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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

Minutes of: Governing Body Regular Meeting  
Date of Meeting: January 22, 2014  
Time of Meeting: 6:30 P.M.  
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The Regular Meeting of the Governing Body was called to order by Council President Erk.

**Adequate Notice Statement**

Council President Erk read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Regular meeting was advertised in the Herald News in its issue of December 29, 2013 and January 5, 2014; copies were provided to the Suburban Trends, the Record, Star Ledger, and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

Please also make note of all fire and emergency exits – located to the left, right, and rear of this room - for use in case of an emergency. Thank you.

**Pledge of Allegiance**

Council President Erk started the meeting and led all in attendance in a salute to the flag.

**Roll Call**

Present: Councilmembers Ada Erik, Mike Hensley, Vivienne Erk, Michele Dale,  
Luciano Signorino, CarlLa Horton.  
Absent: Mayor Bieri.  
Also Present: Interim Township Administrator Robert Casey, Township Clerk Antoinette Battaglia,  
Tracey Wang Esq. for Township Attorney Frederick Semrau who arrived later in the meeting.

Agenda No. I

**Reading of or Approval of Unapproved Minutes**

Councilwoman Erik moved to adopt the December 4, 2013 Workshop & December 18, 2013 Regular Meeting Minutes, December 18, 2013 Executive Session and the December 18, 2013 Executive Session Meeting Minutes as presented.

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Hensley, Erk, Signorino, Horton.  
Voted Nay: None.  
Abstain: Dale.  
Motion carried.

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Agenda No. II

**Executive Session**

None.

Agenda No. III

**Presentations**

Debt Management Plan – Township Auditor Chuck Ferraioli and Interim Administrator Bob Casey addressed the Council. Mr. Casey explained BANS as temporary funding wherein principal is not paid in the first two years. In year three principal payments are due and you can have BANS for ten years. After ten years the BANS must be fully paid or the municipality must transfer from temporary debt to permanent debt. Mr. Casey said he traced the Township's debt for the past five years and analyzed the years for which interest only was paid and years when principal was paid. He reviewed the results. The good news is that all debt is retired in 2021 so there is no long-term debt outstanding. When you issue capital ordinances debt payments start to add up. He reviewed the annual payments from 2012 to 2014 on existing ordinances where debt was not issued. Mr. Casey explained that municipal governments borrow as they need the money not in advance of projects. He said that West Milford's payments increase this year by about \$170,000 for BANS already issued and coming due. He and the auditor have been discussing alternate methods of handling this debt because each year the payments increase due to the need to make principal payments. He reviewed the options available and turned the floor to Mr. Ferraioli.

Mr. Ferraioli advised the Council that they are, in effect, working on two budgets, the operating budget & the capital budget. This discussion is strictly about debt or the capital budget. Capital projects have a life of over one year and future taxpayers contribute equally to their cost by virtue of the debt they incur. Normally in West Milford, projects have short life spans. Ours are usually about 10-15 years because most

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projects are related to roads. Traditionally we would stay in notes for a couple of years and lock into permanent financing when market conditions are ripe. He explained notes & bonds saying that notes are temporary debt and bonds are like mortgages. West Milford last sold bonds in 2010. Since 2010 interest rates were well under 1%. They are now starting to rise. He has seen an increase of almost 1% in the last year alone and they are expected to continue climbing. We want to lock in at a low rate and we have two sets of notes outstanding. He reviewed both saying that one set comes due in April and one set in October this year. Mr. Ferraioli said he is proposing selling \$9 million worth of bonds. He said the number is important because banks can bid on any bond sale under \$10 million. There are advantages to banks and incentives to make them bid. We want to stay under \$10 million to take advantage of that market. In New Jersey there used to be a law where only local banks could bid on bonds. Since advances with the internet, that has changed. Bids now come from all over the country. He explained how the bidders like to sell the bonds. In 2010 West Milford received a half million dollar premium. Knowing that, he is proposing \$9 million to stay under \$10 million and not exceed that amount as a result of the premium. He conservatively estimates rates of about 3.5%. He reviewed the estimated annual payments noting that assessments are not included in his numbers because that debt is paid by the people who directly benefited from the improvement.

Mr. Ferraioli directed the Council to a payment schedule he had prepared for the BANs noting that there are significant increases in payments in 2006 and 2010. That is known as wrapping debt. That is taking new debt and wrapping it around old debt to keep payments flat. He said he does not propose doing that in 2014 because it requires application to the Local Finance Board (LFB) in Trenton. The new director of the LFB previously worked with Senate Republicans during the Corzine administration. During that time, he made it clear he does not like non-conforming principal payments or wrapping of debt. Mr. Ferraioli believes that an application to wrap debt would not be successful in this director's time and he wants to take advantage of locking in long-term debt now to avoid higher principal payments on notes and because interest rates are rising. He reviewed the impact on the budget each year from 2014 to 2025 if the Council takes his recommendation.

Mr. Ferraioli said that by canceling outstanding capital balances and grant balances the Township will generate about \$150,000. He proposes to lock in \$9 million of debt at a low interest rate. Mr. Casey said this represents about a \$165 average household increase in this year's budget but it minimizes the effect in future years. Councilman Signorino said he wished he knew this increase was coming last year. Mr. Casey said the reality is to manage this and not to avoid it and he said that the CFO is here to discuss the cancellations. He said he is amazed at the amount of old grants that are still on the books saying that it affects the availability of cash for surplus. Ms. Goscicki said the Township can cancel \$162,000 of capital appropriations and grants which can go to surplus next year.

In response to questions from the Council, Mr. Ferraioli said that the theory that municipalities can't wrap debt is costing towns a lot of money. He would recommend it but for the LFB director's stance. He would like West Milford to consider that this community is 28,000 and 78 square miles. The burden of roads is tremendous. People always complain that our roads are not in great shape but we have a lot of roads. Councilman Signorino asked if it would help if the governing body were to send a message to the LFB director and Mr. Ferraioli advised that it will not help. Mr. Casey explained that wrapping is when you base load forward and he explained how it worked well in Englewood. Discussion ensued about how much was paid off last year and how much debt was approved. Mr. Ferraioli said that the downside to staying in short term debt is that rates are increasing and principal payments are coming due. He said he is comfortable that now is the time to lock in.

Mr. Casey said the Council authorized \$1.6 million in capital projects last year. He explained the effect of that debt on budgets for the next few years. The proposal being made tonight will get rid of the accumulated BANS but does not address last year's debt. He said he will need a policy decision tonight or by the next meeting because, to proceed, the Township will have to bond by March. We have to sell the bonds before the BANS come due in April. Councilman Signorino expressed concerns about the short notice. Mr. Casey said the next step is to get proposals from the Auditor & bond counsel. Councilman Signorino said he appreciates the recommendations but he would like time. Mr. Ferraioli said a decision must be made at the next meeting as to whether or not we're selling notes. Mr. Casey said the April notes are really the issue. Councilwoman Horton said she is ready to proceed with Mr. Ferraioli's recommendation and she thanked him for his detailed presentation. She thinks it wise to proceed at this time. Mr. Ferraioli said his other clients are all locking in. He will start working on the offering statement because he needs time to accomplish this. West Milford he said has a AA rating with Standard & Poors. He reviewed the process to go out for either bonds or notes explaining that we have to do one or the other. Councilwoman Dale asked if we should have discussed this a few meetings ago and Mr. Ferraioli said he had planned for that but there has been a change in administration. Mr. Casey said he needed time to become familiar with West Milford issues and do the groundwork he did. Discussion ensued about how much time is generally given to governing bodies to make these decisions. Mr. Casey said it is linked to

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the market and Mr. Ferraioli agreed saying that the Federal Reserve is meeting next week and that has an impact. Mr. Casey said we will have to give direction to the auditor and bond counsel at the next meeting and said that, at this time, it is \$150 to \$170 effect in the current budget.

Agenda No. IV

**Proclamation**

None.

Agenda No. V

**Unfinished Business, Final Passage of Ordinances**

None.

Council President Erk, noting that it is not yet 7:30 p.m. proceeded to agenda item VIII for now noting that she will open the meeting to the public at approximately 7:30 p.m.

**New Business, Introduction of Ordinances, Resolutions**

Agenda No. VIII 1

~ Ordinance No. 2014- 001 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 239 OF THE TOWNSHIP CODE TO PERMIT THE TOWNSHIP TO UTILIZE ITS "OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND" FOR ACQUISITION, RECREATION AND CONSERVATION PURPOSES**

Councilwoman Erik made a motion, seconded by Councilman Signorino to place this ordinance on the table for discussion.

Discussion: Discussion ensued about the intent of the voters and Council President Erk asked the Clerk to provide copies of the referendum question. Ms. Wang recommended that proposed changes not be made because the language in the ordinance mirrors that in the question. Council President Erk asked if these funds can be used to improve BOE recreational properties and if a sitting Council can approve funding for projects that would come from future year's funding. Councilman Hensley said if there was a plan for any given project with a forecast additional funding may be necessary to complete the project. Councilwoman Horton said she does not believe we can compel future councils to our decisions. The Council agreed that they would like answers to the questions being posed and asked Ms. Wang to convey those to Mr. Semrau.

Councilwoman Horton made a motion to table this ordinance to the February 5<sup>th</sup> workshop meeting.

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Moved: Horton Seconded: Signorino  
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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Agenda No. VI 2

~ Resolution No. 2014- 033 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO THE LAND CONSERVANCY OF NEW JERSEY FOR OPEN SPACE CONSULTING AND ADVISORY SERVICES**

**WHEREAS**, with the creation of a dedicated source of tax revenue ("Open Space Trust Fund") for the acquisition of open space, there exists a need to retain the services of an open space preservation consultant whose staff members have the technical expertise and experience in the field of open space and farmland preservation and stewardship; and

**WHEREAS**, The Land Conservancy of New Jersey is a nonprofit organization whose mission is to preserve and protect open space for natural, historic, agricultural and recreational purposes and to assist municipalities in the stewardship of open space lands; and

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**WHEREAS**, the Township wishes to retain The Land Conservancy of New Jersey for the purpose of assisting the West Milford Township Council and the West Milford Township offices with a variety of open space services and landowner negotiations, including, but not limited to, the preparation of grant applications as may be required with regard to the possible acquisition of open space and farmland and other various related services; and

**WHEREAS**, the total amount of the contract for the twelve (12) month term shall not exceed \$11,500.00; and

**WHEREAS**, funds are available through the Township's Open Space Trust Fund; and

**WHEREAS**, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bid and the contract itself must be made available for public inspection.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey as follows:

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with The Land Conservancy of New Jersey, 19 Boonton Avenue, Boonton, New Jersey, 07005, as open space preservation consultant to assist the Township in the area of open space acquisition, preservation and stewardship in an amount not to exceed \$11,500.00.
2. The total fee authorized for this contract shall not exceed \$11,500.00 without the prior written approval of the Township Council.
3. This contract should include the requirement of a completed application to the Passaic County Open Space Fund for this year and presentation.
4. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: January 22, 2014

Discussion: Councilman Signorino recalled that this contract was discussed at the last meeting. He said it seems necessary to retain these services to close out existing projects. Mr. Casey said that the diversion is not completed and should be closed out. He explained the remaining components of the process. He said it would be wiser to allow the Land Conservancy to complete the diversion project so that we are not frozen out of future grants. Councilwoman Horton said that she read that they also help with grant applications. Mr. Casey said there are two outstanding Passaic County grants from last year so we may not be able to apply this year. Council President Erk asked if we can get notice when any non-profits purchase properties.

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Erk, Dale, Signorino, Horton.  
Voted Nay: None.  
Absent: Hensley.  
Motion carried.

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Agenda No. VI

**Public Comments**

Council President Erk opened the meeting to the public advising that there is a five-minute time limit for each speaker.

Celeste Hampton, Macopin Road, West Milford said she has been a member of recycling committee for years. Thieves are stealing recyclable materials and costing us money. She described an experience where she personally witnessed someone picking up metal at curbside. When people put metal out thieves come & steal it. She said that the Township must catch the thieves & prosecute them as an example. She said there is an upcoming event on Saturday whereby people can have their pets micro-chipped for \$25 and the proceeds will benefit 4H.

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Jay Hardy, Upper Greenwood Lake, West Milford, said he is president of the Greenwood Lake power boat association. He will be here if there are any questions about boat races when the Administrator speaks about that subject later.

Michael Gerst, Hillview Court, West Milford advised people not to steal because, he said, government hates competition. He noted that there is a resolution on the agenda to authorize the purchase of riot gear gas masks. He asked if these masks are necessary. Riot gear gas masks are typically used to protect police from gas that they are firing at other people. Is there a foreseen event that the public doesn't know about? He is curious about the number of masks needed and he asked what these would be used for.

David Richards, 23 Ringwood Lane, Hewitt said he has been a West Milford resident for over 36 years. He said he watched the reorganization meeting and comments made about the cable TV committee. He said he is here to present facts & truth. He said the Council contacted the BOE because the Township needed help. Wayne Gottlieb served for the BOE and then asked Mr. Richards to participate because nothing was happening. Council was in a bind to do something soon and the BOE agreed to help. There was extensive discussion about location. The Township, he said, has an agreement with Cablevision which provides funding and one free cable optic drop. There is a fiber optic cable at the high school. They thought another good spot would be the football field. Mr. Gottlieb contacted Cranford because they have a TV public access station. Mr. Richards drove on his own time, in his car, with BOE & Township subcommittee members to Cranford where they saw a first class operation. He says that you must put out a first rate product which compels people to watch. It has grown in Cranford and it receives municipal funding. Cranford has six live feeds at the football stadium, town hall, BOE, etc. There was more discussion. The Cranford person said a station will not work at the high school. The committee looked at the school and agreed it would not work. They considered other options. Allegations that there was a conspiracy are insane. This was a non-political effort. The Council gave consensus for Mr. Richards to exceed the 5-minute time limit. Mr. Richards said that the Cranford official came to the high school and met with some committee members. He said it was his fault that the full committee was not notified of this unscheduled guest at a subcommittee meeting. They looked at Hillcrest. The Township's lease entitles the BOE to the use of 3 rooms. The Cranford official agreed that this site and one room in particular was perfect. Allegations that the BOE would charge the Township rent are absurd. The Cranford official said we should get a consultant to give a quote. The space would need air conditioning and lighting and certain upgrades. He believes the BOE would approve air conditioning and increased electrical service. There was another meeting that went down hill fast and by which his saintly wife was appalled. It was a waste of time. There is now a new committee. They are now awaiting numbers for a turn-key operation. They are planning a meeting for next week. He looks forward to working with the new committee. Residents are looking forward to this cable channel. You cannot have a community cable channel in a high school. They are trying to move forward and the BOE is excited. All the issues, including funding, can be worked out. He said he would like to see this happen this year. There will be no rent charged and no back door deals.

Gary Steele, North Glenwood Road, West Milford thanked Councilman Signorino for reaching out to him about workflow and the changes in televising meetings. It was a positive discourse which highlighted some miscommunications. When a dedicated cable TV channel was contemplated, it was to be a dedicated channel; it was to separate West Milford from Oakland & Warwick. It would be a branded channel. He has been in the television business for 40 years. He outlined some of his experience. He has proven credentials. There is free studio space available in West Milford. A TV channel is a very simple thing. The start up costs are about \$10,000 and control is accessed via computer. There is no need for a studio. He will happily provide information. If you want streaming video capability it will cost about another \$5,000. When he attended cable TV committee meetings, he was appalled at the proposed equipment list. Whatever is done, he urged, first establish the channel, and brand it. It should be placed in a Township owned property. He has spoken with the Township's IT employee who said there is space in the racks. Mobile trucks, TV studios and wiring at sports facilities can be accomplished some time in the future when the basic needs are in place and running effectively. But it would be wise to start small and keep it simple. He encouraged committee members to get the information. He is available to assist in any way.

Judy Zeigler, 673 Macopin Road, West Milford asked if anything has been done about Newark watershed. She said she has papers that she asked be given to Mr. Semrau. She said there will be a lawsuit against West Milford & Appraisal Systems about her appraisal. She has a letter saying someone is coming to her building. No one ever came. She never received a card or notice. Her taxes are too high. She said she has been railroaded for years. She read from letters from ASI. She questioned the comps they used in the revaluation process. She said she spent almost \$5,000 on her appeal and she wants to know why in 2012 and years prior she was paying \$27,000. She reviewed her appraised value of her property. Why was Momento's paying fewer taxes? That is an insult. She has been in West

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Milford for 42 years. Now, she is being kicked out with taxes. She said that the tax assessor lowered taxes on two of her properties. The Council gave consensus to exceed 5 minutes. Ms. Zeigler explained conditions specific to her properties. She said that at the hearing before the County Board of Taxation, she was told she is on a major thoroughfare. That is a joke. Her restaurant is a destination place. She is open three days a week for dinner only and has borrowed to pay her taxes. Momento's, she said, pays a lot less and she questioned why. Her building is not worth what ASI said it is. Her own appraiser appraised it at a lot less. When she appealed her value was reduced. The county did not give her a break. People don't have money. She is getting shafted. She wants to know what Momento's paid for the past five years. Nobody listened to her when she spoke at the Governor's meeting. Why is Newark getting away with their tax bill? Why aren't we getting anything from Newark for the water they sell? If you take them out of West Milford she and her husband are going to die. The Township hired ASI, we're getting screwed on the watershed, it cost us \$800,000 and the burden is falling on the residents. That is not fair. There is something wrong. \$3 million dollars would do good on the existing library. Give the money to tax relief. Her children don't use the library. You cannot keep taking and just spending, spending, spending. Look and see what has been done to her, her husband, and her business. They won't be able to live here. Nobody wants to buy her property or work as hard as they do. You will end up with an empty shell and the Township will then lose all the taxes. There is an inequity. Don't kill businesses with high taxes.

Joe Smolinski, 28 Camelot Drive, West Milford thanked Council for the discussion on the open space ordinance. He reviewed the ordinance online and found it very confusing. It came up at the RAC meeting about banking for future projects and dedicating the funds. That contradicts the intent of the ordinance because this money is for capital purposes. You cannot do capital improvements for \$50,000. Going forward, for planning purposes they need to know the answers so that each group knows how to plan. He said the Council did it for the museum. You allowed them to borrow from future funds. In the ordinance it says "for land acquired". He really dislikes legal terminology. Does this pertain to school property? That is the most commonly used recreation land in town. We need clarification on this particular ordinance and he urged the Council to pass answers down to the various committees.

Motion to close public portion.

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Moved: Erik Seconded: Signorino.  
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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Agenda No. VIII

**Council Comments**

Councilman Signorino said that with the museum money was taken from the facilities fund and will be reimbursed with open space funds. Councilwoman Erik thought that it was already discussed that the money could be used on school property. From the audience, Joe Smolinski said he understood that too adding that projects generally cost more than \$50,000.

Council President Erk said there is legislation to be introduced which would change the mechanism for calculating the value of watershed properties. If adopted by the legislature, this law would change the valuation process to an income approach. She said there is an upcoming watershed coalition meeting in February. The coalition is working on increasing membership in the coalition from throughout the state. She will continue to provide updates as they occur.

Councilwoman Erik said she agreed with Mr. Richard's recollection of events with the cable TV committee. When she couldn't get an answer, she brought Gary Steele to a meeting and things fell apart. The main meeting room is not wired for sound as was alleged by Councilman Signorino at the last meeting. The audio feed controls the microphones. Cablevision received complaints about audio and the Township's IT personnel corrected the problem.

Councilman Hensley asked Chief Storbeck to comment on gas masks. Chief Storbeck said that this funding was approved in 2013 capital funding to replace existing gas masks that have exceeded their life expectancy. Either we replace them or remove them for use. They are for police officer safety. These gas masks that have canisters to protect the wearer from any pathogen encountered and can be used for various purposes. There are 44 officers and additional staffing the police department so the number equates to the right amount. The Chief said he recommends their purchase. Councilman Hensley asked if there has ever been a need to use the gas masks thus far. When Chief Storbeck answered in the negative Councilman Hensley asked if it is typical of homeland security to give out grants for items of this nature. He said it may be smart to withhold the purchase with municipal funds and seek grant funds for

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this purchase. He asked how the grant process works. Chief Storbeck said his office is notified of grant initiatives from various sources. Sometimes grants are for specific equipment and there is no grant opportunity at this time for this purpose. Councilwoman Horton said that she would support the Chief's recommendation noting that the Township relies on the police to respond to various threats. She cautioned that they should have the tools necessary to provide for the safety of the residents as well as to keep themselves safe in the process. Councilman Hensley said that he would hope the Chief would not dispatch officers to a call wherein there was a threat of a chemical attack. Chief Storbeck said that it is the duty of the police department to respond. That, he said, is their job. Councilman Signorino said you never know what is going to happen and he encourages people to be prepared for the worst-case scenario. He would like to see our police department have the tools necessary to be prepared.

Councilwoman Horton thanked Mr. Steele for speaking with her about his experience in television.

Council President Erk said there was a question about boat races. She asked the interim administrator to address that now. Mr. Casey said there is a memo from the CS&R director advising that application has been made, no objections have been raised and there is a requirement that the Township apply to the state for the use of Brown's Point for this purpose. The Director is asking for Council consensus to make that application. He further advised that the controversies from the past have been overcome. Councilwoman Erik said we have been working a long time to get these races back. Councilman Hensley asked how long the Greenwood Lake boat association has been around. Mr. Hardy, from the audience advised that they were founded in 1984 with fluctuating membership in the years thereafter. They tried to get the races back in 2011 but there were leadership issues. All issues are behind them now. They are working with a local fire department and hoping to raise funds for that local fire department. They are moving along with the paperwork and are planning the races for June 17<sup>th</sup>. Councilman Hensley asked when the races were run in the past and Mr. Hardy said it was generally held in mid-May. They moved it for weather and weed issues. Councilwoman Horton confirmed that parking arrangements have been made with Mr. Coyman. Councilwoman Horton said that Jayme Mulhern has recommended approval and she would be delighted to see the races back. The Council gave unanimous consensus to have the CS&R director apply to the State for a permit for the boat races.

Councilman Signorino said that *Queen of Peace* has set the date for their carnival. There were issues last year with events conflicting with recreation events. He asked that Ms. Mulhern be made aware of those dates. He said the issues last year were with the parking lot and we must respect that.

**New Business, Introduction of Ordinances, Resolutions**

Council President Erk asked to move all resolutions as one. Council agreed but Councilman Hensley asked for separate consideration of Resolution 2014-049.

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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Agenda No. VI 3

~ Resolution No. 2014- 043 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE SUBMITTAL AND ACCEPTANCE OF A GRANT APPLICATION BY THE MUNICIPAL ALLIANCE COMMITTEE (CASA) FOR SCHOOL AND COMMUNITY BASED DRUG AND ALCOHOL PREVENTION PROGRAMS**

**WHEREAS**, in March 1989, the Governor's Council on Alcoholism and Drug Abuse was established to coordinate all State Departments' efforts with regard to the planning and provision of prevention, education, treatment, research and evaluation serviced for, and public awareness of, alcoholism and drug abuse; and

**WHEREAS**, in addition the legislation created an Alliance to Prevent Alcoholism and Drug Abuse, comprised of all the communities in New Jersey, which is dedicated to a comprehensive and coordinated effort against alcoholism and drug abuse by providing funds to member municipal communities to support appropriate county and municipal based alcohol and drug abuse education and public awareness activities.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford will contractually adhere to all conditions and obligations as sub-grantee to the State of New Jersey and the County of Passaic as set forth in the Letter of Agreement between the Governor's Council

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on Alcoholism and Drug Abuse and Passaic County, for the grant administration of the 2014 alliance to Prevent Alcoholism and Drug Abuse, for a grant amount of \$22,440.00 from the Governor's Council on Alcoholism and Drug Abuse, with a cash amount of \$5,610.00 which is assumed by CASA, and an in-kind match of \$16,830.00; and

**BE IT FURTHER RESOLVED** that the Municipal Alliance Chairperson and Mayor or the Township Administrator be authorized to execute the proposed application.

Adopted: January 22, 2014

Agenda No. VI 4

~ Resolution No. 2014- 044 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING FOR AN AGREEMENT FOR PROFESSIONAL SERVICES WITH CHILTON MEMORIAL HOSPITAL FOR THE YEAR 2014**

**WHEREAS**, there exists a need for certain Community Health Education services to the West Milford Health Department; and

**WHEREAS**, the Township received a proposal to provide these services from Chilton Memorial Hospital; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, *et seq.*) requires that a resolution authorizing the award of a contract be available for public inspection; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this contract, said encumbrances to be taken from account number 01-201-27-330-450.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of West Milford, New Jersey as follows:

1. That the proper Township Officials are hereby authorized and directed to execute a contract for \$39.00 per hour in a total amount not to exceed \$7,800.00 for community health education services with:  
CHILTON MEMORIAL HOSPITAL  
97 West Parkway, Pompton Plains, New Jersey 07444
2. This contract is awarded without competitive bidding as a "Professional Service" in connection with N.J.S.A. 40A: 11-5 (1) (a).
3. That a notice of this action shall be published once in the *Herald News*.

Adopted: January 22, 2014

Agenda No. VI 5

~ Resolution No. 2014- 045 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING THE CONTINUATION OF THE 2013 NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITH PRINCETON HYDRO, LLC FOR ENVIRONMENTAL ENGINEERING SERVICES FOR THE SFY 2007 NON-POINT SOURCE GRANT (RP07-052)**

**WHEREAS**, the Township of West Milford wishes to continue the award of a professional services contract by virtue of Resolution 2012-394 adopted December 5, 2012 for the 2013 year, to represent the Township in the ultimate implementation of construction projects, intended to reduce phosphorous loads entering Greenwood Lake; and

**WHEREAS**, Princeton Hydro, LLC has worked on these matters on behalf of the Township; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for these services, said funds have been encumbered to account number 02-213-41-850-000 in 2014; and

**WHEREAS**, Princeton Hydro, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that his firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year,

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and that the contract will prohibit the firm of Princeton Hydro, LLC from making any reportable contributions through the term of the contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. The Township Mayor and Township Clerk be and are hereby authorized to execute a contract with Princeton Hydro, LLC for the continuation of professional services to represent the Township in the ultimate implementation of construction projects, intended to reduce phosphorous loads entering Greenwood Lake in accordance with a NJDEP budget modification and time extension that would ensure that grant funding is available for the projects undertaken under the contract;
2. By virtue of resolution 2012-394, an amount not to exceed \$146,398.00 was appropriated in accordance with the proposal dated May 21, 2012, and to date \$95,643.00 has been expended. Therefore, there is a remaining balance of \$50,754.83 funded entirely by the grant for the completion of the professional services and ultimate implementation of construction projects intended to reduce phosphorous loads entering Greenwood Lake, including three additional stormwater projects, i.e.: Marshall Hill Road, Stainsby Road and Adelaide Terrace.
3. This contract is awarded without competitive bidding as "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
4. This contract shall expire on completion of the services for the above referenced projects or December 31, 2014 whichever comes first.
5. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolutions authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: January 22, 2014

Agenda No. VI 6

~ Resolution No. 2014- 046 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO SCOTT HOLZHAUER, CTA, SCGREA, TO ASSIST THE TOWNSHIP OF WEST MILFORD WITH TAX APPEALS FILED IN THE TAX COURT OF NEW JERSEY**

**WHEREAS**, the West Milford Tax Assessor has recommended that the Township of West Milford retain professional real estate appraisal and consulting services to assist the Township of West Milford with outstanding tax appeal matters in the Tax Court of New Jersey; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from account number 01-201-20-150-450.

**WHEREAS**, Scott Holzhauer, CTA, SCGREA has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit Scott Holzhauer from making any reportable contributions through the term of the contract; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. The Township Mayor and Township Clerk be and are hereby authorized to execute a contract with Scott Holzhauer, CTA, SCGREA for professional services to assist the Township with Tax appeals filed in the Tax Court of New Jersey in an amount not to exceed \$8,000.00.
2. This contract is awarded without competitive bidding as "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
3. The term of this contract shall be through December 31, 2014.
4. The total fee authorized for this contract shall not exceed \$8,000.00 without the prior written approval of the Township Council.
5. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolutions authorizing same are available for public inspection in the office of the Township Clerk.

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Adopted: January 22, 2014

Agenda No. VI 7

~ Resolution No. 2014- 047 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER NO. 1 – FINAL, TO SANITARY CONSTRUCTION COMPANY, INC. FOR THE 319(h) GRANT STORMWATER BMP RETROFIT PROJECT FOR AN OVERALL INCREASE OF \$51,675.99**

**WHEREAS**, the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey authorized the award of a construction contract for the 319(h) Grant Stormwater BMP Retrofit Project by resolution 2013-248; and

**WHEREAS**, field conditions required an additional *Storm Manhole, Ground Penetrating Radar, Water Main Relocation, Gas Main Relocation, Concrete Encasement* and extra *Milling & Paving* in order to complete the project in accordance with New Jersey Department of Environmental Protection approvals; and

**WHEREAS**, pursuant to the *Change Order No. 1 – FINAL* report prepared by the Engineering Division, the total amount of increases for the project are \$51,675.99, or 19.9%; and

**WHEREAS**, based upon the aforementioned changes to the contract, the adjusted total amount of the contract is now \$311,586.99; and

**WHEREAS**, the Chief Financial Officer has certified to the availability of funds for this change order, said funds to be paid from the remaining balance of the grant appropriation previously approved for this project in account number 02-213-41-850-000; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey, as follows:

1. The Township Administrator is hereby authorized to exceed the original contract award of \$259,911.00 to Sanitary Construction Company, Inc., by an amount not to exceed \$51,675.99 (19.9%).
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the Office of the Township Clerk.

Adopted: January 22, 2014

Agenda No. VI 8

~ Resolution No. 2014- 048 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EQUIPMENT AND CHANGEOVERS FOR FOUR (4) 2014 POLICE INTERCEPTOR UTILITY MODEL K&A VEHICLES THROUGH STATE CONTRACTS AWARDED TO ATLANTIC COMMUNICATIONS**

**WHEREAS**, the Township wishes to equip and changeover equipment in four (4) 2014 Police Interceptor Utility Model K&A vehicles; and

**WHEREAS**, the Township Chief of Police has provided a recommendation to award this contract through State Contracts #83927, #83917 and #81334 to Atlantic Communications; and

**WHEREAS**, the total amount of the contract shall not exceed \$40,967.60; and

**WHEREAS**, the Township's Qualified Purchasing Agent has reviewed Chief's recommendation and confirmed that the purchase is in compliance with the New Jersey Local Public Contracts Law; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from account number 04-215-55-821-001.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey that they do hereby authorize the Chief of Police to engage the services of Atlantic Communications, 664 Route 15 South, Lake Hopatcong, NJ to equip and changeover equipment in four (4) 2014 Police Interceptor Utility Model K&A vehicles, in an amount not to

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exceed \$40,967.60, through State Contract #83927, #83917 and #81334 and to execute a purchase order for same.

Adopted: January 22, 2014

Agenda No. VI 10

**~ Resolution No. 2014- 050 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY EXTENDING A MONTH-TO-MONTH CONTRACT WITH TEPLITZ, INC. FOR THE MARKETING OF RECYCLABLE SCRAP METAL**

**WHEREAS**, the Township of Council of the Township of West Milford awarded a month-to-month contract to Teplitz, Inc.; for the Marketing Of Recyclable Scrap Metal; and

**WHEREAS**, said contract expired on December 31, 2013; and

**WHEREAS**, there remains a need for the continued operation of the recycling program; and

**WHEREAS**, Teplitz, Inc. has agreed to provide the same services on a month-to-month basis until such time as RFPs have been received and a new contract has been awarded, and

**WHEREAS**, N.J.S.A. 40A:11-6 authorizes the Township to enter into such an agreement due to its emergent nature which could ultimately affect the public health, safety or welfare of the citizens of the Township of West Milford.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of West Milford the following:

1. The Township Council hereby extends its current month-to-month contract to Teplitz Inc with the understanding that Teplitz will pay \$278.00 a gross ton as per the original contract, with the Township for the recycling of our residential metal.
2. This extension will expire on March 31<sup>st</sup> 2014.
3. This resolution and contract shall be available for public inspection in the office of the Municipal Clerk.

Adopted: January 22, 2014

Agenda No. VI 11

**~ Resolution No. 2014- 051 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF AN INACTIVE PLENARY RETAIL CONSUMPTION LICENSE FOR THE 2013 - 2014 LICENSE YEAR WITH CONDITIONS**

**WHEREAS**, an application for renewal of an Inactive Plenary Retail Consumption License for the 2013 - 2014 License year has been received and reviewed; and

**WHEREAS**, the Mayor and Township Council have conducted a public review of the application as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980; and

**WHEREAS**, as a result of that review the Township Council has determined as follows:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicant has disclosed to the issuing authority the source of all additional financing obtained in the previous license year (July 1, 2012 - June 30, 2013).
4. Recommendations have been received in the Office of the Township Clerk from all applicable departments, with conditions.

**NOW THEREFORE, BE IT RESOLVED** that the Township Clerk is directed to hold the inactive license certificate for the Mayor and Township Council of the Township of West Milford with conditions as follows:

LICENSE/LICENSEE/T/A	CONDITIONS	LICENSE
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		<b>STATUS</b>
<p><b>MERSIMI &amp; MAHMUDI, INC.</b>                      t/a Cafe Amore Restaurant                      P.O. Box 1093                      736 Warwick Tpk                      Hewitt, NJ 07421                      1615-33-032-009</p>	<ol style="list-style-type: none"> <li>1. A Fire Department inspection must be made and satisfactory recommendation received in the Clerk's office prior to opening.</li> <li>2. A Health Department inspection must be made, a Retail Food Establishment license must be acquired and satisfactory recommendation received in the Clerk's office prior to opening.</li> <li>3. A satisfactory Building Department recommendation must be received in the Clerk's office prior to opening.</li> <li>4. A Police Department inspection must be made and a satisfactory recommendation received in the Township Clerk's office prior to opening.</li> <li>5. Licensee must file applicable pages of the NJ Division of A.B.C. 12 page application in the Clerk's office to activate the license.</li> </ol>	<p>Inactive</p>

Adopted: January 22, 2014

Agenda No. VI 9

~ Resolution No. 2014- 049 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE THROUGH NEW JERSEY STATE CONTRACT #A81357 OF FIFTY (50) MSA MILLENNIUM GAS MASKS FROM ATLANTIC TACTICAL**

**WHEREAS**, the Township Council of the Township of West Milford did adopt ordinance 2013-020 to create the position of Qualified Purchasing Agent in the municipality and they did subsequently adopt resolution 2013-330 appointing a Qualified Purchasing Agent (QPA) and increasing the bid threshold to \$36,000; and

**WHEREAS**, as a condition to the increase in the bid threshold, the Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase in excess of the former bid threshold of \$17,500 and that the purchase shall warrant a minimum of three quotations; and

**WHEREAS**, the Township wishes to purchase fifty (50) MSA Millennium Gas Masks; and

**WHEREAS**, the Township Chief of Police has provided a recommendation to award this contract through the NJ State Contract #A81357 to Atlantic Tactical; and

**WHEREAS**, the total amount of the contract shall not exceed \$19,837.50; and

**WHEREAS**, the Township's Qualified Purchasing Agent has reviewed the Chief's recommendation and confirmed that the purchase is in compliance with the New Jersey Local Public Contracts Law; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from account number 04-215-55-821-017.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey as follows:

1. The Township Council hereby authorizes the Township's Chief of Police to purchase fifty (50) MSA Millennium Gas Masks, in an amount not to exceed \$19,837.50, through NJ State Contract #A81357 from Atlantic Tactical, 14 Worlds Fair Drive, Somerset, NJ 08873.
2. The Township's Chief Financial Officer has certified the availability of funds for same.

Adopted: January 22, 2014

Councilwoman Erik made a motion, seconded by Councilwoman Horton to place this resolution on the table for discussion.

Discussion: Councilwoman Horton said she does want to rely on the recommendation of the police chief. She said that she wants police well equipped in their work. There may be times in the budget process that requests are denied but she noted the Chief is recommending

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this purchase and it was approved by Council in the 2013 budget process after extensive discussion. Councilman Hensley said that masks alone will not keep officers safe. He does not expect the West Milford police to respond to a chemical attack. The masks are \$400 each for a cost of \$20,000. Chief Storbeck said the officers have them and they train with them. They use them in FIT testing, and noted that medical approval is required. They also use them in firearms training & qualifications. Councilman Hensley asked for more detailed information about the training and Chief Storbeck said he was reluctant to disclose more specifics. Councilwoman Horton said she would rely on the police if there were any issue in West Milford and Councilman Hensley responded by asking Chief Storbeck not to send officers out under such circumstances. Chief Storbeck said it is their job to respond.

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Erk, Dale, Signorino, Horton.  
Voted Nay: Hensley.  
Motion carried.

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Agenda No. IX

**Consent Agenda**

~ Resolution No. 2014 052 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PASSAGE OF CONSENT AGENDA**

**WHEREAS**, the Mayor and Township Council of the Township of West Milford has reviewed the Consent Agenda consisting of various proposed Resolutions and Applications.

**NOW, THEREFORE, BE IT RESOLVED**, that the following Resolutions and Applications on the Consent Agenda are hereby approved:

**Resolutions:**

- a. **2014-053** – Cancel Checks
- b. **2014-054** – Correction of Error
- c. **2014-055** – Correction of Error
- d. **2014-056** – Refund Other Liens
- e. **2014-057** – Refund Overpayments
- f. **2014-058** – Refund Recreation Fees
- g. **2014-059** – Various 2014 Licenses

**Applications:**

- 1. Application for On Premise 50/50 Raffle License by St. Joseph Church for February 22, 2014.
- 2. Application for a Casino Night Raffle License by St. Joseph Church for February 22, 2014.
- 3. Application for a Special Permit for Social Affair by St. Joseph Church for February 22, 2014.

Adopted: January 22, 2014

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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Agenda No. IX a.

~ Resolution No. 2014- 053 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF OUTSTANDING CHECKS OVER SIX MONTHS OLD TO MUNICIPAL CASH BALANCES**

**WHEREAS**, the Chief Financial Officer has determined that the following Township of West Milford Current account checks have been outstanding for a period in excess of six months.

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DATE	CHECK #	AMOUNT
12/12	51169	\$569.64

**NOW, THEREFORE, BE IT RESOLVED** that the above outstanding checks be restored to the Township cash balance.

Adopted: January 22, 2014

Agenda No. IX b.

~ Resolution No. 2014- 054 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CORRECTION OF ERROR**

**WHEREAS**, Township checks issued to Cynthia Wright for overpayment of taxes was lost and never redeemed by the taxpayer; and

**WHEREAS**, the Collector of Taxes recommends that the lost checks be voided and the refunds be applied to the last quarter 2013 taxes and first quarter 2014 taxes of the tax account of Cynthia Wright;

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers be and they are hereby authorized and directed to void Township checks and credit those refunds to Tax Account:

**REASON: Voided Township Check Credited to Tax Account**

BLOCK/LOT	NAME	AMOUNT	YEAR
17001-13	Cynthia Wright	\$3,920.00	2013
17001-13	Cynthia Wright	\$6,173.45	2014
<b>TOTAL</b>		<b>\$10,093.45</b>	

Adopted: January 22, 2014

Agenda No. IX c.

~ Resolution No. 2014- 055 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CORRECTION OF ERROR**

**WHEREAS**, following a payment of taxes Rosaura Cisneros notified the Collector of Taxes that the check which she issued had bounced for lack of funds; and

**WHEREAS**, upon the recommendation of the Collector of Taxes Resolution 2013-374 Resolution Of The Township Of West Milford, County Of Passaic, State Of New Jersey Authorizing Reinstatement Of Taxes was adopted on December 18, 2013; and

**WHEREAS**, the check issued by Rosaura Cisneros was covered by the bank and in fact did not bounce; and

**WHEREAS**, the Collector of Taxes recommends that the payment amount be credited back to the tax account of Rosaura Cisneros;

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers be and they are hereby authorized and directed to credit the payment to the tax account as stated below:

**REASON: Bounced Check Covered by Bank and Credited Back to Tax Account**

BLOCK/LOT	NAME	AMOUNT	YEAR
5504-3.02	Rosaura Cisneros	\$619.00	2013
<b>TOTAL</b>		<b>\$619.00</b>	

Adopted: January 22, 2014

Agenda No. IX d.

~ Resolution No. 2014- 056 ~

**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF OTHER LIENS**

**WHEREAS**, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective lien.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of West Milford that the proper officers be and are hereby authorized and directed to pay the indicated amount to the holder of the lien certificate as hereinafter shown below:

Cert. No.	Cert. Date	Blk/Lt/Qual	Reimburse Amt	Pay to the Lien Holder
07-001	04/03/2007	00202-037.02	\$109.77	CHUN T. LI 9 MALJUM COURT WAYNE, NJ 07470
10-060	03/23/2010	05712-001	\$19,952.69	PAM INVESTORS, C/O PATRICK CARABELLESE 127 SO WASHINGTON AVE BERGENFIELD, NJ 07621
12-0068	03/27/2012	05712-001	\$18,325.52	US BANK CUST FOR PRO CAPITAL I LLC, US BANK TLSG, 1000 HADDONFIELD BERLIN R VOORHEES, NJ 08043
12-0140	03/27/2012	15803-006	\$35,190.42	TOWER DBW II TRUST 2012-1 1345 AVE/AMERICAS, 46 <sup>th</sup> FLOOR NEW YORK, NY 10105
13-0026	03/19/2013	02508-002	\$15,137.49	TOWER FUND SER. AS CUST FOR EBURY FD 1NJ P.O.BOX 37695 BALTIMORE, MD 21297-3695
13-0074	03/19/2013	09001-001	\$64,472.13	ACTLIEN HOLDING INC. 45 WEST 45TH STREET, SUITE 1402 NEW YORK, NY 10036
<b>Grand Total</b>			<b>\$153,188.02</b>	

Adopted: January 22, 2014

Agenda No. IX e.

~ Resolution No. 2014- 057 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF OVERPAYMENTS**

**WHEREAS**, there appears on the tax records overpayments as shown below and the Collector of Taxes recommends the refund of such overpayments.

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayment as shown below:

**REASONS:**

- |                                     |                          |
|-------------------------------------|--------------------------|
| 1. Incorrect Payment                | 4. Homestead Rebate      |
| 2. Duplicate Payment                | 5. Tax Appeal            |
| 3. Senior Citizen/Veteran Deduction | 6. 100% Disabled Veteran |

Block/Lot	Name	Amount	Year	Reason
9001-1 Cert. # 13-0074	US Bank Cust for Actlien Holdings Inc. 50 South 16 <sup>th</sup> Street Ste 1950 Philadelphia, PA 19102	\$3,562.36	2013	1
11002-13	Cary Brauch 111 Broadway West Milford, NJ 07480	\$55.63	2013	2
<b>TOTAL</b>		<b>\$3,617.99</b>		

Adopted: January 22, 2014

Agenda No. IX f.

~ Resolution No. 2014- 058 ~

**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF RECREATION FEES**

**BE IT RESOLVED** that the following recreational fees upon the report of the Director of Community Services and Recreation be refunded:

<i>Violin I</i>		
Charlotte	\$111.00	Patricia Stoll 15 Gleason Road Hewitt, NJ 07421
<i>Sport squirts / 1-30-14</i>		
Cody	\$20.00	Debbie Trusz 44 Pine Lane West Milford, NJ 07480
<i>Senior Tai Chi</i>		
Diann Castiaux	\$35.00	Diann Castiaux 30H Concord Road West Milford, NJ 07480

Adopted: January 22, 2014

Agenda No. IX g.

~ Resolution No. 2014- 059 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2014**

**WHEREAS**, applications have been made for the new licenses and the renewal of various Licenses for the 2014 license year; and

**WHEREAS**, reports of recommendation have been received from applicable Township Departments recommending the issuance of said licenses as listed below.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford does hereby approve the issuance of 2014 Licenses as listed below: and;

<b>Lic No.</b>	<b>TAXI OWNER LICENSES</b>
2014-04	<b>Elite Car And Taxi</b> Heidi Godau
<b>Lic No.</b>	<b>TAXI DRIVER LICENSES</b>
2014-04	<b>Elite Car And Taxi</b> Heidi Godau
<b>Lic No.</b>	<b>POOL TABLE LICENSES</b>
2014-06	<b>The New Jessie's Kettle</b> 1555 Greenwood Lake Turnpike
<b>Lic No.</b>	<b>CLOTHING BIN LICENSES</b>
2014 – ARC 01 2014 - ARC 02	<b>American Red Cross</b> 2 Bins at the A & P
2014 - MIL 01 2014 - MIL 02 2014 - MIL 03	<b>Millennium International Textile</b> 1 bin W.M. Recycling Center 1 Apschawa Fire 1 Greenwood Forest Fire Company
<b>Lic No.</b>	<b>RECYCLING CENTER LICENSE</b>
<b>R 2014-01</b>	<b>Skytop Recycling Inc.</b> 80 Airport Rd, West Milford
<b>Lic No.</b>	<b>FIREARMS RANGE LICENSE</b>
<b>2014-01</b>	<b>Meadowbrook Rifle &amp; Pistol Club</b> 88 VanOrden Road Newfoundland, NJ

Adopted: January 22, 2014

Agenda No. X

**Approval of Expenditures**

**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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~ Resolution No. 2014- 060 ~

**RESOLUTION APPROVING THE PAYMENT OF BILLS**

**WHEREAS**, the Township Treasurer has submitted to the members of the Township Council a report listing individual disbursement checks prepared by his office in payment of amounts due by the Township.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Treasurer's report of checks prepared by him be approved and issued as follows:

Acct #	Account Name	Amount
1	Current Account	\$770,811.55
3	Reserve Account	411,076.61
2	Grants	80,459.92
6	Refunds	156,982.01
1	General Ledger	6,579.00
26	Refuse	3,230.30
4	Capital	13,975.00
19	Animal Control	420.00
19	Heritage Trust	0.00
19	Open Space Trust	2,875.00
19	Trust	4,324.61
19	COAH	567.16
16	Development Escrow	4,194.39
20	Library Trust	0.00
21	Assessment Trust	0.00
Total		\$1,455,495.55
	Less Refund Resolution	-156,982.01
	Actual Bill List	\$1,298,513.54
	Other Payments	
	<b>Total Expenditures</b>	<b>\$1,298,513.54</b>

Adopted: January 22, 2014

Moved: Erik Seconded: Horton  
 Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton.  
 Voted Nay: None.  
 Motion carried.

Agenda No. XI

**Executive Session**

~ Resolution No. 2014- 061 ~

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 22<sup>nd</sup> day of January, 2014 that:

1. Prior to the conclusion of this **Regular Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
  - ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
  - ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
  - ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
  - ( ) b. (4) A collective bargaining agreement including negotiations.

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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- ( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
- ( ) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
- (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
  - Attorney-Client Privilege – Fire Companies
- ( ) b. (8) Personnel matters.
- ( ) b. (9) Deliberations after a public hearing that may result in penalties.

2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: January 22, 2014

Motion for Executive Session.

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Moved: Erik Seconded: Hensley  
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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The Governing Body convened in executive session at 8:57 p.m. and returned to the public meeting at 9:28 p.m. with all present as before.

Township Attorney Mr. Semrau read resolution 2014-062.

**~ Resolution No. 2014- 062 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO RATIFY AN AGREEMENT EXECUTED BY FIRE COMPANY #2 AND PROVIDE FOR THE PARTIAL REINSTATEMENT OF FIREMATIC SERVICES**

**WHEREAS**, the officers of Fire Company #2 in the Township of West Milford have executed an agreement outlining conditions for the partial reinstatement of their firematic services.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford does hereby ratify the agreement executed by the officials of Fire Company #2 to provide for the partial reinstatement of their firematic services.

**BE IT FURTHER RESOLVED** that prior to the placement of firematic equipment with Fire Company #2, the fire commissioner must provide a letter to the Director of Public Safety and Council certifying that all administrative and training documentation has been provided.

Adopted: January 22, 2014

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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Agenda No. XII

**Reports of Mayor, Administrator, Council Members, Attorney and Clerk**

Councilwoman Horton wished fire company #2 all the best as they work toward achieving the goals outlined in the agreement saying that she is confident they will. She said the high school interact club is putting together a prom dress drive at Hillcrest on February 1<sup>st</sup> & 2<sup>nd</sup>. They really need dresses to sell. If you have a gently used prom dress, please consider donating it.

Councilman Signorino said that he has noticed for at least a year that Township vehicles are unmarked. He asked that they be marked and it be made clear these vehicles are Township property. He noted that there has been a request for participation from Council with the MUA issues and recalled that there were

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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scheduling issues with the subcommittee. Councilwoman Horton said she has been in touch with Carol Hardy, the MUA chair and she provided dates that indicate her availability.

Councilwoman Erik said she attended a CASA meeting last week and reminded everyone that they are still accepting surveys about drug usage in town. On Tuesday there was an interesting drug presentation at the high school conducted through the joint efforts of the West Milford police department the Passaic County sheriff's office, the Passaic County prosecutor's office and New Life. There was a good turnout, it was well attended and many attendees were shocked at what they learned. Two weeks ago she shocked everyone when she showed a bag of pills that came from her house after her friend passed away. They have been properly disposed of. She said she received a lot of calls from people who said they cleaned out their medicine cabinets and were shocked at the quantity of pills they found. Partnership for a Drug Free America is an online resource that is encouraging people to clean out medicine cabinets to keep medications out of the hands of kids. Over the counter drugs can be problematic. On Thursday & Friday next week at William Paterson there will be another drug seminar about parents who host and she encouraged people to attend. She said that every member on the recycling committee has witnessed the removal of metal from the curb. They are at a loss as to what to do. They understand that the Township cannot assign police but they are looking for solutions. It was suggested that special police officers be assigned to patrol on the eve & day of recycling pickup and she will speak to the Chief about that. After the reorganization, she and others went to Towne Tavern. Their goal is to patronize local businesses. It was a good time and the food is awesome. She urged everyone to patronize local establishments.

Councilman Hensley said that the EDC met for the first time this month. They were excited to share ideas to develop an improved economic situation in town. A lot of the newer volunteers are very enthusiastic. There was a consensus to reach out to HEAT to work together to benefit the Township, share ideas and share resources. The RAC committee had an interesting discussion at the last meeting. They discussed the need for fields and how great the turf field has been for the Township. He echoes that noting that the field is extensively utilized. The conversation at the RAC meeting then evolved to a discussion about a good locale for another turf field and everyone at that meeting agreed another turf field would be a great benefit to the township. They also discussed the potential of using the redevelopment money for that purpose rather than leave it lying dormant. If that were the case, if we could realize another turf field, thereby addressing field needs & enhancing recreation services.

Councilwoman Dale thanked everyone for working on the company #2 resolution and she wished them luck getting reinstated. She thanked Mr. Semrau for putting together a great plan and facilitating a collaborative discussion and she commended Chief Storbeck & Commissioner Steines for their work.

Council President Erk said the watershed coalition is working on legislation to be introduced to reconfigure the method by which watershed lands are valued. She has a letter from schools superintendent advising that they are creating a strategic plan to recognize the accomplishments & goals of the future. They will meet on three separate occasions (February 13<sup>th</sup>, March 6<sup>th</sup> and April 10<sup>th</sup>) from 7-8:30. Each meeting will have a specific purpose and task. They have invited the Council to attend and have indicated that ideally 2 or 3 representatives would be good but the full Council is better. Mr. Semrau said that if there will be a quorum, we must address that for compliance with the open public meetings act. If a quorum is to be constituted, the Township will need to understand the meeting agendas. Councilwoman Dale asked that the municipal clerk provide each member with a copy of the letter. The Council agreed to RSVP to Council President Erk who will notify the clerk of the responses so that potential OPMA issues could be addressed.

Township Attorney Semrau said that the DEP has asked for a meeting next week regarding the recycling facility site. There have been notices of violation issued and they have been to the site a number of times. The meeting will be in Trenton and he was asked to attend. He will update Council. The watershed legislation is moving forward and the draft legislation was circulated. He asked for Council consensus to have Brian Townsend & Scott Holzhauser attend the next meeting to discuss the technical aspects of the bill for which they have already provided written comments. The Council gave consensus. Mr. Semrau said he received a got a phone call from the BOE attorney about Wallisch. The BOE would like to ask if the governing body had interest in approaching Passaic County to see if they are interested in Wallisch. He does not have specifics but it was suggested that the County may use it for a petting zoo. He does not know whether or not it would be a transfer of ownership or an agreement for use. We have not formally made a request to the State of New Jersey for its transfer to Ramapo college but the BOE wants to know if we want to approach the County. Councilman Signorino said he heard that there has already been interest from the County. The Council gave consensus. Mr. Semrau said the Township subleases to certain entities at Hillcrest including *New Life* and *the Association for Special Children & Families (ASCF)*. ASCF has not paid rent, and although they are non profit, rent was computed at \$970 per month. They were notified that they were to begin paying rent of January 1<sup>st</sup>. The Director of CS&R corresponded with them and the Township since got a letter from them making a plea that they not be

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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charged. The original direction was to have them pay. They have been at Hillcrest for a number of years and have not been paying rent. The Council instructed that Mr. Semrau proceed to have them execute a lease and pay rent.

Agenda No. XIII

**Appointments and Resignations**

Councilwoman Horton nominated Ralph Harris Commissioner to the MUA and Councilman Signorino nominated Councilwoman Horton as Council Liaison to the MUA. Councilman Hensley seconded.

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Moved: Erik Seconded: Signorino  
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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Councilman Signorino said prior Councilman Edward Rosone served on subcommittee to BOE. Councilwoman Erik nominated Councilwoman Dale Seconded by Councilwoman Horton.

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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Agenda No. XIV

**Adjournment**

There being no further business to come before the Council, the Township Council adjourned the meeting at 10:08 p.m.

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Moved: Erik Seconded: Signorino  
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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Approved: February 19, 2014

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COUNCIL PRESIDENT ERK, PRESIDING OFFICER

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ANTOINETTE BATTAGLIA, MUNICIPAL CLERK