



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

Minutes of: Governing Body Workshop Meeting  
 Date of Meeting: February 5, 2014  
 Time of Meeting: 6:30 pm  
 Minute Page No: Page 2 of 17

|    |  |
|----|--|
|    | <p>This property has significant recreational, conservation and historical benefits and it is reasonably priced too. Mr. Sangle urged the Council to consider the acquisition of this property. He said that acquisitions have been limited for about 8 years. This property reaches out over all goals, historic, conservation and recreation. It is a win-win for the Township. Mayor Bieri asked about the parking. Mr. Sangle said there is not an existing lot but there is an area that could be used for parking with minimal work. Councilwoman Horton asked how much money is on the open space trust fund and Mr. Sangle said about \$1 million. Mayor Bieri noted that the combined tax effect of the Weaver properties are \$1,285 and Mr. Sangle said that the town already owns the tax certificate on one of the parcels. He believes that this acquisition would be supported by all groups, environmental, recreation and historic and it will serve the town well. Mayor Bieri noted that it is on the agenda tonight because the Passaic County open space grant applications are due on March 14<sup>th</sup> so time is an issue. Councilman Signorino said he sees this as an open space acquisition and believes it should come from the open space monies dedicated to acquisition. Mr. Sangle said that the 33-33-33 in the referendum question was a hypothetical number. Mayor Bieri said the recreation &amp; historic uses in the question were intended to improve properties already owned by the Township so this would be funded with acquisition funds and Mr. Semrau concurred. Mr. Sangle said the Environmental Commission is open to any recommendations as to how to proceed. When they had the open space meeting they found the realtor who was representing the Weaver property. They called him. Discussion ensued about a small land-locked piece of property that may be affected by this acquisition. Councilwoman Erik made a motion to move forward with the Passaic County open space application and Councilwoman Horton seconded that. Mr. Casey said that the Council can authorize the filing of the open space application and if any outstanding issues are not resolved we can decline the grant. Mayor Bieri agreed saying that applying for the grant does not bind the township to anything. The motion was carried by unanimous roll call vote.</p>  |
| 2) | <p>Discussion – Greenwood Lake Bi-State Commission Policy – Councilman Signorino said this was brought up because last year he spoke with many Greenwood Lake residents who are dissatisfied with the water in Greenwood Lake. He was hoping Council can find a direction to establish goals that will be facilitated by appointees to the bi-state commission. In the past we deferred to the commission to handle issues as they see fit. They have a hard time with their hands often tied behind their backs because of legislation in each state. He would like to see the conditions of the lake improved for residents to enjoy. He wanted this discussion to accomplish that. The boat races are coming up and the time to harvest weeds or treat them is around the corner. He attended an Environmental Commission (EC) meeting on Monday night and he discussed Greenwood Lake with them from an environmental perspective. The EC has worked with the bi-state commission in the past. He would like to see West Milford become more involved and take a more active role in lake issues and he said that must be a collaborative effort. There is a governor's appointee, a county appointee, DEP appointees and two local appointees to the Greenwood Lake bi-state commission. He is seeking to achieve harmony with all groups and the EC. He appreciates the time the EC gave him on Monday night. He said that to have a plan one must do a study. The EC has successfully applied for grants for studies and implementation of the results. He would like to see a collaborative effort where the entities do not clash. It takes money, volunteers and time. Councilwoman Dale said there were concerns about the bi-state commission especially pertaining to expenditures and use of funds. There was an agreement and a request for an accounting but she doesn't know if that has happened. She campaigned in that area last year and heard a lot of concerns from residents who complained that whatever is happening is not working. In addition to the \$10,000, the Township provides additional resources that cost the Township money. She would like to receive details of those expenses and services. She would like to know what the county is doing to contribute to the funding. The Township needs to partner with other entities to facilitate adequate funding. She asked Interim Administrator Casey to get an accounting of local contributions and an accounting of county contributions. She wants to know that the commission is actively working with the Township and providing requested information. Councilman Signorino asked Eric Hastings if the bi-state commission received funding from the County. Mayor Bieri asked for and received consensus to have the bi-state commissioners speak to the Council and engage in dialogue. Mr. Hastings said Mayor Dyer from Greenwood Lake Village is present and an integral part of the process. Mayor Bieri said it is the goal to have a clean lake and she asked if the Township has the authority to have the lake chemically treated. The bi-state commissioners, in unison, said the Township could do that. They said that each side of the lake can be treated separately. Mayor Bieri asked if the Township could just treat the lake independently to which the commissioners universally said yes. Mayor Dyer has been in office in the Village of Greenwood Lake for 9 months. They seek to obtain positive results from the lake and residents rely on the lake. The village has done many independent things but the commission has accomplished a lot themselves. He listed some grants they got and detailed the positive results of their efforts. George Bernot, NY governor's appointee said he used to live in West Milford. He said that the cost of weed harvesting alone is \$10,000. They have to hire the</p> |

---

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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: February 5, 2014  
Time of Meeting: 6:30 pm  
Minute Page No: Page 3 of 17

---

operator at an hourly rate. On the New York end they provide an operator and are independently harvesting. He likes that very much and he would love the Township to assume that role for the New Jersey side of the lake. They would like any help they can get. The commission is comprised of all volunteers who do not even recoup expenses. Mr. Semrau noted that Mr. Bernot has a distinguished career in law. He asked for a copy of the adopted bylaws and Mr. Hastings provided them. Mayor Bieri noted that the Township now has a copy of the most recently adopted bylaws, has submitted a request for accounting & minutes and a memo from the bi-state commission for the budget process. Mr. Hastings said he will provide those items. Councilman Signorino asked if the Council will give consensus to have the EC research the feasibility of becoming involved in lake issues. Councilman Hensley thanked the bi-state commissioners and said he would favor the EC becoming involved. Mr. Sangle said he would not like to see the EC becoming involved in the duties of the bi-state commission. He suggests that the bi-state commission create a subcommittee to research methods to treat the lakes and get grants. The EC would informally assist with those efforts and do some research if they need it. The EC has their hands full but will help if they can. Councilman Signorino said they need help and it appears that there is consensus from the Council to facilitate that help. Mr. Bernot said the first help would be to appoint the commissioners because time is of the essence. He asked that Messrs. Hastings & Weisbecker be reappointed tonight. Councilman Signorino said that in the past the harvester has not had a permanent home and we have issues with the monies. The Township has a large role in the harvesting. He asked what the plan is for harvesting this year. Mr. Hastings said that if the Council appoints him to the commission he will take care of it. He cannot do anything if he is not appointed. Councilwoman Horton said she will nominate him later in the meeting. Mr. Hastings commended Mayor Bieri for her continuing efforts to reduce the infiltration from Belchers Creek into the lake. He said that is where help from EC is needed. He said that more than 60% of the nutrients that come into the lake come from Belchers Creek. He said that he gets called out often because of sewerage contamination. They need the EC and help to address the issues with Belchers Creek. They expect to have 3 harvesters in the lake to prepare for the boat races. Mayor Bieri agreed that there are significant issues with Belchers Creek. Mr. Hastings said all the studies have been done, now we must take action. It takes two years for the lake to achieve an acceptable standard after the issues are resolved. He provided data about the contamination from Belchers Creek. They need the EC to help stop the contamination before Belchers Creek reaches the lake. Councilman Signorino said the Council needs details and Mr. Hastings said the bi-state commission has an action plan. It has many components including the need for a universal three year septic pumping ordinance, regular storm drain cleanup and the installation of swell basins & retrofits to storm drains. All those things are crucial. He thanked the Township for their efforts with these issues in the past noting that there has already been a great deal of success. He commended the DPW for their cleanup efforts at Brown's Point noting that West Milford helps a lot. He said that officials from both States have also been very supportive. The counties are not as consistent with their contributions but the commission is hoping to get contributions this year. Mayor Bieri asked Mr. Semrau how the Council can effectuate involvement from the EC. Mr. Hastings said the municipality can do more than the commission and they need the EC involved in the waterways leading into Belchers Creek. Councilman Signorino said he would dedicate time to attend committee meetings and see this done. He said he wants to work with the EC on the issues that the commission cannot work on and work collaboratively with the commission to achieve success. Mr. Hastings said the commission knows what is needed and what the EC can do to help. Mr. Sangle said he recommends a subcommittee of the EC to meet with and work with the bi state commission to brainstorm about problems. The EC can then work from there and report via the minutes to the Council. Councilwoman Dale said she would like to see minutes from the commission and be kept informed about what is going on. That would allow the Council to advocate for the commission. Mayor Dyer said the commission does not have a secretary at this time and Mr. Hastings said he will provide minutes to the municipal clerk for distribution to the Council. Mayor Bieri asked for and received Council consensus to give EC direction as outlined by Mr. Sangle. Councilman Signorino said this discussion was very productive.

Councilwoman Horton nominated Eric Hastings to the bi-state commission, seconded by Councilman Signorino. Councilwoman Erk nominated Philip Weisbecker, seconded by Councilman Hensley. The Council asked for separate votes. Councilwoman Erik made a motion to close nominations, seconded by Councilman Signorino

Roll call for Eric Hastings.

---

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

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

Minutes of: Governing Body Workshop Meeting  
 Date of Meeting: February 5, 2014  
 Time of Meeting: 6:30 pm  
 Minute Page No: Page 4 of 17

|    |   |
|----|---|
|    | <p>-----</p> <p>Roll call for Phil Weisbecker.</p> <p>Mayor Bieri asked if they can operate without Mr. Weisbecker. Without a definitive answer from the commissioners, she asked for attendance records. Mr. Hastings said that the liaison to the state is Mr. Weisbecker. Councilman Signorino said that Mr. Clinton Smith is the state liaison. Councilwoman Dale asked Mr. Hastings to provide requested information.</p> <p>-----</p> <p>Moved: Horton <span style="float: right;">Seconded: Signorino</span><br/>         Voted Aye: Erik, Erk, Horton.<br/>         Voted Nay: Hensley, Dale, Signorino.<br/>         Abstain: Bieri<br/>         Motion carried.</p> <p>Councilman Signorino said the basins discussed earlier are part of the Township's stormwater management plan. He said that each year the Council discusses road sweeping and grit cleanup during the budget process. He asked if the Council could ask to take up a neighboring communities offer to do a pilot program for brine. Mr. Casey said that brine has its role. The issue is pertinent because the fire department has a surplus truck and they are considering converting that to a brine vehicle. It may not be possible to effectuate for this season and there will be a lot of grits used this year. Brine will not be effective this year. It does not give traction. Councilman Signorino said he spoke to the EC about this and the consensus is that grits do nothing. Mr. Casey said he would love for the authorization not to use grits but conditions would be hazardous with all the ice &amp; snow this year without it. Councilman Signorino lamented that the grits are everywhere and he would like to see brine added to our arsenal. Mr. Casey said that now that we have a vehicle, they will try to get it operational for next year. Councilman Signorino said that is why he is asking Council to consider doing a brine test now with a pilot program. Mr. Casey said brine works and you can see it on Berkshire Valley Road in Morris County. Brine is not effective in heavy snowstorms and specifically in West Milford, the unknown is the effect on the hills. Mayor Bieri recalled that the direction from the last meeting was to have DPW and the new director research this issue and report back to Council. Mr. Casey talked about concerns about future storms, the equipment &amp; supplies because with the heavy use and frequent storms, there are a lot of issues to be addressed to be ready for the next storm which is forecast for this weekend.</p> |
| 3) | <p>Discussion – Budget Review Schedule – Interim Administrator Casey directed the Council to his memo which provides a budget process status report. He is reluctant to make revenue projections and is awaiting the AFS which is due on the 10<sup>th</sup>. He said the Council discussed meeting as a whole with large departments such as DPW, recreation &amp; police. He will meet with department heads prior to them meeting with the Council. He will not have the completed budget document for 2-3 weeks but will provide some detail so that the individual departmental meetings can proceed. Councilwoman Dale said it may be difficult to understand the budget without having the full budget to work from. Mayor Bieri said that past practice has to review each budget, department by department, but decisions are not made until the full budget is ready. Mr. Casey agreed saying these are informational rather than decision making sessions. The Council instructed that budget meetings should be scheduled and advertised for Monday February 17<sup>th</sup> and Thursday February 20<sup>th</sup> at 6:30 p.m. Mr. Casey will determine which departments will come before Council on which dates.</p>   |
| 4) | <p>Discussion – Facilities Alternatives – Interim Administrator Casey directed Council to his memo noting that there appear to be four issues to be addressed. They are the new library, the future of Hillcrest/Pal, the old library, and town hall. He suggests that the governing body step back and look at long term goals &amp; plans. The architect has provided some schematic plans for adding a floor to the new library and reuse of the old library. They also provided cost information. He also provided information from the recreation department. Mr. Casey reviewed each issue.</p> <p>Library issue – Mr. Casey said that the library is seeking to construct a two-story building for their use. They have offered to include a third floor in their plan for municipal use if the Township wishes to take advantage of the offer. Mr. Casey said he is accepting numbers from the architect at face value and the estimate to outfit such space is \$225,000 for a total cost of approximately \$2.2 million. He said he has calculated the annual cost if the Township were to bond for the full amount based on a 15-year bond at a 4% interest rate. The end result is that the Township would break even and he reiterated that he used high end numbers in his calculations. Mr. Casey reviewed his calculations for the debt cost based on 15 years at 4%. Councilwoman Dale wants a report that shows cost avoidance savings and duplicative expenses during the construction phase. Councilman Hensley said that Mr. Casey noted that if we pull out of Hillcrest there will be a larger burden to taxpayers because the school will still fund that building. Mr. Casey said that is not what he said in totality. Mayor Bieri noted that the library board has been very patient. She asked each Council member to please email exact questions to the administration by the end of the week. She asked Mr. Casey to schedule this for the next workshop noting that the library board would like to know if the</p>   |

---

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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: February 5, 2014  
Time of Meeting: 6:30 pm  
Minute Page No: Page 5 of 17

---

|    |  |
|----|--|
|    | Township is in or not so that they can proceed with their plans.   |
| 5) | Contract – Envirotactics, Banker Road & Museum DEP Requirements – Mr. Casey said there are two resolutions scheduled for action later in the evening. He provided an overview of the history of Banker Road and the areas of concern. This Council action would provide for someone to meet with the DEP and find out specifically what the DEP wants to close out this file. The plan is to closeout these projects. Mr. Semrau said that Birdsall rendered a report about 3 years ago. He thanked Mr. Casey because he has been getting pressure from the DEP for about 8 months to resolve this and he has been asking the administration for a proposal all that time. Mr. Casey advised that the second one is for the museum and will require a meeting with DEP to close the project out. |

Agenda No. IV

**Executive Session**

None.

Agenda No. V

**Presentations**

None.

Agenda No. VI

**Proclamations**

None.

Agenda No. VII

**Public Comments**

Mayor Bieri opened the meeting to the public after advising that there is a five-minute limit for each speaker.

Doris Aaronson, 19 Bearfort Road, West Milford said the environmental commission's presentation sounded good. She said that staff in the DEP previously assigned to green acres has been designated to Super Storm Sandy projects. Skylands Clean and other entities plan to write a letter to the DEP to plead for resources to be applied to Green Acres to disseminate grant money. She asked the Council to consider doing likewise. The Greenwood Lake bi-state commission, she said, referenced issues that were not broached directly. They also did not broach the difference between weed harvesting & chemicals. Chemicals are not a long-term effective solution. Ella Fillipone believed weed harvesting is more effective. Chemical treatments inject phosphorous into the lake and contribute to weed production in future years. Some months ago the Cablevision sent broadcasting that was smaller than the TV screen. Now subscribers get broadcasts that are bigger than the screen. You cannot read text at the bottom of screen. She asked the TV committee to contact Gary Shaw about that.

Gary Steele, North Glenwood Road, West Milford said there is a cost difference when building 3 stories versus 2 stories. Buildings built on slabs cost less than those that require subsurface construction. He urged the Council to make a decision so that the library can proceed. He has tried to contact Councilman Signorino about an updated equipment list but he has not heard back from him. He described the details which he said he conveyed at the last meeting also. He said that the first step in the cable TV process requires the installation of a cable drop and then the purchase of a server. From there the cameras & equipment are purchased. He read the equipment list that the Cable TV committee presented costing \$68,000 saying that it is ridiculous. He said he would like an updated list to review and go over with Council.

Rod Dundorf, Hewitt has been listening to talk about the library for 3 years and is discouraged by the Council's continued failure to take action. He thinks it is all politics. He thinks if a republican had gotten the Finn property it would have happened immediately. Mayor Bieri, he said, has been subjected to abuse for 5 years because she is a Democrat. In other towns republicans & democrats work together to benefit the town. It was better when elected officials worked for the benefit of the town. It is not good when politics take precedence. He said that Marilyn Lichtenberg worked with Mayor Bieri so she had to be defeated because she did not work for the party. He sees the same thing happening with Ada Erik. It will be cheaper to do a third floor at the new library and the town will benefit from it. Council should be ashamed and each elected official should work for the town and not the party.

Joe Smolinski, Camelot Drive, West Milford said RAC chair could not make it tonight. He wants to know about banking future funds for projects to be paid for from the open space trust funds. He asked for clarification on the calendar year reference in the ordinance where the super majority can take funds from one category to another. Also can RAC funding be used for school land. He doesn't know where Ada Erik got the comment she made to the paper last week. The Township spent close to \$750,000 on a turf field but before they spent that money there was an agreement properly executed. He asked if there are agreements with the library board and/or PAL. You need an agreement first.



---

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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: February 5, 2014  
Time of Meeting: 6:30 pm  
Minute Page No: Page 7 of 17

---

**WHEREAS**, the Township continues to have a demand for improved parks and recreational facilities for the residents including the children and senior citizens of the municipality; and

**WHEREAS**, the Township has acquired certain properties that have or may have historical significance which may require the investment of resources for restoration or improvement; and

**WHEREAS**, N.J.S.A. 40:12-15.7 permits a municipality to utilize its Open Space Trust Fund for purposes that include the development of lands acquired for recreation and conservation purposes, as well as capital improvements for recreation and conservation purposes; and

**WHEREAS**, pursuant to N.J.S.A. 40:12-15.7, subsection (a)(1)(d), The Township submitted to the voters of the municipality the additional proposed purposes of the West Milford Open Space Trust Fund in the November 2013 election; and

**WHEREAS**, the municipal public question proposing the additional proposed purposes for the West Milford Open Space Trust Fund was approved by the voters; and

**WHEREAS**, the additional purposes of the Open Space Trust Fund will not increase the tax levy for the Fund; and

**WHEREAS**, the Township Council of the Township of West Milford desires to codify the approved additional purposes for the West Milford Open Space Trust Fund.

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

**SECTION 1.** Chapter 239, "Open Space, Recreation, and Farmland and Historic Preservation Trust Fund," of the Township code be and is hereby amended, to read as follows:

**Chapter 239. OPEN SPACE, RECREATION, AND FARMLAND AND HISTORIC PRESERVATION TRUST FUND**

**§ 239-1. Open Space, Recreation, and Farmland and Historic Preservation Trust Fund establishment.**

There is hereby established an account which shall be known and designated as the "Open Space, Recreation, and Farmland and Historic Preservation Trust Fund" which shall be maintained in accordance with N.J.S.A. 40:12-15.7 et seq.

**§ 239-2. Funding; utilization of funds.**

- A. The Open Space, Recreation, and Farmland and Historic Preservation Trust Fund shall be funded through the dedication to the fund of an amount of \$0.0054 per \$100 of assessed valuation of each annual tax levy commencing with the year 2012. The fund shall also be permitted to accept donations and testamentary bequests.
- B. The funds accumulated within the trust fund may be utilized only for the acquisition of lands for recreation and conservation purposes and the payment of debt service on indebtedness issued or incurred by the Township for the purpose of acquisition of lands for recreation and conservation purposes and, for the funds collected beginning January 1, 2014, allocated as follows:
  - 1. At least 33.33% of open space trust funds for the acquisition of properties.
  - 2. Up to 33.33% of open space trust fund monies for the development of or capital improvements to lands acquired for recreation purposes at the discretion of the Township Council.
  - 3. Up to 33.33% of open space trust fund monies for the improvement of lands acquired for conservation or historic preservation purposes at the discretion of the Township Council.
- C. Lands acquired by the Township of West Milford using revenue raised pursuant to this tax authorization shall be held in trust and shall be used exclusively for the purposes authorized under N.J.S.A. 40:12-15.1 et seq. The governing body of the Township of West Milford may change the spending allocation for a given calendar year however it must be approved by five (5) affirmative votes of the Township Council.

**§ 239-3. Administration of fund.**

The Open Space, Recreation, and Farmland and Historic Preservation Trust Fund created by this chapter shall be administered in accordance with the applicable statutory provisions, including, without limitation, N.J.S.A. 40:12-15.1 et seq.

---

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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: February 5, 2014  
Time of Meeting: 6:30 pm  
Minute Page No: Page 8 of 17

---

- SECTION 2.** All ordinances of the Township of West Milford, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.
- SECTION 3.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
- SECTION 4.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

Introduced: February 5, 2014

Second reading and public hearing for this ordinance is set for the Regular Meeting of the Township Council scheduled for February 19, 2014. Notice of this public hearing shall be published in the Herald News on or about February 9, 2014.

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

Discussion: Mayor Bieri commended Mr. Semrau on his memo which, she said, more than adequately addressed all the questions posed by the Council. Mr. Semrau directed Council to his memorandum. He asked Councilman Hensley to delineate that which appears different from the ordinance considered at the last meeting assuring him that the document before Council tonight is exactly the same as that which was before them at the last meeting. He also directed Council to the language in the ordinance and that in the ballot question pointing out that the language appears in the ordinance verbatim. Mr. Semrau advised that the open space trust fund does not apply to BOE lands. If the Township has a land interest or property interest in a land then open space funds could be used. The appropriation of 33% for improvements is a trust. Monies are set aside and do carry from one year to the next. Funds can accumulate from one year to the next but you cannot spend from one year to the next, you cannot bind future governing bodies.

---

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

---

Agenda No. X 2

Mayor Bieri asked to move all resolutions as one.

---

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

---

~ Resolution No. 2014- 063 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE TOWNSHIP ADMINISTRATION, TOWNSHIP AUDITOR, TOWNSHIP ATTORNEY, AND TOWNSHIP BOND COUNSELOR TO PROCEED WITH THE PERMANENT FUNDING OF APPROXIMATELY \$9,000,000 IN EXISTING UNFUNDED DEBT.**

**WHEREAS**, the Township has authorized various bonds for public improvements in recent years resulting in the issuance of over \$9,300,000 in temporary one year Bond Anticipation Notes due in April 2014 that must be either permanently financed via a Bond Issue of comparable value or financed for an additional year via an additional one year Bond Anticipation Note; and

**WHEREAS**, the Township Auditor, Township Administrator, and Township Chief Financial Officer has presented to the Mayor and Council detailed information on the financial alternates available to the Township and based upon this information have recommended that it would be in the Township's best long term financial interest to issue permanent bonds in April 2014 to permanently finance these obligations.

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of West Milford on this 5<sup>th</sup> day of February, 2014 that the Township Administration, Township Attorney, Township Auditor and Township Bond Counselor be and are hereby authorized to take the necessary actions to issue approximately \$9,000,000 in Bonds in April to offset the existing Bond Anticipation Notes coming due that month; and

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

Minutes of: Governing Body Workshop Meeting  
 Date of Meeting: February 5, 2014  
 Time of Meeting: 6:30 pm  
 Minute Page No: Page 9 of 17

**BE IT FURTHER RESOLVED** that the existing 2014 contract total for the Township Auditor previously set at \$60,000 in Resolution 2014-025 is hereby increased to \$75,000 and the contract total for the Bond Attorney for 2014 previously set at \$23,000 set in Resolution 2014-029 is hereby increased to \$43,000.

Adopted: February 5, 2014

Agenda No. X 3

**~ Resolution No. 2014- 064 ~**

**A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SETTLEMENT OF CERTAIN TAX APPEALS**

**WHEREAS**, an appeal of the 2012 and 2013 real property tax assessment of the following property has been filed in the Tax Court of New Jersey; and

| PROPERTY OWNER                   | BLOCK | LOT  | ADDRESS              |
|----------------------------------|-------|------|----------------------|
| Cyrulik, Michael J & Michelle L. | 505   | 1    | 3 Laramie Trail      |
| Matskin, Julianne                | 2406  | 17   | 21 Audubon Road      |
| Matskin, Eugene & Julianne       | 3101  | 2    | 419 Lakeside Road    |
| Mickowski, John                  | 3012  | 5    | 49 Somerville Road   |
| Sammer, Hans S.                  | 4201  | 3    | 69 Lake Park Terrace |
| Lorimer, Patricia A.             | 601   | 6    | 21 Witte Road        |
| Polonez, Alex M.                 | 2701  | 15   | 123 Lake Shore Drive |
| Bos, Eric                        | 7005  | 11   | 3 Curtis Court       |
| Bos, Eric                        | 3107  | 12   | 384 Lakeside Road    |
| Stark, Robert T.                 | 2202  | 1.07 | 35 Castle Rock Road  |

**WHEREAS**, the Tax Assessor is of the opinion that it is in the best interest of the Township to settle these appeals.

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

1. The settlement of the following tax appeals filed at the Tax Court of New Jersey is hereby authorized as follows:

| PROPERTY OWNER                   | YEAR | ORIGINAL ASSESSMENT | PROPOSED SETTLEMENT |
|----------------------------------|------|---------------------|---------------------|
| Cyrulik, Michael J & Michelle L. | 2012 | \$ 413,500.         | \$362,000.          |
| Matskin, Julianne                | 2012 | \$ 90,000.          | \$ 48,800.          |
| Matskin, Eugene & Julianne       | 2012 | \$ 232,100.         | \$191,400.          |
| Mickowski, John                  | 2012 | \$ 309,600.         | \$242,800.          |
| Sammer, Hans S.                  | 2012 | \$ 510,300.         | \$480,000.          |
| Lorimer, Patricia A.             | 2012 | \$ 260,600.         | \$213,400.          |
| Polonez, Alex M.                 | 2012 | \$ 278,400.         | \$248,800.          |
| Polonez, Alex M.                 | 2013 | \$ 278,400.         | \$248,800.          |
| Bos, Eric –Block 7005 Lot 11     | 2012 | \$ 394,700.         | \$368,400.          |
| Bos, Eric –Block 3107 Lot 12     | 2012 | \$ 394,300          | \$334,300.          |
| Stark, Robert T.                 | 2012 | \$ 598,100.         | \$535,000           |

2. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.
3. The Tax Collector is hereby authorized to credit and/or refund the appropriate taxes in accordance with the terms of this resolution.
4. This Resolution shall take effect immediately.

Adopted: February 5, 2014

Discussion: Mr. Semrau said these were tax appeals where settlements have been negotiated by the tax assessor. This resolution comes to the Council before a settlement is approved by the tax board. This memorializes the settlement recommended by the assessor. If these were commercial assessments he would provide a summary & explanation. There were about 700 appeals filed in 2012.

Agenda No. X 4

**~ Resolution No. 2014- 065 ~**

---

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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: February 5, 2014  
Time of Meeting: 6:30 pm  
Minute Page No: Page 10 of 17

---

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO ENVIROTACTICS, INC. FOR LSRP SERVICES AT WEST MILFORD DPW BANKER ROAD DEPOT**

**WHEREAS**, there exists a need for Licensed Site Remediation Professional (LSRP) services to be rendered to the Township of West Milford in connection with West Milford DPW Banker Road Depot, 29 Banker Road (Block 1001 Lot 30); and

**WHEREAS**, the Township wishes to retain the services of Envirotactics, Inc.; and

**WHEREAS**, the CFO has certified to the availability of funds, said funds to be encumbered from account number 01-201-20-161-450; 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 bidding, and the contract itself, must be made available for public inspection.

**WHEREAS**, Envirotactics, Inc. 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, and that the contract will prohibit the firm of Envirotactics, Inc. from making any reportable contributions through the term of the contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township 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 Envirotactics, Inc., of 1625 Highway 71, Wall, New Jersey 07719-3153, for environmental consulting services in connection with prior request of NJDEP for Licensed Site Remediation Professional (LSRP) services to be performed including a LSRP Notification of Retention form, the submission of an Annual Remediation Fee Form to the NJDEP, a Receptor Evaluation Form to be submitted to the NJDEP by March 1, 2012 documenting in summary form the existence of human or ecological receptors and the actions taken to protect receptors, a Receptor Evaluation Update as required per N.J.A.C. 7:26E-1.12 for submission to the NJDEP including a well search update of documented groundwater onsite at the site known as the West Milford DPW Banker Road Depot, 29 Banker Road for a total amount estimated to be \$5,815.00.
2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by persons authorized by law to practice a recognized profession.
3. The total fee authorized for this contract shall not exceed \$5,815.00 without the prior written approval of the Township Council.
4. Notice of this action shall be published once in the Township’s official newspaper as required by law.
5. A copy of this resolution shall be provided to Monica Goscicki, CFO, and Christopher Neuffer, President, Envirotactics, Inc., of 1625 Highway 71, Wall, New Jersey 07719-3153 for their information and guidance.

Adopted: February 5, 2014

Agenda No. X 5

~ Resolution No. 2014- 066 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO ENVIROTACTICS, INC. FOR LSRP SERVICES AND CEA EVALUATION AT WEST MILFORD MUSEUM 1477 UNION VALLEY ROAD- NJDEP CASE #90-02-07-1116**

**WHEREAS**, there exists a need for Licensed Site Remediation Professional (LSRP) services to be rendered to the Township of West Milford in connection with West Milford Museum 1477 Union Valley Road (Block 7621 Lot 7).

**WHEREAS**, the Township wishes to retain the services of Envirotactics, Inc.; and

**WHEREAS**, the CFO has certified to the availability of funds, said funds to be encumbered from account number 01-201-20-161-450; and

---

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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: February 5, 2014  
Time of Meeting: 6:30 pm  
Minute Page No: Page 11 of 17

---

**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 bidding, and the contract itself, must be made available for public inspection.

**WHEREAS**, Envirotactics, Inc. 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, and that the contract will prohibit the firm of Envirotactics, Inc. from making any reportable contributions through the term of the contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township 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 Envirotactics, Inc., of 1625 Highway 71, Wall, New Jersey 07719-3153, for environmental consulting services in connection with a Licensed Site Remediation Professional (LSRP) to provide the NJDEP RI Supporting Documentation Form, the RAW approval letter and any other documents to justify that areas of concern (AOCs) have been delineated in the RI phase, and a case inventory document (CID) to identify that every AOC associated with the 1990 case number has been completed in the RI phase for an estimated cost of \$670.00
2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by persons authorized by law to practice a recognized profession.
3. The total fee authorized for this contract shall not exceed \$670.00 without prior written approval of the Township Council.
4. Notice of this action shall be published once in the Township’s official newspaper as required by law.
5. A copy of this resolution shall be provided to Monica Goscicki, CFO, and Christopher Neuffer, President, Envirotactics, Inc., of 1625 Highway 71, Wall, New Jersey 07719-3153 for their information and guidance.

Adopted: February 5, 2014

Agenda No. X 6

~ Resolution No. 2014- 067 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ACCEPTING A WITHDRAWAL OF A CONTRACT FROM JOHN MONTELEONE ENTERPRISES, LLC AND AUTHORIZING A CHANGE ORDER TO KERSHAW CONSTRUCTION, LLC’S CONTRACT FOR SNOW PLOWING SERVICES**

**WHEREAS**, the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey authorized the award of Snow Plowing Services contracts to 15 vendors for a total of 62 trucks to supplement the Department of Public Works snow plowing operations by resolution 2013-302; and

**WHEREAS**, John Monteleone Enterprises, LLC has notified the Township that they are no longer capable of meeting their contract snow plowing obligation for the remainder of the snowplowing season; and

**WHEREAS**, a recommendation has been made by the Engineering Division to add one additional truck to Kershaw Construction, LLC to replace the truck lost by the withdrawal of John Monteleone Enterprises, LLC.

**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 accepts the withdrawal notification filed by John Monteleone Enterprises, LLC thereby waiving the terms of his contract with the Township.
2. As a result of this withdrawal, the Township is not bound by the terms of said snow plowing contract and will not engage the services of John Monteleone Enterprises LLC for snow plowing for the duration of the 2014 year.
3. The Interim Township Administrator is hereby authorized to exceed the original contract award to Kershaw Construction, LLC by one additional truck at \$101.50 per hour to replace the John Monteleone Enterprises, LLC truck at \$99.00 per hour.

---

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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: February 5, 2014  
Time of Meeting: 6:30 pm  
Minute Page No: Page 12 of 17

---

4. The Township's Chief Financial Officer has previously certified the availability of funds for Snow Plowing Services to be encumbered from account number 01-201-26-294-364.
5. This resolution shall be available for public inspection in the Office of the Township Clerk.

Adopted: February 5, 2014

Agenda No. X 7

~ Resolution No. 2014- 068 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER #2 TO THE CONTRACT AWARDED TO FOLEY INC. FOR THE REPAIR OF TWO (2) WEST MILFORD CATERPILLAR IT28G MODEL LOADERS (#61 & #63) (REPAIR TO R.O.P.S.- ROLLOVER PROTECTION SYSTEMS)**

**WHEREAS**, by virtue of Resolution 2013-303 adopted on October 2, 2013 the Township Council did authorize the engagement of repair services to be provided by Foley Inc. in accordance with their state contract for same; and

**WHEREAS**, resolution 2013-303 and the related contract did authorize services in an amount not to exceed \$76,044.00; and

**WHEREAS**, resolution 2013-361 did authorize a change order in an amount not to exceed \$6,000.00; representing a total amount not to exceed \$82,044.00

**WHEREAS**, the Township Administrator has advised that additional repair work was required after the machine had been taken apart and fully inspected and as a matter of safety and to ensure the machine was properly repaired and in safe working condition it was necessary for the provider to exceed the authorized contractual amount by \$3,000.00; and

**WHEREAS**, the funds to be encumbered for this increase will be taken from 01-203-26-315-341 which is the 2013 fleet maintenance O&E repair account.

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

1. The Administrator is hereby authorized and directed to execute a change order for the contract with Foley Inc. in an amount not to exceed \$3,000.00 representing an increase to the original contract amount not to exceed \$85,044.00
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolutions and contract shall be available for public inspection in the office of the Municipal Clerk.

Adopted: February 5, 2014

Agenda No. X 8

~ Resolution No. 2014- 069 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A CHANGE ORDER TO PURCHASE ROCK SALT FROM INTERNATIONAL SALT CO., LLC.**

**WHEREAS**, the Department of Public Works has found it necessary to request a change order to the contract with International Salt Co., LLC – 655 Northern Boulevard, Clarks Summit, PA 18411.

**WHEREAS**, due to the number and type of storms this season there is a need to amend our contract for the purchase of salt in order to be prepared for the remainder of this season. A change order in the amount of \$87,035.32 for the purchase of up to 1657 tons of rock salt at the current contract price of \$52.51 per ton is requested. This amount is less than 20% of the original contract amount of (\$446,335.00).

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds and encumbrances for this purchase shall come from account number 4-01-26-294-363; and

**WHEREAS**, after careful consideration the Governing Body has found it to be in the best interest of the Township to award a change order to the contract to International Salt Co., LLC.

---

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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: February 5, 2014  
Time of Meeting: 6:30 pm  
Minute Page No: Page 13 of 17

---

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

1. The Township Council hereby awards a change order to the contract to International Salt Co., LLC. for Rock Salt in an amount not to exceed \$87,035.32.
2. The Interim Administrator is hereby authorized and directed to execute a change order with International Salt Co. LLC. in accordance with its bid for Rock Salt.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution, change order and contract shall be available for public inspection in the office of the Municipal Clerk.

Adopted: February 5, 2014

Agenda No. X 9

~ Resolution No. 2014- 070 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING CONSENT TO A PROJECT AT BLOCK 4404, LOTS 4.02, 10, 14, 15, 16, STORMS ISLAND, IN THE TOWNSHIP OF WEST MILFORD WHICH REQUIRES A TREATMENT WORKS APPROVAL (TWA) APPLICATION, STATEMENT OF CONSENT, FORWARDED TO THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WHEREAS, STORMS ISLAND ASSOCIATION**, is the owner of properties known as Storms Island Road Hewitt, NJ 07421 in the Township of West Milford which is known as Block 4404, Lot 4.02,10, 14,15,16; and

**WHEREAS**, Storms Island Association has made an application for multiple residential individual lots and retail use with a combined wastewater flow of 7000 gallons per day; and

**WHEREAS**, the applicant has proposed a septic alteration with no expansion or change in use for a facility that exceeds 2,000 gallons per day; and

**WHEREAS**, for all design flows that exceed 2000 gallons per day, the New Jersey Department of Environmental Protection requires a Treatment Works Approval Permit; and

**WHEREAS**, the Township Health Officer has reviewed the Treatment Works Approval (TWA) application submitted to the Department of Environmental Protection on behalf of the aforementioned property; and

**WHEREAS**, the Township Health Officer has certified, as part of the Statement of Consent, that the application proposed conforms with the requirements of all municipal ordinances pertaining to the proposed disposal system; and

**WHEREAS**, the Township Health Officer, by way of memorandum dated January 30, 2014 has advised that the application is in order from the standpoint of the Township's Health Department; and

**WHEREAS**, approval for a Treatment Works application requires the municipality to, by way of Resolution, consent to the project; and

**WHEREAS**, a copy of the application is on file in the West Milford Township Health Department; and

**WHEREAS**, the Township Health Officer recommends to the Mayor and Township Council that it in fact consent to this application.

**NOW, THEREFORE, BE IT RESOLVED** that the Township council of the Township of West Milford, County of Passaic, State of New Jersey hereby consents to the Treatment Works Application as submitted for the property known as Storms Island Association in the Township of West Milford which is known as Block 4404, Lots 4.02, 10, 14, 15, 16 with respect to septic alterations.

Adopted: February 5, 2014

Agenda No. X 10

**Consent Agenda**

~ Resolution No. 2014- 071 ~

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

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

Minutes of: Governing Body Workshop Meeting  
 Date of Meeting: February 5, 2014  
 Time of Meeting: 6:30 pm  
 Minute Page No: Page 14 of 17

**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. **2014-072** – Cancel Outstanding Checks
- b. **2014-073** – Refund Permit Fee
- c. **2014-074** – Refund Escrow Funds
- d. **2014-076** - Refund Overpayments

**Applications:**

- 1. Application for a Special Permit to Extend Licensed Premises by New Vineland Corp. for March 15, 2014.

Adopted: February 5, 2014

Agenda No. X 10 a

~ Resolution No. 2014- 072 ~

**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 Claims account checks have been outstanding for a period in excess of six months.

| DATE | CHECK # | AMOUNT    |
|------|---------|-----------|
| 1/13 | 146     | \$90.00   |
| 1/13 | 209     | \$390.00  |
| 4/13 | 978     | \$4500.00 |
| 5/13 | 1171    | \$120.00  |
| 5/13 | 1247    | \$4500.00 |
| 6/13 | 1363    | \$4500.00 |

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

Adopted: February 5, 2014

Agenda No. X 10 b

~ Resolution No. 2014- 073 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE REFUND OF A FIREARMS RANGE PERMIT FEE**

**WHEREAS**, at the November 13, 2013 Council Meeting Township Administrator Nancy Gage reported to the Council of a request she received from the Meadowbrook Rifle and Pistol Club for a waiver of the Firearms Range Permit fee; and

**WHEREAS**, Administrator Gage noted that the police department has been using the Meadowbrook Rifle Range for years at no cost for training, and is a valuable asset to the Department and Township;

**WHEREAS**, Township Council consensus is to waive Firearms Range Permit Fees for the Meadowbrook Rifle and Pistol Club

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers be and they are hereby authorized and directed to issue a check refunding the 2014 Firearm Range Permit fee as shown below:

| Name  | Amount   |
|---|----------|
| Meadowbrook Rifle and Pistol Club<br>88 VanOrden Road<br>Newfoundland, New Jersey 07435 | \$250.00 |

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

Minutes of: Governing Body Workshop Meeting  
 Date of Meeting: February 5, 2014  
 Time of Meeting: 6:30 pm  
 Minute Page No: Page 15 of 17

Adopted: February 5, 2014

Agenda No. X 10 c

~ Resolution No. 2014- 074 ~

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

**BE IT RESOLVED**, by the Township Council of the Township of West Milford that, based upon the report and request of the Planning Department the following Escrow monies be refunded:

| Name & Address  | Application No.                          | Amount of Escrow | Amount Refunded |
|---|--|------------------|-----------------|
| Quick Check Corporation<br>3 Old Highway 28, P.O. Box 600<br>Whitehouse Station, NJ 08889--0600<br>Attn: Steve Rash | Use No. 0740-0781                        | \$4950.00        | \$994.59        |
| East Fifty-four LLC<br>163 Valley Blvd.<br>WoodRidge, NJ 07075  | Site Plan 0720-0312<br>16-288-56-701-159 | \$500.00         | \$500.00        |
| Highcrest Lake Lodge<br>P.O. Box 210<br>Butler, NJ 07405  | Use Var. 0140-0490<br>16-288-56-701-035  | \$5952.84        | \$218.14        |

Adopted: February 5, 2014

Agenda No. X 10 d

~ Resolution No. 2014- 076 ~

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

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

**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: STATE TAX APPEAL**

| BLOCK/LOT    | NAME   | AMOUNT          | YEAR |
|--------------|--|-----------------|------|
| 505-6        | Povanda, Anna et. als.<br>1710 Raven Drive<br>Florence, S.C. 29505 | \$487.01        | 2012 |
| <b>TOTAL</b> |  | <b>\$487.01</b> |      |

Adopted: February 5, 2014

Agenda No. XI

**Approval of Expenditures**

~ Resolution No. 2014- 075 ~

**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 | \$248,369.06 |
| 3      | Reserve Account | 107,554.28   |

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

Minutes of: Governing Body Workshop Meeting  
 Date of Meeting: February 5, 2014  
 Time of Meeting: 6:30 pm  
 Minute Page No: Page 16 of 17

|                           |                    |                       |
|---------------------------|--------------------|-----------------------|
| 2                         | Grants             | 4,698.00              |
| 6                         | Refunds            | 1,712.73              |
| 1                         | General Ledger     | 5,257,741.01          |
| 26                        | Refuse             | 9,625.00              |
| 4                         | Capital            | 126,862.42            |
| 19                        | Animal Control     | 196.00                |
| 19                        | Heritage Trust     | 0.00                  |
| 19                        | Open Space Trust   | 0.00                  |
| 19                        | Trust              | 1,730.66              |
| 19                        | COAH               | 0.00                  |
| 16                        | Development Escrow | 1,665.25              |
| 20                        | Library Trust      | 0.00                  |
| 21                        | Assessment Trust   | 0.00                  |
| <b>Total</b>              |                    | <b>\$5,760,154.41</b> |
| Less Refund Resolution    |                    | -1,712.73             |
| Actual Bill List          |                    | 5,758,441.68          |
| Other Payments.           |                    |                       |
| <b>Total Expenditures</b> |                    | <b>\$5,758,441.68</b> |

Adopted: February 5, 2014

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

Agenda No. XII

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

Councilwoman Erik said she provided information via Council packets about JAG which is an organized group of people who run public access TV stations. She attended their meeting last week. The members have experience writing related write grants. If you are a member of JAG, other members who have old equipment will provide it to other members when they upgrade. They also talked about cyber issues and social media. They have sample agreements for collaborative efforts for channels. JAG believes that in the near future the FCC will do another spectrum grab and there are changes coming to cable TV. JAG will host an eastern regional conference in New Brunswick which is free if you pre register. She will attend this month's meeting for JAG in Piscataway. She explained who some of the officers are and what their experience is noting that 37 municipalities were represented at their last meeting. Councilman Signorino said he would like to attend. Councilwoman Erik said the state recycling coordinators are asking all towns to renew recycling commitments. West Milford has achieved 40% of its commitment but we were supposed to be at 50% about 3 years ago. The recycling committee will be working toward increased recycling. She attended a drug/alcohol prevention meeting for Passaic County titled "parents who host lose the most." This is to educate people about the legal ramifications of serving minors in your home. She also attended a drug prevention meeting where recovering addicts spoke as did law enforcement and members of the medical community. She provided some details and data as well as quotes from some of the presenters. She read a letter seeking support for A-4464 and A-4461 which proposes penalties for distracted drivers. A-4464 requires blood tests when there is a fatal accident. She asked for consensus for a resolution supporting 4464 and 4461. Councilman Signorino said he has sympathy for the family who lost a young child but he said he would not support the bills which conflict with his 4<sup>th</sup> & 5<sup>th</sup> amendment rights. Councilman Hensley said is not interested. Councilwoman Erik said there is a problem in West Milford that when you catch someone stealing metal you cannot prosecute them. You can have their license plate and have seen them they cannot be prosecuted. Mr. Casey said it is a crime but theft charges are levied against individuals and not against the owner of vehicles. He said it still should be reported to the police because the follow up by law enforcement, in itself, is probably a deterrent.

Council President Erk said there is a watershed coalition meeting next week and she will report back. She reminded council about strategic planning meetings with BOE on 2/13, 3/6 and 4/10 from 7-8:30. Councilman Signorino said he would like to try to attend all of them. Councilwoman Erk will advise the municipal clerk if there is the potential to achieve a quorum by virtue of the RSVPs she receives.

Councilman Signorino thanked Mr. Casey for taking care of truck lettering on Township vehicles. He asked about a letter sent to Mr. Shaw. Mr. Casey said the letter is a reminder to submit the annual

---

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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: February 5, 2014  
Time of Meeting: 6:30 pm  
Minute Page No: Page 17 of 17

---

monies owed to the Township. Councilman Signorino said there was a BOE/Council subcommittee meeting that went very well. He has nothing to report back at this time but they plan to meet again soon. The BOE has requested a list of Township tenants at Hillcrest. Councilman Signorino said he & Councilman Hensley met with Cablevision last Thursday with BOE committee members in attendance. The focus was to bring Councilman Hensley up to speed and the goal is to move forward. He wished everyone a Happy Valentine's Day.

Councilwoman Horton said the MUA quarterly report was delivered to Cathy Shanahan and will be distributed in the next packet. She hopes to move with the meeting on 2/24 that seeks to address challenges the MUA is facing. She thanked Mr. Semrau for the memo regarding Towne Tavern and the other assessment issues. The Interact Club had a successful prom dress sale last weekend and she commended them and thanked them. She said the death of actor Hoffman raises the awareness of heroin deaths. It hopefully will encourage people to take precautionary measures. Mayor Bieri asked if Councilwoman Erik is attending MUA meeting. The Council gave consensus and Mayor Bieri said she will attend too as requested.

Mayor Bieri thanked Mr. Casey for getting lettering done because she has an email requesting that from the prior administrator about nine months ago. She got an email today complementing employees for their plowing & sanding. She has been meeting with DEP to discuss many outstanding issues to improve facilities. She thanked staff & professionals for all the work they do to address issues. She noted that there are constant follow ups & issues being addressed daily.

Mr. Semrau said the governing body may want to schedule an executive session with labor counsel to be updated on any outstanding issues. Councilman Signorino asked if there is any word from PAL and Mayor Bieri said she asked Ms. Gage before she left but nothing has come in yet. Mr. Casey said his office received a letter where they rebuilt their well and asked for a concession for those costs from their payment.

Agenda No. XIII

**Appointments and Resignations**

Mayor Bieri appointed Andrew Abdul, citizen member, Gary Oppenheimer citizen member and Jennifer Easterbrook citizen member Alternate #1 to their current Environmental Commission positions.

Councilwoman Horton nominated Herbert Druckman to the Municipal Utility Authority. Seconded by Councilwoman Erik. Motion to close by Councilwoman Erik.

---

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

---

Agenda No. XIV

**Adjournment**

There being no further business to come before the Council, the Township Council adjourned the meeting at 10:28 p.m.

---

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

---

Approved: March 5, 2014

---

MAYOR BETTINA BIERI  
PRESIDING OFFICER

---

ANTOINETTE BATTAGLIA  
TOWNSHIP CLERK