

**TOWNSHIP OF MAHWAH  
COMBINED WORK SESSION AND PUBLIC MEETING MINUTES  
THURSDAY, NOVEMBER 10, 2016**

The Meeting was called to order at 8:04PM 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, November 10, 2016 at 8:00PM.

Notice of this Meeting is posted on the Municipal Bulletin Board. The Minutes of this Meeting shall be available in the Municipal Clerk's Office once they are approved by the Township Council.

**SALUTE TO THE FLAG**

**MOMENT OF SILENCE FOR VETERANS AND THOSE SERVING IN THE MILITARY**

Moment of Silence was observed for those who served and those who are serving in the military both here and abroad. It is because of their valor and bravery that we can hold meetings such as these.

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

Also present were Mayor William C. Laforet, Business Administrator Quentin Wiest, Township Attorney Brian Chewcaskie, Township Engineer Kevin Boswell, Clerical Assistant Carolyn George and Municipal Clerk Kathrine G. Coviello.

**PUBLIC PORTION**

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

Mrs. Kathy Murray, 88 Bridle Path Lane, explained there are five to six tents pitched on the Polo Club side of the bridge. Three teepees were added last Thanksgiving making it look like an event was there but the tents and teepees remain. People began living in the tents with no sanitation. Now, the sanitation is okay. Mrs. Murray stated the Health Department stated there are no requirements for sanitation. Now there is a larger, circus-like tent erected and other structures built. There are six cars are parked there, outdoor fires and laundry on the line. She said this is not acceptable in the middle of a neighborhood. All structures are in a flood area. Mrs. Murray has asked the Zoning Official to do something and has not received any action.

Mayor Laforet said he was aware because he received a lengthy email from Mrs. Murray on Friday that he forwarded to the Zoning and Police Departments. Mayor Laforet pointed out the property was donated by Chuck Elmes to the Lenape Nation.

Roth stated the land is zoned as Residential and the Zoning Laws need further investigation.

Sbarra asked if anyone from the Association discuss the situation with the Tribe. Mayor Laforet indicated a discussion took place several years ago with the Polo Club and the Tribe but nothing was resolved.

Sbarra asked if the land is Deed Restricted. Roth indicated a Deed Restriction could not override usage.

Roth stated the item would be on the Agenda of either December 1 or December 15 Council Meeting. This would allow time for information to be gathered by Administration and provide a report.

Township Engineer stated the Department of Environmental Protection and FEMA would be concerned about flooding. In addition, the building structures were built without a Building Permit. The property is zoned for Single Family Housing.

Ariemma suggested Lenape Nation be notified about the upcoming discussion. Roth suggested Administration could organize this area.

Mr. Edward Tafaro of 107 Bridle Path Lane asked for Council and Zoning help.

Mr. Bruce Grobman, Trustee of Ramapo Hunt and Polo Club Home Owners Association, stated the President of the Association has met with the Tribe to see their plans because the encampment is growing significantly. Mr. Grobman indicated the elevation is rising due to the structures. In addition, if the structures become damaged in a flood, the debris will flow down the river. The Association was in communication with the Tribe approximately three weeks ago to no avail. Mayor Laforet said the Historic Preservation Committee has attempted to mediate the situation.

Ariemma asked if this has to do with the Pipeline Demonstrations. Mr. Tafaro said that it does not have anything to do with the Pipeline.

On a motion by Wong, seconded by Hermansen, the meeting was closed to the public at 8:30PM. All in favor. Motion carried.

### **WORK SESSION**

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

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

#### **ENGINEERING**

1d. BCUW/Madeline Housing Partners LLC; 92 Ramapo Valley Road; Block 40, Lot 108.01; Request for Bond Reduction (Dkt. #553)

Township Engineer stated the Council was asked at the previous Council Meeting if the Council was in agreement to reduce the Performance Guarantee to below 30%. This action will bring the Performance Guarantee to 20%.

Resolution shall be voted on in the Public Meeting.

1e. Written Status Report – November 2016

MA-1606, Blueberry Court Sanitary Sewer Improvements

Township Engineer stated the Township received approval from New Jersey Department of Environmental Protection. The plans and specifications are due by November 28, 2016. A request to award the Bid will be considered at the December 1 Council Meeting.

Sbarra asked about the status of the Transportation Fund Project. Township Engineer explained that the money for the Project would be available in Spring but is protected.

Roth said the Apple Ridge Developer's Agreement was taken off this Agenda. A letter from the Township Attorney received today included the renegotiated number of Affordable Housing Units as well as the purchase price and payment process. The Developer's Agreement was removed because it did not include the purchase price and payment process. The Council will review and vote on the letter and if approved, vote on Developer's Agreement at the next Council Meeting including the purchase price and payment process as written in the Township Attorney's letter.

Township Engineer explained Upper Saddle River approved the Developer's Agreement. Shortly after the Township approves the Developer's Agreement, a Contractor will be chosen and move forward. Township Attorney said there was an issue with payment of taxes. This was addressed in the Developer's Agreement.

**ADMINISTRATION**

2a. Continuation of Discussion; Change of Bergen County Dive Team Service Participation; Letter of Intent; Mahwah Fire Department

Business Administrator continued the discussion from the last Council Meeting. Mahwah Dive Team is currently under the Fire Department and could be part of the regional response because the Bergen County Dive Team is no longer staffed. A Letter of Intent has been prepared. If there are no additional costs to the Township then the transfer should be acceptable.

Resolution shall be voted on in the Public Meeting.

2b. Authorization to Utilize Cranford Police Cooperative Pricing System

Business Administrator stated this is a renewal for another year.

Resolution shall be voted on in the Public Meeting.

2c. Authorization to Execute Shared Services Agreement for TV Inspection with Northwest Bergen County Utilities Authority; Years 2017 and 2018

Business Administrator indicated this is a Shared Services Agreement and a two-year renewal. The only change in the Agreement is the Linear Feet Charge. In 2015, the fee was \$0.80; in 2016 it is \$0.82; 2017 it will be \$0.83; and in 2018 it will be \$0.84.

Resolution shall be voted on in the Public Meeting.

2d. Authorization for Fire Department to Apply for FY2016 Assistance to Firefighter Grant  
Business Administrator explained authorization would allow the Fire Department to apply for a Grant of \$25,000 to cover a washer extractor to clean turnout gear and a self-contained breathing apparatus filling device. If the Grant is approved, Township must match the Grant with 10% or approximately \$2,500.

Resolution shall be voted on in the Public Meeting.

2e. CDBG Application; Stag Hill Roadway Improvements  
Business Administrator explained this is an endorsement of the CDBG Grant.

Resolution shall be voted on in the Public Meeting.

2f. Check Signators; Change of Business Administrator  
Business Administrator explained this approval adds the Business Administrator to the list of those who can sign checks.

Resolution shall be voted on in the Public Meeting.

**TOWNSHIP COUNCIL and MUNICIPAL CLERK**

3a. Jr. Firefighter Application; Conner J. Muscarelle to Fire Company #2  
Resolution shall be voted on in the Public Meeting.

3b. Eagle Scout  
1. Christopher Rovito  
Resolution shall be voted on in the Public Meeting.

3b. Eagle Scout  
2. Keith Orenchuk  
Resolution shall be voted on in the Public Meeting.

3c. Firefighter Application; Michael A. Leong to Fire Company #2  
Resolution shall be voted on in the Public Meeting.

**PUBLIC MEETING**

**APPROVAL OF BILLS AND CLAIMS**

On a motion by Sbarra, seconded by Wong, the Bills and Claims, previously signed, totaling \$6,844,550.36, were 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 Hermansen, seconded by Sbarra, the Combined Work Session and Public Meeting Minutes for September 29, October 13 and October 27 were approved. Roll call vote: Amoroso, abstain to October 13, yes to remaining; Ariemma, yes; DiGiulio, abstain to October 27, yes to remaining; Hermansen, yes; Sbarra, yes; Wong, yes; Roth, yes. Motion carried.

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

Amoroso attended the indoor Trunk or Treat and congratulated the winning family who dressed as Colonel Sanders, a bucket of chicken, and an ear of corn.

Amoroso congratulated Mr. Gerry Falotico for his win as an Emerson Councilmember.

Amoroso attended a retired UAW Workers Meeting.

Amoroso congratulated those who ran in the Election.

Ariemma congratulated Mayor Laforet.

Ariemma attended November 3<sup>rd</sup> Access For All Meeting concerning Public Safety and Fire Academy.

Ariemma provided the name of a volunteer who is interested in organizing a Juvenile Conference Committee to the Mayor.

Ariemma read an article in The Bergen Record concerning a Grant for \$150,000 for reforestation to Rutherford's Shade Tree Commission. Ariemma is interested in joining the Environmental Commission and look into applying for a Grant for the Township.

Ariemma read an article in The Bergen Record concerning a Grant Waldwick received for Open Space. Ariemma asked if a Grant be sought for drainage at the Municipal Pool. Ariemma will send notes to the Business Administrator.

Ariemma stated the Veterans Ceremony is Friday, November 11.

DiGiulio congratulated the winners and the losers.

DiGiulio had a death in her family.

DiGiulio attended the Ladies Auxiliary 70<sup>th</sup> Anniversary Luncheon on Sunday, November 13 at Portobello's Restaurant. Ms. Mary Kordiak and Ms. Rose Nappo were honored. Mayor Laforet and Roth made special presentations.

Hermansen congratulated the winners, losers and those who participated. Hermansen congratulated residents for getting out to vote. The voter turnout was terrific. Hermansen was proud to see the hard work from the Poll Workers. Hermansen thanked the Municipal Clerk.

Hermansen explained the Council would lose three excellent members. Hermansen congratulated Mr. Jonathan Marcus, Mr. Jim Wysocki and Council Vice President Sbarra.

Hermansen said he appreciated all Roth has done for the Council over the past 12 years.

Hermansen congratulated Mr. Gerry Falotico.

Hermansen attended the Access For All Open House and Football Event. Former New York Giants player, Mr. Jim Burke, attended. Hermansen extended his thanks to the High School students for their time and support with the Access For All Ceremony.

Hermansen thanked the Veterans for all they have done.

Sbarra congratulated Amoroso and explained she will be missed. Sbarra congratulated all the other candidates who won and ran.

Wong congratulated everyone associated with the Election.

Wong attended the Access For All Open House.

Wong congratulated Amoroso for her new position.

Roth attended the Access For All Open House and Football Event. It was a very successful event and good interactions with everyone.

Roth attended the Trunk or Treat. Roth stated the kids had a great time.

Roth attended on November 11<sup>th</sup> the Ladies Auxiliary Banquet for their 70<sup>th</sup> Anniversary. Roth presented a framed Council Resolution of Accommodation of their special event.

Roth thanked the Municipal Clerk for her work on Election Day.

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

Mayor Laforet congratulated Mr. Jonathan Marcus, Mr. Jim Wysocki, and Councilman Sbarra. Mayor looks forward to work with the new Council.

Mayor Laforet congratulated Amoroso.

Mayor Laforet attended two Economic Round Table Meetings. The first was at Bergen Community College where he met with Mayor Sokolich of Ft. Lee. The next day the second meeting was at the Park Ridge Marriott with the Mahwah Chamber of Commerce. Mayor Laforet indicated a new company, named Red Hat, opened an office at the Sheraton Crossroads. Red Hat manages the Cloud for the world.

Mayor Laforet opened the Transfer Station for Veterans at Ramapo College. County Executive Jim Tedesco and Ramapo Trustee Gary Montroy were in attendance.

Mayor Laforet stated Budget Reviews have been scheduled and begun internally.

Mayor Laforet stated the League of Municipalities in Atlantic City will begin next week.

Mayor Laforet attended the Access For All Open House and Football Event. Mr. Leonard Marshall, former New York Giants player, signed footballs that were purchased by Access For All and distributed to the children.

Business Administrator reminded Council there is an added Resolution #296-16 added to the Consent Agenda for the Drive Sober Event. This Grant pays for the first \$50 of paid hourly rate for 100 hours to a Police Officer.

Business Administrator congratulated those within the Municipal and Freeholder Elections.

**ORDINANCE-PUBLIC HEARING**

The title of an Ordinance was read as follows:

**ORDINANCE REPEALING ORDINANCE #1790 WHICH AUTHORIZED THE SALE OF PROPERTY KNOWN AS BLOCK 12, LOT 11 AND BLOCK 12, LOT 33 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MAHWAH.**

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

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

On a motion by Hermansen, seconded by Ariemma, the following resolution was passed and adopted:

**RESOLUTION – ORDINANCE NO. 1793**

**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, 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 9:35PM. All in favor. Motion carried.

On a motion by Wong, seconded by Amoroso, the meeting was closed to the public at 9:36PM. All in favor. Motion carried.

**CONSENT AGENDA**

Resolutions #284-16 to #293-16 and #295-16 to #296-16 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 painted lines on the street honoring the Emergency Services. Business Administrator stated the lines had not yet been painted.

**NEW BUSINESS**

Roth stated that the three Council Meetings scheduled for December are 1, 15 and 29 and will be held as scheduled. The Reorganization Meeting will be January 5, 2017.

**CLOSED SESSION**

On a motion by Amoroso, seconded by Wong, Council went into Closed Session at 9:35PM for the express purposes of discussing:

C1. Request for Extension of Sick Leave; DPW Employee  
All in favor. Motion carried.

On a motion by DiGiulio, seconded by Amoroso, Council came out of Closed Session at 9:53PM. All in favor. Motion carried.

**RESOLUTION**

Resolution #294-16 was voted on and is attached to and made part of these Meeting Minutes.

On a motion by Hermansen, seconded by Wong, the meeting was adjourned at 9:54PM. All in favor. Motion carried.

Respectfully submitted,



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