

**TOWNSHIP OF MAHWAH  
COMBINED WORK SESSION AND PUBLIC MEETING AGENDA  
THURSDAY, FEBRUARY 10, 2022**

Honorable Anthony J. Gianni Jr. Chambers  
Richard J. Martel Municipal Center  
475 Corporate Drive, Mahwah, New Jersey

6:00PM

**Meeting to be held via Zoom Remote Video/Audio Conference**

**ZOOM INFORMATION**

Please click the link below to join the webinar:

<https://zoom.us/j/97457310248?pwd=S0h3Y2pQSU4zSzkxM21BVHdTZ2NWZz09>

Passcode: 239024

Or iPhone one-tap :

US: +13126266799,,97457310248# or +19292056099,,97457310248#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 929 205 6099 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782

Webinar ID: 974 5731 0248

International numbers available: <https://zoom.us/j/97457310248>

**COUNCIL PRESIDENT'S STATEMENT**

**SALUTE TO THE FLAG**

**MOMENT OF SILENCE**

- Veterans and Those Serving in the Military
- Those affected by the Coronavirus

**ROLL CALL:** \_\_\_\_\_ Ariemma; \_\_\_\_\_ Bolan; \_\_\_\_\_ Ervin; \_\_\_\_\_ Ferguson; \_\_\_\_\_ May;  
\_\_\_\_\_ Paz; \_\_\_\_\_ Wong

**CLOSED SESSION**

C1. Settlement Agreement

**WORK SESSION**

**SUBMISSION OF BILLS AND CLAIMS**

**ENGINEERING**

- \* 1a. ~~Municipal Pool Improvements; Award of Bid (Bid #MTB-22-01)~~ - Removed
- 1b. Well 19 PFOS Treatment; Authorization of Engineering Design Services
- 1c. Written Status Report

**LEGAL**

- 2a. Authorization of Approval; Memorandum of Understanding; Extension of Affordability Control
  - 1. 2271 Nash Court
  - 2. 2260 Margaret Court
  - 3. 2340 Oliver Court

## **LEGAL (Continued)**

2b. Authorization; End Date of Affordable Housing Deed Restrictions; Franklin Heights Condominiums

- \* 2c. **Ordinance Introduction; Clarify Membership Composition; Music, Film and Arts Committee**  
\* 2d. Authorization to Make Application to Local Finance Board; Bond Ordinance No. 1964

## **ADMINISTRATION**

- 3a. Temporary Appropriations  
3b. Emergency Management Performance Grant; State Homeland Security Program; Federal FY21  
3c. Tax Appeal Exposure Report; McNerney & Associates, Inc.  
3d. Resolution Authorization to Purchase; One Ferrara Inferno Tanker Fire Apparatus for Fire Company #4; Houston Galveston Area Contract (HGAC); FF1 Apparatus, LLC.  
3e. Resolution Authorization to Solicit Bids; Lease of Property; Campgaw Water Tank; Wireless Cellular Communications Equipment  
3f. Police Department Improvements; Resolution Authorizing Change Order #4; Bid MTB #20-21, Billy Contracting  
3g. Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Fund; Renovation to Commodore Perry Field; Block 61, Lot 1  
3h. Salary Ordinances  
1. Blue Collar Employees  
2. White Collar, Management and Non-Union Employees  
\* 3i. Bond Ordinances **and Temporary Capital Budget**  
1. 2022 Road Program  
2. 1201 Norfolk Road  
\* 3j. **BCIA DPW Project; A Resolution Approving the Disbursement of Funds**

## **PUBLIC PORTION**

Prior to speaking, each Speaker shall provide their Name and Address

- Mahwah Residents shall speak first
- In this Public Portion, Speakers may speak about any topic
- Speaker must direct questions or comments to the Council President
- There will be no back and forth dialogue between the Speaker and Representatives on the dais
- When the Speaker is finished with statement or questions, the Council will respond as appropriate
- Each Speaker shall be limited to 3 minutes, when 3 minutes expires, Council will move on to the next Speaker
- This Public Portion shall be a maximum of 30 minutes
- Speakers may only speak once during each Public Portion

\* \* \* \* \*

## **PUBLIC MEETING**

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

### **APPROVAL OF MEETING MINUTES**

Combined Work Session Public Meeting

January 20, 2022

Closed Session

January 20, 2022

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

**REPORTS OF MAYOR and BUSINESS ADMINISTRATOR**

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- Speakers may only speak once during each Public Portion

\* **RESOLUTION** #091-22 Temporary Capital Budget

**ORDINANCES – INTRODUCTIONS**

- #1963 Bond Ordinance Providing for the 2022 Road Program in and by The Township of Mahwah, In the County of Bergen, New Jersey, Appropriating \$2,350,000 Therefor and Authorizing the Issuance Of \$2,238,000 Bonds Or Notes Of The Township To Finance Part Of The Cost Thereof
- #1964 Bond Ordinance Providing for the Acquisition of Property Known as 1201 Norfolk Road in and by the Township of Mahwah, in the County of Bergen, New Jersey, Appropriating \$14,400,000 therefor and authorizing the issuance of \$14,400,000 Bonds or Notes of the Township to Finance the Cost Thereof
- #1965 An Ordinance Setting Salaries for Blue Collar Employees
- #1966 An Ordinance Setting Salaries for White Collar, Management and Non-Union Employees
- \* #1967 Ordinance of the Township of Mahwah, County of Bergen, State of New Jersey, Amending and Restating in Full Section 2-32, Music, Film and Arts Committee, of the Township Code to Clarify Membership Composition

**ORDINANCES – PUBLIC HEARINGS**

- #1960 Ordinance of the Township of Mahwah, County of Bergen, State of New Jersey, Amending Section 2-6.20, Division of Pools, of the Township Code to Revise the Name and Membership of the Pool Advisory Committee
- #1962 An Ordinance of the Township of Mahwah, County of Bergen, State of New Jersey, Amending Section 2-22, Beautification Commission, of the Township Code To Increase Membership

**CONSENT AGENDA**

There will be no separate discussions of Resolutions below. If discussion is desired by any Councilmember on any Resolution(s), that Resolution(s) will be removed from the Consent Agenda and discussed separately.

- \* ~~#078-22 Award of Bid #MTB-22-01: Municipal Pool Improvements- Removed~~
- #079-22 Professional Service Contract; Boswell Engineering; Engineering Services Associated with the Preparation of the Design for Treatment of Perfluorooctanesulfonic Acid (PFOS) – Well 19
- #080-22 Authorization of Approval; Memorandum of Understanding; Extension of Affordability Control; 2271 Nash Court

## **CONSENT AGENDA (Continued)**

- #081-22 Authorization of Approval; Memorandum of Understanding; Extension of Affordability Control; 2260 Margaret Court
- #082-22 Authorization of Approval; Memorandum of Understanding; Extension of Affordability Control; 2340 Oliver Court
- #083-22 Authorization; End Date of Affordable Housing Deed Restrictions; Franklin Heights Condominiums
- #084-22 Temporary Appropriations
- #085-22 Emergency Management Performance Grant; State Homeland Security Program; Federal FY21
- #086-22 Professional Service Contract; McNerney and Associates Inc; Preparation of Exposure Analysis of Pending Tax Appeals
- #087-22 Authorization to Purchase; One Ferrara Inferno Tanker Fire Apparatus for Fire Company #4; Houston Galveston Area Contract (HGAC); FF1 Apparatus, LLC.
- #088-22 Authorization to Solicit Bids; Lease of Property; Campgaw Water Tank; Wireless Cellular Communications Equipment
- #089-22 Change Order #4; Bid MTB #20-21: Police Department Improvements; Billy Contracting
- #090-22 Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Fund; Renovation to Commodore Perry Field; Block 61, Lot 1
- \* #092-22 Resolution Approving the Disbursement of Funds from the BCIA DPW Project

## **OLD BUSINESS** #093-22 Authorization to Make Application to Local Finance Board; Ordinance No. 1964

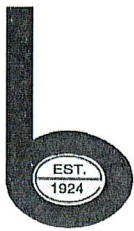
1. **Merger; Planning Board and Zoning Board of Adjustment**
2. Bergen County Gun Range
3. Security Cameras; Continental Soldiers and Commodore Perry Parks
4. Wildlife Management Forum
5. Repairs to Fire Trucks
6. Garbage Collection
7. Norfolk Village
8. Cell Phone Charging Stations
9. Irrigation Systems
10. Electric Charging Stations
11. Flyover; Route 287
12. Blue House

## **NEW BUSINESS**

## **ADJOURNMENT**

**THIS AGENDA IS SUBJECT TO CHANGE.**





## BOSWELL ENGINEERING

ENGINEERS ■ SURVEYORS ■ PLANNERS ■ SCIENTISTS

330 Phillips Avenue • P.O. Box 3152 • South Hackensack, N.J. 07606-1722 • (201) 641-0770 • Fax (201) 641-1831

16.

February 4, 2022

Mr. Benjamin Kezmarsky  
Township Business Administrator  
Township of Mahwah  
475 Corporate Drive  
P.O. Box 733  
Mahwah, New Jersey 07430

Re: Well 19 PFC Treatment  
Township of Mahwah  
Bergen County, New Jersey  
Our File No. PR-22-11061 (Our File No. MA-2166)

Dear Mr. Kezmarsky:

Boswell Engineering (Boswell) is pleased to submit this proposal to the Township of Mahwah (Township) for engineering services associated with the preparation of the design for treatment of Perfluorooctanesulfonic Acid (PFOS) for Well 19. The limits for PFOS were adopted by New Jersey on June 1, 2020, with Maximum Contaminant Levels (MCLs) of 13 ppt. Samples collected at Well 19 exceeded the PFOS MCL with a running annual average (RAA) of 15.75 ppt.

### Task 1 - Topographic Survey

For this project, we propose the use of a conventional ground survey. Boswell field crew will perform a topographic survey of the existing Well 19 building. This survey will obtain elevations, and all existing features such as, but not limited to, walls, pavement, trees, building corners, building elevations, and piers within 100 feet of the building.

We will establish the horizontal control by means of conventional total station. Utilizing GNSS/RTK, NAD 1983(2011) values will be obtained on a minimum of three (3) of the survey baseline points. Checks will also be made, via RTK, to published National Geodetic Survey (NGS) control points in the vicinity of the project to verify our resultant RTK values. The "on-ground" survey baseline will then be moved and rotated into the NAD 1983 system based on a common central point thereby obtaining New Jersey State Plane Ground Coordinates. Elevations will be established in the North American Vertical Datum of 1988. A conversion to the National Geodetic Vertical Datum of 1929 will be provided, if required.

### Task 2 – Preliminary Design

As a first step, Boswell will review all the water samples lab results. The preliminary design will include an evaluation of the different treatment methods and make a determination of the most effective treatment, including a cost analysis, which will include handling of backwash and operation and

maintenance costs. All the Information will be compiled in an engineer's report for review by the Township.

### **Task 3 – Final Design**

Pursuant to the findings in Task 2, Boswell will develop a final design for the construction of Treatment System for Well 19. The design will include soil borings by a subconsultant to evaluate the soil conditions for the proposed foundation, which will be on piles due to environmental constraints on the property.

Pursuant to the requirements of the New Jersey Department of Environmental Protection (NJDEP), Boswell will prepare a Standard Application Form to Construct/Modify/Operate Public Water Works Facilities from the Division of Water Supply and Geoscience – Bureau of Water System Engineering. The permit application will include an Engineer's Report, documents, forms and endorsements as required by the NJDEP.

All permit and application fees are to be paid directly by the Township.

The final documents will be delivered in a form suitable for public bidding and in a manner that will meet all State and Federal requirements.

### **Task 4 – Regulatory Permitting**

#### **Environmental Permitting Plans**

Boswell will establish the wetland/upland boundary within the project limits to delineate the extent of regulated wetlands and State open waters within 150' of the proposed limit of disturbance. Our environmental team will GPS locate all regulated areas for inclusion on the Environmental Permitting Plans.

Delineation of the State open water/riparian boundary is necessary to accurately calculate regulated disturbances associated with the proposed project. The establishment of these limits is required as part of the NJDEP Land Use Application and will be used for future planning purposes. This data in combination with the detailed topographic survey and structural design will be utilized to create a full site plan set depicting all existing and proposed conditions.

Upon completion of the site design and regulatory mapping, Boswell will prepare Environmental Permitting Plans as required for the various permit applications. Environmental Permitting Plans will be utilized in conjunction with the various design plans to obtain the required regulatory permits. These plans will include:

1. Location of the proposed structure, property lines, dewatering methods, construction access areas, and soil erosion and sediment control measures;
2. Limits of existing wetland/upland boundary and riparian zone;
3. Quantification of regulatory disturbances (wetlands, State open waters, riparian zones, flood hazard areas, critical habitat, etc.);
4. Existing/proposed floodway and flood hazard area elevations; and

5. Topography, and proposed conduit outlet/channel protection and vegetative restoration details.

#### **Highlands Exemption #11**

The project takes place within the Highlands Preservation area. As a result, the project is regulated under the Highlands Water Protection and Planning Act, N.J.S.A. 13:20-1, and requires approval from the New Jersey Department of Environmental Protection (NJDEP). Since the project involves the construction of PFOS treatment system, Boswell intends to permit the project under Highlands Exemption # 11.

#### **Engineers' Report**

Since the project takes place within the Flood Hazard Area, Boswell will need to prepare an engineer's report to evaluate the effects the project will have on the flood plain and the Ramapo River. This evaluation will include reviewing the change in flow patterns and performing cut/fill calculations.

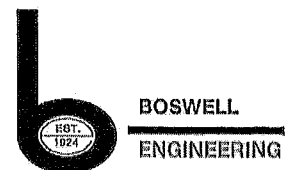
When work is performed within the FHA, the applicant is required to show that there will be no decrease in flood storage capacity. Boswell will grade to have zero net fill, and perform calculations using the Triangular Irregular Networks (TIN) Method, as specified in Section 5.3.3 of the FHA Technical Manual.

#### **NJDEP Land Use Permitting**

This project will require a Freshwater Wetlands (FWW) Individual Permit and a Flood Hazard Area (FHA) Individual Permit with a FHA Hardship Exception Request for the proposed project disturbances associated with the treatment activities in accordance with N.J.A.C. 7:7A and 7:13, respectively. The potential affects to threatened and endangered species will be assessed and incorporated, if necessary.

Boswell will prepare the necessary environmental permit applications and coordinate with the Division of Land Resource Protection to obtain the required State approvals. The permit submission will include the following:

1. Property owner certification;
2. Public notice form
3. Freshwater Wetlands Administrative Checklist;
4. Site photographs of the project area;
5. Copy of the location maps and figures;
6. Threatened and endangered species inventories
7. Notices to adjacent property owners, certified mail, return receipt requested (to be paid by the Township);
8. Compliance Statement (in accordance with N.J.A.C. 7:7A); and,
9. Application fees (Approximately \$19,500 to be paid by the Township).



The plans and reports, prior to submission, will be thoroughly reviewed and checked for completeness in order to avoid unnecessary delays during the administrative review period. Once complete, the packages will be forwarded to the Borough for approval prior to submission to the NJDEP Division of Land Resource Protection. As of October 5, 2021 the NJDEP no longer accepts land use authorizations via paper submissions. As a result, Boswell will electronically submit the entire application via the State's online portal. Once uploaded, the Township will receive an invoice from the NJDEP requiring payment. The NJDEP will not review the application until payment is received from the Township.

It is anticipated that once the NJDEP deems the application complete, the permits are attainable within a 90 to 120-day time frame. During this period, our team will coordinate with Division of Land Resource Protection's engineering and environmental staff to ensure expeditious review process.

#### **FHA Hardship Exception**

As per the effective FEMA flood mapping, the entirety of Well 19 is located within the floodway of the Ramapo River. In order to treat PFOS, a treatment system will be required to be installed adjacent to the existing well. This treatment system includes a platform on piers to elevate the system above the flood hazard area design elevation. Therefore, these piers will remove flood storage volume from the floodway. As per N.J.A.C. 7:13-11.3, no fill is allowed within the floodway. Therefore, a hardship exception is required to prove that there are no feasible or prudent alternative is possible which would avoid or substantially reduce the anticipated adverse effects of the project or regulated activity.

#### **Task 5 - Services During Bidding**

Our office will perform the following engineering services during the bidding phase:

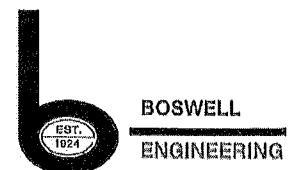
- a. Answer questions from prospective bidders,
- b. Issue addenda, as required,
- c. Analyze bids and prepare tabulation of bid results, and
- d. Provide a Letter of Recommendation of Award to the Township.

#### **Estimated Engineering Fees and Schedule**

Boswell is prepared to commence work immediately after receiving a notice to proceed.

Boswell will perform the previously discussed services as outlined on a time and materials basis in accordance with the following estimated fee:

Task 1 – Topographic Survey	\$ 3,500
Task 2 – Preliminary Design	\$ 7,500
Task 3 – Final Design	\$ 70,000
Task 4 – Regulatory Permitting	\$ 33,000
Task 5 – Services during Bidding	<u>\$ 5,000</u>
	<b>\$119,000</b>



#### EXCLUSIONS

The following services **are not** included in this proposal:

1. Boundary survey of the property limits with current deed.
2. NJDEP application fees.
3. NJDEP permits not specifically included in this proposal.
4. Certified mailing postage.
5. Increases in scope of work.

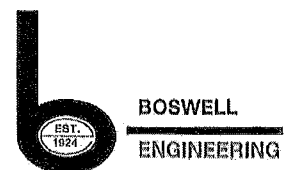
All engineering work will be billed on the basis of our Standard Hourly Rates in effect at the time the work is performed. We wish to thank you for the opportunity of submitting this proposal and look forward to working with you on this project. Should you have any questions, please do not hesitate to contact Giselle Diaz, P.E. or me.

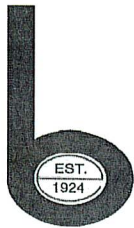
Very truly yours,

BOSWELL ENGINEERING



Kevin J. Boswell, P.E.  
Township Engineer





1c

**MEMORANDUM**

**TO:** The Honorable Mayor and Council - Township of Mahwah  
**FROM:** Michael J. Kelly, P.E.  
**DATE:** February 2, 2022  
**RE:** Status Report for Work Session to be held on February 10, 2022  
Our File No. MA-2156-03

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The following is a brief summary of the status of various projects and matters with which we are involved for the Township of Mahwah:

**MA-1667-A Chapel Road Sanitary Sewer Feasibility Study**

- For the replacement of the manholes on Chapel Road, meeting with all stakeholders held on January 3, 2022. Contractor remobilized on January 17, 2022. Due to utility conflicts, we expect NBCUA's project to be completed around mid-April, 2022.

**MA-1727 Rehabilitation of Hearthstone/Janice Court Pump Station**

- The Lichult Lane Pump Station taken offline December 17, 2021.
- Contractor waiting on materials for the Janice Court Pump Station.

**MA-1780 Hillside Avenue, King Street and Siding Place Drainage Project**

- Design completed. We have made progress with obtaining approval from NJ Transit.

**MA-1798 Well 18A Design Services**

- Based on Pre-application Meeting with the NJDEP, they have required well house to be placed on piles. In addition, the Township has asked that an emergency generator be included in the project.
- Waiting on NJDEP for permits, project to be bid on permits received.



**MA-1867 Mahwah DPW – 101 Micik Lane**

- Pre-construction Meeting held on November 15, 2021.

**MA-1927 Mahwah Municipal Pool – Drainage Design**

- Draft plans and specifications provided to the Township for review on July 30, 2021.
- NJDEP Permit Application submitted.
- Pool filter and deck replacement project bids received on January 25, 2022. Expect to award project at the meeting to be held on February 10, 2022.

**MA-1965 2021 Road, Curb, and Sidewalk Improvement Program**

- Punchlist items being addressed, paving of additional work to occur in Spring of 2022.

**MA-1988 Restoration of Water Course Behind Wanamaker Avenue**

- Expect permit applications to be submitted to NJDEP by February 28, 2022.

**MA-2002 Improvements to Winters Park**

- The Township received a Bergen County Open Space Grant in the amount of \$86,000.00 for refurbishing various aspects of the park.
- Bids received on August 4, 2021.
- The project awarded at the meeting on September 23, 2021.
- Contractor began work on December 15, 2021.

**MA-2059 2022 Road, Curb and Sidewalk Improvement Program**

- Proposal for engineering design services approved on October 7, 2021.
- Road evaluations reviewed with Administration.
- Design proceeding at this time.

**MA-2095     FY2022 NJDOT Local Aid Applications**  
**(Also MA-2149)**

- Submitted application for Roadway Improvements to Airmount Road.
- Received a Grant in the amount of \$226,000.00. Also applied to the NJDOT for LTPF funding of balance of project.

**MA-2122     Tennis/Pickleball Improvements at Continental Soldiers Park**

- Township received a Bergen County Open Space Grant in the amount of \$77,059.00.
- Proposal for design approved at the Council Meeting held on October 7, 2021.

**MA-2132     Various Sanitary Sewer Pumping Station Improvements**

- Proposal for engineering design services approved at the Council Meeting held on October 7, 2021.

MJK/jg

cc: Ben Kezmarsky, Township Business Administrator  
Janet Puzo, Assistant to the Business Administrator  
Joanne Becker, Qualified Purchasing Agent  
Kathrine G. Coviello, Township Clerk  
Glenn Dowson, Department of Public Works

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2a.1.

## MEMORANDUM OF UNDERSTANDING FOR SETTLEMENT

THIS MEMORANDUM OF UNDERSTANDING ("MOU") made this 8th day of November 2021, by and between:

**TOWNSHIP OF MAHWAH**, a municipal corporation of the State of New Jersey, County of Bergen, having an address at 475 Corporate Drive, Mahwah, New Jersey 07430, (hereinafter the "Township");

And

**Sharif and Shaheen Hoq**, Mahwah Township affordable unit owners (hereinafter "Owners"), with an address of **2271 Nash Court**, Mahwah, New Jersey 07430 (hereinafter "Property") which is part of Franklin Heights.

Collectively, the Township and Owners shall be referred to as the "Parties."

**WHEREAS**, in response to the New Jersey Supreme Court's decision In re Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015), on or about July 6, 2015, the Township filed an action with the Superior Court of New Jersey ("Court"), entitled In the Matter of the Application of the Township of Mahwah, County of Bergen, seeking a Judgment of Compliance and Repose approving its Affordable Housing Plan (as defined herein), in addition to related reliefs (the "Compliance Action"); and

**WHEREAS**, consistent with its proactive approach to achieve its constitutional obligation to provide affordable housing, the Township adopted several compliance mechanisms, which includes an Extension of Controls Program.

**WHEREAS**, Owners are the owners of a deed restricted affordable unit; and

**WHEREAS**, the affordability controls on the Owners' affordable unit will expire on April 29, 2023; and

**WHEREAS**, Owners have agreed to voluntarily extend controls.

**WHEREAS**, this Memorandum of Understanding is a non-binding document as several contingencies need to be met in order to determine eligibility for the program.

**NOW, THEREFORE**, in consideration of the promises, the mutual obligations contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the Parties, the Parties hereto, agree in this MOU to the terms set forth as follows:

- 1.1 Owners agree to extend its currently existing affordability controls for a period of at least thirty (30) additional years beginning on April 29, 2023.
- 1.2 The Township agrees to provide a \$ 20,000.00 incentive ("Incentive") to the Owners for the extension of affordability controls on Owner's affordable dwelling unit;

- 1.3 Payment of the Incentive to the Owners is contingent upon the Owners' eligibility in the extension of controls program and upon the Township inspecting Owners' affordable dwelling unit and determining that it is up to the appropriate building code(s);
- 1.4 The Property presently is the Owners' principal place of residence, or is determined to be legally rented, and subject to sale as permitted by the Township according to all applicable statutes, regulations and/or ordinances, shall remain the Owner's principal place of residence for the duration of the extended control period.
- 1.5 The parties agree that the payment of this incentive shall not constitute a legal waiver of the Township's rights to automatically extend controls, consistent with applicable COAH and UHAC regulations, or an admission that the Township is not entitled to automatically extend these controls, consistent thereto.

Witness/Attest:

Carolyn W George

Dated: 11/8/21

CAROLYN W. GEORGE  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 4/12/2021

Witness/Attest:

Carolyn W George

Dated: 11/8/21

CAROLYN W. GEORGE  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 4/12/2021

2026

Owner

By: Shawiful Hayat

TOWNSHIP OF MAHWAH

By: James J. Wysocki  
James J. Wysocki, Mayor

TOWNSHIP OF MAHWAH  
475 CORPORATE DRIVE  
MAHWAH, NJ 07430  
201-5295757

Block: 70 Lot: 2271 Qual: \_\_\_\_\_

Work Site Location: 2271 NASH COURT

MAHWAH

Owner in Fee: TOWNSHIP OF MAHWAH

Address: 475 CORPORATE DRIVE

MAHWAH NJ 07430

Telephone: \_\_\_\_\_

Agent/Contractor: TOWNSHIP OF MAHWAH

Address: 475 CORPORATE DRIVE

MAHWAH NJ 07430

Telephone: \_\_\_\_\_

Lic. No./Bldrs. Reg.No.: \_\_\_\_\_

Federal Emp. No.: \_\_\_\_\_

Social Security No.: \_\_\_\_\_

#### ☐ CERTIFICATE OF OCCUPANCY

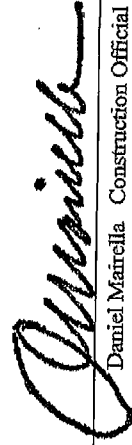
This serves notice that said building or structure has been constructed in accordance with the New Jersey Uniform Construction Code and is approved for occupancy.

#### ☐ CERTIFICATE OF APPROVAL

This serves notice that the work completed has been constructed or installed in accordance with the New Jersey Uniform Construction Code and is approved. If the permit was issued for minor work, this certificate was based upon what was visible at the time of inspection.

#### ☐ TEMPORARY CERTIFICATE OF OCCUPANCY/COMPLIANCE

If this is a temporary Certificate of Occupancy or Compliance, the following conditions must be met no later than \_\_\_\_\_ or will be subject to fine or order to vacate:

  
Daniel Mairella Construction Official

U.C.C 260 (rev. 5/03)

1 - APPLICANT 2 - OFFICE 3 - TAX ASSESSOR

## CERTIFICATE IDENTIFICATION

Date Issued: 12/16/2021  
Control #: 86518  
Permit #: 20211517

Home Warranty No: \_\_\_\_\_

Type of Warranty Plan: \_\_\_\_\_

Use Group: \_\_\_\_\_

Maximum Live Load: \_\_\_\_\_

Construction Classification: \_\_\_\_\_

Maximum Occupancy Load: \_\_\_\_\_

Certificate Exp Date: \_\_\_\_\_

Description of Work/Use: \_\_\_\_\_

CCO INSPECTION

☐ State ☐ Private

R-5

Tenant: \_\_\_\_\_

#### ☐ CERTIFICATE OF CLEARANCE-LEAD ABATEMENT 5:17

This serves notice that based on written certification, lead abatement was performed as per NJAC 5:17, to the following extent:

☐ Total removal of lead-based paint hazards in scope of work

☐ Partial or limited time period(\_\_\_\_ years); see file

#### ☒ CERTIFICATE OF CONTINUED OCCUPANCY

This serves notice that based on a general inspection of the visible parts of the building there are no imminent hazards and the building is approved for continued occupancy.

#### ☐ CERTIFICATE OF COMPLIANCE

This serves notice that said potentially hazardous equipment has been installed and/or maintained in accordance with the New Jersey Uniform Construction Code and is approved for use until \_\_\_\_/\_\_\_\_/\_\_\_\_

Fees: \$0.00

Paid ☐ Check No.: \_\_\_\_\_

Collected by: \_\_\_\_\_

2a.2.

## MEMORANDUM OF UNDERSTANDING FOR SETTLEMENT

THIS MEMORANDUM OF UNDERSTANDING ("MOU") made this 2nd day of November 2021, by and between:

**TOWNSHIP OF MAHWAH**, a municipal corporation of the State of New Jersey, County of Bergen, having an address at 475 Corporate Drive, Mahwah, New Jersey 07430, (hereinafter the "Township");

And

**Janice Mitchell**, Mahwah Township affordable unit owner (hereinafter "Owner"), with an address of 2260 Margaret Court, Mahwah, New Jersey 07430 (hereinafter "Property") which is part of Franklin Heights.

Collectively, the Township and Owners shall be referred to as the "Parties."

**WHEREAS**, in response to the New Jersey Supreme Court's decision In re Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015), on or about July 6, 2015, the Township filed an action with the Superior Court of New Jersey ("Court"), entitled In the Matter of the Application of the Township of Mahwah, County of Bergen, seeking a Judgment of Compliance and Repose approving its Affordable Housing Plan (as defined herein), in addition to related reliefs (the "Compliance Action"); and

**WHEREAS**, consistent with its proactive approach to achieve its constitutional obligation to provide affordable housing, the Township adopted several compliance mechanisms, which includes an Extension of Controls Program.

**WHEREAS**, Owners are the owners of a deed restricted affordable unit; and

**WHEREAS**, the affordability controls on the Owners' affordable unit will expire on April 29, 2023; and

**WHEREAS**, Owners have agreed to voluntarily extend controls.

**WHEREAS**, this Memorandum of Understanding is a non-binding document as several contingencies need to be met in order to determine eligibility for the program.

**NOW, THEREFORE**, in consideration of the promises, the mutual obligations contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the Parties, the Parties hereto, agree in this MOU to the terms set forth as follows:

1.1 Owners agree to extend its currently existing affordability controls for a period of at least thirty (30) additional years beginning on April 29, 2023.

1.2 The Township agrees to provide a \$ 20,000.00 incentive ("Incentive") to the Owners for the extension of affordability controls on Owner's affordable dwelling unit;



- 1.3 Payment of the Incentive to the Owners is contingent upon the Owners' eligibility in the extension of controls program and upon the Township inspecting Owners' affordable dwelling unit and determining that it is up to the appropriate building code(s);
- 1.4 The Property presently is the Owners' principal place of residence and subject to sale as permitted by the Township according to all applicable statutes, regulations and/or ordinances, shall remain the Owner's principal place of residence for the duration of the extended control period.
- 1.5 The parties agree that the payment of this incentive shall not constitute a legal waiver of the Township's rights to automatically extend controls, consistent with applicable COAH and UHAC regulations, or an admission that the Township is not entitled to automatically extend these controls, consistent thereto.

Witness/Attest:

Carolyn W. George

Dated: 11/2/21

CAROLYN W. GEORGE  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 4/12/2021  
2026

Witness/Attest:

Carolyn W. George

Dated: 11/8/21

CAROLYN W. GEORGE  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 4/12/2021  
2026

Owner

By: Janice Mitchell

TOWNSHIP OF MAHWAH

By: James J. Wysocki, Mayor

TOWNSHIP OF MAHWAH  
475 CORPORATE DRIVE  
MAHWAH, NJ 07430  
201-5295757

Block: 70 Lot: 2260 Qual: \_\_\_\_\_  
Work Site Location: 2260 MARGARET COURT  
MAHWAH  
Owner in Fee: TOWNSHIP OF MAHWAH  
Address: 475 CORPORATE DRIVE  
MAHWAH NJ 07430  
Telephone: \_\_\_\_\_  
Agent/Contractor: TOWNSHIP OF MAHWAH  
Address: 475 CORPORATE DRIVE  
MAHWAH NJ 07430  
Telephone: \_\_\_\_\_  
Lic. No./Bids. Reg.No.: \_\_\_\_\_ Federal Emp. No.: \_\_\_\_\_  
Social Security No.: \_\_\_\_\_

☐ **CERTIFICATE OF OCCUPANCY**

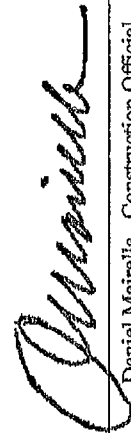
This serves notice that said building or structure has been constructed in accordance with the New Jersey Uniform Construction Code and is approved for occupancy.

☐ **CERTIFICATE OF APPROVAL**

This serves notice that the work completed has been constructed or installed in accordance with the New Jersey Uniform Construction Code and is approved. If the permit was issued for minor work, this certificate was based upon what was visible at the time of inspection.

☐ **TEMPORARY CERTIFICATE OF OCCUPANCY/COMPLIANCE**

If this is a temporary Certificate of Occupancy or Compliance, the following conditions must be met no later than or will be subject to fine or order to vacate:

  
Daniel Mairella Construction Official

U.C.C. 260 (rev. 5/03)

1 - APPLICANT 2 - OFFICE 3 - TAX ASSESSOR

**CERTIFICATE  
IDENTIFICATION**

Date Issued: 02/02/2022  
Control #: 86517  
Permit #: 20211516

Home Warranty No.: \_\_\_\_\_  
Type of Warranty Plan: ☐ State ☐ Private  
Use Group: R-5  
Maximum Live Load: \_\_\_\_\_  
Construction Classification: \_\_\_\_\_  
Maximum Occupancy Load: \_\_\_\_\_  
Certificate Exp Date: / /  
Description of Work/Use: CCO INSPECTION

Update Desc. of Wk/Use: \_\_\_\_\_

☐ **CERTIFICATE OF CLEARANCE-LEAD ABATEMENT 5:17**

This serves notice that based on written certification, lead abatement was performed as per NJAC 5:17, to the following extent:

☐ Total removal of lead-based paint hazards in scope of work  
☐ Partial or limited time period(\_\_\_\_ years); see file

☒ **CERTIFICATE OF CONTINUED OCCUPANCY**

This serves notice that based on a general inspection of the visible parts of the building there are no imminent hazards and the building is approved for continued occupancy.

☐ **CERTIFICATE OF COMPLIANCE**

This serves notice that said potentially hazardous equipment has been installed and/or maintained in accordance with the New Jersey Uniform Construction Code and is approved for use until / /

Fees: \$0.00

Paid[ ] Check No.: \_\_\_\_\_

Collected by: \_\_\_\_\_

2a.3.

## MEMORANDUM OF UNDERSTANDING FOR SETTLEMENT

THIS MEMORANDUM OF UNDERSTANDING ("MOU") made this 16<sup>th</sup> day of November 2021, by and between:

**TOWNSHIP OF MAHWAH**, a municipal corporation of the State of New Jersey, County of Bergen, having an address at 475 Corporate Drive, Mahwah, New Jersey 07430, (hereinafter the "Township");

And

**Jennifer Connington**, Mahwah Township affordable unit owners (hereinafter "Owners"), with an address of **2340 Oliver Court**, Mahwah, New Jersey 07430 (hereinafter "Property") which is part of Franklin Heights.

Collectively, the Township and Owners shall be referred to as the "Parties."

**WHEREAS**, in response to the New Jersey Supreme Court's decision In re Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015), on or about July 6, 2015, the Township filed an action with the Superior Court of New Jersey ("Court"), entitled *In the Matter of the Application of the Township of Mahwah, County of Bergen*, seeking a Judgment of Compliance and Repose approving its Affordable Housing Plan (as defined herein), in addition to related reliefs (the "Compliance Action"); and

**WHEREAS**, consistent with its proactive approach to achieve its constitutional obligation to provide affordable housing, the Township adopted several compliance mechanisms, which includes an Extension of Controls Program.

**WHEREAS**, Owners are the owners of a deed restricted affordable unit; and

**WHEREAS**, the affordability controls on the Owners' affordable unit will expire on April 29, 2023; and

**WHEREAS**, Owners have agreed to voluntarily extend controls.

**WHEREAS**, this Memorandum of Understanding is a non-binding document as several contingencies need to be met in order to determine eligibility for the program.

**NOW, THEREFORE**, in consideration of the promises, the mutual obligations contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the Parties, the Parties hereto, agree in this MOU to the terms set forth as follows:

- 1.1 Owners agree to extend its currently existing affordability controls for a period of at least thirty (30) additional years beginning on April 29, 2023.
- 1.2 The Township agrees to provide a \$ 20,000.00 incentive ("Incentive") to the Owners for the extension of affordability controls on Owner's affordable dwelling unit;

- 1.3 Payment of the Incentive to the Owners is contingent upon the Owners' eligibility in the extension of controls program and upon the Township inspecting Owners' affordable dwelling unit and determining that it is up to the appropriate building code(s);
- 1.4 The Property presently is the Owners' principal place of residence, or is determined to be legally rented, and subject to sale as permitted by the Township according to all applicable statutes, regulations and/or ordinances, shall remain the Owner's principal place of residence for the duration of the extended control period.
- 1.5 The parties agree that the payment of this incentive shall not constitute a legal waiver of the Township's rights to automatically extend controls, consistent with applicable COAH and UHAC regulations, or an admission that the Township is not entitled to automatically extend these controls, consistent thereto.

Witness/Attest:

Carolyn W George

Dated: 11/16/21

CAROLYN W. GEORGE  
NOTARY PUBLIC OF NEW JERSEY  
Commission Expires 4/12/2024  
2026

Witness/Attest:

Carolyn W George

Dated: 11/18/21

Owner

By: Jennifer Conington

TOWNSHIP OF MAHWAH

By: James J. Wysocki  
James J. Wysocki, Mayor

TOWNSHIP OF MAHWAH  
475 CORPORATE DRIVE  
MAHWAH, NJ 07430  
201-5295757

Block: 70 Lot: 2340 Qual:

Work Site Location: 2340 OLIVER COURT

MAHWAH

Owner in Fee: TOWNSHIP OF MAHWAH

Address: 475 CORPORATE DRIVE

MAHWAH NJ 07430

Telephone:

Agent/Contractor: TOWNSHIP OF MAHWAH

Address: 475 CORPORATE DRIVE

MAHWAH NJ 07430

Telephone:

Lic. No./ Bldrs. Reg.No.:

Social Security No.:

[ ]  
[ ]

CERTIFICATE OF OCCUPANCY

This serves notice that said building or structure has been constructed in accordance with the New Jersey Uniform Construction Code and is approved for occupancy.

**CERTIFICATE OF APPROVAL**

This serves notice that the work completed has been constructed or installed in accordance with the New Jersey Uniform Construction Code and is approved. If the permit was issued for minor work, this certificate was based upon what was visible at the time of inspection.

# TEMPORARY CERTIFICATE OF OCCUPANCY/COMPLIANCE

If this is a temporary Certificate of Occupancy or Compliance, the following conditions must be met no later than                    or will be subject to fine or order to vacate:

Quirick

U.C.C 260 (rev. 5/03)

1 - APPLICANT    2 - OFFICE    3 - TAX ASSESSOR

# CERTIFICATE IDENTIFICATION

Date Issued: 02/02/2022  
Control #: 86523  
Permit #: 20211520

Home Warranty No:

Type of Warranty Plan:

Use Group:

Maximum Live Load:

**Construction Classification:**

Maximum Occupancy Load:

Certificate Exp Date:

Description of Work/Use:

CCO INSPECTION

Update Desc. of Wk/Use:

[ ] CERTIFICATE OF CLEARANCE-LEAD ABATEMENT 5:17

This serves notice that based on written certification, lead abatement was performed as per NJAC 5:17, to the following extent:

[ ] Total removal of lead-based paint hazards in scope of work

[ ] Partial or limited time period( years); see file

~~X~~ CERTIFICATE OF CONTINUED OCCUPANCY

This serves notice that based on a general inspection of the visible parts of the building there are no imminent hazards and the building is approved for continued occupancy.

**CERTIFICATE OF COMPLIANCE**

This serves notice that said potentially hazardous equipment has been installed and/or maintained in accordance with the New Jersey Uniform Construction Code and is approved for use until / /

Fees: \$0.00

Paid	Check No.:
------	------------

Collected by:

26.

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
P.O. BOX 733  
MAHWAH NJ 07430

Resolution #-22

Date: February 10, 2022

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

---

**Resolution Regarding End Date of Affordable Housing (COAH) Deed Restrictions on Franklin Heights Condominium Units**

**WHEREAS**, the Master Deed of Franklin Heights Condominium, as amended by the First Amendment to the Master Deed of Franklin Heights Condominium, dated April 21, 1998, designated 75 of the 420 residential units contained therein as Affordable Condominium Units (hereinafter "Affordable Units"); and

**WHEREAS** owners of all of the Affordable Units are subject to the requirements of the Affordable Housing Plan of Franklin Heights Condominium (hereinafter "AHP") and the Master Deed of Franklin Heights Condominium (hereinafter "Master Deed") as well as the language contained in each Affordable Unit owner's Deed of conveyance; and

**WHEREAS** even though the Master Deed and the AHP contain the identical formula for fixing the last date of the deed restriction period, the Master Deed also provides that if there is any conflict between the Master Deed and the AHP, the AHP controls; and

**WHEREAS**, the formula to fix the last date of the deed restriction set forth in the AHP and Master Deed provided that the last date of the deed restriction would be the earlier of three dates: (1) 25 years from the date of the AHP or 25 years from the date of conveyance by the developer of the last affordable unit pursuant to the AHP, whichever is later; (2) the date of foreclosure on the affordable unit of the first mortgage lien ; and (3) the Franklin Heights Condominium Association, Inc. ceases to exist or dissolves for any reason, for any period of time.

**WHEREAS** the Homeowners Association continues to exist and none of the affordable units identified in this Resolution have been in foreclosure, thereby making the last date of the deed restriction run "from the date of the AHP or 25 years from the date of conveyance by the developer of the affordable unit to the AHP, whichever is later"; and

**WHEREAS** the Township and its professionals determined that the last affordable unit in Franklin Heights conveyed from the developer, K. Hovnanian at Mahwah V, Inc., to an individual low- or moderate-income household is located at 2359 Pembroke Court, and that this unit was conveyed later than the date of the AHP; and



**WHEREAS**, therefore, the last date of the deed restriction is April 30, 2023 (25 years from the sale of the conveyance of the last affordable unit in Franklin Heights condominiums); and

**WHEREAS**, the Township brought a declaratory relief action on April 19, 2021 seeking a declaration as to the last date of the deed restriction; and

**WHEREAS** the households identified in Table A below (hereinafter “the Table A Households”) have signed acknowledgments indicating that they do not intend to oppose the declaratory relief sought by the Township; and

**Table A**

<b>Unit Address</b>	<b>Current Block #</b>	<b>Current Lot #</b>
2006 Beatrice Court	70	2006
2012 Beatrice Court	70	2012
2056 Charles Court	70	2056
2081 Drake Court	70	2081
2097 Francis Court	70	2097
2129 Isabelle Court	70	2129
2150 Jordan Court	70	2150
2151 Jordan Court	70	2151
2165 Jordan Court	70	2165
2191 Kent Court	70	2191
2213 Lancaster Court	70	2213
2226 Lancaster Court	70	2226
2243 Margaret Court	70	2243
2256 Margaret Court	70	2256
2287 Nash Court	70	2287
2313 Oakham Court	70	2313
2329 Oliver Court	70	2329
2338 Oliver Court	70	2338
2361 Pembroke Court	70	2361
2369 Phillip Court	70	2369

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mahwah, in the County of Bergen, and State of New Jersey, as follows:

1. The affordable housing deed restriction on the Affordable Condominium Units identified in Table A above shall end on **April 30, 2023**.
2. These units shall continue to be Affordable Units until **April 30, 2023**. The owners of these Affordable Units are required to comply with all applicable State laws, regulations and municipal ordinances regarding affordable units and shall continue to be monitored by the Township’s Administrative Agent until such date.
3. The Mayor or his designee is authorized to execute a Declaration of Covenants and Restrictions, as well as any other documents necessary to record this resolution of the end

date of the affordable housing deed restrictions on these units with the Bergen County Clerk's Office.

4. The Township shall direct the Bergen County Clerk's office to record a Declaration of Covenants and Restrictions and such additional documents as the Mayor or his designee may authorize pursuant to paragraph 3 to effectuate the intent of this Resolution and the Acknowledgments previously executed by the Affordable Unit owners and make it clear in the chain of title when the restrictions shall expire.
5. Any pending declaratory judgment litigation against the owners of the Affordable Units identified above requesting a determination of the end date of the deed restriction on these units is deemed resolved.

I hereby certify that this Resolution consisting of three pages was adopted at a meeting of the Township Council of the Township of Mahwah on the 10th day of February, 2022.

---

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

---

David May  
Council President

2c.

**TOWNSHIP OF MAHWAH  
ORDINANCE NO.**

**ORDINANCE OF THE TOWNSHIP OF MAHWAH, COUNTY OF  
BERGEN, STATE OF NEW JERSEY, AMENDING AND RESTATING IN  
FULL SECTION 2-32, MUSIC, FILM AND ARTS COMMITTEE, OF THE  
TOWNSHIP CODE TO CLARIFY MEMBERSHIP COMPOSITION**

**WHEREAS**, on September 23, 2022 the Township Council of the Township of Mahwah adopted Ordinance No. 1949, amending Chapter 2, Administration, of the Township Code to establish new Section 2-32, Music, Film and Arts Committee; and

**WHEREAS**, on November 4, 2021, the Township Council adopted Ordinance No. 1955, to clarify staggered terms on the Committee; and

**WHEREAS**, the Township desires to amend and restate Section 2-32 to clarify membership composition.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Mahwah, County of Bergen, and State of New Jersey, as follows:

**SECTION 1.** Chapter 2, Administration, Section 2-32, of the Township Code is hereby amended and restated to read as follows in its entirety:

**§ 2-32.1. Establishment.**

There is hereby established in the Township of Mahwah a Music, Film and Arts Committee ("Committee").

**§ 2-32.2. Members; composition; compensation.**

- a. The Committee shall consist of seven voting members to be nominated by the Mayor and appointed by the Council. Of those seven members, at least two shall be Township residents and at least two shall be scholars and/or persons with professional film acumen.
- b. In addition to the seven regular members, two alternate members shall be nominated by the Mayor and appointed by the Council.
- c. One Township Council Member shall additionally be appointed by the Council to serve as Council Liaison to the Committee.
- d. All Committee members shall serve without compensation.

**§ 2-32.3. Terms of members; appointment; vacancies.**

- a. All appointments, except for the Council member, shall be for a full term of two years. The Council Liaison shall serve for a one-year term.
- b. The Township Council shall appoint the Council Liaison on January 1 of each year, or as soon thereafter as appointments are made.
- c. The Council shall appoint three members and one alternate on January 1 of each odd-numbered calendar year, or as soon thereafter as appointments are made.
- d. The Council shall appoint four members and one alternate on January 1 of each even-numbered calendar year, or as soon thereafter as appointments are made.
- e. Any vacancies occurring by reason of death or by resignation shall be filled for the unexpired term only.

**§ 2-32.4. Organization.**

The Committee shall organize annually, within 30 days of January 1, by the election of one of its members as President and one of its members as Secretary.

**§ 2-32.5. Duties.**

The Committee shall have the following duties:

- a. Recommend to the Mayor and Council any and all projects that the Committee has determined to be in the best interests of the Township for the promotion of filmmaking, the promotion of film programming in the public schools, the promotion of the history of Township.
- b. Recommend to the Mayor and Council any and all projects that can be accomplished in concert with the Township Historic Preservation Commission.
- c. Recommend to the Mayor and Council the operation of film festivals.
- d. Recommend to the Mayor and Council means by which funds may be raised toward the Committee's major goal of promoting filmmaking and the history of filmmaking in the Township.
- e. Recommend to the Mayor and Council means by which artifacts and the heritage of Township filmmaking may be preserved and promoted.
- f. Make findings upon and recommendations to the Mayor and Council concerning utilizing Township resources to promote filmmaking and the heritage of Township filmmaking.
- g. Undertake any and all actions authorized by the Mayor and Council with respect to the

promotion of filmmaking, operation of film festivals, raising of funds and preservation of the heritage of Township filmmaking.

- h. To meet at least six times each year.
- i. Any and all other and further duties and/or powers that may be delegated by the Mayor and Council.

**SECTION 2.** All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**SECTION 3.** In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

**SECTION 4.** This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

2d.

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
**P.O. Box 733**  
**MAHWAH, NJ 07430**

**Resolution #**

**Date: February 10, 2022**

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

**RESOLUTION OF THE TOWNSHIP OF MAHWAH, IN THE COUNTY OF  
BERGEN, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE  
BOARD PURSUANT TO N.J.S.A. 40A:2-7(d) AND 2-11(c)**

**WHEREAS**, the Township of Mahwah, in the County of Bergen, New Jersey (the "Township") desires to make application to the Local Finance Board for its review and approval of the adoption of a bond ordinance of the Township appropriating \$14,400,000 and authorizing the issuance of \$14,400,000 bonds or notes in order to provide for the purchase of property with a down payment waiver pursuant to N.J.S.A. 40A:2-7(d) and 2-11(c); and

**WHEREAS**, the Township believes that:

- (a) it is in the public interest to accomplish this purpose;
- (b) the purpose is for the health, the welfare, the convenience or the betterment of the inhabitants of the Township;
- (c) the amounts to be expended for the purpose are not unreasonable or exorbitant; and
- (d) the purpose is an efficient and feasible means of providing services for the needs of the inhabitants of the Township and will not create an undue financial burden to be placed upon the Township;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MAHWAH, IN THE COUNTY OF BERGEN, NEW JERSEY AS FOLLOWS:**

**Section 1.** The application to the Local Finance Board is hereby approved, and the Township's Bond Counsel and auditor, along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.



**Section 2.** The Clerk of the Township is hereby directed to prepare and to file copies of the proposed bond ordinance with the Local Finance Board as part of such application.

**Section 3.** The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and approvals as provided by the applicable New Jersey Statute.

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, 10<sup>th</sup> day of February, 2022.

---

Kathrine Coviello, RMC/CMC/MMC  
Municipal Clerk

---

David May  
Council President

3a.

# TEMPORARY APPROPRIATIONS

BE IT RESOLVED, that the Temporary Appropriation Resolution #065-22 introduced at the meeting of the Mayor and Council of the Township of Mahwah, January 20, 2022, be amended as follows:

WHEREAS, 40A:4-19 provides that where any contract, commitment or payment are to be made prior to the final adoption of the 2021 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the effective date of this resolution is January 1, 2022; and

WHEREAS, the total appropriations in the 2021 budget, exclusive of any appropriations for debt service, capital improvement fund and public assistance are as follows:

Current	\$38,533,500.44
Water Utility	5,624,300.00
Sewer Utility	6,631,585.00

WHEREAS, 26.25 percent of the total appropriations in the 2021 budget, exclusive of any appropriations for debt service, capital improvement fund and public assistance in said 2021 budget is as follows:

Current	\$10,115,043.87
Water Utility	1,476,378.75
Sewer Utility	1,740,791.06

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Mahwah that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for their records:

## CURRENT FUND:

### GENERAL APPROPRIATIONS

#### Operations - within "CAPS"

Township Council:	
Salaries and Wages	\$15,000.00
Other Expenses	2,500.00
Township Clerk:	
Salaries and Wages	65,000.00
Other Expenses	7,000.00
Election:	
Salaries and Wages	1,500.00
Other Expenses	1,000.00
Animal Control:	
Other Expenses	12,000.00
Office of the Mayor:	
Salaries and Wages	4,500.00
Other Expenses	1,500.00
Business Administrator:	
Salaries and Wages	120,000.00
Other Expenses	35,000.00

Comprehensive Business Liability Insurance:	
Other Expenses	300,000.00
Employee Medical Insurance:	
Other Expenses	1,500,000.00
Health Benefit Waiver	25,000.00
Workers Compensation Insurance:	
Other Expenses	250,000.00
Employee Optical Plan:	
Other Expenses	15,000.00
Employee Physical:	
Other Expenses	5,000.00
Employee Life Insurance:	
Other Expenses	\$20,000.00
Insurance Miscellaneous:	
Other Expenses	30,000.00
Health and Safety Programs:	
Other Expenses	4,000.00
Division of Law:	
Other Expenses	150,000.00
Division of Engineering:	
Other Expenses	35,000.00
Division of Planning and Zoning:	
Salaries and Wages	81,000.00
Other Expenses	40,000.00
Bureau of Treasury:	
Salaries and Wages	71,000.00
Other Expenses	5,000.00
Bureau of Collection:	
Salaries and Wages	57,000.00
Other Expenses	8,500.00
Bureau of Assessment:	
Salaries and Wages	43,000.00
Other Expenses	25,000.00
Auditor:	
Other Expenses	22,000.00
DPW Administration:	
Salaries and Wages	30,000.00
Other Expenses	8,000.00
DPW Streets and Roads:	
Salaries and Wages	140,000.00
Other Expenses	40,000.00
DPW Buildings and Grounds:	
Salaries and Wages	120,000.00
Other Expenses	85,000.00
DPW Emergency Services:	
Other Expenses	30,000.00
DPW Parks and Playgrounds:	
Salaries and Wages	55,000.00
Other Expenses	30,000.00
DPW Recycling:	
Salaries and Wages	130,000.00
Other Expenses	15,000.00
DPW Motor Pool:	
Salaries and Wages	17,500.00
Other Expenses	110,000.00
DPW Snow Removal:	

Salaries and Wages	150,000.00
Other Expenses	200,000.00
DPW Overtime:	
Salaries and Wages	50,000.00
Collection Service:	
Other Expense	300,000.00
Disposal Fees:	
Other Expenses	250,000.00
Disposal/Recyclables:	
Other Expenses	15,000.00
Municipal Services Act	200,000.00
Board of Health:	
Salaries and Wages	100,000.00
Other Expenses	15,000.00
Health Officer Services:	
Other Expenses	15,000.00
Visiting Nurse Service:	
Other Expenses	\$10,000.00
Police Administration:	
Salaries and Wages	205,000.00
Other Expenses	120,000.00
Police Records:	
Salaries and Wages	27,500.00
Police Patrol:	
Salaries and Wages	1,800,000.00
Police Dispatchers:	
Salaries and Wages	100,000.00
Police Detectives:	
Salaries and Wages	250,000.00
Police Crossing Guards:	
Salaries and Wages	25,000.00
Purchase of Police Vehicles	100,000.00
Bureau of Emergency Management:	
Salaries and Wages	8,000.00
Other Expenses	34,000.00
Fire Department:	
Salaries and Wages	7,500.00
Other Expenses	80,000.00
Bureau of Fire Prevention:	
Salaries and Wages	42,500.00
Other Expenses	2,500.00
Aid to Volunteer Fire Companies:	
Other Expenses	2,500.00
Senior Citizens Activities:	
Salaries and Wages	30,000.00
Other Expenses	20,000.00
Access Transportation:	
Salaries and Wages	30,000.00
Other Expenses	100.00
Environmental Commission:	
Salaries and Wages	1,200.00
Other Expenses	8,000.00
Historic Preservation Commission:	
Salaries and Wages	1,200.00
Other Expenses	2,000.00
Access for All Commission:	

Other Expenses	1,500.00
Recreation:	
Salaries and Wages	18,000.00
Other Expenses	45,000.00
Municipal Pool:	
Salaries and Wages	17,000.00
Other Expenses	34,000.00
Municipal Prosecutor:	
Other Expenses	15,000.00
Municipal Court:	
Salaries and Wages	75,000.00
Other Expenses	15,000.00
Public Defender:	
Other Expenses	10,000.00
Computer Equipment/Consultant	45,000.00
Community Cable Television:	
Other Expenses	1,000.00
Uniform Construction Code Official:	
Salaries and Wages	\$90,000.00
Other Expenses	5,000.00
Building Sub-Code Official:	
Salaries and Wages	28,000.00
Plumbing Sub-Code Official:	
Salaries and Wages	28,000.00
Electrical Sub-Code Official:	
Salaries and Wages	30,000.00
Fire Sub-Code:	
Salaries and Wages	15,000.00
Gasoline	45,000.00
Fuel Oil - Diesel	40,000.00
Electricity	90,000.00
Street Lighting	70,000.00
Telephone	48,000.00
Telecommunication	5,000.00
Natural Gas	45,000.00
Heating Oil	15,000.00
Photo Copying	25,000.00
Printing and Binding	15,000.00
Postage	70,000.00
Office Supplies	<u>10,000.00</u>
	<u>\$9,112,500.00</u>
Deferred Charges and Statutory	
Expenditures - Municipal within "CAPS"	
Statutory Expenditures	
Social Security System	\$160,000.00
Defined Contribution Retirement Program(DCRP)	<u>4,000.00</u>
	<u>\$164,000.00</u>
Operations - Excluded from "CAPS"	
Maintenance - Free Public Library:	
Other Expenses	\$650,000.00

Recycling Tax	<u>12,000.00</u>
	<u>\$662,000.00</u>
	<u>\$9,479,150.00</u>
Capital Improvement - Excluded from "CAPS"	
Capital Improvement Fund	<u>\$200,000.00</u>
Municipal Debt Service - Excluded from "CAPS"	
BCIA Interest on Lease Bonds	\$458,725.00
Principal on Bonds	\$1,900,000.00
Interest on Bonds	<u>400,563.00</u>
	<u>\$12,697,788.00</u>
	=====
<b>WATER UTILITY FUND:</b>	
Operating:	
Salaries and Wages	\$320,000.00
Other Expenses	890,000.00
Insurance	<u>240,000.00</u>
	<u>1,450,000.00</u>
Debt Service:	
Principal on Bonds	\$240,000.00
Interest on Bonds	54,000.00
Statutory Expenditures:	
Social Security	<u>25,000.00</u>
	<u>\$1,769,000.00</u>
	=====
<b>SEWER UTILITY FUND:</b>	
Operating:	
Salaries and Wages	\$200,000.00
Other Expenses	125,000.00
Insurance	125,000.00
Northwest Bergen County Utilities Authority	<u>1,310,000.00</u>
	<u>1,760,000.00</u>
Debt Service:	
Principal on Bonds	\$120,000.00
Interest on Bonds	22,000.00
Statutory Expenditures:	
Social Security	<u>17,500.00</u>
	<u>\$1,919,500.00</u>

3b.

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
P.O. BOX 733  
MAHWAH NJ 07430

Resolution #

Date: February 10, 2022

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

---

**RESOLUTION AUTHORIZING THE TOWNSHIP OF MAHWAH TO ACCEPT A  
SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2021 OF EMERGENCY  
MANAGEMENT PERFORMANCE GRANT AND EMERGENCY MANAGEMENT  
AGENCY ASSISTANCE**

**WHEREAS**, the Township of Mahwah Office of Emergency Management has been awarded State Homeland Security Grant Program Sub-grant AFN #97.042, Subgrant Award #FY21-EMPG-EMAA-02330 from the New Jersey Department of Law and Public Safety, Office of the Attorney General. The subgrant, consisting of \$10,000.00 Federal Award is for the purpose of enhancing the City's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

**WHEREAS**, the Township of Mahwah will use these funds to enhance your Emergency Management Program and that the funds will be used for Emergency Management purposes; and

**WHEREAS**, the award period is from July 1, 2021 to June 30, 2022; and

**WHEREAS**, the subgrant award incorporates all conditions and representations contained or made in application and notice of award; and

**WHEREAS**, the Township of Mahwah Office Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Office of Emergency Management.



**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Mahwah, in the County of Bergen, State of New Jersey:

1. That the Council accepts the award of the FFY21 Emergency Management Performance Grant Program (EMPG), Emergency Management Agency Assistance Subgrant (EMAA) in the amount of up to \$10,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management.
2. That the Chief Financial Officer and Director of Emergency Management are authorized to sign the appropriate subgrant award documents.
3. That copies of this resolutions shall be forwarded to the New Jersey State Police, Office of Emergency Management, the City Business Administrator, the Chief Financial Officer and the County Division of Emergency Management and Office of Treasury.

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 this 10th day of February, 2022.

---

Kathrine G. Coviello  
Municipal Clerk

---

David May  
Council President

3c.

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
P.O. BOX 733  
MAHWAH NJ 07430

Resolution #XXX-22

Date: February 10, 2022

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

**WHEREAS**, by Resolution #018-22, dated January 6, 2022 the Township Council entered into a Professional Service Contract with Robert McNerney of McNerney & Associates, Inc., as Real Estate Tax Appeal Appraiser for the year 2022; and

WHEREAS, the Township is in need of an exposure analysis to ensure it is prepared budgetarily from pending tax appeals; and

**WHEREAS**, Mr. McNerney has submitted a proposal dated January 24, 2022 in the amount of \$9,500 (Nine Thousand, Five Hundred Dollars) for the appraisal, for such purpose; and

**WHEREAS**, the Chief Financial Officer ("CMFO") has provided a Certification as to Availability of Funds in Accounts #01-201-20-150100-203 (Professional Services) (\$9,500.00);

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Mahwah that the Township does hereby retain the services of McNerney and Associates, Inc. in order to prepare a Tax Court appraisal with respect to the property located an exposure analysis

**BE IT FURTHER RESOLVED**, that the QPA be and is hereby authorized and directed to execute a Purchase Order in the not-to-exceed amount of \$9,500.00 and which is to include all expenses; and

**BE IT FURTHER RESOLVED**, that the Purchase Order amount shall not exceed \$9,500.00 without the further authorization of the Governing Body and the CMFO has certified that funds are available; and

**BE IT FURTHER RESOLVED**, that a notice of this action be printed in the official newspaper of the Township of Mahwah; and

**BE IT FURTHER RESOLVED**, that the Township Clerk shall keep a copy of this Resolution and aforesaid Purchase Order on file and available for inspection in the office of the Township Clerk and shall forward a copy of this Resolution to the Mayor, Business Administrator, Tax Assessor, QPA, CMFO, and Robert McNerney of McNerney & Associates, Inc., located at, 175 Rock Road, PO Box 67, Glen Rock, NJ 07452-0067.

I hereby certify that this resolution consisting of three pages was adopted at a meeting of the Township Council of the Township of Mahwah, 10<sup>th</sup> day of February, 2022.

---

Kathrine G. Coviello  
Municipal Clerk

---

David May  
Council President



3d.

# Township Of Mahwah

Municipal Offices: 475 Corporate Drive  
P.O. Box 733 • Mahwah, NJ 07430  
Tel: 201-529-5757  
Fax: 201-529-0061

Office of Administration

[www.mahwahtwp.org](http://www.mahwahtwp.org)

MEMO TO: Township Council

FROM: Joanne Becker, QPA

DATE: February 2, 2022

SUBJECT: Houston-Galveston Area Council National Cooperative Purchasing Program - Purchase of One (1) Ferrara Inferno Custom Tanker Fire Apparatus with Options

Fire Company #4's request to purchase One (1) Ferrara Inferno Custom Tanker Base Model FS19LE05 Fire Apparatus with listed options was approved and Capital funds were allocated in the 2021 budget.

P.L. 2011, c.139 permits local government contracting units to utilize national cooperative contracts as a method of procurement for goods and services pursuant to N.J.S.A. 52:34-6.2(b)(3).

Township of Mahwah Resolution #059-14 authorized the Township to apply for membership to the Houston Galveston Area Council's Cooperative Purchasing Program (HGAC) National Purchasing Contract. The Township entered into an Interlocal Contract for Cooperative Purchasing with HGAC on January 23, 2014, Contract #14-3894, this contract automatically renews annually. Township of Mahwah Resolution #038-22 authorized the Township to renew its annual membership to this contract for use in 2022.

Administration solicited a quote from HGAC awarded vendor FF1 Apparatus, LLC., 34 Wilson Drive, Sparta, NJ 07871. The quote for One (1) Ferrara Inferno Custom Tanker Base Model FS19LE05 Fire Apparatus with listed options and verified by HGAC, is \$925,000.00.

The legal advertising of the Township's intent to purchase this vehicle from HGAC was published in The Record for the required 10 days. No other vendor has contacted the Township with another offer.

Pursuant to N.J.S.A. 40A:11-1 et seq., Administration has requested and received from authorized FF1 Apparatus, LLC, the following required documents:

- New Jersey Business Registration Certificate
- Statement of Corporate Ownership
- Public Contract EEO Compliance Employee Information Report
- Non-Collusion Affidavit
- Iran Disclosure
- Business Entity Disclosure

Administration requests that Council authorize, through resolution, at the February 10, 2022 Council meeting, the purchase of One (1) Ferrara Inferno Custom Tanker Base Model FS19LE05 Fire Apparatus with listed Options in the amount of \$925,000.00 utilizing the HGAC National Purchasing Contract.

The funds for this purchase are from Capital account 04-215-55-967-101942.

cc: Mayor James Wysocki  
Ben Kezmarsky, Business Administrator  
Fred Semrau, Esq., Township Attorney  
Kathrine Coviello, Township Clerk  
Joseph Kovalcik, CFO  
Cord Meyer, Fire Chief  
FF1 Apparatus, LLC  
HGAC

3e.

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
**P.O. Box 733**  
**MAHWAH, NJ 07430**

**Resolution # -22**

**Date: February 10, 2022**

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

**WHEREAS**, the Township of Mahwah owns an existing elevated water tank known as the Campgaw Water Tank, located at 295 Campgaw Road, Mahwah, New Jersey Lot 14, Block 141; and

**WHEREAS**, there are four current tenants utilizing a portion of the water tank site for antenna communication facilities and one of the current leases will be expiring; and

**WHEREAS**, the Township of Mahwah desires to offer a new communication antenna lease agreement for the available location.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Mahwah hereby authorizes the Business Administrator, in accordance with N.J.S.A. 40A:12-14, to advertise for sealed bids for co-location of communication antenna facilities on the elevated Campgaw Water Tank and to present the result of such lease advertisement to the Township Council for approval; and

**BE IT FURTHER RESOLVED**, that the Municipal Clerk shall forward a copy of this Resolution to the Business Administrator, QPA, Chief Financial Officer and Township Attorney.

I hereby certify that this resolution consisting of one page(s), was adopted at a meeting of the Township Council of the Township of Mahwah, 10<sup>th</sup> day of February, 2022.

\_\_\_\_\_  
Kathrine G. Coviello RMC/CMC/MMC  
Municipal Clerk

\_\_\_\_\_  
David May  
Council President



# 3f.

# AIA Document G701™ – 2017

## Change Order

<b>PROJECT: (Name and address)</b> Township of Mahwah Police Department Improvements Mahwah, New Jersey	<b>CONTRACT INFORMATION:</b> Contract For: Township of Mahwah Police Department Improvements Mahwah, New Jersey DMR Proj. No. 4152 Date: 2-22-21	<b>CHANGE ORDER INFORMATION:</b> Change Order Number: 004  Date: February 3, 2022
<b>OWNER: (Name and address)</b> Township of Mahwah 475 Corporate Drive Mahwah, NJ 07430	<b>ARCHITECT: (Name and address)</b> DMR Architects 777 Terrace Avenue, Suite 607 Hasbrouck Heights, NJ 07604	<b>CONTRACTOR: (Name and address)</b> Billy Contracting & Restoration Inc. 67 Danforth Avenue Paterson, NJ 07501

### THE CONTRACT IS CHANGED AS FOLLOWS:

*(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)*

\$ 2,400.00 Provide Siemens input modules for waterflow and tamper switch and wire into Building Fire Alarm System. Program devices to Building Fire Alarm. (Billy Contracting & Restoration Inc. Change Order Request #6 dated 2-2-22).

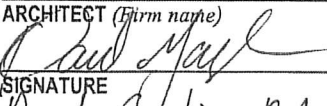
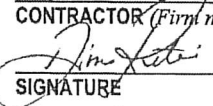
(Attachment: Billy Contracting & Restoration Inc. Change Order Request #6 dated 2-2-22).

The original Contract Sum was	\$ 492,000.00
The net change by previously authorized Change Orders	\$ 64,068.05
The Contract Sum prior to this Change Order was	\$ 556,068.05
The Contract Sum will be increased by this Change Order in the amount of	\$ 2,400.00
The new Contract Sum including this Change Order will be	\$ 558,468.05

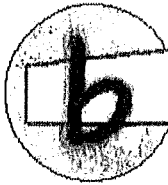
The Contract Time will be increased by zero (0) days.  
 The new date of Substantial Completion will be

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

DMR Architects ARCHITECT (Firm name)  SIGNATURE David Aguilino RA PRINTED NAME AND TITLE 2/8/2022 DATE	Billy Contracting & Restoration Inc. CONTRACTOR (Firm name)  SIGNATURE Dime Runtowski: PM PRINTED NAME AND TITLE 02/08/22 DATE	Township of Mahwah OWNER (Firm name)  SIGNATURE  PRINTED NAME AND TITLE  DATE
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**BILLY CONTRACTING  
& RESTORATION INC**

67 Danforth Ave. Paterson, NJ 07501

Ph. 973-396-2579  
Fax: 973-396-2580

Date: February 2, 2022

To: Township of Mahwah  
475 Corporate Dr.  
Mahwah, NJ 07430

Re: MTB #20-21 Improvements at the Mahwah Police Department  
221 Franklin Turnpike.  
Mahwah, NJ 07430

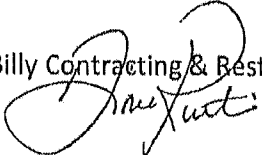
**Change Order Request #6**

Scope:

Provide Siemens input modules for waterflow and tamper switch and wire into building Fire Alarm System. Program devices to Building Fire Alarm.

• Allied Fire & Safety	\$2,400.00
------------------------	------------

<b><u>Total COR #6</u></b>	<b><u>\$2,400.00</u></b>
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Billy Contracting & Restoration Inc.  


**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
**475 Corporate Drive**  
**MAHWAH, NJ 07430**

Resolution #-22

Date: February 10, 2022

(39.)

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

**BE IT RESOLVED**, that the Mayor and Township Council of the Township of Mahwah wish to enter into a Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using a \$100,000.00 matching grant award from the 2021 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Fund (“Trust Fund”) for the municipal park project entitled **Renovation to Commodore Perry Fields: Courts, Fencing and Batting**, located at Commodore Perry Fields, 70 E. Ramapo Avenue, Block 61, Lot 1, on the tax maps of the Township of Mahwah, New Jersey 07430;

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby authorize Benjamin Kezmarsky, to be a signatory for the aforesaid Contract; and

**BE IT FURTHER RESOLVED**, that the Mayor and Township Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about December 15, 2023; and,

**BE IT FURTHER RESOLVED**, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payments and other such documents as may be required by the County in accordance with the Trust Fund’s requirements; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible construction costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund’s requirements. Professional Services Costs may be reimbursed from the grant award’s unexpended balance, should there be a balance.

**BE IT FURTHER RESOLVED**, that the Township Clerk shall keep a copy of this Resolution on file and available for inspection in the Office of the Township Clerk and that the Township Clerk shall forward a copy of this Resolution to the Business Administrator, CFO, QPA, Assistant to the Business Administrator, and Nancy Witkowski, Contract Administrator, Bergen County, Open Space Trust Fund, One Bergen County Plaza, 4<sup>th</sup> Floor, Hackensack, New Jersey 07601-7076.

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 this 10<sup>th</sup> day of February, 2022.

---

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

---

David May  
Council President

3h.1

**TOWNSHIP OF MAHWAH  
ORDINANCE NO.**

**WHEREAS**, the Township of Mahwah established salary ranges for all employee salaries, and

**WHEREAS**, the Township of Mahwah has approved a collective bargaining agreement for calendar years 2022 – 2026 with the UPSEU Blue Collar Unit; and

**WHEREAS**, the Township of Mahwah establishes salary adjustments for nonunion employees in accordance with the related collective bargaining unit adjustments, and

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Mahwah that the salary ranges for white collar employees (and associated management employees) for the year 2022 be as follows:

<u>TITLES</u>	<u>ANNUAL SALARY</u>	
	<u>MINIMUM</u>	<u>MAXIMUM</u>
<b>DEPARTMENT OF PUBLIC WORKS</b>		
Director of Public Works	\$100,000	\$148,500
Foreman- DPW	\$69,980	\$90,855
Public Works Maintenance Worker	\$42,720	\$72,308
Custodian	\$42,720	\$45,065
Mechanic	\$51,806	\$70,572
Tree Service Maintenance Worker	\$51,806	\$63,535
<b>WATER AND SEWER UTILITY</b>		
Superintendent- Water/Sewer	\$69,980	\$106,340
Licensed Water Utility Operator	\$5,000	\$18,000
Licensed Sewer Utility Operator	\$5,000	\$18,000
Foreman- Water/Sewer	\$69,980	\$92,859
Senior Mechanic	\$69,980	\$87,299
Mechanic	\$51,806	\$68,227
Utility Person	\$42,720	\$83,989
<b>DEPARTMENT OF PUBLIC WORKS &amp; WATER/SEWER UTILITY</b>		
Laborer/Summer/Seasonal	\$8.00/hr.	\$20.00/hr.

3h.2

**TOWNSHIP OF MAHWAH  
ORDINANCE NO.**

**WHEREAS**, the Township of Mahwah established salary ranges for all employee salaries, and

**WHEREAS**, the Township of Mahwah has approved a collective bargaining agreement with the UPSEU White Collar Unit, and

**WHEREAS**, the Township of Mahwah establishes salary adjustments for nonunion employees in accordance with the related collective bargaining unit adjustments, and

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Mahwah that the salary ranges for white collar employees (and associated non-union employees) for the year 2022 be as follows:

<u>TITLES</u>	<u>ANNUAL SALARY</u>	
	<u>MINIMUM</u>	<u>MAXIMUM</u>
<b>LEGISLATIVE</b>		
Council President	\$11,000	\$11,000
Council Vice President	\$10,000	\$10,000
Council Person	\$10,000	\$10,000
<b>OFFICE OF TOWNSHIP CLERK</b>		
Township Clerk	\$72,500	\$101,948
Deputy Township Clerk	\$55,000	\$67,789
Senior Clerk	\$42,500	\$42,500
<b>OFFICE OF THE MAYOR</b>		
Mayor	\$20,000	\$20,000
<b>DEPARTMENT OF ADMINISTRATION &amp; FINANCE</b>		
Business Administrator	\$100,000	\$199,999
Administrative Support Specialist	\$47,500	\$47,500
Assistant to the Business Administrator	\$55,000	\$58,970
Executive Secretary to the Mayor	\$62,500	\$83,342
Qualified Purchasing Agent (with Cert)	\$62,500	\$80,694
HR Manager	\$62,500	\$89,357
PT Public Relations	\$10,000	\$20,000

**TITLES****ANNUAL SALARY****MINIMUM****MAXIMUM****BUREAU OF TREASURY**

FT Chief Financial Officer	\$100,000	\$150,000
Deputy Chief Financial Officer (retro - 9/1/21)	\$85,000	\$115,000
Assistant Municipal Treasurer	\$72,500	\$89,358
Assistant to the Chief Financial Officer	\$55,000	\$57,616
Assistant to the Municipal Treasurer	\$55,000	\$60,356
PT Chief Financial Officer	\$52,800	\$52,800

**BUREAU OF COLLECTION**

Tax & Utility Collector (combined)	\$72,500	\$107,468
Deputy Tax Collector (w/Cert.)	\$55,000	\$58,970
Senior Account Clerk	\$42,500	\$42,500

**BUREAU OF ASSESSMENT**

Tax Assessor	\$72,500	\$93,139
Principal Assessor Clerk	\$47,500	\$60,664

**Access Transportation**

Van Driver/Clerk	\$42,500	\$42,500
Senior Van Driver	\$47,500	\$57,201
Van Driver - (Temp) Hourly	\$15.00/hr.	\$19.00/hr.

**SENIOR CITIZENS CENTER**

Director	\$72,500	\$75,948
Senior Clerk		\$57,616

**DEPARTMENT OF PLANNING & ZONING**

Administrative Officer/Zoning Officer	\$72,500	\$81,792
Principal Escrow/Soil Clerk	\$47,500	\$57,201
Senior Clerk	\$42,500	\$43,499
Zoning /Property Maintenance Inspector	\$42,500	\$56,291
Zoning/Property Maintenance Inspector - P/T	\$15.00/hr.	\$25.00/hr.
Construction/ Planning and Zoning Manager	\$60.00/hr	\$70.00/hr.

**DEPARTMENT OF PUBLIC WORKS**

Administrative Clerk	\$55,000	\$55,000
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**DEPARTMENT OF HEALTH**

Health Officer	Contractual	Contractual
Environmental Health Specialist	\$62,500	\$86,722
Administrative Secretary/Registrar of Vital Statistics	\$55,000	\$75,453
Health Inspector - P/T Hourly	\$20.00/hr.	\$45.00/hr.
Senior Clerk	\$42,500	\$50,004

**DEPARTMENT OF POLICE**

Administrative Secretary	\$55,000	\$73,261
Senior Dispatcher (15 + years)	\$78,500	\$78,500
Senior Dispatcher (11 -15 years)	\$64,510	\$64,510
Intermediate Dispatcher 5-10	\$50,590	\$58,646
Junior Dispatcher 1-4	\$42,500	\$49,117
Records Technician	\$47,500	\$57,201
Records Clerk	\$42,500	\$45,568

**DEPARTMENT OF INSPECTIONS**

Construction Code Official	\$72,500	\$134,913
Building Subcode Official - P/T	\$5,000	\$14,911
Building Inspector	\$62,500	\$78,367
Plumbing Subcode Official	\$72,500	\$94,618
FT Electrical Subcode Official	\$72,500	\$94,281
Fire Subcode Official - P/T	\$18,720	\$33,041
Control Person	\$47,500	\$58,545
Senior Clerk	\$42,500	\$42,500
PT Clerk	\$15.00/hr.	\$18.00/hr.

**DEPARTMENT OF EMERGENCY SERVICES**

Director Department of Emergency Services	\$5,500	\$5,500
Coordinator Emergency Management Services	\$10,000	\$10,000
Logistics Coordinator	\$7,500	\$7,500
Deputy Coordinators	\$1,745	\$1,745
CERT Coordinator	\$1,200	\$1,200



**TITLES****ANNUAL SALARY****MINIMUM****MAXIMUM****FIRE DIVISION**

Fire Chief	\$8,000	\$8,000
First Assistant Fire Chief	\$5,000	\$5,000
Second Assistant Fire Chief	\$5,000	\$5,000
Secretary - Fire Department - P/T	\$4,000	\$8,500
Training/Records Secretary - Fire Department - P/T	\$2,000	\$2,500
LOSAP Secretary - Fire Depart/Ambulance - P/T	\$1,500	\$2,000

**BUREAU OF FIRE****PREVENTION**

Fire Official	\$72,500	\$75,948
Fire Inspector	\$62,500	\$67,011
Fire Inspector - P/T	\$15.00/hr.	\$30.00/hr.

**MUNICIPAL****COURT**

Municipal Judge	\$30,000	\$52,199
Municipal Judge - Special Sessions	\$400/ses.	\$400/ses.
Municipal Court Administrator	\$72,500	\$92,115
Deputy Court Administrator	\$47,500	\$56,187
Violations Clerk	\$42,500	\$43,763
Senior Clerk	\$42,500	\$45,568

**WATER AND SEWER UTILITY**

Senior Clerk	\$42,500	\$42,500
Senior Account Clerk	\$42,500	\$42,500

**AGENCIES; BOARDS; COMMITTEES**

Recording Sec. Planning Board - P/T	\$4,000	\$4,500
Recording Sec. Zoning Board - P/T	\$4,000	\$4,500
Secretary Environmental Commission - P/T	\$4,000	\$4,000
Secretary Historic Preservation Commission - P/T	\$4,000	\$4,000

**TITLES****ANNUAL SALARY**  
**MINIMUM      MAXIMUM****PART TIME AND HOURLY RATE EMPLOYEES****A. ADMINISTRATIVE AND EXECUTIVE**

Secretarial/Clerical - P/T      \$12.00/hr.      \$18.00/hr.

**C. MUNICIPAL POOL**

Municipal Pool Manager	\$25,000	\$33,543
Assistant Managers	\$8,000	\$9,500
Head Swim Team Coach	\$950	\$1,500
Assistant Swim Team Coach	\$800	\$1,000
Head Dive Team Coach	\$800	\$800
Gate Attendants /Vendor Operator	\$8.00/hr.	\$12.50/hr.
Gate Attendants/Vendor Operator (Age 18 and Up)	\$11.00/hr.	\$15.00/hr.
Lifeguard	\$8.25/hr.	\$16.00/hr.
Lifeguard (Age 18 and up)	\$11.10/hr.	\$18.50/hr.
Swim Instructors	\$8.50/hr.	\$13.00/hr.
Swim Instructors (Age 18 and up)	\$11.10/hr.	\$15.00/hr.

**B. DEPARTMENT OF POLICE**

School Crossing Guards	\$14.00/hr.	\$25.00/hr.
Dispatchers - per diem	\$12.00/hr.	\$25.00/hr.

**C. RECREATION**

Recreation Director - P/T	\$20,000	\$47,710
Mahwah Day Coordinator	\$1,000	\$3,079
Secretary Recreation Commission - P/T Program	\$4,000	\$4,000
Director	\$6,000	\$6,243
Assistant Program Director	\$13.50/hr.	\$20.00/hr.
Professional Staff	\$13.50/hr.	\$20.00/hr.
Counselor	\$8.00/hr.	\$15.50/hr.
Counselor (Age 18 and up)	\$ 11.10/hr.	\$18.50/hr.

**TITLES****ANNUAL SALARY****MINIMUM****MAXIMUM****D. DEPARTMENT OF INSPECTIONS**

Building Inspector (Temp)	\$20.00/hr.	\$32.50/hr.
Electrical Inspector (Temp)	\$20.00/hr.	\$55.00/hr.
Plumbing Inspector (Temp)	\$20.00/hr.	\$32.50/hr.

**E. MUNICIPAL COURT**

Municipal Court Administrator (Temp)	\$20.00/hr.	\$30.00/hr.
Clerical - P/T Hourly	\$12.00/hr.	\$20.00/hr.

# Resolution No.

Adopted: February 10, 2022

## MAYOR AND COUNCIL MAHWAH, NEW JERSEY TEMPORARY CAPITAL BUDGET

31.

WHEREAS, the Division of Local Government Services requires the adoption of a Local Capital Budget, and  
WHEREAS, the local capital budget for the year 2022 has not been adopted, and,  
WHEREAS, it is desired to adopt a temporary capital budget for the year 2022,  
NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Mahwah, that the following capital appropriation(s) be made:

RECORDED VOTE:

(Insert Last Names)

AYES

NAYS

ABSTAIN

ABSENT

### CAPITAL BUDGET (Current Year Action) 2021

(1) PROJECT	(2) PROJE CT NUM BER	(3) ESTIMATED TOTAL COSTS	(4) AMOUNTS RESERVED IN PRIOR YEARS	PLANNED FUNDING SERVICES FOR CURRENT YEAR 2021					6 TO BE FUNDED IN FUTURE YEARS
				5a 2021 Budget Appropriations	5b Capital Im- provement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	
2022 Road Program		\$2,350,000.00			\$112,000.00			\$2,238,000.00	
Acquisition of Property		\$14,400,000.00			\$0.00			\$14,400,000.00	
TOTAL ALL PROJECTS		\$16,750,000.00			\$112,000.00			\$16,638,000.00	

BE IT FURTHER RESOLVED that the above item(s) will be provided for in the 2022 Capital Budget, and,  
BE IT FURTHER RESOLVED that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution adopting a temporary capital budget by the governing body on the 10<sup>th</sup> day of February, 2022.

Certified by me

February 18, 2021 (Date)

Kathrine Coviello, Municipal Clerk

TRENTON, NEW JERSEY

APPROVED \_\_\_\_\_, 2022

31.1

BOND ORDINANCE PROVIDING FOR THE 2022 ROAD PROGRAM IN AND BY THE TOWNSHIP OF MAHWAH, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$2,350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,238,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MAHWAH, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Mahwah, in the County of Bergen, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$2,350,000, including the sum of \$112,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,238,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the 2022 Road Program, all as set forth on a list on file in the Office of the Township Clerk, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this

bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of



the bonds and notes provided in this bond ordinance by \$2,238,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$500,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond

counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

TOWNSHIP OF MAHWAH  
ORDINANCE NO.

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF  
PROPERTY KNOWN AS 1201 NORFOLK ROAD IN AND BY  
THE TOWNSHIP OF MAHWAH, IN THE COUNTY OF  
BERGEN, NEW JERSEY, APPROPRIATING \$14,400,000  
THEREFOR AND AUTHORIZING THE ISSUANCE OF  
\$14,400,000 BONDS OR NOTES OF THE TOWNSHIP TO  
FINANCE THE COST THEREOF.

WHEREAS, the Constitution of the State of New Jersey requires municipalities to create realistic opportunities for the provision of safe, decent housing affordable to low- and moderate income households; and

WHEREAS, Section 16 of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Housing Law") authorizes municipalities to own and operate housing projects designed to provide decent, safe and sanitary dwellings for persons of low and moderate incomes; and

WHEREAS, Sections 16 and 22 of the Housing Law further authorize a municipality to acquire real and personal property in furtherance of the ownership and operation of such housing projects; and

WHEREAS, the Township of Mahwah, in the County of Bergen, New Jersey (the "Township"), desires to acquire property commonly known as 1201 Norfolk Road and described on the official tax maps of the Township as Block 70, Lot 15.01, including the building located thereon, consisting of seventy-five (75) market-rate residential rental dwelling units, and all other

buildings, improvements and fixtures thereon, and all tenements, hereditaments, appurtenances, and rights of way incident and belonging thereto; and

WHEREAS, upon such acquisition, the Township intends to deed restrict the property and own, operate and maintain the property for residential use by persons of low and moderate incomes, in furtherance of the Township's Constitutional obligations; and

WHEREAS, the Township anticipates setting rents pursuant to Section 19 of the Housing Law in an amount sufficient to pay all expenses of the housing project, including debt service on the bonds and bond anticipation notes authorized hereby; provided that if such rental amounts are not sufficient to provide for such expenses, the Township anticipates filing an application to amend its spending plan to permit payment of any such shortfall in rentals from the Township's affordable housing trust fund and not from taxpayer dollars.

NOW, THEREFOR, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MAHWAH, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The recitals to this bond ordinance are incorporated by reference herein as if set forth in full.

Section 2. The improvement described in Section 4(a) of this bond ordinance is hereby authorized to be undertaken by the Township as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$14,400,000. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance authorizes obligations solely for a purpose described in N.J.S.A. 40A:2-7(d) as more fully set forth in Section 7(e).

Section 3. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$14,400,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 4. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of property in the Township known as 1201 Norfolk Road and described on the official tax map of the Township as Block 70, Lot 15.01, including all costs necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 3 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or

all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 4(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$14,400,000, and the issuance of the obligations authorized herein is permitted by the exception to the debt limitation authorized by N.J.S.A. 40A:2-7(d).

(d) An aggregate amount not exceeding \$500,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Township solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the Township. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the Township or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

Section 8. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 3 of this bond ordinance and to use



the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 4(a) of this bond ordinance. This Section 8 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 9. Any grant moneys received for the purpose described in Section 4(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 10. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 11. The Mayor, Deputy Mayor, Township Administrator, Township Clerk and Township Attorney, as the case may be, are authorized pursuant to N.J.S.A. 40A:12A-1 *et seq.*, N.J.S.A. 40A:12-1 *et seq.*, and any other applicable law, to prepare, execute and attest, as applicable, any and all necessary documentation to effectuate the acquisition of property as

described herein, including, but not limited to, a purchase contract and any amendments necessary thereto, and any other certificates, documents, agreements or instruments necessary to effectuate the acquisition of property as described herein.

Section 12. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 13. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

(part I)

22-6002059

ID #

STATE OF NEW JERSEY  
DEPARTMENT OF COMMUNITY AFFAIRS  
DIVISION OF LOCAL GOVERNMENT SERVICES  
LOCAL FINANCE BOARD  
APPLICATION CERTIFICATION

APPLICANT'S

NAME: Township of Mahwah, in the County of Bergen, New Jersey

I, James J. Wysocki, Mayor of the Township of Mahwah, in the County of Bergen, New Jersey, DO HEREBY DECLARE:

That the documents submitted herewith and the statements contained herein are true to the best of my knowledge and belief; and

That this application was considered and its submission to the Local Finance Board approved by the governing body of the Township on February 10, 2022.

\_\_\_\_\_  
James J. Wysocki  
Mayor

ATTEST:

\_\_\_\_\_  
Kathrine G. Coviello, Clerk

Date: February \_\_\_, 2022

35

**THE BERGEN COUNTY IMPROVEMENT AUTHORITY**  
**\$22,600,000 COUNTY GUARANTEED LEASE REVENUE BONDS, SERIES 2021**  
**Township of Mahwah Project**

**LEASE AND AGREEMENT**  
**REQUISITION FOR PAYMENT**

VIA ELECTRONIC MAIL ([mmedina@wilmingtontrust.com](mailto:mmedina@wilmingtontrust.com))

Manufacturers and Traders Trust Company  
Corporate Trust Administration  
Attention: Michael Medina, Baking Officer  
99 Wood Avenue South  
Iselin, New Jersey 08830

**REQUISITION REF. NO. 2021-2**

I, the undersigned Chief Financial Officer of the Township of Mahwah, in the County of Bergen (the "Municipality") DO HEREBY CERTIFY that I am an Authorized Municipal Representative duly designated by the Municipality to execute and deliver this certificate on behalf of the Municipality. I DO HEREBY FURTHER CERTIFY pursuant to and in accordance with the terms of the Lease and Agreement between the Bergen County Improvement Authority (the "Authority") and the Municipality dated as of August 1, 2021 (the "Lease") as follows:

1. This requisition is Requisition Ref. No. 2021-2.
2. The name and address of the person, firm or corporation to whom payment is due is:
3. The amount to be paid to such person, firm or corporation named in paragraph (2) above is DiGeronimo PC in the amount of \$25,000.
4. The Project Costs to which this Requisition relates is Township of Mahwah DPW Project.
5. Each obligation, item of cost or expense mentioned herein has been properly incurred, is an item of Cost and is a proper charge against the Project Fund and has not been the basis of any previous withdrawal.

Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to such terms in the Lease. This requisition is authorized to be executed in counterparts by the parties set forth below.

DATED: 2/10/22

**TOWNSHIP OF MAHWAH**

  
\_\_\_\_\_  
Authorized Municipal Representative  
Name: **Joseph Kovalcik**  
Title: **Chief Financial Officer**

The undersigned, on behalf of the Bergen County Improvement Authority, hereby acknowledges the above Requisition based on the certifications set forth above.

DATED: \_\_\_\_\_

**BERGEN COUNTY IMPROVEMENT AUTHORITY**

\_\_\_\_\_  
Authorized Authority Representative  
Name: **Mauro Raguseo**  
Title: **Executive Director**

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
**P.O. Box 733**  
**MAHWAH, NJ 07430**

**Resolution #091-22**

**Date: February 10, 2022**

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

See attached Temporary Capital Budget, consisting of one (1) page(s).

I hereby certify that this resolution consisting one page(s), was adopted at a meeting of the Township Council of the Township of Mahwah on the 10<sup>th</sup> day of February 2022.

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

David May  
Council President

Resolution No.

Adopted: February 10, 2022

MAYOR AND COUNCIL  
MAHWAH, NEW JERSEY  
TEMPORARY CAPITAL BUDGET

WHEREAS, the Division of Local Government Services requires the adoption of a Local Capital Budget, and  
WHEREAS, the local capital budget for the year 2022 has not been adopted, and,  
WHEREAS, it is desired to adopt a temporary capital budget for the year 2022,  
NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Mahwah, that the following capital appropriation(s) be made:

RECORDED VOTE:	{	ABSTAIN	{
(Insert Last Names)	AYES {	NAYS {	ABSENT {
	{	{	{
	{	{	{
	{	{	{
	{	{	{

CAPITAL BUDGET (Current Year Action)  
2021

(1) PROJECT	(2) PROJ ECT NUM BER	(3) ESTIMATED TOTAL COSTS	(4) AMOUNTS RESERVED IN PRIOR YEARS	PLANNED FUNDING SERVICES FOR					6 TO BE FUNDED IN FUTURE YEARS
				5a 2021 Budget Appropriations	5b Capital Im- provement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	
2022 Road Program		\$2,350,000.00			\$112,000.00			\$2,238,000.00	
Acquisition of Property		\$14,400,000.00			\$0.00			\$14,400,000.00	
TOTAL ALL PROJECTS		\$16,750,000.00			\$112,000.00			\$16,638,000.00	

BE IT FURTHER RESOLVED that the above item(s) will be provided for in the 2022 Capital Budget, and,  
BE IT FURTHER RESOLVED that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution adopting a temporary capital budget by the governing body on the 10<sup>th</sup> day of February, 2022.

Certified by me  
February 18, 2021 (Date)  
Kathrine Coviello, Municipal Clerk  
TRENTON, NEW JERSEY  
APPROVED \_\_\_\_\_, 2022

TOWNSHIP OF MAHWAH  
ORDINANCE NO. 1963

BOND ORDINANCE PROVIDING FOR THE 2022 ROAD  
PROGRAM IN AND BY THE TOWNSHIP OF MAHWAH, IN  
THE COUNTY OF BERGEN, NEW JERSEY,  
APPROPRIATING \$2,350,000 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF \$2,238,000 BONDS OR  
NOTES OF THE TOWNSHIP TO FINANCE PART OF THE  
COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
MAHWAH, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all  
members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is  
hereby authorized to be undertaken by the Township of Mahwah, in the County of Bergen, New  
Jersey (the "Township") as a general improvement. For the improvement or purpose described  
in Section 3(a), there is hereby appropriated the sum of \$2,350,000, including the sum of  
\$112,000 as the down payment required by the Local Bond Law. The down payment is now  
available by virtue of provision for down payment or for capital improvement purposes in one or  
more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by  
application of the down payment, negotiable bonds are hereby authorized to be issued in the  
principal amount of \$2,238,000 pursuant to the Local Bond Law. In anticipation of the issuance  
of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to  
and within the limitations prescribed by the Local Bond Law.



Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the 2022 Road Program, all as set forth on a list on file in the Office of the Township Clerk, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this

bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of

the bonds and notes provided in this bond ordinance by \$2,238,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$500,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond

counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

TOWNSHIP OF MAHWAH  
ORDINANCE NO. 1964

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF  
PROPERTY KNOWN AS 1201 NORFOLK ROAD IN AND BY  
THE TOWNSHIP OF MAHWAH, IN THE COUNTY OF  
BERGEN, NEW JERSEY, APPROPRIATING \$14,400,000  
THEREFOR AND AUTHORIZING THE ISSUANCE OF  
\$14,400,000 BONDS OR NOTES OF THE TOWNSHIP TO  
FINANCE THE COST THEREOF.

WHEREAS, the Constitution of the State of New Jersey requires municipalities to create realistic opportunities for the provision of safe, decent housing affordable to low- and moderate income households; and

WHEREAS, Section 16 of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Housing Law") authorizes municipalities to own and operate housing projects designed to provide decent, safe and sanitary dwellings for persons of low and moderate incomes; and

WHEREAS, Sections 16 and 22 of the Housing Law further authorize a municipality to acquire real and personal property in furtherance of the ownership and operation of such housing projects; and

WHEREAS, the Township of Mahwah, in the County of Bergen, New Jersey (the "Township"), desires to acquire property commonly known as 1201 Norfolk Road and described on the official tax maps of the Township as Block 70, Lot 15.01, including the building located thereon, consisting of seventy-five (75) market-rate residential rental dwelling units, and all other

buildings, improvements and fixtures thereon, and all tenements, hereditaments, appurtenances, and rights of way incident and belonging thereto; and

WHEREAS, upon such acquisition, the Township intends to deed restrict the property and own, operate and maintain the property for residential use by persons of low and moderate incomes, in furtherance of the Township's Constitutional obligations; and

WHEREAS, the Township anticipates setting rents pursuant to Section 19 of the Housing Law in an amount sufficient to pay all expenses of the housing project, including debt service on the bonds and bond anticipation notes authorized hereby; provided that if such rental amounts are not sufficient to provide for such expenses, the Township anticipates filing an application to amend its spending plan to permit payment of any such shortfall in rentals from the Township's affordable housing trust fund and not from taxpayer dollars.

NOW, THEREFOR, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MAHWAH, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The recitals to this bond ordinance are incorporated by reference herein as if set forth in full.

Section 2. The improvement described in Section 4(a) of this bond ordinance is hereby authorized to be undertaken by the Township as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$14,400,000. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance authorizes obligations solely for a purpose described in N.J.S.A. 40A:2-7(d) as more fully set forth in Section 7(e).

Section 3. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$14,400,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 4. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of property in the Township known as 1201 Norfolk Road and described on the official tax map of the Township as Block 70, Lot 15.01, including all costs necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 3 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or



all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 4(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$14,400,000, and the issuance of the obligations authorized herein is permitted by the exception to the debt limitation authorized by N.J.S.A. 40A:2-7(d).

(d) An aggregate amount not exceeding \$500,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Township solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the Township. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the Township or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

Section 8. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 3 of this bond ordinance and to use

the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 4(a) of this bond ordinance. This Section 8 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 9. Any grant moneys received for the purpose described in Section 4(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 10. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 11. The Mayor, Deputy Mayor, Township Administrator, Township Clerk and Township Attorney, as the case may be, are authorized pursuant to N.J.S.A. 40A:12A-1 *et seq.*, N.J.S.A. 40A:12-1 *et seq.*, and any other applicable law, to prepare, execute and attest, as applicable, any and all necessary documentation to effectuate the acquisition of property as

described herein, including, but not limited to, a purchase contract and any amendments necessary thereto, and any other certificates, documents, agreements or instruments necessary to effectuate the acquisition of property as described herein.

Section 12. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 13. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

(part I)

22-6002059

ID #

STATE OF NEW JERSEY  
DEPARTMENT OF COMMUNITY AFFAIRS  
DIVISION OF LOCAL GOVERNMENT SERVICES  
LOCAL FINANCE BOARD  
APPLICATION CERTIFICATION

APPLICANT'S

NAME: Township of Mahwah, in the County of Bergen, New Jersey

I, James J. Wysocki, Mayor of the Township of Mahwah, in the County of Bergen, New Jersey, DO HEREBY DECLARE:

That the documents submitted herewith and the statements contained herein are true to the best of my knowledge and belief; and

That this application was considered and its submission to the Local Finance Board approved by the governing body of the Township on February 10, 2022.

\_\_\_\_\_  
James J. Wysocki  
Mayor

ATTEST:

\_\_\_\_\_  
Kathrine G. Coviello, Clerk

Date: February \_\_\_, 2022

**TOWNSHIP OF MAHWAH  
ORDINANCE NO. 1965**

**WHEREAS**, the Township of Mahwah established salary ranges for all employee salaries, and

**WHEREAS**, the Township of Mahwah has approved a collective bargaining agreement for calendar years 2022 – 2026 with the UPSEU Blue Collar Unit; and

**WHEREAS**, the Township of Mahwah establishes salary adjustments for nonunion employees in accordance with the related collective bargaining unit adjustments, and

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Mahwah that the salary ranges for white collar employees (and associated management employees) for the year 2022 be as follows:

<u>TITLES</u>	<u>ANNUAL SALARY</u>	
	<u>MINIMUM</u>	<u>MAXIMUM</u>
<b>DEPARTMENT OF PUBLIC WORKS</b>		
Director of Public Works	\$100,000	\$148,500
Foreman- DPW	\$69,980	\$90,855
Public Works Maintenance Worker	\$42,720	\$72,308
Custodian	\$42,720	\$45,065
Mechanic	\$51,806	\$70,572
Tree Service Maintenance Worker	\$51,806	\$63,535
 <b>WATER AND SEWER UTILITY</b>		
Superintendent- Water/Sewer	\$69,980	\$106,340
Licensed Water Utility Operator	\$5,000	\$18,000
Licensed Sewer Utility Operator	\$5,000	\$18,000
Foreman- Water/Sewer	\$69,980	\$92,859
Senior Mechanic	\$69,980	\$87,299
Mechanic	\$51,806	\$68,227
Utility Person	\$42,720	\$83,989
 <b>DEPARTMENT OF PUBLIC WORKS &amp; WATER/SEWER UTILITY</b>		
Laborer/Summer/Seasonal	\$8.00/hr.	\$20.00/hr.

**TOWNSHIP OF MAHWAH  
ORDINANCE NO. 1966**

**WHEREAS**, the Township of Mahwah established salary ranges for all employee salaries, and

**WHEREAS**, the Township of Mahwah has approved a collective bargaining agreement with the UPSEU White Collar Unit, and

**WHEREAS**, the Township of Mahwah establishes salary adjustments for nonunion employees in accordance with the related collective bargaining unit adjustments, and

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Mahwah that the salary ranges for white collar employees (and associated non-union employees) for the year 2022 be as follows:

**TITLES**

**ANNUAL SALARY**

**MINIMUM**

**MAXIMUM**

**LEGISLATIVE**

Council President	\$11,000	\$11,000
Council Vice President	\$10,000	\$10,000
Council Person	\$10,000	\$10,000

**OFFICE OF TOWNSHIP CLERK**

Township Clerk	\$72,500	\$101,948
Deputy Township Clerk	\$55,000	\$67,789
Senior Clerk	\$42,500	\$42,500

**OFFICE OF THE MAYOR**

Mayor	\$20,000	\$20,000
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**DEPARTMENT OF ADMINISTRATION & FINANCE**

Business Administrator	\$100,000	\$199,999
Administrative Support Specialist	\$47,500	\$47,500
Assistant to the Business Administrator	\$55,000	\$58,970
Executive Secretary to the Mayor	\$62,500	\$83,342
Qualified Purchasing Agent (with Cert)	\$62,500	\$80,694
HR Manager	\$62,500	\$89,357
PT Public Relations	\$10,000	\$20,000



**TITLES****ANNUAL SALARY****MINIMUM****MAXIMUM****BUREAU OF TREASURY**

FT Chief Financial Officer	\$100,000	\$150,000
Deputy Chief Financial Officer (retro - 9/1/21)	\$85,000	\$115,000
Assistant Municipal Treasurer	\$72,500	\$89,358
Assistant to the Chief Financial Officer	\$55,000	\$57,616
Assistant to the Municipal Treasurer	\$55,000	\$60,356
PT Chief Financial Officer	\$52,800	\$52,800

**BUREAU OF COLLECTION**

Tax & Utility Collector (combined)	\$72,500	\$107,468
Deputy Tax Collector (w/Cert.)	\$55,000	\$58,970
Senior Account Clerk	\$42,500	\$42,500

**BUREAU OF ASSESSMENT**

Tax Assessor	\$72,500	\$93,139
Principal Assessor Clerk	\$47,500	\$60,664

**Access Transportation**

Van Driver/Clerk	\$42,500	\$42,500
Senior Van Driver	\$47,500	\$57,201
Van Driver - (Temp) Hourly	\$15.00/hr.	\$19.00/hr.

**SENIOR CITIZENS CENTER**

Director	\$72,500	\$75,948
Senior Clerk		\$57,616

**DEPARTMENT OF PLANNING & ZONING**

Administrative Officer/Zoning Officer	\$72,500	\$81,792
Principal Escrow/Soil Clerk	\$47,500	\$57,201
Senior Clerk	\$42,500	\$43,499
Zoning /Property Maintenance Inspector	\$42,500	\$56,291
Zoning/Property Maintenance Inspector - P/T	\$15.00/hr.	\$25.00/hr.
Construction/ Planning and Zoning Manager	\$60.00/hr	\$70.00/hr.

**DEPARTMENT OF PUBLIC WORKS**

Administrative Clerk	\$55,000	\$55,000
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**DEPARTMENT OF HEALTH**

Health Officer	Contractual	Contractual
Environmental Health Specialist	\$62,500	\$86,722
Administrative Secretary/Registrar of Vital Statistics	\$55,000	\$75,453
Health Inspector - P/T Hourly	\$20.00/hr.	\$45.00/hr.
Senior Clerk	\$42,500	\$50,004

**DEPARTMENT OF POLICE**

Administrative Secretary	\$55,000	\$73,261
Senior Dispatcher (15 + years)	\$78,500	\$78,500
Senior Dispatcher (11 -15 years)	\$64,510	\$64,510
Intermediate Dispatcher 5-10	\$50,590	\$58,646
Junior Dispatcher 1-4	\$42,500	\$49,117
Records Technician	\$47,500	\$57,201
Records Clerk	\$42,500	\$45,568

**DEPARTMENT OF INSPECTIONS**

Construction Code Official	\$72,500	\$134,913
Building Subcode Official - P/T	\$5,000	\$14,911
Building Inspector	\$62,500	\$78,367
Plumbing Subcode Official	\$72,500	\$94,618
FT Electrical Subcode Official	\$72,500	\$94,281
Fire Subcode Official - P/T	\$18,720	\$33,041
Control Person	\$47,500	\$58,545
Senior Clerk	\$42,500	\$42,500
PT Clerk	\$15.00/hr.	\$18.00/hr.

**DEPARTMENT OF EMERGENCY SERVICES**

Director Department of Emergency Services	\$5,500	\$5,500
Coordinator Emergency Management Services	\$10,000	\$10,000
Logistics Coordinator	\$7,500	\$7,500
Deputy Coordinators	\$1,745	\$1,745
CERT Coordinator	\$1,200	\$1,200

**TITLES****ANNUAL SALARY****MINIMUM****MAXIMUM****FIRE DIVISION**

Fire Chief	\$8,000	\$8,000
First Assistant Fire Chief	\$5,000	\$5,000
Second Assistant Fire Chief	\$5,000	\$5,000
Secretary - Fire Department - P/T	\$4,000	\$8,500
Training/Records Secretary - Fire Department - P/T	\$2,000	\$2,500
LOSAP Secretary - Fire Depart/Ambulance - P/T	\$1,500	\$2,000

**BUREAU OF FIRE  
PREVENTION**

Fire Official	\$72,500	\$75,948
Fire Inspector	\$62,500	\$67,011
Fire Inspector - P/T	\$15.00/hr.	\$30.00/hr.

**MUNICIPAL  
COURT**

Municipal Judge	\$30,000	\$52,199
Municipal Judge - Special Sessions	\$400/ses.	\$400/ses.
Municipal Court Administrator	\$72,500	\$92,115
Deputy Court Administrator	\$47,500	\$56,187
Violations Clerk	\$42,500	\$43,763
Senior Clerk	\$42,500	\$45,568

**WATER AND SEWER UTILITY**

Senior Clerk	\$42,500	\$42,500
Senior Account Clerk	\$42,500	\$42,500

**AGENCIES; BOARDS; COMMITTEES**

Recording Sec. Planning Board - P/T	\$4,000	\$4,500
Recording Sec. Zoning Board - P/T	\$4,000	\$4,500
Secretary Environmental Commission - P/T	\$4,000	\$4,000
Secretary Historic Preservation Commission - P/T	\$4,000	\$4,000

**TITLES****ANNUAL SALARY****MINIMUM****MAXIMUM****PART TIME AND HOURLY RATE EMPLOYEES****A. ADMINISTRATIVE AND EXECUTIVE**

Secretarial/Clerical - P/T	\$12.00/hr.	\$18.00/hr.
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**C. MUNICIPAL POOL**

Municipal Pool Manager	\$25,000	\$33,543
Assistant Managers	\$8,000	\$9,500
Head Swim Team Coach	\$950	\$1,500
Assistant Swim Team Coach	\$800	\$1,000
Head Dive Team Coach	\$800	\$800
Gate Attendants /Vendor Operator	\$8.00/hr.	\$12.50/hr.
Gate Attendants/Vendor Operator (Age 18 and Up)	\$11.00/hr.	\$15.00/hr.
Lifeguard	\$8.25/hr.	\$16.00/hr.
Lifeguard (Age 18 and up)	\$11.10/hr.	\$18.50/hr.
Swim Instructors	\$8.50/hr.	\$13.00/hr.
Swim Instructors (Age 18 and up)	\$11.10/hr.	\$15.00/hr.

**B. DEPARTMENT OF POLICE**

School Crossing Guards	\$14.00/hr.	\$25.00/hr.
Dispatchers - per diem	\$12.00/hr.	\$25.00/hr.

**C. RECREATION**

Recreation Director - P/T	\$20,000	\$47,710
Mahwah Day Coordinator	\$1,000	\$3,079
Secretary Recreation Commission - P/T Program	\$4,000	\$4,000
Director	\$6,000	\$6,243
Assistant Program Director	\$13.50/hr.	\$20.00/hr.
Professional Staff	\$13.50/hr.	\$20.00/hr.
Counselor	\$8.00/hr.	\$15.50/hr.
Counselor (Age 18 and up)	\$ 11.10/hr.	\$18.50/hr.

**TITLES****ANNUAL SALARY****MINIMUM****MAXIMUM****D. DEPARTMENT OF INSPECTIONS**

Building Inspector (Temp)	\$20.00/hr.	\$32.50/hr.
Electrical Inspector (Temp)	\$20.00/hr.	\$55.00/hr.
Plumbing Inspector (Temp)	\$20.00/hr.	\$32.50/hr.

**E. MUNICIPAL COURT**

Municipal Court Administrator (Temp)	\$20.00/hr.	\$30.00/hr.
Clerical - P/T Hourly	\$12.00/hr.	\$20.00/hr.

**TOWNSHIP OF MAHWAH  
ORDINANCE NO. 1967**

**ORDINANCE OF THE TOWNSHIP OF MAHWAH, COUNTY OF  
BERGEN, STATE OF NEW JERSEY, AMENDING AND RESTATING IN  
FULL SECTION 2-32, MUSIC, FILM AND ARTS COMMITTEE, OF THE  
TOWNSHIP CODE TO CLARIFY MEMBERSHIP COMPOSITION**

**WHEREAS**, on September 23, 2022 the Township Council of the Township of Mahwah adopted Ordinance No. 1949, amending Chapter 2, Administration, of the Township Code to establish new Section 2-32, Music, Film and Arts Committee; and

**WHEREAS**, on November 4, 2021, the Township Council adopted Ordinance No.1955, to clarify staggered terms on the Committee; and

**WHEREAS**, the Township desires to amend and restate Section 2-32 to clarify membership composition.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Mahwah, County of Bergen, and State of New Jersey, as follows:

**SECTION 1.** Chapter 2, Administration, Section 2-32, of the Township Code is hereby amended and restated to read as follows in its entirety:

**§ 2-32.1. Establishment.**

There is hereby established in the Township of Mahwah a Music, Film and Arts Committee ("Committee").

**§ 2-32.2. Members; composition; compensation.**

- a. The Committee shall consist of seven voting members to be nominated by the Mayor and appointed by the Council. Of those seven members, at least two shall be Township residents and at least two shall be scholars and/or persons with professional film acumen.
- b. In addition to the seven regular members, two alternate members shall be nominated by the Mayor and appointed by the Council.
- c. One Township Council Member shall additionally be appointed by the Council to serve as Council Liaison to the Committee.
- d. All Committee members shall serve without compensation.

**§ 2-32.3. Terms of members; appointment; vacancies.**

- a. All appointments, except for the Council member, shall be for a full term of two years. The Council Liaison shall serve for a one-year term.
- b. The Township Council shall appoint the Council Liaison on January 1 of each year, or as soon thereafter as appointments are made.
- c. The Council shall appoint three members and one alternate on January 1 of each odd-numbered calendar year, or as soon thereafter as appointments are made.
- d. The Council shall appoint four members and one alternate on January 1 of each even-numbered calendar year, or as soon thereafter as appointments are made.
- e. Any vacancies occurring by reason of death or by resignation shall be filled for the unexpired term only.

**§ 2-32.4. Organization.**

The Committee shall organize annually, within 30 days of January 1, by the election of one of its members as President and one of its members as Secretary.

**§ 2-32.5. Duties.**

The Committee shall have the following duties:

- a. Recommend to the Mayor and Council any and all projects that the Committee has determined to be in the best interests of the Township for the promotion of filmmaking, the promotion of film programming in the public schools, the promotion of the history of Township.
- b. Recommend to the Mayor and Council any and all projects that can be accomplished in concert with the Township Historic Preservation Commission.
- c. Recommend to the Mayor and Council the operation of film festivals.
- d. Recommend to the Mayor and Council means by which funds may be raised toward the Committee's major goal of promoting filmmaking and the history of filmmaking in the Township.
- e. Recommend to the Mayor and Council means by which artifacts and the heritage of Township filmmaking may be preserved and promoted.
- f. Make findings upon and recommendations to the Mayor and Council concerning utilizing Township resources to promote filmmaking and the heritage of Township filmmaking.
- g. Undertake any and all actions authorized by the Mayor and Council with respect to the

promotion of filmmaking, operation of film festivals, raising of funds and preservation of the heritage of Township filmmaking.

- h. To meet at least six times each year.
- i. Any and all other and further duties and/or powers that may be delegated by the Mayor and Council.

**SECTION 2.** All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**SECTION 3.** In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

**SECTION 4.** This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.



**TOWNSHIP OF MAHWAH  
ORDINANCE NO. 1960**

**ORDINANCE OF THE TOWNSHIP OF MAHWAH, COUNTY OF  
BERGEN, STATE OF NEW JERSEY, AMENDING SECTION 2-6.20,  
DIVISION OF POOLS, OF THE TOWNSHIP CODE TO REVISE THE  
NAME AND MEMBERSHIP OF THE POOL ADVISORY COMMITTEE**

**WHEREAS**, the Township Administration and Ordinance Committee has recommended modifying the name and membership of the Pool Advisory Board as currently set forth in subsection 2-6.20(f)(1) of the Township code; and

**WHEREAS**, the Township Council desires to amend the Code to implement these changes.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Mahwah, County of Bergen, State of New Jersey, as follows:

**SECTION 1.** Chapter 2, Administration, § 2-6.20, Division of Pools, is hereby amended to read as follows in its entirety:

§ 2-6.20. Division of Pools.

Within the Department of Administration there shall be a Division of Pools.

- a. The Director of the Department of Administration may be the Head of the Division of Pools or the position of Division Head may be filled by an individual other than the Department Head, qualified by reason of demonstrated experience in management of a pool facility.
- b. The Head of the Division shall administer, operate and supervise the activities of the Municipal Pool.
- c. The Head of the Division of Pools, with the advice of the Pool Advisory Committee and consent of Council, shall establish rules, regulations and fees for the Municipal Pool.
- d. The Head of the Division of Pools shall be responsible for the processing of applications and the collection of fees for the use of the Municipal Pool.
- e. The Division of Pools will be comprised of such other employees as deemed necessary by the Mayor and Council with the advice of the Pool Advisory Committee and the Head of the Division of Pools.

- f. The Division of Pools shall include a Pool Advisory Committee whose role and function is to provide guidance to the Head of the Division of Pools.
1. The Pool Advisory Committee shall consist of seven members appointed by the Mayor with the consent of the Council for two-year terms. The initial appointment shall be four members for two years and three members for one-year terms.
  2. The Pool Advisory Committee shall suggest such activities, rules, regulations and operating procedures, as it deems necessary to the proper operation of the Pool, with the interaction of the Head of the Division of Pools.
  3. The Pool Advisory Committee shall report their activities to the Recreation Committee, Mayor, Council and the Head of the Division of Pools. Any resulting rules must be adopted by the Township Council by resolution prior to enforcement.

**SECTION 2.** If any section, paragraph, subsection, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

**SECTION 3.** All ordinances or parts of ordinances of the Township heretofore adopted that are inconsistent with any terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 4.** This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Introduced:

Adopted:

Effective Date:

TOWNSHIP OF MAHWAH

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David May, Council President

ATTEST:

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

**TOWNSHIP OF MAHWAH  
ORDINANCE NO. 1962**

**AN ORDINANCE OF THE TOWNSHIP OF MAHWAH, COUNTY OF  
BERGEN, STATE OF NEW JERSEY, AMENDING SECTION 2-22,  
BEAUTIFICATION COMMISSION, OF THE TOWNSHIP CODE TO  
INCREASE MEMBERSHIP**

**WHEREAS**, Section 2-22 of the Township of Mahwah Code establishes a Beautification Commission to provide advice and counsel to the Mayor and Township Council regarding the preservation and improvement of the aesthetics and visual appearances of all properties within the Township of Mahwah and to promote projects which will make the Township a more aesthetically beautiful place to live and work; and

**WHEREAS**, the Council has determined that it is in the best interest of the Township to increase the number of members serving on the Commission from seven to nine, to allow more residents of the Township to participate on the Commission and better achieve its goals;

**WHEREAS**, the Council desires to amend the Code to make this change.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Mahwah, County of Bergen, and State of New Jersey, as follows:

**SECTION 1.** Chapter 2, Administration, § 2-22 Beautification Commission, of the Township Code is hereby amended to read as follows in its entirety:

**§ 2-22. BEAUTIFICATION COMMITTEE.**

**§ 2-22.1. Committee Established.**

There is hereby established within the Township of Mahwah an advisory Beautification Committee. The purpose of the Committee is to provide advice and counsel to the Mayor and Township Council regarding the preservation and improvement of the aesthetics and visual appearances of all properties within the Township of Mahwah and to promote projects which will make the Township a more aesthetically beautiful place to live and work.

**§ 2-22.2. Membership.**

- a. The Beautification Committee shall have nine members who shall be appointed by the Mayor with the advice and consent of the Township Council to three-year terms with a commencement date of January 1.
- b. The Council shall fill the vacancies of four members and one alternate on January 1 of each odd-numbered calendar year, or as soon thereafter as appointments are made.
- c. The Council shall fill the vacancies of three members and one alternate, on January 1

of each even-numbered calendar year thereafter as appointments are made.

- d. Any vacancies occurring shall be filled for the unexpired term only.
- e. The membership of the Committee shall select a Chairperson to serve a one-year term by a vote of a majority of its authorized membership.
- f. The Committee shall have the right to appoint up to five volunteer, nonvoting members.

**§ 2-22.3. Functions and Duties.**

- a. The Beautification Committee shall meet at least quarterly with a quorum of the fully authorized voting members.
- b. The Beautification Committee shall meet with residents, property owners and business representatives of the Township to develop plans and projects for the aesthetic improvement of the Township.
- c. The Beautification Committee shall coordinate with the Township Administration and the Department of Public Works in the performance of its recommended projects.
- d. The Beautification Committee shall assist the Township with the implementation of small scale projects including, but not limited to, plantings, painting and minor repairs.
- e. The Beautification Committee shall file an annual written report to the Mayor and Council at the end of each year.

**§ 2-22.4. Funding.**

- a. There shall be an annual amount budgeted for beautification purposes within the Department of Public Works for the purpose of implementing the recommendations of the Beautification Committee.
- b. The Township may establish a dedicated fund for receipt of monetary donations solicited by the Beautification Committee specifically for beautification purposes. The Beautification Committee may also solicit and receive donated material and in-kind services. All donations shall be approved by the Township Council.

**SECTION 2.** All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**SECTION 3.** In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

**SECTION 4.** This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
P.O. BOX 733  
MAHWAH NJ 07430

Resolution # 079-22

Date: February 10, 2022

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

**WHEREAS**, there exists a need for Professional Engineering Services for the Township of Mahwah in connection with the improvements to Well 19; and

**WHEREAS**, by Resolution #012-22, dated January 6, 2022 the Township Council entered into a Professional Service Contract with Boswell Engineering, Inc., as Township Utility Engineer for the year 2022; and

**WHEREAS**, Boswell Engineering has submitted a written Proposal, dated February 4, 2022, to perform said Professional Engineering Services, as outlined in the proposal at a cost not to exceed \$119,000; and

**WHEREAS**, the CMFO has provided a Certification as to Availability of Funds in Account 06-215-55-980-101-949 in the amount of \$119,000;

**NOW, THEREFORE, BE IT RESOLVED** that a contract be and is hereby awarded to Boswell Engineering, in accordance with their proposal dated February 4, 2022 to perform the Engineering Services in connection with the project at a cost not to exceed the sum of \$119,000; and

**BE IT FURTHER RESOLVED**, that the contract amount shall not exceed \$119,000 without the further authorization of the Governing Body and the CMFO has certified that the funds are available; and

**BE IT FURTHER RESOLVED**, that the Mayor and Township Clerk be and are hereby authorized to execute the aforesaid Contract in form to be approved by the Township Attorney.

**BE IT FURTHER RESOLVED**, that the Township Clerk shall keep a copy of this Resolution and Contract on file and available for inspection in the office of the Township Clerk and shall forward a copy of this Resolution to the Mayor, Business Administrator, QPA, CMFO, Administrative Support Specialist, and Boswell Engineering, Inc., 330 Phillips Avenue, South Hackensack, New Jersey 07606-1722.

I hereby certify that this resolution consisting of one page(s), was adopted at a meeting of the Township Council of the Township of Mahwah, on the 10<sup>th</sup> Day of February, 2022.

Kathrine Coviello, RMC/CMC/MMC  
Municipal Clerk

David May  
Council President

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
**P.O. Box 733**  
**MAHWAH, NJ 07430**

**Resolution # 080-22**

**Date: February 10, 2022**

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

**WHEREAS**, in response to the New Jersey Supreme Court's decision In re Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015), on or about July 6, 2015, the Township filed an action with the Superior Court of New Jersey ("Court"), entitled **In the Matter of the Application of the Township of Mahwah, County of Bergen**, seeking a Judgment of Compliance and Repose approving its Affordable Housing Plan (as defined herein), in addition to related reliefs (the "Compliance Action"); and

**WHEREAS**, consistent with its proactive approach to achieve its constitutional obligation to provide affordable housing, the Township adopted several compliance mechanisms, which include an Extension of Controls Program; and

**WHEREAS**, Sharif Hoq and Shaheen Hog are the owners of a deed restricted affordable unit located at 2271 Nash Court; and

**WHEREAS**, the Owner has agreed to voluntarily extend control and the Township has agreed to make an incentive payment of \$20,000.00 in exchange for said extension; and

**WHEREAS**, the CMFO has provided a Certification as to Availability of Funds in Account 24-286-60-000-000-001 (\$20,000.00).

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Mahwah that the Mayor is hereby authorized to sign the attached Memorandum of Understanding for Settlement with Sharif Hoq and Shaheen Hoq for the unit located at 2271 Nash Court, Mahwah, New Jersey; and

**BE IT FURTHER RESOLVED**, that the Township Clerk shall keep a copy of this Resolution and MOU on file and available for inspection in the office of the Township Clerk and shall forward a copy of this Resolution to the Mayor, Business Administrator, QPA, CMFO, Assistant to Business Administrator and Sharif Hoq and Shaheen Hoq, 2271 Nash Court, Mahwah, New Jersey.

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 10<sup>th</sup> day of February, 2022.

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

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David May  
Council President

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
**P.O. Box 733**  
**MAHWAH, NJ 07430**

**Resolution #081-22**

**Date: February 10, 2022**

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

**WHEREAS**, in response to the New Jersey Supreme Court's decision In re Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015), on or about July 6, 2015, the Township filed an action with the Superior Court of New Jersey ("Court"), entitled **In the Matter of the Application of the Township of Mahwah, County of Bergen**, seeking a Judgment of Compliance and Repose approving its Affordable Housing Plan (as defined herein), in addition to related reliefs (the "Compliance Action"); and

**WHEREAS**, consistent with its proactive approach to achieve its constitutional obligation to provide affordable housing, the Township adopted several compliance mechanisms, which include an Extension of Controls Program; and

**WHEREAS**, Janice Mitchell is the owner of a deed restricted affordable unit located at 2260 Margaret Court; and

**WHEREAS**, the Owner has agreed to voluntarily extend control and the Township has agreed to make an incentive payment of \$20,000.00 in exchange for said extension; and

**WHEREAS**, the CMFO has provided a Certification as to Availability of Funds in Account 24-286-60-000-000-001 (\$20,000.00).

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Mahwah that the Mayor is hereby authorized to sign the attached Memorandum of Understanding for Settlement with Janice Mitchell for the unit located at 2260 Margaret Court, Mahwah, New Jersey; and



**BE IT FURTHER RESOLVED**, that the Township Clerk shall keep a copy of this Resolution and MOU on file and available for inspection in the office of the Township Clerk and shall forward a copy of this Resolution to the Mayor, Business Administrator, QPA, CMFO, Assistant to Business Administrator and Janice Mitchell, 2260 Margaret Court, Mahwah, New Jersey.

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 10<sup>th</sup> day of February, 2022.

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

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David May  
Council President

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
**P.O. Box 733**  
**MAHWAH, NJ 07430**

**Resolution # 082-22**

**Date: February 10, 2022**

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

**WHEREAS**, in response to the New Jersey Supreme Court's decision In re Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015), on or about July 6, 2015, the Township filed an action with the Superior Court of New Jersey ("Court"), entitled **In the Matter of the Application of the Township of Mahwah, County of Bergen**, seeking a Judgment of Compliance and Repose approving its Affordable Housing Plan (as defined herein), in addition to related reliefs (the "Compliance Action"); and

**WHEREAS**, consistent with its proactive approach to achieve its constitutional obligation to provide affordable housing, the Township adopted several compliance mechanisms, which include an Extension of Controls Program; and

**WHEREAS**, Jennifer Connington is the owner of a deed restricted affordable unit located at 2340 Oliver Court; and

**WHEREAS**, the Owner has agreed to voluntarily extend control and the Township has agreed to make an incentive payment of \$20,000.00 in exchange for said extension; and

**WHEREAS**, the CMFO has provided a Certification as to Availability of Funds in Account 24-286-60-000-000-001 (\$20,000.00).

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Mahwah that the Mayor is hereby authorized to sign the attached Memorandum of Understanding for Settlement with Jennifer Connington for the unit located at 2340 Oliver Court, Mahwah, New Jersey; and

**BE IT FURTHER RESOLVED**, that the Township Clerk shall keep a copy of this Resolution and MOU on file and available for inspection in the office of the Township Clerk and shall forward a copy of this Resolution to the Mayor, Business Administrator, QPA, CMFO, Assistant to Business Administrator and Jennifer Connington, 2340 Oliver Court, Mahwah, New Jersey.

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 10<sup>th</sup> day of February, 2022.

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

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David May  
Council President

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
P.O. BOX 733  
MAHWAH NJ 07430

Resolution # 083-22

Date: February 10, 2022

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

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**Resolution Regarding End Date of Affordable Housing (COAH) Deed Restrictions on  
Franklin Heights Condominium Units**

**WHEREAS**, the Master Deed of Franklin Heights Condominium, as amended by the First Amendment to the Master Deed of Franklin Heights Condominium, dated April 21, 1998, designated 75 of the 420 residential units contained therein as Affordable Condominium Units (hereinafter "Affordable Units"); and

**WHEREAS** owners of all of the Affordable Units are subject to the requirements of the Affordable Housing Plan of Franklin Heights Condominium (hereinafter "AHP") and the Master Deed of Franklin Heights Condominium (hereinafter "Master Deed") as well as the language contained in each Affordable Unit owner's Deed of conveyance; and

**WHEREAS** even though the Master Deed and the AHP contain the identical formula for fixing the last date of the deed restriction period, the Master Deed also provides that if there is any conflict between the Master Deed and the AHP, the AHP controls; and

**WHEREAS**, the formula to fix the last date of the deed restriction set forth in the AHP and Master Deed provided that the last date of the deed restriction would be the earlier of three dates: (1) 25 years from the date of the AHP or 25 years from the date of conveyance by the developer of the last affordable unit pursuant to the AHP, whichever is later; (2) the date of foreclosure on the affordable unit of the first mortgage lien ; and (3) the Franklin Heights Condominium Association, Inc. ceases to exist or dissolves for any reason, for any period of time.

**WHEREAS** the Homeowners Association continues to exist and none of the affordable units identified in this Resolution have been in foreclosure, thereby making the last date of the deed restriction run "from the date of the AHP or 25 years from the date of conveyance by the developer of the affordable unit to the AHP, whichever is later"; and

**WHEREAS** the Township and its professionals determined that the last affordable unit in Franklin Heights conveyed from the developer, K. Hovnanian at Mahwah V, Inc., to an individual low- or moderate-income household is located at 2359 Pembroke Court, and that this unit was conveyed later than the date of the AHP; and

**WHEREAS**, therefore, the last date of the deed restriction is April 30, 2023 (25 years from the sale of the conveyance of the last affordable unit in Franklin Heights condominiums); and

**WHEREAS**, the Township brought a declaratory relief action on April 19, 2021 seeking a declaration as to the last date of the deed restriction; and

**WHEREAS** the households identified in Table A below (hereinafter “the Table A Households”) have signed acknowledgments indicating that they do not intend to oppose the declaratory relief sought by the Township; and

**Table A**

Unit Address	Current Block #	Current Lot #
2006 Beatrice Court	70	2006
2012 Beatrice Court	70	2012
2056 Charles Court	70	2056
2081 Drake Court	70	2081
2097 Francis Court	70	2097
2129 Isabelle Court	70	2129
2150 Jordan Court	70	2150
2151 Jordan Court	70	2151
2165 Jordan Court	70	2165
2191 Kent Court	70	2191
2213 Lancaster Court	70	2213
2226 Lancaster Court	70	2226
2243 Margaret Court	70	2243
2256 Margaret Court	70	2256
2287 Nash Court	70	2287
2313 Oakham Court	70	2313
2329 Oliver Court	70	2329
2338 Oliver Court	70	2338
2361 Pembroke Court	70	2361
2369 Phillip Court	70	2369

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mahwah, in the County of Bergen, and State of New Jersey, as follows:

1. The affordable housing deed restriction on the Affordable Condominium Units identified in Table A above shall end on **April 30, 2023**.
2. These units shall continue to be Affordable Units until **April 30, 2023**. The owners of these Affordable Units are required to comply with all applicable State laws, regulations and municipal ordinances regarding affordable units and shall continue to be monitored by the Township’s Administrative Agent until such date.
3. The Mayor or his designee is authorized to execute a Declaration of Covenants and Restrictions, as well as any other documents necessary to record this resolution of the end

date of the affordable housing deed restrictions on these units with the Bergen County Clerk's Office.

4. The Township shall direct the Bergen County Clerk's office to record a Declaration of Covenants and Restrictions and such additional documents as the Mayor or his designee may authorize pursuant to paragraph 3 to effectuate the intent of this Resolution and the Acknowledgments previously executed by the Affordable Unit owners and make it clear in the chain of title when the restrictions shall expire.
5. Any pending declaratory judgment litigation against the owners of the Affordable Units identified above requesting a determination of the end date of the deed restriction on these units is deemed resolved.

I hereby certify that this Resolution consisting of three pages was adopted at a meeting of the Township Council of the Township of Mahwah on the 10th day of February, 2022.

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

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David May  
Council President

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
**P.O. Box 733**  
**MAHWAH, NJ 07430**

**Resolution # 084-22**

**Date: February 10, 2022**

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

See attached Temporary Appropriations, consisting of five (5) page(s).

I hereby certify that this resolution consisting one page(s), was adopted at a meeting of the Township Council of the Township of Mahwah on the 10<sup>th</sup> day of February 2022.

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

\_\_\_\_\_  
David May  
Council President

## TEMPORARY APPROPRIATIONS

**BE IT RESOLVED**, that the Temporary Appropriation Resolution #065-22 introduced at the meeting of the Mayor and Council of the Township of Mahwah, January 20, 2022, be amended as follows:

**WHEREAS**, 40A:4-19 provides that where any contract, commitment or payment are to be made prior to the final adoption of the 2021 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

**WHEREAS**, the effective date of this resolution is January 1, 2022; and

**WHEREAS**, the total appropriations in the 2021 budget, exclusive of any appropriations for debt service, capital improvement fund and public assistance are as follows:

Current	\$38,533,500.44
Water Utility	5,624,300.00
Sewer Utility	6,631,585.00

**WHEREAS**, 26.25 percent of the total appropriations in the 2021 budget, exclusive of any appropriations for debt service, capital improvement fund and public assistance in said 2021 budget is as follows:

Current	\$10,115,043.87
Water Utility	1,476,378.75
Sewer Utility	1,740,791.06

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Mahwah that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for their records:

### CURRENT FUND:

#### GENERAL APPROPRIATIONS Operations - within "CAPS"

Township Council:	
Salaries and Wages	\$15,000.00
Other Expenses	2,500.00
Township Clerk:	
Salaries and Wages	65,000.00
Other Expenses	7,000.00
Election:	
Salaries and Wages	1,500.00
Other Expenses	1,000.00
Animal Control:	
Other Expenses	12,000.00
Office of the Mayor:	
Salaries and Wages	4,500.00
Other Expenses	1,500.00
Business Administrator:	
Salaries and Wages	120,000.00
Other Expenses	35,000.00



Comprehensive Business Liability Insurance:	
Other Expenses	300,000.00
Employee Medical Insurance:	
Other Expenses	1,500,000.00
Health Benefit Waiver	25,000.00
Workers Compensation Insurance:	
Other Expenses	250,000.00
Employee Optical Plan:	
Other Expenses	15,000.00
Employee Physical:	
Other Expenses	5,000.00
Employee Life Insurance:	
Other Expenses	\$20,000.00
Insurance Miscellaneous:	
Other Expenses	30,000.00
Health and Safety Programs:	
Other Expenses	4,000.00
Division of Law:	
Other Expenses	150,000.00
Division of Engineering:	
Other Expenses	35,000.00
Division of Planning and Zoning:	
Salaries and Wages	81,000.00
Other Expenses	40,000.00
Bureau of Treasury:	
Salaries and Wages	71,000.00
Other Expenses	5,000.00
Bureau of Collection:	
Salaries and Wages	57,000.00
Other Expenses	8,500.00
Bureau of Assessment:	
Salaries and Wages	43,000.00
Other Expenses	25,000.00
Auditor:	
Other Expenses	22,000.00
DPW Administration:	
Salaries and Wages	30,000.00
Other Expenses	8,000.00
DPW Streets and Roads:	
Salaries and Wages	140,000.00
Other Expenses	40,000.00
DPW Buildings and Grounds:	
Salaries and Wages	120,000.00
Other Expenses	85,000.00
DPW Emergency Services:	
Other Expenses	30,000.00
DPW Parks and Playgrounds:	
Salaries and Wages	55,000.00
Other Expenses	30,000.00
DPW Recycling:	
Salaries and Wages	130,000.00
Other Expenses	15,000.00
DPW Motor Pool:	
Salaries and Wages	17,500.00
Other Expenses	110,000.00
DPW Snow Removal:	

Salaries and Wages	150,000.00
Other Expenses	200,000.00
DPW Overtime:	
Salaries and Wages	50,000.00
Collection Service:	
Other Expense	300,000.00
Disposal Fees:	
Other Expenses	250,000.00
Disposal/Recyclables:	
Other Expenses	15,000.00
Municipal Services Act	200,000.00
Board of Health:	
Salaries and Wages	100,000.00
Other Expenses	15,000.00
Health Officer Services:	
Other Expenses	15,000.00
Visiting Nurse Service:	
Other Expenses	\$10,000.00
Police Administration:	
Salaries and Wages	205,000.00
Other Expenses	120,000.00
Police Records:	
Salaries and Wages	27,500.00
Police Patrol:	
Salaries and Wages	1,800,000.00
Police Dispatchers:	
Salaries and Wages	100,000.00
Police Detectives:	
Salaries and Wages	250,000.00
Police Crossing Guards:	
Salaries and Wages	25,000.00
Purchase of Police Vehicles	100,000.00
Bureau of Emergency Management:	
Salaries and Wages	8,000.00
Other Expenses	34,000.00
Fire Department:	
Salaries and Wages	7,500.00
Other Expenses	80,000.00
Bureau of Fire Prevention:	
Salaries and Wages	42,500.00
Other Expenses	2,500.00
Aid to Volunteer Fire Companies:	
Other Expenses	2,500.00
Senior Citizens Activities:	
Salaries and Wages	30,000.00
Other Expenses	20,000.00
Access Transportation:	
Salaries and Wages	30,000.00
Other Expenses	100.00
Environmental Commission:	
Salaries and Wages	1,200.00
Other Expenses	8,000.00
Historic Preservation Commission:	
Salaries and Wages	1,200.00
Other Expenses	2,000.00
Access for All Commission:	

Other Expenses	1,500.00
Recreation:	
Salaries and Wages	18,000.00
Other Expenses	45,000.00
Municipal Pool:	
Salaries and Wages	17,000.00
Other Expenses	34,000.00
Municipal Prosecutor:	
Other Expenses	15,000.00
Municipal Court:	
Salaries and Wages	75,000.00
Other Expenses	15,000.00
Public Defender:	
Other Expenses	10,000.00
Computer Equipment/Consultant	45,000.00
Community Cable Television:	
Other Expenses	1,000.00
Uniform Construction Code Official:	
Salaries and Wages	\$90,000.00
Other Expenses	5,000.00
Building Sub-Code Official:	
Salaries and Wages	28,000.00
Plumbing Sub-Code Official:	
Salaries and Wages	28,000.00
Electrical Sub-Code Official:	
Salaries and Wages	30,000.00
Fire Sub-Code:	
Salaries and Wages	15,000.00
Gasoline	45,000.00
Fuel Oil - Diesel	40,000.00
Electricity	90,000.00
Street Lighting	70,000.00
Telephone	48,000.00
Telecommunication	5,000.00
Natural Gas	45,000.00
Heating Oil	15,000.00
Photo Copying	25,000.00
Printing and Binding	15,000.00
Postage	70,000.00
Office Supplies	<u>10,000.00</u>
	<u>\$9,112,500.00</u>
Deferred Charges and Statutory	
Expenditures - Municipal within "CAPS"	
Statutory Expenditures	
Social Security System	\$160,000.00
Defined Contribution Retirement Program(DCRP)	<u>4,000.00</u>
	<u>\$164,000.00</u>
Operations - Excluded from "CAPS"	
Maintenance - Free Public Library:	
Other Expenses	\$650,000.00

Recycling Tax	<u>12,000.00</u>
	<u>\$662,000.00</u>
	<u>\$9,479,150.00</u>
Capital Improvement - Excluded from "CAPS"	
Capital Improvement Fund	<u>\$200,000.00</u>
Municipal Debt Service - Excluded from "CAPS"	
BCIA Interest on Lease Bonds	\$458,725.00
Principal on Bonds	\$1,900,000.00
Interest on Bonds	<u>400,563.00</u>
	<u>\$12,697,788.00</u>
	=====
<b>WATER UTILITY FUND:</b>	
Operating:	
Salaries and Wages	\$320,000.00
Other Expenses	890,000.00
Insurance	<u>240,000.00</u>
	<u>1,450,000.00</u>
Debt Service:	
Principal on Bonds	\$240,000.00
Interest on Bonds	54,000.00
Statutory Expenditures:	
Social Security	<u>25,000.00</u>
	<u>\$1,769,000.00</u>
	=====
<b>SEWER UTILITY FUND:</b>	
Operating:	
Salaries and Wages	\$200,000.00
Other Expenses	125,000.00
Insurance	125,000.00
Northwest Bergen County Utilities Authority	<u>1,310,000.00</u>
	<u>1,760,000.00</u>
Debt Service:	
Principal on Bonds	\$120,000.00
Interest on Bonds	22,000.00
Statutory Expenditures:	
Social Security	<u>17,500.00</u>
	<u>\$1,919,500.00</u>

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
P.O. BOX 733  
MAHWAH NJ 07430

Resolution # 085-22

Date: February 10, 2022

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

---

**RESOLUTION AUTHORIZING THE TOWNSHIP OF MAHWAH TO ACCEPT A  
SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2021 OF EMERGENCY  
MANAGEMENT PERFORMANCE GRANT AND EMERGENCY MANAGEMENT  
AGENCY ASSISTANCE**

**WHEREAS**, the Township of Mahwah Office of Emergency Management has been awarded State Homeland Security Grant Program Sub-grant AFN #97.042, Subgrant Award #FY21-EMPG-EMAA-02330 from the New Jersey Department of Law and Public Safety, Office of the Attorney General. The subgrant, consisting of \$10,000.00 Federal Award is for the purpose of enhancing the City's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

**WHEREAS**, the Township of Mahwah will use these funds to enhance your Emergency Management Program and that the funds will be used for Emergency Management purposes; and

**WHEREAS**, the award period is from July 1, 2021 to June 30, 2022; and

**WHEREAS**, the subgrant award incorporates all conditions and representations contained or made in application and notice of award; and

**WHEREAS**, the Township of Mahwah Office Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Office of Emergency Management.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Mahwah, in the County of Bergen, State of New Jersey:

1. That the Council accepts the award of the FFY21 Emergency Management Performance Grant Program (EMPG), Emergency Management Agency Assistance Subgrant (EMAA) in the amount of up to \$10,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management.
2. That the Chief Financial Officer and Director of Emergency Management are authorized to sign the appropriate subgrant award documents.
3. That copies of this resolutions shall be forwarded to the New Jersey State Police, Office of Emergency Management, the City Business Administrator, the Chief Financial Officer and the County Division of Emergency Management and Office of Treasury.

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 this 10th day of February, 2022.

---

Kathrine G. Coviello  
Municipal Clerk

---

David May  
Council President

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
P.O. BOX 733  
MAHWAH NJ 07430

Resolution # 086-22

Date: February 10, 2022

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

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**WHEREAS**, by Resolution #018-22, dated January 6, 2022 the Township Council entered into a Professional Service Contract with Robert McNerney of McNerney & Associates, Inc., as Real Estate Tax Appeal Appraiser for the year 2022; and

**WHEREAS**, the Township is in need of an exposure analysis to ensure it is prepared budgetarily from pending tax appeals; and

**WHEREAS**, Mr. McNerney has submitted a proposal dated January 24, 2022 in the amount of \$9,500 (Nine Thousand, Five Hundred Dollars) for the appraisal, for such purpose; and

**WHEREAS**, the Chief Financial Officer ("CMFO") has provided a Certification as to Availability of Funds in Accounts #01-201-20-150100-203 (Professional Services) (\$9,500.00);

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Mahwah that the Township does hereby retain the services of McNerney and Associates, Inc. in order to prepare a Tax Court appraisal with respect to the property located an exposure analysis

**BE IT FURTHER RESOLVED**, that the QPA be and is hereby authorized and directed to execute a Purchase Order in the not-to-exceed amount of \$9,500.00 and which is to include all expenses; and

**BE IT FURTHER RESOLVED**, that the Purchase Order amount shall not exceed \$9,500.00 without the further authorization of the Governing Body and the CMFO has certified that funds are available; and

**BE IT FURTHER RESOLVED**, that a notice of this action be printed in the official newspaper of the Township of Mahwah; and

**BE IT FURTHER RESOLVED**, that the Township Clerk shall keep a copy of this Resolution and aforesaid Purchase Order on file and available for inspection in the office of the Township Clerk and shall forward a copy of this Resolution to the Mayor, Business Administrator, Tax Assessor, QPA, CMFO, and Robert McNerney of McNerney & Associates, Inc., located at, 175 Rock Road, PO Box 67, Glen Rock, NJ 07452-0067.

I hereby certify that this resolution consisting of three pages was adopted at a meeting of the Township Council of the Township of Mahwah, 10<sup>th</sup> day of February, 2022.

---

Kathrine G. Coviello  
Municipal Clerk

---

David May  
Council President



## RESOLUTION

TOWNSHIP OF MAHWAH  
P.O. Box 733  
MAHWAH, NJ 07430

Resolution # 087-22

Date: February 10, 2022

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

**WHEREAS**, P.L. 2011, c.139 permits local government units to utilize national cooperative contracts as a method of procurement for goods and services pursuant to N.J.S.A. 52:34-6.2.(b)(3); and

**WHEREAS**, Township of Mahwah Resolution #038-22 authorizes the Township of Mahwah to utilize the Houston Galveston Area Council's Cooperative Purchasing Program (HGAC) as a duly qualified national cooperative purchasing entity; and

**WHEREAS**, the Township of Mahwah Fire Department has been authorized to purchase one (1) Ferrara Inferno Custom Tanker Model FS19LE05 Fire Apparatus with Options; and

**WHEREAS**, the Township solicited and received a quote dated November 10, 2021 for one (1) Ferrara Inferno Custom Tanker Model FS19LE05 Fire Apparatus with Options utilizing National Houston Galveston Area Council's Cooperative Purchasing Program (HGAC) National Purchasing Contract in the amount of \$925,000.00; and

**WHEREAS**, the Chief Financial Officer has provided a Certification As To Availability of Funds;

**WHEREAS**, the Township has requested and received from FF1 Apparatus, LLC., required documents, including a Business Entity Disclosure Certificate, pursuant to N.J.S.A. P.L. 2011, c.139, to be in compliance with N.J.S.A. 40A:11-1 et seq.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Council of the Township of Mahwah, County of Bergen, State of New Jersey awards a contract with FF1 Apparatus, LLC, as an authorized vendor of HGAC National Purchasing Contract #FS12-19 for the purchase of for one (1) Ferrara Inferno Custom Tanker Model FS19LE05 Fire Apparatus with Options in the amount not to exceed \$925,000.00 in accordance with the quoted HGAC Contract Pricing Worksheet dated November 10, 2021.

**BE IT FURTHER RESOLVED**, that the contract amount shall not exceed the amount of agreement to be entered into between the parties without further authorization of the Governing Body; and the Chief Financial Officer has certified that the funds are available in Capital account number 04-215-55-967-101942.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk shall forward a copy of this Resolution to the Business Administrator, CFO, QPA, Fire Chief, HGAC and FF1 Apparatus, LLC., 34 Wilson Drive, Sparta, NJ 07871.

I hereby certify that this Resolution consisting two page(s), was adopted at a meeting of the Township Council of the Township of Mahwah on the 10<sup>th</sup> day of February, 2022.

---

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

---

David May  
Council President

TOWNSHIP OF MAHWAH

REQUEST FOR CERTIFICATE OF FUNDS

DATE: 2/2/22

TO: JOSEPH KOVALCIK

FROM: JOANNE BECKER

RE: CERTIFICATION OF FUNDS FOR AWARD OF PURCHASE OF (1) FERRARA INFERNO  
CUSTOM TANKER FIRE APPARATUS WITH OPTIONS, THROUGH HOUSTON  
GALVASTON AREA COUNCIL'S (HGAC) COOPERATIVE PURCHASING PROGRAM  
NATIONAL PURCHASING CONTRACT #FS12-19.

Please certify that the following accounts have sufficient funds to award the purchase via HGAC Cooperative Purchasing Program National Purchasing Contract #FS12-19 to FF1 APPARATUS, LLC, in the approved amount of \$925,000.00.

Accounts: 04-215-55-967-101942

Amount: \$925,000.00

U/B \$ 948,000.00

This contract does exceed \$17,500.00. National Purchasing Contract is Fair and Open by Council Resolution.

  
DEPARTMENT HEAD

DO NOT WRITE BELOW THIS LINE

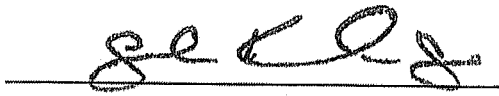
TOWNSHIP COUNCIL

Pursuant to N.J.A.C. 5:30 – 1.10, I hereby certify that as of 2/3/22,

the free and unencumbered balance in the appropriation account (s) entitled

Replacement of Engine 425 is \$ 948,000 and that there are

adequate funds available for the proposed contract noted above.

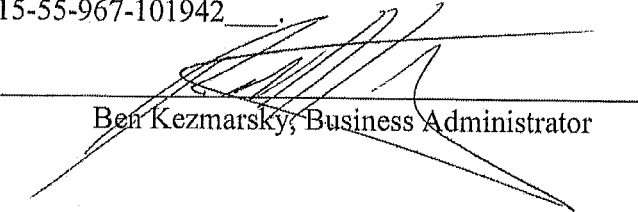
  
Joseph Kovalcik, C.F.O.

Resolution No.: \_\_\_\_\_

Ordinance No.: \_\_\_\_\_

This is to certify that the required funds needed in connection with the attached been or will be available in the 2021 Capital Budget under Account #: 04-215-55-967-101942

Dated: \_\_\_\_\_

  
Ben Kezmarsky, Business Administrator

**BUSINESS ENTITY DISCLOSURE CERTIFICATION**  
**FOR NON-FAIR AND OPEN CONTRACTS**  
Required Pursuant To N.J.S.A. 19:44A-20.8  
**TOWNSHIP OF MAHWAH**

**Part I – Vendor Affirmation**

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that

FF1 Apparatus LLC located at 34 Wilson Drive Sparta NJ 07871, has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding January 1, 2022 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Mahwah as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Mayor James Wysocki	Robert M. Ferguson, III
Janet Ariemma	David May
Kimberly Bolan	Michelle Crowe Paz
George Ervin	Jonathan Wong

**Part II – Ownership Disclosure Certification**

☒ I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- ☐ Partnership    ☐ Corporation    ☐ Sole Proprietorship    ☐ Subchapter S Corporation  
☐ Limited Partnership    ☒ Limited Liability Corporation    ☐ Limited Liability Partnership

Name of Stock or Shareholder	Home Address
Jonathon Van Norman (100%)	4808 SW Lake Grove Circle Palm City FL 34990

**Part 3 – Signature and Attestation:**

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: FF1 Apparatus LLC

Signed: [Signature] Title: President

Print Name: Jonathon Van Norman Date: 1/10/2022

Subscribed and sworn before me this 10 day of  
January, 2022

My Commission expires:  
TARA L KINSEY  
Notary Public - State of New Jersey  
My Commission Expires Feb 13, 2024

[Signature]  
(Affiant)

Tara Kinsey Office Manager

(Print name & title of affiant) (Corporate Seal)

**TOWNSHIP OF MAHWAH**

**REQUEST FOR CERTIFICATE OF FUNDS**

DATE: 2/2/22

TO: JOSEPH KOVALCIK

FROM: JOANNE BECKER

RE: CERTIFICATION OF FUNDS FOR AWARD OF PURCHASE OF (1) FERRARA INFERNO  
CUSTOM TANKER FIRE APPARATUS WITH OPTIONS, THROUGH HOUSTON  
GALVASTON AREA COUNCIL'S (HGAC) COOPERATIVE PURCHASING PROGRAM  
NATIONAL PURCHASING CONTRACT #FS12-19.

Please certify that the following accounts have sufficient funds to award the purchase via HGAC Cooperative Purchasing Program National Purchasing Contract #FS12-19 to FF1 APPARATUS, LLC, in the approved amount of \$925,000.00.

Accounts: 04-215-55-967-101942

Amount: \$925,000.00

U/B \$ 948,000.00

This contract does exceed \$17,500.00. National Purchasing Contract is Fair and Open by Council Resolution.

  
DEPARTMENT HEAD

**DO NOT WRITE BELOW THIS LINE**

**TOWNSHIP COUNCIL**

Pursuant to N.J.A.C. 5:30 – 1.10, I hereby certify that as of 2/3/22,

the free and unencumbered balance in the appropriation account (s) entitled

Replacement of Engine 425 is \$ 948,000 and that there are

adequate funds available for the proposed contract noted above.

  
Joseph Kovalcik, C.F.O.

Resolution No.: 087-22

Ordinance No.: \_\_\_\_\_

This is to certify that the required funds needed in connection with the attached been or will be available in the 2021 Capital Budget under Account #: 04-215-55-967-101942 \_\_\_\_\_.

Dated: \_\_\_\_\_

  
Ben Kezmarsky, Business Administrator

REC'D MUNICIPAL CLERK  
FEB 7 11:22 AM '22

**BUSINESS ENTITY DISCLOSURE CERTIFICATION**  
FOR NON-FAIR AND OPEN CONTRACTS  
Required Pursuant To N.J.S.A. 19:44A-20.8  
**TOWNSHIP OF MAHWAH**

**Part I – Vendor Affirmation**

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that

FF1 Apparatus LLC located at 34 Wilson Drive Sparta NJ 07871, has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding January 1, 2022 to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the Township of Mahwah as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Mayor James Wysocki	Robert M. Ferguson, III
Janet Ariemma	David May
Kimberly Bolan	Michelle Crowe Paz
George Ervin	Jonathan Wong

**Part II – Ownership Disclosure Certification**

☒ I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

☐ Partnership      ☐ Corporation      ☐ Sole Proprietorship      ☐ Subchapter S Corporation  
☐ Limited Partnership      ☒ Limited Liability Corporation      ☐ Limited Liability Partnership

Name of Stock or Shareholder	Home Address
Jonathon Van Norman (100%)	4808 SW Lake Grove Circle Palm City FL 34990

**Part 3 – Signature and Attestation:**

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: FF1 Apparatus LLC

Signed: [Signature] Title: President

Print Name: Jonathon Van Norman Date: 1/10/2022

Subscribed and sworn before me this 10 day of  
January, 2022

My Commission expires:  
TARA L KINSEY  
Notary Public - State of New Jersey  
My Commission Expires Feb 13, 2024

[Signature]  
(Affiant)  
Tara Kinsey Office Manager

(Print name & title of affiant) (Corporate Seal)

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
**P.O. Box 733**  
**MAHWAH, NJ 07430**

Resolution # 088-22

Date: February 10, 2022

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

**WHEREAS**, the Township of Mahwah owns an existing elevated water tank known as the Campgaw Water Tank, located at 295 Campgaw Road, Mahwah, New Jersey Lot 14, Block 141; and

**WHEREAS**, there are four current tenants utilizing a portion of the water tank site for antenna communication facilities and one of the current leases will be expiring; and

**WHEREAS**, the Township of Mahwah desires to offer a new communication antenna lease agreement for the available location.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Mahwah hereby authorizes the Business Administrator, in accordance with N.J.S.A. 40A:12-14, to advertise for sealed bids for co-location of communication antenna facilities on the elevated Campgaw Water Tank and to present the result of such lease advertisement to the Township Council for approval; and

**BE IT FURTHER RESOLVED**, that the Municipal Clerk shall forward a copy of this Resolution to the Business Administrator, QPA, Chief Financial Officer and Township Attorney.

I hereby certify that this resolution consisting of one page(s), was adopted at a meeting of the Township Council of the Township of Mahwah, 10<sup>th</sup> day of February, 2022.

Kathrine G. Coviello RMC/CMC/MMC  
Municipal Clerk

David May  
Council President

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
**P.O. Box 733**  
**MAHWAH, NJ 07430**

**Resolution # 089-22**

**Date: February 10, 2022**

Name	Motion	Second	Yes	No	Abstain	Absent
Arlemma						
Bolan						
Ervin						
Ferguson						
Paz						
Wong						
May						

**WHEREAS**, by Resolution #105-21, dated February 18, 2021, the Township Council awarded bid MTB #20-21 "Township of Mahwah Police Department Improvements" to Billy Contracting & Restoration, Inc., for a total amount not-to-exceed \$492,000.00; and

**WHEREAS**, by Resolution #356-21 dated October 21, 2021, the Township Council awarded Change Order #1 for ligature fixture increased material price and Change Order #2 for the furnishing and installation of Fire Suppression System, for a total additional cost after general allowances of \$56,068.05; and

**WHEREAS**, by Resolution #407-21 on December 2, 2021, the Township Council awarded Change Order #3 for costs associated with the refeeding of existing electrical circuits, for a total additional cost after general allowances of \$8,000.00; and

**WHEREAS**, DMR Architects has submitted Change Order #4 for additional costs associated with the fire alarm tie-in for the sprinkler system, for a total cost after general allowances of \$2,400.00; and

**WHEREAS**, in accordance with N.J.A.C. 5:30-11.3, the total number of change orders has not caused the originally awarded contract price to be exceeded by more than twenty percent (20%); and

**WHEREAS**, the CMFO has provided a Certification as to Availability of Funds in 2020 Capital Account #04-215-55-954-884952.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Mahwah that Change Order #4 be hereby approved and that the aforesaid, not-to-exceed, Contract amount be and is hereby increased by an additional \$2,400.00 to a final amended, not-to-exceed Contract amount of \$558,468.05; and

**BE IT FURTHER RESOLVED**, that the amended Contract amount of \$558,468.05 shall not be exceeded without the further authorization of the Governing Body and the CMFO has certified that funds are available; and



**BE IT FURTHER RESOLVED**, that the Mayor and Township Clerk be and are hereby authorized and directed to execute an Amendment to the aforesaid Contract in form to be approved by the Township Attorney; and

**BE IT FURTHER RESOLVED**, that the Township Clerk shall keep a copy of this Resolution and Contract Amendment on file and available for inspection in the office of the Township Clerk and shall forward a copy of this Resolution to the Mayor; Business Administrator; QPA; CMFO; DMR Architects, and Billy Contracting & Restoration, Inc., 67 Danforth Avenue, Paterson, NJ 07501.

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 10<sup>th</sup> day of February, 202.

---

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

---

David May  
Council President

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
**475 Corporate Drive**  
**MAHWAH, NJ 07430**

**Resolution # 090-22**

**Date: February 10, 2022**

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

**BE IT RESOLVED**, that the Mayor and Township Council of the Township of Mahwah wish to enter into a Bergen County Trust Fund Project Contract ("Contract") with the County of Bergen for the purpose of using a \$100,000.00 matching grant award from the 2021 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Fund ("Trust Fund") for the municipal park project entitled **Renovation to Commodore Perry Fields: Courts, Fencing and Batting**, located at Commodore Perry Fields, 70 E. Ramapo Avenue, Block 61, Lot 1, on the tax maps of the Township of Mahwah, New Jersey 07430;

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby authorize Benjamin Kezmarsky, to be a signatory for the aforesaid Contract; and

**BE IT FURTHER RESOLVED**, that the Mayor and Township Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about December 15, 2023; and,

**BE IT FURTHER RESOLVED**, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payments and other such documents as may be required by the County in accordance with the Trust Fund's requirements; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible construction costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund's requirements. Professional Services Costs may be reimbursed from the grant award's unexpended balance, should there be a balance.

**BE IT FURTHER RESOLVED**, that the Township Clerk shall keep a copy of this Resolution on file and available for inspection in the Office of the Township Clerk and that the Township Clerk shall forward a copy of this Resolution to the Business Administrator, CFO, QPA, Assistant to the Business Administrator, and Nancy Witkowski, Contract Administrator, Bergen County, Open Space Trust Fund, One Bergen County Plaza, 4<sup>th</sup> Floor, Hackensack, New Jersey 07601-7076.

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 this 10<sup>th</sup> day of February, 2022.

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

---

David May  
Council President

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
**P.O. Box 733**  
**MAHWAH, NJ 07430**

**Resolution #092-22**

**Date: February 10, 2022**

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

**A RESOLUTION APPROVING THE DISBURSEMENT OF FUNDS FROM THE BCIA  
DPW PROJECT**

**WHEREAS**, pursuant to Section 510 (C) of that certain Lease Purchasing Agreement dated as of August 1, 2011(the "Original Lease Agreement") by and between the Bergen County Improvement Authority (the "Authority") and the Township of Mahwah, New Jersey, and (ii) Section 5.02 of the Authority's bond resolution entitled "RESOLUTION AUTHORIZING THE ISSUANCE OF COUNTY GUARANTEED LEASE REVENUE BONDS OF THE BERGEN COUNTY IMPROVEMENT AUTHORITY" duly adopted by the Authority on June 3, 2021 collectively, the "Lease Revenue Bond Resolution", M&T Trust Company, as Trustee for the holders of the captioned bonds (the "Bonds"), is hereby requested to pay from moneys on deposit in the Acquisition Fund bills associated with the Township of Mahwah DPW Project in Mahwah, New Jersey, and

**WHEREAS**, Requisition Number #2 in the amount of \$25,000 is payable to DiGeronimo PC in the amount of \$25,000 is being sent to M&T Bank on February 10, 2022 by the MAYOR AND COUNCIL, Business Administrator and CFO of the Township of Mahwah.

**THEREFORE, BE IT RESOLVED** that the action of the CFO in submitting the bill for payment, to the Trustee M&T Bank, as approved by the CFO is hereby approved.

**BE IT FURTHER RESOLVED**, that the Township Clerk shall keep a copy of this Resolution on file and available for inspection in the office of the Township Clerk and shall forward a copy of this Resolution to the Mayor, Business Administrator, QPA, CMFO, Assistant to the Business Administrator, and

I hereby certify that this resolution consisting of one page(s), was adopted at a meeting of the Township Council of the Township of Mahwah, on the 10th day of February, 2022.

Kathrine Coviello, RMC/CMC/MMC  
Municipal Clerk

David May  
Council President

**RESOLUTION**  
**TOWNSHIP OF MAHWAH**  
**P.O. Box 733**  
**MAHWAH, NJ 07430**

**Resolution #093-22**

**Date: February 10, 2022**

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

**RESOLUTION OF THE TOWNSHIP OF MAHWAH, IN THE COUNTY OF  
BERGEN, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE  
BOARD PURSUANT TO N.J.S.A. 40A:2-7(d) AND 2-11(c)**

**WHEREAS**, the Township of Mahwah, in the County of Bergen, New Jersey (the "Township") desires to make application to the Local Finance Board for its review and approval of the adoption of a bond ordinance of the Township appropriating \$14,400,000 and authorizing the issuance of \$14,400,000 bonds or notes in order to provide for the purchase of property with a down payment waiver pursuant to N.J.S.A. 40A:2-7(d) and 2-11(c); and

**WHEREAS**, the Township believes that:

- (a) it is in the public interest to accomplish this purpose;
- (b) the purpose is for the health, the welfare, the convenience or the betterment of the inhabitants of the Township;
- (c) the amounts to be expended for the purpose are not unreasonable or exorbitant; and
- (d) the purpose is an efficient and feasible means of providing services for the needs of the inhabitants of the Township and will not create an undue financial burden to be placed upon the Township;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MAHWAH, IN THE COUNTY OF BERGEN, NEW JERSEY AS FOLLOWS:**

**Section 1.** The application to the Local Finance Board is hereby approved, and the Township's Bond Counsel and auditor, along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

**Section 2.** The Clerk of the Township is hereby directed to prepare and to file copies of the proposed bond ordinance with the Local Finance Board as part of such application.

**Section 3.** The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and approvals as provided by the applicable New Jersey Statute.

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, 10<sup>th</sup> day of February, 2022.

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Kathrine Coviello, RMC/CMC/MMC  
Municipal Clerk

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David May  
Council President