

**TOWNSHIP OF MAHWAH
SPECIAL COUNCIL MEETING MINUTES
MONDAY, APRIL 10, 2023**

The Meeting was called to order at 6:00PM by Council President May who read the Open Public Meetings Act Statement as prescribed by law. In accordance with the Open Public Meetings Act, adequate notice of this Meeting has been provided by sending notice to The Record and The Ridgewood News and posting notice on the bulletin board of the Honorable Richard J. Martel Municipal Center located at 475 Corporate Drive, Mahwah, New Jersey. Electronic notice of this Meeting has also been provided by posting the agenda on the Township Website.

Formal action may be taken. The minutes of this Meeting shall be available in the Office of the Township Clerk.

This Meeting is being videotaped.

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.

Present: Councilmembers Ariemma, Bolan, Donigian, Ferguson, Paz, Wong, and May

Also present were Mayor James Wysocki, Business Administrator Benjamin Kezmarsky, Township Attorney's Associate Gabrielle Canaie, Municipal Clerk Carolyn George and Senior Clerk Leslie Wen

PUBLIC PORTION

On a motion by Paz, seconded by Ariemma, the Meeting was opened to the public at 6:02PM. All in favor. Motion carried.

Being there was no response from the public, on a motion by Paz, seconded by Ariemma, the Meeting was closed to the public at 6:02PM. All in favor. Motion carried.

WORK SESSION

SUBMISSION AND APPROVAL OF BILLS AND CLAIMS

Business Administrator stated there were no Bills and Claims.

ORDINANCE – PUBLIC HEARING

The Title was read as follows:

**CALENDAR YEAR 2023 ORDINANCE TO EXCEED MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

On a motion by Paz, seconded by Ferguson, the Meeting was opened to the public at 6:03PM. All in favor. Motion carried.

On a motion by Paz, seconded by Ferguson, the Meeting was closed to the public at 6:03PM. All in favor. Motion carried.

On a motion by Ferguson, seconded by Bolan, the following Resolution was passed and adopted.

RESOLUTION – ORDINANCE NO. 2004

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; Donigian, yes; Ferguson, yes; Paz, yes; Wong, yes; May, yes.

RESOLUTIONS

#159-23: Resolution to Read 2023 Municipal Budget by Title Only

#160-23: Self-Examination of 2023 Budget

Resolutions were voted on and are attached and made part of these Meeting Minutes.

PUBLIC HEARING

2023 Municipal Budget

On a motion by Bolan, seconded by Wong, the Meeting was opened to the public at 6:04PM. All in favor. Motion carried.

Being there was no response from the public, on a motion by Paz, seconded by Ariemma, the Meeting was closed to the public at 6:04PM. All in favor. Motion carried.

RESOLUTION

#161-23: Amendment to 2023 Budget

Business Administrator stated the 2023 Budget was amended to include Grant Line Items for additional revenue for the Township that were added after the Introduction of the Budget.

Resolution was voted on and is attached and made part of these Meeting Minutes.

PUBLIC HEARING

2023 Budget as Amended

On a motion by Paz, seconded by Ariemma, the Meeting was opened to the public at 6:06PM. All in favor. Motion carried.

Being there was no response from the public, on a motion by Paz, seconded by Ariemma, the Meeting was closed to the public at 6:06PM. All in favor. Motion carried.

ADOPTION – 2023 MUNICIPAL BUDGET AS AMENDED

On a motion by Ferguson, seconded by Bolan, the Amended 2023 Municipal Budget was voted on. Roll Call Vote: Ariemma, yes; Bolan, yes; Donigian, yes; Ferguson, yes; Paz, yes; Wong, yes; May, yes.

On a motion by Ferguson, seconded by Paz, the Meeting was adjourned at 6:07PM. All in favor. Motion carried.

Respectfully submitted,



Carolyn George
Municipal Clerk, RMC

RESOLUTION

TOWNSHIP OF MAHWAH
475 CORPORATE DRIVE
MAHWAH, NJ 07430

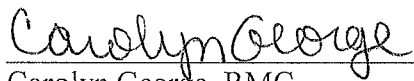
RESOLUTION #159-23
DATE: APRIL 10, 2023

Name	Motion	Second	Yes	No	Abstain	Absent
Ariemma			✓			
Bolan		✓	✓			
Donigian			✓			
Ferguson			✓			
Paz	✓		✓			
Wong			✓			
May			✓			

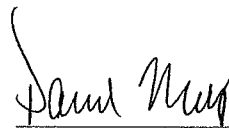
WHEREAS, NJSA 40A:4-8 (2) requires the Governing Body to pass a resolution by not less than the majority of the full membership which shall declare that the Budget shall be read by its title and declare that the conditions set for in Subsections 1a. and 1b. of that section have been met;

NOW, THEREFORE, BE IT RESOLVED that the Municipal Clerk shall read the Budget by title only and that the Municipal Clerk has certified that copies of the Budget have been made available to the public at least one week prior to the date of the hearing and the Budget has been posted in a public place where public notices are customarily posted.

I hereby certify that this resolution consisting of one (1) page(s), was adopted at a meeting of the Township Council of the Township of Mahwah on the 10th day of April, 2023.



Carolyn George, RMC
Municipal Clerk



David May
Council President

RESOLUTION

TOWNSHIP OF MAHWAH
475 CORPORATE DRIVE
MAHWAH, NJ 07430

RESOLUTION #160-23
DATE: APRIL 10, 2023

Name	Motion	Second	Yes	No	Abstain	Absent
Ariemma			✓			
Bolan		✓	✓			
Donigian			✓			
Ferguson			✓			
Paz	✓		✓			
Wong			✓			
May			✓			

SELF-EXAMINATION OF BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Mahwah has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2020 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Mahwah that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated,
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the Township.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

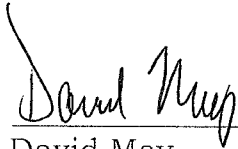
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

I hereby certify that this resolution consisting of two page(s), was adopted at a meeting of the Township Council of the Township of Mahwah, on the 10th day of April, 2023.



Carolyn George, RMC
Municipal Clerk



David May
Council President

RESOLUTION

TOWNSHIP OF MAHWAH
 475 CORPORATE DRIVE
 MAHWAH, NJ 07430

RESOLUTION #161-23
 DATE: APRIL 10, 2023

Name	Motion	Second	Yes	No	Abstain	Absent
Ariemma			✓			
Bolan			✓			
Donigian			✓			
Ferguson	✓		✓			
Paz		✓	✓			
Wong			✓			
May			✓			

AMENDMENT TO 2023 APPROVED BUDGET

WHEREAS, the local municipal budget for the year 2023 was approved on the 6th day of March; and

WHEREAS, the public hearing on said municipal budget has been held as advertised; and

WHEREAS, it is desired to amend said approved budget;

NOW THEREFORE, BE IT RESOLVED; by the governing body of the Township of Mahwah, County of Bergen that the following amendment to the approved budget of 2023 be made:

	<u>FROM</u>	<u>TO</u>
CURRENT FUND - ANTICIPATED REVENUES		
GENERAL REVENUES		
3. Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with the Prior Written Consent of Director of the Division of Local Government Services – Public and Private Revenues		
Bergen County Prosecutors Office Municipal Escrow	\$0.00	\$84,183.28
County of Bergen- Open Space Trust Fund	\$0.00	\$47,000.00
State of New Jersey- Dept. of Environmental Protection	\$0.00	\$115,955.12
State of New Jersey- Dept. of Transportation	\$0.00	\$226,000.00
3. Total Section F	\$3,347.00	\$476,485.40
5. Subtotal General Revenues (items 1,2,3 and 4)	\$16,073,664.14	\$16,546,802.54
7. Total General Revenues	\$46,663,395.36	\$47,136,533.76

CURRENT FUND - APPROPRIATIONS

8. GENERAL APPROPRIATIONS

(A) Operations – Excluded from "CAPS"

Public and Private Programs Offset by Revenues

Bergen County Prosecutor Office – Municipal Escrow	\$0.00	\$84,183.28
County of Bergen- Open Space Trust Fund	\$0.00	\$47,000.00
State of New Jersey- Dept. of Environmental Protection	\$0.00	\$115,955.12
State of New Jersey- Dept. of Transportation	\$0.00	\$226,000.00
Total Public and Private Programs	\$3,347.00	\$476,485.40

Total Operations -Exclude from "CAPS"

\$3,480,891.25 \$3,954,029.62

Detail:

Salaries & Wages	\$35,000.00	\$35,000.00
Other Expenses (Including Contingent)	\$3,445,891.22	\$3,919,029.62

(H-2) Total General Appropriations for Municipal Purposes Excluded

\$8,706,673.94 \$9,179,812.34

(O) Total General Appropriations - Excluded from "CAPS"

\$8,706,673.94 \$9,179,812.34

(L) Subtotal General Appropriations {items (H-1) and (O)}

\$43,427,801.94 \$43,900,940.34

9. Total General Appropriations

\$46,663,395.36 \$47,136,533.76

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the offices of the Director of the Division of Local Government Services for their certification of the 2023 local municipal budget so amended.

I hereby certify that this resolution consisting of two pages was adopted at a meeting of the Township Council of the Township of Mahwah on the 10th day of April, 2023.

Carolyn George

Carolyn George, RMC
Municipal Clerk

David May

David May
Council President