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

Minutes of: Governing Body Regular Meeting  
Date of Meeting: April 23, 2014  
Time of Meeting: 6:30 P.M.  
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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 29, 2013 and January 5, 2014; copies were provided to the Suburban Trends, the Record, Star Ledger, and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

**Pledge of Allegiance**

Mayor Bieri started the meeting and led all in attendance in a salute to the flag.

**Roll Call**

Present: Councilmembers Ada Erik, Mike Hensley, Michele Dale, Vivienne Erk, CarLa Horton.  
Luciano Signorino, Mayor Bieri.  
Absent: None  
Also Present: Interim Township Administrator Robert Casey, Assistant Municipal Clerk Diane Curcio,  
Township Attorney Tracy Wang from the firm of Dorsey & Semrau.

Agenda No. I

**Reading of or Approval of Unapproved Minutes**

Councilwoman Erik moved to adopt the February 20, 2014 Special Budget Meeting Minutes, March 5, 2014 Workshop Meeting Minutes and March 5, 2014 Executive Session Meeting Minutes as presented.

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

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Agenda No. II

**Presentations**

*Volunteer Appreciation Night*

- 1) Mary B. Haase Lifetime Volunteer Award – Stephen Sangle – Mayor Bieri invited Steve Sangle to join her at the podium and she read aloud his bio sketch. Mayor Bieri made note of the philanthropic & community-based contributions Mr. Sangle has made to West Milford throughout many years. She thanked him for his service and congratulated him on his accomplishments. Mr. Sangle thanked his friends & family for being here tonight. He said he didn't do it all by himself; he had a lot of people helping him. He thanked the Mayor and a multitude of public officials who helped make all this happen. He thanked his wife Janice, daughter Tanya & her children Kyle, Ryan, Shana as well as his son Al.
- 2) 2013 Volunteer of the Year Award – Mayor Bieri announced that the Township Council had unanimously nominated David Watson-Hallowell as this year's volunteer of the year. Ann Thornton accepted the award on behalf of Mr. Watson-Hallowell who had a conflict this evening. Mayor Bieri read Mr. Watson-Hallowell's biography and congratulated him on this many accomplishments noting that his enthusiasm & energy are truly inspiring. Ms. Thornton accepted the award, thanked Mayor Bieri and read a statement from Mr. Watson-Hallowell.
- 3) Special Recognition – Dedication to the West Milford Community – Ann Genader – Mayor Bieri invited former Mayor Carl Richko forward to join her in making this presentation. Mayor Bieri noted that a request had been made to and approved by the Council to recognize Ann Genader as a significant & unique contributor to the history and documentation of events in West Milford for many years. Mayor Bieri read Ann Genader's biography outlining her lifetime in West Milford, her career as a school teacher and her equally compelling career as a news reporter for West Milford and many other neighboring communities. Mr. Richko noted that Ann Genader has been covering the news in West Milford for 62 years and is widely respected & admired in this community. Ms. Genader joined Mayor Bieri & Mr. Richko at the podium and invited Jack Brooks

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to join her noting that he is her great lifetime partner. Mayor Bieri presented Ms. Genader with a plaque and Ms. Genader thanked everyone for this honor. Mr. Brooks lauded Ms. Genader admitting that he continues to love her even after many years of being together. He outlined some of her many contributions to this community commending her for showing the beauty & opportunity in this town to everyone.

*Volunteer Group Presentations*

- 1) Beautification & Recycling Committee – Nancy Conlon said she first started attending the Beautification & Recycling Committee meetings as a member of the public simply to observe & learn. She soon became a member and has become passionate about the work they do. Ms. Conlon said the beautification committee has established a subcommittee named BARC which is a cleaning crew dedicated to cleaning up West Milford. She announced the upcoming annual beautification day and encouraged all residents to participate. She provided details.
- 2) West Milford Rotary – Rotary members Marilyn Lichtenberg & Nancy did a sketch to highlight the Rotary's endeavors in West Milford. They noted that the Rotary is the oldest service organization in the world whose vocation includes club service & community service. They have offered career days for West Milford High School students and have provided many amenities to West Milford residents including park benches at various locations throughout town. They also provided the mural in the Township's main meeting room. Most recently they have provided defibrillators to the High School and are very involved in the interact club at the high school. They work with many Township officials and departments on events & programs. They meet regularly at the West Milford Airport Café.
- 3) Women's Club of West Milford – Debbie Colby, President, addressed the council. She said this organization has existed in West Milford since 1976 and they meet at the Echo Lake Baptist Church room on the 2<sup>nd</sup> Monday of every month. The club is involved in the annual Victorian Christmas at Ringwood Manor and she announced some upcoming events being hosted by this organization. All funds raised, she said, go back to the local community and she listed some of the groups & organizations who have received donations.
- 4) West Milford Heritage Committee – Bob Kackza addressed the Council advising that the museum is operated with volunteers and it is open each Saturday afternoon from 1 p.m. to 4 p.m. He described the typical experience of a visitor to the West Milford museum. He advised that the ceiling has been repaired and the museum will reopen in June. The annual tennis tournament, the largest fundraiser for the museum, will be held on June 21 & 22 and sponsors are welcome. He said that the museum offers a multitude of events including a visit with Santa & Mrs. Claus at Christmas.
- 5) West Milford Environmental Commission – Don Weiss addressed the Council advising that the Environmental Commission is involved in protecting water quality and preserving land close to Weaver Road. They have been involved in a grant opportunity with the DEP to help remove phosphorous from the lakes and inhibit weed growth. They have set up 8 kiosks at various trails in town. They work with the Land Conservancy of New Jersey to facilitate historic preservation and they have a subcommittee that promotes a sustainable community. The sustainable subcommittee has obtained a \$2,000 grant to educate people and they have worked to have West Milford re-certified so that they can continue to apply for these grants.
- 6) West Milford Animal Shelter Society – Mayor Bieri stepped down from the dais and addressed the Council advising that she is an animal shelter board member & has volunteered at the animal shelter since 1976. She provided a brief history and overview of the evolution of the animal shelter as a Township entity to the ASPCA-recognized operation that exists today. Initially there were 15 volunteers and today 95 people volunteer at the West Milford animal shelter. Municipal funding for the shelter equates to \$1 for each taxpayer each year. The goal of the animal shelter is to provide love, comfort & training for the animals who are temporarily housed there. The ultimate goal is to find a loving home for each animal and they have been adopting out between 500 and 1,200 animals per year including dogs, cats, birds, farm animals and recently a goat. Wild animals who are brought to the shelter are rehabilitated. The volunteers operate the shelter 365 days per year and she reviewed the expansions that have been made to the premises during the years. Volunteers are always needed & welcome. Mayor Bieri has served as President of the shelter for the past 12 years.
- 7) West Milford 4H Club – Celeste Hampton addressed the Council describing the activities of the West Milford 4H club. She said they are at maximum capacity with members. 4H provided leadership opportunities for children and members work hard, volunteer, participate in community events and work on year-round projects. The West Milford 4H club has been recognized and

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received awards from Passaic County. Various members of the 4H club provided additional information about the club and Ms. Hampton reviewed the areas of study they focus on.

- 8) Senior Advisory Committee - Marilyn Lichtenberg addressed the Council to speak about *The Yellow Dot Program*. She urged residents to become familiar with this program that would alert emergency responders to medical conditions & medications used by people involved in automobile accidents. By placing a yellow dot on the rear window of a vehicle, on the driver's side, emergency responders would know to look in the glove compartment of the vehicle for a list of medications & medical conditions.
  
- 9) Sustainable West Milford - Lewis advised that Sustainable West Milford has been operating a local Farmer's Market since 2006. The medicinal garden is now producing medical plants and the time bank is now in its 3<sup>rd</sup> year. The time bank encourages participants to trade time for service to others and people have provided transportation, gardening, and cooking as a way to pay forward. The buy local cash mob has a new partnership with the Chamber of Commerce which is working on increasing patronage of local businesses. The organic community garden is in its 8<sup>th</sup> year and now offers classes. Lewis explained the partnership between the *Friends of Wallisch* and Sustainable West Milford and encouraged people to visit their website for additional information and updates.
  
- 10) Beautification & Recycling Committee House Beautiful Program – Marilyn Lichtenberg advised that the committee is seeking nominations for this year's award and she explained how nominations can be made.

Mayor Bieri thanked everyone who participated in these presentations and noted that West Milford is very fortunate in the number of people who volunteer so much to the community. She asked for a brief recess to allow people to leave.

Agenda No. III

**Proclamation**

National Day of Prayer – Mayor Bieri reconvened the meeting and invited Keith Hague to join her at the podium. Mayor Bieri read the proclamation for the National Day of Prayer and presented it to Mr. Hague. Mr. Hague thanked the Governing Body for recognizing this annual day of prayer and listed the events that will be held.

Agenda No. IV

**Executive Session**

None.

Agenda No. V

**Unfinished Business, Final Passage of Ordinances**

Agenda No. V 1

~ Ordinance No. 2014- 002 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING AND GRANTING A CONSERVATION RESTRICTION/EASEMENT FROM THE TOWNSHIP OF WEST MILFORD TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WHEREAS**, the Township of West Milford and the West Milford Township Board of Education own the property identified as a portion of Lot 1 of Block 6607, Lot 1 of Block 6608 and Lot 5 of Block 6401 as more particularly described in the metes and bounds description annexed as Exhibit A to the Declaration of Conservation Restriction/Easement that is the subject of this Ordinance; and

**WHEREAS**, the New Jersey Department of Environmental Protection is authorized to acquire and enforce conservation restrictions in conjunction with the construction of a wetland mitigation site known as the Ramapo College Wetlands Mitigation Project; and

**WHEREAS**, the Township of West Milford and the West Milford Township Board of Education have entered into an agreement with Ramapo College of New Jersey which obtained a Freshwater Wetlands Permit NJDEP File No. 0233-02-0004.1 FWW 040001, pursuant to the Freshwater Wetlands

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Protection Act, N.J.S.A. 13:9B-1, and the Freshwater Wetlands Protection Act rules, N.J.A.C. 7:7A, for a land use development; and

**WHEREAS**, the Permit issued to Ramapo College of New Jersey is conditioned upon the Township of West Milford and the West Milford Township Board of Education's recording of a Department of Environmental Protection approved deed restriction, pursuant to N.J.A.C. 7:7A-15.2(i) for the mitigation site area as shown on a Plan, entitled "As-Built Survey, Wetlands Mitigation Project, Ramapo College of New Jersey, Situate in the Township of West Milford, Passaic County, New Jersey", prepared by Arthur J. Schappell Jr., PLS PP, dated March 23, 2009, revised through November 18, 2012; and

**WHEREAS**, the Township is authorized pursuant to law to grant interests in real property, including easements, by ordinance; and

**WHEREAS**, the Mayor and Township Council of the Township of West Milford find it to be in the best interests of the Township and its citizenry to grant the Conservation Restriction/Easement for a portion of the property to the New Jersey Department of Environmental Protection.

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

- SECTION 1.** Subject to the conditions of the Permit and set forth herein, the Township of West Milford hereby grants a Conservation Restriction/Easement to the New Jersey Department of Environmental Protection on a portion of the property identified as Lot 1 of Block 6607, Lot 1 of Block 6608 and Lot 5 of Block 6401 as more particularly described in the metes and bounds description annexed as Exhibit A to the Declaration of Conservation Restriction/Easement on file in the Clerks Office.
- SECTION 2.** The Mayor and Township Clerk are hereby authorized to execute the Conservation Restriction/Easement on file in the Clerks Office.
- SECTION 3.** The appropriate Township officials are hereby authorized and directed to take all required actions to complete the Township's grant of the Conservation Restriction/Easement to the New Jersey Department of Environmental Protection, along with the recording thereof.
- SECTION 4.** All ordinances of the Township of West Milford, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.
- SECTION 5.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
- SECTION 6.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

Introduced: March 19, 2014  
Adopted: April 23, 2014  
Effective Date: May 13, 2014

This Ordinance was introduced on March 19, 2014 and the Notice of Public Hearing was published in the Herald News on March 23, 2014. Mayor Bieri opened the meeting to the public to speak on this ordinance only.

There being no person wishing to be heard, Councilwoman Erk made a motion, seconded by Councilwoman Erik and carried by unanimous voice vote to close the public portion.

Discussion: Councilman Hensley asked for an explanation of this ordinance. Mayor Bieri noted that this was discussed at a workshop meeting and introduced at the last regular meeting in March. This fulfills a requirement from the DEP pertaining to a grant. All the related issues have been worked out and this does not affect any current conditions on the property.

Motion to adopt Ordinance 2014-002.

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

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Agenda No. VIII 1

~ Ordinance 2014 - 003 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO AMEND §15-112 AND §15-113 OF THE TOWNSHIP CODE TO PROVIDE FOR THE APPOINTMENT OF ALTERNATE COMMISSIONERS TO THE ECONOMIC DEVELOPMENT COMMISSION (EDC)**

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

§15-112. Membership of the Economic Development Commission.  
The Township of West Milford Economic Development Commission (the "Commission") shall consist of eleven (11) members and two (2) alternate members. The Mayor shall appoint his designee or serve in that capacity. The Council shall appoint the Council liaison. The Chamber of Commerce shall recommend annually to the Council a member of their body to be appointed by the Council. The Mayor shall appoint two citizen members. The Council shall appoint six citizen members and two alternate members. The members shall serve without compensation.

§15-113. Terms.  
The members of the Commission shall have staggered terms as follows for their initial appointments:

The Mayor or Mayor's designee shall serve for the term of the Mayor.  
The Council liaison member shall be appointed for one (1) year.  
The Chamber of Commerce member shall be appointed for one (1) year.  
Citizen Members 1 & 2 shall be appointed for the term of the Mayor.  
Citizen Members 3 & 4 shall be appointed for one (1) year; and  
Citizen Members 5 & 6 shall be appointed for two (2) years; and  
Citizen Members 7 & 8 shall be appointed for three (3) years.  
Alternate Member 1 shall be appointed for a two (2) year term; and  
Alternate Member 2 shall be appointed for a one (1) year term.  
Thereafter citizen members 3 through 8 shall be appointed for three-year terms and alternate members 1 & 2 shall be appointed for two year terms.

**SECTION 2.** All ordinances of the Township of West Milford which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

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

**SECTION 4.** This Ordinance may be renumbered for purposes of codification.

**SECTION 5.** This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Introduced: April 23, 2014

Second reading and public hearing for this ordinance is set for the Regular Meeting of the Governing Body scheduled for May 21, 2014. Notice of this public hearing shall be published in the Herald News on or about April 27, 2014.

Motion to introduce Ordinance 2014-003

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

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Agenda No. VIII 2

~ Resolution 2014 - 140 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY OPPOSING S-3117 AND A-4464 REQUIRING BLOOD SAMPLES TO BE OBTAINED FROM DRIVERS INVOLVED IN MOTOR VEHICLE ACCIDENTS RESULTING IN DEATH; DESIGNATED AS "MICHELLE'S LAW"**

**WHEREAS**, Senate Bill No. 3117 and Assembly Bill No. 4464 look to expand New Jersey's implied consent statute to include blood and urine testing; and



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Discussion:

Council President Erk said the Council & Library Board had a very productive meeting with their respective architects. The library board is proceeding with the construction of a new library with tax funds which cannot be used for any other purpose except the library. The question was never if the library would be built, it has always been if the Township wanted to utilize space on the third floor. Although West Milford is a large municipality with a lot of land, there are very few, if any, parcels of land that can be developed and the possibility of expanding existing facilities is severely limited. A lot of issues have arisen and changes have come to light since the library board first proposed having the Township partner in the new library project including issues with Hillcrest and the decision of the library board to downsize the project. Since the Township cannot build on any other site, Council President Erk said she believes it to be in the best interest of the Township to partner with the library board based on the current plans for a two-story building. She said there are accessibility & health issues with the lower levels in town hall. Those issues combined with the limitations on expansion and the higher cost to expand in West Milford than to build have brought her to the conclusion that she believes it to be in the best interest of the municipality for the Township to proceed with the plan to utilize space on the second floor of the new library.

Councilman Signorino said that the proposed vestibule space in the new library may be the ideal location for a potential monitoring room for the new cable access channel. He said he is not proposing a studio, but rather a room with a desk & computer so that the Township can monitor that which is being broadcast. He explained the need for a fiber optic drop and noted that Cablevision is awaiting direction as to where to install that equipment. Additional drops can be added in the future but the agreement calls for Cablevision to install one at no cost to the municipality. He said he is seeking Council consensus to authorize the Administrator to notify Cablevision to proceed with installing a fiber optic drop at town hall. Mayor Bieri noted that this discussion is not related to the resolutions that are on the table and for which she has a motion & second. She asked and Councilman Signorino agreed that this matter be addressed in Council reports later in the evening.

Agenda No. VIII 3

~ Resolution 2014 – 141 ~

**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.

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- 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.
- Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.
- Section 6:** The Township Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of West Milford as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.
- Section 7:** The Township Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.
- 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. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township of West Milford's web site.
- 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 and the Township of West Milford's commitment to the implementation and enforcement of this policy.

Adopted: April 23, 2014

Agenda No. VIII 4

~ Resolution 2014 – 142 ~

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

**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. Remove the "Systems Privacy" policy in Section Two of the manual and replace with the "Communication Media Policy" and "Video Surveillance" policy from the MEL Model Policy.
2. In the "Use of Vehicles Policy" in Section Two of the manual, add at the end of the section, the following sentence: "Department Heads may create an exception to this 'Use of Vehicles Policy.'"
3. Remove the "Family and Medical Leave Act Policy" in Section Three of the manual and replace with the "Family and Medical Leave Act Policy" from the MEL Model Policy.
4. Add the "Domestic Violence Leave" policy from the MEL Model Policy to Section Three of the manual.
5. Add a section, entitled, "Time Sheets" from the MEL Model Policy to Section Four of the manual.
6. Add a section, entitled, "Payment for Accumulated Absence" from the MEL Model Policy to Section Four of the manual.

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7. In the "Workers Compensation" policy in Section Four of the manual, add at the end of the section, the following sentence: "Unless explicitly provided for in a bargaining agreement, the Township of West Milford will only pay, either directly or through its Workers' Compensation insurer, those benefits that are specifically provided for under the Workers' Compensation Act and will not supplement these benefits with additional benefits pursuant to N.J.S.A. 11A:6-8."

**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 23, 2014

Agenda No. VIII 5

~ Resolution 2014 - 143 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING VARIOUS EVENTS AT THE WALLISCH HOMESTEAD**

**WHEREAS**, the Township of West Milford is the owner of the Wallisch Homestead, a 95-acre historic farm located at 65 Lincoln Avenue; and

**WHEREAS**, the Friends of Wallisch Homestead is a local organization of volunteers dedicated to preserving this historic homestead and has presented to the Mayor and Council a report dated March 10, 2014 outlining required repairs / improvements to the Homestead; and

**WHEREAS**, to finance these repairs as well as generate additional community support the Friends of Wallisch has proposed a series of events at the Homestead, said events being listed in the March 10, 2014 Report; and

**WHEREAS**, since the Township is the owner of the property it is necessary to provide permission for these events to be located on the Homestead; and

**WHEREAS**, to provide inclusion of the volunteers who are performing various activities at the Homestead with minimal accident insurance, it is necessary for the Township to formally endorse these events and work activities.

**NOW, THEREFORE, BE IT RESOLVED** that the Friends of Wallisch Homestead are hereby granted permission to perform the repairs as outlined in their Report dated March 10, 2014 subject to the approval of the Township Construction Official and his designees.

**BE IT FURTHER RESOLVED** that the events listed in said March 10, 2014 Report are hereby endorsed as official Township events and those volunteering at these events as well as the designated repair activities are recognized as volunteers of the Township to be provided with whatever accident insurance protection that is provided to other volunteers participating in official Township events.

**BE IT FURTHER RESOLVED** that the Township Clerk shall provide an official copy of this Resolution to the Friends of Wallisch Homestead and appropriate Township officials for their implementation.

Adopted: April 23, 2014

Agenda No. VIII 6

~ Resolution 2014 - 144 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE WEST MILFORD LIBRARY BOARD OF TRUSTEES FOR THE ADVANCEMENT OF THE CONCEPT OF A NEW LIBRARY WITH PROVISIONS FOR MUNICIPAL USE OF CERTAIN SPACES**

**WHEREAS**, the Township of West Milford and the West Milford Library Board of Trustees have agreed in concept to a joint, mutually beneficial project for the construction of a new library with space to be dedicated and allocated for municipal use; and

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**WHEREAS**, each party has agreed in concept to pursue the matter further with a vision of the construction of a new library with space in the new facility to be dedicated to municipal use & control; and

**WHEREAS**, the parties hereto have a desire to realize this vision and work together to delineate the particulars and reach mutually agreeable parameters to construct a new municipal library and a community center with space for municipal purposes.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford that the Mayor and Township Clerk be and are hereby authorized to execute an agreement with the West Milford Library Board of Trustees to begin the process of reaching mutually agreeable plans for a new library and community center that provides for municipal use of certain spaces.

Adopted: April 23, 2014

Agenda No. VIII 7.

**~ Resolution 2014 - 145 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING CONSENT TO A PROJECT AT BLOCK 7701 LOTS 11, 12 IN THE TOWNSHIP OF WEST MILFORD WHICH REQUIRES A TREATMENT WORKS APPROVAL (TWA) APPLICATION, STATEMENT OF CONSENT, FORWARDED TO THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WHEREAS, WORLD CRUSADE FOR CHRIST, INC.** is the owner of properties known as 1005 Union Valley Road, West Milford, NJ 07480 in the Township of West Milford, which is known as Block 7701, Lots 11, 12.

**WHEREAS**, World Crusade for Christ, Inc. has made an application for Building #2 and a cafeteria with a combined wastewater flow of 5065 gallons per day; and

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

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

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

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

**WHEREAS**, the Township Health Officer, by way of memorandum dated April 10, 2014 has advised that the application is in order from the standpoint of the Township's Health Department; and

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Township council of the Township of West Milford, County of Passaic, State of New Jersey hereby consents to the Treatment Works Application as submitted for the property known as World Crusade For Christ, Inc. in the Township of West Milford which is known as Block 7701, Lots 11, 12. with respect to septic alterations.

Adopted: April 23, 2014

Agenda No. IX

**Consent Agenda**

**~ Resolution 2014 - 146 ~**

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

Minutes of: Governing Body Regular Meeting  
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**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PASSAGE OF CONSENT AGENDA**

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

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

**Resolutions:**

- a. **2014-147** – Cancellation of Taxes
- b. **2014-148** – Refund Bingo & Raffle Fees
- c. **2014-149** – Refund Escrow Fees
- d. **2014-150** – Refund Other Liens
- e. **2014-151** – Refund Overpayments
- f. **2014-152** – Refund Recreation Fees
- g. **2014-153** – Reinstate Taxes
- h. **2014-154** – Settle Tax Appeals

**Applications:**

- a. Application to Amend to Cancel Off Premise 50/50 Raffle License #2014-01 by the Association for Special Children and Families.
- b. Application to Amend to Cancel Bingo License #2014-17 by the Association for Special Children and Families.
- c. Application for Off Premise Draw Raffle License #2014-246 by Rotary Club of West Milford for May 28, 2014.

Adopted: April 23, 2014

Agenda No. IX a.

~ Resolution No. 2014 -147~

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

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

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

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

**REASON: 100% DISABLED VETERAN**

BLOCK/LOT	NAME	AMOUNT	YEAR
9713-13	Ralph Stalbaum	\$543.72	2013 1 <sup>st</sup> Quarter Partial
9713-13	Ralph Stalbaum	\$2,127.34	2013 2 <sup>nd</sup> Quarter
9713-13	Ralph Stalbaum	\$4,500.74	2013 Second Half
<b>TOTAL</b>		<b>\$7,171.80</b>	

Adopted: April 23, 2014

Agenda No. IX b.

~ Resolution No. 2014 -148~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF BINGO AND RAFFLE APPLICATION FEES**

**BE IT RESOLVED** that the following RAFFLE / BINGO application fee upon the report of the Township Clerk be refunded:

2014 Raffle/Bingo License Application		
Licensee	Application Fee	Payee
Association for Special Children & Families	Bingo License # BL2014-17 \$20.00	Association for Special Children & Families

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

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P.O. Box 494 2019G Greenwood Lake Turnpike Hewitt, NJ 07421		P.O. Box 494 2019G Greenwood Lake Turnpike Hewitt, NJ 07421
Association for Special Children & Families P.O. Box 494 2019G Greenwood Lake Turnpike Hewitt, NJ 07421	Raffle License # RL2014-01 \$20.00	Association for Special Children & Families P.O. Box 494 2019G Greenwood Lake Turnpike Hewitt, NJ 07421

Adopted: April 23, 2014

Agenda No. IX c.

~ Resolution No. 2014 -149~

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

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

<b>Name &amp; Address</b>	<b>Application No.</b>	<b>Amount of Escrow</b>	<b>Amount Refunded</b>
Charles Aikey CFA Custom Homes Inc. 144 Wesley Drive West Milford, NJ 07480	0010-1923 16-288-56-701-003	\$8,800.23	\$35.04
Estate of Dembia c/o James Napolitano 500A Lake Street Ramsey, NJ 07446	ZB12-11-17 16-288-56-705-043	\$2,450.00	\$1,477.10

Adopted: April 23, 2014

Agenda No. IX d.

~ Resolution No. 2014 -150~

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

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

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

<b>Certificate No.</b>	<b>Certificate Date</b>	<b>Block/Lot /Qual</b>	<b>Reimbursement Amount</b>	<b>Pay to the Lien Holder</b>
11-073	04/19/2011	07801-018.06	\$35,322.31	C & E PARTNERS, P.O. BOX 23-1308 NEW YORK, NY 10023
12-0090	03/27/2012	08705-007	\$47,203.88	SINGH REAL ESTATE 555 LINCOLN DRIVE WEST, SUITE 100 MARLTON, NJ 08053
12-0148	03/27/2012	16302-013	\$40,707.35	FWDSL & ASSOCIATES LP 5 COLD HILL ROAD SOUTH, SUITE 11 MENDHAM, NJ 07945
13-0024	03/19/2013	02406-015	\$14,526.43	Tower Fund Ser. As Cust for Ebury FD 1NJ P.O.BOX 37695 BALTIMORE, MD 21297-3695
13-0041	03/19/2013	04007-005	\$13,687.65	KENAT, INC 15 CRESTWOOD DRIVE NORTHPORT, NY 11768
13-0072	03/19/2013	08701-019	\$25,903.41	MTAG SERVICES CUST FOR ATCFII NJLLC PO BOX 54292 NEW ORLEANS, LA 70154-4292

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

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Total	<b>\$177,351.03</b>
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Adopted: April 23, 2014

Agenda No. IX e.

**~ Resolution No. 2014 -151~**

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

Block/Lot	Name	Amount	Year	Reason
15502-29	Theodore Adragna 86 Circle Boulevard Newfoundland, NJ 07435	\$250.00	2007	2
9713-13	Ralph Stalbaum 9 Morris Avenue West Milford, NJ 07480	\$7,171.80	2013	6
<b>TOTAL</b>		<b>\$7,421.80</b>		

Adopted: April 23, 2014

Agenda No. IX f.

**~ Resolution No. 2014 -152~**

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

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

<i>Donation refund</i>		
A.C. Daughtry, Inc.	\$200.00	AC Daughtry 381 Main Street Montville, NJ 07045

Adopted: April 23, 2014

Agenda No. IX g.

**~ Resolution No. 2014 -153~**

**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 2. STOP PAYMENT

BLOCK/LOT	NAME	AMOUNT	YEAR	REASON
2402-30	Reinhardt Richardson	\$1,300.00	2014	2
5312-1.20	Eileen & Donald Schott	\$872.20	2014	2

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

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<b>TOTAL</b>	<b>\$2,172.20</b>
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Adopted: April 23, 2014

Agenda No. IX h.

**~ Resolution No. 2014 -154~**

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

**WHEREAS**, an appeal of the 2009 and 2012 real property tax assessment of the following property has been filed in the Tax Court of New Jersey:

PROPERTY OWNER	BLOCK	LOT	ADDRESS
GPS Enterprises LLC	703	2	551 Warwick Turnpike
Bertneski, Alyona	4901	29	150 Kitchell Lake Drive

and;

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

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

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

PROPERTY OWNER	YEAR	ORIGINAL ASSESSMENT	PROPOSED SETTLEMENT
GPS Enterprises LLC	2009	\$201,300.	\$170,000.
Bertneski, Alyona	2012	\$385,600.	\$372,500.

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

Adopted: April 23, 2014

Agenda No. X

**Approval of Expenditures**

**~ Resolution No. 2014 -155~**

**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 her be approved and issued as follows:

Acct #	Account Name	Amount
1	Current Account	\$531,894.97
3	Reserve Account	21,204.61
2	Grants	80,708.07
6	Refunds	179,063.17
1	General Ledger	4,350.00
26	Refuse	87.90
4	Capital	410,862.65
19	Animal Control	137.00

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

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19	Heritage Trust	25,537.80
19	Open Space Trust	5,675.40
19	Trust	1,077.51
19	COAH	0.00
16	Development Escrow	3,004.98
20	Library Trust	0.00
21	Assessment Trust	55,048.66
Total		\$1,318,652.72
\$Less Refund Resolution		-179,063.17
Actual Bill List		\$1,139,589.55
Other Pyts.		
Ck# 3924 Jet Vac, Inc.		77,046.38
Ck# 3925 H.E.P. Soil Conservancy		775.00
Ck# 51382 Treasurer, State of NJ		100.00
Ck# 51383 Treasurer, State of NJ		140.00
Ck# 51384 Treasurer, State of NJ		40.00
<b>Total Expenditures</b>		<b>\$1,217,690.93</b>

Adopted: April 23, 2014

Discussion: The Council posed questions to the Administrator about various items on the bill list & Mr. Casey answered. He also advised that the fuel system is in place and usage is being monitored.

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

Agenda No. XI

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

Councilwoman Horton said she serves as the liaison to the MUA. She read a statement from the MUA regarding a recent article in a local newspaper. They advised that the article contained some misinformation noting that they had not been contacted regarding the article. The MUA requested that the members of the Governing Body direct any queries directly to them and advised that they will follow up with the newspaper regarding the article. She acknowledged the work done by the municipal clerk's office noting that municipal clerks are being recognized during the first week in May. She commended the volunteers who are working to clean up the Wallisch estate. She encouraged people to participate in Beautification Day this coming Saturday.

Councilwoman Erik asked people to come out for Beautification Day this coming Saturday.

Councilman Hensley said the EDC is seeking to utilize the brains, trust & talent in the High School graphics department. They are asking that funds be set aside for an award for a competition amongst students who would be charged with designing a marketing logo for West Milford. The funds would be to purchase the prizes. He said West Milford could garner tourist & recreation interest with the right logo and key words. He asked that the subcommittee to the BOE bring this to their next meeting and asked the Council for a source of funding to purchase an IPAD for a cost of a maximum of \$600. He made a motion for an appropriation of \$700, seconded by Councilman Signorino. Councilwoman Horton said she would rather make a donation than appropriate tax funds for this purpose. Councilwoman Erik said this was discussed at the EDC and they considered donations. She said she would also contribute \$100. Hensley amended his motion seeking the establishment of a trust fund account for the EDC. Councilman Signorino amended his second.

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

Mayor Bieri noted that anyone wishing to make a donation should write their checks to the Township of West Milford with a notation that it is specifically for the EDC trust account. Councilman Hensley thanked his colleagues. He said that the EDC has received a resignation from one commissioner. The EDC is recommending the appointment of Micheal Gerst who has submitted a citizen leadership form.



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

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Motion carried.

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Councilman Hensley nominated Michael Gerst to the EDC. Assistant Clerk Curcio advised that the resignation had not been formally accepted by the Council yet so as such the vacancy has not been ratified.

Councilman Hensley nominated Dominick Schwartz for the Recreation Advisory Committee, seconded by Councilman Signorino. Councilwoman Erik made a motion to close & confirm.

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

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Agenda No. XIII

**Adjournment**

There being no further business to come before the Council, the Township Council adjourned the meeting at 9:35 p.m.

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

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Approved: June 25, 2014

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MAYOR BETTINA BIERI, PRESIDING OFFICER

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ANTOINETTE BATTAGLIA, MUNICIPAL CLERK