Amended
11/21/25

TOWNSHIP OF MAHWAH
COMBINED WORK SESSION AND PUBLIC MEETING AGENDA
MONDAY, NOVEMBER 24, 2025

Honorable Anthony J. Gianni Jr. Chambers **7:00 pm**
Richard J. Martel Municipal Center
475 Corporate Drive, Mahwah, New Jersey

COUNCIL PRESIDENT'S STATEMENT

SALUTE TO THE FLAG

MOMENT OF SILENCE

- **Veterans and Those Serving in the Military**

ROLL CALL: _____ Ariemma; _____ Donigian _____ Ervin; _____ Ferguson; _____ May; _____ Paz; _____ Wong

WORK SESSION
SUBMISSION OF BILLS AND CLAIMS

ENGINEERING
1a. Verbal Report

ADMINISTRATION
2a. Authorization; Professional Service Contract Amendment with DiGeronimo PC; DPW
2b. Award of Contract; Dobco, Inc.; New DPW Facility; Bid MTB #25-14
2c. Award of Contract to Various Bidders; Residential Cold Water Meters; Bid MTB #25-20
2d. Resolution to Defeat S-4736 and Similar Legislature Denying Local Autonomy in Land Use Planning
2e. Resolution; Tax Appeal; Block 21.06, Lot 23
2f. Resolution; Tax Appeal; Block 21.01, Lot 5
2g. Resolution; Refund of Certain Overpayments; Tax Collection Department
2h. Best Practices Inventory; Discussion
2i. Resolution Renewing Group Dental Benefits Program of Eligible Employees and Covered Dependents Through Delta Dental of New Jersey, Inc.
2j. Resolution Authorizing the Subsequent Sale of Seized Property by the Mahwah Police Department

TOWNSHIP COUNCIL
3a. Fence License Agreement; 6 Braeburn Court; Block 127, Lot 38
3b. Office of Emergency Management – Volunteer Membership Application; Frank Occidentale

PUBLIC PORTION

- Prior to speaking, each Speaker shall provide their Name and Address. However, if you are a Township resident who has been verified by the Office of Information Privacy as a covered person under Daniel's Law, do not provide your 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 and Public Meeting Minutes of November 10, 2025
Closed Session Meeting Minutes of November 10, 2025

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

REPORTS OF MAYOR and BUSINESS ADMINISTRATOR

PUBLIC PORTION
- Prior to speaking, each Speaker shall provide their Name and Address. However, if you are a Township resident who has been verified by the Office of Information Privacy as a covered person under Daniel's Law, do not provide your address.
- Mahwah Residents shall speak first
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- Speakers may only speak once during each Public Portion

ORDINANCES – PUBLIC HEARINGS

#2071 An Ordinance of the Township of Mahwah, County of Bergen, State of New Jersey, Amending Section 2-13.9, Senior Citizen Advisory Committee, of the Township Code, to Modify Organizational Structure

#2072 An Ordinance of the Township of Mahwah, County of Bergen, State of New Jersey, Amending Chapter 2, Administration, to Modify Regulations Regarding the Division of Pools and Recreation Committee

#2073 An Ordinance of the Township of Mahwah, Amending and Supplementing the Township Code, to Create a New Chapter 32, Entitled "Highlands Ordinance", to Adopt the Highland's Ordinance for Highlands Plan Conformance and Amending Chapter 22 "Site Plan Review" to Repeal Section 22-5.4 Entitled "Highlands Consistency Ordinance"

#2074 An Ordinance of the Township of Mahwah, County of Bergen, State of New Jersey, Consolidating the Water Utility and Sewerage Utility to Form a Single Water/Sewer Utility and Amending All Applicable Ordinances to Reflect the Consolidated Utility

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

#374-25 Authorization; Professional Service Contract Amendment with DiGeronimo PC; DPW
#375-25 Award of Contract; Dobco, Inc.; New DPW Facility; Bid MTB #25-14
#376-25 Award of Contract to Various Bidders; Residential Cold Water Meters; Bid MTB #25-20
#377-25 Resolution to Defeat S-4736 and Similar Legislature Denying Local Autonomy in Land Use Planning
#378-25 Fence License Agreement; 6 Braeburn Court; Block 127, Lot 38
#379-25 Office of Emergency Management Volunteer Application; Frank Occidentale
#380-25 Resolution; Tax Appeal; Block 21.06, Lot 23
#381-25 Resolution; Tax Appeal; Block 21.01, Lot 5
#382-25 Resolution; Refund of Certain Overpayments; Tax Collection Department
#383-25 Resolution Renewing Group Dental Benefits Program of Eligible Employees and Covered Dependents Through Delta Dental of New Jersey, Inc.
#384-25 Resolution Authorizing the Subsequent Sale of Seized Property by the Mahwah Police Department

OLD BUSINESS

1. ~~Repairs to Fire Trucks~~
2. Garbage Collection – In-House
3. Cell Phone Charging Stations
4. Electric Charging Stations
5. ~~NJ Transit Access Link~~/Inter-Township Transportation
6. NJ Train Station
7. ~~Campgaw Road and Seminary Drive Intersection~~
8. Railroad Avenue
9. Business Improvement District
10. ~~Cell Tower in Rio Vista~~
11. Vehicle Audit
12. Sidewalks on Airmont Avenue
13. Styrofoam Collection
14. Replace Stucco on Municipal Building

NEW BUSINESS

ADJOURNMENT

THIS AGENDA IS SUBJECT TO CHANGE

2a.

DiGERONIMO PC

Suzanne DiGeronimo, FAIA | Louis A. DiGeronimo, RA

September 15, 2025

Township of Mahwah
475 Corporate Drive
Mahwah, NJ 07430

Attn: Ben Kezmarsky, Business Administrator

Re: Mahwah New DPW Facility – PO# 2237: Adjustment of Phase 2 Design Fees

Dear Mr. Kezmarsky:

DiGeronimo PC Architects is pleased to continue our collaboration with the Township of Mahwah on the Mahwah Department of Public Works (DPW) New Facility project. We appreciate the opportunity to contribute to such an important initiative and write to formally request an adjustment to the design fees for Phase 2, based on the updated construction cost estimate.

On January 20, 2022, the Township approved Purchase Order 751, which included our fee proposal dated December 27, 2021. This proposal outlined design services for Phases 2, 3, and 4, with fees based on 8.75% of the then-estimated construction cost of $17,000,000, resulting in a total design fee of $1,487,500.00.

According to the attached estimate prepared by SchedulePlus, the current projected construction cost for Phases 2, 3, and 4 is approximately $33,564,694. For the purpose of fee calculation, we have rounded this figure to $33,000,000. Applying the originally agreed-upon rate of 8.75% yields a revised total design fee of **$2,887,500.00**.

To date, DiGeronimo has received a total of **$1,797,120.00** in awarded design fees. Therefore, we respectfully request an additional **$1,090,380.00** to align the Phase 2 design fees with the revised construction cost. It is important to note that the current Purchase Order 2237, totaling $2,439,200.00, includes fees for Phase 1.

We remain fully committed to the successful delivery of the Mahwah DPW Facility and value our ongoing partnership with the Township. Should you have any questions or require further information, please do not hesitate to contact us.

Respectfully,

Louis A. DiGeronimo, AIA
Vice President

201 634-1100 VOICE | 201 634-1138 FAX | mail@digeronimo-pc.com E-MAIL
650 From Road, Suite 275, Paramus, New Jersey 07652-3701

26.

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

MEMO TO: Township Council

FROM: Joanne Becker, QPA

DATE: November 14, 2025

SUBJECT: Bid MTB #25-14 "New DPW Facility"
Review and Recommendation of Award

Township of Mahwah Bid MTB #25-14 "New DPW Facility" was advertised in The Bergen Record on June 30, 2025. The bid opening was held on September 5th, 2025, at 11:30 AM. Thirty-six bids were distributed and the Township received back four proposals. Please see the attached bid result spreadsheet.

The bids were reviewed by Administration, DiGeronimo PC and the Township Attorney. The lowest bid received was from Dobco, Inc., and was found by the Township Attorney to be responsive to the statutory requirements of the bid.

The Township obtained approval from Dobco, Inc., to extend the award date beyond the required 60 days to secure the funding for this project.

Therefore, it is the recommendation of this office to award MTB#25-14 at the November 24, 2025 Council meeting, to Dobco Inc., for the total bid award of $29,975,000.00.

Funding for the award of this bid will come from Capital accounts #04-300-60-000-002, 04-215-55-101-025, #06-215-55-053-025 and 08-215-55-063-025.

c: Mayor James Wysocki
Ben Kezmarsky, Business Administrator
Carolyn George, Township Clerk
Corinne Hockman, CFO
Glenn Dowson, DPW Director
Mike Kelly, Township Engineer
DiGeronimo PC

101 MICIK LANE - DPW BUILDING PROJECT
TOWNSHIP OF MAHWAH
BERGEN COUNTY, NEW JERSEY
OUR FILE NO MA-3111
BID MTB #25-14

BID DATE: September 5, 2025 **Time 11:30 A.M.**

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	Dobco, Inc. 1 Geoffrey Way Wayne, NJ 07470		Joseph A. Natoli Construction Corp. 293 Change Bridge Road Pine Brook, NJ 07058		Bismark Construction Contractors Inc. 207-209 Berkley Avenue Newark, NJ 07107		Brockwell & Carrington Contractors, Inc. 1 Como Court Towaco, NJ 07082	
				UNIT PRICE	TOTAL COST	UNIT PRICE	TOTAL COST	UNIT PRICE	TOTAL COST	UNIT PRICE	TOTAL COST
	BASE BID										
A	Garage and Maintenance Facility	Dollar	1	$29,425,000.00	$29,425,000.00	$32,436,000.00	$32,436,000.00	$32,450,000.00	$32,450,000.00	$32,783,333.00	$32,783,333.00
B	Allowances	Dollar	1	$550,000.00	$550,000.00	$550,000.00	$550,000.00	$550,000.00	$550,000.00	$550,000.00	$550,000.00
	TOTAL BASE BID				**$29,975,000.00**		**$32,986,000.00**		**$33,000,000.00**		**$33,333,333.00**
	**** indicates discrepency***										

2c.

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

MEMORANDUM

TO: Township Council

FROM: Joanne Becker, QPA

DATE: November 24, 2025

RE: Bid MTB #25-20 "Township of Mahwah Water Department Residential Cold Water Meters"

At the request of Administration and the Water/Sewer Department, specifications and solicitation of bids for MTB #25-20 "Township of Mahwah Water Department Residential Cold Water Meters" was processed and advertised on October 16, 2025 with the bid opening return date of October 30, 2025 at 11:30 a.m. Eleven vendors requested bids and five bid proposals were received:

Ferguson Water Works
507 Oak Glenn Rd.
Howell NJ 07731

RIO Supply Inc.
100 Allied Parkway
Sicklerville, NJ 08081

Accumet Corp.
18 Spencer Street
Stoneham, MA 02180

Badger Meter
4545 W. Brown Deer Road
Milwaukee, WI 53224

Zenner USA
15280 Addison Rd. Suite 240
Addison TX 75001

The bid results are attached. As stated in the bid specifications, the Township has the option to award this bid in the aggregate or per unit item. After review of the bid packages, it is the recommendation of the Water and Sewer Department and Administration to award MTB #25-20 to the lowest responsive/responsible bidders as follows:

Section A- award in the aggregate to lowest bidder, Zenner USA
Section B- award in the aggregate to lowest bidder, Badger Meter
Section C- award in the aggregate to lowest bidder, Zenner USA
Section D- the apparent low bids from Zenner USA and Accumet Corp. were reviewed by the Water Department and found that the meters in this section did not meet the specifications, therefore the recommendation is to award in the aggregate to 3rd lowest bidder, Rio Supply, Inc.
Line Item 17 – award to the lowest bidder, Accumet Corp.

Administration requests that a Resolution be considered at the November 24, 2025 Council meeting to award Bid MTB #25-20 "Township of Mahwah Water Department Residential Cold Water Meters" to Ferguson Enterprises, LLC dba Ferguson Waterworks, Rio Supply, Inc., Badger Meter, Zenner USA and Accumet Corp., as per the attached unit prices bid, for a twelve- month contract commencing November 25, 2025.

The funds for this award will come from Water Operating account 05-201-56-502-225 and the same account in 2026, subject budget adoption.

Enc.

c: Mayor James Wysocki
Ben Kezmarsky, Business Administrator
Fred Semrau, Township Attorney
Corinne Hockman, CFO
Carolyn George, Municipal Clerk
Brian Vanderbeek W/S Super.
John Darby, Water Foreman
Matthew Grev, Sewer Foreman

Bid opening: 10/30/25 at 11:30 am

RESULTS SPREADSHEET
MTB#25-20
"TOWNSHIP OF MAHWAH WATER DEPT RESIDENTIAL COLD WATER METERS"

Item Number	Quantity	Description	RIO	FERGUSON WATERWORKS	BADGER METER	ACCUMET	ZENNER
SECTION A		**3/4" - 2" Meters**					
1	1	¾" disc meter with cast iron bottom, HRE LCD Register with plastic lid and shroud, 5ft cable length with Itron inline connector, Cubic Foot reading, Torx security screw, 9 dial, with connection washers	NB	153.38	175.68	NB	149.07
2	1	1" disc meter with cast iron bottom, HRE LCD Register with plastic lid and shroud, 5ft cable length with Itron inline connector, Cubic Foot reading, Torx security screw, 9 dial, with connection washers	NB	225.13	276.48	NB	195.88
3	1	1 1/2" disc meter with 2-bolt elliptical (oval) flanged ends, HRE LCD Register with plastic lid and shroud, 25ft cable length with Itron inline connector, Cubic Foot reading, Torx security screw, 9 dial, with (2) full face oval gaskets and (4) 316 stainless steel nuts and bolts	NB	519.79	580.32	NB	447.86
4	1	2" disc meter with 2-bolt elliptical (oval) flanged ends, HRE LCD Register with plastic lid and shroud, 25ft cable length with Itron inline connector, Cubic Foot reading, Torx security screw, 9 dial, with (2) full face oval gaskets and (4) 316 stainless steel nuts and bolts	NB	688.99	778.32	NB	538.97
TOTAL SECTION A		**TOTAL SECTION A - 1 EACH**		1587.29	1810.80		1331.78

Item Number	Quantity	Description	RIO	FERGUSON WATERWORKS	BADGER METER	ACCUMET	ZENNER
SECTION B		**3", 4" and 6" Meters**					
5	1	3" Compound Series Meter with 4-bolt round ends, (2) HRE LCD 9 dial Registers reading in Cubic Feet, plastic lids and shrouds with Torx security screws, 5ft cable lengths with Itron inline connectors, (2) round meter connection gaskets, and (8) 316 stainless steel nuts and bolts	NB	NB	3162.40	NB	NB
6	1	4" Compound Series Meter with 8-bolt round ends, (2) HRE LCD 9 dial Registers reading in Cubic Feet, plastic lids and shrouds with Torx security screws, 5ft cable lengths with Itron inline connectors, (2) round meter connection gaskets, and (16) 304 stainless steel nuts and bolts	NB	NB	4997.60	NB	NB
7	1	6" Compound Series Meter with 8-bolt round ends, (2) HRE LCD 9 dial Registers reading in Cubic Feet, plastic lids and shrouds with Torx security screws, 5ft cable lengths with Itron inline connectors, (2) round meter connection gaskets, and (16) 316 stainless steel nuts and bolts	NB	NB	7313.20	NB	NB
TOTAL SECTION B		**TOTAL SECTION B - 1 EACH**			15,473.20		

Item Number	Quantity	Description	RIO	FERGUSON WATERWORKS	BADGER METER	ACCUMET	ZENNER
SECTION C		**3" – 10" Ultrasonic Type Meters**					
8	1	3" Meter, HRE LCD 9 dial Register reading in Cubic Feet, 5ft cable length with Itron inline connector, (2) round meter connection gaskets, and (8) 316 stainless steel nuts and bolts	3170.00	1890.78	2328.26	2305.00	1682.28
9	1	4" Meter, HRE LCD 9 dial Register reading in Cubic Feet, 5ft cable length with Itron inline connector, (2) round meter connection gaskets, and (16) 316 stainless steel nuts and bolts	4070.00	2559.63	2847.34	3102.00	2042.73
10	1	6" Meter, HRE LCD 9 dial Register reading in Cubic Feet, 5ft cable length with Itron inline connector, (2) round meter connection gaskets, and (16) 316 stainless steel nuts and bolts	6520.00	4270.18	4442.96	4779.40	2577.70
11	1	8" Meter, HRE LCD 9 dial Register reading in Cubic Feet, 5ft cable length with Itron inline connector, (2) round meter connection gaskets, and (16) 316 stainless steel nuts and bolts	9220.00	5181.09	5382.70	6625.00	3231.54
12	1	10" Meter, HRE LCD 9 dial Register reading in Cubic Feet, 5ft cable length with Itron inline connector, (2) round meter connection gaskets, and (16) 316 stainless steel nuts and bolts	11870.00	6973.63	NB	NB	3688.29
TOTAL SECTION C		**TOTAL SECTION C - 1 EACH**	34,850.00	20,875.31	15,001.26	16,811.40	13,222.54

Item Number	Quantity	Description	RIO	FERGUSON WATERWORKS	BADGER METER	ACCUMET	ZENNER
SECTION D		**Ultrasonic Meters**					
13	1	¾" Ultrasonic Cold Water Stainless Steel Meter, 5ft cable length with Itron inline connector and (2) meter washers	229.12	202.70	217.08	143.00	166.32
14	1	1" Ultrasonic Cold Water Stainless Steel Meter, 5ft cable length with Itron inline connector and (2) meter washers	292.29	307.66	253.08	187.00	177.83
15	1	1-1/2" Ultrasonic Cold Water Stainless Steel Meter, 5ft cable length with Itron inline connector, Oval Flange with (2) full face gaskets and (4) 316 stainless steel nuts and bolts	649.70	1312.30	655.20	548.00	315.72
16	1	2" Ultrasonic Cold Water Stainless Steel Meter, 5ft cable length with Itron inline connector, Oval Flange with (2) full face gaskets and (4) 316 stainless steel nuts and bolts	783.29	1371.46	852.48	697.00	366.25
TOTAL SECTION D		**TOTAL SECTION D - 1 EACH**	1954.40	3194.12	1,977.84	1575.00	1026.12
17	1	**Itron ERT Module: 100W+ Inline Connector Encoder**	NB	NB	NB	121.00	NB

29.

SCHEDULE A
November 24, 2025
OVERPAYMENT REFUNDS
TAX COLLECTION DEPARTMENT

The following tax customer is entitled to an overpayment refund:

1. Blk 29/ Lot 7 for 22 First St --$1,279.76 – duplicate payment
2. Blk 40/ Lot 75 for 128 Reich Ave --$2,404.46 – duplicate payment
3. Blk 47/ Lot 7 for 14 North Railroad Ave --$1,784.95 – duplicate payment
4. Blk 63/ Lot 20 for 180 Island Rd --$2,614.14 – duplicate payment
5. Blk 70/ Lot 1163 for 1163 Chedworth Circle --$3,481.19 – duplicate payment
6. Blk 138/ Lot 92 for 92 Hopkins Ct --$1,738.88 – duplicate payment
7. Blk 13/ Lot 1403 for 1403 Ramapo Brae Ln --$550.68 – duplicate payment

3a.

LICENSE AGREEMENT

THIS AGREEMENT is made on _____, 2025 by and between:

THE TOWNSHIP OF MAHWAH, a body politic and corporation
of the State of New Jersey, whose address is
475 Corporate Drive,
Mahwah, New Jersey 07430

("Licensor" or "Township")

and:

TUSHAR MODI & LAUREN MODI
6 Braeburn Court
Mahwah, New Jersey 07430

("Licensees" or "Owners")

WITNESSETH:

WHEREAS, Tushar Modi and Lauren Modi are the Owners of property located at 6 Braeburn Court, Mahwah, New Jersey, designated as Block 127, Lot 38 on the Township of Mahwah Tax Maps (the "Property") and as further depicted in the survey attached hereto as Exhibit A; and

WHEREAS, Owners or their predecessors-in-title previously granted and conveyed to the Township a municipal drainage easement (the "Township Easement") upon the Property, as further depicted in Exhibit A; and

WHEREAS, Owners have requested permission to erect a six-foot (6') fence on the property that will encroach upon the Township Easement; and

WHEREAS, the Township desires to grant to Owners the license over the Township Easement, subject to the terms and conditions set forth in this License Agreement (the "Agreement"), including that Owners provide continued access to the Township for that portion of the Property where the Township Easement is located.

NOW, THEREFORE, IN CONSIDERATION OF the sum of ONE DOLLAR ($1.00) and the mutual undertakings herein, the Township herby gives, grants and conveys to Owners a license for the purpose of permitting access and use of a portion of the Township Easement as further described in Exhibit A, attached hereto, and for the purposes as hereinafter set forth.

1. Licensees shall be responsible for the maintenance of the fence placed in the portion of the Township Easement that is the subject of this Agreement. However, the granting of this license does not prejudice or preclude the Township's right to enter upon the Township's

Easement for any reason whatsoever, including to maintain, construct, operate, repair, replace or remove said sanitary sewer and facilities and appurtenances thereto. Licensor shall provide Licensees with forty-eight (48) hours advance written notice prior to entering upon the Property, except in the case of an emergency.

2. Licensees request permission for an existing six-foot (6') fence within the Township Easement to remain on the Property. The maximum permitted height of said fence shall be six feet (6'). Licensees shall not erect, place, plant, permit or allow growth or obstructions that would interfere with the use of the Township Easement or impair Licensor's ability to access same for the purposes stated herein, its intended purposes, or prohibit access by Licensor.

3. This approval is subject to any approvals or restrictions required by the N.J. Department of Environmental Protection ("NJDEP"), due to the existence of wetlands, wetlands transition area and riparian buffers on the property. Licensees will be proceeding at their own risk if they do not obtain any required NJDEP approvals.

4. Licensor shall not be responsible for any costs to replace the fence or any other structures or landscaping that are displaced as the result of any required maintenance, repair or reconstruction activities in furtherance of the Agreement.

5. In further consideration of the license, Licensees agree to save, hold and keep harmless and indemnify Licensor from any and all claims and liability for losses or damage to property or injury to any persons caused by them or their agents occurring during and relating to this license.

6. Licensees shall furnish the Township with a Certificate of Insurance showing coverage for bodily injury of at least $250,000/$500,000 and property damage of at least $100,000. The Certificate of Insurance must clearly indicate that the Township of Mahwah is an additional insured on all liability policies and shall contain a ninety (90) day notice of cancellation to the Township.

7. Licensor and Licensees each, binds themself, their partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in this Agreement. This Agreement shall run with the land and may be enforceable by a subsequent owner of the Property or the Township Easement.

8. This Agreement contains the entire Agreement between the parties hereto and supersedes all prior and contemporaneous agreements, arrangements, negotiations and understandings between the parties hereto relating to the subject matter hereof. There are no other understandings, statements, promises or inducements, oral or otherwise, contrary to the terms of this Agreement. No representations, warranties, covenants or conditions expressed or implied, whether by statute or otherwise, other than as set forth herein have been made by any party hereto.

9. This Agreement may not be modified by either party unless both the Licensor and Licensees agree to such modifications in writing.

10. This license shall cease and be abandoned upon either of the following: (1) the Licensees remove the existing fence from the Township Easement; or (2) the Township declares an overriding health and public safety reason to terminate the license.

11. This Agreement shall be recorded with the Bergen County Clerk's Office by the Township Attorney, at Licensees' cost.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals or caused their proper corporate officers and their proper corporate seals to be affixed hereto the day and year as indicated below.

WITNESS/ATTEST:

TOWNSHIP OF MAHWAH/LICENSOR

_____
Carolyn George, RMC
Municipal Clerk

By: _____
James J. Wysocki
Mayor

WITNESS/ATTEST:

LICENSEE

_____

By: _____

WITNESS/ATTEST:

LICENSEE

_____

By: _____

[ACKNOWLEDGMENTS ON FOLLOWING PAGES]

STATE OF NEW JERSEY:
: SS:
COUNTY OF BERGEN:

I CERTIFY that on , 2025 CAROLYN GEORGE personally came before me and this person acknowledged under oath, to my satisfaction, that: (a) this person is the MUNICIPAL CLERK of the TOWNSHIP OF MAHWAH, the municipal corporation named in the attached document; (b) this person is the attesting witness to the signing of this document by the proper municipal officer who is JAMES J. WYSOCKI, the MAYOR of the municipal corporation; (c) this document was signed and delivered by the municipal corporation as its voluntary act duly authorized by a proper resolution of the Council; (d) this person knows the proper seal of the municipal corporation which was affixed to this document; and (e) this person signed this proof to attest to the truth of these facts.

Sworn and Subscribed to
before me this day
of , 2025.

_____
Carolyn George
Municipal Clerk

_____
(Notary sign, seal, stamp)

STATE OF NEW JERSEY }
} SS.:
COUNTY OF BERGEN }

I CERTIFY that on _____, 2025, _____ personally came before me and acknowledged under oath, to my satisfaction:

(A) that he/she is the owner of Property located at _____, Mahwah, New Jersey _____;

(B) signed, sealed and delivered this document as his/her act and deed.

_____

STATE OF NEW JERSEY }
}
COUNTY OF BERGEN } SS.:

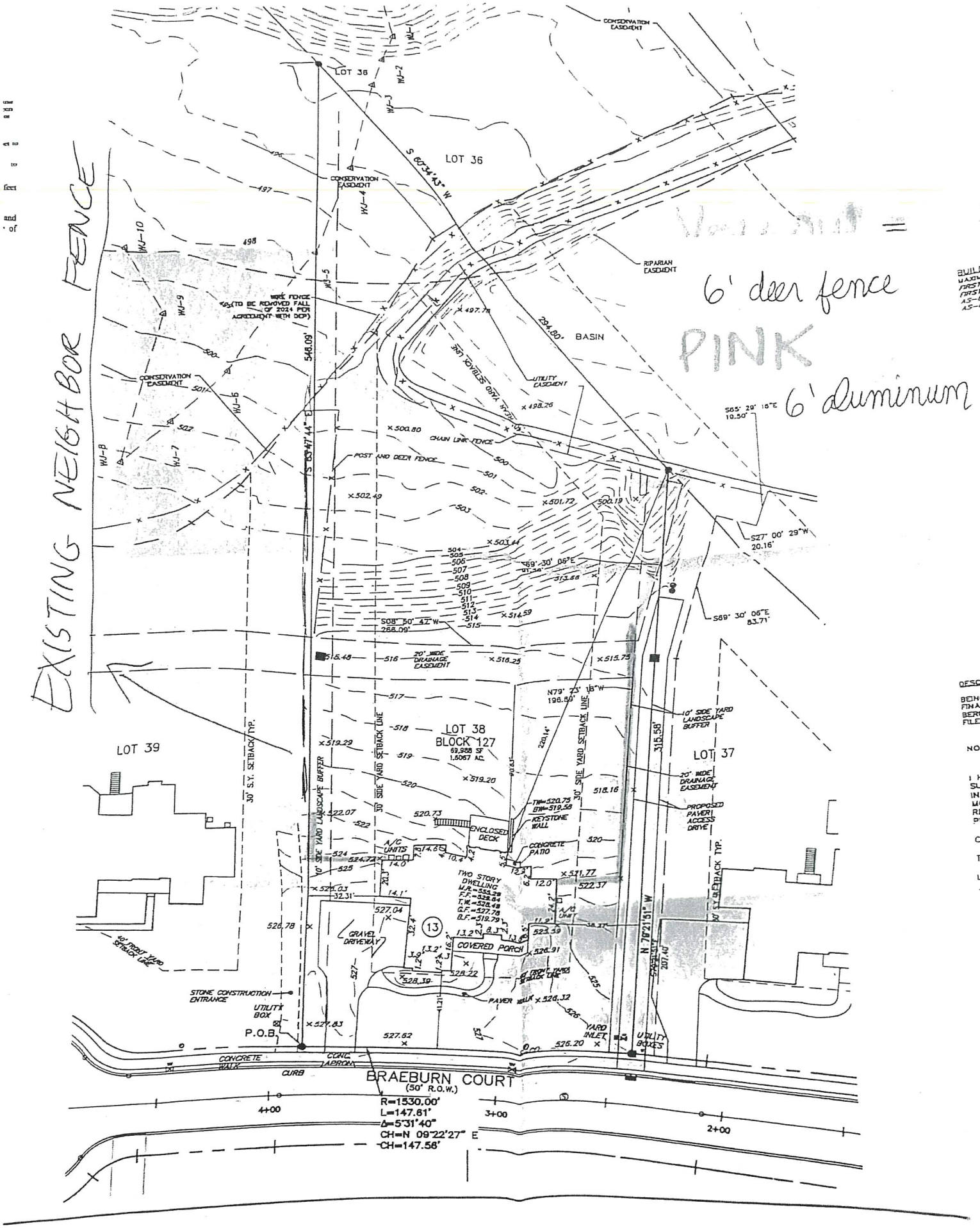
I CERTIFY that on _____, 2025, _____ personally came before me and acknowledged under oath, to my satisfaction:

(A) that he/she is the owner of Property located at _____, Mahwah, New Jersey _____;

(B) signed, sealed and delivered this document as his/her act and deed.

_____

Record & Return to:
Susan C. Sharpe, Esq.
Dorsey & Semrau, LLC
714 Main Street
Boonton, NJ 07005
(973) 334-1900


EXISTING NEIGHBOR FENCE
6' deer fence
PINK
6' duminum
LOT 38
LOT 36
LOT 39
LOT 37
LOT 38
BLOCK 127
69,958 SF
1.6067 AC.
CONSERVATION EASEMENT
RIPARIAN EASEMENT
BASIN
UTILITY EASEMENT
CHAIN LINK FENCE
POST AND DEER FENCE
WIRE FENCE (TO BE REMOVED FALL OF 2024 PER AGREEMENT WITH DEP)
S 60°34'43" W
548.09'
S 63°47'44" E
294.80'
S65° 29' 15"E
10.50'
S27° 00' 29"W
20.16'
S69° 30' 06"E
83.71'
S08° 50' 42"W
268.09'
N79° 23' 18"W
196.59'
N 76°21'51" W
207.40'
315.58'
220.14'
30' S.Y. SETBACK TYP.
30' SIDE YARD SETBACK LINE
10' SIDE YARD LANDSCAPE BUFFER
20' WIDE DRAINAGE EASEMENT
PROPOSED PAVER ACCESS DRIVE
ENCLOSED DECK
KEYSTONE WALL
CONCRETE PATIO
TW=520.75
BW=519.58
TWO STORY DWELLING
W.A.=553.29
F.F.=528.64
T.W.=528.64
G.F.=527.78
B.F.=519.79
COVERED PORCH
GRAVEL DRIVEWAY
A/C UNITS
STONE CONSTRUCTION ENTRANCE
UTILITY BOX
P.O.B.
PAVER WALK
YARD INLET
UTILITY BOXES
CONCRETE WALK
CURB
CONC. APRON
BRAEBURN COURT
(50' R.O.W.)
R=1530.00'
L=147.61'
Δ=5°31'40"
CH=N 09°22'27" E
CH=147.58'
4+00
3+00
2+00

36.

Mahwah Office Of Emergency Management
Volunteer Membership Application

Application must be typed or neatly handwritten in ink

Pedigree Information

Name Last: OCCIDENTALE First: FRANK Initial: A

Address 89 TAMO SHANTER DRIVE City: MAHWAH State: N.J.
Zip: 07430

Phone Home: (___)___-__ Cell: [redacted]

Date of birth: [redacted] Social Security : [redacted]

Drivers License Number: [redacted] State: FL Exp 3/7/2032
Is your Drivers License currently valid? Circle one (YES) NO

Email Address: [redacted]
Cell Phone Carrier for text messaging: VERIZON

If your place of employment is a Business within the Township Of Mahwah, please provide the information below.

Business Name:
Address:
Phone: (___)___-___ Email:

General Questionare

If additional comments for the following questions please use the last page of the application or attach or attach additonal pages.

1. Is it necessary to limit your physical activity in any way? Yes___ No X
If yes, please explain:

2. Have you ever been charged with committing a crime? Yes___ No X
If yes: please explain, include the date of occurance

3. Do you have any experience in Emergency Services or Emergency Management
Yes X NO___ If yes: please explain RAMSEY W/ MIKE ADAMS AND MY RADIO CLUB EARLY '90'S

4. Do you have any experience in Radio Communications? YES X NO ___
If yes, please explain: AMATEUR RADIO OPERATOR, LICENSE N2ENF, EXTRA 30 YEARS

5. Are you able to speak,read or write any other languages? YES ___ NO X
Please explain: ___

6. Are you willing to serve in times of disasters? YES X NO ___

7. Have you ever been bonded? YES ___ NO X Was your bond application ever rejected? YES ___ NO ___

Training and Experience

Please list any professional training or courses that you have completed.
Include any certifications that you hold which would pertain to Emergency Management.
Please provide the course name, date completed and expiration date for any certifications.
Upon approval of this application, you will be asked to provide copies of course certificates.

Course Name	Date Completed	Expiration

Highest Level of Education Completed? MASTERS OF ARCHITECTURE, NJIT 1990
Indicate Degree earned and disicipline: BS. MECHANICAL ENGINEERING, EDU 1979

List previouls experience (paid or volunteer) and name of organization
1. PRESIDENT OF 107.1 REPEATER CLUB 2000-2002 (RADIO CLUB)
2. ___
3. ___
4. ___
5. ___

Please list two Personal References

1. Name: JOSEPH MAZZEO
Address: 8972 ASHWOOD WAY, CLARKSTON, MI 48346
Phone: [redacted]

2.. Name: FRANK PATRICOLA
Address: 8 INDUSTRIAL PKWY 07456
Phone: [redacted]

Please use this space for any additional information or comments

By your signature you are confirming that the statements and information contained in this document are accurate and truthful to the best of your knowledge.

Applicant Signature _____ Date: _____

Approvals		
Department Head		Date: 10/26/25
Business Administrator		Date: 11/12/25
Mayor		Date: 11/3/25
Township Council		Date:

OEM USE: Badge # _____ ID Card _____ Equipment _____

TOWNSHIP OF MAHWAH
ORDINANCE NO. 2071

AN ORDINANCE OF THE TOWNSHIP OF MAHWAH, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING SECTION 2-13.9, SENIOR CITIZEN ADVISORY COMMITTEE, OF THE TOWNSHIP CODE, TO MODIFY ORGANIZATIONAL STRUCTURE

WHEREAS, Section 2-13.9 of the Township Code governs the structure and operation of the Senior Citizen Advisory Committee; and

WHEREAS, Administration has reviewed the pertinent Code provision and recommends making certain changes; and

WHEREAS, the Ordinance Committee has reviewed the proposed changes and recommends that the Township adopt same; and

WHEREAS, the Township Council desires to amend the Code accordingly.

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

SECTION 1. Chapter 2, Administration, Section 2-13, Agencies; Boards; Committees, Subsection 2-13.9, Senior Citizens Advisory Committee, is hereby amended to read as follows:

a. Establishment. There shall be a Senior Citizens Advisory Committee.

b. Membership. The Committee shall consist of seven members and two alternate members appointed by the Mayor with recommendations from the Director of Senior Services and consent of the Township Council. The Mayor, Business Administrator, and a representative of the Recreation Committee shall be ad hoc members of the Committee.

c. Appointments; Terms. All appointments to the Committee will be for two years commencing on the first day of January. The terms shall be staggered so that four members and one alternate are made one year and three members and one alternate are made one year later.

d. Vacancies. In the event a vacancy occurs during a regular term, an appointment may be made by the Mayor, with a recommendation from the Director and with the advice and consent of Council, to complete the unexpired term.

e. Chairperson. The Committee shall have a Chairperson. The Director shall be the Chairperson.

f. Meetings. The Committee shall meet monthly or as deemed necessary by the Chairperson.

g. Duties. The Committee shall (1) periodically advise the Mayor and Council of current State and Federal programs available to Senior Citizens; (2) discuss current programs, and recommend prospective programs and services for implementation and funding consideration by the Township Council and Mayor; (3) periodically review all Township Senior Citizen program offerings and advise the Mayor of findings

SECTION 2. Ordinances, resolutions, regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portions of this Ordinance.

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

Introduced: 11/10/25
Adopted:
Effective Date:

TOWNSHIP OF MAHWAH

_____
Robert M. Ferguson, III
Council President

ATTEST:

_____
Carolyn George, RMC
Municipal Clerk

TOWNSHIP OF MAHWAH
ORDINANCE NO. 2072

AN ORDINANCE OF THE TOWNSHIP OF MAHWAH, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING CHAPTER 2, ADMINISTRATION, TO MODIFY REGULATIONS REGARDING THE DIVISION OF POOLS AND RECREATION COMMITTEE

WHEREAS, Chapter 2 of the Township Code governs the structure and operation of the Division of Pools, the Recreation Committee, and the Pool Advisory Committee; and

WHEREAS, the Township Administrator and Director of the Recreation Department have reviewed pertinent Code provisions and recommend making certain changes, including transferring the Division of Pools from Administration to the Department, under the supervision of the Director, and re-establishing a Pool Advisory Committee as a subcommittee of the Recreation Committee; and

WHEREAS, the Ordinance Committee has reviewed the proposed changes and recommends that the Township adopt same; and

WHEREAS, the Township Council desires to amend the Code accordingly.

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

SECTION 1. Chapter 2, Administration, § 2-6.20, Division of Pools, is hereby repealed.

SECTION 2. Chapter 2, Administration, is hereby amended to add new § 2-12A.1, Division of Pools, to read as follows:

§ 2-12A.1 Division of Pools.

Within the Department of Recreation, there shall be a Division of Pools.

a. The Director of the Department of Recreation shall be the Head of the Division of Pools.

b. The Head of the Division shall ensure proper administration, operation, and supervision of the Municipal Pool.

c. The Division of Pools will be comprised of such other employees as deemed necessary by the Director, Mayor, and Business Administrator.

d. There shall be a Pool Advisory Committee established as a subcommittee of the Recreation Committee pursuant to § 2-13.6f.

SECTION 3. Chapter 2, Administration, § 2-13.6, Recreation Committee, shall be amended to read as follows:

e. Establishment; Membership. There shall be a Recreation Committee consisting of 22 regular members and eight alternate members appointed by the Mayor with recommendations from the Recreation Director and consent of the Council. Up to three members of the Township Council may serve on the Committee as ad-hoc

members with the ability to vote at meetings. One of the Council members shall be the Council Liaison.

f. Appointment Terms. All appointments to the Committee shall be for four years commencing on the first day of January. The terms shall be staggered so that eight regular appointments and four alternate appointments are made one year, and seven regular appointments and four alternate appointments are made two years later.

g. Vacancies. In the event a vacancy occurs during a regular term, an appointment may be made by the Mayor, with a recommendation from the Recreation Director, and with the advice and consent of Council, to complete the unexpired term.

h. Chairperson. The Committee shall have a Chairperson. The Director shall be the Chairperson.

i. Pool Advisory Subcommittee. The Committee shall have a subcommittee of at least five members that shall serve as the Pool Advisory Committee. The subcommittee shall suggest and operate such activities, rules, regulations and operating procedures, as it as deemed necessary by the Director and Pool personnel.

j. Duties. The Committee, through the Director, shall advise and make recommendations on recreation matters to the Council, Mayor, Business Administrator, and Director of Public Works.

SECTION 4. Ordinances, resolutions, regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 5. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portions of this Ordinance.

SECTION 6. This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Introduced: 11/10/25
Adopted:
Effective Date:

TOWNSHIP OF MAHWAH

_____
Robert M. Ferguson, III
Council President

ATTEST:

_____
Carolyn George, RMC
Municipal Clerk

TOWNSHIP OF MAHWAH
ORDINANCE NO. 2073

AN ORDINANCE OF THE TOWNSHIP OF MAHWAH, AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE TO CREATE A NEW CHAPTER 32, ENTITLED "HIGHLANDS ORDINANCE", TO ADOPT THE HIGHLAND'S ORDINANCE FOR HIGHLANDS PLAN CONFORMANCE AND AMENDING CHAPTER 22 "SITE PLAN REVIEW" TO REPEAL SECTION 22-5.4 ENTITLED "HIGHLANDS CONSISTENCY ORDINANCE"

WHEREAS, the Highlands Water Protection and Planning Act ("Highlands Act," N.J.S.A. 13:20-1 et seq.) was enacted by the State Legislature on August 10, 2004 for the purpose of protecting, enhancing, and restoring the natural resources of the New Jersey Highlands Region, in particular the water resources, which provide drinking water to over 5 million New Jersey residents; and

WHEREAS, the Highlands Act created the Highlands Water Protection and Planning Council (the "Highlands Council") and charged it with crafting a comprehensive master plan for the New Jersey Highlands Region; and

WHEREAS, the Highlands Regional Master Plan was adopted by the Highlands Council through the adoption of Resolution 2008-27 on July 17, 2008, and became effective on September 8, 2008 as the product of a long-term, participatory, and region-wide planning effort; and

WHEREAS, Section 14 of the Highlands Act expressly requires that municipalities must revise and conform their local master plan and development regulations for that portion of their lands within the Preservation Area, as related to development and use of said lands, with the goals, requirements and provisions of the Regional Master Plan; and

WHEREAS, Section 15 of the Highlands Act provides for voluntary Plan Conformance where any municipality located wholly or partially in the Planning Area may at any time voluntarily revise and conform its local master plan and development regulations, as related to the development and use of land in the Planning Area, with the goals, requirements and provisions of the Regional Master Plan; and

WHEREAS, the Township of Mahwah is located in the Highlands Region with lands lying within both the Preservation Area and the Planning Area, as defined by section 7 of the Highlands Act; and

WHEREAS, the Township Council of the Township of Mahwah has, on behalf of the municipality, petitioned the Highlands Council for Plan Conformance with respect to Township lands located within both the Planning Area portion and the Preservation Area portion of the Highlands Region; and

WHEREAS, the Petition filed with the Highlands Council contains proposed amendments to the municipal planning program, including amendments to the Environmental Resource Inventory, Master Plan, and Land Use Ordinance, which together are intended to achieve conformance with the Regional Master Plan and provide immediate protections to vital Highlands Resources located within the Township of Mahwah; and

WHEREAS, the Township Council finds that the proposed changes to the municipal planning program are of broad and significant effect, are vital to the protection of the Highlands resources of the municipal Highlands Area, and are compelling to the interests and general welfare of the community.

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. The Land Development: Volume II of the Township Code is hereby amended to establish Chapter 32, "Highlands Ordinance", which shall read as follows:

32-1 Petition for Plan Conformance

The Township of Mahwah is located within that portion of the New Jersey Highlands Region defined by the Highlands Act, as the "Planning Area" and the "Preservation Area" (see definitions). This Chapter is enacted pursuant to Section 15.a. of the Highlands Water Protection and Planning Act (Highlands Act, N.J.S.A. 13:20-1 et seq.), which provides that a municipality may choose to conform its master plan, development regulations, and other regulations to the provisions of the Highlands Regional Master Plan, with respect to lands located within the Planning Area, and by Ordinance, petition the New Jersey Highlands Water Protection and Planning Council (Highlands Council) for Plan Conformance approval of such planning and regulatory documents.

By adoption of this Chapter, the Township Council of the Township of Mahwah establishes that Mahwah shall conform its master plan, development regulations, and all other regulations applicable to the use and development of land within the Preservation Area and Planning Area of the Township, to achieve consistency with the goals, requirements, and provisions of the Highlands Regional Master Plan. Said conformance shall be in accordance with the provisions of Highlands Council approval of the Township's Petition for Plan Conformance, which was approved by Highlands Council Resolution No. 2010-14, adopted on December 16, 2010. Further, this Chapter specifically reserves the rights of Mahwah as specified by the Highlands Act, with respect to the voluntary nature of Plan Conformance for the Planning Area.

32-2 Highlands Council Review of Land Development Ordinance Amendments

Any amendment to the Township of Mahwah Land Development Regulations shall not be effective until deemed consistent with the Regional Master Plan or deemed not subject to review by the Highlands Council.

32-3 Definitions

For the purpose of this Chapter, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

APPLICATION FOR DEVELOPMENT

Shall mean the application form and all accompanying documents required by ordinance for approval of a subdivision plat, site plan, planned development, conditional use, zoning variance, or direction of the issuance of a permit pursuant to section 25 or section 27 of P.L.1975, c.291 (C.40:55D-34 or C.40:55D-36).

CRITICAL WILDLIFE HABITAT

Shall mean within the Planning Area, Critical Wildlife Habitat consists of those areas within NJDEP's Landscape Project Version 3.3 (or more recent version as amended) that are Landscape Rank 3 through 5. In addition, it includes areas that are designated Landscape Rank 2 and have a Highlands Conservation Rank of Critically Significant or Significant. Within the Preservation Area, Critical Wildlife Habitat consists of those areas within Landscape Rank 2 through 5, including all Highlands Conservation Ranks. Parcel level mapping may be found on the Highlands Council's "Highlands Resource Explorer" interactive map available through the Highlands Council website.

DEVELOPMENT

Shall mean the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or other structure, or of any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to the Municipal Land Use Law.

DISTURBANCE

Shall mean the placement of impervious surface, the exposure or movement of soil or bedrock, or the clearing, cutting, or removing of vegetation.

DISTURBANCE, ULTIMATE

Shall mean the total existing or proposed area of disturbance of a lot, parcel, or other legally designated (or otherwise legally recognized) tract or subdivision of land, for the purpose of, and in connection with, any human activity, property improvement, or development, including the surface area of all buildings and structures, all impervious surfaces, and all associated land disturbances such as excavated, filled, and graded areas, and all lawn and

landscape areas. Ultimate disturbance shall not include areas of prior land disturbance which at the time of evaluation: a) contain no known man-made structures (whether above or below the surface of the ground) other than such features as old stone rows or farm field fencing; and b) consist of exposed rock outcroppings, or areas which, through exposure to natural processes (such as weathering, erosion, siltation, deposition, fire, flood, growth of trees or other vegetation) are no longer impervious or visually obvious, or ecologically restored areas which will henceforth be preserved as natural areas under conservation restrictions.

FOREST

Shall mean a biological community as determined by the method set forth under the NJDEP Highlands Rules, at N.J.A.C. 7:38-3.9

HIGHLANDS COUNCIL

Shall mean the New Jersey Highlands Water Protection and Planning Council.

HIGHLANDS ACT

Shall mean the Highlands Water Protection and Planning Act, P.L. 2004, c.120, as amended, codified in part at N.J.S.A. 13:20-1 et seq.

HIGHLANDS APPLICABILITY DETERMINATION (HAD)

Shall mean the determination made by the NJDEP of whether a project proposed for the Preservation Area is a major Highlands development, whether any such major Highlands development is exempt from the Highlands Act, and whether the project is consistent with the applicable Areawide Water Quality Management Plan.

HIGHLANDS AREA

Shall mean that portion of the Township of Mahwah for which the land use planning and regulation are, or are intended or proposed to be, in conformance with the Highlands Regional Master Plan.

HIGHLANDS OPEN WATERS

Shall mean all springs, streams including intermittent streams, wetlands, and bodies of surface water, whether natural or artificial, located wholly or partially within the boundaries of the Highlands Region, but not including swimming pools. Highlands Open Waters include seeps, lakes, ponds, and vernal pools; all categories (including springs, streams, and wetlands) as described and identified in Attachment 3 or subsequently identified or modified by a Letter of Interpretation issued by the New Jersey Department of Environmental Protection.

HIGHLANDS REGION

Shall mean all that area within the boundaries of the municipalities listed in subsection a. of section 7 of the Highlands Act.

HIGHLANDS RESOURCE AREA DETERMINATION (HRAD)

Shall mean a formal determination issued by the NJDEP that confirms the presence or absence of a Highlands Resource Area on a site, and if present, its location and applicable boundary lines. A person may apply for an HRAD only, or in connection with an application for an HPAA.

HIGHLANDS SPECIAL ENVIRONMENTAL ZONE

Shall mean those areas as designated as Special Environmental Zone in the Regional Master Plan. Special Environmental Zones are only located in the Preservation Area.

IMPERVIOUS SURFACE

Shall mean any structure, surface, or improvement that reduces or prevents absorption of stormwater into land, including, but not limited to, porous paving, paver blocks, gravel, crushed stone, decks, patios, elevated structures, and other similar structures, surfaces, or improvements.

IMPERVIOUS SURFACE, CUMULATIVE

Shall mean the total area of all existing or proposed impervious surfaces situated or proposed to be situated within the boundary lines of a lot, parcel, or other legally recognized subdivision of land, expressed either as a measure of land area such as acreage, or square feet, or as a percentage of the total lot or parcel area.

MAJOR POTENTIAL CONTAMINANT SOURCES (PCS)

Shall mean land uses and activities determined by the Highlands Council to pose a major risk of ground water contamination (see Section §32-6).

MINOR POTENTIAL CONTAMINANT SOURCES (PCS)

Shall mean land uses and activities determined by the Highlands Council to pose a minor risk of ground water contamination (see Section §32-7).

MUNICIPAL LAND USE LAW (MLUL)

Shall mean the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

NATURAL HERITAGE PRIORITY SITE

Shall mean any of the 95 NJDEP Natural Heritage Priority Sites, including habitat for documented threatened and endangered plant species, and lands that include unique or regionally significant ecological communities and other significant natural sites and features.

NJDEP

Shall mean the New Jersey Department of Environmental Protection.

NJDEP HIGHLANDS AREA RULES

Shall mean the regulations established by the NJDEP to implement requirements of the Highlands Act, titled "Highlands Water Protection and Planning Act Rules," and codified at N.J.A.C. 7:38-1 et seq.

PLANNING AREA

Shall mean lands within the Highlands Region not within the Preservation Area (N.J.S.A. 13:20-7).

PLAN CONFORMANCE

Shall mean the process by which a municipality revises the master plan, development regulations and other regulations related to the development and use of land to conform them

with the goals, requirements, and provisions of the Regional Master Plan in accordance with the Highlands Plan Conformance Procedures.

PRESERVATION AREA

Shall mean that portion of the Highlands Region so designated by subsection b. of section 7 of the Highlands Act.

PRIME GROUNDWATER RECHARGE

Shall mean those lands designated in the Regional Master Plan as being within a HUC14 subwatershed that most efficiently provide, in the aggregate, 40 percent of total drought recharge volume for the HUC14 subwatershed.

QUALIFIED ENVIRONMENTAL PROFESSIONAL

Shall mean someone who possesses sufficient specific education, training, and experience necessary to exercise professional judgment to develop opinions and conclusions.

REGIONAL MASTER PLAN (RMP)

Shall mean the Highlands Regional Master Plan or any revision thereof adopted by the Highlands Council pursuant to N.J.S.A. 13:20-8.

RESIDENTIAL DEVELOPMENT

Shall mean development dedicated to the creation of new dwelling units or the improvement or expansion of existing dwelling units, whether by new construction or conversion of existing building areas or portions thereof, to dwelling use, including any type of residential structure whether a single-family home (including group home), duplex, townhouse, apartment or any other form of multi-family housing construction. For purposes of this Chapter, residential development shall include property improvements associated with and either, required in support of or customarily accessory to, the residential use, including but not limited to porches, patios, decks, driveways, garages, storage sheds, swimming pools, tennis courts, drywells, utility facilities, septic systems, yard grading and retaining walls.

RIPARIAN AREA

Shall mean areas adjacent to and hydrologically interconnected with Highlands Open Waters rivers and streams consisting of flood prone areas, wetlands, soils that are hydric, alluvial, or have a shallow depth to ground water, and including wildlife passage corridors within 300 feet of surface Highlands Open Waters features.

SLOPES, MODERATELY CONSTRAINED

Shall mean all forested non-Riparian Area lands having a slope of 15% to less than 20%.

SLOPES, SEVERELY CONSTRAINED

Shall mean all lands having slopes of 20% or greater and all lands within Riparian Areas having slopes of 10% and greater.

STRUCTURE

Shall mean a combination of materials to form a construction for occupancy, use or ornamentation whether installed on, above, or below the surface of a parcel of land.

VERNAL POOL

Shall mean a NJDEP-certified vernal pool plus a 300-meter-wide protection buffer surrounding the perimeter of each such pool. Vernal Pools consist of confined, ephemeral wet depressions that support distinctive, and often endangered, species that are specially adapted to periodic extremes in water pool levels.

32-4 Amendment to Land Development Regulations

32-4.1 Establishment of Highlands Districts

a. Highlands Preservation Area and Planning Area

1. In accordance with the delineation as set forth in the Highlands Act (C.13:30-7) the Township of Mahwah hereby establishes the Preservation Area and Planning Area of the Highlands Region.

2. For purposes of this Chapter, these Areas shall henceforth be known and designated as the Township Highlands Area.

b. Highlands Land Use capability Zones: In accordance with the Highlands RMP there are hereby established three primary Land Use Capability Zones (LUCZ) (the Protection Zone, Conservation Zone, and Existing Community Zone) and four LUCZ sub-zones (Wildlife Management Sub-Zone, Conservation Zone–Environmentally Constrained Sub-Zone, Existing Community Zone–Environmentally Constrained Sub-Zone, and Lake Community Sub-Zone).

c. Attachments: The following attachments are hereby adopted.

1. Attachment 1 entitled "Highlands Area and Highlands Land Use Capability Zones" depicting the municipality along with delineation of the Highlands Area and Highlands Land Use Capability Zones,

2. Attachment 2 entitled "Wellhead Protection Areas",

3. Attachment 3 entitled "Highlands Open Waters and Buffers",

4. Attachment 4 entitled "Highlands Riparian Areas",

5. Attachment 5 entitled "Net Water Availability",

6. Attachment 6 entitled "Forest Area",

7. Attachment 7 entitled "Prime Groundwater Recharge Areas", and

8. Attachment 8 entitled "Special Environmental Zone".

32-4.2 Applicability

The following Applications for Development involving lands located within (or partially within) the Township Highlands Area (as illustrated in Attachment 1, "Highlands Area and Highlands Land Use Capability Zones") shall comply with the provisions of this Chapter:

a. In the Preservation Area:

1. Any non-residential development in the Preservation Area;

2. Any residential development in the Preservation Area that requires an environmental land use or water permit or that results in the ultimate disturbance of one acre or more of land or a cumulative increase in impervious surface by one-quarter acre or more;

3. Any activity undertaken or engaged in the Preservation Area that is not a development but results in the ultimate disturbance of one-quarter acre or more of forested area or that results in a cumulative increase in impervious surface by one-quarter acre or more on a lot; or

4. Any capital or other project of a State entity or local government unit in the Preservation Area that requires an environmental land use or water permit or that results in the ultimate disturbance of one acre or more of land or a cumulative increase in impervious surface by one-quarter acre or more.

b. In the Planning Area:

1. For residential development, creates three (3) or more new dwelling units or lots.

2. For non-residential development:

(a) Results in the ultimate disturbance of one (1) acre or more of land; or

(b) Produces a cumulative increase of impervious surface area of one-quarter (¼) acre, or more as of the date of enactment of this Chapter.

c. In either the Preservation or the Planning Area:

1. Introduces or expands on any of the following land uses/facilities:

(a) Landfills;

(b) Permanent storage or disposal of hazardous wastes, industrial or municipal sludge or radioactive materials, including solid waste landfills;

(c) Collection and transfer facilities for hazardous wastes, solid wastes that contain hazardous materials, and radioactive materials;

(d) Industrial treatment facility lagoons; or

(e) Any Major or Minor Potential Contaminant Source (as identified in Section §24-10.2) on lands located within 200 feet of the wellhead of any public community well or public non-community well, as these are defined herein.

d. All thresholds in a. and b. above shall be interpreted to apply cumulatively over time on the lot as it existed, beginning on the date of enactment of the Highlands Act, August 10, 2004, in the Preservation Area and as of the effective date of this Chapter in the Planning Area. If or when any one of the thresholds is reached, this Chapter shall apply to any and all development in excess of that threshold. Where an application proposes a mixed use, the thresholds in b. for non-residential development shall apply to the whole of the project, while that in a., shall apply to the residential component.

32-4.3 Highlands Council Call-Up

The Township of Mahwah shall, within fifteen (15) calendar days of issuance of any decision under this Chapter, provide a copy of the decision to the Highlands Council. The Highlands Council call-up review period shall expire 15 calendar days following the Highlands Council's receipt of same. Any decision issued under this Chapter shall not be effective until the expiration of the call-up period, or upon notification that the Highlands Council is exercising its review authority and an approval issued by the Highlands Council. Absent any notification from the Highlands Council within the 15-day timeframe, the decision shall be considered effective.

32-4.4 Exclusions and Exemptions

Refer to Chapter 31 "Highlands Area Exemptions".

32-4.5 Prohibited Uses

Any of the following uses are prohibited within the Highlands Area:

a. Landfills;

b. Facilities for the permanent storage or disposal of hazardous wastes, industrial or municipal sludge or radioactive materials, including solid waste landfills;

c. Collection and transfer facilities for hazardous wastes, solid wastes that contain hazardous materials, and radioactive materials; and

d. Industrial treatment facility lagoons.

e. Any principal or accessory use, or structure related or devoted to such use, which is designated by the Highlands Council as a Major or Minor Potential Contaminant Source (PCS) (see Section §32-6 and §32-7) is expressly prohibited from that portion of any Tier 1 Wellhead Protection Area lying within 200 feet of the wellhead as shown on Attachment 2.

32-4.6 Highlands Open Waters

a. Highlands Open Waters and Buffers: All Highlands Open Waters shall include a minimum 300-foot-wide protection buffer, as measured from the edge of the Highlands Open Waters feature indicated in Attachment 3.

1. No disturbances of Highlands Open Waters are permitted except where previously approved by the Highlands Council.

2. Highlands Open Waters buffers shall be maintained in their undisturbed or pre-existing condition, unless a disturbance is approved in accordance with following:

(a) Where a NJDEP a Letter of Interpretation (LOI) or Highlands Resource Area Determination (HRAD) has been issued delineating the location a wetland, the boundaries of said wetland as identified shall govern. However, the buffer shall be 300 feet irrespective of the buffer identified in the LOI.

(b) With respect to any wetlands and other Highlands Open Waters features not mapped in Attachment 3, each shall include a 300-foot-wide protection buffer measured from a delineated wetlands line described in a LOI, from a field-delineated boundary line for other features, or as indicated by a Highlands Resource Areas Determination (HRAD) issued by the NJDEP.

(c) Any lawful pre-existing structure or improvement located within a Highlands Open Waters protection buffer area may remain and be maintained or rehabilitated, provided that the existing area of disturbance attributed to or associated with such structure or improvement shall not be increased.

(d) Disturbances of Highlands Open Waters buffers located in the Existing Community Zone are permitted in previously disturbed areas as follows:

(1) Agricultural & Horticultural Land Uses. For purposes of Highlands Open Water buffer disturbances in the Existing Community Zone, existing agricultural and horticultural uses, whether or not under active management or operation, shall not be considered "previously disturbed" buffer areas with regard to uses for non-agricultural development.

(2) Any disturbance in a previously disturbed buffer must be accompanied by the finding that there will be no net loss of functional value of the buffer. This may include the use of mitigation and restoration of the Highlands Open Water Buffer.

[a] If existing land uses create a natural or developed barrier to the buffer, then the buffer may be considered to be developable.

(e) Protection and Conservation Zone Standards: Disturbances of Highlands Open Waters buffers located in the Protection and Conservation Zone are permitted in previously disturbed areas but in no case shall the remaining buffer be reduced to less than 150 feet from the edge of Highlands Open Waters.

(1) Agricultural & Horticultural Land Uses. For purposes of Highlands Open Water buffer disturbances in the Protection and Conservation Zone, existing agricultural and horticultural uses, whether or not under active management or operation, shall not be considered "previously disturbed" buffer areas with regard to uses for non-agricultural development.

(2) Any proposed disturbances must demonstrate full utilization of the following performance standards in the listed order, to demonstrate the necessity of an encroachment into Highlands Open Waters buffers:

[a] Avoid the disturbance of Highlands Open Waters buffers;

[b] Minimize impacts to Highlands Open Waters buffers; and

[c] Mitigate all adverse impacts to Highlands Open Water buffers so that there is no net loss of the functional value of the buffer.

b. Riparian Area Standards: Disturbance of any portion of a Highlands Riparian Area, as shown in Attachment 4, in the Protection Zone, Conservation – Environmentally Constrained Sub-zone, Lake Community Sub-Zone, and Existing Community – Environmentally Constrained Sub-Zone is prohibited except for linear development, which shall be permitted only where it has been shown that there is no feasible alternative for the linear development outside of the Riparian Area.

1. To address the "no feasible alternative for linear development" standard, the applicant shall demonstrate that there is no other location, design or configuration for the proposed linear development that would reduce or eliminate the disturbance of Riparian Area.

2. For proposed linear development that would provide access to an otherwise developable lot, the applicant shall in addition, show that:

(a) The proposed linear development is the only point of access for roadways or utilities to an otherwise developable lot; and

(b) Shared driveways are used to the maximum extent possible to access multiple lots.

(c) An alternative shall not be excluded from consideration under this subsection merely because it includes or requires an area not owned by the applicant that could reasonably be obtained, utilized, expanded, or managed in order to fulfill the basic purpose of the proposed linear development.

32-4.7 Critical Habitat and Vernal Pools

a. The location, extent and type of Critical Wildlife Habitat, Vernal Pools and Natural Heritage Priority Sites are those areas defined in Section §32-3 and identified by the NJDEP. Details on the areas may be found on the Highlands Council's "Highlands Resource Explorer" interactive map or through the NJDEP.

b. Critical Wildlife Habitat and Vernal Pools

1. No disturbance is permitted within 300-meters of a Vernal Pool or in any Critical Wildlife Habitat as defined in Section §32-3 accept in accordance with the following:

2. A Critical Wildlife Habitat area or Vernal Pool 300-meter buffer may be disturbed where a Habitat Suitability Analysis conducted by a qualified professional has been submitted to the Planning and/or Zoning Board, which shall review and confirm findings that:

   (a) The nature of the site is such that it does not provide habitat for species of concern;

   (b) The species of concern are not present on the site during any critical part of their life cycle, do not depend upon the site for food, shelter or breeding, and the habitat or the site is either unsuitable or not critical to species' recovery in the Region; or

   (c) Existing land uses present natural or development barrier to the use of the site by species of concern.

   (d) Avoidance of disturbance to species of concern can be achieved through adherence to commonly accepted, species-specific timing restrictions including but not limited limitations on the timing of tree clearing, site disturbance and project development.

3. Where disturbance has not been confirmed to be in accordance with the above standards, no disturbance shall be authorized without prior written approval of the Highlands Council, said approval may be a condition of any potential Board approval.

c. No disturbance is permitted in any New Jersey Department of Environmental Protection Natural Heritage Priority Site.

32-4.8 Steep Slopes

a. Severely Constrained and Moderately Constrained Slopes as defined in Section 32-3 shall be calculated at the time of application submission and are hereby made a mandatory submission item for any application that falls under the applicability thresholds of this Chapter.

b. Disturbance of Severely Constrained and Moderately Constrained Slopes is prohibited, with the exception of that required in connection with a linear development. Such linear development, however, shall be permitted only in the event that there is no feasible alternative for such development outside of the Severely Constrained or Moderately Constrained Slopes.

c. To address the "no feasible alternative for linear development" standard, the applicant shall demonstrate that there is no other location, design or configuration for the proposed linear development that would reduce or eliminate the disturbance of Severely Constrained or Moderately Constrained Slopes. For proposed linear development that would provide access to an otherwise developable lot, the applicant shall in addition, show that:

1. The proposed linear development is the only point of access for roadways or utilities to an otherwise developable lot; and

2. Shared driveways are used to the maximum extent possible to access multiple lots.

3. An alternative shall not be excluded from consideration under this subsection merely because it includes or requires an area not owned by the applicant that could reasonably be obtained, utilized, expanded, or managed in order to fulfill the basic purpose of the proposed linear development.

d. The reviewing Board shall not approve any application pursuant to this subsection if, after review of the information submitted to support an approval, it finds that there is a reasonable alternative to the proposed linear development.

32-4.9 Prime Groundwater Recharge Areas

a. Disturbance of Prime Ground Water Recharge Area (PGWRA), as shown in Attachment 7, or Municipally Important Groundwater Recharge Area (MIGWRA), as shown in Attachment #2 entitled "Attachment B: Groundwater Recharge Areas" of Chapter 29 (Highlands Regional Stormwater Management Program and Stormwater Control), by any regulated development is prohibited and shall be permitted only upon a finding by the reviewing Board that the proposal complies with the provisions of this subsection.

b. Development shall not occur in PGWRA or MIGWRA unless either, the entirety of the subject property is located within a PGWRA or MIGWRA and thus cannot be avoided, or the disturbance represents the only viable alternate means to avoid Critical Habitat, Highlands Open Waters buffers, Vernal Pool Buffers, Moderately Constrained Steep Slopes, or Severely Constrained Steep Slopes, to the extent that these resources are also present upon the subject property.

c. Where total avoidance is not feasible, total recharge area disruption (i.e., alteration of natural recharge patterns or volumes) shall not exceed 15% of the PGWRA or MIGWRA located within the affected parcels, placed where feasible on those parts of the PGWRA or MIGWRA having the lowest relative recharge rates and the least potential for aquifer recharge based upon site analysis.

d. Low Impact Development practices shall be used in the design of the development proposal to reduce total recharge disruption to the minimum feasible, within the 15% cap.

e. Any development application involving disturbance of a PGWRA or MIGWRA shall be accompanied by a mitigation plan, providing for an equivalent of 125% of pre-construction recharge volumes for that portion of the PGWRA or MIGWRA that will be disturbed. The recharge mitigation shall occur within the following areas, in order of priority: (1) the same development site to the maximum extent feasible; (2) the same HUC14 subwatershed; or (3) where no feasible option exists in the same HUC14 subwatershed, an interrelated HUC14 subwatershed approved by the Highlands Council.

32-4.10 Highlands Special Environmental Zone

a. Development in Highlands Special Environmental Zone as shown in Attachment 8 is prohibited unless prior approval from the Highlands Council has been received, said approval may be a condition of any Board approval.

32-4.11 Septic Density

a. Nothing herein shall be deemed to apply to the replacement or repair of an existing septic system.

b. Preservation Area. Development proposals involving new or increased demand for septic system capacity in the Preservation Area shall be regulated in accordance with NJDEP Highlands Area Rules (N.J.A.C. 7:38).

c. Planning Area. All development proposing new or increased demand for septic system capacity in the Planning Area shall be regulated in accordance with this subsection. The following are gross septic density requirements and shall not modify any minimum lot size requirements contained in the Township Zoning ordinance (Chapter 24). Every development shall provide for a minimum acreage for each dwelling unit (or equivalent) as noted below.

1. Septic System Density Allowances. Septic system density (gross acres per septic system) shall not exceed the following allowances, for each Highlands Zone:

   (a) Existing Community Zone: 9 acres/septic system

   (b) Conservation Zone: 10 acres/septic system

   (c) Protection Zone: 25 acres/septic system

2. These allowances indicate the minimum acreage required per septic system, where that system is designed for a one-family household generating a maximum flow of 300 gallons of wastewater per day. The resulting acreage shall be applied as the minimum average acreage necessary to support every 300 gallons of daily wastewater flow generated by any proposed use where the unit/square footage figures below shall be applied as 300 gallon-per-day equivalents.

3. Equivalent Yields. The following unit/square footage figures shall be applied as 300 gallon-per-day equivalents.

   (a) Residential Uses (All Types, except as provided below) – 1 dwelling unit.

   (b) Deed-Restricted Senior Citizen Residential Units, or Mobile Home Parks with dwelling units less than 500 square feet in size – to be determined by the Highlands Council.

   (c) Office and Commercial Uses – 2,400 square feet of floor area.

(d) Industrial (Including Warehousing/Distribution) Uses – 18,182 square feet of floor area (Excluding Process Wastewater Flow).

(e) Specific Non-Residential Uses by Facility Type – In lieu of (c), or (d) above, 300 gallon-per-day equivalents may be computed based on the average sewage volumes provided in N.J.A.C. 7:9A-7.4.

32-4.12 New or Extended Water and Wastewater Infrastructure

a. Preservation Area. New, expanded or extended public water supply systems, public wastewater collection and treatment systems, and community on-site wastewater treatment facilities are prohibited unless approved by the NJDEP in accordance with the issuance of either a Highlands Applicability Determination or a municipally issued exemption indicating that a project is exempt from the Highlands Act, or a Highlands Preservation Area Approval with waiver pursuant to N.J.A.C. 7:38.

b. Planning Area – Protection Zone, Conservation Zone, and Environmentally-Constrained Sub-Zones. New, expanded or extended public water supply systems, public wastewater collection and treatment systems, and community on-site wastewater treatment facilities are prohibited unless approved through a waiver to address a documented threat to public health and safety and/or for a Highlands Redevelopment Area or Takings Waiver (RMP Policies 7G1 and 7G2).

c. Planning Area – Existing Community Zone (excluding Environmentally-Constrained Sub-Zone) and Lake Community Sub-Zone. Expansion or creation of public water supply systems, public wastewater collection and treatment systems, and community on-site wastewater treatment facilities are permitted: to serve lands which are appropriate for designated TDR Receiving Zones, infill development, or redevelopment; to address public health and safety; or to serve new areas for development.

32-4.13 Net Water Availability.

a. Water Conservation Requirements. All development proposals shall incorporate, as applicable, the following water conservation measures to promote sound resource use, reduce supply deficits, and reduce the need for additional utility infrastructure:

1. No irrigation systems should be utilized. Where required, they must provide automatic controls based on rain sensors (or soil moisture) for all new and replacement lawn irrigation systems, as required by the electrical subcode at N.J.A.C. 5:23-3.16;

2. Design all non-potable irrigation water uses to ensure that only the necessary amounts of water are used to achieve optimum plant growth, to the maximum extent practicable;

3. Provide for internal recycling or beneficial reuse of reclaimed water in new commercial development projects, to the maximum extent practicable;

4. Rely on stormwater for irrigation purposes to the maximum extent practicable, including but not limited to methods recommended by the U.S. Green Building Council through its Leadership in Energy and Environmental Design (LEED) program; and

5. Reduce water losses to the maximum extent practicable, in the rehabilitation of on-site water supply utility infrastructure, through such means as application of American Water Works Association/International Water Association water loss analysis methods (AWWA Manual M-36 or most recent version).

b. The following shall apply for any development application proposing a new or increased use of potable or non-potable water averaging 6,000 gallons per day or more, derived from: a) any groundwater source in a Highlands Area HUC14 subwatershed, whether through a public community or non-community water supply system well, a non-public well, or an individual private well; or b) any surface water source in a Highlands Area HUC14 subwatershed that is not associated with a safe yield determined by the NJDEP through a water allocation permit.

1. Where a Highlands Council-approved Water Use and Conservation Management Plan has been adopted, any development application involving the use of water derived from a subwatershed(s) with a deficit net water availability as shown in Attachment 5 shall be regulated fully in accordance with the requirements of such Plan.

2. Absence of Water Use and Conservation Management Plan: No application shall be deemed complete or considered for review by the applicable Board until or unless the Highlands Council has determined that the proposed water use will not exceed the remaining Net Water Availability for the source HUC14 subwatershed(s).

32-4.14 Forest Resources

a. All portions of the Highlands Area identified as Forest Area are found in Attachment 6.

b. Any disturbance of more than one quarter (¼) acre within the Total Forest Area shall be permitted only upon a finding by the reviewing Board that the following requirements have been satisfactorily addressed:

1. Demonstration that the proposed disturbance can neither be avoided nor reduced in extent, while adequately providing for a proposed use that otherwise addresses the requirements of this Chapter;

2. Incorporation of Low Impact Development techniques appropriate to the activity or development project proposed;

3. For any proposed disturbance of one half (½) acre or more, other than that associated with the maintenance of a legally pre-existing use or structure (expressly excluding the expansion of any such use or structure), submission, approval and implementation of a Forest Mitigation Plan designed to minimize the extent of such disturbance, protect forest areas adjacent or proximate to the disturbance area, and mitigate for loss of trees or other forest vegetation removed during the course of such disturbance; and

4. Notwithstanding the preceding provisions, in the case of any proposed disturbance that by definition constitutes deforestation; submission, approval and implementation of a Forest Mitigation Plan designed to minimize the extent of deforestation, protect forest areas to remain, and restore or mitigate for forest area loss.

c. Forest Impact Report Required. Where disturbance of 1 acre or more of Forest Area as shown on Attachment 6 is proposed, a Forest Impact Report shall be prepared including the following:

1. A map of Forest Area located on or within 500 feet of the subject property, as provided in Attachment 6.

2. A map indicating any Forest Area to be disturbed.

3. A determination of whether the disturbance area qualifies as a Forest under the NJDEP Highlands Area Rules, at N.J.A.C. 7:38-3.9(c). This shall be the Confirmed Forest area.

4. An analysis of the effects (direct and indirect) of the disturbance upon the Confirmed Forest Area.

5. All Forest Impact Reports must be prepared by a State of New Jersey Approved Forester or other qualified professional.

d. Forest Mitigation Plan. Where the Forest Impact Report confirms that disturbance of 1 acre or more of Confirmed Forest Area will occur, a Forest Mitigation Plan shall be prepared in accordance with the following:

1. All Forest Mitigation Plans must be prepared by a State of New Jersey Approved Forester or other qualified professional. A Forest Mitigation Plan must include each of the components listed herein.

2. Mitigation Priority Area Map. Priority Areas are forested locations within the site having the highest ecological value to be targeted for conservation, restoration, or mitigation, including such areas as:

(a) Highlands Open Waters and Buffers

(b) Riparian Areas, including Floodplains and Floodprone Areas

(c) Critical Habitat

(d) Steep Slopes and Ridgelines

(e) Core Forests and Contiguous Forest Patches

3. Forest Protection Plan. A plan incorporating pre-construction and construction best management practices to ensure the well-being of forest areas adjacent or proximate to the disturbance area.

4. Mitigation Description.

   (a) A description of the proposed forest restoration, tree planting plan or other mitigation initiative proposed to provide equivalent or enhanced forest ecosystem benefit in consideration of the extent and type of disturbance or deforestation that would result if the use or activity is approved.

   (b) Planting Plan indicating the specific plantings proposed, including size, species, quantity, location, separation distances, planting details, deer and pest management protections, and maintenance plans.

   (c) Maintenance Agreement. A minimum 5-year maintenance agreement that outlines care-taking responsibilities of the applicant once the proposed planting has been completed. The maintenance agreement must include monitoring of newly planted stands, provide for protection devices in working order for 5 years, and ensure a survival rate of 70% in year 1, 75% in year 2, 80% in year 3, and 85% in years 4 & 5, plus each year <10% invasive or noxious species.

32-4.15 Affordable Housing

a. In accordance with the requirements of the Fair Housing Act, any development consisting of vie (5) or more newly constructed residential units shall reserve for occupancy at least 20 percent (20%) of the residential units constructed for low-or moderate-income households.

b. Development exempt from the Highlands Act is not exempt from the 20% reservation requirement.

c. A minimum of 13% of the total residential units reserved for low- or moderate-income households should be designated for very low-income households pursuant to section 7 of P.L.2008, c.46 (C.52:27D-329.1).

d. No density bonus or presumptive density increase over existing zoning shall be required to be granted by the municipality for the construction of the affordable housing units on site. Density bonuses or presumptive density increases may be provided through Fair Share Plans and associated implementing ordinances to address affordable housing needs of Mahwah where inclusionary housing projects are selected as a compliance mechanism by the Township.

e. The Township of Mahwah shall provide for the local review of any proposed affordable units provided by requiring the submission of an Affordable Housing Production Plan in accordance with the following.

   1. An Affordable Housing Production Plan detailing all issues related to the affordable units shall be submitted to the Township's Planning and/or Zoning Board at the time application is made for any development requiring affordable housing pursuant to this Chapter.

2. The Affordable Housing Production Plan shall be a condition of the completeness determination and is hereby added to the submission requirements checklist for any new residential development or five (5) or more units or major residential subdivision, which creates five (5) or more new lots.

3. The Affordable Housing Production Plan shall include at a minimum the anticipated bedroom distribution, income split, anticipated administrative entity, tenure, estimated rent or sales prices, maintenance obligations and any other information pertinent to the creation and long-term support of the affordable housing units.

4. The Affordable Housing Production Plan shall include a phasing plan detailing the proposed time frames for the construction and occupation of the affordable housing units.

5. All Affordable Housing Production Plans shall be the subject of review by the Township's Planning and/or Zoning Board for consistency with these guidelines, the RMP, and the Township's Court-approved and/or certified Housing Element and Fair Share Plan.

6. Compliance with the RMP, the Fair Housing Act and the Affordable Housing Production Plan shall be a condition of any local approval.

f. Where it has been determined that the provision of some or all affordable housing units on-site would not be consistent with the RMP (i.e., regarding septic system density or resource protection), the units may be provided off-site within the Township wherever feasible.

32-4.16 Waivers and Exceptions

a. In addition to any variance relief required under the Municipal Land Use Law, relief from sections §32-4.5 (Prohibited Uses), §32-4.11 (Septic Density) and §32-4.12 (New or Extended Water and Wastewater Infrastructure) of this Chapter shall require issuance of a Highlands Act waiver, which can be a condition of any Board approval. Highlands Act waivers may be issued only by the NJDEP or the Highlands Council in accordance with the respective rules and criteria established by each agency in accordance with the provisions of the NJDEP Highlands Area Rules, the Highlands Act and the Highlands Regional Master Plan. The issuance of a Highlands Act Waiver shall in no case be construed to alter or obviate the requirements of any other applicable State or local laws, rules, regulations, development regulations, or ordinances.

b. Where the Highlands Council and the NJDEP have approved a waiver for a development project in the Preservation Area, the standards of any such approved waiver may be utilized by the municipality in the review of the project, in lieu of the standards found herein.

32-5 Application Fee and Escrow Requirements

a. The application fee and escrow requirements of this subsection shall apply in addition to all existing fee and escrow requirements, including procedural and legal requirements, as set forth in the underlying Township Land Development Ordinances. All application fees and escrows shall be managed and dispensed as prescribed under all applicable state and local

requirements, including but not limited to those of the MLUL and the Uniform Construction Code.

b. Applications for development. Any application subject to this Chapter shall pay an application fee of $250 and submit an escrow deposit of $2,000.

32-6 Major Potential Contaminant Sources

Land uses and activities determined by the Highlands Council (based on New Jersey Safe Drinking Water Act regulations at N.J.A.C. 7:10 and NJDEP regulations) to be Major Potential Contaminant Sources include those listed below. However, §24-10.2 also regulates Major Potential Contaminant Sources and the more restrictive list of uses shall apply.

a. Underground fuel and chemical storage and oil tanks regulated by NJDEP under provisions of the Underground Storage of Hazardous Substances Act (N.J.S.A. 58:10A-21 et seq.).

b. Above-ground storage facility for a hazardous substance or waste with a cumulative capacity greater than 2,000 gallons.

c. Automotive service center (repair & maintenance).

d. Dry cleaning processing facility.

e. Road salt storage facility.

f. Cemetery.

g. Highway maintenance yard.

h. Truck, bus, locomotive maintenance yard.

i. Site for storage and maintenance of heavy construction equipment and materials.

j. Site for storage and maintenance of equipment and materials for landscaping, excluding household storage and maintenance of such equipment.

k. Livestock operation containing 300 or more Animal Units (AU) [1 AU= 1000 pounds of live animal weight] as defined by the NJ Department of Agriculture in its Criteria and Standards for Animal Waste Management, at NJAC 2:91.

l. Quarrying and/or mining facility.

m. Asphalt and/or concrete manufacturing facility.

n. Junkyard/auto recycling and scrap metal facility.

o. Residential or agricultural motor fuel in NJDEP exempted underground storage tanks (i.e., under 1,000 gallons).

32-7 Minor Potential Contaminant Sources

Land uses and activities determined by the Highlands Council (based on New Jersey Safe Drinking Water Act regulations at N.J.A.C. 7:10 and NJDEP regulations) to be Minor Potential Contaminant Sources include the following. However, §24-10.2 also regulates Minor Potential Contaminant Sources and the more restrictive list of uses shall apply.

a. Underground storage of hazardous substances or waste of less than 50 gallons.

b. Underground heating oil storage tank with a capacity of less than 2,000 gallons.

c. Sewage treatment facility regulated by a NJPDES permit granted under NJAC 7:14A.

d. Industrial waste line.

e. Septic system disposal field.

f. Facility requiring a ground water discharge permit issued by the NJDEP pursuant to N.J.A.C 7:14A et seq.

g. Stormwater retention-recharge basin on an industrial property receiving runoff from surfaces other than roof areas.

h. Dry well on an industrial property receiving runoff from surfaces other than roof areas.

i. Waste oil collection, storage and recycling facility.

j. Agricultural chemical bulk storage and mixing or loading facility, including crop dusting facilities.

k. Above-ground storage of hazardous substances or waste in quantities of less than 2,000 gallons.

l. Livestock operation containing 8 or more Animal Units (AU) [1 AU= 1000 pounds of live animal weight] or those receiving 142 or more tons of animal waste per year as defined by the NJ Department of Agriculture pursuant to its Criteria and Standards for Animal Waste Management, at NJAC 2:91.

SECTION 2. Chapter 32, entitled "Highlands Ordinance", shall include eight attachments, titled as follows:

Attachment 1: Highlands Area and Highlands Land Use Capability Zones
Attachment 2: Wellhead Protection Areas
Attachment 3: Highlands Open Waters and Buffers
Attachment 4: Highlands Riparian Areas
Attachment 5: Net Water Availability
Attachment 6: Forest Area
Attachment 7: Primate Groundwater Recharge Areas

Attachment 8: Special Environmental Zone

These eight attachments are included at the end of this ordinance.

SECTION 3. Chapter 22, "Site Plan Review", §22-5.4, "Highlands Consistency Determination." is hereby repealed and replaced with the text "(Reserved)".

SECTION 4. If any section, paragraph, sub-section, 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 5. All ordinances or parts of ordinances of the Township heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. This Ordinance shall take effect twenty (20) days after final passage, adoption and publication according to law.

Introduced: 11/10/25
Adopted:
Effective date:

ATTEST:

Carolyn George, RMC
Municipal Clerk

TOWNSHIP OF MAHWAH

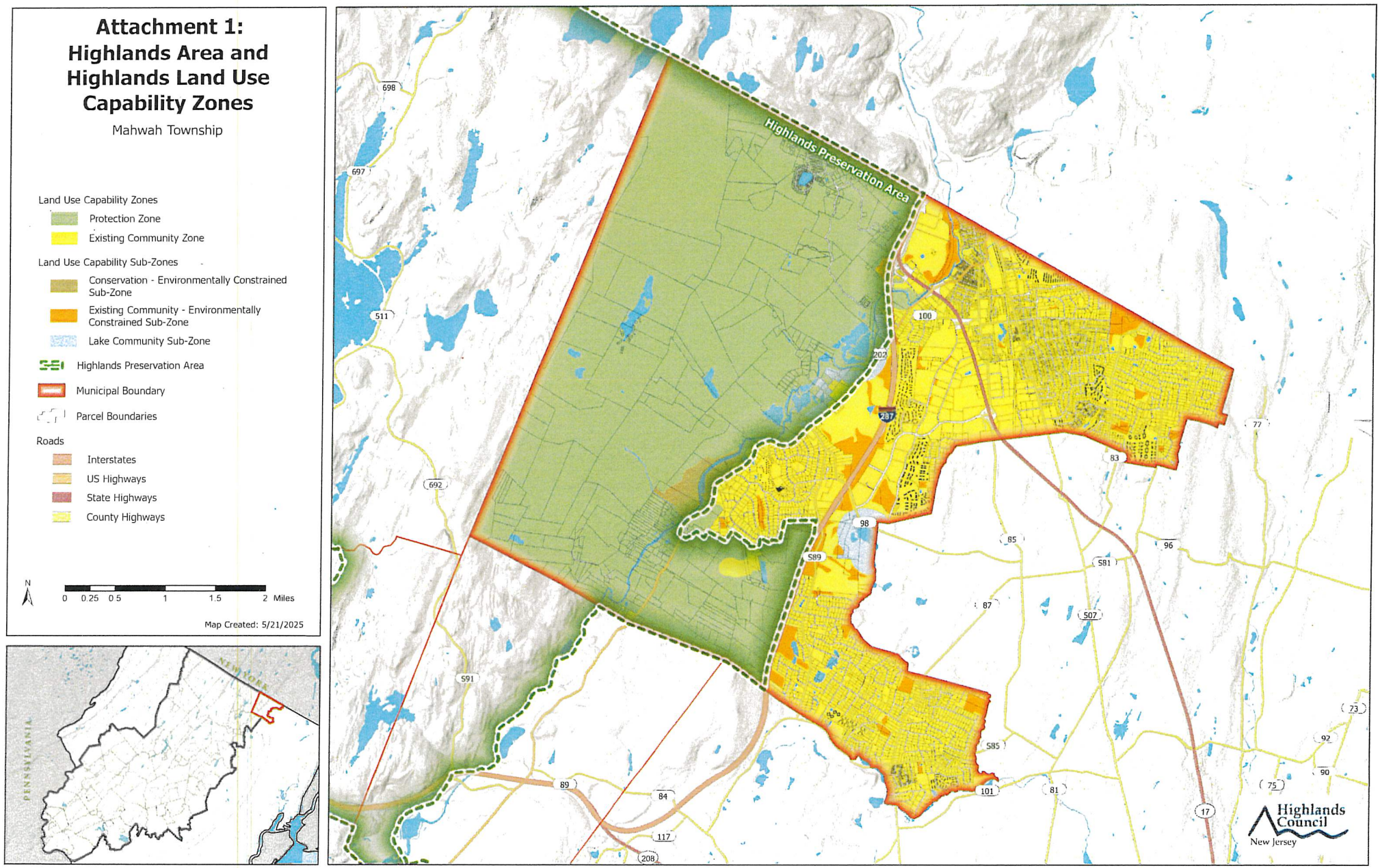
Robert M. Ferguson, III
Council President

I, Carolyn George, Municipal Clerk of the Township of Mahwah, hereby certify that the within Ordinance was passed and adopted at a meeting of the Township Council held on the _____ day of _____, 2025.

Carolyn George
Municipal Clerk

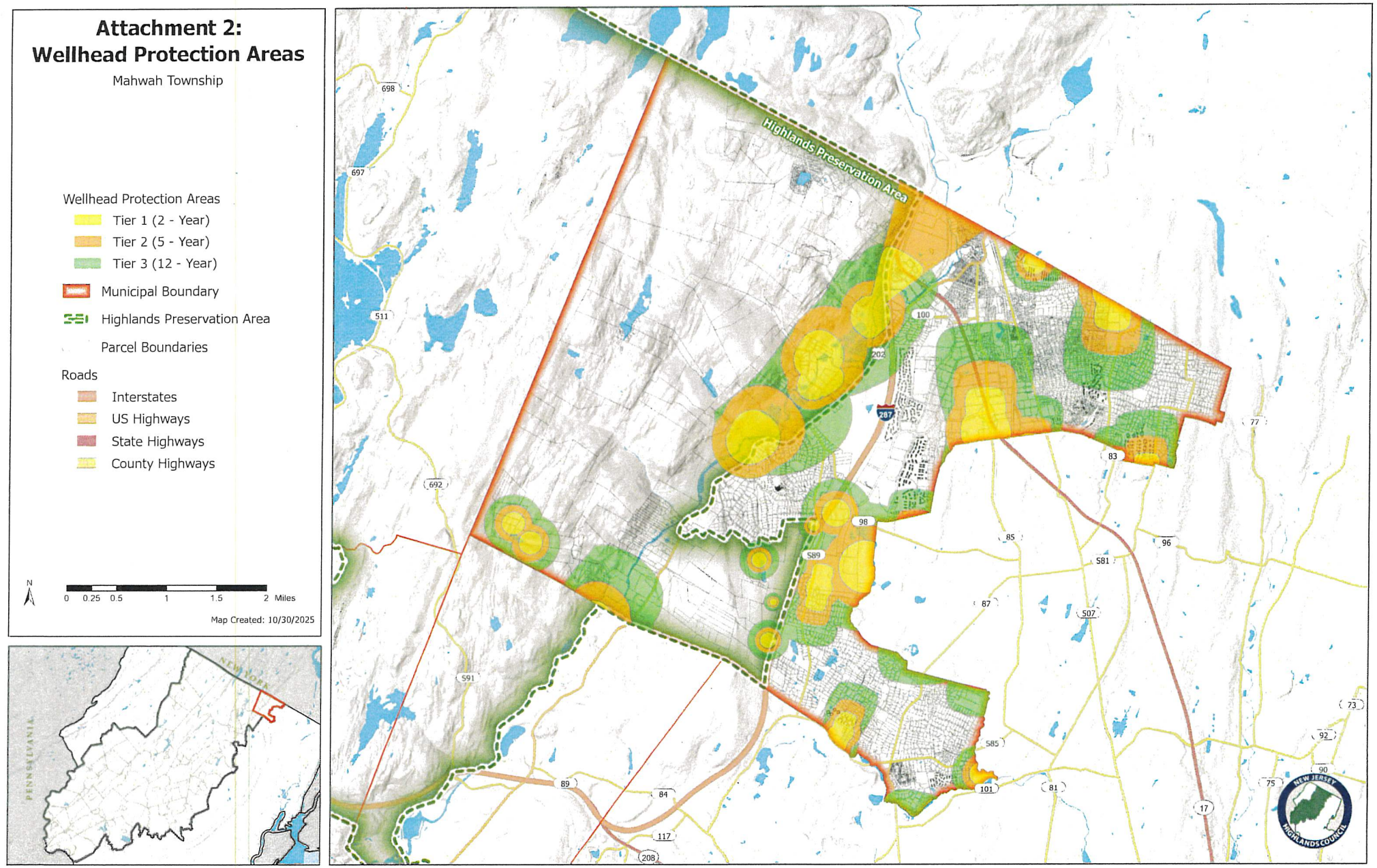
Attachment 1: Highlands Area and Highlands Land Use Capability Zones

Mahwah Township



Attachment 2:
Wellhead Protection Areas

Mahwah Township



Attachment 3: Highlands Open Waters and Buffers

Mahwah Township

- Streams
- Wetlands
- Hydrology
- Highlands Open Water Buffers (300ft)
- Municipal Boundary
- Highlands Preservation Area
- Parcel Boundaries

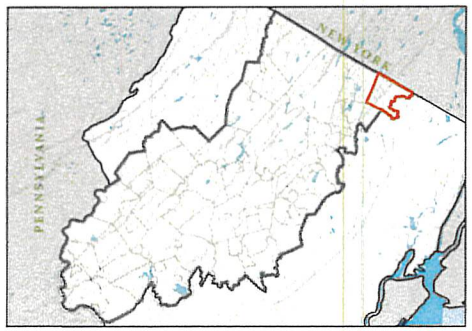
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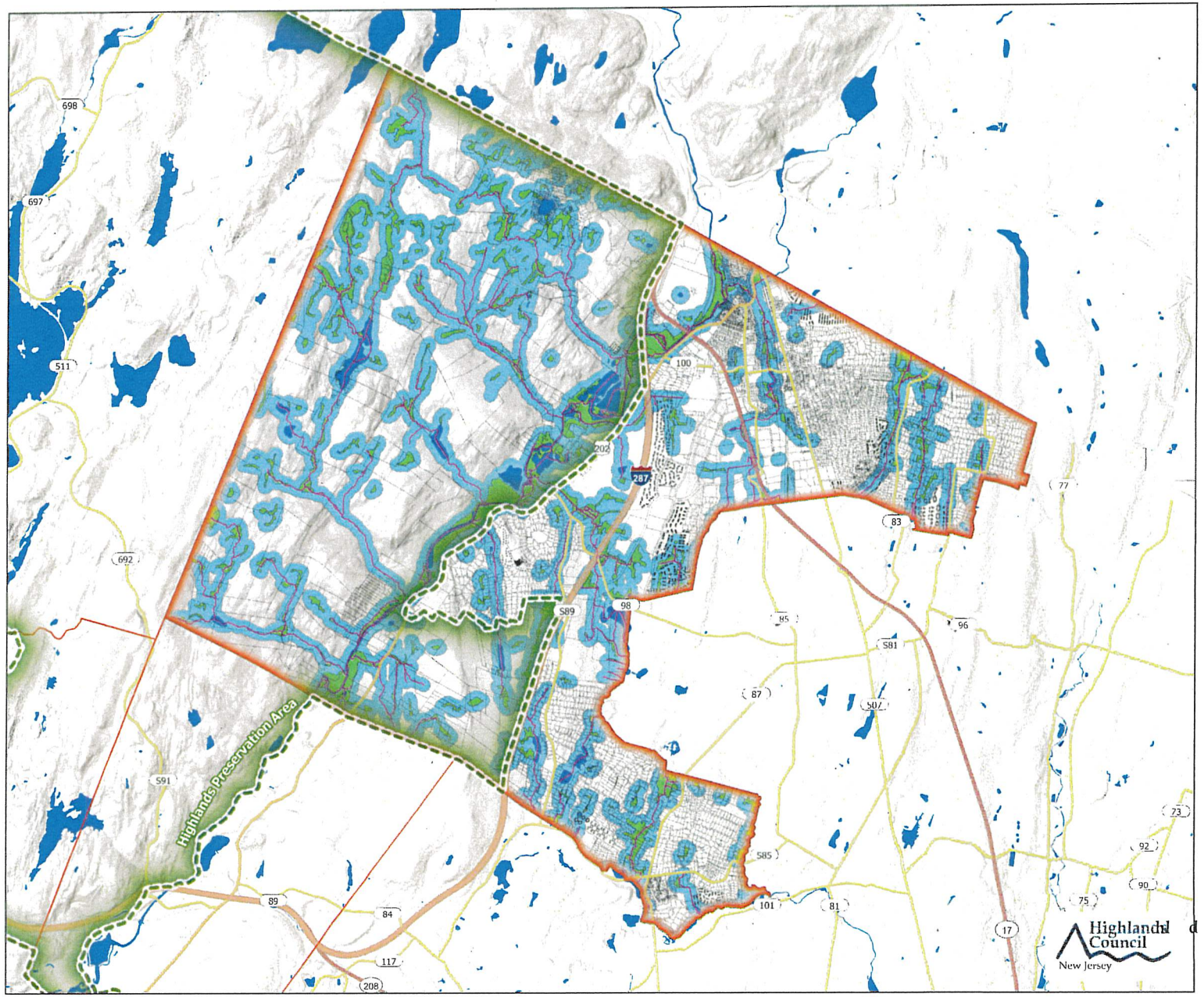
- Interstates
- US Highways
- State Highways
- County Highways

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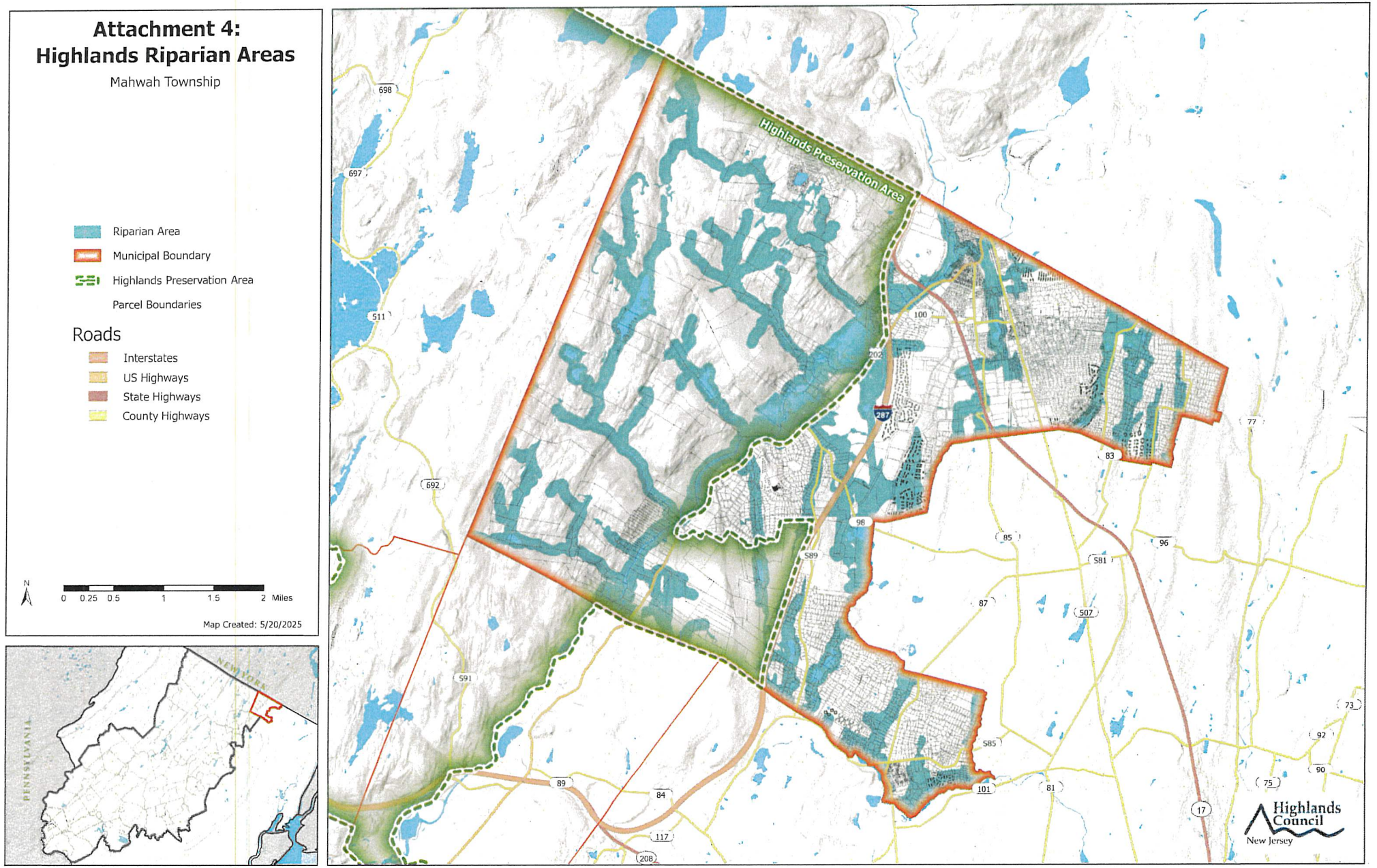
Map Created: 5/22/2025





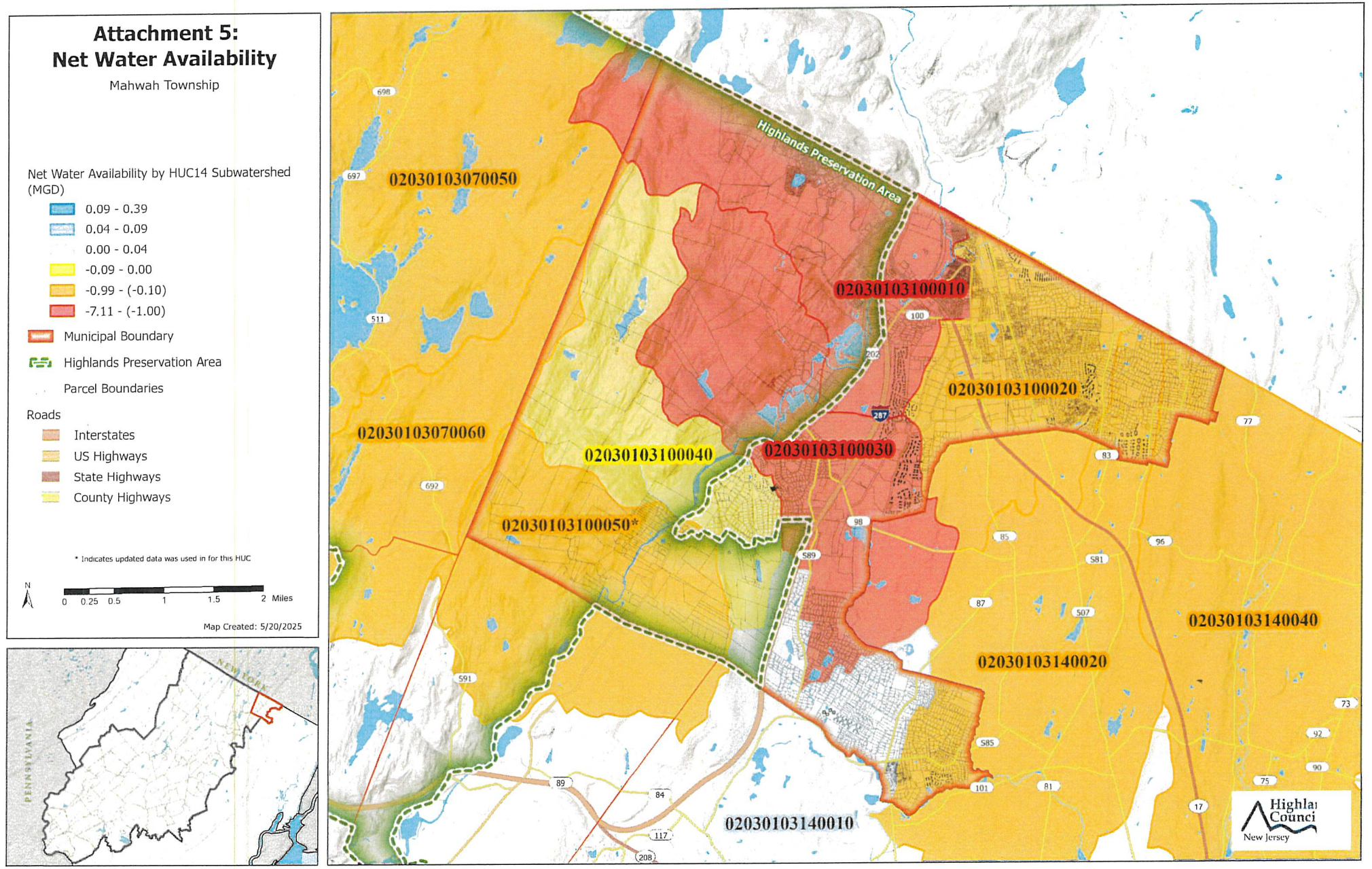
Attachment 4:
Highlands Riparian Areas

Mahwah Township



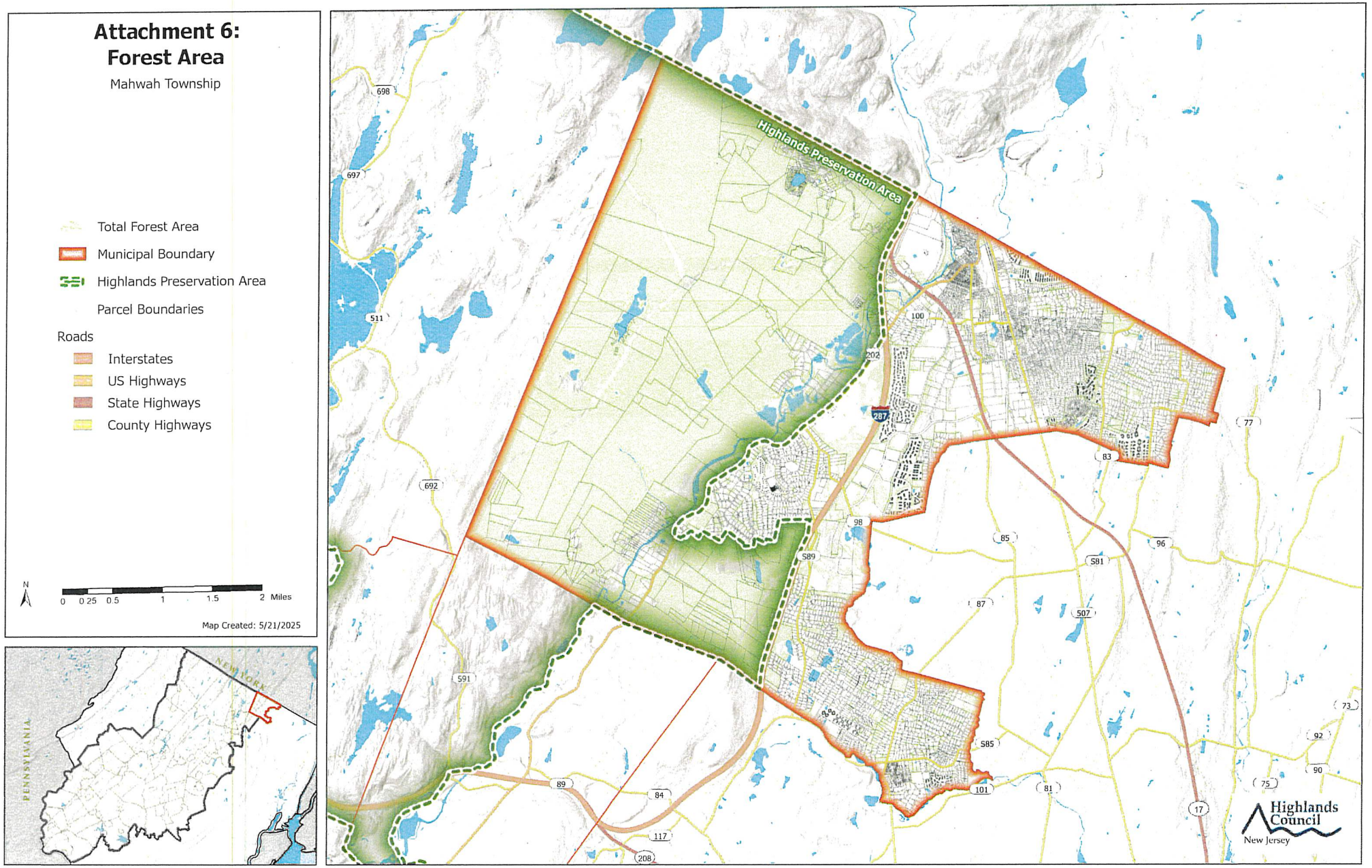
Attachment 5:
Net Water Availability

Mahwah Township



Attachment 6: Forest Area

Mahwah Township



Attachment 7: Prime Groundwater Recharge Areas

Mahwah Township

- Prime Ground Water Recharge Areas
- Municipal Boundary
- Highlands Preservation Area
- Parcel Boundaries

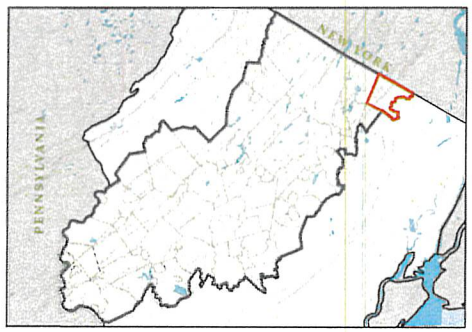
Roads

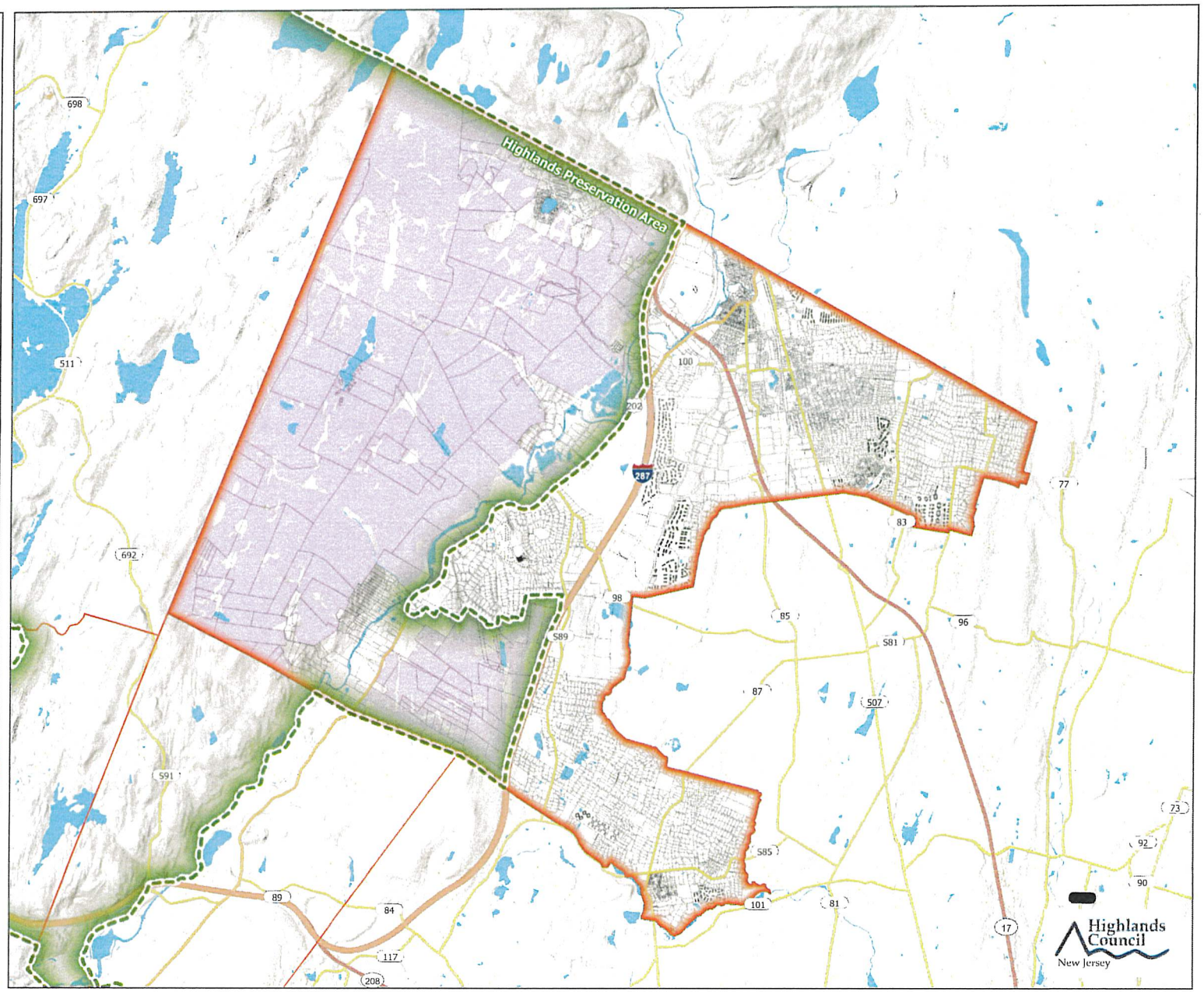
- Interstates
- US Highways
- State Highways
- County Highways

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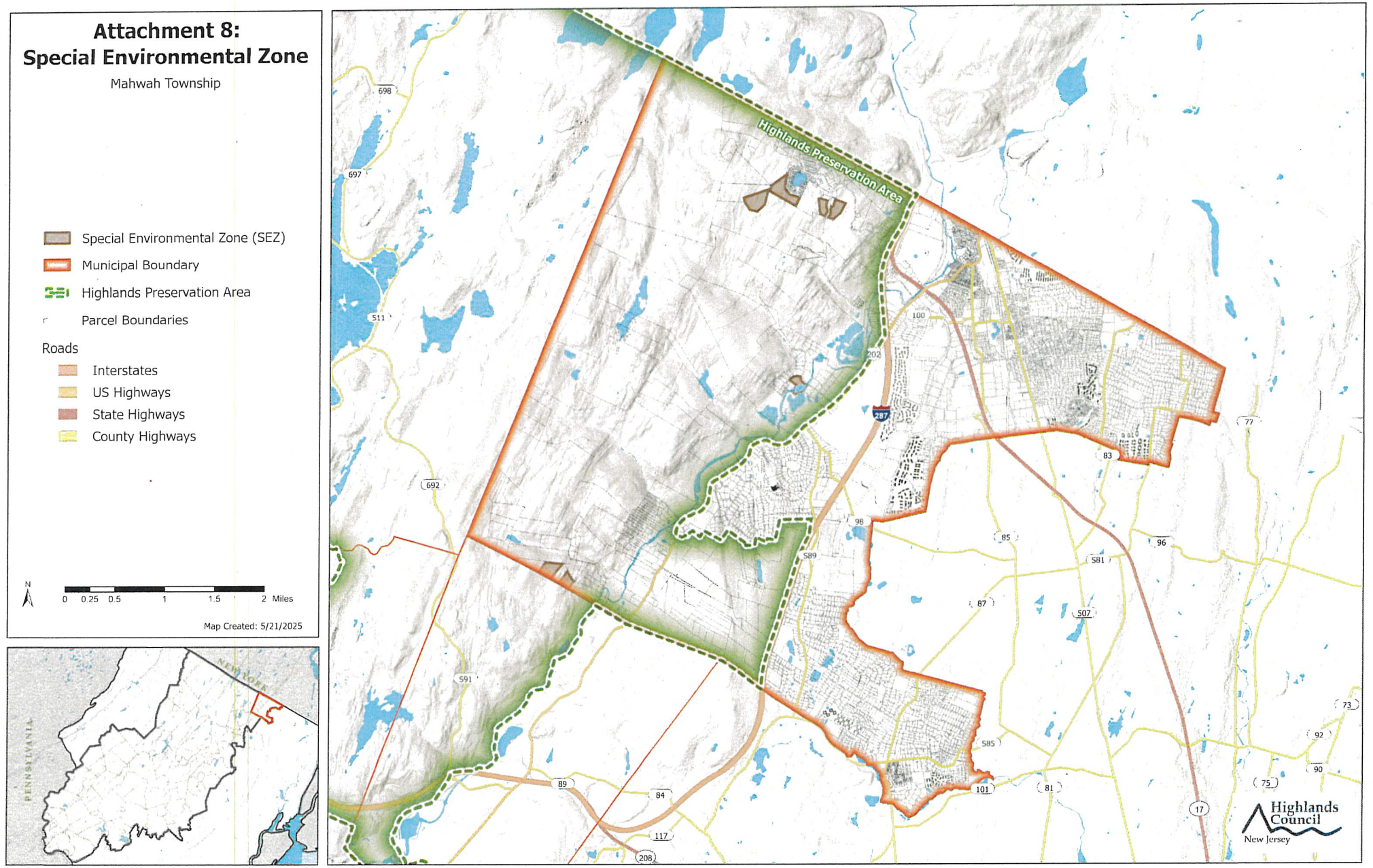
Map Created: 9/11/2025





Attachment 8:
Special Environmental Zone

Mahwah Township



TOWNSHIP OF MAHWAH
ORDINANCE NO. 2074

AN ORDINANCE OF THE TOWNSHIP OF MAHWAH, COUNTY OF BERGEN, STATE OF NEW JERSEY, CONSOLIDATING THE WATER UTILITY AND SEWERAGE UTILITY TO FORM A SINGLE WATER/SEWER UTILITY AND AMENDING ALL APPLICABLE ORDINANCES TO REFLECT THE CONSOLIDATED UTILITY

WHEREAS, the Township Council of the Township of Mahwah established a Municipal Sanitary Sewer Utility pursuant to Ordinance #691 in 1976, entitled the 'Township of Mahwah Sewer Utility System'; and

WHEREAS, the Township Council of the Township of Mahwah established a Municipal Water Department pursuant to Ordinance #142 in 1976; and

WHEREAS, in accordance with Municipal and County Sewerage Act, N.J.S.A. 40A:26A-1 et. seq. and the County and Municipal Water Supply Act, N.J.S.A. 40A:31-1 et. seq., the Township has operated a sewer utility and water utility as separate and distinct utilities within the Township; and

WHEREAS, based on a determination that the public health, safety, and welfare could best be assured by the Township operating a consolidated sewer and water utility system; and

WHEREAS, the consolidation of the public sewerage utility and water supply facilities into one public utility would allow the Township to more efficiently maintain operations, utilize resources, and stabilize/reduce expenses; and

WHEREAS, the Township has determined that it is in its best interests to consolidate its public sewerage utility and water utility and form a single Water/Sewer Utility.

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

SECTION 1. Any and all previous Ordinances that created separate Water and Sewer Utilities are hereby amended to the extent that the two utilities are hereby consolidated, creating a single Water/Sewer Utility.

SECTION 2. All other existing ordinances, resolutions, regulations and rules relating to sewer and/or water fees, bills, and/or other related matters remain in effect unless and until modified by appropriate action of the Township Council.

SECTION 3. Pursuant to N.J.S.A. 40A:4-21(b), the Township shall prepare one (1) Water/Sewer Utility budget rather than separate water and sewer utility budgets as currently prepared.

SECTION 4. The Water/Sewer Utility shall commence as of January 1, 2026. All sewer and water bills billed and/or payable commencing January 1, 2026 are to the credit of the Water/Sewer Utility.

SECTION 5. The Chief Financial Officer or their designee shall be directed and empowered to adopt accounting procedures consistent with this ordinance and the aforesaid statutes in the creation of the Water/Sewer Utility.

SECTION 6. Nothing contained in this Ordinance shall in any way impair or repeal any law, rule, order or regulation promulgated by N.J.S.A. 40A:26A-1 et. seq. and N.J.S.A. 40A:31-1 et. seq.

SECTION 7. Ordinances, resolutions, regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 8. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portions of this Ordinance.

SECTION 9. This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Introduced: 11/10/25
Adopted:
Effective Date:

TOWNSHIP OF MAHWAH

_____
Robert M. Ferguson, III
Council President

ATTEST:

_____
Carolyn George, RMC
Municipal Clerk

RESOLUTION

TOWNSHIP OF MAHWAH
475 CORPORATE DRIVE
MAHWAH, NJ 07430

RESOLUTION #374-25
DATE: November 24, 2025

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

A RESOLUTION AUTHORIZING AMENDMENT OF THE PROFESSIONAL SERVICE CONTRACT WITH DIGERONIMO PC, FOR ARCHTECTURAL SERVICES REQUIRED FOR THE NEW DPW FACILITY

WHEREAS, the Township of Mahwah awarded a Professional Service contract to DiGeronimo, PC for Architectural Services for the New DPW Facility; and

WHEREAS, Resolution 147-22, dated April 7, 2022 established a contract Not-to-Exceed amount of $1,487,500.00, and

WHEREAS, Resolution 269-23, dated July 17th, 2023 revised the contract for a new contract Not-to-Exceed amount of $2,030,000.00, and

WHEREAS, Resolution 164-24, dated April 22, 2024 revised the contract for a new contract Not-To-Exceed amount of $2,439,220.00;

WHEREAS, the Township has determined it requires services that will exceed the Not-To-Exceed amount, as stated in the correspondence dated September 15, 2025; and

WHEREAS, the CMFO has provided a Certification as to Availability of Funds in the Bergen County Improvement Authority Lease Ordinance Account # 04-300-60-000-002;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Mahwah consents to a contract amendment in the amount of $1,090,380.00; and

BE IT FURTHER RESOLVED, that the contract Not-To-Exceed is hereby amended to $3,529,600.00, and

BE IT FURTHER RESOLVED, that the contract amount of $3,529,600.00 shall not be exceeded without further authorization of the Governing Body and the CMFO certification that funds are available; and

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

BE IT FURTHER RESOLVED, that this Contract Amendment be made available for inspection with this Resolution by the Township Clerk in the office of the Township Clerk who shall forward a copy of this Resolution to the Business Administrator; CMFO; QPA; Assistant to the Business Administrator and DiGeronimo, PC. 650 From Road Suite 275, Paramus NJ 07652.

CERTIFICATION

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 this 24th day of November, 2025.

Carolyn George, RMC
Municipal Clerk

Robert M. Ferguson, III
Council President

TOWNSHIP OF MAHWAH

REQUEST FOR CERTIFICATE OF FUNDS

DATE: NOVENMBER 24, 2025

TO: CORINNE HOCKMAN, CFO

FROM: JANET PUZO, ASSISTANT TO THE BUSINESS ADMINISTRATOR

RE: CERTIFICATION OF FUNDS FOR A CONTRACT AMENDMENT TO THE PROFESSIONAL SERVICE CONTRACT WITH DIGERONIMO PC, FOR ARCHITECTURAL SERVICES FOR THE NEW DPW FACILITY, FOR AN ADDITIONAL $1,090,380.00 AND A REVISED NOT-TO-EXCEED CONTRACT OF $ 3,529, 600.00.

Please certify that the following account has sufficient funds for a contract amendment to the Professional Service Contract with DiGeronimo PC, Architect for the new DPW facility.

Account: 04-300-60-000-002 Amount: $ 1,090,380.00 U/B $ 1,876,549.34

This contract does exceed $17,500.00.

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 _____,

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

see above is $ see above and that there are

adequate funds available for the proposed contract noted above.

Corinne Hockman, CFO

Resolution No.: 374-25
Ordinance No.: _____

This is to certify that the required funds needed in connection with the above are available in Account: see above.

Dated: _____

Benjamin Kezmarsky
Business Administrator

RESOLUTION

TOWNSHIP OF MAHWAH
475 CORPORATE DRIVE
MAHWAH, NJ 07430

RESOLUTION #375-25
DATE: November 24, 2025

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

WHEREAS, bids were solicited on June 30, 2025 for Bid MTB #25-14 "Township of Mahwah New DPW Facility"; and

WHEREAS, four bids were received at the bid opening held on September 5, 2025; and

WHEREAS, Administration, DiGeronimo PC and the Township Attorney have reviewed they bid submissions and have determined that the lowest responsive/responsible bidder is Dobco Inc., 1 Geoffrey Way, Wayne, NJ 07470; and

WHEREAS, the Township has obtained approval from Dobco, Inc., to extend the award of bid beyond the required 60 days after the bid opening, to secure funding for this project; and

WHEREAS, the Chief Financial Officer has provided a Certification As To Availability of Funds in Capital Accounts 04-300-600-000-002, 04-215-55-101-025, 06-215-55-053-025 and 08-215-55-063-025.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Mahwah hereby awards a contract for bid MTB #25-14 "Township of Mahwah New DPW Facility" to Dobco, Inc., for the Base Bid in the amount of $29,975,000.00; and

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

BE IT FURTHER RESOLVED, that compensation for said contract shall be claimed, approved, and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED, that the contract for bid MTB #25-14 shall not exceed the total contract amount of $29,975,000.00 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available; and

BE IT FURTHER RESOLVED that the Municipal Clerk shall maintain a copy of this Resolution and said contract on file and will forward a copy of this Resolution to the Business Administrator; QPA; CMFO; DPW Director, Boswell Engineering, DiGeronimo PC, and Dobco, Inc., 1 Geoffrey Way, Wayne, NJ 07470.

CERTIFICATION

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 24th day of November, 2025.

Carolyn George, RMC
Municipal Clerk

Robert M. Ferguson III
Council President

101 MICIK LANE - DPW BUILDING PROJECT
TOWNSHIP OF MAHWAH
BERGEN COUNTY, NEW JERSEY
OUR FILE NO MA-3111
BID MTB #25-14

BID DATE: September 5, 2025 **Time 11:30 A.M.**

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	Dobco, Inc. 1 Geoffrey Way Wayne, NJ 07470		Joseph A. Natoli Construction Corp. 293 Change Bridge Road Pine Brook, NJ 07058		Bismark Construction Contractors Inc. 207-209 Berkley Avenue Newark, NJ 07107		Brockwell & Carrington Contractors, Inc. 1 Como Court Towaco, NJ 07082	
				UNIT PRICE	TOTAL COST	UNIT PRICE	TOTAL COST	UNIT PRICE	TOTAL COST	UNIT PRICE	TOTAL COST
	BASE BID										
A	Garage and Maintenance Facility	Dollar	1	$29,425,000.00	$29,425,000.00	$32,436,000.00	$32,436,000.00	$32,450,000.00	$32,450,000.00	$32,783,333.00	$32,783,333.00
B	Allowances	Dollar	1	$550,000.00	$550,000.00	$550,000.00	$550,000.00	$550,000.00	$550,000.00	$550,000.00	$550,000.00
	TOTAL BASE BID				**$29,975,000.00**		**$32,986,000.00**		**$33,000,000.00**		**$33,333,333.00**
	**** indicates discrepency***										

RESOLUTION

TOWNSHIP OF MAHWAH
475 CORPORATE DRIVE
MAHWAH, NJ 07430

RESOLUTION #376-25
DATE: November 24, 2025

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

WHEREAS, bids were solicited and five proposals were received for Bid MTB #25-20, "Township of Mahwah Water Department Residential Cold Water Meters" at the bid opening held on October 30, 2025; and

WHEREAS, the Township has the option to award to the lowest responsive/responsible bidder by item or in the aggregate by Section; and

WHEREAS, after review of the bids by the Water Department and Administration, it was determined that the lowest two bidders for Section D did not meet the meter specifications and therefore disqualified for award of these items; and

WHEREAS, the Chief Financial Officer certified that the funds are available in the 2025 and 2026 budget, subject budget adoptions.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Mahwah, County of Bergen, State of New Jersey, hereby awards Bid MTB #25-20 "Township of Mahwah Water Department Residential Cold Water Meters" for a one-year contract commencing November 25, 2025 through November 24, 2026 as per the attached bid spreadsheet unit prices, as follows: Section A – Zenner USA. Section B – Badger Meter. Section C – Zenner USA. Section D – Rio Supply, Inc. Line Item 17 – Accumet Corp.

BE IT FURTHER RESOLVED, that the compensation for said Cold Water Meters contract shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreements to be entered into between the parties; and

BE IT FURTHER RESOLVED, that pursuant to N.J.A.C. 5:30-5.5(c)2, the contract amounts for year 2025 are based on a reasonable estimate of the goods or services required over the contract term, and the local unit is not obligated to spend that amount and that the not to exceed contract amount shall not exceed $50,000.00 in the Water Department operating account # 05-

201-56-502-225 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in said accounts.

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 Municipal Clerk and shall forward a copy of this Resolution to the Business Administrator, QPA, CFO, Water/Sewer Superintendent, and Ferguson Enterprises, LLC dba Ferguson Waterworks, 507 Oak Glenn Road, Howell, NJ 07731; Rio Supply, Inc., 100 Allied Parkway, Sicklerville, NJ 08081, Badger Meter, 4545 W. Brown Deer Road, Milwaukee, WI 53224, Zenner USA, 15280 Addison Rd. Suite 240, Addison, TX 75001 and Accumet Corp., 18 Spencer Street, Stoneham, MA 02180.

CERTIFICATION

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 this 24th day of November, 2025.

Carolyn George, RMC
Municipal Clerk

Robert M. Ferguson, III
Council President

Bid opening: 10/30/25 at 11:30 am

RESULTS SPREADSHEET
MTB#25-20
"TOWNSHIP OF MAHWAH WATER DEPT RESIDENTIAL COLD WATER METERS"

Item Number	Quantity	Description	RIO	FERGUSON WATERWORKS	BADGER METER	ACCUMET	ZENNER
SECTION A		**3/4" - 2" Meters**					
1	1	¾" disc meter with cast iron bottom, HRE LCD Register with plastic lid and shroud, 5ft cable length with Itron inline connector, Cubic Foot reading, Torx security screw, 9 dial, with connection washers	NB	153.38	175.68	NB	149.07
2	1	1" disc meter with cast iron bottom, HRE LCD Register with plastic lid and shroud, 5ft cable length with Itron inline connector, Cubic Foot reading, Torx security screw, 9 dial, with connection washers	NB	225.13	276.48	NB	195.88
3	1	1 1/2" disc meter with 2-bolt elliptical (oval) flanged ends, HRE LCD Register with plastic lid and shroud, 25ft cable length with Itron inline connector, Cubic Foot reading, Torx security screw, 9 dial, with (2) full face oval gaskets and (4) 316 stainless steel nuts and bolts	NB	519.79	580.32	NB	447.86
4	1	2" disc meter with 2-bolt elliptical (oval) flanged ends, HRE LCD Register with plastic lid and shroud, 25ft cable length with Itron inline connector, Cubic Foot reading, Torx security screw, 9 dial, with (2) full face oval gaskets and (4) 316 stainless steel nuts and bolts	NB	688.99	778.32	NB	538.97
TOTAL SECTION A		**TOTAL SECTION A - 1 EACH**		1587.29	1810.80		1331.78

Item Number	Quantity	Description	RIO	FERGUSON WATERWORKS	BADGER METER	ACCUMET	ZENNER
SECTION B		**3", 4" and 6" Meters**					
5	1	3" Compound Series Meter with 4-bolt round ends, (2) HRE LCD 9 dial Registers reading in Cubic Feet, plastic lids and shrouds with Torx security screws, 5ft cable lengths with Itron inline connectors, (2) round meter connection gaskets, and (8) 316 stainless steel nuts and bolts	NB	NB	3162.40	NB	NB
6	1	4" Compound Series Meter with 8-bolt round ends, (2) HRE LCD 9 dial Registers reading in Cubic Feet, plastic lids and shrouds with Torx security screws, 5ft cable lengths with Itron inline connectors, (2) round meter connection gaskets, and (16) 304 stainless steel nuts and bolts	NB	NB	4997.60	NB	NB
7	1	6" Compound Series Meter with 8-bolt round ends, (2) HRE LCD 9 dial Registers reading in Cubic Feet, plastic lids and shrouds with Torx security screws, 5ft cable lengths with Itron inline connectors, (2) round meter connection gaskets, and (16) 316 stainless steel nuts and bolts	NB	NB	7313.20	NB	NB
TOTAL SECTION B		**TOTAL SECTION B - 1 EACH**			15,473.20		

Item Number	Quantity	Description	RIO	FERGUSON WATERWORKS	BADGER METER	ACCUMET	ZENNER
SECTION C		**3" – 10" Ultrasonic Type Meters**					
8	1	3" Meter, HRE LCD 9 dial Register reading in Cubic Feet, 5ft cable length with Itron inline connector, (2) round meter connection gaskets, and (8) 316 stainless steel nuts and bolts	3170.00	1890.78	2328.26	2305.00	1682.28
9	1	4" Meter, HRE LCD 9 dial Register reading in Cubic Feet, 5ft cable length with Itron inline connector, (2) round meter connection gaskets, and (16) 316 stainless steel nuts and bolts	4070.00	2559.63	2847.34	3102.00	2042.73
10	1	6" Meter, HRE LCD 9 dial Register reading in Cubic Feet, 5ft cable length with Itron inline connector, (2) round meter connection gaskets, and (16) 316 stainless steel nuts and bolts	6520.00	4270.18	4442.96	4779.40	2577.70
11	1	8" Meter, HRE LCD 9 dial Register reading in Cubic Feet, 5ft cable length with Itron inline connector, (2) round meter connection gaskets, and (16) 316 stainless steel nuts and bolts	9220.00	5181.09	5382.70	6625.00	3231.54
12	1	10" Meter, HRE LCD 9 dial Register reading in Cubic Feet, 5ft cable length with Itron inline connector, (2) round meter connection gaskets, and (16) 316 stainless steel nuts and bolts	11870.00	6973.63	NB	NB	3688.29
TOTAL SECTION C		**TOTAL SECTION C - 1 EACH**	34,850.00	20,875.31	15,001.26	16,811.40	13,222.54

Item Number	Quantity	Description	RIO	FERGUSON WATERWORKS	BADGER METER	ACCUMET	ZENNER
SECTION D		**Ultrasonic Meters**					
13	1	¾" Ultrasonic Cold Water Stainless Steel Meter, 5ft cable length with Itron inline connector and (2) meter washers	229.12	202.70	217.08	143.00	166.32
14	1	1" Ultrasonic Cold Water Stainless Steel Meter, 5ft cable length with Itron inline connector and (2) meter washers	292.29	307.66	253.08	187.00	177.83
15	1	1-1/2" Ultrasonic Cold Water Stainless Steel Meter, 5ft cable length with Itron inline connector, Oval Flange with (2) full face gaskets and (4) 316 stainless steel nuts and bolts	649.70	1312.30	655.20	548.00	315.72
16	1	2" Ultrasonic Cold Water Stainless Steel Meter, 5ft cable length with Itron inline connector, Oval Flange with (2) full face gaskets and (4) 316 stainless steel nuts and bolts	783.29	1371.46	852.48	697.00	366.25
TOTAL SECTION D		**TOTAL SECTION D - 1 EACH**	1954.40	3194.12	1,977.84	1575.00	1026.12
17	1	**Itron ERT Module: 100W+ Inline Connector Encoder**	NB	NB	NB	121.00	NB

RESOLUTION

TOWNSHIP OF MAHWAH
475 CORPORATE DRIVE
MAHWAH, NJ 07430

RESOLUTION #377-25
DATE: NOVEMBER 24, 2025

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

WHEREAS, municipalities are required to establish a Municipal Master Plan with a combination of mandatory and optional elements including Goals and Objectives, Land Use, Circulation, Housing, Community Facilities, Downtown Economic Development, Historic Preservation, and Sustainability; and

WHEREAS, municipalities are also required to reexamine the Municipal Master Plan every 10 years to ensure that the master plan meets the community needs and is relevant as communities, evolve, grow, and change; and

WHEREAS, municipalities complete this effort at great cost and community input to ensure their community has a roadmap for growth; and

WHEREAS, a municipality is best suited to plan for and understand their community's needs, the existing infrastructure to address the municipality's public safety, health, traffic, and character and the ability to expand such infrastructure for desired growth; and

WHEREAS, there are many mechanisms for exceptions and variances to the local planning process; and

WHEREAS, municipalities have been diligently working to comply with the changes outlined in the passage of A-4/S-50 in 2024 that made substantial changes to the 4th Round of Affordable Housing obligations; and

WHEREAS, affordable housing construction has generally comprised between 10 – 20 % of a total development, but municipalities will end up constructing far more units during this current round of affordable housing; and

WHEREAS, recent legislative proposals that preempt the planning process by permitting the conversion of underutilized properties into mixed used developments, reducing the number of parking spaces required for new developments near transit, making Accessory Dwelling Units permissible, and most recently, legislation that

enhances the ability of religious and nonprofit organizations to convert certain property to inclusionary developments with affordable housing undermine the careful planning process outlined in the Municipal Land Use Law; and

WHEREAS, this proposal, S-4736 is particularly egregious because the required percentage of affordable housing units is only 20% with the remaining 80% at market rate making it more challenging for municipalities to meet their 4th Round Affordable Housing obligations; and

WHEREAS, this legislation bypasses local planning for increased density and height, regardless of a municipality's ability to ensure safety; and

WHEREAS, a worthy project could, and should participate in the local planning and zoning process to engage with the public; and

WHEREAS, S-4736 permits the bypassing of the local planning process which is an egregious assault on municipal autonomy and local decision making.

NOW, THEREFORE, BE IT RESOLVED by the Township of Mahwah urges the legislature to defeat S-4736 and similar legislation that denies local autonomy in land use planning and ignores the well thought out master plan; and

BE IT FURTHER RESOLVED, that a copy of this resolution is forwarded to the Senator Holly Schepisi, Assemblymember Robert Auth, Assemblymember John Azzariti, Governor Phil Murphy, Governor-Elect Mikie Sherrill, and the New Jersey State League of Municipalities.

CERTIFICATION

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 24th day of November, 2025.

Carolyn George, RMC
Municipal Clerk

Robert M. Ferguson, III
Council President

RESOLUTION

TOWNSHIP OF MAHWAH
475 CORPORATE DRIVE
MAHWAH, NJ 07430

RESOLUTION #378-25
DATE: November 24, 2025

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

WHEREAS, Tushar Modi and Lauren Modi, owners of the property located at 6 Braeburn Court, Mahwah, New Jersey 07430 (Block 127, Lot 38), have requested permission from the Township Council to install a six-foot fence within the municipal drainage easement on their property; and

WHEREAS, the Township Engineer and Township Sewer Superintendent have reviewed the request and advised that they have no objections, subject to certain conditions set forth in the attached License Agreement, which Agreement is recommended by the Township Attorney; and

WHEREAS, the Township Council has reviewed the recommendations of the Township Engineer, Township Sewer Superintendent and Township Attorney and desires to approve the request.

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

1. The Township Council consents to the request of Tushar Modi and Lauren Modi for permission to install a six-foot fence within the municipal drainage easement located on their property at 6 Braeburn Court, Mahwah, New Jersey 07430 (Block 127, Lot 38), conditioned upon the parties entering into the attached License Agreement to be recorded with the Bergen County Clerk's Office at the property owners' expense.

2. This resolution shall take effect immediately.

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 this 24th day of November, 2025.

Carolyn George, RMC
Municipal Clerk

Robert M. Ferguson, III
Council President

LICENSE AGREEMENT

THIS AGREEMENT is made on _____, 2025 by and between:

THE TOWNSHIP OF MAHWAH, a body politic and corporation
of the State of New Jersey, whose address is
475 Corporate Drive,
Mahwah, New Jersey 07430

("Licensor" or "Township")

and:

TUSHAR MODI & LAUREN MODI
6 Braeburn Court
Mahwah, New Jersey 07430

("Licensees" or "Owners")

WITNESSETH:

WHEREAS, Tushar Modi and Lauren Modi are the Owners of property located at 6 Braeburn Court, Mahwah, New Jersey, designated as Block 127, Lot 38 on the Township of Mahwah Tax Maps (the "Property") and as further depicted in the survey attached hereto as Exhibit A; and

WHEREAS, Owners or their predecessors-in-title previously granted and conveyed to the Township a municipal drainage easement (the "Township Easement") upon the Property, as further depicted in Exhibit A; and

WHEREAS, Owners have requested permission to erect a six-foot (6') fence on the property that will encroach upon the Township Easement; and

WHEREAS, the Township desires to grant to Owners the license over the Township Easement, subject to the terms and conditions set forth in this License Agreement (the "Agreement"), including that Owners provide continued access to the Township for that portion of the Property where the Township Easement is located.

NOW, THEREFORE, IN CONSIDERATION OF the sum of ONE DOLLAR ($1.00) and the mutual undertakings herein, the Township herby gives, grants and conveys to Owners a license for the purpose of permitting access and use of a portion of the Township Easement as further described in Exhibit A, attached hereto, and for the purposes as hereinafter set forth.

1. Licensees shall be responsible for the maintenance of the fence placed in the portion of the Township Easement that is the subject of this Agreement. However, the granting of this license does not prejudice or preclude the Township's right to enter upon the Township's

Easement for any reason whatsoever, including to maintain, construct, operate, repair, replace or remove said sanitary sewer and facilities and appurtenances thereto. Licensor shall provide Licensees with forty-eight (48) hours advance written notice prior to entering upon the Property, except in the case of an emergency.

2. Licensees request permission for an existing six-foot (6') fence within the Township Easement to remain on the Property. The maximum permitted height of said fence shall be six feet (6'). Licensees shall not erect, place, plant, permit or allow growth or obstructions that would interfere with the use of the Township Easement or impair Licensor's ability to access same for the purposes stated herein, its intended purposes, or prohibit access by Licensor.

3. This approval is subject to any approvals or restrictions required by the N.J. Department of Environmental Protection ("NJDEP"), due to the existence of wetlands, wetlands transition area and riparian buffers on the property. Licensees will be proceeding at their own risk if they do not obtain any required NJDEP approvals.

4. Licensor shall not be responsible for any costs to replace the fence or any other structures or landscaping that are displaced as the result of any required maintenance, repair or reconstruction activities in furtherance of the Agreement.

5. In further consideration of the license, Licensees agree to save, hold and keep harmless and indemnify Licensor from any and all claims and liability for losses or damage to property or injury to any persons caused by them or their agents occurring during and relating to this license.

6. Licensees shall furnish the Township with a Certificate of Insurance showing coverage for bodily injury of at least $250,000/$500,000 and property damage of at least $100,000. The Certificate of Insurance must clearly indicate that the Township of Mahwah is an additional insured on all liability policies and shall contain a ninety (90) day notice of cancellation to the Township.

7. Licensor and Licensees each, binds themself, their partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in this Agreement. This Agreement shall run with the land and may be enforceable by a subsequent owner of the Property or the Township Easement.

8. This Agreement contains the entire Agreement between the parties hereto and supersedes all prior and contemporaneous agreements, arrangements, negotiations and understandings between the parties hereto relating to the subject matter hereof. There are no other understandings, statements, promises or inducements, oral or otherwise, contrary to the terms of this Agreement. No representations, warranties, covenants or conditions expressed or implied, whether by statute or otherwise, other than as set forth herein have been made by any party hereto.

9. This Agreement may not be modified by either party unless both the Licensor and Licensees agree to such modifications in writing.

10. This license shall cease and be abandoned upon either of the following: (1) the Licensees remove the existing fence from the Township Easement; or (2) the Township declares an overriding health and public safety reason to terminate the license.

11. This Agreement shall be recorded with the Bergen County Clerk's Office by the Township Attorney, at Licensees' cost.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals or caused their proper corporate officers and their proper corporate seals to be affixed hereto the day and year as indicated below.

WITNESS/ATTEST:

TOWNSHIP OF MAHWAH/LICENSOR

_____
Carolyn George, RMC
Municipal Clerk

By: _____
James J. Wysocki
Mayor

WITNESS/ATTEST:

LICENSEE

_____

By: _____

WITNESS/ATTEST:

LICENSEE

_____

By: _____

[ACKNOWLEDGMENTS ON FOLLOWING PAGES]

STATE OF NEW JERSEY:
: SS:
COUNTY OF BERGEN:

I CERTIFY that on , 2025 CAROLYN GEORGE personally came before me and this person acknowledged under oath, to my satisfaction, that: (a) this person is the MUNICIPAL CLERK of the TOWNSHIP OF MAHWAH, the municipal corporation named in the attached document; (b) this person is the attesting witness to the signing of this document by the proper municipal officer who is JAMES J. WYSOCKI, the MAYOR of the municipal corporation; (c) this document was signed and delivered by the municipal corporation as its voluntary act duly authorized by a proper resolution of the Council; (d) this person knows the proper seal of the municipal corporation which was affixed to this document; and (e) this person signed this proof to attest to the truth of these facts.

Sworn and Subscribed to
before me this day
of , 2025.

_____
Carolyn George
Municipal Clerk

_____
(Notary sign, seal, stamp)

STATE OF NEW JERSEY }
} SS.:
COUNTY OF BERGEN }

I CERTIFY that on _____, 2025, _____ personally came before me and acknowledged under oath, to my satisfaction:

(A) that he/she is the owner of Property located at _____, Mahwah, New Jersey _____;

(B) signed, sealed and delivered this document as his/her act and deed.

_____

STATE OF NEW JERSEY }
}
COUNTY OF BERGEN } SS.:

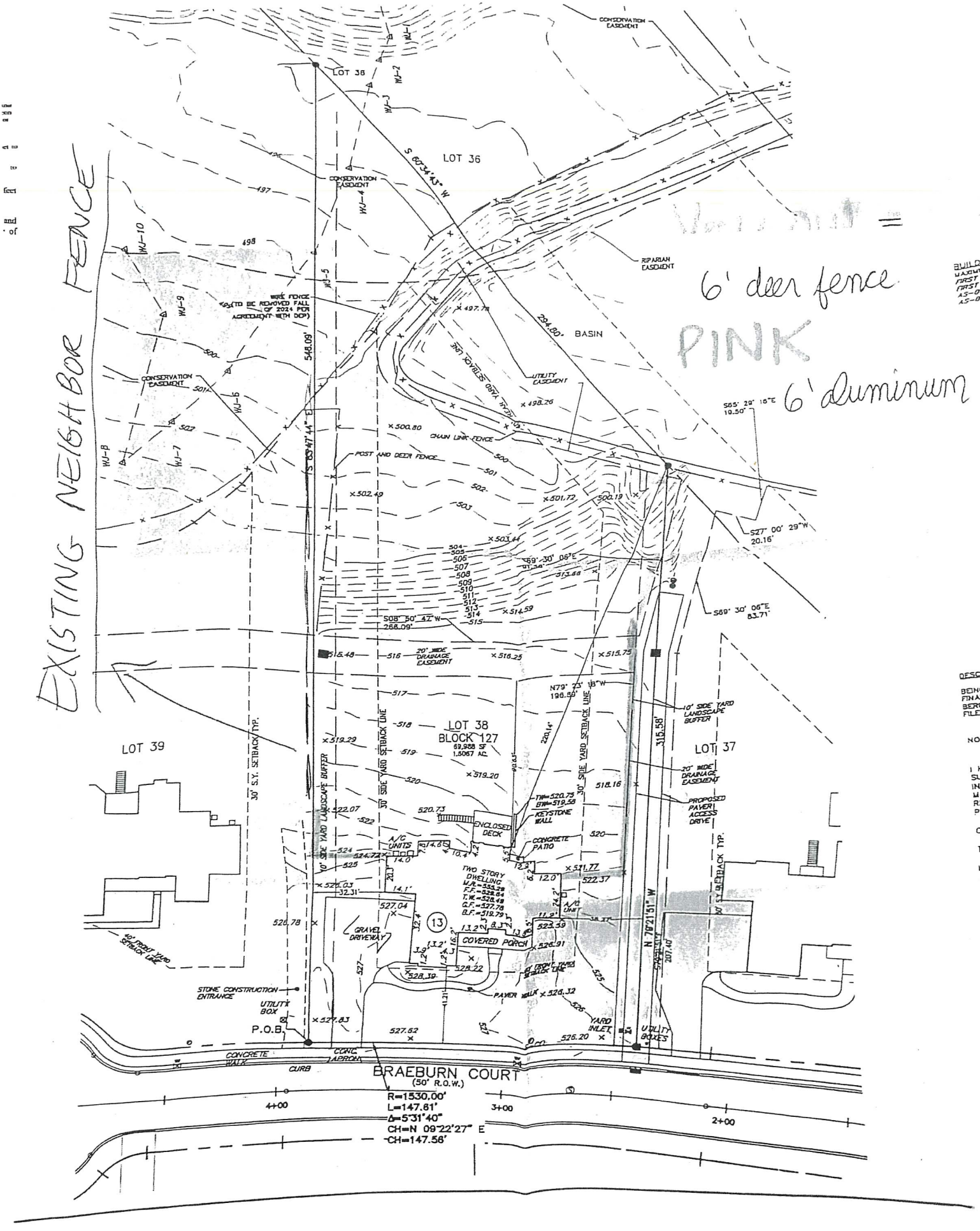
I CERTIFY that on _____, 2025, _____ personally came before me and acknowledged under oath, to my satisfaction:

(A) that he/she is the owner of Property located at _____, Mahwah, New Jersey _____;

(B) signed, sealed and delivered this document as his/her act and deed.

_____

Record & Return to:
Susan C. Sharpe, Esq.
Dorsey & Semrau, LLC
714 Main Street
Boonton, NJ 07005
(973) 334-1900


EXISTING NEIGHBOR FENCE
6' deer fence
PINK
6' aluminum
LOT 38
BLOCK 127
69,958 SF
1.5067 AC.
LOT 39
LOT 37
LOT 36
BRAEBURN COURT
(50' R.O.W.)
P.O.B.
TWO STORY DWELLING
ENCLOSED DECK
KEYSTONE WALL
CONCRETE PATIO
COVERED PORCH
A/C UNITS
GRAVEL DRIVEWAY
PROPOSED PAVER ACCESS DRIVE
STONE CONSTRUCTION ENTRANCE
UTILITY BOX
UTILITY BOXES
YARD INLET
PAVER WALK
CONCRETE WALK
CURB
CONC. APRON
CONSERVATION EASEMENT
RIPARIAN EASEMENT
UTILITY EASEMENT
BASIN
CHAIN LINK FENCE
POST AND DEER FENCE
20' WIDE DRAINAGE EASEMENT
10' SIDE YARD LANDSCAPE BUFFER
30' SIDE YARD SETBACK LINE
30' S.Y. SETBACK TYP.
40' FRONT YARD SETBACK LINE
WIRE FENCE (TO BE REMOVED FALL OF 2024 PER AGREEMENT WITH DCP)
S 83° 47' 44" E 545.09'
S 60° 34' 43" W 294.80'
S08° 50' 42" W 268.09'
S89° 30' 06"E 83.71'
S27° 00' 29"W 20.16'
N79° 23' 18"W 198.50'
N 78° 21' 51" W 315.58'
S65° 29' 18"E 19.50'
R=1530.00'
L=147.81'
Δ=5°31'40"
CH=N 09°22'27" E
CH=147.58'
4+00
3+00
2+00

RESOLUTION

TOWNSHIP OF MAHWAH
475 CORPORATE DRIVE
MAHWAH, NJ 07430

RESOLUTION #379-25
DATE: November 24, 2025

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

BE IT RESOLVED by the Township Council of the Township of Mahwah that Frank A. Occidentale of 89 Tam-O-Shanter Drive is hereby appointed a Volunteer Member of the Mahwah Office of Emergency Management.

BE IT FURTHER RESOLVED that the Municipal Clerk shall forward a copy of this resolution to the Fire Chief and Mr. Frank A. Occidentale.

CERTIFICATION

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 24th day of November, 2025.

Carolyn George, RMC
Municipal Clerk

Robert M. Ferguson, III
Council President

RESOLUTION

TOWNSHIP OF MAHWAH
475 CORPORATE DRIVE
MAHWAH, NJ 07430

RESOLUTION #380-25
DATE: November 24, 2025

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

WHEREAS, Muhammad Faiaz and Assia Hussain are the owners and/or taxpayers of property located at 1 Great Hall Road, also known as Block 21.06, Lot 23; and

WHEREAS, the taxpayers have filed tax appeals for the tax years 2024 and 2025 against the Township of Mahwah in matters entitled Faiaz, Muhammad & Assia Hussain v. Township of Mahwah, which are presently pending in the Tax Court; and

WHEREAS, it has been recommended by the Tax Appeal Attorney, the Township Assessor, and the Township Appraiser that the matters be settled at this time, and that such settlement is in the best interests of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Township Council of the Township of Mahwah that the Tax Appeal Attorney be and is hereby authorized and directed to execute any and all documents necessary in order to finalize the settlement of litigation entitled Faiaz, Muhammad & Assia Hussain v. Township of Mahwah, so that for the tax year 2024, the assessment of $1,790,500 will remain intact; and so that for the tax year 2025, the assessment of $1,790,500 will be reduced to $1,600,000; resulting in an estimated tax credit owed to the taxpayer, calculated using the 2025 general tax rate, in the amount of $4,051.94.

BE IT FURTHER RESOLVED that the governing body acknowledges the Tax Assessor's agreement to set the 2026 assessment at $1,600,000.

BE IT FURTHER RESOLVED that the aforesaid settlement is predicated upon a waiver of any and all pre-judgment interest by the taxpayer, as long as the tax credit owed is applied within 60 days of the issuance of Tax Court Judgments.

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; Township Attorney and Township Tax Assessor.

CERTIFICATION

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 this 24th day of November, 2025.

Carolyn George, RMC
Municipal Clerk

Robert M. Ferguson, III
Council President

RESOLUTION

TOWNSHIP OF MAHWAH
475 CORPORATE DRIVE
MAHWAH, NJ 07430

RESOLUTION #381-25
DATE: November 24, 2025

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

WHEREAS, Geraldine & William Duffy are the owners and/or taxpayers of property located at 47 Crocker Mansion Drive, also known as Block 21.01, Lot 5; and

WHEREAS, the taxpayers have filed tax appeals for the tax years 2019 through 2024 against the Township of Mahwah in matters entitled Duffy, William & Geraldine v. Township of Mahwah, which are presently pending in the Tax Court; and

WHEREAS, it has been recommended by the Tax Appeal Attorney, the Township Assessor, and the Township Appraiser that the matters be settled at this time, and that such settlement is in the best interests of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Township Council of the Township of Mahwah that the Tax Appeal Attorney be and is hereby authorized and directed to execute any and all documents necessary in order to finalize the settlement of litigation entitled Duffy, William & Geraldine v. Township of Mahwah, so that for the tax years 2019 through 2022, the assessment of $1,665,700 will be reduced to $1,575,000; and for the tax years 2023 and 2024, the assessment of $1,665,700 will remain intact; resulting in an estimated tax credit owed, in the amount of $6,954.88.

BE IT FURTHER RESOLVED that the aforesaid settlement is predicated upon a waiver of any and all pre-judgment interest by the taxpayer, as long as the tax credit owed is applied within 60 days of the issuance of Tax Court Judgments.

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; Township Attorney and Township Tax Assessor.

CERTIFICATION

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 this 24th day of November, 2025.

Carolyn George, RMC
Municipal Clerk

Robert M. Ferguson, III
Council President

RESOLUTION

TOWNSHIP OF MAHWAH
475 CORPORATE DRIVE
MAHWAH, NJ 07430

RESOLUTION #382-25
DATE: November 24, 2025

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

AUTHORIZING REFUND OF CERTAIN OVERPAYMENTS
TAX COLLECTION DEPARTMENT

WHEREAS, it has been determined by the Tax Collector that the property tax customers indicated on the attached Schedule A, attached, are entitled to property tax overpayment refunds, and;

WHEREAS, it is the desire of the Governing Body to have these overpayments returned to the respective property tax customers.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Mahwah, County of Bergen, State of New Jersey, that:

1. The Tax Collector is hereby authorized to make overpayment refunds in the amount shown to the property tax customers as appears on Schedule A, which is attached and made apart hereof.

CERTIFICATION

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 this 24th day of November, 2025.

Carolyn George, RMC
Municipal Clerk

Robert M. Ferguson, III
Council President

SCHEDULE A
November 24, 2025
OVERPAYMENT REFUNDS
TAX COLLECTION DEPARTMENT

The following tax customer is entitled to an overpayment refund:

1. Blk 29/ Lot 7 for 22 First St --$1,279.76 – duplicate payment
2. Blk 40/ Lot 75 for 128 Reich Ave --$2,404.46 – duplicate payment
3. Blk 47/ Lot 7 for 14 North Railroad Ave --$1,784.95 – duplicate payment
4. Blk 63/ Lot 20 for 180 Island Rd --$2,614.14 – duplicate payment
5. Blk 70/ Lot 1163 for 1163 Chedworth Circle --$3,481.19 – duplicate payment
6. Blk 138/ Lot 92 for 92 Hopkins Ct --$1,738.88 – duplicate payment
7. Blk 13/ Lot 1403 for 1403 Ramapo Brae Ln --$550.68 – duplicate payment

RESOLUTION

TOWNSHIP OF MAHWAH
475 CORPORATE DRIVE
MAHWAH, NJ 07430

RESOLUTION #383-25
DATE: November 24, 2025

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

A RESOLUTION RENEWING THE GROUP DENTAL BENEFITS PROGRAM FOR ELIGIBLE EMPLOYEES AND THEIR COVERED DEPENDENTS THROUGH DELTA DENTAL OF NEW JERSEY, INC.

WHEREAS, the Township of Mahwah, hereinafter referred to as the Township, provides dental benefits coverage to eligible employees and their covered dependents as part of the comprehensive Employee Health Benefits Program; and

WHEREAS, the Township's Health Benefits Consultant, as a matter of due diligence, examined the plan usage, claims data and network utilization and further, engaged in active negotiations for the renewal of the Township's Dental Program, which currently consists of the Premier Plus Advantage Plan and the PPO Plan, administered by Delta Dental of NJ, Inc. and,

WHEREAS, the Consultant was successful in securing a renewal for both the Premier Plus Advantage and PPO Plans, that:

- Provides a 24-month renewal with 0% increase in premium over expiring, and
- Provides for all coverages/benefits to remain unchanged from the expiring respective plans.

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of the Township of Mahwah, County of Bergen, State of New Jersey, hereby authorize the 24-month Renewal of the dental benefits contract with Delta Dental of New Jersey for the period **January 1, 2026 through December 31, 2027**; and

BE IT FURTHER RESOLVED, the Governing Body does hereby authorize and affirm the implementation of this Renewal, which maintains the current plan design of benefits; thereby ensuring the moral and contractual obligation of the Township; and

BE IT FURTHER RESOLVED, the contract award for the Renewal Proposal is to a duly licensed and admitted Insurance Carrier within the State of NJ and therefore, such award is exempt from the requirements set forth by P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51) N.J.S.A.19:44A-20.5 et seq. and,

BE IT FURTHER RESOLVED, the Township Administrator and CFO are hereby authorized and directed to execute the renewal documents in accordance with the existing terms and conditions of the Agreement with the renewal rate provisions, as promulgated herewith; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be forwarded to PIA Security Programs, A Division of World Insurance Associates, LLC; 429 Hackensack Street, P.O. Box 818 Carlstadt NJ, Health Benefits Consultant to the Township, the Township Chief Financial Officer and Municipal Auditor.

CERTIFICATION

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 this 24th day of November, 2025.

Carolyn George, RMC
Municipal Clerk

Robert M. Ferguson, III
Council President

RESOLUTION

TOWNSHIP OF MAHWAH
475 CORPORATE DRIVE
MAHWAH, NJ 07430

RESOLUTION #384-25
DATE: November 24, 2025

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

WHEREAS, the sale of the Township of Mahwah Police Department seized property was authorized for public auction in Resolution #341-25; and

WHEREAS, the public auction of the seized property consisting of 43 1-oz gold bars was held online with Muncibid, commencing on November 3, 2025 and ending on November 10, 2025; and

WHEREAS, the two highest bidders were not responsive to the requirements of the auction; and

WHEREAS, as pursuant to N.J.S.A 40A:11-36 A contracting unit may reject all bids if it determines such rejection to be in the public interest. In any case in which the contracting unit has rejected all bids, it may readvertise such personal property for a subsequent public sale. If it elects to reject all bids at a second public sale, pursuant to this section, it may then sell such personal property without further publication or notice thereof at private sale, provided that in no event shall the negotiated price at private sale be less than the highest price of any bid rejected at the preceding two public sales and provided further that in no event shall the terms or conditions of sale be changed or amended; and

WHEREAS, the Township has rejected all remaining bids submitted to the public auction on Municibid as being below the gold spot rate;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Mahwah as follows:

(1) That there will be a subsequent and final online auction of the seized property consisting of 43 1-oz gold bars conducted through Municibid, pursuant to State Contract T-2581.
(2) The sale is being conducted pursuant to Local Finance Notice 2008-09.
(3) On the last day of the auction, the minimum amount per ounce to be accepted by the Township will be the spot rate bid price found on www.apmex.com/gold price.

(4) All items shall be sold in an "as-is" condition without expressed or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said excess items.

BE IT FURTHER RESOLVED that a notice of date, time and place of the public sale together with a description of the items to be sold will be advertised in the official newspaper, pursuant to N.J.S.A 40A:11-36; and

BE IT FURTHER RESOLVED that the Municipal Clerk shall maintain a copy of this Resolution on file and shall forward a copy to the Mayor; Business Administrator; CMFO; QPA; Mahwah Police Chief; and Municibid, Greg Berry, 2401 Walnut St. 6th Floor, Philadelphia, PA 19103.

CERTIFICATION

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 the24th day of November, 2025.

Carolyn George, RMC
Municipal Clerk

Robert M. Ferguson III
Council President