

**TOWNSHIP OF MAHWAH
COMBINED WORK SESSION AND PUBLIC MEETING MINUTES
THURSDAY, APRIL 7, 2022**

The Meeting was called to order at 7:02PM by Council President who read the Open Public Meetings Act Statement as prescribed by law. Notice was sent to The Record and The Ridgewood News on November 15, 2021 and was advertised in The Record and The Ridgewood News on November 19, 2021 stating this Meeting would be held in the Honorable Judge Anthony J. Gianni, Jr. Chambers at the Richard J. Martel Municipal Offices, 475 Corporate Drive, Mahwah, New Jersey on Thursday, March 24, 2022 at 6:00PM. Electronic Notice of this Meeting was provided through the Internet by Posting the Agenda on the Township's Website on April 5, 2022.

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 and for those affected by the Coronavirus.

Present: Councilmembers Ariemma, Bolan, Ervin, Ferguson, Paz, Wong present at 7:15PM,
And May

Also present were Mayor James J. Wysocki, Business Administrator Benjamin Kezmarsky, Township Attorney's Associate Sue Sharpe, Township Engineer's Associate Michael Kelly, Deputy Clerk Carolyn George and Clerical Assistant Leslie Wen.

PROCLAMATION

Ms. Diane Stripe, President of the Mahwah Museum, presented Mayor Wysocki with Lifetime Membership to the Mahwah Museum Society in appreciation for the many ways Mayor Wysocki has contributed to the "Les Paul in Mahwah" Exhibit.

WORK SESSION

SUBMISSION OF BILLS AND CLAIMS

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

ENGINEERING

1a. Recommendation for Release and Discharge of Developer's Agreement; Short Line Bus Tours, Inc. (SLBT, Inc.) Stag Hill Road and South Houvenkopf Road; Block 131, Lot 1 Township Engineer's Associate stated this Project has been closed and recommends the Release and Discharge of the Developer's Agreement. Resolution shall be voted on in the Public Meeting.

1b. Written Status Report

MA-1667-A Chapel Road Sanitary Sewer Project

Township Engineer's Associate stated a Progress Meeting was held on March 21, 2022 to review the Project Schedule. All Utility Work and Trench Repairs to be completed by May 2, 2022. Road and Parking Lot used for staging of materials to be paved in the Summer when school is out of session.

MA-1835-E Fire Company No. 3 NJDEP Freshwater Wetlands General Permit No. 2

Township Engineer's Associate stated this Project is on Schedule. He expects the Permit Application to be submitted by April 25, 2022.

MA-1965 2021 Road, Curb and Sidewalk Improvement Program

Township Engineer's Associate stated Continental Soldiers Park will be closed April 11, 2022 through April 13, 2022 for Milling, Paving and Striping. He also mentioned Miller Road by Scherer Place will also be closed on April 13, 2022 for Milling, Paving and Striping. All businesses in the area have been notified.

MA-1988 Restoration of Water Course Behind Wanamaker Avenue

Township Engineer's Associate stated Permit Applications will be submitted to the New Jersey Department of Environmental Protection by April 30, 2022.

MA-2002 Winters Park

Township Engineer's Associate stated Winters Park Parking Lot has been paved. The Park will re-open on April 12, 2022.

MA-2059 2022 Road, Curb and Sidewalk Improvement Program

Township Engineer's Associate stated this Project was advertised in The Record on April 2, 2022. The Bids are due to be received by April 26, 2022. This Project will be awarded at the May 5, 2022 Council Meeting.

MA-2166 Well 19 PFC Treatment

Township Engineer's Associate stated the Design for the Treatment System of Well #19 is still in progress. He also mentioned the Wetland's Evaluation has been completed.

MA-2178 East Ramapo Avenue and Franklin Turnpike – Turn Prohibition

Township Engineer's Associate stated a Recommendation has been sent to Administration with the findings of Prohibiting a Left-Hand Turn from East Ramapo Avenue onto Franklin Turnpike. He also mentioned Administration has forwarded Boswell Engineers' Recommendation to the Police Department for their Review.

Ariemma asked when will the Cell Tower be started. Business Administrator responded the Process is moving forward. The Plans are being reviewed and have been submitted to the Planning Board for approval.

Ariemma asked if Environmental Testing will be done around the Area of Well #19. Township Engineer's Associate responded no.

May asked Business Administrator if the Township Pool Project should be sent out to Bid now for the Filtration System and Decking around the Pool because of the supply chain shortage. Business Administrator responded yes.

ADMINISTRATION

2a. Professional Architectural Services; DeGeronimo PC; DPW Facility

Business Administrator stated this is the Professional Architectural Services for the new Department of Public Works Facility. Resolution shall be voted on in the Public Meeting.

2b. Professional Planning Services; Colliers Engineering and Design; Affordable Housing Litigation Services

Resolution shall be voted on in the Public Meeting.

2c. Award Bid to Various Bidders; MTB #22-03; DPW Automotive Materials and Supplies
Resolution shall be voted on in the Public Meeting.

2d. Award Bid MTB #22-02, Lease of Real Property on Campgaw Water Tower; Co-location Of Wireless Equipment

Resolution shall be voted on in the Public Meeting.

2e. Award Bid MTB #22-01, Lease of Real Property on Macarthur Blvd. Right-of-Way; Co-location of Wireless Equipment

Resolution shall be voted on in the Public Meeting.

2f. Pay-to-Play Compliance:

1. Vindan; d.b.a. Harris Uniforms, Purchase of Police and Fire Department Uniforms and Related Items

Resolution shall be voted on in the Public Meeting.

2. Garden State Laboratories, Inc.; Various Water Laboratory Testing

Resolution shall be voted on in the Public Meeting.

2g. Temporary Appropriations

Resolution shall be voted on in the Public Meeting.

2h. Resolution of Support; Access Transportation Program; Human Services Department; Title VI Civil Rights Act of 1964

Business Administrator stated this is for the Access Transportation Service for the Senior Center. Resolution shall be voted on in the Public Meeting.

2i. COLA Ordinance; Discussion

Ordinance shall be Introduced in the Public Session.

2j. 2022 Municipal Budget; Discussion

Chief Financial Officer, Joseph Kovalcik, Introduced the 2022 Municipal Budget. Resolution shall be voted on in the Public Meeting.

PUBLIC PORTION

On a motion by Ervin, seconded by Ferguson, the Meeting was opened to the public at 7:46PM. All in favor. Motion carried.

Mr. Adam Nemensky of 4 Dorchester Drive, Airmont, New York read a statement comparing Cannabis Consumption to Alcohol Consumption.

Mr. Jason Cordero of 81 Deerfield Terrace believes Cannabis Sales are much safer than Alcohol Sales.

Mr. Mark Babbe of 90 Oweno Road stated some pages that were posted on the Township Website regarding #146-22 were illegible and could not be read.

Mr. Hugh Giordano of 57 Argyle Avenue, Blackwood, New Jersey representing the United Food Commercial Workers Union Local 360. Mr. Giordano stated by not having a Cannabis Store, Mahwah Township is blocking Union Workers who work within the Cannabis Industry.

On a motion by Ervin, seconded by Paz, the Meeting was closed to the public at 7:57PM. All in favor. Motion carried.

May explained Mahwah Township has not banned any Cannabis Retail. One location was under consideration but was not acceptable. No other locations have been presented to the Council.

May explained to Mr. Babbe, the Developer's Agreement was a bad copy on the Website. He will give Mr. Babbe a better copy.

PUBLIC MEETING

APPROVAL OF BILLS AND CLAIMS

On a motion by Ervin, seconded by Ferguson, the Bills and Claims, previously signed, totaling \$6,417,388.78 were approved. Roll call vote: Ariemma, yes; Bolan, yes; Ervin, yes; Ferguson, yes; Paz, yes; Wong, yes; May, yes. A list of Bills and Claims is on file in the Municipal Clerk's Office.

APPROVAL OF MEETING MINUTES

On a motion by Ervin, seconded by Ferguson, the Special Council and Budget Work Session Meeting Minutes for March 19, 2022, Combined Work Session and Public Meeting Minutes for March 24, 2022 and Closed Session Meeting Minutes for March 24, 2022 were approved. Roll Call Vote: Ariemma, yes; Bolan, yes; Ervin, yes; Ferguson, yes; Paz, yes; Wong, yes; May, yes.

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

Ariemma:

- Attended the Special Budget Council Meetings on March 19, 2022, March 26, 2022 and March 31, 2022

- Attended the Environmental Commission Meeting on March 23, 2022

Bolan:

- Watched the Planning Board Meeting on March 14, 2022
- Attended the Special Budget Council Meetings on March 19, 2022 and March 31, 2022
- Attended the Mahwah Community News Meeting on March 21, 2022
- Attended the Beautification Committee Meeting on March 22, 2022
- Attended the Council Meeting on March 24, 2022

Ervin:

- Attended the Agenda Meeting on April 1, 2022
- Attended the Recreation Committee Meeting on April 1, 2022

Ferguson:

- Attended the Special Budget Council Meeting on March 19, 2022, March 26, 2022 and March 31, 2022
- Attended the Ordinance Committee Meeting on March 29, 2022
- Attended the Youth Sports Booster's Meeting on March 30, 2022

Paz:

- Attended the Special Budget Council Meetings on March 19, 2022, March 26, 2022 and March 31, 2022
- Attended the Film, Arts and Music Committee Meeting on March 21, 2022
- Attended the Ukrainian Prayer Vigil on March 28, 2022
- Attended the Access for All Committee Meeting on April 4, 2022

Wong:

- Attended the Special Budget Council Meeting on March 19, 2022, March 26, 2022 and March 31, 2022
- Attended the Ordinance Committee Meeting on March 29, 2022

May:

- Attended the Special Budget Council Meeting on March 26, 2022 and March 31, 2022
- Watched the Planning Board Meeting on March 28, 2022
- Attended the Pool Committee Meeting on March 6, 2022

REPORTS OF MAYOR and BUSINESS ADMINISTRATOR

Mayor Wysocki:

- Extended a thank you to the Mahwah Museum for his Award.
- Extended a thank you to the Police Department, Fire Department, Emergency Medical Services, Department of Public Works and all the Volunteer Organizations that service the Township.
- Extended a thank you to Council, Business Administrator and Clerk's Office.
- Attended the Ukrainian Prayer Vigil on March 28, 2022.
- Mayor spoke about the Design for the new Department of Public Works Facility.

Business Administrator:

- Extended a thank you to Chief Financial Officer, Joseph Kovalcik, Assistant to the Chief Financial Officer, Corinne Hockman, and all the Township Employees for all the hard work they did on the 2022 Municipal Budget.
- Extended a thank you to the Patrolmen's Benevolent Association

ORDINANCE- INTRODUCTION

The Title of an Ordinance was read as follows:

**CALENDAR YEAR 2022
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK**

Introduced by Paz, seconded by Ferguson

RESOLVED that the Ordinance be passed and adopted on the First Reading.

FURTHER RESOLVED that said Ordinance be considered for Final Passage at a Meeting to be held in the Honorable Judge Anthony J. Gianni, Jr. Chambers at the Richard J. Martel Municipal Offices, 475 Corporate Drive, Mahwah, New Jersey on May 5, 2022 at 7:00PM.

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

Role Call Vote: Ariemma, yes; Bolan, yes; Ervin, yes; Ferguson, yes; Paz, yes; Wong, yes; May, yes.

RESOLUTION

Resolution #145-22 was voted on and is attached and made part of these Meeting Minutes.

On a motion by Wong, seconded by Bolan, to discuss Resolution #145-22. All in favor. Motion carried.

Ferguson stated he would like to Increase the Youth Sports Booster's Budget by \$12,000. to off-set costs to Families who Participate in the Indoor Sports Program. This will affect approximately 600 children who are registered in the Indoor Sports Programs. Each child would save approximately \$25.-\$30. on their Registration Fees. Ferguson mentioned Administration suggested the \$12,000. can be disbursed from the Demolition Account.

Ariemma stated the Board of Education should pay for half of this amount.

Ervin stated, in the past, the Sports Programs fundraised to off-set costs for these Programs.

Paz mentioned she would be more comfortable with adding \$9,000. to the Youth Sport Booster's Program instead of \$12,000.

On a motion by Ferguson, seconded by Wong, a Straw Poll was taken to Increase the Youth Sports Booster's Budget by \$12,000. Roll Call Vote: Ariemma, no; Bolan, no; Ervin, no; Ferguson, yes; Paz, no; Wong, yes; May, abstain. Motion failed.

On a motion by Paz, seconded by Ferguson, a Straw Poll was taken to Increase the Youth Sports Booster's Budget by \$9,000. Straw Poll Vote: Ariemma, yes; Bolan, no; Ervin, no; Ferguson, yes; Paz, yes; Wong, yes; May, abstain.

ORDINANCE – PUBLIC HEARING

The Title of an Ordinance was read as follows:

AN ORDINANCE TO AMEND SALARY ORDINANCE NO. 1966

On a motion by Ervin, seconded by Bolan, the Meeting was opened to the public at 8:40PM. All in favor. Motion carried.

On a motion by Ferguson, seconded by Paz, the Meeting was closed to the public at 8:41PM. All in favor. Motion carried.

On a motion by Ervin, seconded by Paz, the following Resolution was passed and adopted:

RESOLUTION – ORDINANCE NO. 1969

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 fully adopted, as required by law.

Roll Call Vote: Ariemma, yes; Bolan, yes; Ervin, yes; Ferguson, yes; Paz, yes; Wong, yes; May, yes

PUBLIC PORTION

On a motion by Ervin, seconded by Wong, the Meeting was opened to the Public at 8:42PM. All in favor. Motion carried.

On a motion by Bolan, seconded by Ervin, the Meeting was closed to the public at 8:43PM. All in favor. Motion carried.

CONSENT AGENDA

Resolutions #146-22 to #149-22 and #152-22 to #155-22 were voted on under the Consent Agenda. Resolutions are attached and made part of these Meeting Minutes.

RESOLUTIONS

Resolutions #150-22 to #151-22 were voted on separately. Resolutions are attached and made part of these Meeting Minutes.

OLD BUSINESS

1. Merger; Planning Board and Zoning Board of Adjustment
2. Bergen County Gun Range

3. ~~Security Cameras; Continental Soldiers and Commodore Perry Parks~~
4. Wildlife Management Forum
5. Repairs to Fire Trucks
6. Garbage Collection
7. Norfolk Village
8. Cell Phone Charging Stations
9. Irrigation Systems
10. Electric Charging Stations
11. Flyover; Route 287
12. Blue House
13. NJ Transit Access Link
14. Non-Emergency Support System for Volunteers

Paz informed the Council she has emailed Mr. Paul Aronsohn, New Jersey Ombudsman, and is waiting for a response to discuss the New Jersey Transit Access Link.

NEW BUSINESS

Ariemma asked if the Board of Education Meeting Dates can be entered onto the Township Calendar. Bolan responded the Township should not have to keep track of the Board of Education's Calendar Dates. May responded no.

On a motion by Paz, seconded by Bolan, the Meeting was adjourned at 8:49PM. All in favor. Motion carried.

Respectfully submitted,



Kathrine G. Coviello RMC/CMC/MMC
Municipal Clerk