

**TOWNSHIP OF MAHWAH  
COMBINED WORK SESSION AND PUBLIC MEETING MINUTES  
THURSDAY, SEPTEMBER 15, 2016**

The meeting was called to order at 8:03PM 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, 2016 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 15, 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 FLAG**

Four scouts from Troop #197 led the Pledge of Allegiance.

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

Moment of Silence was observed for those who are serving and those who served in the military both here in the United States 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 Laforet, Township Attorney Brian Chewcaskie, Township Engineer's Associate Michael Kelly and Municipal Clerk Kathrine Coviello.

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

Mayor Laforet said on 9/11 Joanne's son-in-law Jeremy was instrumental in saving many lives.

The Mayor read a Proclamation entitled "Constitution Week" – September 17 – 23, 2016. Former Mayor Makely was presented with the Proclamation.

**ADMINISTRATION**

3a. Appointment of Business Administrator

Roth mentioned they have been in the process of replacing Mr. Campion, the former Business Administrator. The process was successful and he introduced the Mayor's Appointment of the new Business Administrator, Quentin Wiest, who will officially start on October 14, 2016.

Mayor Laforet said the search was very comprehensive and extensive. As a Mayor, he has the responsibility to present to the Council his Appointment of a Business Administrator and is asking the Council to give their unanimous support. He assures them that they have found the right person for our community. This process of interviews has been a corroborative effort and he thanked the Council President and Jersey Professionals for their comradery to getting where we are today. He stated the Council President and himself are both satisfied with the process.

Mr. Quentin Wiest addressed everyone and said it is an honor and a pleasure to be here. He said it was attractive for him to apply for this position. He has lived in a nearby town for over 50 years and understands the challenges in local government.

Mr. Wiest said it was intimidating to apply for this position due to the history demonstrated from prior officials. Mahwah, he said is in the forefront in leadership in this part of the region and to be a part of it is exciting for him going forward. He commented he looks forward to working with everyone.

Roth stated the Council has all of the paperwork on Mr. Wiest and called for a motion to approve.

Hermansen commented he worked with Mr. Wiest at the County, and he can endorse him as he knows what kind of person he is. He said Mr. Wiest has big shoes to fill but he will come close.

See Resolution #230-16, attached to and made part of these Meeting Minutes.

### **CABLEVISION – PUBLIC HEARING**

Roth mentioned that the Township has been in negotiations with Cablevision for a Franchise Renewal. The Township is required to hold a Public Hearing this evening. Some offers have been put on the table, but Cablevision is going through an acquisition right now and has not been able to get back to us with a response to our offers. This issue will be tabled to the Combined Work Session and Public Meeting of September 29, 2016.

### **PUBLIC PORTION**

On a motion by Wong, seconded by Sbarra, the meeting was opened to the public at 8:18PM. All in favor. Motion carried.

On a motion by Hermansen, seconded by Amoroso, 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 sent to everyone's Drop Box. If anyone has any questions on the Bills and Claims they were asked contact the Chief Financial Officer or the Mayor.

#### **ENGINEERING (Boswell-McClave)**

- 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).

The Township Engineer's Associate said the Developer came before the Council with a request to keep improvements in the Township Utility Easement. Since the last meeting, the Developer has moved the air conditioner units out of the easement. The six foot wide window well has been reduced to a 23" wide encroachment into the easement. The Developer has also provided the Township with an Agreement that would allow encroachments to remain and the owner holds the Township harmless if anything should happen.

The Township Engineer's Associate said the Council has to review and approve this. The Township Attorney said he has no objection to the revised Agreement. The Township Engineer's Associate said the Agreement would run with the land. The current Developer would sign the Agreement and advise a potential buyer of this Agreement.

Roth said this item will be on the September 29, 2016 Council Meeting for review and approval.

DiGiulio asked if there was another house on the other side of the easement. The Township Engineer's Associate said there is a house but their easement is separate.

The Township Engineer's Associate said the Agreement will run with the land. The Developer will have to make the new property owner aware of the easement.

The Township Attorney said he will get a copy of the Agreement and ensure it has been properly revised.

1b. Vacation of Jefferson Street; Discussion

The Township Engineer's Associate said Property Owner Ms. Stahl requested the vacation of a portion of Jefferson Street which is currently a paper street right-of-way from Highland Place to their south property line. The Requester indicated the neighbors who share the driveway have consented to the Agreement of vacation. He said he sees no issue with this vacation.

The Township Attorney said a Metes and Bounds was required. The Township Attorney stated this vacation would require an Ordinance but he will have more information on the property being vacated.

Wong asked the Township Engineer's Associate about his recommendation to rename the cul-de-sac Street. The Township Engineer's Associate stated the next time this issue is brought before the Planning Board they will rename the street.

1c. Verbal Status Report – March 2016

MA-1625 - 2016 Road, Curb and Sidewalk Program: The Township Engineer's Associate said the Road Program is being completed. The Punch List Items are being addressed. He will get the final quantities.

MA-1541 and MA-15422 - Ramapo and Mahwah Rivers Stream Cleaning and Flood Control: They are working to get the County Mosquito Commission to the river. He said they are hopeful they can get them to the Township soon.

The Township Engineer's Associate said there still has been no resolve to the Transportation Trust Fund and therefore no funds received to paved the requested roads.

Wong asked when the striping for Meadow Avenue will be done. The Township Engineer's Associate said it should be done in a few weeks and will cross Meadow Avenue at Long Avenue.

## LEGAL

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

The Township Attorney said the Temporary Sign Ordinance to be placed in the Township's Right-of-Ways was revised. At the last meeting revisions to the Ordinance were discussed. Those items were included in the Ordinance on the Agenda tonight. The signs will be owned, maintained and controlled by the Township.

Hermansen mentioned there is a construction crew putting up signs on Route 17 for Josh Gotthimier and they are very large. The Township Attorney said the Department of Transportation should handle this as we do not have jurisdiction over county roads.

The Municipal Clerk said she received a call today complaining about the size of signs and she referred the call to the Property Maintenance Officer.

Roth said the Ordinance shall be introduced in the Public Meeting.

### 2b. Land Transfer to the Land Conservancy of New Jersey; Block 13, Lot 33 and Block 12, Lot 4

The Township Attorney explained there is an Ordinance for introduction tonight that would authorize the public sale of two parcels of property. The Land Conservancy of New Jersey made a request to acquire property within the Township. Under the Local Lands and Buildings Law, there is a requirement to have an Ordinance and a public bid. There will be a public auction for sale to the highest bidder. The price of \$1,000. has been established, and there should be no structure on the property and will be maintained as Open Space.

Amoroso asked what if the Pilgrim Pipeline wants to go through there. Township Attorney said right now the Deed says no structure.

Mr. David Epstein, from the Land Conservancy of New Jersey, was present to give a brief overview. He showed the Council maps of this 46 acre property. The Land Conservancy is interested in expanding their new Preserve and hopes the Township will be interested in transferring or selling the two lots at the very end of Geiger Road. They will be opening hiking trails and eventually a small parking lot for public use on this Ramapo Mountain Preserve. Mr. Epstein said the Land Conservancy hopes to acquire the property with funding from Green Acres and hoped to gain a grant from the Bergen County Open Space Trust Fund.

Mr. Epstein requested the Council to have a Public Hearing on September 29<sup>th</sup> for their property acquisitions. Also, he mentioned, he is looking for authorization for the Township Engineer to write letters on the parcels they are looking to acquire which will be included with their Applications. He will return September 29<sup>th</sup> with more detailed information.

## ADMINISTRATION

### 3b. Acceptance of Rockland Electric Company Donations; Mahwah Day and Future Rain Garden

Roth mentioned Rockland Electric Company has donated \$500. to support the Annual Mahwah Day and another contribution check for a future project for a Rain Garden Project. This money will be held in escrow and discussed in Budget time. Mayor Laforet said the garden could be near Winters' Pond.

3c. Mayor Appointment; Access For All in Mahwah Commission

Mayor Laforet said he appointed Denise Shabet to the Access For All in Mahwah, replacing Dale Swisher, for a one year term as the CERT Representative. The term is August 15, 2016 until December 31, 2017.

Resolution shall be voted on in the Public Meeting.

3d. Auction of Excess Seized Property

Mayor Laforet said this is an auction for excess old equipment that is no longer needed and not seized property.

Resolution shall be voted on in the Public Meeting.

3e. Award of Professional Services Contract; Employee, HAZ-MAT, CDL and Firefighter Applicant Physicals, Hepatitis B Vaccines, Titers and Lab Interpretations and Training and Tuberculosis Testing and Training.

Mayor Laforet said Valley Hospital has provided a lower cost so we will be using them for the physicals.

Resolution shall be voted on in the Public Meeting.

3f. Award of Professional Services Contract; Employee Mammogram Screening

Mayor Laforet stated that Employee Mammogram Screening will be done again at Valley Physician Services, Inc.

Resolution shall be voted on in the Public Meeting.

**TOWNSHIP COUNCIL and MUNICIPAL CLERK**

4a. Resolution Opposing Bear Hunting in Mahwah

Resolution shall be voted on in the Public Meeting.

4b. Eagle Scouts

1. Brian Stanley Nagotko
2. James Joseph Nagotko

Roth said the Eagle Scout Ceremony for the two Scouts is Sunday, September 18, 2016 at 1:00PM at the Mahwah Elks Club. Individual Resolutions shall be voted on in the Public Meeting.

4c. Appointment of Day Time Firefighter Kyle M. Toth to Fire Company #2

Resolution shall be voted on in the Public Meeting.

4d. Request to Post Political Signs in Township Right-of-Way; Council Candidate

George W. Ervin, Congressman Scott Garrett and Council Candidate Steve Sbarra  
Individual Resolutions shall be voted on in the Public Meeting

4e. Access for All in Mahwah Commission By Laws

Roth said there had to be revisions and the Township Attorney has signed off on these revisions.

Resolution shall be voted on in the Public Meeting.

## **PUBLIC MEETING**

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

On a motion by Hermansen, seconded by Wong, the Bills and Claims, previously signed, totaling \$1,084,320.76 were voted on. 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**

Special Closed Session Meeting Minutes of July 19, 2016 were approved. Roll call vote: Amoroso, yes; Ariemma, yes; DiGiulio, yes; Hermansen, yes; Sbarra, yes; Wong, yes; Roth yes. Motion carried.

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

Amoroso said she went to a funeral for Father Floyd Rotunno and also for Frank Denigris who passed unexpectedly.

Amoroso attended the 9/11 Ceremony and said it was beautiful. On the advice of Councilmen Wong and Hermansen she said she attended the County Ceremony also.

Amoroso attended the Senior Picnic on Wednesday at the County.

Amoroso said she attended a Fund Raiser for Officer Falatico who is running for Emerson Council.

Amoroso went for the Drawing for Ballot Positions today.

Ariemma attended the 9/11 Ceremony and thanked DiGiulio.

Ariemma said she is excited the Resolution on Bear Hunting is being supported by the Township.

DiGiulio thanked everyone who attended the 9/11 Ceremony. The Choir from the High School started 15 years ago and their teacher is an amazing lady. The teacher has always found students to sing at our Ceremony despite it being the first week of school.

DiGiulio wished all candidates running in the General Election the "Best of Luck".

Hermansen thanked DiGiulio for arranging the 9/11 Ceremony. He also thanked everyone who participated and the hard work put in to this.

Hermansen congratulated Quentin Wiest.

Hermansen mentioned Mahwah Day is September 24, 2016.

Hermansen attended the Access for All Meeting and they had great ideas. The Committee will be selling t-shirts at Mahwah Day.

Hermansen said Mrs. Wendrychowicz sent an e-mail about Saving Hollow Ground. He read a little about it. He said it is an organization that was brought to the Council's attention by a Mom in the Mahwah Marine Moms Organization. It has a 20" by 30" National WWI Centennial Memorial Flag and our community has been asked to participate in a Folding Ceremony of the flag. The Ceremony will take place after the Opening Ceremony of Mahwah Day. Roth said he assured Mrs. Wendrychowicz that she can have our assistance.

Hermansen read a letter from Mr. Gerry Lynch thanking two DPW workers when he fell off his bike on Campgaw Road on September 6, 2016. Hermansen said both workers work in Recycling. One was Keith Weber and Mike Burr who is an EMT made sure he was okay. Hermansen said we have the best workers in this Township who care what they do.

Sbarra attended the 9/11 Ceremony and said it was a little different. Many residents attended this Ceremony and this event is "Lisa DiGiulio". She is the driving force in organizing this program and hope she always does it. DiGiulio answered this Ceremony cannot be done without a team effort. Sbarra said he would love to make a motion to have DiGiulio Chairman for Life.

Sbarra attended a Planning Board Meeting. He said Sharp is leaving Mahwah but Jaguar/Land Rover is moving into their property. Jaguar Land Rover did a wonderful presentation and they will get their memorialization at the next meeting.

Sbarra attended a School Board Meeting on Wednesday. Dr. Schoen did a presentation on Violence and Vandalism. There were 19 cases broken down. What scared him, he said, was there was one drug related report in Ramapo Ridge. The second presentation Sbarra said was presented by Guidance Counselor Ms. Rizzo on a self- assessment on bullying. All of the schools are doing a great job on bulling and they all scored exceptionally high.

Sbarra mentioned several school children and some parents came before the board to ask what could be done to settle the contract as they liked their teachers.

Wong attended the 9/11 Ceremony on Sunday. He shared the same sentiments of the rest of the Council. He thanked DiGiulio for her dedication. Wong said he would second Sbarra's motion on Lisa DiGiulio to be Chairman for Life.

Wong reminded the Council Candidates and residents the paperwork the Council has in front of them is also available to them on the Township website.

Roth attended the Access for All Meeting on September 8<sup>th</sup>.

Roth attended the 9/11 Ceremony. He said it was solemn and beautiful. He thanked DiGiulio for being a leader for this Ceremony for 15 years.

Roth attended a breakfast for the Chamber of Commerce at the Mahwah Bar and Grill.

Roth attended a Cable Committee Meeting. The focus was Mahwah Day.

On September 15<sup>th</sup> Roth attended the Senior Luncheon. Bergen County Surrogate Mike Dressler spoke.

Roth said he spoke to the Wilblo Scouts before tonight's meeting.

Roth attended the Ballot Drawing on September 18<sup>th</sup>.

Roth mentioned there is an Eagle Scout Ceremony on Sunday at 1:00PM at the Elks Lodge.

DiGiulio mentioned Sharp is leaving and pointed out how generous they have been to our Township over the years.

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

Mayor Laforet mentioned Father Floyd passed away. He had the honor of addressing the Congregation.

Mayor Laforet said he attended the Ballot Position Drawing today. He wished all the candidates the best. He said the eight candidate running for council shows the choice the residents have when voting and the dedication the candidates have to the community.

The Mayor attended a New Jersey League of Municipalities Breakfast. One subject that came up and will be important at budget time is Bail Reform. Bail Reform requires very different things to occur with people that are arrested and could impact on our overtime. He said is he is having the Chief do an evaluation on a model that we have done and the impact. Mayor Laforet said he hopes he can come back in a few weeks and do a presentation. The reform will begin January 1, 2017 and be mandatory.

Mayor Laforet attended the 9/11 Ceremony and agreed with everyone that it was very special and thanked DiGiulio. The Mayor mentioned that the mother of Dominic Pandolfo attended our ceremony and this was very special for our Township.

Mayor Laforet mentioned everyone will be happy with Quentin Wiest. He will schedule meetings for all Department Heads and try to get a Meet and Greet with the employees.

The Mayor said Sharp left for many reasons as they have a different business model. This has made way for Jaguar Land Rover. There will be a Press Release coming out this Tuesday. There will be a Groundbreaking Ceremony that Councilmembers to be invited to. He said he feels this is a great opportunity for our Community and they are bringing everything they do to Mahwah.

October 5<sup>th</sup>, the Mayor said is the Groundbreaking Ceremony for United Way on Route 202.

Mayor Laforet said Valley Health will be having a Groundbreaking Ceremony in October.

### **ORDINANCES – INTRODUCTIONS**

The title of an Ordinance was read as follows:

#### **AN ORDINANCE ESTABLISHING PROCEDURES FOR THE ERECTION OF TEMPORARY NON-COMMERCIAL SIGNS WITH THE TOWNSHIP OF MAHWAH**



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

**RESOLUTION – ORDINANCE NO. 1789**

Introduced by Hermansen, 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 in the Council Chambers of the Richard J. Martel Municipal Offices, 475 Corporate Drive, Mahwah, New Jersey on Thursday, September 29, 2016 at 8:00PM.

**FURTHER RESOLVED** that the Clerk publish said ordinance with notice of introduction, passage and tie and place where said ordinance will be considered for final passage.

Roll call vote: Amoroso, yes; Ariemma, yes; DiGiulio, no; Hermansen, yes; Sbarra, yes; Wong, yes; Roth, yes

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The title of an Ordinance as read as follows:

**ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY KNOWN AS  
BLOCK 12, LOT 11 AND BLOCK 13, LOT 33 OF THE OFFICIAL TAX MAP OF THE  
TOWNSHIP OF MAHWAH**

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

**RESOLUTION – ORDINANCE NO. 1790**

Introduced by Wong, seconded by Hermansen

**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 in the Council Chambers of the Richard J. Martel Municipal Offices, 475 Corporate Drive, Mahwah, New Jersey on Thursday, September 29, 2016 at 8:00PM.

**FURTHER RESOLVED** that the Clerk publish said ordinance with notice of introduction, passage and tie 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

**ORDINANCES – PUBLIC HEARINGS**

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 (EXCLUDING MCKEE DRIVE)**

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

Hermansen stated there was a UPS 18 wheeler unloading items on the side of McKee Drive. Hermansen feels any unloading of trucks will cause a problem.

Ariemma commented the Township Engineer said the road was wide enough for parking.

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

On a motion by Amoroso, seconded by DiGiulio, the following resolution was passed and adopted:

**RESOLUTION – ORDINANCE NO. 1787**

**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, no; 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**

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

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

On a motion by DiGiulio, seconded by Amoroso, the following resolution was passed and adopted:

**RESOLUTION – ORDINANCE NO. 1788**

**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 Hermansen, seconded by Ariemma, the meeting was opened the public at 9:45PM. All in favor. Motion carried.

Mr. Mike DeLuca of 11 Parsons Court thanked the Council for using microphones.

Mr. DeLuca said he could not see the map for the Land Conservancy when Mr. Epstein was showing it to the Council.

Mr. DeLuca said he could not attend the Budget Meeting and he asked what the status of the Library was as it applied to the Township and the Budget. Roth said the budget of the Library is a predetermined rate by the state. We have no control over the amount. The only control we have over the Library is they are supposed to give money back to the Township if they are under their spending.

Mr. DeLuca said he never saw any bids for Boswell Engineering. Roth said there is an annual review by Administration. Public Services, he said, does not require a bid.

Mayor Laforet said every three years there is an RFQ process where we solicit proposals from various engineering companies. There is a committee that reviews the proposals. Boswell Engineering also does bids with their vendors.

Mr. DeLuca said he received a message from the Mayor and the great things we have in our Township. He added one more. We have the worst Post Office in Bergen County. Mayor Laforet said suggested using the Annex on Industrial Avenue.

The Mayor said the property is a landlord problem. Mr. DeLuca feels something should be done to remedy this as it is a disgrace to our Township.

On a motion by Hermansen, seconded by Amoroso, the meeting was closed to the public at 10:02PM. All in favor. Motion carried.

## **CONSENT AGENDA**

Resolutions #231-16 through #240-16 were voted on under Consent Agenda. Resolutions are attached to and made part of these Meeting Minutes.

Resolution #230-16 was voted on separately. Resolution is attached to and made part of these Meeting Minutes.

## **OLD BUSINESS**

None.

## **NEW BUSINESS**

DiGiulio asked about the honoring of members of the Fire Department. Roth said he has reached out to the Fire Chief and has had no response. DiGiulio said she will contact him.

**CLOSED SESSION**

On a motion by Wong, seconded by Hermansen, Council went into Closed Session at 10:00PM for the express purposes of discussing:

- C1. Litigation Update
- C2. Affordable Housing Update

All in favor. Motion carried.

On a motion by Hermansen, seconded by Wong, Council returned to Open Session at 10:23PM. All in favor. Motion carried.

On a motion by Wong, seconded by Amoroso, the meeting was adjourned at 10:24PM. All in favor. Motion carried.

Respectfully submitted,



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