator said Magic Touch Cleaning LLC will exceed the \$17,500 threshold for Pay to Play. Therefore, a Resolution for Pay to Play Compliance is necessary. Resolution shall be voted on in the Public Meeting.

3b. Municipal Alliance to Prevent Substance Abuse Grant; Authorization for Mayor and Chief Financial Officer to Execute Letter of Agreement

The Business Administrator informed Council the Township has been awarded a Municipal Alliance Fiscal Year 2016 Grant from Bergen County, Department of Health Services in the amount of \$11,677. This item requires Council to authorize submission of the Application through a Resolution. Resolution shall be voted on in the Public Meeting.

3c. Mayoral Appointment; Historic Preservation Commission – Alternate II Member  
Business Administrator confirmed the Mayor appointed Kalliope Karen (Georgiadis) Fasouletos to complete the unexpired term of Mr. Marc Foner to the Historic Preservation Commission as an Alternate II Member. Resolution shall be voted on in the Public Meeting.

3d. Pay to Play Compliance; Beyer Fleet LLC  
The Business Administrator said Beyer Fleet LLC will exceed the \$17,500 threshold for Pay to Play. Therefore, a Resolution is necessary. Resolution shall be voted on in the Public Meeting.

3e. Recommendation to Council for the Appointment of Glenn Dowson as DPW Director  
The Mayor said at the DPW there is a Reorganization Plan in place and he will be looking for Council's consent for Glenn Dawson to be the Director of the DPW.

Roth indicated the restructuring involves a new Director, eliminate the superintendent, and adding a Foreman. The Foremen positions will absorb the superintendent's duties so there will be no funding for the new position. It will be more efficient.

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

4a. Mahwah Chief of Police Report

4b. Liquor License Renewal; Mahwah Liquor LLC; 2015/16 Term  
Resolution shall be voted on in the Public Meeting.

4c. Kennel License Renewals: 2015/16 Term  
Resolution, renewing the Kennel Licenses for Aranwood Kennels, Tam-Boer Kennels and Fardale Kennels for July 1, 2015 through June 30, 2016, shall be voted on in the Public Meeting.

4d. Safe Zones; Discussion  
Roth updated the Council about the Safe Zones which Wong initiated. He said Wong will take the lead on this; research the topic and determine if this is feasible for Mahwah with little or no cost to the town.

#### **PUBLIC MEETING**

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

On a motion by Wong, seconded by Amoroso, the Bills and Claims, previously signed, totaling \$5,800,152.30, 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.

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

Amoroso said the Island Road paving is beautiful and a job well done.

Amoroso attended the Beautification Committee Meeting with DiGiulio. The Train Station work was completed quickly and efficiently with the help of Glenn Dawson. Amoroso is looking into more funds for more welcome signs as well as plantings.

Ariemma attended the Planning Board Meeting. Apple Ridge was discussed. The arsenic and lead in the soil is still an issue. The trees at the site are being removed and soil sampling is ongoing.

DiGiulio attended the Beautification Committee Meeting. The slope by the Train Station has been completed. DiGiulio asked Amoroso be the new Chairman of the Beautification Committee. DiGiulio will be transitioning the position over to Amoroso. DiGiulio expressed her appreciation for the committee and all of the work it has done for Mahwah over the years.

DiGiulio said the 9/11 Ceremony will be held on Friday, September 11th at 7:00 PM at the Caboose at the Train Station.

Sbarra extended his thanks to DiGiulio for the many years of service she has given to the Beautification Committee.

Wong extended his thanks with regard to the appointed position with the Safe Zone project indicating it is an honor.

Wong extended his congratulations to Amoroso and DiGiulio for their previous and continued work with the Beautification Committee.

Roth echoed the sentiments of the other Council Members toward Amoroso and DiGiulio. He reiterated DiGiulio was the driving force of the Committee and the efforts to make Mahwah a better place.

Roth attended a Ribbon Cutting Ceremony at the Crossroads for the Mahwah Chamber of Commerce.

**REPORTS OF MAYOR AND BUSINESS ADMINISTRATOR**

Mayor Laforet thanked DiGiulio for her determination and help she provided for the Beautification Committee.

Mayor Laforet said the Train Station will be getting a new deck, the concrete will be fixed and the brick foundation repaired. The replacement of the roof will be next year in a Santa Fe style. Lastly, the sumac is finally gone.

The Business Administrator spoke to Paul Scherer, Water/Sewer Superintendent, about Mahwah's water supply concerns. The Township is okay for now but will be monitoring the wells very carefully over the next few days. United Water indicated the rainfall has not been

significant. Mahwah has an aquifer system that is recharged from rivers and rain fall off from the mountains. The tanks are monitored. Watering schedule is the same (odd/even/no Sundays). There have been no summonses issued at this time.

**ORDINANCES – PUBLIC HEARINGS**

The title of an Ordinance was read as follows:

**AN ORDINANCE AMENDING CHAPTER IV ENTITLED GENERAL LICENSING SECTION 4-2 ENTITLED "TOWING" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MAHWAH.**

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

Santo Alampi Esq., of Hackensack, obtained two versions (black lined and clean) of the Ordinance from the website which were confusing. Not all changes were identified. Mr. Alampi is requesting the voting on the Ordinance be delayed to clear up the items. In particular the following areas were of concern: page 18, (c) Storage Area; 4-2.6.A.(1) Minimum vehicle requirements. Lastly, Alampi questioned the advertisement and process of the June 8 Ordinance Committee Meeting.

Mr. Tom Locicero, All Points Towing, from Paramus, presented a copy of a letter with a list of suggested changes to the ordinance to Roth and the Township Attorney. Mr. Locicero read selected items from the letter as follows: background checks as an added expense, 4-part invoice, page 17, E, (1) driver onsite, page 18, E, (1), (b) sign height, page 18, E, (1), (d) no other business shall use storage area, page 22, 4-2.9. c. Garage keeper's Insurance, and a variety of charges for speedy dry bag and storage rates to name a few. Mr. Locicero indicated Bergen County has been in the process for five years trying to form an ordinance bringing in other towing companies to consult. Mr. Locicero hoped that the Council tables this ordinance.

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

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

**RESOLUTION – ORDINANCE NO. 1769**

**RESOLVED** that the Ordinance be passed and adopted on second reading and the 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 ORDINANCE NO. 1766 – SALARY ORDINANCE OF THE TOWNSHIP OF MAHWAH.**

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

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

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

#### **RESOLUTION – ORDINANCE NO. 1770**

**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 Amoroso, seconded by Sbarra, the meeting was opened to the public at 9:40PM. All in favor. Motion carried.

On a motion by DiGiulio, seconded by Sbarra, the meeting was closed to the public at 9:41PM. All in favor. Motion carried.

#### **CONSENT AGENDA**

Resolutions #233-15 through #240-15 were voted on under the Consent Agenda. Resolutions are attached to and made part of these Meeting Minutes.

#### **OLD BUSINESS**

Ariemma asked about the status of the hunting laws due to an article concerning Saddle River. The Township Attorney said he is looking into the matter and will have an answer by the next Meeting.

Roth inquired about the air conditioning units in the Fire Company #2 and DPW. Business Administrator replied the DPW's is working and there is a work order in for Fire Company #2's unit for repair.

#### **NEW BUSINESS**

DiGiulio said the 9/11 Ceremony will be Friday, September 11, 2015 at 7:00PM by the Caboose at the Train Station.

DiGiulio suggested when the Salt Shed is moved and a new DPW complex is renamed, it would be fitting to be named after Ed Sinclair. Roth indicated it would need to be accomplished correctly. Ariemma added that timing is appropriate and political correctness important.

Roth explained there will be an increase of Mahwah Police at Ramapo College for the onset of the opening of college in light of recent events. He asked if there is a policy in place concerning such situations. Business Administrator replied as a result of adverse events, a greater force is necessary to show appearance and involvement. Mahwah is not providing an actual police force.

Mayor Laforet added it is merely an outreach and shown as a deterrent. Also, Ramapo's security is under review.

**CLOSED SESSION**

On a motion by DiGiulio, seconded by Amoroso, Council went into Closed Session at 10:04PM. All in favor. Motion carried.

On a motion by Wong, seconded by Sbarra, Council returned to Open Session at 11:04PM. All in favor. Motion carried.

**RESOLUTION**

Resolution #241-15: Resolution Authorizing Maser Consulting to Move Forward with the Build Out Report was voted on and is attached to and made part of these Meeting Minutes.

On a motion by Wong, seconded by Amoroso, the meeting was adjourned at 11:06PM. All in favor. Motion carried.

Respectfully submitted,

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