
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: February 19, 2014
Time of Meeting: 6:30 P.M.
Minute Page No: Page 1 of 17

The Regular Meeting of the Governing Body was called to order by Mayor Bettina Bieri.

Adequate Notice Statement

Mayor Bieri 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

Mayor Bieri 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, Mayor Bieri.
Absent: None.
Also Present: Interim Township Administrator Robert Casey, Township Clerk Antoinette Battaglia, Township Attorney Fred Semrau.

Agenda No. I

Reading of or Approval of Unapproved Minutes

Councilwoman Erik moved to adopt the January 22, 2014 Regular Meeting Minutes as presented.

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

Agenda No. II

Presentations

Eagle Scout Jason Abrams – Mayor Bieri asked Jason to join her at podium where she mentioned he already had a court of honor. Jason introduced himself advising that he has been involved in scouting for about 7 years. For his Eagle Scout project he created a meditation area at a bible camp in West Milford. With fellow scouts, friends & family he solicited materials, built a patio and cleaned up the area. The project took about 250 hours and he could not have done it without his Mom, Dad and the support of many others. Mayor Bieri commended Jason for the benefits to the community. Jason said he will graduate this year and will volunteer with foreign missionaries after which he will apply to school to study aviation and become a full time missionary. Mayor Bieri wished him well noting that missionary work is a very educational & worthy experience. West Milford, she said, is blessed with the number of eagle scouts who contribute to the community along with their families. She urged Jason to maintain all the attributes that brought him this far. Mrs. Abrams said she & her husband are proud of Jason and they thanked Council President Erk for attending his honors ceremony.

Mayor Bieri announced that the High School students will not be presenting the upcoming play because they have to practice tonight. Practices have been interrupted this year due to the frequent snow storms. She wished them well with the upcoming performances and urged residents to attend.

Mayor Bieri announced that volunteer night will be held at the regular meeting in April and provided specifics about the process including how to nominate a person for consideration.

Agenda No. III

Executive Session

The Governing Body went into executive session at 6:41 pm.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: February 19, 2014
Time of Meeting: 6:30 P.M.
Minute Page No: Page 2 of 17

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 19th day of February, 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.
 - () 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 – Update on Outstanding Labor Matters~~
 - ~~Litigation – Sparkes v. West Milford~~
 - (X) b. (8) Personnel matters.
 - Appointments to Municipal Court
 - () 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: February 19, 2014

Moved: Horton Seconded: Erik
Voted Aye: All in favor.
Voted Nay: None.
Motion carried.

The Governing Body returned to the public meeting at 6:55 pm with all present as before.

Agenda No. IV

Unfinished Business, Final Passage of Ordinances

Agenda No. IV 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

WHEREAS, pursuant to N.J.S.A. 40:12-15.7, et seq., the voters of West Milford at the general election on November 7, 2000, adopted a referendum authorizing the establishment of an “Open Space, Recreation, Farmland and Historic Preservation Trust Fund” also known as the West Milford Township Open Space Trust Fund; and

WHEREAS, Ordinance 2001-1 established the said Trust Fund which provided for the following:

- A. Acquisition of lands for recreation and conservation purposes; and
- B. Payment of debt service on indebtedness issued or incurred by the Township for the acquisition of such lands for recreation and conservation purposes.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: February 19, 2014
Time of Meeting: 6:30 P.M.
Minute Page No: Page 3 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 Regular Meeting
Date of Meeting: February 19, 2014
Time of Meeting: 6:30 P.M.
Minute Page No: Page 4 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
Adopted: February 20, 2014
Effective Date: March 12, 2014

This ordinance was introduced on February 5, 2014 and the Notice of Public Hearing was published in the Herald News on February 9, 2014.

The Mayor opened the meeting to the public to speak on this ordinance only. Councilman Signorino expressed concern that the policy of having public comment period after 7:30 p.m. is negatively impacting action items such as this.

There being no one wishing to be heard, Councilwoman Erik made a motion, seconded by Councilman Signorino and carried by unanimous voice vote to close the public comment period.

Motion to adopt ordinance.

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

Agenda No. VIII

New Business, Introduction of Ordinance, Resolutions

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.

Agenda No. VIII 1

~ Resolution No. 2014- 078 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMITTAL AND ACCEPTANCE OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR THE IMPROVEMENT OF A PORTION OF BELLEAU GATEWAY AND A PORTION OF VINE STREET, IN THE WEST MILFORD LAKES DEVELOPMENT

WHEREAS, the County of Passaic anticipates having \$640,000 available to the twelve eligible municipalities of the County and to eligible non-profit agencies under the Community Development Block Grant (CDBG); and

WHEREAS, there is a need to improve the non-Township, dirt/gravel roads existing within the West Milford Lakes development; and

WHEREAS, although West Milford Lakes is not within a qualifying low/moderate income block, CDBG funds have previously been approved for roads in this development, based on an income survey of benefiting households; and

WHEREAS, subject to the Township Council authorizing the submission of the grant application, the income survey will be performed; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford hereby authorizes the submittal of a grant application entitled Community Development Block Grant (CDBG) for \$100,000 with the Township to provide a \$100,000 local contribution for the improvement of a portion of Belleau Gateway and a portion of Vine Street in the 2015 capital budget.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: February 19, 2014
 Time of Meeting: 6:30 P.M.
 Minute Page No: Page 5 of 17

BE IT FURTHER RESOLVED that the Mayor or the Township Administrator be authorized and directed to approve the acceptance of said grant should it be awarded.

Adopted: February 19, 2014

Agenda No. VIII 2

~ Resolution No. 2014- 079 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-007-003 BEARFORT PLAZA INC. FOR THE 2013 - 2014 LICENSE YEAR WITH CONDITIONS

WHEREAS, an application for renewal of a 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.
5. Applicant has received a Tax Clearance Certificate from the NJ Division of Taxation.

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

LICENSE/LICENSEE/T/A	CONDITIONS
BEARFORT PLAZA INC. t/a Valley View Pub 1612 Union Valley Road West Milford, NJ 07480 1615-33-007-003	<ol style="list-style-type: none"> 1. The room in the basement to be used for storage only. 2. No alcoholic beverages shall be located behind the dry bar in the basement room. 3. Tables and chairs shall not be set up in the basement room. 4. No open alcohol containers permitted in downstairs hall. 5. Occupant loads must be adhered to.

Adopted: February 19, 2014

Discussion: Councilman Signorino asked about the conditions on this license saying that the licensee has told him the issues with the basement have been abated thereby negating the condition. The municipal clerk explained the process by which conditions are placed on these licenses. Councilman Signorino suggested that perhaps due diligence is not engaged each time the license is acted upon noting that these conditions have been linked to this license for years. The clerk advised that every department is provided copies of all paperwork every time there is any action on any license and inspections are conducted every time action is required. Each department has confirmed the conditions and has opined that they are necessary for this license to operate in compliance with state & local regulations.

Agenda No. VIII 3

~ Resolution No. 2014- 080 ~

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

WHEREAS, applications for renewal of Inactive Plenary Retail Consumption Licenses for the 2013 - 2014 License year have been received and reviewed; and

WHEREAS, the Mayor and Township Council have conducted a public review of the applications 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:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: February 19, 2014
 Time of Meeting: 6:30 P.M.
 Minute Page No: Page 6 of 17

1. The submitted applications are complete in all respects.
2. The applicants are qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicants have 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.
5. Special Rulings from the Director of the New Jersey Division of A.B.C. have been received.

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

LICENSE/LICENSEE/T/A	CONDITIONS	LICENSE STATUS
MERSIMI & MAHMUDI, INC. t/a Cafe Amore Restaurant P.O. Box 1093 736 Warwick Tpk Hewitt, NJ 07421 1615-33-032-009	<ol style="list-style-type: none"> 1. A Fire Department inspection must be made and satisfactory recommendation received in the Clerk's office prior to opening. 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. 3. A satisfactory Building Department recommendation must be received in the Clerk's office prior to opening. 4. A Police Department inspection must be made and a satisfactory recommendation received in the Township Clerk's office prior to opening. 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. 	Inactive

Adopted: February 19, 2014

Agenda No. VIII 4

~ Resolution No. 2014- 081 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO TRANSFER ITEMS OF CURRENT FUND APPROPRIATIONS IN ACCORDANCE WITH THE PROVISION OF N.J.S.A. 40:4 - 58

WHEREAS, there appears to be a surplus in the 2013 appropriation over and above the demand deemed to be necessary for the balance of the year:

APPROPRIATION	ACCOUNT NUMBER	TRANSFER PROPOSAL
Group Insurance	23-220-506	\$36,100.00
TOTAL TRANSFERS OUT		\$36,100.00

WHEREAS, there appears to be insufficient funds in the following appropriations to meet the demands thereon for the balance of the 2013 budget year:

Building S&W	22-195-101	\$2,100.00
Fire Prevention S&W	25-265-101	1,500.00
Health S&W	27-330-101	3,900.00
Pride S&W	28-370-166	3,600.00
Legal O.E.	20-155-200	25,000.00
TOTAL TRANSFERS IN		\$36,100.00

NOW, THEREFORE BE IT RESOLVED, by the Council of the Township of West Milford in the County of Passaic, State of New Jersey, that in accordance with the provisions of N.J.S.A. 40A:4-58, part of the 2013 appropriation heretofore mentioned be and the same are hereby transferred to the appropriations mentioned as being insufficient to meet prior demands, and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: February 19, 2014
 Time of Meeting: 6:30 P.M.
 Minute Page No: Page 7 of 17

BE IT FURTHER RESOLVED, that the Treasurer is hereby authorized to make the following transfers in the 2013 appropriation:

1.	\$36,100.00	2.	\$36,100.00	CURRENT FUND
----	-------------	----	-------------	--------------

A certified copy of this Resolution shall be forwarded by the Township Clerk to the Township Treasurer.

Adopted: February 19, 2014

Agenda No. IX

Consent Agenda

~ Resolution No. 2014- 082 ~

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. **2014-083** – Cancel Taxes
- b. **2014-084** – Refund Other Liens
- c. **2014-085** – Refund Overpayments
- d. **2014-086** – Reinstate Taxes

Applications:

None.

Adopted: February 19, 2014

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

Agenda No. IX a.

~ Resolution No. 2014- 083 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CANCELLATION OF TAX

WHEREAS, there appears on the tax records balances as listed below; and

WHEREAS, the Collector of Taxes recommends the cancellation of taxes due to reasons listed below.

NOW, THEREFORE, BE IT RESOLVED that the proper officers be and they are hereby authorized and directed to cancel as hereafter listed below:

REASON: COMBINED WITH OTHER PARCELS

BLOCK/LOT	NAME	AMOUNT	YEAR
5201-16	Jack Levkovitz	\$20.00	2014 First Half
5201-19	Jack Levkovitz	\$22.00	2014 First Half
5201-20	Jack Levkovitz	\$28.00	2014 First Half
6701-2	Eddie 1, LLC	\$4,506.00	2014 First Half
TOTAL		\$4,576.00	

REASON: 2013 STALE MATE CHECKS

BLOCK/LOT	NAME	AMOUNT	YEAR
-----------	------	--------	------

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: February 19, 2014
 Time of Meeting: 6:30 P.M.
 Minute Page No: Page 8 of 17

1101-24	PLS Title & Settlement Services	\$1,794.15	2013
5405-8	Boulder Pond LLC	\$404.27	2013
6202-1 Cert 13-0051A	ANAN Management Company Inc.	\$4,311.63	2013
TOTAL		\$6,510.05	

REASON: TAX EXEMPT

BLOCK/LOT	NAME	AMOUNT	YEAR
3201-4	Passaic River Coalition	\$78.00	2014 First Half
3201-8	Passaic River Coalition	\$38.00	2014 First Half
5002-5	Passaic River Coalition	\$3,606.00	2014 First Half
7702-4	Passaic River Coalition	\$524.00	2014 First Half
TOTAL		\$4,246.00	

Adopted: February 19, 2014

Agenda No. IX b.

~ Resolution No. 2014- 084 ~

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:

Certificate No.	Certificate Date	Block/Lot /Qual	Reimbursement Amt	Pay to the Lien Holder
08-033	04/08/2008	02405-001	\$25,000.00	PPTS LOCKBOX PO BOX 5822 NEW YORK, NY 100087-5822
08-095	04/08/2008	12208-001	\$39,278.02	US BANK CUST FOR TLC 2012A; LLC 50 SOUTH 16 STREET SUITE 1950 PHILADELPHIA, PA 19102-2513
10-024	03/23/2010	02405-001	\$37,410.27	US BANK CUST FOR PRO CAPITAL I LLC US BANK TLSG 1000 HADDONFIELD BERLIN R VOORHEES, NJ 08043
12-0113	03/27/2012	12208-001	\$30,044.39	TOWER FUND SER. CUST FOR EBURY FD 1NJ PO BOX 37695 BALTIMORE, MD 21297-3695
12-0141	03/27/2012	15803-008	\$13,612.50	CRAIG S. KOJAC 29 D SISCO ROAD NEWFOUNDLAND, NJ 07435
13-0043	03/19/2013	04201-028	\$23,355.64	CLEMENTE ENTERPRISES; LLC PO BOX 141 WYCKOFF, NJ 07481
Grand Total			\$168,700.82	

Adopted: February 19, 2014

Agenda No. IX c.

~ Resolution No. 2014- 085 ~

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 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:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: February 19, 2014
 Time of Meeting: 6:30 P.M.
 Minute Page No: Page 9 of 17

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

Block/Lot	Name	Amount	Year	Reason
1204-2	Edward P. Azar, LLC Gallant Professional Building 2840 Route 23 South Newfoundland, NJ 07435	\$2,209.00	2014	2
2101-5	Refund Department CoreLogic R.E. Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$2,026.00	2014	2
2406-4	Refund Department CoreLogic R.E. Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$1,040.00	2014	2
5311-2.27	Refund Department CoreLogic R.E. Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$837.00	2014	2
5312-1.01	Masessa & Cluff 1524 Route 23 North Butler, NJ 07405	\$1,064.00	2014	2
10603-13	Refund Department CoreLogic R.E. Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$1,986.00	2014	2
11701-12	Refund Department CoreLogic R.E. Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$2,423.00	2014	2
13101-13	Drew K. Murray, LLC 230 West Parkway, Suite 3A Pompton Plains, NJ 07444	\$2,285.00	2014	2
TOTAL		\$13,870.00		

Adopted: February 19, 2014

Agenda No. IX d.

~ Resolution No. 2014- 086 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REINSTATEMENT OF TAXES

WHEREAS, there appears on the tax records receipt of payment of taxes; and

WHEREAS, the Collector of Taxes recommends the reinstatement of taxes due to reasons stated below.

NOW, THEREFORE BE IT RESOLVED, that the proper officers be and they are hereby authorized and directed to reinstate as listed below:

REASON: 1. INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR
1202-6	Robert Rizzuti	\$1,423.00	2014
16001-7	Charles Blumenkehl	\$7,815.99	2013
16001-7	Charles Blumenkenhl	\$374.32	2014
TOTAL		\$9,613.31	

Adopted: February 19, 2014

Applications included in the Consent Agenda.

Agenda No. IX e.

~ Resolution No. 2014- 088 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: February 19, 2014
Time of Meeting: 6:30 P.M.
Minute Page No: Page 10 of 17

MAYOR'S APPOINTMENT OF JOSEPH C. PERCONTI, ESQ. AS MUNICIPAL JUDGE WITH ADVICE AND CONSENT OF COUNCIL

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advice and consent to the Mayor's appointment of Joseph C. Perconti to the position of Municipal Judge in accordance with section §15-75 of the Township Code.

BE IT FURTHER RESOLVED, that in accordance with N.J.S.A. 2B:12-4 this appointment shall be for a term as provided by law.

Adopted: February 19, 2014

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

Agenda No. IX f.

~ Resolution No. 2014- 089

MAYOR'S APPOINTMENT OF GLENN GAVAN, ESQ. AS MUNICIPAL PROSECUTOR WITH COUNCIL CONSENT

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do provide advice & consent to the Mayor's appointment of Glenn Gavan, Esq. to the position of Municipal Prosecutor in accordance with section §15-78 of the Township Code for the 2014 calendar year.

Adopted: February 19, 2014

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

Agenda No. IX g.

~ Resolution No. 2014- 090

MAYOR'S APPOINTMENT OF JOSEPH AFFINITO, ESQ. AS MUNICIPAL PUBLIC DEFENDER IN ACCORDANCE WITH SECTION §15-79 OF THE TOWNSHIP CODE

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advise and consent to the Mayor's appointment of Joseph Affinito, Esq. to the position of Municipal Public Defender in accordance with section §15-79 of the Township Code for the 2014 calendar year.

Adopted: February 19, 2014

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

Agenda No. X

Approval of Expenditures

~ Resolution No. 2014- 087

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.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: February 19, 2014
 Time of Meeting: 6:30 P.M.
 Minute Page No: Page 11 of 17

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	\$498,514.27
3	Reserve Account	44,263.00
2	Grants	9,180.40
6	Refunds	182,820.82
1	General Ledger	80.00
26	Refuse	211,071.19
4	Capital	4,270.56
19	Animal Control	2,454.50
19	Heritage Trust	128.30
19	Open Space Trust	3,661.00
19	Trust	1,427.65
19	COAH	0.00
16	Development Escrow	2,633.75
20	Library Trust	0.00
21	Assessment Trust	0.00
Total		\$960,505.44
Less Refund Resolution		-182,820.82
Actual Bill List		777,684.62
Other Pyts. Ck. # 51379 Anna Povanda		487.01
Total Expenditures		\$778,171.63

Adopted: February 19, 2014

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

Administrator

Facilities Alternates (Part 2) - Mr. Casey said he is following up about facilities alternates and issues raised at the last meeting. He distributed a copy of a LAN study from 2007 which indicates that to bring Hillcrest up to code at that time it would have cost approximately \$3.3 million plus \$250,000 to correct certain issues to make it a community center. Over the lifespan of the building some of those issues would have to be addressed. Right now the BOE is getting quotes to replace one boiler as a capital improvement as part of the agreement.

Mr. Casey said the second question raised at the last meeting pertained to the proposed schedule of funding to proceed with the proposed Township's interest in the new library. He laid out a five-year plan with 3 temporary notes during construction. He outlined a preliminary schedule beginning this fall through October 2015. He would anticipate that the earliest access would be in 2016 or 2017 so he outlined costs to stay at Hillcrest during that period.

The final question, Mr. Casey said, was relative to the cost of architectural needs. He said the Township spent \$10,300 thus far with a not to exceed amount of \$12,500. Councilman Hensley said there was also a question as to the services asked for and Mr. Casey said he did not review that. Mayor Bieri outlined her recollection saying that the Council directed that the administration should direct the architect with the administration's vision plan. Councilman Hensley said he wants to receive a copy of the contract. Mr. Casey said he provided information purely from a financial planning perspective. The cost estimate is \$2.2 million. If the actual cost proves to be less, the cost impact will be less. If it is greater, there will be greater impact. Councilwoman Horton asked about redevelopment money and Mr. Casey said he did not calculate the use of those funds. He said he prepared what he would classify as a worse case scenario. Councilwoman Dale noted that the library board is looking for Council to determine if there is an interest in their offer to build a third floor for municipal use. She asked what happens if Council wants only to pay for square footage to be used. What is the impact and what if an agreement cannot be reached? Mr. Casey said that if Council is interested, and says this is a definite maybe, the next step would be a joint

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: February 19, 2014
Time of Meeting: 6:30 P.M.
Minute Page No: Page 12 of 17

meeting with both bodies where the parties would sit and talk. Councilwoman Dale asked if that would be full Council or a subcommittee. Mr. Semrau said that the first meeting could be held with the full boards and then each board could break out into subcommittees. Final terms would be brought back to the full Council. Councilwoman Dale asked if the Council is being bound by giving consent to that. Mr. Semrau said that first there are discussions and there is no obligation until an agreement is reached. Councilwoman Dale asked if there is a timeframe on the schedule because she would like this to be concluded within a specific timeframe. Mr. Semrau advised that until there is a ratification of an agreement the Council is not bound to anything. Councilwoman Dale said we need to give the library board an answer. Discussion ensued about the need to schedule a meeting and whether that should take place before or after the budget process is concluded for the year. Councilwoman Dale said she plans to be very thorough with the numbers and she is not looking to reach the goal in one meeting. She wants answers as quickly as possible but will not commit without information. Mr. Casey said that since this decision could affect the 2014 budget, he recommends that the initial meeting happen sooner rather than later and the Council agreed. Mayor Bieri said that the plans presented were based on the Township moving out of Hillcrest. At first it was proposed that the Township get the lower level. However the library may suggest the third floor. But, she said, the next step is to meet and seek an agreement.

Discussion ensued about various considerations for use of space at the new library. Mayor Bieri said nothing is set in stone until an agreement is reached. Councilman Signorino said he would like to meet with the architect too.

Councilman Signorino asked Mr. Casey if he has a tentative budget schedule. Mr. Casey reviewed the meetings he is having with department heads advising that he would hope to have a budget document to the Council before the next meeting. He said introduction could be in April or May noting that he has just received the Annual Financial Statement (AFS) which provides revenue numbers. He said the capital discussion will affect the budget. Mr. Casey said that state aid numbers just came out last week. Councilman Signorino asked why the process works as it does. Mr. Casey gave a historical overview of the state budget process and how it has changed over the years. Municipalities cannot introduce budgets until the governor gives his address to the legislature and technically you cannot adopt until July when the state budget is adopted. Mayor Bieri commended Mr. Casey for getting the Township on schedule so quickly. Mr. Casey said he will work on scheduling a meeting with library board.

Passaic County Open Space Funding Request – Mr. Casey said this is both a budget & grant discussion. It is a discussion of open space grants used for improvements. He reviewed grants saying that the Township has three open grants with the Passaic County Open Space Trust Fund.

In 2006, the Township received grant approval from Passaic County for engineering work at Bubbling Springs. He said that the DEP changed requirements after some funds were expended leaving a remaining balance of about \$107,000. In 2007 the Township applied & was approved for a Passaic County grant for West Brook which has not been bid as yet. That project includes paving the parking lot and it is hoped the work will be done this Spring. In 2012 the Township's grant application for phase 2 in an amount of \$150,000 was approved. The Township appropriated the \$75,000 in matching funds last year but still needs to appropriate the remaining \$75,000 match to fully fund the grant. Mr. Casey said the grant is for \$150,000 and the match is \$150,000. Councilman Signorino said it was not explained that way to the Council. He recalled that Council was told the project could be split and the Council agreed to do half the project. Discussion ensued about final approval to reduce the project so that it could be done in phases. Mr. Casey said he expects that staff will be ready to receive bids in a couple of weeks for the parking lot & lighting. Councilman Hensley asked if the Council can take the matching funds for Westbrook Park and apply that to other capital projects. Mr. Casey said the TWA for a new septic at Bubbling Springs was approved. The estimated cost is \$160,000. His original goal was to cancel the 2006 grant and transfer that to this to get the job done now. Today there were emails with the County wherein it was ultimately conveyed that the County is not comfortable with reallocating an engineering grant to a construction grant. The reality is that if we wait for the grant cycle we may not be able to do the project until 2015. Mayor Bieri noted that the phase II grant is another option. She asked if the county would consider re-appropriating those funds for the Bubbling septic noting that this is a priority. She said that County officials have indicated that they are generally amenable to fund approved projects even if it means repurposing funds. Mr. Casey said he will have Director of CS&R work on both a grant application and repurposing.

Agenda No. VI

Proclamation

Music in Our Schools/Youth Art Month – Mayor Bieri reiterated that the high school students could not make it tonight because they are at practice. John Boronow, supervisor of music & arts at West Milford public schools joined the Mayor at the podium to accept the proclamations. He advised that the schools are hosting a series of events throughout the month about which he provided details. The month-long activities culminate with an arts festival at the high school at the end of the month. Mayor Bieri thanked

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: February 19, 2014
Time of Meeting: 6:30 P.M.
Minute Page No: Page 13 of 17

him for all his work and exposing our children to music & art. Mayor Bieri read the proclamations & presented them to Mr. Boronow.

Agenda No. VIII

Public Comments

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

John Hefferon, 510 Ridge Road, West Milford said he is here representing the newly established group "Friends of Wallisch". He provided an update on what is being done and the future direction of the group. There is a core group of 6-8 people with a mailing list of over 100. Last year volunteers replaced the roof and raised a lot of money to do projects. They are organizing and have submitted an application seeking non-profit status. When that has been approved they will begin the process of seeking to apply for grants. Kerry O'Brien, he said, is leading that effort. As that evolves it is expected that the group will require an acknowledgement from Council by virtue of resolution. They are planning events & improvements. The cost estimate for immediate projects is about \$35,000 and they are seeking donations & grants. They are also putting together a formal presentation to Council & BOE with master plan & direction. They plan to outline dire projects including painting and supporting the barn roof. They are keeping in touch with the construction official to ensure code compliance. The group is growing, getting funds and looking forward to continuing their efforts to restore the Wallisch property. Mayor Bieri thanked them on behalf of the entire governing body.

David Ofshinsky, 47 Morris Avenue, West Milford said he is the treasurer at the MUA. There will be a meeting next week with some representation from the governing body and he is requesting support and a collaborative spirit in supporting the MUA efforts. Even though MUA serves only 20% of population, its infrastructure & facilities affect the entire town. The MUA is not asking for just financial support but support with government agencies. He said he is also involved with Wallisch and thanked the Mayor & Council for their continued support for those efforts.

James Foody, 2 Kushaqua Trail North, Hewitt questioned if there has been any advances with Ramapo College about the Wallisch property. He said he recently read in the paper & heard Mr. Casey tonight about the library. This Council has an opportunity to enhance the services the town can offer its residents. Hillcrest is a money pit. The estimate to repair Hillcrest from 2007 is \$3.8 million and that was probably not to bring it up to educational standards. Educational standards are more stringent and cost more. Council is concerned about \$2 million but Hillcrest costs the Township over \$300,000 per year. Multiply that by 25 years that is \$8 million for nothing at the end of the lease period. The library is \$2 million. He cannot understand why Council would not take that option. That saves the town quite a bid of money and enhances services. If seniors had access to facilities at a new library they are in the center of town and that is a benefit to them. Hillcrest is isolated. He does not understand Council delays. When push comes to shove, the new library makes more sense. He suggested that ultimately we could put the Johner building back on the tax rolls. We could make and save money. He urged the Council to look at this from a positive perspective. This is a win-win and he hopes Council makes the right decision. He hopes we get this finally over with.

Mariusz Klimczuk, 14 Upsala Path in Lindy Lake, West Milford said he is board member of Lindy Lake. There has been a lot of snow. Decker & Decker is contracted to do snow removal in that area. They are not doing a good job. He asked if anyone is checking on the contractors. He gave the Mayor photos saying that the roads are horrendous. The photos are from 2 days after the last snow storm. If a fire truck had to get in that neighborhood it would be impossible. Ambulances could not get in to that neighborhood. He called DPW on Friday and still has not heard back. That is disrespectful to taxpayers. They should send a salt truck down to address the situation and, at a minimum, return phone calls.

Charles De Koning, Salem Alley, Bald Eagle Village, West Milford said he concurs with Mr. Foody about the new library. He urged Council to move forward and make an obligation to the library. He assumes that Council favors a new library. He asked if that is unanimous and asked for a show of hands. Councilman Signorino asked the Mayor to advise the speaker that this is not a back & forth. Mr. De Koning continued that irrespective of Council's agreement of space for town use, the library will proceed anyway. He asked for a timeline. Councilman Signorino replied saying that is up to the library. Mr. De Koning said it is ridiculous that this has been discussed for so long and yet there is still no timeline. He is hoping this happens before he is using the library in the sky as he is a senior. He cannot understand the delay. This is common sense and he urged the Council to simply get it done.

Lawrence Pskowski, 18 Park Lane, West Milford belongs to a softball league through the Department of CS&R. The Presbyterian church field installed new lights a few years ago. There is discrepancy about who paid for the lights and he has been unable to ascertain if grant money was used. He said that Mr.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: February 19, 2014
Time of Meeting: 6:30 P.M.
Minute Page No: Page 14 of 17

Casey told him the town has nothing to do with this. The town has a lease with girls softball. A 3rd of the property is owned by the Township and leased to girls softball. He does not understand problems with the church. He is continually told the men's softball team cannot use field. If grant money was used to improve those facilities, that is ridiculous. This is a town program and the issues need to be looked at further. He is awaiting a call from the treasurer's office. If grant money was used the men's softball team should have use of the facilities.

Doris Aaronson, 19 Bearfort Road, West Milford said she is speaking as chair of health board. She has concerns about Hillcrest. The Township should get out of that building as soon as possible and avail of new library. The Hillcrest building is 72 years old with a wealth of problems. It has asbestos. She urged the Council to vacate Hillcrest and take advantage of the new library. She enumerated reasons why the library would be a better option to provide for municipal resources.

Michael Gerst, Hillview Court, West Milford said the public comment period after 7:30 is not working. People cannot speak before action.

Marilyn Lichtenberg 37 Hudson Drive, West Milford echoed sentiments previously relayed about the library. She lives in Lindy Lake and suggests that the snow is plowed far back on the first storm to avoid problems in later storms. The civics club will have a meeting on March 27th about a shop local program and noted that they are working with various local organizations on various matters. She urged other groups to become involved. She distributed information about a yellow dot program where seniors or people with special needs place a yellow dot on the rear window of their car to assist first responders. Those who do so will provide a list of their medications in glove box so first responders can have understanding of those medications.

Gary Steele, North Glenwood Road, West Milford said he is here again to speak about the committee for the public access channel. There is a tremendous irony here. He would like the committee to explain why the subcommittee meets in secrecy. There is no public input for this committee. At the last meeting he attended, the committee was off base. They appeared to be considering using Hillcrest and using too much funds for this project. He asked when the next meeting is so that the public can attend the meeting. It is ridiculous to consider putting resources in Hillcrest when it will be obsolete in the near future. It is non-sensical. All you need, he said, is a room with a box & a computer. The school is already posting productions online that do not require studios. This is about public access. All you need is a closet, a server & a camera. It is frustrating to have so much knowledge and people not getting it.

There being no more comments from the public Councilwoman Erik made a motion to close the public portion.

Moved: Erik Seconded: Signorino.
Voted Aye: All in favor.
Voted Nay: None.
Motion carried.

Agenda No. VIII

Council Comments

Councilman Signorino said he appreciates comments on snow removal. The services provided are unacceptable. Two lanes are being reduced to one. He does not appreciate the neglect and he does not want to see this again. There is no reason to have so much snow on the roads. He has noticed that catch basins are not being cleared either. His job is to tell the truth and this is unacceptable. The cable committee has met with the BOE to bring Councilman Hensley up to speed. They have the prerogative to have either open or closed meetings. They are simply gathering information at this time. He does not appreciate the derogatory comments made by Mr. Steele. He appreciates Councilwoman Dale taking the initiative to move library issue forward and he looks forward to that. At the last meeting, Council was told the new library may cost more than current municipal expenditures which warrants in-depth discussions. Council has moved this along and he appreciates the work Council is doing.

Councilwoman Dale said she is glad we are moving library issue along. If there are savings they should be laid out on paper and clearly demonstrated. If that happens, she is all for the project. We are all taxpayers. She is looking to be fiscally responsible. Professionally when her employer seeks to spend money there is a comprehensive plan. As long as she receives such data she will support it. She looks forward to the library presenting that information.

Councilwoman Horton thanked everyone working on Wallisch. She said she is pleased to see the work being done to protect & preserve that resource.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: February 19, 2014
Time of Meeting: 6:30 P.M.
Minute Page No: Page 15 of 17

Councilman Signorino said there will be a meeting next week with Passaic County about use of Wallisch. Mr. Semrau noted that there is a small portion of Wallisch that was a wetlands mitigation project in 2005. That has been completed. The State & Ramapo said that portion must be restricted from development. There will have to be a permanent restriction. There will be an ordinance coming before the Council next month to effectuate that. There was discussion about having the college take over the property. That is no longer proceeding. Now there are discussions with the County about use of the property.

Councilman Hensley said he is the Council liaison to CS&R. He noted that in the last report from CS&R the director mentioned the softball & church issues. The Presbyterian Church is discussing the terms of a lease agreement with the girls softball league. Girls softball believes the agreement is until 2024 & the church contends that it expires in 2014. He has not heard that grant money was used but he has heard that girls' softball did invest significant money in the field. The Township owns that property. Mr. Casey said he spent time speaking to Township officials about this matter. There was a goal to expand the fields behind the church. The fire company sold property to the town to provide access and the town leased to the girls softball. The property in question is the rear portion of the site. The front portion is owned by the church & leased to girls' softball. The Council gave consensus to hear Joe Smolinski who interjected from the audience.

Joe Smolinski, Camelot Drive, West Milford loudly proclaimed that Mr. Casey is incorrect. He said Mr. Casey omitted an important part of the history. Girls' softball, he said, paid \$10,000 for that property. There was grant money with a match from girls' softball for the lights. Mr. Smolinski said the town, girls' softball & the church were all in agreement at the time. Councilman Hensley said 2/3 of the property is owned by the church. The girls' softball improved the facilities and there is a dispute with the church & girls' softball about the lease. Girls' softball believes that they made the investment so they believe they should have control of the lights. They won't turn the lights on for other sports groups. Councilman Hensley said he does not believe this is a Township issue. He said this is a private matter. He said that when Mr. Pskowski spoke earlier he said it does affect residents. He said we took public money and invested in a partially public/private property. If something was done wrong it should be rectified. Girls' softball doesn't own the lights if the funding came from grant money. Those are public funds. Mayor Bieri said the Director of CS&R told her this is a private matter. She did not know if public funds were used and if so that may change the involvement. She said more research must be done. Mr. Semrau said he saw correspondence last year between attorneys for both parties. He will follow up. Mr. Pskowski, the resident who spoke earlier, said he explained all this to the Director of CS&R a few weeks ago and asked about the electric bill. He said the Township pays for maintenance of the field. He just heard back from Ms. Mulhern yesterday with an abrupt response indicating that the Township does not pay for the lights. He believes the Township does pay. This needs to be looked into. Mayor Bieri said if public funds are being expended the matter must be researched. Mr. Smolinski said girls' softball put over \$200,000 into that property. Mayor Bieri said all the research must be done and Mr. Semrau clarified that the church has done nothing improper. Mayor Bieri agreed that the Presbyterian Church has always helped the Township. The council gave consensus to have Mr. Semrau work on this.

Councilman Hensley said that on Saturday March 1st there will be an old fashioned family gathering with no technology at Hillcrest. He listed the specifics of the event. He is looking forward to working with the library board to review dollars & cents.

Councilwoman Horton said that the projected cost to bring Hillcrest up to standard from 2007 is over \$3.8 million. That is over 7 years ago. She would like to see this move forward expeditiously. Councilman Signorino noted that the Township's rent payments to the BOE are supposed to be spent on fixing the building.

Mayor Bieri said there is oversight of the snow plowing contractors noting that the engineering department checks on them. That is not to say there are not problems and those should be looked into. These snowstorms can lead to difficult situations. Sometimes you cannot achieve satisfaction. Mayor Bieri said she has heard on multiple occasions about a studio for the public access channel. She asked if Council can give the committee a plan of action. Public access channels broadcast events filmed on location; not in a studio. She does not necessarily understand the need for a studio. The MUA was brought up and she will be attending a meeting with Council members Horton and Erik on Monday. The MUA requested the Township attorney & administrator attend. She asked Council if they want the attorney & administrator to attend. Councilman Signorino said he is not inclined to approve that but he would like to hear from the liaison first. The Council gave consensus to have the meeting with the MUA first & have attendees report back. Councilwoman Horton said the MUA is asking for meeting to discuss many issues including shared services & the future of the MUA. Councilwoman Dale asked what the MUA has to do with the Township. Councilwoman Horton advised that about 20% of the Township is serviced by the MUA but a greater number is affected by their operations. Councilman Signorino said the MUA has their own attorney. He said he had concerns about Greenwood Lake. He does not favor

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: February 19, 2014
Time of Meeting: 6:30 P.M.
Minute Page No: Page 16 of 17

sending the Township attorney to the initial meeting with Mayor Bieri and Councilmembers Horton & Erik in attendance. He would like to know what the issues are. Councilwoman Dale asked if shared services would be by agreement. Mayor Bieri said there was an informal arrangement for use of gas but we now have a secured system and the MUA no longer has access. Mayor Bieri said if they want shared services it would have to come back to the governing body and the attorneys would draft an agreement. Councilwoman Horton said the MUA also asked, in the past, for the Township to fund a study. Mayor Bieri noted that those attending the meeting cannot bind the governing body.

Mayor Bieri thanked the Council for agreeing to meet with the library board. She noted that the \$2 million is an estimate. This is not just about money. It is about services & intrinsic value. If we only looked at dollars & cents we wouldn't have a turf field, coffee house or Bubbling Springs. That is the intrinsic value to our residents. We are shifting where we are spending the money. She asked that Council refrain from making derogatory comments about staff & professionals.

Councilman Signorino said he & Councilman Hensley would like to have information to discuss the public access channel at the next meeting. He believes some are trying to cast a dark cloud over the subject but he keeps moving forward. He commended snow removal efforts at the last meeting but services provided during this most recent storm are unacceptable. He doesn't understand why that happened. He said that the bus stops should be cleaned. Mr. Casey said that the goal today was to put DPW crews out to open up catch basins. They also had a list of problem intersections. However, today the school called and resources were sent to assist school buses. The problem now is anticipated flooding with all the water. He will have someone check on Lindy Lake tomorrow and then return to catch basins. Councilman Signorino said that residents on Otterhole use parking on the street. That is a problem too. Mr. Casey said the problem is there has been a lot of storms. The comment about the first storm was right. The problem this winter has been the cold and the ice that has prevented the snow being pushed back. Mayor Bieri reminded Council that sending crews out on the second day after a storm will require funding. Mr. Semrau noted that in West Milford all of the private roads are being plowed and many towns don't offer that.

Agenda No. XI

Reports of Administrator, Mayor and Council Members

Councilman Hensley said the EDC will meet next Wednesday and he encouraged people to attend.

Councilwoman Erk said watershed coalition met last week and reviewed issues with how watershed properties are assessed. The assessors will meet to tweak the proposed legislation based on their concerns. They are also looking at other watershed properties and how municipal watershed properties are assessed. Another meeting is scheduled for March 19th.

Councilman Signorino said St. Joseph's is celebrating its 250th jubilee beginning on March 14th. JCP&L will be doing aerial inspections in March so do not be alarmed. Helicopters will be flying low and hesitating over the lines.

Councilwoman Horton said she, Councilwoman Erik & Mayor Bieri will be meeting with MUA on Monday. She commended the MUA for all their work. She acknowledged St. Joseph's jubilee. She commended Mr. Buonanno for his work on Brown's Point improvements. She thanked Marilyn Lichtenberg for the yellow dot information and urged others to participate to assist first responders.

Councilwoman Erik said she spoke with Mr. Buonanno & other residents about Brown's Point. He did not know it was state owned. There is a group, including HEAT, looking to improve Brown's Point. She said that there is a program similar to yellow dot for emergency responders who may have to come into your home. That program asks people to place a magnet on the fridge with your information.

Mayor Bieri said she did forward the Brown's Point proposal to all the individuals involved in oversight of the property. She did get a response saying they may consider some improvements in their ten-year plans. She said there is consensus to redirect the Westbrook grant to Bubbling septic. She asked if Council is giving consensus to have a grant application submitted for the septic and the unanimous consent from the Council was yes. Mayor Bieri asked if there is any other project the Council would like to apply for this year. Council said yes. Mr. Casey said it may be difficult to prepare another application within the two-week limit noting that time is short. Mayor Bieri said she has been attending many meetings on an array of local issues. The watershed coalition meeting was very productive. She met with Macopin "make a change club" which is comprised of 7 & 8 graders who question her on many issues. Last year they lobbied companies to come to town. They are a wonderful group. She listed many of her upcoming meetings and she listed some upcoming local events.

