
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
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Mr. Casey addressed the council about property taxes. He said the property taxes are up \$433,000 or slightly up less than two cents. One cent is about \$245,000. He gave a three year history of tax appeals. Mr. Casey explained that 2013 was a revaluation and it always effects the first year and the year following. He noted that the tax requirements are up but a lot less than the last couple of years. Mr. Casey stated that one of the issues that you start to have when you look at budget is special grants. You can't compare any two years that stand alone. He explained that you need to find what a non-reoccurring expense is and one of the biggest problems in a municipality is grants. He explained if you do multi-year comparisons; you have to take out the grants across the board but not the reoccurring grants to get the total.

Mr. Casey addressed the governing body about expenses. He explained that technically our total expenses are up a total of \$380,000. If you take out the special grants for \$689,000, \$400,000 for short sale of property, and Newark, the budget is actually up \$171,000. He said that when looking at the budget and seeing what you can change, there isn't much change in the budget from prior years. He noted that the biggest issue has been tax appeals and \$60,000 was added in tax appeal money. Mr. Casey stated that we have funded a little more on the capital improvement program this year then we have done in the past. He said that the capital ordinance has already been adopted or you will, which puts \$50,000 in there to restore some of the fund balance. The biggest change in the operation was in Recreation, but there was really no change. From the bottom total budget impact, it does net out. There is no change in your personnel. Mr. Casey mentioned that from a budget standpoint, there is nothing new or exciting. You are continuing a lot of projects that began last year and have an aggressive capital program. He stated in the last couple of years you have gotten into a lot of equipment replacement and very heavy in roads. From an operations standpoint, there is not much in the budget that is different. . He said that the ball is in the council's court. He thinks the budget now from a mathematical standpoint is fairly reasonable where it's at. Mr. Casey stated if there are any issues that the governing body would like to discuss, he would be happy to talk about them.

Mr. Casey addressed the council and said that the police would like to discuss one issue relative to one of their patrol cars. Other than that, there are no other specific issues that he is aware of. He explained that he can change the budget and reduce the tax rate this year but you would just be moving some of the costs to next year. He said that there are certain issues that he put in the revenues. He noted what he has mentioned to the council this year; he always tries to look at revenue on a three year basis. Mr. Casey explained that he has reduced revenue this year for two reasons. One, is you had a good year last year and second, they are a main generator in terms of income for the subsequent year. Hopefully next year you will have \$2.5 million in surplus to put in it. From an operations standpoint, there is really not that much there to do because you are basically funding your current operations and your current liabilities.

Mr. Casey said that next year there are some changes anticipated. One of the big changes is that bond issue that you floated in February. It didn't impact this year's budget at all so next year you are going to see that impact come in. Next year or the year after you will be able to pay off some of the other ones so there is a slight perk there. Mr. Casey stated that we are open for discussions. Mayor Bieri said that before we get into the police matter, if I understand correctly, our net number is a half a percent, but the amount to be collected by taxes would be more like a one percent increase. Mr. Casey said that it is slightly under two percent and your tax rate is under two cents also. That includes the library in that number. In addition, solid waste is basically the same. Mayor Bieri asked if the council has any questions before we go on to the police matter. There were no questions.

Captain Congleton from West Milford Police Department addressed the governing body. He said some issues have come up in reference to the vehicles in the department. He explained that last year, they had four, four wheel drive vehicles and this year we only have two. He noted that without getting a four wheel drive vehicle this year, we are going to be down to one. In December of 2016, the projected miles are estimated at 100,000. Captain Congleton explained that the reason behind having the Tahoe vehicles is because they are used for carrying equipment. He listed the equipment. He said that a lot of the gear won't fit into the smaller vehicles and are used for accidents and other situations. One of them is used as the sergeant's vehicle as well as a front line vehicle. The second one is utilized especially in the winter time because it is four wheel drive. Captain Congleton noted that for the terrain that we have in town, we definitely need the four wheel drive vehicles. Township Administrator/Clerk Battaglia said just to clarify for the council, the captain is speaking about the large Tahoe that was in the capital budget, not the operating budget. Captain Congleton said that it was brought to his attention that by December 2017 we will have no four wheel drive vehicles in the department. He explained that would like to bring it to the council's attention and was hoping that it could fit into the budget. It would be much appreciated. Council President Dale asked what the estimated cost is of the vehicle. Sergeant Richnavsky from the West Milford Police Department stated that the projected amount for the vehicle is \$46,704, which includes the fitting out the vehicle. The base price for the vehicle is \$36,175.

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Sergeant Richnavsky explained that just because you order it, it doesn't mean that you have it. It can take six months from when you order it to the day it goes in service. It's a long process and takes four months to get it from the dealer and then two months to get it fitted. Township Administrator/Clerk Battaglia said that she received an overview of vehicles that could transition from the police department fleet into the township fleet. It's her understanding that in the last few years, we have really not been able to transition vehicles in that have any use to the municipality due to the mileage, age, and condition of the vehicles. She noted that if the governing body would be able to fund vehicles early in this cycle, it has been discussed how that would affect the ability to transition usable vehicles into the fleet, and thereby negating the need to buy new vehicles for other departments.

Sergeant Richnavsky said if we were to place an order in May, by October we would have four, ford interceptors that could be turned over to the township and used. He explained that we are kind of behind the curve here because the vehicles have been cut in the past and we have been keeping them longer. By the time we turn them over to the town, they are either rotted out or not usable. He said if we were able to make the May order, the township would get four vehicles that could be used. Captain Congleton said he could actually give the projected miles for them versus if we waited until a later time. He provided the handout to the council. Councilman Signorino asked the year of the vehicles that would be turned over. Sergeant Richnavsky said these wouldn't necessarily be the exact vehicles that would be turned over but it looks like two of them would be a 2014 and 2015. He noted that if we were going to turn these over to the town, every vehicle here except for one would have less than 80,000 miles on it. Council President Dale asked Mr. Casey if there is anything in the existing budget today, understanding this plan, that we would be able to eliminate and take those four vehicles so it would be a wash.

Mr. Casey noted that the operating budget has five vehicles in it. The issue would be in order to get the cars in because there is a cutoff point where they stop making the cars; they really need be ordered. If we don't adopt the budget in two weeks, he recommends amending the temporary budget to put that money in there for the police cars so those cars can be ordered now. Mr. Casey stated that one issue is to get these cars here as soon as possible so no matter how many there are, to at least get them into the fleet so they can turn the vehicles loose for other departments. The second question that is being raised is that there are five cars there, if they want to have five front line vehicles coming in every year, and roll over five cars, the only thing that we can do with that policy. We can't reduce the vehicle from five to four to get the Tahoe because then you are off of that five cycle. He said the only thing that we can do at this point is to add something to the budget.

Mayor Bieri said that if we were to support this Tahoe, the question would be is there another vehicle that we have in that capital budget that can wait until next year. In October, we can take one of their vehicles and use it instead of a brand new one in another department. Mr. Casey stated that we have no vehicles in the capital budget, just trucks. He stated that we can hold off on buying one of the mason dumps or one of the larger dumps and do it but there is no smaller item that we are purchasing in the capital budget that would be readily transferred over. Councilwoman Erik asked if there is money in operations. Township Administrator/Clerk Battaglia said no there is not. Council President Dale said that it's not in there today. Mr. Casey said yes, the funds are not in there today but that's not to say that it wouldn't be there in November. Councilman Hensley said that it seems like they are concerned about needing it sooner than later. Mr. Casey said that later is better than never. Sergeant Richnavsky said that we are down to two vehicles and the longer we wait, the more miles that are going to be on them and we are just not going to have vehicles. He noted that does cause an issue because we won't be able to have the equipment available. Councilwoman Erik said that in a town this size, you need that equipment and that equipment needs to get there first. Mr. Casey said that there is an alternate way. He explained that we have five explorers budgeted. What we can do is buy four explorers and one Tahoe and then at the end of the year transfer the money to buy the fifth explorer. Mr. Casey said that the only difference between a Tahoe and an explorer is about \$10,000 and that it will give the ability to order it now with the understanding that the other order will need to be made. The vehicle will be coming in for the early spring. The council agreed.

Sergeant Richnavsky stated to the point that Mr. Casey made with ordering early. What happens is that at a certain point they cut you off and then you have to wait for the next model year. He explained that is when the budget usually get approved so we are stuck waiting until October. Mr. Casey suggested to solve that issue to prepare a resolution authorizing the order now and put it on the agenda for May 18th. He noted that we will do that after we amend the temporary budget and it would allow them to make the May cutoff.

Councilman Wagner asked where it comes from that after 100,000 miles the vehicle gets turned over to the municipality. Sergeant Richnavsky explained that we go by the recommendations of our mechanics. With a police vehicle, it runs more and idles so you take the miles and multiply it by three. Mayor Bieri said that the 100,000 miles is more like 300,000 miles. Sergeant Richnavsky agreed. Councilwoman Erik

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said that when the cars are overused and in poor condition then the township gets no cars. Council President Dale said then we have to buy new cars when we should be turning over the old cars. Councilman Wagner asked what we could get from auctioning off these vehicles. He said if we paid \$36,000 for the vehicle, would we get \$5,000 or \$10,000 auction. We can then buy a lower end vehicle brand new for the township for maybe \$20,000 and the vehicle will last seven or eight years. Councilman Wagner said that we have never done an analysis on that. Township Administrator/Clerk Battaglia said that we have not generally had vehicles go to auction that have had a value that would generate revenue at that level. Council President Dale said that we would have to disclose the actual hours as well. Sergeant Richnavsky said that vehicles are now coming with an hour meter so that can be checked. Township Administrator/Clerk Battaglia explained if we were to take a look at the vehicles that would transition into the fleet this year. From that, the township would get a Durango, Expedition, and two Crown Victorias. One of the two Crown Victorias is already out of service. She said that it already has 123,000 miles on it, as well as its own air conditioning from the floor and a lot of other added features that would not do well at sale. She said that if we were to put any of these on the auction block, we would be better off getting best for scrap value as previously done. Captain Congleton said that if we do it earlier in the budget process, these cars will be newer, have less mileage, and have vehicles that will actually be able to be utilized.

Township Administrator/Clerk Battaglia said that she would like to commend Sergeant Richnavsky because he has just recently taken over being in charge of the vehicles. The vehicles that are coming in now are checked and double checked to make sure that they have the proper seal coating and to make sure that they have the rust conditioning that we have paid for. Councilman Wagner said that there is no question about it but he is still very interested in knowing what the actual value is of the vehicles. Whether its scrap value or \$5,000. Township Administrator/Clerk Battaglia said that we put a number of vehicles out last year for scrap and we can get you the amounts. Mayor Bieri said that she sees Councilman Wagner's point but we would have history that shows that the auctions are typically even less than the scrap. The scrap isn't nearly as much as the value that we save by using it further in the township. Councilman Hensley said that Councilman Wagner has brought up a very good point. If we haven't tried that avenue, just as an experimental test case, it may be smart to take one of the newer vehicles that are being retired from the police force to go ahead and put it out to auction to get some information. He noted that the numbers might compute that it would be better to buy a vehicle for a different department that would serve for seven or ten years. It wouldn't have the wear and tear as a hand-me-down. Township Administrator/Clerk Battaglia said if the governing body gives that direction, then we certainly would follow it. Just so you have an understanding, the bear minimum need that we have right now is a vehicle for engineering, a vehicle for building, a vehicle for health, a vehicle for tax, a vehicle for recreation, and a vehicle for fire. We have a minimum need for six vehicles. She explained that if we were to sell a police vehicle, and we have to disclose the mileage, we would probably get a small percentage of what we would need to purchase a vehicle. Councilman Hensley said that the upside would be getting that brand new vehicle that has zero wear and tear. For a department, that vehicle may last a very long time, even though you may only get a little bit back from the sale of it.

Mayor Bieri said to Councilman Wagner's point, she asked if we go to auction with any vehicles can we set a minimum so we can walk away with that vehicle if we don't get a certain dollar amount. Township Administrator/Clerk Battaglia said that she will ask the auction company. Mayor Bieri stated if we can set that minimum then she said that she total agrees that it's worth that chance. Township Administrator/Clerk Battaglia explained that the township mechanic has done an in house appraisal of the vehicles. Our senior mechanic, even when we purchased the vehicles last year for the other department that is contrary to his recommendation. His recommendation is that we don't purchase vehicles for the other departments and we transition vehicles from the police and that has been his solid and consistent recommendation. Mayor Bieri said that we can look into the idea of the auction or the scrap for subsequent years. For this budget, Mayor Bieri asked if the council is agreeable to add the Tahoe and remove the other. The council gave consensus.

Mayor Bieri asked if there's anything else to add. Mr. Casey explained that we are back with the basic issue. What does this council want to do with the budget. Mayor Bieri asked if the council is comfortable with these figures besides the one adjustment that we just discussed. Mr. Casey said that the adjustment will not affect our budget because we aren't moving money until November. Mayor Bieri noted that we are taking out one vehicle that is \$40,000 and putting in a \$52,000 vehicle. Mr. Casey said that there is room in there to make adjustments. Councilman Wagner asked where we are right now to get the budget to a 0% tax increase. Mr. Casey stated that you would have to take out \$433,000 out of the budget. He explained that you can't cut out the \$60,000 for the library, so you are looking at cutting \$370,000 out. Mayor Bieri said that you would have to add it back in so it would be about \$500,000. Councilman Wagner asked if there are any trust accounts or anything that might be available to be moved. Council President Dale noted that they are dedicated accounts. Mr. Casey said that the finance officer and auditor did a major cleaning of accounts at the end of 2014 and that amount was added to surplus last year.

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He explained that most of the reserve accounts are active, for instance the snow reserve. He stated that the biggest issue which is not under our control is the reserve accounts for money due from FEMA. There is still some outstanding money that we have a reserve for and it is not at our discretion. He noted that the other reserve accounts were cleaned up in 2014 as stated. Township Administrator/Clerk Battaglia explained that capital budget would not help you with the operating budget because those capital funds are funded differently and are not a part of the operating. Mr. Casey stated that if it was funded originally by a bond ordinance, you can't cancel capital money and put it into the operations side. He explained what happens when a bond ordinance is cancelled.

Mayor Bieri asked if we could have consensus to move this budget. Mr. Casey said that it is already introduced and your next meeting is your formal hearing. Township Administrator/Clerk Battaglia said that the May 11th is a special meeting for the budget. She explained that if the governing body agrees to move this budget as it is right now, and there are no changes, we would just formalize it and cancel the May 11th meeting. Mayor Bieri stated that if the council is agreeable, we cancel May 11th and move the ordinance on May 18th. Mr. Casey said that after the public hearing, you can adopt the budget after that point in time and suggests that the governing body still amend the temporary budget. Councilman Wagner noted that he would like to go through the operating budget again and see if there is anything that we can remove to reduce the tax burden. Mayor Bieri said that if the council agrees, then we hold the May 11th meeting and the council can come back with ideas. Councilman Hensley stated that he certainly supports Councilman Wagner having a chance to look at the operating budget and see if there is any light at the end of the tunnel. Mayor Bieri explained that previous councils tried to get to the zero and the only way that they could do so is by cutting the road department and the resurfacing of the roads. She said all of the departments are already running on budgets that have been maintained at the same budget for many, many years. Mayor Bieri explained that there is nothing that can be cut in the departments themselves so you are looking at cutting other things that aren't capitalized like road resurfacing, that's a disservice to our community. Councilman Wagner noted that isn't where he wants to make cuts but he does want to go through some items. He stated that this budget process seems to be rushed. Mayor Bieri said that if we have consensus, then we need to keep the May 11th meeting. She suggested that the council go through their budget binders, ask any question that you might have, and come prepared with any suggestions. Mayor Bieri asked if the governing body is ok with keeping that meeting scheduled. The council gave consensus.

Discussion of Tax Bill Inserts

Mayor Bieri suggested a replacement in the third paragraph where it talks about the petition. She said that it should be replaced with language saying that all your elected official have been working diligently at approaching every possible avenue to create equity. She stated that we have taken many different actions as a governing body and we don't necessarily want to disclose them publically. She noted that we have four avenues right now to generate revenues to the township from Newark and other watershed property owners. In addition, the petition is not relevant at this point. Council President Dale suggested that instead of them having a paragraph in the middle that explains what the percentage of their taxes represents, we would bullet point all of the services that are provided. She noted that people don't read all the way through. Mayor Bieri agreed. Mayor Bieri also suggested changing the third paragraph to include our current strategies to the best of our ability in terms of disclosure. She indicated that the pie chart is very important too because it represents where the money is going. Township Administrator/Clerk Battaglia said if the governing body is amenable, she will draft the changes and bring it to the May 11th meeting. She stated that we can take a look from there. Mayor Bieri asked if the council is agreeable. The council agreed.

Agenda No. V

Presentations

Passaic County Open Space Grant Application - Friends of Wallisch Homestead, Inc., Dave Ofshinsky

Mr. Ofshinsky addressed the council and said that he is here on behalf of the Friends of Wallisch as a part of the County Open Space Grant process. Friends of Wallisch Homestead, Inc. is a NJ not for profit corporation with IRS 501(c)(3) status. FOWH is dedicated to the conservation, preservation and adaptive reuse of the Wallisch Homestead. Mr. Ofshinsky indicated that this is a required public hearing and he is here to talk about the purpose of the grant funds and is looking for support from the governing body.

Mr. Ofshinsky noted that last year they received \$30,000. They are using the money to upgrade the electrical service as well as performing carpentry work in the barn. He explained that he is getting final plans for that project. Mr. Ofshinsky noted that two years ago they received money from the town to put a new roof on the barn so improvements are being implemented. He said that this year, they are asking for \$35,000. The bigger project is going to cost \$20,000 for lead paint removal, carpentry work, and painting

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for the main house. He noted that they have already received \$4,000 from the Highlands Coalition towards that project. In addition, they are looking for \$12,000 to put a new roof on the creamery. Mr. Ofshinsky said that he would like to re-shingle the roof, perform carpentry repairs and replace windows. He said that they also have plans to install a new electrical service and his goal is to continue development to make the building a learning center.

Mayor Bieri asked the council if they supported the project. The council gave consensus and support for the project. Mayor Bieri thanked Mr. Ofshinsky for all of his hard work. Township Administrator/Clerk Battaglia said that Mr. Ofshinsky is working on the windmill and asked him to give an update to the governing body. Mr. Ofshinsky explained that they have started working on the windmill that was built in 1960. He said that they found a company from the Midwest to restore it and they are in the process with the Historic Preservation Commission grant to get it in good shape. They want to get the windmill operating to provide water to Community Garden and other projects. Mr. Ofshinsky said he is hoping that it comes together in the next couple of months.

Mayor Bieri asked if there was anyone from the public who wished to speak about this application and if there are any comments from the Council. Being no further comments Mayor Bieri thanked Mr. Ofshinsky for his presentation and efforts for applying for the grant.

Passaic County Open Space Grant Application - Highlands Economic Development and Tourism (HEAT)

Dave Griffiths 12 Lincoln Ave Hewitt NJ - Mr. Griffiths addressed the council and is here on behalf of the Highlands Economic Development and Tourism Commission. He said that HEAT is going to be submitting an application for Passaic County Open Space grant program. The funds are going to be to develop a walk way around Melody Lake as well as around the old PAL building.

Mr. Griffiths said that the West Milford recreation center gets over 25,000 visitors every year there and the lake that is under-utilized and under developed. He said that the HEAT organization in partnership with the Township of West Milford would like to establish a walkway around the perimeter of the lake to encourage walking, running, and fishing. Site improvements would include mulched walking path, trimming of the trees, benches and garbage receptacles. The Township of West Milford would provide an in-kind donation of labor and equipment to help to clear brush, laying down mulch and building paths. He said that HEAT will secure any necessary materials and provide volunteer labor for the improvement process. He stated that the path around the lake would be a nice place for our seniors as well. Mr. Griffiths anticipates that the project would begin around April 2017 and take a month so to complete. He noted that the estimates for the project are \$10,000-\$15,000.

Mayor Bieri asked if the council had any questions for Mr. Griffiths. Councilman Hensley said that he had heard previously about this project coming from the recreation department and he is surprised to see HEAT moving forward with it. Township Administrator/Clerk Battaglia said that the township is limited on the number of grants application that can be submitted and if too many are submitted, we are not able to prioritize them. She said that the township has already submitted grant applications that have higher priority. Ms. Battaglia said that we really appreciate HEAT doing this and it did come through our recreation department as a recommendation. Mayor Bieri said that she loves the idea and asked what the other costs are besides receptacles due to the township providing the labor and materials. Mr. Griffiths said that he hopes the grant will cover all of the costs and the HEAT organization has pledged at least \$2,500 towards the project plus labor. He said that he would also like to see some solar light posts put on the walk path as well. The more we can accomplish with the grant the better.

Councilman Wagner said that he has some knowledge about the plan. He explained that the other part of the grant is for tree removal and they are still in the process of tweaking the project. He indicated that HEAT is coming up with new quotes and will communicate with the governing body about the exact numbers next week. He said that the deadline to submit these grants is May 13th. Mayor Bieri said that she is in favor of the project and likes the idea of getting the lights along with walkway. Mr. Griffiths said solar lights would be great because they do not need wiring to be installed. Mayor Bieri asked if there was anyone from the public who wished to speak about this application and asked the council if they supported the project. The council gave consensus and support for the project.

Township Administrator/Clerk Battaglia said she got an email late this afternoon from Tim Roetman. Last year the township submitted a trail conference grant that was rejected. The grant would be to remove invasive species of plants from hiking trails in West Milford. The in kind services would be manpower and volunteer work through the New Jersey Trans Grants Association. They are requesting that we submit the same grant application this year and the deadline is May 15th. She said if the council can give consensus, we will proceed. The council gave consensus.

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Agenda No. VI

Proclamations

None

Agenda No. VII

Executive Session

~ Resolution No. 2016 – 160 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 4th day of May 2016 that:

- 1. Prior to the conclusion of this Workshop Meeting, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
(X) b. (4) A collective bargaining agreement including negotiations.
(X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
(X) b. (8) Personnel matters.
2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: May 4, 2016

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

The Governing Body went into executive session at 6:35 pm.
The Governing Body returned to the public meeting at 7:03 pm with all members present as before.

Agenda No. X

Discussion Items

Table with 2 columns: Item number and Description. Item 1: Discussion: Fire Trucks. Township Administrator/Clerk Battaglia said that the township has a few fire trucks that

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	<p>are not assigned to fire companies. They are just in the township's possession and have been for some time. She explained that she has given the council a list of the fire trucks and recommendations from our Director of DPW with regard to potential use or disposal of the fire apparatus. She asked if the governing body is amenable to the sale of the 1988 Mack Tanker which we are being offered for \$5,000. The council gave consensus. Township Administrator/Clerk Battaglia stated that there were recommendations to the other two trucks. She asked if the governing body had any comments or suggestions or to proceed with the recommendations from Mr. Steines. The council agreed to proceed with the recommendations from Mr. Steines.</p>
2.	<p>Discussion: Bubbling Springs Concession Stand Township Administrator/Clerk Battaglia said that there has been an ongoing issues with the Bubbling Springs Concession Stand. We went out to RFP two times with no success. She explained that we are really down to very few options, and we wanted to apprise the governing body of the situation. Township Administrator/Clerk Battaglia stated that it seems like we are going to have to go back to doing this in house although we are loath to do so. We will try and generate some interest for next year. She noted that we are going to be hiring seasonal workers and instead of incorporating it into the municipal budget and will try and do it through a trust account. Mayor Bieri asked if the council is agreeable. The council agreed.</p>
3.	<p>Discussion: Senate Bill S107 – Reduced Sales Tax for Highlands Preservation Zone Municipalities Mayor Bieri asked if the council had a chance to look at that and look at the draft resolution. Councilman Wagner stated that he read through it and thinks that everyone would be in support of having reduced sales tax, especially in the preservation area and the reduction of rateables. He noted that it would boost business in town, especially in construction and it is his understanding that this was introduced in the past but it didn't get anywhere. Councilman Wagner said it would be good to pass a resolution in support of the bill but also to possibly reach out to the freeholders and get them to also support it at a county level. He suggested that the administrator write a letter. Township Administrator/Clerk Battaglia said that generally speaking, if the governing body wants that level of outreach, we copy them on the resolution. In addition, she said she can forward it down with a cover email. Councilman Signorino said that hopefully gets traction because this is a similar idea to the cities having there UEZ Zones or Urban Enterprise Zones. He explained that the purpose is to reduce the sales tax is to spur growth in the economy. They find that it does help out a lot. Township Administrator/Clerk Battaglia suggested that our residents reach out to our senate and assembly representatives. She stated that they very reactive to comments from the public and that might help as well.</p> <p>Township Attorney Semrau said looking at this legislation, they need to put this on the agenda and have a discussion about it. He suggested writing to the Energy Committee with Senator Smith to ask when is this going to be discussed because we are interested. Councilman Wagner said that he and Councilman Signorino reached out to Senator Pennacchio and they were looking at the May 9th meeting. Councilman Signorino said that it is coming up so he suggested copying these committees. Township Administrator/Clerk Battaglia stated that if the council wishes, we can generate a letter. If the council is agreeable, Township Attorney Semrau can draft the letter and we can get it out to Senator Pennacchio and to the Energy Committee. Mayor Bieri suggested if the council in support of the resolution itself, we should put that cover letter and not only send it to the freeholders asking for their support, but also to the sponsor of the bill and the committee as well. Township Administrator/Clerk Battaglia stated that the governing body is asking to draft a the letter to the Energy Committee and the Energy Committee chair this week not to wait any longer, and then have the resolution. The council agreed.</p>
4.	<p>Discussion: Senate Bill S688 and Assembly Bill A292 – Highlands Act Exemption for Artificial Turf Field Construction Mayor Bieri asked if the council would be in favor of this bill as well. The council gave consensus. She stated that the only thing that she would suggest is to include asking them for an amendment that would include not just artificial turf fields but all of the other exemptions that apply to the Board of Education. She explained that if we needed something like a fire house, hospital or recreational facility that services the public and is a true public need, why shouldn't we be able to build it if the Board of Education can. Mayor Bieri explained that the town had to jump through hoops for the library for example; there are no exemptions for municipalities. Councilman Signorino said that he agrees with Mayor Bieri. He explained that he has had this conversation with someone</p>

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	<p>about this and they said that if we add those items too it, we would really not get anywhere. He suggested trying to push this one for now and see how in the future we can try and add the others. Township Administrator/Clerk Battaglia asked if the governing body would like two resolutions, one to support this bill and a second resolution to ask if they would consider the others. Mayor Bieri said that she would agree because she wouldn't want to risk not getting the turf field exemption. The council agreed.</p>
5.	<p>Discussion: Assembly Bill A268 – Grant Program for Schools to Establish Substance Abuse Prevention Programs for 8th Graders Councilwoman Lichtenberg stated that her and Councilwoman Erik talked about this at Morris Knowles and they followed this program there. She explained that they brought that up and thought it was such a great program. Mayor Bieri asked for consensus from the governing body. She explained that we obviously we all care about these drug issues and prevention. She noted that the only question she has was where the state is coming up with the funding for this. Mayor Bieri stated that we already drafted a resolution. The council gave consensus.</p>
6.	<p>Discussion: Assembly Bill A243 – Local Shared Service Agreements for Tax Assessment Mayor Bieri said that she doesn't see any harm in this bill. Township Attorney Semrau he said that the one thing it does say is to have the county run their assessment department. He explained that West Milford is a good example why it would not be a good idea. He noted that all of the West Milford residents would have to go down to the county to have their assessments judged. Township Administrator/Clerk Battaglia asked if that would only be through shared service. Mayor Bieri said that, that was the question that she had. She noted that she is ok with that as an option if it's mutually agreed upon. She stated that we would need to make sure that it is specified. Township Administrator/Clerk Battaglia suggested staying away from this bill right now. The council agreed. Township Attorney Semrau explained that you have the ability, just like every town does, to have shared services with another municipality. He noted that the county legislation opens the door. Mayor Bieri said that she assumed that from this bill, because it's being suggested, that you couldn't share tax services with a tax assessor. Council President Dale agreed and said that's what the language sounded like. Mayor Bieri explained that if we could do that now anyway, then why was the bill created. Mayor Bieri asked the council if they are agreeable to hold off for now. The council agreed.</p>
7.	<p>Discussion: Assembly Bill A1229 – Repeal Certain Provisions of the Highlands Act Mayor Bieri said that she has concerns here but she would like to councils input. She said that her concern is that she would want to have an analysis done as to how it would impact West Milford specifically. Currently, we are getting \$47 dollars per acre a year in highlands aid and watershed aid. She said that this bill is talking about making this a pro-ratio share. Mayor Bieri mentioned that there is also a clause at the end, \$12 million for 10 years, which is what she presumes is the current budget, but then after the 10 years it goes down to \$5 million. Clearly, we would be negatively impacted compared to now. She stated that she would not want to support this unless there was an analysis done to see how West Milford specifically would be impacted. Councilman Signorino said that he would be fine with holding off. He explained that he has some parts of it that he is trying to go through himself.</p> <p>Mayor Bieri asked if we should have the Township Attorney and Township Planner see how this will impact us. Council President Dale agreed that we should get that information. Township Administrator/Clerk Battaglia explained since this is only proposed legislation, to get that analysis would probably take a lot of resources and we would be expanding a lot of money to do that. She stated that she doesn't believe that it has that level of traction yet but if it does progress, then we need to do the analysis. Mayor Bieri said that we should hold off and see if it's going to go anywhere. Township Administrator/Clerk Battaglia agreed, but we would want to monitor this to understand if it does see any progression. Councilman Signorino said that if we don't have consensus, we should hold off any way. Township Attorney Semrau said that it is great that you brought these bills forward for discussion. He said that his question is, where did this bill come from. He stated that he would just like to know where the data came from because the township is really impacted by this. Councilman Signorino noted that he does see good intent in this legislation, but we need to go through it. Township Attorney Semrau stated that he is going to call the office that drafted this up and ask. Township Administrator/Clerk Battaglia explained just in general if you are having that conversation, it might be nice for him to know that we are a wealth of information about</p>

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	the highlands act and we would be happy to share opinions if he is considering legislation in the future.
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Agenda No. XI

Action Items

Agenda No. XI 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	800,000	760,000

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IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAX. AMOUNT OF BONDS AND NOTES
Gateway, Marion Street, Roosevelt Road, Birchwood Pass, Bearfort Walk, Lenape Trail, Circle Boulevard South, Circle 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	405,400	385,130

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IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAX. AMOUNT OF BONDS AND NOTES
accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved		
(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
Totals	\$3,250,000	\$2,850,000

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

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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 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

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

Mayor Bieri made a motion to move all resolutions as one.

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

Agenda No. XI 2

~ Resolution 2016 – 161 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE 2016 WEST MILFORD FIREWORKS DISPLAY TO BE HELD AT THE BOARD OF EDUCATION MCCORMACK FIELD

WHEREAS, the West Milford Community Services & Recreation wishes to use the McCormack Field property to hold a display of fireworks on July 2, 2016 with a rain date of July 9, 2016; and

WHEREAS, the West Milford Board of Education Officials have approved the use of the property known as McCormack Field to hold a fireworks display.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, that based upon the West Milford Board of Education's approval of McCormack Field, it does hereby approve the application by the West Milford Community Services & Recreation and Interstate Fireworks Inc. to conduct a fireworks display on July 2, 2016 with a rain date of July 9, 2016.

Adopted: May 4, 2016

Agenda No. XI 3

~ Resolution 2016 - 162~

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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO INTERSTATE FIREWORKS, INC. FOR THE TOWNSHIP'S FOURTH OF JULY CELEBRATION IN AN AMOUNT NOT TO EXCEED \$15,000.00

WHEREAS, the Township is in need of professional Pyrotechnics Handler services for the 2016 Fourth of July celebration; and

WHEREAS, Interstate Fireworks, Inc. has vast experience and expertise in providing such services in New Jersey, and to the Township; and

WHEREAS, the Township wishes to retain the services of Interstate Fireworks, Inc. to assist the Township of West Milford in providing a Fourth of July celebration by preparing and displaying a fireworks exhibition; and

WHEREAS, the total amount of the contract shall not exceed \$15,000.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available for these services and shall come from the Fireworks Trust Account # 19-295-56-120-202.

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

WHEREAS, Interstate Fireworks, Inc. has received the Township's Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies 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 Interstate Fireworks, Inc. from making any reportable contributions through the term of the contract, and

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

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

1. The Township of West Milford hereby awards and authorizes the Director of Community Services & Recreation to execute an agreement with Interstate Fireworks, Inc. PO Box 260, Rowland, PA 18457 as professional pyrotechnics fireworks display to assist the Township in providing a Fourth of July celebration by preparing and displaying a fireworks exhibition in an amount not to exceed \$15,000
2. This contract will be executed ten days after receipt of required documentation.
3. This contract is awarded without competitive bidding, as the total price of the contract shall not exceed the \$17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3.
4. The total fee authorized for this contract shall not exceed \$15,000 without the prior written approval of the Township Council.
5. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: May 4, 2016

Agenda No. XI 4

~ Resolution 2016 – 163 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE FILING AND ACCEPTANCE OF A 2015 RECYCLING TONNAGE GRANT

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

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WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Township Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that it does hereby endorse the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Office of Recycling and designates David Stires, Recycling Coordinator to ensure that the said application is properly filed.

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Adopted: May 4, 2106

Agenda No. XI 5

~ Resolution 2016 – 164 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF AERIAL GYPSY MOTH (SUPPRESSION) SPRAYING THROUGH NJ STATE CONTRACT #T-0061 TO DOWNTOWN AIRPORT INC. STATE CONTRACT #88011

WHEREAS, the Township of West Milford has entered into a cooperative gypsy moth control program with the New Jersey Department of Agriculture; and

WHEREAS, State of New Jersey has awarded Contract #T-0061 Aircraft Rental Services to Downtown Airport Inc.; and

WHEREAS, said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40A:11 et seq., Local Public Contracts Law; and

WHEREAS, the Department of Health has reviewed the State Contract and related specifications and has submitted a written recommendation for the Township of West Milford to purchase aerial rental services for the Gypsy Moth (Suppression) Spraying Program on municipal and private taxed properties with elevated casing counts for 2253 acres at a cost of \$51.05 per acre through Contract #88011 to Downtown Airport Inc. in a total amount not to exceed \$115,016.00; and

WHEREAS, the Chief Financial Officer has certified to the availability of funds for these services.

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

1. The Township Council hereby authorizes the Department of Health to purchase aerial rental services for the Gypsy Moth (Suppression) Spraying Program in an amount not to exceed \$115,016.00 through State Contract #88011 to Downtown Airport Inc., 339 Harding Highway, Vineland, NJ 08360
2. The Township's Chief Financial Officer has certified the availability of fund for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: May 4, 2016

Agenda No. XI 6

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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~ Resolution 2016 – 165 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PAYMENT TO BURGIS ASSOCIATES INC. FOR PROFESSIONAL SERVICES RENDERED AS COURT MASTER REGARDING LITIGATION WITH THE MUNICIPAL SHARED SERVICES DEFENSE AGREEMENT (MSSDA)

WHEREAS, the Township Council of the Township of West Milford entered into the Municipal Shared Services Defense Agreement (“MSSDA”) for the purpose as set forth therein, which included retaining a common expert in the Declaratory Judgment action (“Litigation”) In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (“Decision”); and

WHEREAS, the Court Judge has made appointment to the firm Burgis Associates Inc. as Court Master to oversee this Litigation and mediate any disputes that may arise; and

WHEREAS, when necessary the firm of Burgis Associates, Inc. will provide Court Master Services to oversee aspects of this Litigation; and

WHEREAS, the firm of Burgis Associates Inc. fees will be invoiced at an hourly rate of \$250.00 with a not to exceed amount of \$15,000.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of West Milford that authorization is hereby granted to process invoices submitted by the firm of Burgis Associates Inc., 25 Westwood Avenue, Westwood, NJ 07675 for legal services provided as Court Master in the amount not to exceed \$15,000.

Adopted: May 4, 2016

Agenda No. XI 7

~ Resolution 2016 - 166 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A REDUCED BUILDING SUBCODE FEE PER CUBIC FOOT OF VOLUME AND MAXIMUM BUILDING HEIGHT FOR TWINS REALTY GROUP LLC WITH REGARD TO NEW COMMERCIAL BUILDING CONSTRUCTION FOR PROPERTY LOCATED AT BURNT MEADOW ROAD

WHEREAS, the current Township of West Milford fee ordinance, Section 12-2.1 of the Revised General Ordinances for new construction states that “Use group S1 and S2 for commercial; and use group F1 and F2 shall be charged \$0.036 per cubic foot of volume with a minimum fee of \$250.00”; and

WHEREAS, Twins Realty Group LLC received Preliminary and Final Site Plan approval from the Planning Board in 2012 for the construction of several large open volume industrial buildings at an existing pre-cast concrete manufacturing site on Burnt Meadow Road; and

WHEREAS, Twins Realty Group LLC has requested a fee reduction on the building subcode fee for this project due to the size of these buildings, which will total approximately 1,313,566 cubic feet; and

WHEREAS, following discussions between the Township Administrator, the Township Construction Official and Twins Realty Group LLC, it has been determined that the rate for the Building Sub Code Fee can be moderately reduced for the benefit of all parties, while still maintaining operating costs; and

WHEREAS, the State of New Jersey Uniform Construction Code Fee for S1, S2, F1 and F2 Use Groups is set at a rate of \$0.021 per cubic foot of volume, and the Township of West Milford Building Subcode Fee is set at a rate of \$0.036 per cubic foot of volume; and

WHEREAS, the Construction Official has recommended that a reduced rate of the Building Subcode Fee to \$0.028 per cubic foot of volume, as well as computing the fee based upon the maximum ceiling height of 20 feet, for Twins Realty Group LLC would be sufficient to maintain all levels of administrative, inspection and operational costs without negatively impacting the Township; and

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WHEREAS, the State of New Jersey Department of Community Affairs recognizes that the fees for certain large industrial open volume buildings such as barns, silos, greenhouses, warehouses and other agricultural, recreational, and storage use buildings require less time for plan review and inspections, and will be capping the height at 20 feet for purposes of calculating the volume upon which the fee is based, with a May 2016 tentative adoption date.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Township of West Milford does hereby approve the reduction of the Building Subcode Fee for Twins Realty Group LLC to a rate of \$0.028 per cubic foot of volume, with a maximum ceiling height of 20 feet, for the construction of manufacturing buildings on Burnt Meadow Road, Block 6002; Lot 39.01 and Block 3906; Lots 9 & 10 under the Preliminary and Final Site Plan approved by the West Milford Planning Board with Resolution No. 2012 -13.

BE IT FURTHER RESOLVED that Twins Realty Group LLC will be required to submit the building permit application for the initial phases of the above referenced project within 20 days following the adoption of this resolution.

Adopted: May 4, 2016

Agenda No. XI 8

~ Resolution 2016 – 167 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER NO. 1 – FINAL TO UNIMAK LLC FOR THE NEW LIBRARY CONSTRUCTION PROJECT FOR AN OVERALL INCREASE OF \$1,692.94

WHEREAS the Board of Trustees of the West Milford Township Library and the Governing Body of the Township of West Milford have entered into a partnership to build a new \$4,845,000 library facility, and

WHEREAS the Mayor and Council of the Township of West Milford authorized the award of a construction contract for the New Library Construction Project to UniMak, LLC by Resolution 2015-287, and

WHEREAS the Mayor and Council of the Township of West Milford authorized the award of a contract to Atlantic Engineering Laboratories (AEL) by Resolution 2015-358 to serve as the testing agency for the construction project, and

WHEREAS an inspection by AEL scheduled for November 22, 2015, did not take place until the afternoon of November 23, 2015 due to a scheduling error by AEL, and UniMak incurred additional costs from their site subcontractor, Tom Buske & Son Construction, LLC, until the required inspection took place, and

WHEREAS the Library Director will pursue a credit from AEL to offset incurred additional costs, and

WHEREAS pursuant to the Change Order No. 1 – FINAL report prepared by the Library Director, the total amount of increase for the project is \$1,692.94 or 0.00035%; and

WHEREAS based upon the aforementioned changes to the contract, the adjusted total amount of the contract is now \$4,846,692.94, and

WHEREAS the Chief Financial Officer has certified to the availability of funds for this change order, said funds to be paid from the remaining balance of the grant appropriation previously approved for this project in account number 04-215-55-824-001.

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

1. The Township Council hereby awards a change order to the contract of UniMak, LLC, in an amount not to exceed \$1,692.94 (0.00035%) of the original \$4,845,000 contract amount.
2. The Township Administrator is hereby authorized and directed to execute a change order with UniMak in accordance with the report prepared by the Library Director.
3. The Township's Chief Financial Officer has certified the availability of fund for same.
4. This resolution change order and contract shall be available for public inspection in the Office of the Township Clerk.

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Adopted: May 4, 2016

Agenda No. XI 9

~ Resolution 2016 – 168 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER NO. 2 – FINAL TO UNIMAK LLC FOR THE NEW LIBRARY CONSTRUCTION PROJECT FOR AN OVERALL INCREASE OF \$1,463.27

WHEREAS the Board of Trustees of the West Milford Township Library and the Governing Body of the Township of West Milford have entered into a partnership to build a new \$4,845,000 library facility, and

WHEREAS the Mayor and Council of the Township of West Milford authorized the award of a construction contract for the New Library Construction Project to UniMak, LLC by Resolution 2015-287, and

WHEREAS an additional floor drain in Mechanical Room 112 , housing a hot water heater and janitor's sink, is not required by Code but is deemed a cost-effective best practice for the long-term, and

WHEREAS pursuant to the Change Order No. 2 – FINAL report prepared by the Library Director, the amount of increase for the project to install said drain is \$1,463.27, or 0.00030%, and

WHEREAS based upon the aforementioned changes to the contract and Change Orders No. 1 and No. 2 is equal to \$3,156.21, which results in an adjusted contract amount of \$4,848,156.21 that represents a 0.00065% increase, and

WHEREAS the Chief Financial Officer has certified to the availability of funds for this change order, said funds to be paid from the remaining balance of the grant appropriation previously approved for this project in account number 04-215-55-824-001.

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

5. The Township Council hereby awards Change Order No. 1 and No. 2 to the contract of UniMak, LLC, in an amount not to exceed \$3,156.21 (0.00065%) for a total contract award amount of \$4,848,156.21.
6. The Township Administrator is hereby authorized and directed to execute Change Order No. 1 and No. 2 with UniMak, LLC in accordance with the report prepared by the Library Director.
7. The Township's Chief Financial Officer has certified the availability of funds for same.
8. This resolution shall be available for public inspection in the Office of the Township Clerk.

Adopted: May 4, 2016

Agenda No. XI 10

~ Resolution 2016 – 169 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER NO. 3 – FINAL TO UNIMAK LLC FOR THE NEW LIBRARY CONSTRUCTION PROJECT FOR AN OVERALL INCREASE OF \$2,864.15

WHEREAS the Board of Trustees of the West Milford Township Library and the Governing Body of the Township of West Milford have entered into a partnership to build a new \$4,845,000 library facility, and

WHEREAS the Mayor and Council of the Township of West Milford authorized the award of a construction contract for the New Library Construction Project to UniMak, LLC by Resolution 2015-287, and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS additional electrical work is required to connect the new Library to the Town Hall computer network and to accommodate potential future expanded technological needs, and

WHEREAS pursuant to the Change Order No. 3 – FINAL report prepared by the Library Director, the amount of increase for the project to install said drain is \$2,864.15, or 0.00059%, and

WHEREAS based upon the aforementioned changes to the contract and Change Orders No. 1, No. 2 and No. 3 is equal to \$6,020.36, which results in an adjusted contract amount of 4,851,020.36 that represents a 0.00124% increase, and

WHEREAS the Chief Financial Officer has certified to the availability of funds for this change order, said funds to be paid from the remaining balance of the grant appropriation previously approved for this project in account number 04-215-55-824-001.

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

9. The Township Council hereby awards Change Order No. 1, No. 2 and No. 3 to the contract of UniMak, LLC, in an amount not to exceed \$6,020.36 (0.00124%) for a total contract award amount of \$4,851,020.36.
10. The Township Administrator is hereby authorized and directed to execute Change Order No.1, No. 2 and No. 3 with UniMak, LLC in accordance with the report prepared by the Library Director.
11. The Township’s Chief Financial Officer has certified the availability of funds for same.
12. This resolution shall be available for public inspection in the Office of the Township Clerk.

Adopted: May 4, 2016

Agenda No. XI 11

~ Resolution 2016 - 170 ~

RESOLUTION AND GROUP AFFIDAVIT OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AS CERTIFICATION OF THE 2015 ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Township Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Township Council; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

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R.S. 52:27BB-52: A local officer or member of a local governing body whom, after a date fixed for compliance, fails or refuses to obey an order of the director (Direct of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of West Milford, in the County of Passaic, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Adopted: May 4, 2016

Agenda No. XI 12

~ Resolution 2016 - 171 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE SYNOPSIS OF AUDIT FOR PUBLICATION FOR THE 2015 AUDIT IN ACCORDANCE WITH N.J.S.A. 40A:5-7

Attention is directed to the fact that a summary of the audit report, together with the recommendations, is the minimum required to be published pursuant to N.J.S.A 40A:5-7. Summary of Synopsis of 2015 Audit Report of the Township of West Milford, County of Passaic, as required by N.J.S.A 40A:5-7.

Assets	December 31 Year 2015	December 31 Year 2014
Cash, Investments and Prepaid Debt Service	21,816,116.88	16,734,117.35
Taxes, Assessments, Liens and Utility Charges Receivable	4,337,745.92	4,557,595.86
Prospective Assessments Funded	1,000.00	11,000.00
Property Acquired for Taxes - Assessed Value	3,260,100.00	2,712,800.00
Accounts Receivable (and Inventory)	3,876,126.45	2,440,560.80
General Fixed Assets	42,480,490.02	40,963,073.00
Deferred Charges to Future Taxation - General Capital	33,901,415.35	29,404,324.58
Deferred Charges to Revenue of Succeeding Years	267,012.16	535,518.24
Total Assets	109,940,006.78	97,358,989.83
Liabilities, Reserves and Fund Balances		
Bond and Notes Payable	31,417,685.15	28,998,668.77
Improvement Authorizations	8,549,246.79	3,016,079.79
Other Liabilities and Special Funds	13,771,133.77	12,250,619.28
Net Assets Available for Benefits	1,958,192.90	1,928,963.65
Investment in General Fixed Assets	42,480,490.02	40,963,073.00
Reserve for Certain Assets Receivable	6,700,958.71	6,196,186.30
Fund Balance	5,062,299.44	4,005,399.04
Total Liabilities, Reserves and Surplus	109,940,006.78	97,358,989.83
Comparative Statement of Operations & Change in Surplus – Current Fund		
Revenue and Other Income Realized	2015	2014
Fund Balance Utilized	2,500,000.00	2,000,000.00
Miscellaneous - From Other Than Local Property Tax Levies	7,118,715.54	6,283,152.93
Collection of Delinquent Taxes and Tax Title Liens	1,357,286.99	1,096,748.25
Collection of Current Tax Levy	100,663,610.22	97,684,650.53
Other Credits to Income	1,388,561.82	1,999,143.08

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Total Income	113,028,174.57	109,063,694.79
Expenditures		
Budget Expenditures:		
Municipal Purpose	31,498,150.81	29,295,131.11
Special District Taxes	1,792,906.07	1,871,047.81
Municipal Open Space Tax	150,625.58	150,645.98
County Taxes	22,194,822.17	21,000,332.48
Local and Regional School Taxes	53,810,404.00	53,018,279.00
Other Expenditures	91,155.18	842,204.69
Total Expenditures	109,538,063.81	106,177,641.07
Less: Expenditures to be Raised by Future Taxes		
Total Adjusted Expenditures	109,538,063.81	106,177,641.07
Excess in Revenue	3,490,110.76	2,886,053.72
Fund Balance January 1	3,804,206.85	2,918,153.13
	7,294,317.61	5,804,206.85
Less:		
Utilized as Anticipated Revenue	2,500,000.00	2,000,000.00
Fund Balance December 31	4,794,317.61	3,804,206.85

RECOMMENDATIONS

1. That the Fire Prevention Department maintain a cash receipts ledger for all monies collected.
2. That the Community Pass cash receipt report used by the Community Services & Recreation Department be in agreement with the Treasurer's records.
3. That old escrow balances be reviewed and the proper action taken.
4. That individual escrow accounts with balances exceeding \$5,000 be maintained in a separate bank account.
5. That the police outside service fees recorded by the Police Department be in agreement with the Treasurer's records.
6. That balances on the payroll bank reconciliation be reviewed and the proper action taken.

A Corrective Action Plan, which outlines actions the Township of West Milford will take to correct the findings listed above, will be prepared in accordance with federal and state requirements. A copy of it will be placed on file and made available for public inspection in the Office of the Township Clerk of the Township of West Milford within 45 days of this notice.

The above Summary of Synopsis was prepared from the Report of Audit of the Township of West Milford, County of Passaic, for the calendar year 2015. This Report of Audit, submitted by Charles J. Ferraioli, Jr. of Ferraioli, Wielkocz, Cerullo & Cuva, P.A., is on file at the Township Clerk's Office and may be inspected by any interested person.

Adopted: May 4, 2016

Agenda No. XI 13

~ Resolution 2016 – 172 ~

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:

Spring Soccer		
Mikaeel	\$80.00	Fatima Alidina 2 Iron Hill Pass West Milford, NJ 07480
Parent & Me Soccer Clinic		

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William	\$45.00	Maria Graves 645 Otterhole Road West Milford, NJ 07480
Spring Basketball		
Dylan	\$75.00	Jennifer Gaffney 109 Otterhole Road West Milford, NJ 07480
Ryan	\$75.00	Malcolm Ireland 28 Hudson Drive West Milford, NJ 07480
Michael	\$75.00	Mark Harrison 18 Ringwood Lane Hewitt, NJ 07421
Shaan Celik	\$75.00	Gloria Vargas 7 Windbeam Ave. Hewitt, NJ 07421
Elijah Hunter & Nadine Helas	\$150.00	David Hllaire 97 Lincoln Ave. West Milford, NJ 07480
Robert	\$75.00	Lauren Fiorilla 1432 Macopin Road West Milford, NJ 07480
Jacob & Tyler	\$150.00	Cindy McNaught 31 Monmouth Ave. West Milford, NJ 07480
James	\$75.00	Mike Tooley 104 Carmel Road Hewitt, NJ 07421
Diante De Groat	\$75.00	Jessica Torres 25 Melody Lane West Milford, NJ 07480
Timothy	\$75.00	Frances Paulison 1 Ashbrook Lane West Milford, NJ 07480
Nathaniel	\$75.00	Kimberly Holmstrom 108 Otterhole Road West Milford, NJ 07480
Emily	\$75.00	Maria Kaminskyj 1414 Macopin Road West Milford, NJ 07480
Vincent	\$75.00	Heather Commoreto 35 Papscoe Road Hewitt, NJ 07421
Spring Basketball		
Nathan	\$75.00	Susan Leonard 3 Olde Hickory Road West Milford, NJ 07480
Meagan	\$75.00	William Barnes III 24 Gwyneth Road West Milford, NJ 07480
Lilianna Sanchez	\$75.00	Tara Veselsky 397 Otterhole Road West Milford, NJ 07480
Derek	\$75.00	Denise Shorter 8 Bradrick Lane West Milford, NJ 07480
Daniel	\$75.00	Cindy Ulmer 9 Compass Ave. West Milford, NJ 07480
Shane	\$75.00	Laura O'Brien 27 Beach Haven Road Hewitt, NJ 07421
Joshua	\$75.00	Denise Calderone 60 Setting Sun Trail West Milford, NJ 07480
Cormac & Kate	\$150.00	Paul Murtagh

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		100 Vreeland Road West Milford, NJ 07480
Jake	\$75.00	Jeri-Ayn Morley 32 Hancock Drive West Milford, NJ 07480
Giancarlo Gomez	\$75.00	Carolyn Gavett 46 Reidy Place Hewitt, NJ 07421
Christopher	\$75.00	Annette O'Mahoney 158 Ridge Road West Milford, NJ 07480
Jack	\$75.00	Daniel Novak 36 Dunham Road Hewitt, NJ 07421
Nicholas	\$75.00	Donna Bortrager 17 Barnegat Road Hewitt, NJ 07421
Ethan	\$75.00	Diego Romero 16 Meadow Road West Milford, NJ 07480
Spring Basketball Clinic		
Matthew	\$40.00	Kimberly Holmstrom 108 Otterhole Road West Milford, NJ 07480

Adopted: May 4, 2016

Agenda No. XI 14

~ Resolution 2016 – 173 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2016

WHEREAS, applications have been made for the new licenses and the renewal of various Licenses for the 2016 license year; and

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford does hereby approve the issuance of 2016 Licenses as listed below and;

License No.	2016 CLOTHING BINS LICENSES
2016-34	Synergy In-Kind Donation Management, Inc. Boy Scout Troop 44 West Milford Presbyterian Church, West Milford, NJ

Adopted: May 4, 2016

Agenda No. XI 15

~ Resolution 2016 – 174 ~

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

WHEREAS, appeals of the real property tax assessments of the following properties have been filed in the Tax Court of New Jersey:

PROPERTY OWNER	BLOCK	LOT	ADDRESS
Racano, Michael & Tara	10403	3.02	116 Green Terrace Way
McErlean, Gerald & Mary Anne	15508	9	3 Cross Road
Giannone, Richard	10701	9	20 Cliffside Drive
Tuomey, Andrew and Stephanie	2702	19	53 Landing Rd.
Sayers, Thomas	12901	51	143 High Crest Drive

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Zielinski, Terry & Louise	4901	22	120 Kitchell Lake Dr.
Rubinstein	4201	12	49 Lake Park Terrace
Fleming	12901	1	253 High Crest Drive
Esco Products, Inc.	15901	7	171 Oak Ridge Road

; and

WHEREAS, the Tax Assessor and Township Attorney are 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, State of New Jersey, as follows:

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

PROPERTY OWNER	YEAR	ORIGINAL ASSESSMENT	COUNTY BOARD OF TAXATION SETTLEMENT	PROPOSED SETTLEMENT
Racano, Michael & Tara	2011	\$293,100	\$293,100	\$236,000
Racano, Michael & Tara	2012	\$606,100	\$606,100	\$542,700
Racano, Michael & Tara	2013	\$606,100	\$606,100	\$542,700
McErlean, Gerald & Mary Anne	2012	\$194,400	\$194,400	\$162,300
McErlean, Gerald & Mary Anne	2013	\$194,400	\$194,400	\$162,300
Giannone, Richard	2011	\$116,700	\$116,700	\$87,200
Tuomey, Andrew and Stephanie	2012	\$248,500	\$233,500	\$192,100
Tuomey, Andrew and Stephanie	2013	\$248,500	\$233,500	\$192,100
Sayers, Thomas	2012	\$421,300	\$421,300	\$410,000
Sayers, Thomas	2013	\$421,300	\$421,300	\$410,000
Zielinski, Terry & Louise	2012	\$415,400	\$405,400	\$387,200
Zielinski, Terry & Louise	2013	\$415,400	\$405,400	\$387,200
Zielinski, Terry & Louise	2014	\$415,400	\$405,400	\$387,200
Rubinstein	2012	\$469,900	\$459,900	\$422,100
Fleming	2013	\$587,100	\$587,100	\$503,700
Fleming	2014	\$587,100	\$587,100	\$503,700
Fleming	2015	\$587,100	\$587,100	\$503,700
Fleming	2016	\$587,100	\$587,100	\$503,700
Esco Products, Inc.	2012	\$1,179,000	\$1,179,000	\$1,000,000
Esco Products, Inc.	2013	\$1,179,000	\$1,179,000	\$1,000,000
Esco Products, Inc.	2014	\$1,179,000	\$1,179,000	\$1,000,000

2. All refund checks are to be made payable to the attorneys for the taxpayer and the taxpayer. Refunds are to be made within 60 days from the date of the entry of Judgment and interest is waived on said refunds on the condition that the refund is paid within 60 days from the date of the entry of Judgment.
3. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.
4. The Tax Collector is hereby authorized to credit and/or refund the appropriate taxes in accordance with the terms of this Resolution.
5. This Resolution shall take effect immediately.

Adopted: May 4, 2016

Agenda No. XII

Approval of Expenditures

~ Resolution No. 2016 - 175 ~

RESOLUTION APPROVING THE PAYMENT OF BILLS

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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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	\$124,643.12
3	Reserve Account	17,993.62
2	Grants	11,739.50
6	Refunds	2,415.00
1	General Ledger	5,543,299.51
26	Refuse	56,624.27
4	Capital	468,829.78
19	Animal Control	0.00
19	Heritage Trust	118.59
19	Open Space Trust	0.00
19	Trust	11,972.65
19	COAH	0.00
16	Development Escrow	0.00
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$6,237,636.04
Less Refund Resolution		-2,415.00
Actual Bills List		\$6,235,221.04
Other Payments.		
	P/R	501,488.59
	DCRP	629.22
	NJ DMV	60.00
Total Expenditures		6,737,398.85

Adopted: May 4, 2016

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

Councilwoman Erik mentioned that once again, we go over every one of these bills. Anything in question has already been addressed before tonight’s meeting.

Agenda No. XIV

Appointments and Resignations

Agenda No. XIV 1

~ Resolution 2016 - 176 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPOINTING THE TOWNSHIP’S DIRECTOR OF PUBLIC WORKS, EDWARD STEINES, AS PROGRAM COORDINATOR FOR THE TOWNSHIP’S STORMWATER POLLUTION PREVENTION TEAM

WHEREAS, Edward Steines was appointed to the position of Director of the Department of Public Works (DPW) at the April 6, 2016 meeting of the West Milford Governing Body; and

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WHEREAS, the West Milford DPW Director also serves as the Program Coordinator for the Township's Stormwater Pollution Prevention Team.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby appoint DPW Director Edward Steines as Program Coordinator of the Township's Stormwater Pollution Prevention Team.

Adopted: May 4, 2016

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

Agenda No. XIV 2

~ Resolution 2016 -177 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ACCEPTING RESIGNATIONS TENDERED

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby accept the following resignation tendered to the Township:

Name	Position	Date Tendered
Edwin Gonzalez	WM77TV Commission Citizen Member Term expires 12/31/16	April 22, 2016

Adopted: May 4, 2016

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

Councilwoman Erik wanted to mention that this resignation is taking place because of schooling. He is still with us as a volunteer.

Mayor Bieri said if the council wishes, they can make an appointment to the WM77TV Commission. Councilwoman Lichtenberg requested that the council hold off on appointments until after public comments. Township Administrator/Clerk said that she would like the council to know that we received another citizen leadership form expressing interest in this commission. She said that it came in after packets went out so the governing body has not seen it yet. She explained that if no appointment is made, it will be going out with the next packets. Mayor Bieri suggested to defer making an appointment until you see what your options are if you so choose.

Agenda No. VIII

Public Comments

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

Bob Nicholson, 20 Hyde Rd, Stockholm wished the Mayor a Happy Birthday. He stated that he wears different hats as a citizen and as a member of Passaic County Film Commission. He explained that two weeks ago, they had their 12th annual Film Festival down in Passaic County. It was great to see the films that were done this year and it was very hard to judge. He noted that most importantly, he was impressed by the students that participated from West Milford because they are going against big schools like PCTI. Mr. Nicholson said that he would like to give the students public recognition and speak about what they won because he likes to bring out the good in people. He said that he is very proud of these people. He listed the participants and their awards. Mr. Nicholson explained that after the festival, he took aside one of the students and noticed his talent. He asked if the individual would like to come and attend one of the

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WM77TV Commission meetings. He came to the meeting and put in a citizen leadership form. Mr. Nicholson stated that more importantly, he is excited about what these kids do.

James Ronayne, 28 Ormond Road, Hewitt stated that he would like to talk about the fire truck for Fire Company #1. Mr. Ronayne distributed a handout to the council. He said that there are calculations on the front that show different amounts that can be used to purchase a new vehicle instead of patching up the old one. He said that Mr. Casey mentioned a couple of weeks ago that a part is going to cost \$50,000-\$62,000. He explained that he put together his used car lot experience and provided information for the governing body of different options and savings for a new fire truck. In addition, the summary explains where the savings can be if we purchase this vehicle this year or put it into the budget this year. He stated that instead of putting \$60,000-\$80,000 dollars into a truck that has three years of life left on it which makes no sense; you can use that money as a down payment. Mr. Ronayne said that it also doesn't make sense that we are going to take that truck and give it to Fire Company #6. He explained that he just found out that their truck is going to seize any day now so we are in trouble when it comes to fire. Mr. Ronayne stated that we are coming into the heat season and there are going to be fires. The last thing that this town wants to do is fail with the fire truck. The fire truck will not fail in the garage, it is going to fail going to someone's house. He said that we need to make some changes.

Mr. Ronayne went over his summary that was distributed to the council. He explained that right now, we can get low loans that are almost free. If you wait a couple of years, those loans are going to go up and you will have to buy a new fire truck. You are going to have to buy it, there is no question about it but the question is when. He explained that if you look at the plan, there are three different down payment amounts that you can put down on a new fire truck. A \$65,000 down payment, a \$75,000 down payment, and a \$100,000 down payment. He explained that the last time he addressed the council; he spoke about trucks that are going to the DPW and the Recreation Center. He said that he spoke to Mr. Roetman. Mr. Roetman told him that he would be using the dump truck one maybe twice a week in the busy season. Mr. Ronayne stated that he brought to the council's attention that a smaller vehicle can be bought and a pick up with a pull along trailer for \$5,000 to \$7,000, which is a \$35,000 dollar savings. He said that the money is there to use and if we just think about it a little bit and get creative, we can save money. He noted that at the end of the 6th year of his projected plan, there is a \$25,000 savings. He said if you keep putting money into the fire truck, the cost is just going to rise until the truck fails. He asked the governing body to take this into consideration and think about the residents. He said the last thing that you need is houses burning to the ground.

Pete McGuinness, 120 Lincoln Ave said that he is concerned and asked for public reasoning for the firing of the PIA insurance agency. He stated that he would like to know the facts. In March, the council unanimously voted to approve them. He explained to his knowledge and what was reported to the public, they were performing and did not show any cause for the firing. Last month, Council President Dale introduced a spreadsheet that was fundamentally and factually incorrect. Mr. McGuinness stated that it is alarming and he urges the council to please research this, get all of the facts, and correct this. Lastly, as you know the school budget was approved at 0% increase. He explained that he would not support anything less than a 0% increase. He hopes that everyone can work together and try to achieve this goal for the citizens in our town.

Gary Steele North Glenwood Rd noted that he is back here to talk about the situation with the EDC. He said that he now has a complete and clear picture so if you have any questions; he can answer them accurately and factually with proof as to what has occurred. One of the facts is that you can't fail to invite members to a commission due to the Open Public Meetings Act and there are many others. He explained that Township Attorney framed the issue to be about his attendance so he obtained the office records of the meetings. He explained that if you look into the minutes of those meetings, they tell a completely different story and it's shocking. Mr. Steele indicated that he went through the minutes from 2015 when he was appointed through the most recent meeting that is on file in the clerk's office. He stated that he is basing his data on thirteen meetings from December 2015 to the present minutes on file. Mr. Steele gave a summary of how a member's attendance can be categorized in the minutes. He explained that at each meeting, attendance can be looked at in only four ways; absent, present, excused, or not mentioned at all. He stated the EDC has been operating with only twelve members and it only has eleven legal members. He outlined the dates of the meetings that they were operating that way. In addition, Mr. Steele mentioned that he was not listed or mentioned as a member at ten meetings. He said that he was marked absent at two meetings and was not invited to the special meetings. He went over individual EDC members attendance records. He indicated that other members were not mentioned as well in the minutes for a total of thirty-two times over thirteen meetings. Mr. Steele stated that he strongly recommends that the council reconsiders what they did with that resolution and rescind it. He explained that the EDC has not had another meeting so he hasn't been able to present this information to them. He said that he would be happy to give this information to anybody who asks for it.

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

Moved: Erik Seconded: Lichtenberg
Voted Aye: Unanimous voice vote
Voted Nay: None
Motion carried.

Agenda No. IX

Council Comments

Councilwoman Erik said that she would like to comment regarding what Mr. Nicholson said. That the young man that he was talking about, he attended our meeting this past Saturday and he has taken on some of the responsibilities already. She stated that he is the one who has put in there citizen leadership paperwork in and the whole idea with the TV Commission is to get the young involved. That's where the future lies.

Councilman Wagner stated that he would like to respond to Mr. McGuinness as far as his concern. He explained that the governing body received a letter from PIA on April 18th and it's their concern as well that the abrupt termination was a little too sudden especially since he has such a great reputation with the township over the past 5 or 6 years. It is also noted that PIA demonstrated a savings for the town in the amount of \$70,000 over that period of time. He said that he would also like to know as well why this council's decision was so abrupt to fire them. In one month it was approved and then 30 days later terminated. He explained that he would be very interested in knowing if anyone has any findings of something that they did wrong. Councilman Wagner noted that he is concerned because this is a lot of money and to have one provider handle the insurance is alarming. He said that he would like to ask those questions because he doesn't get it. Councilman Wagner said that the other concern that he had is with Gary Steele. He explained that he brought this up at the last meeting and he believes that it should be rescinded and Mr. Steele should be put back on the EDC. He stated that he would like to make the motion right now to rescind resolution 2016-142 to create a vacancy on the EDC. Councilman Signorino seconded the motion. Councilman Signorino said that he think it was done improperly and should be rescinded or voided all together. Township Attorney Semrau said that if you entertain a motion, he would need to know how the vote went for the removal. The council requested that the vote be brought up from the meeting minutes. Township Attorney Semrau requested that we address this later on in the meeting so we have the information on the vote.

Councilwoman Lichtenberg said that she would like to see the information that Mr. Steele has, look at all of the minutes and hear from the EDC commission. It seems odd that some things wouldn't be on their records as far as attendance. She said that she would like to look at the minutes and compare the attendance records to know what the situation is.

Township Administrator/Clerk Battaglia obtained the information regarding the vote for the removal of the alternate member. She noted that the motion was made by Councilman Hensley and Seconded by Councilman Signorino and it was a unanimous roll call vote. Township Attorney Semrau stated that it would be permissible for the motion and the second under these circumstances. Mayor Bieri noted that Councilwoman Lichtenberg requested more information and clarified that motion could be tabled for later discussion. Township Attorney Semrau agreed and said that it could be tabled if the motion is made. Council President Dale made the motion to table the discussion. Township Attorney Semrau noted that the discussion continues right now because there is one motion to table and not a second. Mayor Bieri stated if there is another motion to table, then there would be no more discussion. She explained that the request for more information makes sense because Mr. Steele brought to our attention some more information. In addition, she heard comments from the governing body about how it was a wrong rescinding and she would like to find out why it would be considered wrongful because all of that information would be pertinent to having any kind of legitimate vote. Mayor Bieri said if there is no second, then we have the discussion and move on.

Councilman Hensley seconded the motion to table the discussion. Township Attorney Semrau mentioned that the motion to table should have a date. He asked Council President Dale if there is a date that she would like to specifically table this discussion to. Council President Dale said that she would like the discussion to be tabled to June 8th. Township Attorney Semrau said that there would be a roll call vote just to determine if the discussion should be tabled to the June 8th meeting and there would be no more discussion until that meeting. If the motion is defeated, then it reverts back and there would be a discussion. Mayor Bieri asked for a roll call vote for the motion to be tabled to June 8th.

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

Mayor Bieri said that the motion to table for June 8th carries with a 4-2 vote and the discussion can be continued at that time. She requested that the governing body obtains any information that is relative to that discussion so they governing body can make an informed decision.

Councilman Wagner said that he would like to finish his council comments because he had some notes about Gary Steele and he does believe that he was treated unfairly. He listed some reasons. Councilman Wagner believes that Mr. Steele should be put back on the EDC. Mayor Bieri noted that the council will be considering for Mr. Steele to be put back on the EDC and it was just deferred to a later date. The council would like the factual information before they do so.

Mr. Steele wished to be heard from the public. Township Attorney noted that you can recognize Mr. Steele and have him speak under these circumstances.

Gary Steele, North Glenwood Rd stated that he believes that the only way to research this is to go to the minutes and not depend on recollection. He said that the question is what is preventing someone from making a motion to rescind the motion to table the discussion. He asked if that's allowed. He said that it should not be used to put off a decision. He asked the council to vote either way and make some sort of decision.

Township Attorney Semrau said that unless we are going to rescind anything that's taken place so far, it is not appropriate to make the same motion again. The reason why is technically otherwise, we would not be able to move forward and have a productive meeting because it would be called a filibuster. He explained that you could go all night and just keep making the motions and that would not be recognized to proceed. Councilman Signorino said that he would like to echo the sentiments of Councilman Wagner regarding PIA and about Mr. Steele. He said that he wasn't looking for another point of order and doesn't want to waste anyone's time. He noted that he certainly regrets his decision and feels like he was given bad information. He looks forward to having the discussion after the council reviews the information. Councilman Signorino said he feels that we are putting the volunteer members in a bad spot and setting a bad example. Councilman Hensley stated that he would just like to remind the general public that the EDC commission meetings are always open to the public and are on the second Wednesday of the month. He added that he would be open to the public to discuss positive ideas for economic growth and prosperity in West Milford.

Mayor Bieri said that she would like to mention some points based on the comments made in regard to the fire truck. She stated that we should at least consider that if not this year but for moving forward. It might be too late for this year but she did look at the numbers briefly and knows that bond rates are indeed low. The speakers point is that we can take that \$60,000 or \$80,000 of repair money, make it your down payment on your bond, and then have lower bond payments. In the budget conversation, we discussed putting aside \$100,000 a year. If your bond payments are going to be less than \$100,000, why not take that repair money, put it in as a down payment, and have a new truck. It would cost you less in the end. Mayor Bieri explained if we still have time to do that and can make that analysis using our professionals then that would be great. She noted that she appreciates the idea that came forward but we can't delay our process this year. It's something that we always need to consider. In addition, Mayor Bieri said that she would also like to comment about some things said tonight. There were some comments about people knowing where people are coming from and what their sentiments are. She explained that it is wrong to insinuate that you know what people are thinking or what they have decided, especially when the decision was to get more information. Give them an opportunity to do the research that they need to do in order to make a sound decision. A discussion ensued by the governing body about the motives for tabling a discussion and the information provided. Mayor Bieri stated that it normal standard procedure at the governing body level to table a matter and it happens frequently. She explained that there is a variety of reasons, none of which are to squash anything. When more information is needed and when you are not ready to make a decision. Township Attorney Semrau said that procedurally, it's a normal thing that happens.

Agenda No. XIII

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

Councilman Wagner wished everyone a nice Mother's Day. He noted that Beautification Day was this past weekend. He said it is inspiring to see how many volunteers go out and clean up the town. The

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Recreation Advisory Subcommittee met with some Board of Education members and the Board of Ed requested that they give a presentation at the May 24th meeting on all of the fields and parks. It was very nice to see them come out and create a dialogue and they definitely seemed to be more interest in trying to do what they can to improve the fields. The Marshall Hill fence was finally removed and it was replaced with an eight foot fence which has been installed and looks great. Councilman Wagner stated that the Rummage Sale proceeds came to about \$9,800. He did have some time to go see the residents at Goldfinch Lane and listen to some of their concerns. Councilman Wagner wanted to mention that the signs on La Rue Rd and Lincoln Rd have been in disrepair for some time. He said that the Chamber of Commerce was looking into replacing them but it has been going on for many years. He asked Township Administrator/Clerk Battaglia if the sign can be removed on La Rue Rd because it's collapsed and looks like an eye sore and the one on Lincoln Rd needs some repair. Township Administrator/Clerk Battaglia asked if there is consensus from the council. The council gave consensus.

Council President Dale stated that she attended the CASA meeting. On May 7th, there is the West Milford Health and Wellness Fair at Hillcrest. May 18th at 10am we have the drunk driving reenactment that at West Milford High School. June 7th is another the Health and Wellness Fair at the West Milford High School. June 22nd is the 4th and 5th grade activity night at West Brook Park which is a new program that is being offered. June 23rd from 7pm-9pm is the 6th grade beach party at Bubbling Springs. June 30th is the 7th and 8th grade beach party at Bubbling Springs. Council President Dale noted that she did attend the Walkout On Drugs sponsored by the Elks. It was very well attended and it was nice to see how many people participated from the community. She said that there was a table there from CASA and other resources that we have within the municipality. In addition, the Sheriff's Department was there doing a demonstration with their police dog. It was a fun day. She thanked the volunteers that came out and cleaned up the community and volunteered their time.

Councilman Signorino said in the past, we have passed resolutions supporting Fair School Funding. He explained that it is good legislation because it treats all children equally and they all get the same amount of funding. Right now it is disproportionate and it's not fair and this helps to level the playing field and treats all of our children as equals. Councilman Signorino asked for the topic to be added as a discussion item for the next workshop meeting. Township Administrator/Clerk Battaglia said that we have adopted that resolution for the past three years. If there is consensus from the governing body, she can put it as action for May 18th. The council gave consensus. Councilman Signorino said that he would also like to congratulate the Walkout on Drugs. He also congratulated his son for making his communion and all of children that made their communion. He wished all of the coming graduates for 2016 good luck. The Tennis tournament, sponsored by the Heritage Committee is June 11th and 12 at the West Brook Tennis Courts. He noted that the Heritage Committee is looking for sponsors for this event and listed the current sponsors. Anyone who is interested in going to the Museum, we are open Saturday's from 1-4pm. If you would like to learn about the rich history of the town, certainly join the volunteers there.

Councilman Signorino stated he would also like to report on the Library Board Council Subcommittee. He expressed that Mr. Pino is very diligent and his concerns and they didn't go unheard. The library is moving fast now and people are excited. Councilman Signorino suggested watching the operations and getting the credits where possible. The credits can certainly be overlooked in construction. The credits that we have been getting from these contractors have offset these costs and hopes that it will reduce the cost of the building itself in the end. The Storm Hardening Project that is going on right now has provided us with plenty of opportunities to rethink how we are doing the project and to try and save money. He wanted to give a big thank you to the library board and to Mr. Riccardo Pino.

Councilwoman Lichtenberg said that she can echo the work of Mr. Pino. He is very accurate and very diligent in getting that library built. She explained that we are not being delayed with all of this rain and we are doing other things to stay on target like the plumbing and electric on the lower level. The library should be completed by the end of October. On Thursday May 12th there is Alzheimer's Class here at Town Hall which talks about the facts, common risks, stages, and current treatments. If you are a nonprofit group or organization wishes to place something on our local television community bulletin board, you may do so by sending an email to WM77TV. Councilwoman Lichtenberg stated that she hopes everyone starts looking for houses for the 2016 West Milford House Beautiful Contest. Please submit your suggests at erik@westmilford.org. On May 19th, the Civics Club and Health Advisory Board are sponsoring a presentation regarding the signs and symptoms of substance abuse of addiction. She wished everyone a Happy Mother's Day this weekend. Councilwoman Lichtenberg mentioned that she is here at Town Hall every Friday from 10am -12 pm to hear your ideas, suggestions, or concerns. She wished the Mayor a very happy birthday. Councilman Signorino noted that at library board council subcommittee, it was mentioned to ask the council how many cameras we would want for the library. At the meeting they discussed about security cameras and where they would go. It was recommended to have eight outside cameras outside and Councilman Signorino suggested four fish eye lenses. He suggested for the inside, to have cameras in common areas because there are children upstairs. He

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asked for input from the council. Mayor Bieri suggested getting input from the police department and other places before making a decision. Township Administrator/Clerk Battaglia said that she didn't get an email from Mr. Pino but we did discuss it briefly. She explained that the Library Board does have an idea of how many cameras they would want in their section so it's just formulating it for the township section. She stated that we would be running programs in the library so we would want them in general areas. We would ask for advice from the Police Department and our IT department.

Councilman Wagner wished the Mayor a Happy Birthday. He stated that since his motion is pushed to the June meeting, and he understood that Councilwoman Lichtenberg would like more information from the EDC. He requested that Councilman Hensley to go back to the EDC and open this up for discussion at their next meeting. He suggested having the co-chairs come to the meeting, verify the minutes themselves and open it up to discussion to see what their opinion is. He explained that it will help the council to make that decision for the June Workshop. Mayor Bieri noted that the EDC already gave the governing body a letter on that topic and that is how the recommendation came up. She said it is a process that we all have to look into. Mayor Bieri explained that the attendance records are provided to Administration because every year we get attendance records to know whether we should reappoint someone or not. Councilman Wagner said that not just the attendance records the reason why he was making the motion. There was five points.

Councilwoman Erik noted that last week was roadside cleanup for Beautification Day and she is the liaison for the committee. Friday she drove around and picked up four full truckloads of bags and two more on Saturday. Six truck loads from just three roads. Councilwoman Erik said that last week, she went to JAG or Jersey Access Group which our Cable TV and our town is a part of. She mentioned that many stations throughout the state are upgrading to High Definition or HD and we are not because we are still in our infancy. She said next month, they will be getting racks, cameras, and wiring for a total of \$15,000 worth of equipment. Councilwoman Erik stated that she sits on the EDC Commission. She explained that the three times she was absent in the past two plus years were due to a scheduling conflict. She noted that she did call and say that she could attend so the absences should be excused. She expressed that she would like to go over the minutes and numbers presented tonight. Councilwoman Erik stated that you don't remove a second alternate because you don't have a quorum because it's the rest of the commissioners that didn't make the quorum. There is something wrong there. In addition, she would like to apologize publically because she voted to take Mr. Steele off because of the information she had at the time. She stated that there is something wrong and she would like to revisit it.

Councilman Hensley said that he looks forward to the time in which to discuss these topics and items. Once again, he would like to invite the general public to attend any of our townships public meetings. Please show up, get involved, and help us make our town a better place. Additionally, the West Milford Players Club will be performing in the Three Musketeers at the Wallisch Properties at Saturday May 21st at 2 pm. It will be a nice live performance. He thanked Councilman Wagner on his recommendation and will try and get the information that the council requires from the EDC.

Mayor Bieri mentioned about the gypsy moth spraying. The township has entered into an agreement with NJ Department of Agriculture and we will indeed have aerial spraying in town. There will be aerial spraying beginning on or after May 16th and will continue through June 15th or until its completion. Spraying would occur between 5:30am and 7:30am, 8:30am and 2pm and possibly between 5pm-8pm in the evening. She said that there is a map indicating the exact areas that are going to be treated and it is available for inspection at the municipal building. You can also contact our health department. Mayor Bieri noted that if you would like information about the pesticide itself, you can call the Nation Pesticides Information Center. The pesticide that they use is safe for humans and animals. It is recommended if you do want complete avoidance to stay out of the outdoor areas or protect yourself with rain gear and other protective clothing. In addition, you should refrain from being outside an hour before and an hour after the spraying. Additionally, the DEP published a notice on black bear safety tips. She noted that it is illegal to feed a bear intentionally but unintentional is one of our biggest problems. She read the recommendations to minimize conflicts. You can report any damage or nuisance of behavior or aggressive bears to the Division of Fish and Wildlife. In joint effort from our EDC and the Chamber of Commerce, there is a small business seminar being held at Town Hall on May 23rd at 9am. It is being held in conjunction with Passaic County Economic Development Department, William Paterson University, and the UC EDC. There will be free services offered by William Paterson University's Small Business Development Center.

Mayor Bieri wished everyone a Happy Mother's Day. In addition, the Library Board and the township are fortunate to have Mr. Riccardo Pino as our Library Director. She expressed that he is an amazing individual, very bright, and gets the job done. We are very blessed to have him and especially for this project. On another note, we always hear a lot of negativity and often times hear very few thanks. At the last meeting there was a resident that complained about ATV's on his property. At that time, the couple was dissatisfied with the reactions and response of our Administration and the Police Department. She

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explained that since then, she received a thank you email from the individual that allegedly actually got hit by the ATVs in an accident. She read the email. Mayor Bieri wanted to point out and mention that we do get thanks as well and not just complaints.

Township Administrator/Clerk Battaglia explained that while West Milford is engaging in the gypsy moth program, other towns are participating as well. She said we have received notice from towns surrounding West Milford about their gypsy moth spraying. The notices are being posted on the township website as well as notifying our neighboring communities about our gypsy moth spraying. Township Administrator/Clerk Battaglia said when talking about various boards, committees, and commissions, she would like to note that sometimes people assume the role of secretary. A lot of times, that is a very hard role. Often times, people who are new to the process and new to the system take on this role and it is extremely important, tremendously time consuming, and takes a lot of effort. In addition, mistakes will be made especially if people are new. She suggested that we should be careful because when people are doing their best and are doing that tremendously difficult task, we don't want to inadvertently say something that would possibly negate people's willingness to assume that very important role. Without them, we don't have any record of any of these meetings. Mayor Bieri agreed and added that we have to keep in mind that the secretaries are indeed volunteers as well.

Township Attorney Semrau stated that he sent the governing body an update on two matters that are in litigation. We are also appearing before Judge Brogan tomorrow on the Affordable Housing Plan that the township has put together and we are in compliance with all of the court orders thus far. Township Attorney Semrau said that he wanted to point out something that was mentioned earlier in the meeting. When talking about the difficulty and delays with the Highlands, we would all agree that it's not the Highlands Council. The Highlands Council did everything that they could to work with us and the highlands regulations are down at the Department of Environmental Protection. He explained that when we talk about legislation, that is what we really mean. Mayor Bieri thanked Township Attorney Semrau for the clarification and agreed that it's not the highlands council. In addition, Township Attorney Semrau wished the Mayor Happy Birthday.

Agenda No. XV

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 8:49 p.m.

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

Approved: September 7, 2016

Respectfully submitted:

Nichole Hanrahan Clerk Typist

MAYOR BETTINA BIERI, PRESIDING OFFICER

ANTOINETTE BATTAGLIA, TOWNSHIP CLERK