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

Minutes of: Governing Body Regular Meeting  
Date of Meeting: April 20, 2016  
Time of Meeting: 6:30 pm  
Minute Page No: Page 1 of 28

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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 20, 2015 and January 3, 2016; copies were provided to the Suburban Trends, the Record and 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. Notice of the earlier start was published on February 24, 2016 and posted on the bulletin board.

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 led all in attendance in a salute to the flag.

**Roll Call**

Present: Councilmembers Ada Erik, Mike Hensley, Tim Wagner, Michele Dale,  
Luciano Signorino, Marilyn Lichtenberg, Mayor Bettina Bieri.  
Absent: None.  
Also Present: Township Administrator /Clerk Antoinette Battaglia, Township Attorney Fredrick Semrau

Agenda No. II

**Reading of or Approval of Unapproved Minutes**

None

Agenda No. III

**Proclamations**

National Day of Prayer - Mayor Bieri read the proclamation.

Agenda No. IV

**Presentations**

*Volunteer Appreciation Night*

- 1) Mary B. Haase Lifetime Volunteer Award – Edwin Rodda – Mr. Rodda joined Mayor Bieri at the podium where she read his biography. Mayor Bieri noted that Mr. Rodda is celebrating his 99<sup>th</sup> birthday this month. She said on a personal level, it is always a pleasure seeing him walk the hallways doing his work, celebrating life, and being a professional in everything he does. Mr. Rodda thanked the former Mayors Committee for selecting him for this very honorable and presegious award. He thanked Mayor Bieri, the council, and to any of the former council persons, Mayors, and Administrators that he has had the privledge of working with all of these years. In addition, he also thanked all of the township employees that he has worked with over the years and said that he he truly loves being here.
- 2) 2015 Volunteer of the Year Award – Theodore Hajek – Mayor Bieri said Mr. Hajek couldn't attend tonight but his sons Ted and Rick are here to accept the award. Mayor Bieri read his biography. His son Ted thanked the council for selecting their father for the award. He said that his father was honored to be recognized and his one wish is to have people find the time to volunteer.

*Volunteer Group Presentations*

Nine groups addressed the Council advising of their goals, missions, accomplishments and upcoming events. They each encouraged people to volunteer and join their efforts. The groups were:

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1. West Milford Rotary – Alan Edelstein
2. Woman’s Club of West Milford – Debra Colby
3. West Milford Environmental Commission – Stephen Sangle & Jennifer Easterbrook
4. Highlands Economic Development and Tourism Corp (HEAT) – Jon Sherwood
5. West Milford Republican Club – Jackie Boshart
6. WM 77 TV Commission - Bob Nicholson
7. West Milford Animal Shelter Society – Paul Laycox
8. West Milford 4-H Velveteens – Celeste Hampton

Agenda No. V

**Executive Session**

None.

Agenda No. VI

**Unfinished Business, Final Passage of Ordinances**

Agenda No. VI 1

**~ Ordinance 2016 – 006 ~**

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY CONCERNING SALARIES AND COMPENSATION FOR SPECIAL POLICE OFFICERS**

**BE IT ORDAINED** by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that pursuant to Chapter 33b entitled Personnel of the Revised General Ordinances of the Township of West Milford, New Jersey, 2007 the following Officers and Employees here below stated shall be classified by job title with the corresponding pay ranges:

1. TEMPORARY, PART TIME AND SEASONAL EMPLOYEES

**1.5% Hourly Rate Increase for 5 years**

	1/1/15	1/1/16	1/1/17	1/1/18	1/1/19	1/1/20
Special Police Officer Class I	\$20.93	\$21.24	\$21.56	\$21.89	\$22.21	\$22.55
Special Police Officer Class II	\$21.74	\$22.07	\$22.40	\$22.73	\$23.07	\$23.42
Night Rate: 12 midnight – 7:00 am (Additional per hour)	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50
Municipal Court Attendant	\$20.93	\$21.24	\$21.56	\$21.89	\$22.21	\$22.55

2. CLOTHING ALLOWANCE – Special officers qualify for a clothing and maintenance allowance annually. Half of the annual amount payable on or about December 1 of each year for those officers working a minimum of 35 hours since January 1 of that year, with an additional payment of \$2.50 each hour worked in addition to the minimum 35, with the total allowance not exceeding maximum amount for that year regardless of the number of all hours worked. Special officers qualify for a clothing and maintenance allowance upon the submission of receipts for actual purchases of up to:

\$370 in 2016; \$390 in 2017; \$410 in 2018; \$410 in 2019; \$410 in 2020

3. HOLIDAY PAY – Officers shall be entitled to time and one-half pay for all hours worked on New Year’s Day, Memorial Day, July 4<sup>th</sup> and December 25<sup>th</sup>.
4. CALL-OUT – All callouts are payable for time worked, with a minimum of two hours pay.

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5. GENERAL PROVISIONS – Any ordinance or parts thereof in conflict or inconsistent with the provision of this ordinance are hereby repealed to such extent as they are in conflict or inconsistent.
6. EFFECTIVE DATE – These provisions are not retroactive. They will take effect on the “Effective Date” of the Governing Body Ordinance.

This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Introduced: March 16, 2016  
Adopted: April 20, 2016  
Effective Date: May 10, 2016

Mayor Bieri opened the meeting to the public to speak on this ordinance only.

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.

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Moved: Erik Seconded: Signorino  
Voted Aye: Erik, Hensley, Wagner, Dale, Signorino, Lichtenberg  
Voted Nay: None.  
Motion carried.

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Agenda No. VI 2

~ Ordinance 2016 - 007 ~

**FOR CALENDAR YEAR 2016**  
**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0.0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Council of the Township of West Milford in the County of Passaic finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$883,301.03 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of West Milford, in the County of Passaic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Township of West Milford shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$883,301.03, and that the CY 2016 municipal budget for the Township of West Milford be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with

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the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced: April 6, 2016  
Adopted: April 20, 2016  
Effective Date: May 10, 2016

Mayor Bieri opened the meeting to the public to speak on this ordinance only.

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.

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Moved: Erik Seconded: Signorino  
Voted Aye: Erik, Hensley, Wagner, Dale, Signorino, Lichtenberg  
Voted Nay: None.  
Motion carried.

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Agenda No. VII

**Public Comments**

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

Frank Zitzman 107 Dockerty Hollow Rd said he moved to West Milford in November. What attracted him to West Milford is that he could afford twenty-two acres and it was attached to state land. He stated that the reason why he is here today is because publicly, he would like to address something that he can't seem to get the police to address publicly. On Saturday, April 16<sup>th</sup>, Mr. Zitzman explained that his wife was struck by two children on dirt bikes who were trespassing on his property and then struck a second time in the presence of a police officer. He noted that today, four days later, was the first time a detective showed up to his house and informed him there is an open investigation. Mr. Zitzman said that Saturday night, he called the police and asked if there was something that could be put out publicly on the West Milford Police Facebook page because there are posts about shop lifting, burglary, and other informative messages. He called again on Monday and met with the acting Chief of Police on Tuesday and was told that he would get back to him. Mr. Zitzman noted that today is Thursday. There is a crime still being committed and the township is not willing to publicize this. The town and police don't want to admit that there is an active problem here. He explained that kids need a place to ride their dirt bikes and he is not sure where that place is. He is not sure if the town is aware of this but the town operates an illegitimate ATV park and there are fifteen to thirty trespassers coming through his property every day on the weekends. Mr. Zitzman said he has been advised by the acting Police Chief and Township Administrator that he should not confront trespassers. He explained that he calls the police when he sees them because he would like records of the events and asks the police to respond to his residence. He is advised that the police cannot respond and can only respond when the conditions and resources are correct. In over twenty-one calls, conditions have never been correct.

Mr. Zitzman explained that he cannot use his property out of fear because his wife has been assaulted and he has been assaulted by walking on his own property. He feels like he is being viewed as the enemy. A police officer advised them to look for locations to place large rocks in attempt to block the traffic. He said it's a very unsafe condition and he feels like nobody really cares. He expressed he is trying to get assessed as a tree farmer and forester noted this as a potential issue. Mr. Zitzman explained if he is not allowed to confront trespassers and the police will come only if the conditions are right then what is going to occur. It's clearly been acknowledged and the acting Police Chief said that this has been a problem for over 30 years. He said what he has been offered so far is that a policeman is going to on his property for three hours on Saturday. At this point, he said he doesn't know what to do and his land is essentially unusable. Mr. Zitzman stated that he is here to make sure that it is publically known. If anyone has any information about his wife being struck on Saturday April 16<sup>th</sup> at 5pm, they should call the West Milford Police Department. He said he would prefer this to be published to the public on Facebook but we seem to be unable to do that.

Gary Steele North Glenwood Rd stated he has a simple request of this town council which is to rescind his removal from the EDC as alternate number two. He believes that the town council and the EDC were ill advised of his absences and that he was somehow the cause of not being able to obtain a quorum on

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the EDC. He explained that if you look back at the minutes from 2014, 2015, 2016 from July on, only one meeting during that entire time they were unable to achieve a quorum. Mr. Steele stated that he received the documents through the clerk's office and he appreciated how incredibly helpful they were. Mr. Steele explained that Councilman Hensley requested an emergency meeting of the EDC and that was not how he suggested to this council which was part of the basis of the governing body's vote. He said that is well documented in emails that the meeting might very well be an illegal meeting. It was said that the reason for the emergency meeting was the EDC was having difficulty obtaining a quorum and that simply wasn't the case. He explained the requirements to have an emergency meeting. He noted that none of those requirements happened and you cannot exclude members or the public. Mr. Steele noted that Councilman Hensley made a case based on no evidence at all. He didn't even bother to look at the meetings or the minutes to see his attendance records. He indicated that he found out about his removal from WM77 and it was very upsetting and traumatic for himself and his family.

Mr. Steele said that this council voted on the best information that they had at the time to get rid of alternate number two and create a vacancy. The vacancy was created and at that same meeting, that vacancy was filled without even advertising the vacancy. He said at the very least, he should have been afforded the opportunity to be contacted. He noted that he keeps scrupulous records and recordings of his phone calls over that period in time. Mr. Steele explained that he went through 5,000 emails and there was not one email on the subject. He stated that he had serious medical reasons for his absences and gave a brief summary. Mr. Steele said that Councilman Hensley owes an apology to this council and to the EDC. What he did was wrong and politically motivated. He said that he has full faith that the council will do the right thing collectively because they are all interested in seeing justice be done. He noted that it's really not about him at this point, it's about protecting volunteers.

Joanne Blom Newfoundland, EDC Chair, said that the EDC would like to publically say that we are sorry to Mr. Steele for what he went through. She explained that she didn't know that he was that sick and the other commissioners feel the same way.

Michael Gerst Hill View Court explained that he wanted to follow up on what Ms. Blom said. He said he would also like to apologize to Gary for what he went through. It was totally inappropriate. He stated if there is any way to negate that meeting or to roll it back, that would be the best way to go. He noted that it was just a total injustice to him.

Matthew Conlon 33 Orleans Lane said that he is here as a private resident. But for full disclosure, he notified the council that he was recently appointed chairperson of the West Milford Township Insurance Committee. He explained that he is here to talk about the exciting topic of insurance which seemed to captivate the attention of the council for a few minutes at the April 6<sup>th</sup> meeting. The council made an overwhelming decision to undermine three to four months of work of the Insurance Committee and vetting insurance consultants to provide not only the townships health benefits but also our property and casualty insurance coverage. He said to undermine the decision and recommendation of the insurance committee, and ultimately reverse that decision, in what was blatantly a politically motivated move. He provided the chart to the governing body that Council President Dale made and talked about at the last meeting. He stated that this was the basis to the decision.

Mr. Conlon explained that the determination of the committee was to eliminate three of the five applicants because of high fees and that the township could get adequate coverage for a much lower amount. That left us with two companies PIA, which is the current risk manager and Voza Agency, which is our current health benefits manager. The recommendation of the Insurance Committee, after months of review and hundreds of pages of documents, was to maintain the status quo, which was in support of the recommendation from the Township Administrator. The committee obliged and the committee supported that recommendation. At the meeting on April 6<sup>th</sup>, the council in three or four minutes totally threw that out the window and made a decision based on a spreadsheet that is filled with inaccurate information. He highlighted some of the inaccurate points from the chart. At the end of the days it's about what's best for the township. He noted that he doesn't understand how a committee comprised of three licensed insurance brokers and other highly qualified individuals could just have their recommendation thrown out the window in four minutes. He said that he appreciated all of the time and commitment that the council gives to the township in trying to do what's best for the residents but if we are going to say that we are going to do due diligence, then we should actually do it.

There being no more comments from the public, Councilwoman Erik moved to close the public portion of the meeting.

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Moved: Erik Seconded: Signorino  
Voted Aye: Unanimous voice vote.

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Voted Nay: None.  
Motion carried.

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Agenda No. VIII

**Council Comments**

Councilwoman Erik said that she would like to make a comment about what Mr. Zitzman said. She said that he happens to be her neighbor and that problem has been going on for well over 30 years. She stated that they couldn't stop then and she is not sure how to stop it now.

Councilman Signorino asked the Township Administrator what the status is on the situation that happened on Mr. Zitzman's property. He stated that it is the first time that he is hearing about it and it sounds like it is a reoccurring problem. He wants to know the status and when it started. Township Administrator/Clerk Battaglia said that she understands that residents feel that a lot of time has passed but as a matter of fact the complaints started coming in this past Saturday. She said that the resident did come to Town Hall on Monday and sought to have a meeting with her and Captain Congleton but time did not afford it. She did speak briefly with the resident in her office. On Tuesday, they met with the resident and his wife for an hour and a half. There are a number of ongoing investigations and there are a number of steps that the municipality is looking into but we could not execute or resolve this problem in two days. We are currently working on it and some of the investigations are ongoing. Councilman Signorino stated that this is something that we definitely need to address and find out exactly what is going on as well as try and find a way to combat those issues. He said that he would certainly like to keep updated on what is going on. In addition, Councilman Signorino mentioned that he has been very concerned with what has been going on with the Insurance Committee and certainly with arbitrarily taking out citizen members on committees before their terms are up. He expressed that he is not happy with it.

Councilman Wagner stated that as far as the ATV problem goes, he would like a weekly update to make sure that something is being done. Township Administrator/Clerk Battaglia said that she can give a weekly update in terms of the township but in terms of the investigations in the police department that may be outside of her purview. Councilwoman Erik said she knows from personal experience that this has been going on from the early 70's and there are a lot of police reports on it. Councilman Wagner explained that in regard to the EDC, he would like to make recommendations and ask Township Attorney Semrau for advice. First, if the EDC members are speaking up, which it seems like they are, asking to keep Gary Steele as a member. Second, if this meeting was called and it didn't follow certain protocol that all members were even called to that meeting, then that means it should be voided. He asked Township Attorney Semrau how to proceed with those requests. Councilman Signorino asked Township Attorney Semrau if something like that is done, and it could be deemed unofficial, would you just disregard the act completely or would you have to redact something.

Township Attorney Semrau said that when you are talking about redacting the meeting itself that the EDC had, there are a couple of things. First, the EDC is not required to comply with the Open Public Meetings Act, except for the fact, that it is in the township code. In terms of the meeting and legalities, he would need to verify if the special meeting was in fact posted at least 48 hours in advance, notification was out there specifying what it was for, and the public had the opportunity to attend or be aware of the meeting. He asked that Township Administrator/Clerk Battaglia how the meeting was published. Township Administrator/Clerk Battaglia said it was put on the Township website and on the bulletin board in Town Hall. Township Attorney Semrau said he doesn't disagree with what was said about the requirements with the special meeting and he finds that to be acceptable as far as the notice is concerned. The actions and everything else, we are not in a place to override the actions of the EDC and that is an advisory committee anyway. Councilman Wagner stated that it's his concern that the person who was removed is the same person that wasn't notified like other members in that organization were notified. He noted that it seems somewhat deliberate, the decision should be voided and he should be put back on the committee. Councilman Signorino asked how far in advance the meeting was announced. Township Attorney Semrau stated it was posted March 18<sup>th</sup> for the March 23<sup>rd</sup> meeting. He said that he believes that a special meeting its 48 hours' notice. He explained that he is satisfied that we even hold the EDC to this standard and that's the standard has been met. Councilman Signorino said how the meeting came about and the intention of the meeting is in question but as far as the notice is concerned, we are in compliance with laws. Township Attorney Semrau agreed.

Councilman Wagner said in response to insurance, he appreciates Mr. Conlon speaking in the public portion. At the April 6<sup>th</sup> meeting, he was a little taken back at the fact that the insurance company PIA was given a 90 day notice of removal. He explained that a motion was made and we weren't informed ahead

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of time or provided much information. The Insurance Advisory Committee were the ones that had both agencies present and made the recommendation. Those are the same members that we voted in to represent us and he thinks we just threw it all away. He stated that this is just another time that we are not respecting the volunteers, this town, and the people that give up their time. Councilman Wagner suggested looking at this at another meeting coming up and see if maybe this is the wrong decision. He stated that some of the information that Mr. Conlon mentioned is concerning and believes that the decision was wrong.

Council President Dale stated that she would like to address this topic. She explained that there was a lot of information that she went over and it was many hours worth of work. She said that she had many conversations with not only this municipality but other municipalities that utilize both agencies and have recently departed ways. In addition, she also found out historical information from previous council members who served. Council President Dale noted that Councilman Signorino continually brought up the fact that he didn't agree with the committee's recommendation so she decided to look at the information and made a recommendation. She noted that just because we have an advisory committee that does not mean that we always take the advisement or recommendation of the particular committee. There are times that we have to do our own homework and make recommendations. Council President Dale explained the method of obtaining the information and how she compared both companies. She said that the council voted as they did and made a decision. Councilman Wagner recommended inviting both insurance agencies, PIA and Voza Agency to this council to give a presentation. That way the council can ask questions so we can make the correct and informed decision. He noted that insurance is the highest line item in the budget and he isn't taking it lightly. A discussion ensued about the information given to the council regarding the providers and previous history.

Mayor Bieri said that we do have a request for a presentation from both and asked if there is council consensus. She stated that if the governing body would like to have them both agencies come in; we can have the administrator schedule it at the best available meeting. Councilman Signorino noted that it is election season so you are going to get a lot of politics up here and it's only to the detriment to the people in this town. He explained the reasoning for his statements and why he disagreed with the insurance committees recommendation. He stated that it's his concern to do what is best for the town and to save money where possible. He expressed that he was not satisfied with the way that things happened. Councilman Signorino gave some background about what occurred at the insurance meeting and the basis of the committees decision. He said that he would fully support having the insurance representatives coming to a meeting to enlighten us. A discussion ensued about council members motives for changing insurance providers. Councilman Wagner suggested that the insurance providers come in to give a presentation so we can move forward and be more educated. Councilman Signorino stated that having the same company for twenty-two years is not a basis to having the same company.

Mayor Bieri asked if the council has consensus to have both representative come before the council and make a presentation. Councilman Hensley asked if it was an annual contract for the insurance providers. Mayor Bieri said yes. Township Administrator/Clerk Battaglia explained that the governing body does not take affirmative action with regard to the health consultant but they can determine who that will be. Then there is affirmative action at the Reorganization Meeting on the risk manager. Councilwoman Lichtenberg said that Councilman Signorino did say that he would favor having one company representing us rather than two. Mayor Bieri said that if anyone has any questions, you can go to the minutes or a recording of the meeting. Councilwoman Erik said that because this decision was coming up, she attended the January and February insurance committee meetings. She said that she couldn't come up here and make a decision without knowing the information.

Mayor Bieri asked if there is consensus to bring the representatives in to give a presentation. She stated that there is the opportunity potentially to change the decision if that's what this governing body wants to do.

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Moved: Wagner Seconded: Signorino  
Voted Aye: Wagner, Signorino  
Voted Nay: Erik, Hensley, Dale, Lichtenberg  
Motion defeated.

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Mayor Bieri stated that there is not consensus and the representatives will not present before the governing body. Regarding Mr. Zitzman, Mayor Bieri said that she is sure the Administrator will keep the governing body updated on whatever details we have. She explained that some the information will be police investigations which we may or may not be privy to. She noted that all of us are concerned and want to stay informed.

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

Agenda No. IX 1

~ Ordinance 2016- 008 ~

**BOND ORDINANCE APPROPRIATING \$3,250,000, AND AUTHORIZING THE ISSUANCE OF \$2,850,000 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY**

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

- Section 1 The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Township of West Milford, in the County of Passaic, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$3,250,000 including the aggregate sum of \$150,000 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes and including also, in the case of the improvement or purpose described in paragraph (c) of said Section 3, the sum of \$250,000 received or expected to be received by the Township from the New Jersey Department of Transportation, as a grant-in-aid of financing said improvement or purpose.
- Section 2 For the financing of said improvements or purposes and to meet the part of said \$3,250,000 appropriations not provided for by application hereunder of said down payments and grant, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$2,850,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$2,850,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.
- Section 3 The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAX. AMOUNT OF BONDS AND NOTES
(a) Acquisition by purchase of new and additional vehicular equipment, including without limitation five (5) dump trucks, one (1) compact excavator and one (1) highway mower for use by the Public Works Department of the Township, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.	\$936,000	\$889,200
(b) Improvement of various streets and locations in and by the Township by the construction or reconstruction therein of roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2-22 of said Local Bond Law), including without limitation, Evanstan Road West, Lake Isle Drive, Broadway, Dudley Street, Tangerine Court, Orange Road, Old Vreeland Road, Vreeland Road (section), Clayton Road, Race Track Drive, Pond View Drive, Yancy Terrace, Belleau Gateway, Marion Street, Roosevelt Road, Birchwood Pass, Bearfort Walk, Lenape Trail, Circle Boulevard South, Circle	800,000	760,000



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

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IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAX. AMOUNT OF BONDS AND NOTES
Boulevard West, Circle Boulevard East, Ricker Road, Highland Road and Nelson Place, together with all sidewalks, curbing, structures, appurtenances, milling, drainage improvements, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved		
(c) Improvement of Ridge Road in and by the Township by the construction or reconstruction therein of a roadway pavement at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2-22 of said Local Bond Law), together with all sidewalks, curbing, structures, appurtenances, milling, drainage improvements, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the \$410,000 appropriation hereby made therefor being inclusive of the amount of \$250,000 received or expected to be received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement	410,000	152,000
(d) Improvement of various streets as part of the Township's road assessment program, by the construction or reconstruction therein of roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2-22 of said Local Bond Law), together with all sidewalks, curbing, structures, appurtenances, milling, drainage improvements, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the \$150,000 hereby appropriated therefor being a portion of the Township's share of the cost of said improvement	150,000	142,500
(e) Improvement of municipally-owned properties and facilities in and by the Township, including without limitation, the Coffee House by the renovation of the elevator, the tennis courts by the rehabilitation thereof, the construction of a salt storage shed, the improvement and outfitting of the Township's portion of the Library and the installation of a new septic system at the Department of Public Works, together with for all the aforesaid all structures, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the \$395,500 estimated cost thereof being exclusive of costs being paid by the County of Passaic associated with said salt storage shed	395,500	375,725
(f) Acquisition by purchase of new and additional equipment, including without limitation, turnout gear, air packs, equipment, pumps and lifts for use by the Fire Department of the Township, a rescue boat for use by the Emergency Management Department of the Township, body armor for use by the Police Department of the Township and one (1) air compressor and three (3) storage containers for use by the Department of Public Works of the Township, together with all equipment, appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	405,400	385,130

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

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IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAX. AMOUNT OF BONDS AND NOTES
(g) Improvement of storm water drainage systems in and by the Township, together with all landscaping, structures, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the \$153,100 hereby appropriated therefor being inclusive of \$103,100 of costs such as financial and engineering costs that are further described in Section 4(d) of this bond ordinance and that are permitted under Section 40A:2-20 of said Local Bond Law	153,100	145,445
<b>Totals</b>	<b>\$3,250,000</b>	<b>\$2,850,000</b>

Except as otherwise stated in paragraph (c) above with respect to the said grant-in-aid of financing the purpose described in said paragraph, the excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment and grant for said purpose.

Section 4 The following additional matters are hereby determined, declared, recited and stated:

- (a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 11.30 years.
- (c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$2,850,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
- (d) Amounts not exceeding \$150,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof (and, in particular, \$103,100 of such costs has been included in the improvement described in Section 3(g) of this bond ordinance).

Section 5 The funds from time to time received by the Township on account of the \$250,000 grant referred to in Section 1 of this bond ordinance shall be used for financing the improvements or purposes described in paragraph (c) of Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Township authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of said improvements or purposes shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this bond ordinance.

Section 6 All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is

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

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- made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.
- Section 7 The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.
- Section 8 The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.
- Section 9 This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

This ordinance shall take effect immediately upon final passage, approval and publication as required by law.

INTRODUCED: April 20, 2016  
ADOPTED: May 04, 2016  
EFFECTIVE DATE: May 24, 2016

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Moved: Erik Seconded: Signorino  
Voted Aye: Erik, Hensley, Wagner, Dale, Signorino, Lichtenberg  
Voted Nay: None.  
Motion carried.

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Mayor Bieri asked to move all resolutions as one including resolution 2016-158

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Moved: Erik Seconded: Signorino  
Voted Aye: Erik, Hensley, Wagner, Dale, Signorino, Lichtenberg  
Voted Nay: None.  
Motion carried.

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Agenda No. IX 2

~ Resolution 2016 – 144 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND UPDATING THE PERSONNEL POLICIES AND PROCEDURES MANUAL WHICH INCORPORATES THE EMPLOYEE HANDBOOK THEREIN**

**WHEREAS**, the Township of West Milford is a member of the New Jersey Municipal Excess Liabilities Fund; and

**WHEREAS**, every two years, the MEL distributes a model personnel policies and procedures manual and encourages its members to update their policies and procedures; and

**WHEREAS**, the Township of West Milford seeks to update its Personnel Policies and Procedures Manual to conform with the MEL's standards.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Council of the Township of West Milford, in the County of Passaic that the Township of West Milford Personnel Policies and Procedures Manual is updated as follows:

1. Modification to Anti-Discrimination Policy/American's with Disabilities Act Policy (Section One of the Manual) to comply with the New Jersey Pregnant Worker's fairness Act, which amended the law to prevent discrimination based upon pregnancy, childbirth or pregnancy medical-related condition. It also requires employers to provide reasonable accommodations.
2. Modification to the Social Media Policy portion of the Communication Media Policy (Section Two of the Manual) to reflect changes in technology and practices of governing.
3. Addition of Employee Dating Policy to Section Two of the Manual. This policy is adopted as an optional policy to require supervisor/subordinate dating to notify human resources.

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

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4. Addition of I9 Language to Employment Procedure in Section Five.
5. Modification to Open Public Meetings Act Procedures concerning Personnel Matters.
6. Model Employment Application to be Compliant with Ban the Box Legislation in March of 2015 which prohibits employers from asking on an employment application about a candidate's criminal background.
7. Remove outdated CEPA notice and replace with most current version.

**BE IT FURTHER RESOLVED** that a copy of the updated Township of West Milford Personnel Policies and Procedures Manual is on file with the Clerk's office; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be forwarded to the Township Administrator for distribution to all Township employees.

This Resolution shall take effect immediately.

Adopted: April 20, 2016

Agenda No. IX 3

~ Resolution 2016 – 145 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO AFFIRM THE TOWNSHIP OF WEST MILFORD'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS**

**WHEREAS**, it is the policy of the Township of West Milford to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

**WHEREAS**, the governing body of the Township of West Milford has determined that certain procedures need to be established to accomplish this policy

**NOW, THEREFORE BE IT ADOPTED** by the Township Council of the Township of West Milford that:

- Section 1:** No official, employee, appointee or volunteer of the Township of West Milford by whatever title known, or any entity that is in any way a part of the Township of West Milford shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township of West Milford's business or using the facilities or property of the Township of West Milford.
- Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township of West Milford to provide services that otherwise could be performed by the Township of West Milford.
- Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.
- Section 4:** The Township Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

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- Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights...
Section 6: The Township Administrator shall establish written procedures that require all officials, employees, appointees and volunteers...
Section 7: The Township Administrator shall establish a system to monitor compliance and shall report at least annually...
Section 8: At least annually, the Township Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township of West Milford...
Section 9: This resolution shall take effect immediately.
Section 10: A copy of this resolution shall be published in the official newspaper of the Township of West Milford in order for the public to be made aware of this policy...

Adopted: April 20, 2016

Agenda No. IX 4

~ Resolution 2016- 146 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING FROM THE PASSAIC COUNTY OPEN SPACE AND FARMLAND PRESERVATION TRUST FUND FOR BUBBLING SPRINGS AND FARRELL FIELD IN THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Department of Community Services and Recreation has recommended to the Township Council the submission of an application for funding softball field rehabilitation on Bubbling Springs and soccer field improvement on Farrell Field.

WHEREAS, the Department of Community Services and Recreation has recommended that this application be approved by the Township Council and submitted to Passaic County Open Space Committee for consideration in the County Open Space Program; and

WHEREAS, the Mayor and Township Council have reviewed and approached the owners of Block 9001, Lot 13 located on 1468 Macopin Road and Block 6002, Lot 28.02 located on Lycosky Drive; and

WHEREAS, in accordance with the requirements of the Passaic County Open Space Trust Fund Grant Application, the Township notified by certified mail all property owners within 200 feet of the subject property that the site know as Block 9001, Lot 13 and Block 6002, Lot 28.02 a Public Hearing would take place on April 20, 2016; and

WHEREAS, the Department of Community Services and Recreation submitted the following application for consideration to the Township Council:

Table with 3 columns: Project, Total Project Funding, County Funds requested. Rows include Bubbling Springs and Farrell Field Improvement.

WHEREAS, in accordance with the requirements of the Passaic County Open Space Committee, the Township advertised a Public Notice on April 10, 2016 for the Public Hearing to be held on April 20, 2016 on the application; and

WHEREAS, the Public Hearing was held on April 20, 2016, at which time public input was solicited on the application.

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

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**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of West Milford, that it hereby authorizes the Township Administrator to arrange for the submission of all grant application materials as prepared by the West Milford, Department of Community Services and Recreation to seek funding from the Passaic County Open Space and Farmland Preservation Trust Fund for softball field rehab at Bubbling Springs and soccer field improvement on Farrell Field.

Adopted: April 20, 2016

Agenda No. IX 5

~ Resolution 2016 – 147 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING RESOLUTION 2016-135 TO CHANGE THE SHADE TREE COMMISSION TO A SHADE TREE ADVISORY COMMITTEE, A SUBCOMMITTEE OF THE ENVIRONMENTAL COMMISSION**

**WHEREAS**, by virtue of Resolution 2016-135 adopted April 6, 2016 a Shade Tree Commission was established; and

**WHEREAS**, the Township Attorney has provided an opinion warranting clarification that the Shade Tree Commission is an advisory body and is established as a Committee; and

**WHEREAS** the Shade Tree Advisory Committee is required by the Township of West Milford Community Forestry Management Plan (CCMP) 2014-2018; and

**WHEREAS**, the West Milford CFMP received approval from the New Jersey Shade Tree Federation in accordance with requirements of the No Net Loss Reforestation Grant that was awarded to the Township in 2013/2014; and

**WHEREAS**, the Shade Tree Advisory Committee as an organization under the Environmental Commission (EC) shall be comprised of Environmental Commission representatives selected by the EC, volunteers whose number and appointments shall be determined by the EC, and a staff member from the Township's DPW; and

**WHEREAS**, Shannon Hart of the NJDEP-Forest Services has advised that the Township of West Milford meets all the criteria under the act and has "Approved Status" for 2015; and

**WHEREAS**, the continuing need for a Shade Tree Advisory Committee shall be reviewed by the Township Council at its Re-organization Meeting and the committee shall cease to exist at that time unless re-established by Council resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford hereby amends Resolution 2016-135 to change the Shade Tree Commission to a Shade Tree Advisory Committee, a subcommittee under the West Milford Environmental Commission for the purposes outlined above.

Adopted: April 20, 2016

Agenda No. IX 6

~ Resolution 2016 – 148 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT WITH THE CANNING GROUP, LLC, DATED DECEMBER 16, 2015, FOR BUDGET CONSULTING SERVICES**

**WHEREAS**, by virtue of Resolution 2015-412, adopted December 16, 2015 the Township Council did authorize for the assignment of Robert F. Casey with The Canning Group, LLC to serve as Budget Consultant for the Township of West Milford; and

**WHEREAS**, Resolution 2015-412 and the related Professional Services Contract did authorize services in an amount not to exceed \$6,000.00; and

**WHEREAS**, Robert F. Casey completed the delivery of the draft 2016 budget and an overview on March 31, 2016 to the Governing Body; and

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

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**WHEREAS**, due to the absence of a Township Chief Financial Officer additional required detailed work on the budget requires completion that necessitates an amendment to The Canning Group, LLC agreement in an additional amount not to exceed \$1,700.00; and

**WHEREAS**, the Finance Department has certified as to the availability of funds and said funds to be encumbered from account 01-203-20-100-450; and

**WHEREAS**, a notice of this action shall be published in accordance with the law, and said notice to provide that the originally awarded Professional Services Contract, and this resolution shall serve as an Addendum to the Contract are available for public inspection in the office of the Township Clerk and that the professional services offered by Robert F. Casey are extended in an amount not to exceed \$7,700.00 which reflects an increase of \$1,700 above the original contract amount.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, that they do hereby authorize the Township Administrator to approve an Amendment of \$1,700.00 to The Canning Group, LLC of 10 Garden Street, Lincoln Park, New Jersey 07035 which amount is in excess of the initially approved contract amount of \$6,000.00 bringing the contract total to an amount not to exceed 7,700.00 and re-engaging the Budget Consulting Services of Robert F. Casey for additional work on the 2016 budget.

Adopted: April 20, 2016

Agenda No. IX 7

~ Resolution 2016 - 149 ~

**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 THE CANNING GROUP, LLC FOR 2017 BUDGET PREPARATION**

**WHEREAS**, the Governing Body retained the services of Robert Casey through *The Canning Group* for assistance with the 2016 municipal budget; and

**WHEREAS**, The Canning Group LLC has submitted a proposal for the 2017 Budget preparations at \$85 per hour which is the same rate charged for the 2016 budget preparation; and

**WHEREAS**, the Township Administrator recommends the award of a Professional Services Contract, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 to *The Canning Group* for the assignment of Mr. Robert Casey as budget consultant for the 2017 municipal and solid waste budgets; and

**WHEREAS**, The Canning Group, LLC will complete and submit a Business Entity Disclosure Certification which will certify that the 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 The Canning Group LLC from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Finance Department has certified as to the availability of funds pursuant to N.J.A.C. 5:30-5.4

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

1. The Mayor and Township Clerk be and are hereby authorized to execute a contract with *The Canning Group, LLC*, 10 Garden Street, Lincoln Park, New Jersey for professional services for the 2017 Budget process in an amount not to exceed \$7,650.00.
2. This contract is awarded without competitive bidding as "Professional Services" pursuant to N.J.S.A. 19:44A-20 et seq. and the local public contracts law.
3. The total fee authorized for this contract shall not exceed \$7,650.00 without the prior written approval of the Township Council.
4. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolutions authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: April 20, 2016

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Agenda No. IX 8

~ Resolution 2016 - 150 ~

**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 THE CANNING GROUP, LLC FOR BUDGET MONITORING, DEBT MANAGEMENT AND MULTIYEAR CAPITAL IMPROVEMENT PLAN**

**WHEREAS**, the finance regulations of the Division of Local Government Services as well as the Best Practices Questionnaire encourages and requires quarterly reports to the Governing Body on the status on the current budget; and

**WHEREAS**, The Canning Group LLC has submitted a proposal for Budget Monitoring, Debt Management and Multiyear Capital Improvement Plan to address financial issues and ensure the financial integrity of the budget process; and

**WHEREAS**, the Township Administrator recommends the award of a Professional Services Contract, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 to *The Canning Group* for the assignment of Mr. Robert Casey as budget consultant for budget monitoring, debt management and the preparation of a multi-year capital improvement plan and

**WHEREAS**, The Canning Group, LLC will complete and submit a Business Entity Disclosure Certification which will certify that the 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 The Canning Group LLC from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Finance Department has certified as to the availability of funds pursuant to N.J.A.C. 5:30-5.4

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

1. The Township Mayor and Township Clerk be and are hereby authorized to execute a contract with The Canning Group, LLC, 10 Garden Street, Lincoln Park, New Jersey for professional services for Budget Monitoring in an amount not to exceed \$2,550.00, Debt Management Plan for the Next 10 years in an amount not to exceed \$1,700.00 and Multiyear Capital Improvement Plan in an amount not to exceed \$2,295.00.
2. This contract is awarded without competitive bidding as "Professional Services" pursuant to N.J.S.A. 19:44A-20 et seq. and the local public contracts law.
3. The total fee authorized for this contract shall not exceed \$6,545.00 without the prior written approval of the Township Council.
4. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolutions authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: April 20, 2016

Agenda No. IX 9

~ Resolution 2016- 151 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE THROUGH NEW JERSEY STATE CONTRACT #A81297 FROM ATLANTIC TACTICAL OF EIGHT (8) AIMPOINT PATROL RIFLE OPTIC PRO SIGHTS**

**WHEREAS**, the Township wishes to purchase eight (8) Aimpoint Patrol Rifle Optic Pro Sights; and

**WHEREAS**, the Township's Chief of Police has provided a recommendation to effectuate these purchases through NJ State Contract #A81297 and Atlantic Tactical; and



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**WHEREAS**, the Township will return defective sights to Eotech, Inc. 1201 E. Ellsworth, Ann Arbor, Michigan 48108 and will receive a \$2,130.00 reimbursement; and

**WHEREAS**, the Police Department is requesting such refund be placed in Police Department Budget line item 01-201-25-240-202 (Police Patrol Equipment) to cover a portion of the cost of 8 Aimpoint Patrol Rifle Optic Pro Sights.

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

1. The Township Council hereby authorizes the Township’s Chief of Police to execute a purchase order for the purchase of eight (8) Aimpoint Patrol Rifle Optic Pro Sights not to exceed \$3,298.00, through NJ State Contract #A81297 from Atlantic Tactical, 14 Worlds Fair Drive, Somerset, NJ 08873.
2. The Township Council authorizes the reimbursement funds from Eotech in the amount of \$2,130.00 be deposited in line item 01-201-25-240-202.
3. The Township’s Acting Chief Financial Officer has certified the availability of funds for same.

This resolution shall take effect immediately.

Adopted: April 20, 2016

Agenda No. IX 10

~ Resolution 2016 – 152 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE 2016 TEMPORARY CAPITAL BUDGET**

**WHEREAS**, the Township of West Milford desires to constitute the 2016 Temporary Capital Budget of said municipality by inserting therein the following projects.

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

Section 1. The 2016 Temporary Capital Budget of the Township of West Milford is hereby constituted by the adoption of the schedule to read as follows:

Temporary Capital Budget of the  
 Township of West Milford  
 County of Passaic, New Jersey  
 Projects Scheduled for 2016  
 Method of Financing

Project	Est. Costs	Grants	Other Funds	Capital Imp. Fund	Capital Surplus	Bonds
Various Improvements	3,250,000		250,000	150,000		2,850,000

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for 2016 Temporary Capital Budget, to be included in the 2016 Permanent Capital Budget as adopted.

Adopted: April 20, 2016

Agenda No. IX 11

~ Resolution 2016 –153 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE 2016 TEMPORARY BUDGET**

**WHEREAS**, NJSA 40A:4-19 provides that where contracts, commitments or payments are to be made prior to the final adoption of the 2016 budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

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

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**WHEREAS**, Resolution 2016-024 for the initial temporary appropriations budget needs to be amended, and;

**WHEREAS**, Resolution 2016-121, effective April 1, 2016, for the next round of the temporary budget, and:

**WHEREAS**, effective May 2, 2016 said temporary appropriations are extended and now limited to 42.25% of the total appropriation in the 2015 budget, exclusive of any appropriations made for debt service, public assistance, and capital improvement fund in said 2015 budget.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of West Milford that the following temporary budget appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

APPROPRIATION	ACCOUNT NUMBER	2015 BUDGET AS ADOPTED	2016 TEMPORARY BUDGET
Administrator S&W	01-201-20-100-100	\$392,805	\$165,960
Administrator O.E.	01-201-20-100-200	\$52,070	\$22,000
<b>TOTAL</b>		<b>\$444,875</b>	<b>\$187,960</b>
Township Mayor & Council S&W	01-201-20-105-100	\$34,000	\$14,365
Township Mayor & Council O.E.	01-201-20-105-200	\$2,350	\$993
<b>TOTAL</b>		<b>\$36,350</b>	<b>\$15,358</b>
Information Technology S&W	01-201-20-140-100	\$111,855	\$47,259
Information Technology O.E.	01-201-20-140-200	\$81,425	\$34,402
<b>TOTAL</b>		<b>\$193,280</b>	<b>\$81,661</b>
<b>Legal O.E.</b>	01-201-20-155-200	<b>\$244,000</b>	<b>\$103,090</b>
General Services S&W	01-201-20-161-100	\$7,000	\$2,958
General Services O.E.	01-201-20-161-200	\$167,550	\$40,000
<b>TOTAL</b>		<b>\$174,550</b>	<b>\$42,958</b>
Engineering S&W	01-201-20-165-100	\$270,170	\$114,147
Engineering O.E.	01-201-20-165-200	\$62,500	\$26,406
<b>TOTAL</b>		<b>\$332,670</b>	<b>\$140,553</b>
Insurance, Other	01-201-23-210-200	\$972,500	\$500,000
Insurance, Group	01-201-23-220-200	\$3,260,890	\$1,377,726
Health Benefit Waiver	01-201-23-230-200	\$67,000	\$28,308
<b>TOTAL</b>		<b>\$4,300,390</b>	<b>\$1,906,034</b>
Clerk S&W	01-201-20-120-100	\$226,120	\$95,536
Clerk O.E.	01-201-20-120-200	\$19,430	\$8,209
<b>TOTAL</b>		<b>\$245,550</b>	<b>\$103,745</b>
Elections S&W	01-201-20-146-100	\$1,500	\$634
Elections O.E.	01-201-20-146-200	\$12,100	\$5,112
<b>TOTAL</b>		<b>\$13,600</b>	<b>\$5,746</b>
Treasurer S&W	01-201-20-130-100	\$170,645	\$72,098
Treasurer O.E.	01-201-20-130-200	\$11,123	\$6,670
<b>TOTAL</b>		<b>\$181,768</b>	<b>\$78,768</b>
Annual Audit	01-201-20-135-200	\$40,000	
Annual Audit Additional Services	01-201-20-135-200	\$20,000	\$20,000
<b>TOTAL</b>		<b>\$60,000</b>	<b>\$20,000</b>
Tax Collector S&W	01-201-20-145-100	\$206,450	\$87,225
Tax Collector O.E.	01-201-20-145-200	\$45,800	\$18,000
<b>TOTAL</b>		<b>\$252,250</b>	<b>\$105,225</b>

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APPROPRIATION	ACCOUNT NUMBER	2015 BUDGET AS ADOPTED	2016 TEMPORARY BUDGET
Tax Assessor S&W	01-201-20-150-100	\$293,255	\$123,900
Tax Assessor O.E.	01-201-20-150-200	\$17,380	\$7,343
<b>TOTAL</b>		<b>\$310,635</b>	<b>\$131,243</b>
<b>PLANNING BOARD O.E.</b>	01-201-21-180-200	<b>\$33,475</b>	<b>\$14,143</b>
Planning, Comp. S&W	01-201-21-181-100	\$129,320	\$54,638
Planning, Comp. O.E.	01-201-21-181-200	\$20,100	\$8,492
<b>TOTAL</b>		<b>\$149,420</b>	<b>\$63,130</b>
<b>ZONING ADMINISTRATION S&amp;W</b>	01-201-21-185-100	<b>\$80,540</b>	<b>\$34,028</b>
<b>BOARD OF ADJUSTMENT O.E.</b>	01-201-21-186-200	<b>\$29,250</b>	<b>\$12,358</b>
Historic Preservation S&W	01-201-20-175-100	\$1,200	\$507
Historic Preservation O.E.	01-201-20-175-200	\$150	\$63
<b>TOTAL</b>		<b>\$1,350</b>	<b>\$570</b>
<b>Autumn Lights Festival</b>	01-201-20-171-471	<b>\$3,000</b>	<b>\$ -</b>
Building S&W	01-201-22-195-100	\$336,855	\$142,321
Building O.E.	01-201-22-195-200	\$8,600	\$3,500
<b>TOTAL</b>		<b>\$345,455</b>	<b>\$145,821</b>
Environmental Commission S&W	01-201-22-196-100	\$1,600	\$676
Environmental Commission O.E.	01-201-22-196-200	\$780	\$330
<b>TOTAL</b>		<b>\$2,380</b>	<b>\$1,006</b>
Police Patrol S&W	01-201-25-240-100	\$4,418,995	\$1,867,025
Police Patrol O.E.	01-201-25-240-200	\$153,025	\$64,653
Police Patrol-Purchase of Police Vehicles	01-201-25-240-900	\$152,000	\$ -
Police Detective S&W	01-201-25-241-100	\$658,400	\$278,174
Police Administration S&W	01-201-25-242-100	\$531,695	\$224,641
Police Communication S&W	01-201-25-243-100	\$346,120	\$146,236
Police Comm. O.E.	01-201-25-243-200	\$13,200	\$5,577
Police Specials S&W	01-201-25-244-100	\$26,000	\$10,985
Police Specials O.E.	01-201-25-244-200	\$9,075	\$3,834
<b>TOTAL</b>		<b>\$6,308,510</b>	<b>\$2,601,125</b>
Emergency Management S&W	01-201-25-252-100	\$5,000	\$2,113
Emergency Management O.E.	01-201-25-252-200	\$32,500	\$13,731
<b>TOTAL</b>		<b>\$37,500</b>	<b>\$15,844</b>
First Aid - WMFAS Contributions	01-201-25-260-200	\$83,875	\$30,937
First Aid - UGL 1st Aid Squad Contributions	01-201-25-260-200	\$41,500	\$17,534
<b>TOTAL</b>		<b>\$125,375</b>	<b>\$52,971</b>
Aid To Vol. Fire Co.	01-201-25-255-200	\$90,000	\$38,025
Fire Prevention Bureau S&W	01-201-25-265-100	\$182,955	\$77,298
Fire Prevention Bureau O.E.	01-201-25-265-200	\$10,700	\$4,521
Fire Co. Admin. S&W	01-201-25-266-100	\$9,090	\$3,841
Fire Co. Admin. O.E.	01-201-25-266-200	\$265,650	\$50,000
LOSAP	01-201-25-267-200	\$130,000	\$0.00
<b>TOTAL</b>		<b>\$688,395</b>	<b>\$173,685</b>
DPW Streets & Roads S&W	01-201-26-290-100	\$1,655,235	\$699,337
DPW Streets & Roads O.E.	01-201-26-290-200	\$555,900	\$234,868
DPW Buildings & Grounds S&W	01-201-26-291-100	\$101,760	\$42,994

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**  
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DPW Buildings & Grounds O.E.	01-201-26-291-200	\$40,300	\$21,527
DPW Snow Removal S&W	01-201-26-294-100	\$350,000	\$134,374
DPW Snow Removal O.E.	01-201-26-294-200	\$1,130,000	\$716,365
DPW Vehicle Maintenance S&W	01-201-26-315-100	\$305,625	\$129,127
DPW Vehicle Maintenance O.E.	01-201-26-315-200	\$279,000	\$150,000
<b>TOTAL</b>		<b>\$4,417,820</b>	<b>\$2,124,090</b>
Public Health S&W	01-201-27-330-100	\$193,665	\$81,823
Public Health O.E.	01-201-27-330-200	\$40,088	\$16,937
Vital Statistics S&W	01-201-27-331-100	\$8,295	\$3,505
Vital Statistics O.E.	01-201-27-331-200	\$19,490	\$8,235
Housing Standard Bureau O.E.	01-201-27-332-441	\$20,000	\$8,450
Environmental Health S&W	01-201-27-335-100	\$211,230	\$89,245
Environmental Health O.E.	01-201-27-335-200	\$78,820	\$33,301
Animal Control S&W	01-201-27-340-100	\$99,600	\$42,081
<b>TOTAL</b>		<b>\$671,188</b>	<b>\$283,577</b>
Recreation Programs S&W	01-201-28-370-100	\$243,411	\$102,841
Recreation Programs O.E.	01-201-28-370-200	\$167,250	\$70,663
Recreation.-Bubbling Springs S&W	01-201-28-371-100	\$183,755	\$77,636
Recreation.-Bubbling Springs O.E.	01-201-28-370-200	\$70,000	\$70,000
Recreation.-Admin. S&W	01-201-28-372-100	\$139,697	\$59,022
Recreation.-Admin. O.E.	01-201-28-372-200	\$61,000	\$25,773
Recreation.-Hillcrest S&W	01-201-28-374-100	\$82,785	\$34,977
Recreation.-Hillcrest O.E.	01-201-28-374-200	\$36,600	\$15,464
Recreation.-Parks Maintenance S&W	01-201-28-375-100	\$268,835	\$113,583
Recreation.-Parks Maintenance O.E.	01-201-28-375-200	\$104,950	\$44,341
Senior Citizen Services S&W	01-201-28-376-100	\$76,385	\$32,273
Senior Citizen Services O.E.	01-201-28-376-200	\$21,625	\$12,000
<b>TOTAL</b>		<b>\$1,456,293</b>	<b>\$658,572</b>
Veteran's Bureau S&W	01-201-20-172-100	\$1,250	\$528
Veteran's Bureau O.E.	01-201-20-172-200	\$150	\$63
<b>TOTAL</b>		<b>\$1,400</b>	<b>\$592</b>
<b>Celebration of Public Events O.E.</b>	01-201-30-420-200	<b>\$20,500</b>	<b>\$8,661</b>
<b>Mass Transportation</b>	01-201-30-432-200	<b>\$42,500</b>	<b>\$7,956</b>
Library S&W	01-201-29-390-100	\$500,000	\$211,250
Library O.E.	01-201-29-390-200	\$467,971	\$197,718
<b>TOTAL</b>		<b>\$967,971</b>	<b>\$408,968</b>
Municipal Court S&W	01-201-43-490-100	\$256,800	\$108,498
Municipal Court O.E.	01-201-43-490-200	\$21,450	\$9,063
Municipal Court Prosecutor S&W	01-201-43-491-100	\$26,135	\$11,042
Municipal Court Prosecutor O.E.	01-201-43-491-200	\$2,000	\$845
<b>TOTAL</b>		<b>\$306,385</b>	<b>\$129,448</b>
Utilities-Electricity	01-201-31-430-200	\$184,350	\$57,888
Utilities-Street Lights	01-201-31-435-200	\$56,000	\$20,000
Utilities-Telephone	01-201-31-440-200	\$143,000	\$50,000
Utilities-Natural Gas	01-201-31-446-200	\$40,100	\$11,942
Utilities-Fuel	01-201-31-460-200	\$420,000	\$136,153

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APPROPRIATION	ACCOUNT NUMBER	2015 BUDGET AS ADOPTED	2016 TEMPORARY BUDGET
<b>TOTAL</b>		<b>\$843,450</b>	<b>\$275,983</b>
<b>MISCELLANEOUS AND STATUTORY EXPENDITURES</b>			
PERS	01-201-36-471-532	\$861,552	\$854,397
Social Security	01-201-36-472-533	\$675,000	\$285,188
Defined Contributions Retirement Prog	01-201-36-475-536	\$5,500	\$2,324
PFRS	01-201-36-473-534	\$1,198,375	\$1,351,854
<b>TOTAL</b>		<b>\$2,740,427</b>	<b>\$2,493,762</b>
Salaries & Wages Adjustment Account	01-201-37-480-501	\$137,141	\$ -
Compensated Absences	01-201-38-485-110	\$135,500	
Interlocal agreement - Finance	01-201-47-400-130	\$51,221	\$ -
Interlocal agreement - Health	01-201-47-500-201	\$87,806	\$37,098
<b>DEFERRED CHARGES &amp; RESERVE FOR UNCOLLECTED TAXES</b>			
Judgements		\$40,000	
Deficit in 2004 Assessment Bonds	01-201-46-886-596	\$10,000	
Emergency Authorization	01-201-46-887-528	\$268,506	
Reserve for Tax Appeals	01-201-46-886-667	\$100,000	
Amount to be raised foreclosed assess	01-201-46-	\$15,000	
Def Charges - Ord 92-14 Impr to Mun Prop	01-201-46-886-510	\$25,494	
Reserve for Uncollected Taxes	01-201-50-899-200	\$2,025,000	
<b>TOTAL</b>		<b>\$2,484,000</b>	<b>\$ -</b>
GRANTS	G-02-41	\$683,652	\$ -
<b>SUBTOTAL</b>		<b>\$29,504,681</b>	<b>\$12,465,728</b>
<b>CAPITAL BUDGET</b>			
<b>CURRENT YEAR CAPITAL</b>			
Capital Improvements Fund	01-201-44-900-200	\$50,000	\$ 155,000
Cap Improvements Fund Down Payments			\$ -
Cap. Improv. Fund-Fire Emer Equip.	01-201-44-900-230	\$523,175	
<b>TOTAL</b>		<b>\$573,175</b>	<b>\$ 155,000</b>
<b>Debt Service Total</b>		<b>\$2,434,218</b>	<b>\$2,434,218</b>
<b>TOTAL OPERATING BUDGET</b>		<b>\$32,512,074</b>	<b>\$15,054,946</b>
Solid Waste S&W	26-201-55-500-100	\$107,939	\$45,604
Solid Waste O.E. All Other	26-201-55-500-200	\$223,350	\$94,365
Contractual Services	26-201-55-500-514	\$960,000	\$405,600
Disposal Fees	26-201-55-500-548	\$680,000	\$287,300
Grants - Recycling County of Passaic		\$0	\$ -
Prior Year's Bills		\$0	\$ -
Commercial Pick Up		\$0	\$ -
<b>TOTAL</b>		<b>\$1,971,289</b>	<b>\$832,870</b>

Adopted: April 20, 2016

Agenda No. IX 12

~ Resolution 2016 – 154 ~

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

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

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

**WHEREAS**, the Collector of Taxes recommends the cancellation of taxes due 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:

BLOCK / LOT	CERTIFICATE NO.	DOLLAR AMOUNT
5902-15	10-062	\$3,100.00
<b>TOTAL</b>		<b>\$3,100.00</b>

Adopted: April 20, 2016

Agenda No. IX 13

~ Resolution 2016 – 155 ~

**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:

**REASONS:**

- |                                     |                          |
|-------------------------------------|--------------------------|
| 1. Incorrect Payment                | 2. Duplicate Payment     |
| 3. Senior Citizen/Veteran Deduction | 4. Homestead Rebate      |
| 5. Tax Appeal                       | 6. 100% Disabled Veteran |
| 7. Tax Court Appeal                 |                          |

Block/Lot	Name	Amount	Year	Reason
101-27	Richard & Joan Vaillant 92 Cherry Ridge Road Hewitt, NJ 07421	\$414.07	2016	4
1910-4	Ronald & Lynn Oblinger 56 Bayonne Drive Hewitt, NJ 07421	\$373.80	2016	4
10101-7	Walter Hazelman & Theresa Walsh 16 Sherwood Court Newfoundland, NJ 07435	\$416.45	2016	4
<b>TOTAL</b>		<b>\$1,204.32</b>		

Adopted: April 20, 2016

Agenda No. IX 14

~ Resolution 2016 – 156 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE 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	Certificate	Block/Lot	Reimbursement	Pay to the Lien Holder
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No.	Date	/Qual	Amount	
13-0049	03/19/2013	06001-002	\$20,689.07	MTAG SERVICES CUST FOR ATCFII NJLLC PO BOX 54292 NEW ORLEANS, LA 70154-4292
15-0003	10/13/2015	00411-001	\$590.14	UNDERWATER HOLDINGS LLC 1026 DELL DRIVE CHERRY HILL, NJ 08003
15-0020	10/13/2015	02404-007	\$676.47	
15-0021	10/13/2015	02405-022	\$14,464.87	PFS FINANCIAL 1; LLC 50 SOUTH 16 <sup>TH</sup> STREET SUITE 2050 PHILADELPHIA, PA 19102
15-0040	10/13/2015	04202-003	\$23,852.77	
15-0050	10/13/2015	05505-002.01	\$10,217.27	
<b>Grand Total</b>			<b>\$70,490.59</b>	

Adopted: April 20, 2016

Agenda No. IX 15

~ Resolution 2016 – 157 ~

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

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

Boating Class May 7		
Robert	\$59.00	Robert Baumann Jr. 7 Starlight Road West Milford, NJ 07480
Spring Soccer		
Elisa	\$70.00	Marissa Colon 38 Hilltop Road Newfoundland, NJ 07435
Jason	\$70.00	Sarah Guenter 551 Morsetown Road West Milford, NJ 07480
Luke	\$70.00	Kim Landolfi 634 Lakeshore Drive Hewitt, NJ 07421
Hope	\$80.00	Karen Callamari 387 Macopin Road West Milford, NJ 07480
Raymond Wassmer	\$80.00	Christine Walsh 60 Spring Avenue West Milford, NJ 07480
Justin	\$80.00	James Scheuering 10 Apple Lane West Milford, NJ 07480
Wesley	\$80.00	Marissa Colon 38 Hilltop Road Newfoundland, NJ 07435
Anatoly	\$80.00	Ann Niechwadowica 100 Wooley Road West Milford, NJ 07480
Asher	\$80.00	Becky Nieshalla 63 Hearthstone Drive West Milford, NJ 07480

Adopted: April 20, 2016

Agenda No. IX 16

~ Resolution 2016 – 158 ~

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

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**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING 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	REASON
2601-24	Avram Turkel	\$2,477.09	2016	1
2604-16	KCM Group, LLC	\$1,280.00	2016	1
<b>TOTAL</b>		<b>\$3,757.09</b>		

Adopted: April 20, 2016

Agenda No. X

**Consent Agenda**

None

Agenda No. XI

**Approval of Expenditures**

~ Resolution No. 2016 – 159 ~

**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	\$92,432.10
3	Reserve Account	45,335.59
2	Grants	10,216.94
6	Refunds	72,443.91
1	General Ledger	3,991.00
26	Refuse	80,000.00
4	Capital	13,327.49
19	Animal Control	439.09
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	4,579.46
19	COAH	0.00
16	Development Escrow	1,680.00
19	Tax Sale Trust	0.00
21	Assessment Trust	57,283.86
	Special Reserve	0.00
Total		\$381,729.44
	Less Refund Resolution	-72,443.91
	<b>Actual Bills List</b>	<b>\$309,285.53</b>
	Other Payments	
P/R		499,919.31



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

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BOE	2,506,715.00
Treasurer, State of NJ dog report	365.40
<b>Total Expenditures</b>	<b>\$3,316,285.24</b>

Adopted: April 20, 2016

Councilwoman Erik said that she just has to mention that a couple of the viewers of WM77 said that we rush too quickly through this bill list. She explained that she reviews every one of these bills. Anything in question, she brings it up and has the questions answered by the Administrator. So when it comes to this meeting, when she says pay them it's because each one has been previously reviewed. They are legitimate.

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Moved: Erik Seconded: Signorino  
Voted Aye: Erik, Hensley, Wagner, Dale, Signorino, Lichtenberg  
Voted Nay: None.  
Motion carried.

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Mayor Bieri said that just for the council's edification, she had skipped over the executive session earlier. She stated that she double checked with Township Attorney Semrau and we do not need to discuss the item that was added to the agenda. It was added in case there were any updates and there are no updates at this time. The other item that was listed was pulled as well. We do not need to go into executive session tonight. Township Administrator/Clerk Battaglia said that the item was resolved and we received a check.

Agenda No. XII

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

Councilman Hensley said that he would like to remind everyone about the business seminar here at Town Hall on May 23<sup>rd</sup> at 9 am. There are two guest speakers and they are going to be talking about low interest business loans that would be available to business owners in the community.

Councilman Wagner stated that the Recreation Advisory Committee is meeting tomorrow. Recreation department is having an adult dodgeball league and it's open to ages 18 and older. The deadline is June 1<sup>st</sup> and the fee is \$45 dollars a person. In addition, the recreation department is doing a game called pickle ball. He read some information on the game. If you are interested in participating, there are open plays on Tuesdays and Thursdays 9am to 12 pm for the month of April. Councilman Wagner noted that he would like to remind everyone about the PRIDE rummage sale. Last year they raised approximately \$9,000 and this year it starts April 22<sup>nd</sup> and April 23<sup>rd</sup>. He provided some updates to the council about the Fireworks Committee meeting. They received the \$5,000 check from Lakeland bank and that brings the total sponsors to \$17,100. To date we have 5 out of 20 vendors that we were hoping for and the committee did reach out as many local vendors as possible. If you are interested in becoming a vendor, you can contact Tim Roetman. In addition, they had a chance to look at the poster for the fireworks and voted on it. He explained that he is going to be working with Mr. Roetman on the site plans for emergency services and vendor locations. The police department came in with an estimate of around \$3,000 which is actually under their expected projection for the police fees so that was encouraging. Councilman Hensley thanked Councilman Wagner for joining at the last EDC meeting. Since he is the chairman of the HEAT organization, he connected the dots for a lot of the EDC members about what HEAT and what they are involved in. He stated that they advertised the circus is coming to town which is sponsored by HEAT.

Council President Dale noted that on May 1<sup>st</sup> is the Walkout on Drugs sponsored by the West Milford Elks at the Recreation Center. The event begins at 10 am and you can go online to register. May 7<sup>th</sup> is the West Milford Health and Wellness Fair at Hillcrest from 12:30pm to 3:30pm. We are having the Save a Life, Prevent an Opiate Overdose Program free training and education on May 18<sup>th</sup> at the Hillcrest Community Center from 7pm to 8:30pm. She indicated that you must serve a seat to participate. Fire Company #2 will be having a Pamper Your Wife, Pamper Your Mom, Pamper Yourself, a Night of Beauty and Wine on May 6<sup>th</sup> from 7pm to 10 pm. It's \$40 per person and space is limited. Fire Company #2 is also hosting a Beefsteak Fundraiser on May 21<sup>st</sup>. Tickets are \$45. Council President Dale stated that Councilman Wagner had inquired about a meeting that we had with the ALF representation and he had a request that we reviewed that information at the meeting. The update is that we had a meeting with the chairman, Mr. Rocky Hazelman. The goal that we were trying to convey to Mr. Hazelman was that when we originally started, it was supposed to become a self-sustaining program. We were looking at the expenses overall and trying to be fiscally responsible to the municipality and reducing the expenses

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associated with the actual event. We talked with him about ideas of how we could get there and ensure that we close the gap of what the municipality is funding compared to how much the event brings in from a sponsorship standpoint or vendor standpoint. Councilman Wagner asked what the cost to the township from last year's event. Council President Dale said that the township puts in about \$3,000 from the budget. Mr. Hazelman said that he would definitely work toward looking at the different expenses that are associated with the event and thought that he could get us closer to reducing the expense to zero. It might not happen this year but we would look at on a go forward basis how we can make that happen. Councilman Wagner asked if the only cost to the town right now \$3,000. Councilwoman Erik said that the actual cost right now that is not being paid is the police and the DPW which is just over \$15,000. Councilman Wagner asked if we have any sponsors for the event. Council President Dale said the way it is structured today, they utilize the sponsorships to provide the promotional material and donate back to specific local community groups that volunteer their time. There's no significant dollars. Councilman Wager said that you hear the rumors out there that people are worried that we want to get rid of the ALF. Council President Dale said that's not true and is not the goal. Councilman Wagner said that this council is very for the ALF and if we could make it a little more sustainable then that's the effort. Council President Dale said that meeting was the introductory meeting to set the stage and the landscape for what we would like to try to achieve. Councilman Wagner said that he would like to add that the Fireworks Committee is doing a wonderful job raising money and sponsorship. He stated that he thinks with a proactive approach that they should be able to generate sponsor money. Council President Dale said that with the fireworks is in a position to be able to charge by the car load. She explained that ALF is a little bit different of a structure but we will definitely be working with them to try and close the gap. We are working on it and we will be happy to update the council in the future.

Councilman Signorino stated that the museum works hard. Every Saturday you can visit the museum between 1pm to 4 pm if you are interested in the history of this town. He said that there has been extensive work done to the museum which was actually a previous town hall and police station. He explained that there is a lot of history there and encourages anyone who is interested to visit there on any Saturday. Councilwoman Lichtenberg mentioned to Councilman Signorino that there is an upcoming Tennis Tournament. Councilman Signorino said that he doesn't have the information tonight but he will update people at the next meeting.

Councilwoman Lichtenberg said that the West Milford Walking Club is beginning on Friday's starting May 6<sup>th</sup> to July 1<sup>st</sup> at Wawayanda State Park Registration is required and it is sponsored by Chilton Medical Center and the West Milford Health Department. There is an upcoming free Health Fair on Saturday, May 7<sup>th</sup> sponsored by the Lions Club. Councilwoman Lichtenberg said that she attended pickle ball yesterday to see what it was like and it's becoming very popular. She wanted to remind everybody that she is here at Town Hall on Fridays from 10am to 12pm to hear your ideas, suggestions, and concerns. Tomorrow there is the first of two Alzheimer's Association sponsored meetings from 11am to 12:30pm at Camp Hope. The meeting is called Healthier Habits for a Healthier You. The workshop will cover research in the areas of diet, nutrition, exercise and cognitive activity. On May 19<sup>th</sup>, the Civic Club, Health Advisory Board, and the Highlands Family Success Center will be having a clinical psychologist speak at Town Hall at 7pm. He will be speaking about information about drugs and drug situations. Councilwoman Lichtenberg stated that she would like to thank the Messenger Newspaper for the front page and article about the epidemic of heroin. She said that she was very happy to see that information.

Councilman Signorino said that he was able to pull up the information on the Tennis Tournament. The Tennis Tournament is June 11<sup>th</sup> and 12<sup>th</sup>. Entry forms and sponsor forms are available on the museum website. He listed the sponsors of the event. He noted that additional sponsors are needed so anyone who can sponsor, please contact us for more information.

Councilwoman Lichtenberg stated that she spoke with the person that is in charge for Relay for Life on June 11<sup>th</sup>. She explained that the council was going to play the ball game up at the field there. It looks like they would prefer that we play the game on June 4<sup>th</sup> because they will be setting up for the event on the field. Relay for Life indicated that they would have different fund raisers on June 4<sup>th</sup> for our ball game to help raise money. She said that the Board of Ed would have to be notified about the change.

Councilman Wagner added that regarding Community Services and Recreation, many people are not aware that you can sponsor a child to go to Bubbling Springs Camp. As a member of HEAT, we just donated \$350 dollars to have a kid attend. He noted that there are 15-20 kids every year that can't afford to go and it's all anonymous. If you are able to donate, you can reach out to Community Services and Recreation. It would be much appreciated. He also wanted to mention that Councilman Signorino donated \$250 to the fireworks and Signorino Contracting is now a sponsor. He said that he really appreciates it and thank you. If anyone else wants to contribute we are still accepting donations.

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Councilwoman Erik explained that she is the liaison to the Beautification Committee and this Saturday is Beautification Day. If you haven't gotten your shirts there still is time to get them and to participate. In addition, she stated that she is also on the ALF committee. Because there is public money being used, we asked for the committee to start having minutes of their meetings. She said that there wasn't much support for the idea. Councilwoman Erik mentioned that she also attended the EDC meeting and there was discussion about ALF. At that time it was told that in order to raise some of the money to pay that \$15,000, they will be raising vendor fees. That's including all vendors, even the civic groups. Councilman Wagner recommended that they don't charge the civic groups because they don't have the money. Councilwoman Erik explained that the next day she attended the Chamber of Commerce Meeting and more about ALF was brought up. On another note, the TV Commission is looking for more volunteers to participate. She explained that the people on the commission work really hard and we need a lot more people. In addition, there is also a need to pickup trucks for Beautification Day.

Councilman Hensley said that he would like to congratulate and thank all of the volunteers' effort for the Friends of Wallisch. He explained that he went by there on Saturday and they were putting in their organic garden. In addition, Sustainable West Milford was on Union Valley Road clearing out the organic garden on the other side of town. He said that a lot of good work is being done and wanted to say thank you for the volunteer effort and for our community.

Councilman Signorino explained that the nature of this meeting started out for the volunteers. He said that he would like to thank all of the volunteers in this town for whatever capacity that you help. Volunteers are what makes this town such a great town and it is certainly appreciated. Council President Dale noted that she did serve on the UGLA Ambulance Corp with Ted Hajek and he was a mentor and friend. She would like to personally congratulate him not only as a council person but also as a member of the community. She said that she will be going back to EMS very shortly.

Mayor Bieri noted that she has a few things. She mentioned that earlier in the meeting, she thanked the volunteers and it's what makes this community so great. We have so many different opportunities and ways to help from illnesses to people, to animals. There is always something to be done. We thank you all and encourage you all to continue to volunteer. On another note, Mayor Bieri stated that we did receive a notice for the gypsy moth spraying. There will be aerial spraying beginning on or after May 16<sup>th</sup> and will continue through June 15<sup>th</sup>. They generally spray between 5:30am and 2pm and possibly between 5-8pm in the evening. Additionally, they indicated that they will not spray between 7:30am and 8:30 am in the morning. She stated that the product that they are using has very very minimal risk to humans, wildlife, and nature. If you don't want any exposure, you should refrain from being outside an hour before and an hour after the spraying. If you have any questions, you can call the Nation Pesticides Information Center, Poison and Information Education System and the NJ Pesticide Control Program. You can also contact a municipal employee for any additional information.

Mayor Bieri expressed that she would like to revisit a general topic that was discussed earlier. She stated that this is her ninth year as Mayor and has been through eight elections so she has seen it all. In the past, we had six members of the governing body who were like minded and has little conversation or discussion at all. That was at often times viewed as political. Currently, we have individuals that have a difference of opinion, that aren't afraid to express their viewpoints on an issue, debate it in a healthy manner, and ultimately make a vote. All throughout the years, it is done in a healthy manner except for at election time. Those comments, debates, and differences on viewpoints of township issues are suddenly converted and categorized as political. She said she thinks it is wrong and it should stop. Mayor Bieri stated that everyone on the council has good intentions and they are making decisions based on what they believe to be in the best interest of this township. To convert it into anything else is just wrong and it doesn't matter what time of year it is. Please refrain from doing so, keep this civil, and stick to township business. She explained that it's the motivation of the governing body to do what's best for this township. That's what you were elected to do and that it what is expected of you to do.

Township Administrator/Clerk Battaglia said that she would ask the governing body for consensus to charge the \$4,500 for the septic repair work at Town Hall to the facilities account. The council gave consensus. She noted that there will be a couple of digs on town premises coming up. The first one will be to effectuate the septic repair and the other one will be for O&R to do the work for the storm hardening project. In addition, she explained that she spoke with Mr. Casey today and we have advertised for an early start for the May 4<sup>th</sup> meeting at 5:30pm for the budget meeting, anticipating that we will not get the budget completely done in that one hour. Ms. Battaglia stated that we would respectfully request consensus to advertise for a budget meeting on May 11<sup>th</sup> at 5:30pm and if we don't need it, we can always cancel. That would give us a full meeting to review the budget before the public hearing and hopefully final adoption on May 18<sup>th</sup>. The council gave consensus.

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Township Attorney Semrau said on a future agenda, there are a number of residential tax appeals that he is going to send up to administration that have been resolved subject to the governing body's approval and consideration. In addition, Village at Ridge has made a request now for the developer's agreement. He stated that he is going to ask the Planning Board Attorney to work with his office on this because of its long history. We can bring that forward to first answer any questions by the governing body and then perhaps for approval. Township Attorney Semrau noted that there are two matters that have been filed against the township in superior court. They both don't seek any monetary damages but he will send an update for administration as well as the governing body on those matters for the next packet.

Administrator - Passaic County Highlands Greenway Feasibility Study - Township Administrator/Clerk Battaglia said that we received an email today about the stakeholder input for Passaic County Highland Feasibility Study. It appears that this will be an ongoing process. Stephen Sangle, the chairman of the Environmental Commission suggests that they take lead in this and will provide a contact person. There will be stakeholder meetings and that person will attend and relay the information back as needed so that the township can have a cohesive effort to monitor this as it proceeds. Township Administrator/Clerk Battaglia said if the governing body is amenable, she can email them tomorrow and let the Environmental Commission know that the governing body would appreciate them handling this matter. The council gave consensus.

Agenda No. XIII

**Appointments and Resignations**

None

Agenda No. XIV

**Adjournment**

There being no further business to come before the Council, the Township Council adjourned the meeting at 9:36 p.m.

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Moved: Signorino      Seconded: Dale  
Voted Aye: Unanimous voice vote  
Voted Nay: None  
Motion carried.

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Approved:      September 7, 2016

Respectfully submitted:

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Nichole Hanrahan Clerk Typist

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MAYOR BETTINA BIERI, PRESIDING OFFICER

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ANTOINETTE BATTAGLIA, TOWNSHIP CLERK