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

Minutes of: Governing Body Workshop Meeting  
 Date of Meeting: May 7, 2014  
 Time of Meeting: 6:30 pm  
 Minute Page No: Page 1 of 19

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

**Adequate Notice Statement**

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Workshop meeting was advertised in the Herald News in its issue of December 29, 2013 and January 5, 2014; copies were provided to the Suburban Trends, the Record, Star Ledger, and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

**Pledge of Allegiance**

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

**Roll Call**

Present: Councilmembers Ada Erik, Mike Hensley, Vivienne Erk, Michele Dale,  
 Luciano Signorino (arrived at 6:50 p.m.), CarlLa Horton, Mayor Bettina Bieri.  
 Absent: None.  
 Also Present: Interim Township Administrator Robert Casey, Township Clerk Antoinette Battaglia,  
 Township Attorney Frederick Semrau.

**Agenda No. II**

**Reading of or Approval of Minutes**

Councilwoman Erik moved to adopt the March 19, 2014 Regular Meeting Minutes, the March 19, 2014 Executive Session Minutes and the March 19, 2<sup>nd</sup> Executive Session Minutes as presented:

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

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**Agenda No. III**

**Meetings**

Mayor Bieri noted the future meeting schedule:

May 21, 2014 Regular June 4, 2014 Workshop June 25, 2014 Regular

**Agenda No. IV**

**Executive Session**

**~ Resolution No. 2014 – 159 ~**

**MOTION FOR EXECUTIVE SESSION**

BE IT RESOLVED by the Township Council of the Township of West Milford on the 7<sup>th</sup> day of May 2014 that:

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):

- ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
- ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
  - ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
- ( ) b. (4) A collective bargaining agreement including negotiations.
- ( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
- ( ) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of

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- violations of the law.
- (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
    - Litigation – Hughes/Simmons v. Township of West Milford
    - Contracts – Township Administrator
    - Contracts – PAL, Hillcrest, Municipal Facilities
    - Liquor License Transfer
  - ( ) b. (8) Personnel matters.
  - ( ) b. (9) Deliberations after a public hearing that may result in penalties.

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 7, 2014

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

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The Governing Body went into executive session at 6:37 pm.

The Governing Body returned to the public meeting at 7:47 pm with all members present including Councilman Signorino who arrived during the executive session meeting.

Agenda No. V

**Presentations**

Recreation Advisory Committee – Additional Turf Field – Chairman Bill Hemstead addressed the Council saying that the objective of this presentation is to get a new turf field for sporting & community events. He said the RAC proposes working with the Council & BOE and seek grants for funding. The proposed field is about 390' in each direction to allow sideways use which will achieve 2 smaller fields as well as the full size field. They would install both softball & baseball diamonds. It creates a field that can be used in spring. The estimated cost \$1,675,000. The RAC is asking the Township to use the \$800,000 in redevelopment funds because they believe those funds were achieved through an active recreation process and as such would be used appropriately. They propose to seek additional funding from BOE of \$525,000 and seek grants from Passaic County open space for the difference. If they got greater grant approval they would reduce the Township portion.

Mr. Hemstead listed what the RAC believes to be about twelve benefits of having a second turf field in town. He directed Council to a "fact sheet" that he distributed to them and he outlined additional benefits. He said that the RAC proposes renegotiating the existing agreement with the BOE for use of the current turf field.

Mr. Hemstead said that Ringwood recently applied for funding for a new turf field. In that application they estimated maintenance costs for a turf field at \$12,000 per year and a grass field at \$47,000 per year. Councilman Hensley said that as a resident when he first heard of this he was skeptical. However, having seen how the current turf field is used he favors this. All school students can use this field and the facts speak for themselves. Maybe this Council can commit to a lesser amount than that being asked but having a sports complex with a soccer field and baseball field would be mind boggling. He said that West Milford could potentially hold a band tournament recalling that when he was in school the band could never use the sports fields. There are not many residential homes nearby. This is an opportunity for West Milford that will last a long time. The BOE, he said, should be in favor of this. This is just a proposal and he asked Council to seriously consider supporting this financially. He said that this could potentially attract new homeowners to town and it could have a positive effect.

Councilwoman Horton said she believes that the redevelopment money would be better spent on the library. She said that Mr. Hemstead's savings analysis indicates that it would take 48 years to break even on the investment and yet a turf field does not have a life expectancy of 48 years. She said that the proposal would benefit the BOE significantly more than it would the Township and she has concerns about how expensive this would be to the community. She said she does not oppose a sports complex idea but this comes at an exorbitant cost. The first field cost \$800,000 but no funding has been appropriated for its replacement. She said supports using the redevelopment monies for the library.

Councilwoman Erik asked why the existing agreement with BOE needs to be reworked. Mr. Hemstead said the current agreement gives priority to the BOE and that must be changed. Councilwoman Erik said that the municipality does not have a good track record with the BOE. Mr. Hemstead said that technically the BOE is not violating the agreement but the reality is that the interpretations being applied do not

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conform with what everyone believes is the understanding and intent that was proposed. Mr. Hemstead said the RAC is looking for permission to have a subcommittee approach the BOE.

Mr. Hemstead said the life expectancy of the current turf field is 10-15 years. Councilwoman Erik asked if either entity has the money to repair or replace it when it has reached its useful life. Mayor Bieri recalled that the agreement was that both BOE & Council would annually appropriate funds in escrow for that purpose. Neither party, she said, has done so. Mr. Hemstead said the BOE told him not to worry about that. Councilman Hensley said the RAC expends exorbitant time & effort to maintain all our current fields. They are heavily used. We are spending good money trying to grow fields that are not getting required rest periods. This would allow for rest periods for our fields. Councilwoman Dale asked if there are any other proposals for the use of the money. Councilman Hensley said that if we look at this proposal and the ability to generate revenue for local businesses, it is creating revenue. Councilwoman Dale asked if that is happening now and Mr. Hemstead said that cannot be accomplished with one turf field. Councilwoman Dale said she would like a report on estimated revenue for the municipality and local businesses. Mr. Hemstead said RAC looked at municipal sites as requested by the Council. CYO is not large enough, Kilgallen field is not large enough and PAL not large enough. Councilman Signorino thanked Mr. Hemstead & Councilman Hensley for a well done presentation. He said Farrell Fields do not get rest and they are built on a former landfill. Mr. Hemstead commended the RAC committee. Mr. Semrau noted that the Highlands Act allows development on BOE property. He asked if it would be feasible to have the BOE donate the property to the Township after the installation and thereby give the Township autonomy. In exchange, the Township could give the BOE autonomy over the existing turf field and all scheduling issues would be resolved. Mr. Hemstead said that to make an application for grant funding there must be an agreement already in place for grants. Mr. Semrau suggested that the BOE could lease the property to the township for \$1. Mayor Bieri agreed noting that the significant issue that impedes this plan as proposed is that the BOE controls the current turf field. She has had feedback saying that the BOE monopolizes the field. She said that if this were to proceed she would favor the Township proceeding without the BOE thereby maintaining control for all residents to have access & use of the field. The BOE could be afforded access during the school day. Mr. Semrau suggested that then the BOE could agree to maintain/replace the existing field and the Township could assume that responsibility for the new field. In such an instance it may even be possible to use some local open space funds. Mayor Bieri noted that if that were agreed to it wouldn't cost the BOE anything and they would get use of a turf field.

Councilman Hensley made a motion to give consent to have Mr. Hemstead approach the BOE as he sees fit based on various proposals and make a presentation to that body. Councilman Signorino asked what Mr. Hemstead would present. Mr. Hemstead said they would make a similar presentation to the BOE and see what the reaction is. Councilman Signorino said that he would support a similar presentation. Mr. Hemstead said the BOE seems amenable. Mayor Bieri said she would add to the motion that a similar presentation or an option that the Township gets control. Councilwoman Erik seconded the motion.

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

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Liquor License Place-to-Place Transfer – Angelo Juliano Pocket license to 1934 Greenwood Lake Turnpike – the Municipal Clerk gave an overview of this license and the request of the applicant that the license be sited at a premises that is within the 2,500 feet limitations in the Township code. She advised that to grant the request, the Township Council would have to amend the code which will require two readings of an ordinance and a public hearing, in addition to the hearing being held tonight. Mr. Semrau suggested that the Governing Body may wish to hear from the applicant and the property owner before opening the meeting to the public. He confirmed that the Township code currently prohibits this transfer. He advised that for many years residents in this neighborhood have expressed concerns about the use of the docks on this property. That use affects the properties on Cottage Cove. The residents have endured major inconveniences and the use of the docks has proven disruptive.

The licensee, Angelo Juliano and the property owner, Eleana Dykstra addressed the Council and introduced themselves.

Eleana Dykstra, 198 Kitchell Lake Drive, West Milford said she understands the dock space issue. She owns Greenwood Lake Marina and understands the concerns. She described her marina and how she operates her business. She said that people ask what there is to do on the lake and many marinas have empty docks. Most of her customers are families who simply want to use the lake. Her idea is to have a place to allow these families to pull in, grab a burger, and get back on the lake. She is not looking to sell liquor to go. She wants a place that complements the lake. She has been approved for a restaurant. She wants to offer her customers the ability to have a meal and a drink. Personally, she uses the lake at night and generally

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there is not much activity at night. She is not proposing to rent the slips. She wants to use the slips as an access point from the lake. She does not intend to operate the license.

Angelo Juliano, Parkside, Wayne said he proposes reducing the number of docks noting that there are currently nine slips. Ms. Dykstra agreed saying that they are considering reducing the docks to six in the front so that boats do not traverse the swim areas to dock. She said she will be responsive to any calls with problems. She will try to be a good neighbor. If not a restaurant, she could use the property as a deli but she is not looking to open a party facility. Mr. Semrau asked if they are proposing to reduce the docks from nine to six and Ms. Dykstra answered in the affirmative. She said she does not propose to rent the docks out. She said she could close off the docks at a certain time at night. Mr. Juliano said that after the kitchen closes at about 10-11 p.m. they could close the docks. They would consult with their insurance provider as to the best means to close. They would post signs. Ms. Dykstra said she assumed ownership in November and she has never rented the docks at that site. She said she will do whatever she can to address residents' concerns. Councilman Hensley thanked Ms. Dykstra for her willingness to hear residents' concerns. Councilwoman Erk said she would like to see a viable business in there and have the problems addressed.

Mayor Bieri noted there are a lot of emotions about this issue. She asked that everyone be respectful and said everyone will be heard. No action will be taken tonight. Mr. Semrau agreed saying there is no relief based on code. The governing body could consider amending local legislation to provide relief. Mayor Bieri said this public hearing allows for fact gathering. She opened the meeting to the public on this issue only.

Anthony Fiorello Esq., Totowa said he represents James Aiello who owns a licensed premises within the 2,500 of the proposed sited premises. He said he heard the applicant speak and thought he was at a planning board hearing. The premises can be used as a restaurant now. This is an application for a liquor license at these premises. He reviewed West Milford ordinances and quoted from the code. Mr. Aiello's surveyor has walked the distance and they are short the 2,500 feet and this the license cannot be sited at these premises. The American Legion, he said, is also within the 2,500 feet. The applicant has to live with that. The only way around that would be if the governing body has discretion to allow a transfer to an existing license. That is not the case so the governing body would have to amend the law. There is no need to put a license there now. Mr. Aiello will speak about licenses in town. He said he has frequented lake restaurants and there are often over indulgences which create neighborhood nuisances.

James Aiello, 20 DeHart Avenue, Hewitt said he has been in business for 25 years and has done well. His location has a lot of liquor licenses in the vicinity in non compliance with the 2,500 law. They are all grandfathered in. He listed the distances from multiple licenses in the area. To site another license, the Council should consider that licensees rely on this ordinance. The property sold for a fraction of the cost because you cannot site a license there. You cannot smoke in a bar anymore and DUI regulations make it necessary to have a designated driver. License owners rely on these licenses for their livelihood. He opposes any ordinance amendment. If this ordinance was changed it would negatively affect the value of his business. Councilwoman Dale asked if the license that was there in the past affected Mr. Aiello's business. Mr. Aiello said the owner of the license that was there did not fight to keep it nor did the prior property owner. Therefore, it lost its standing in that premises. Councilwoman Dale reiterated her question. Mr. Aiello said he cannot predict business. He said that customers will leave his area to frequent this proposed premises. He said businesses are suffering in this economy.

Douglas Smith, surveyor answered questions posed by Mr. Fiorello. Mr. Smith surveyed the property and the door to door distance is 2,300 feet. The American Legion is 1,800 feet. Mr. Aiello submitted a copy of the surveyor report and a list of licenses in town.

Pamela Sorenson, 17 Cottage Cove, Hewitt said she is here to oppose the issuance of this license. She read a statement. She listed a number of concerns but said safety is the most compelling reason she opposes this license near her home. The lot is zoned residential. The docks have remained in use even when the restaurant is closed. She outlined the concerns about how the boat users create problems. They leave garbage & abuse the property. They speed on the roadway. The dock is supposed to be a certain size, 45', it is currently 60'. She continued outlining the measurements. All other docks are pull in & this is not. People have to pull through swim lanes to park in this dock. She knows there are plans for change but that has been promised many times before. She does not understand how a residential lot can be used for commercial purposes. She asked Council to oppose siting a liquor license at this premises.

Birgit Schumann, 27 Cottage Cove, Hewitt said she has young children and lives in West Milford year round. In the past having the bar was a disruption to her quality of life. She echoes everything Pam said. Residents on that street should be able to enjoy their neighborhood. She appreciates that a viable business is going into that location. But it does not warrant a liquor license.

Mary Borr Shirpa, Cottage Cove, Hewitt said that for reasons stated by prior speakers she opposes the liquor license. Having a bar is a danger to everyone. Drinking & driving is deadly. Now people would be driving cars & boats under the effects of alcohol. There has been fighting, noise and drinking at that property

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in the past, all affecting quality of life and causing danger. Cars speed on the road creating danger. Boats interfere in swim areas. The septic system was an ongoing health & safety issue. BOH has records. She asked the Council to please consider these concerns.

Alison Inveld, 9 Debra Lane, West Milford also owns 17 Cottage Cove. She opposes the issuance of this liquor license at these premises. To move a license there is not warranted. The owner of the property in question owns 3 properties. The restaurant, the lot across the street and the dock lot. The dock lot is zoned residential and the other 2 are zoned commercial. The residents have lodged innumerable problems & complaints with township officials. Siting a license here creates a number of problems. Users of the dock in the past have driven boats across swim areas to gain access & egress. It spills over onto the road on Cottage Cove. She urged Council to deny the issuance of the license. This will devalue properties & create safety concerns. The lot is residential & there is no reason to place a license here. Do not repeat past mistakes. The building was purchased without a liquor license.

Elsie Mosley, 15 Cottage Cove, Hewitt said this is a nice neighborhood. Residents get awakened when patrons from the bar leave during the night and create a nuisance. There is always garbage in the morning and residents have to clean it up.

Robert Boris, Cottage Cove, Hewitt has been there over 50 years. He owned a bar in Brooklyn. He hopes the business is a success but it does not need a liquor license. The septic system has been an ongoing issue. He described the septic system which is close to the water and has never worked right. He said there is no reason to put a liquor license there. They should not be allowed to put up commercial signs.

Tony Gruba, Jessie's Country Kettle, Greenwood Lake Turnpike, West Milford said that in 2012 his building burned to the ground. He lost his income. He went to Houser Engineering to rebuild. He was told it would take several years. He was contacted by the prior owner of this property to move his license. He was told by the clerk's office that it was in violation of the 2,500 ordinance. You cannot enrich someone by taking from someone else. That is what is happening here. He has a problem with siting a liquor license there. Everyone has to play by the rules. These people are trying to circumvent the law. Councilwoman Erk asked if he applied for a transfer. Mr. Gruba said no, he was told about the 2,500 feet rule.

Eric Hastings, 1541 Greenwood Lake Turnpike, West Milford said each of the business owners who spoke run first class establishments in town. However, he does not agree with anyone chastising someone who is trying to start up a viable business and clean up a property. This property has changed hands many times. The Cottage Cove Association had many opportunities to purchase that property which is zoned lake commercial. The new owner is the third owner that he knows of. Industry breeds industry. The first owner, about 25 years ago, did not operate a good business. It was dirty. The current owner runs a very professional marina and she would be an asset to the community. The second owner maintained a shot/beer bar. The current owner wants to make a viable business. We should support her and any new business ventures. We need to welcome this business with open arms.

Angelo Juliano, Wayne said he is proposing a family type business, not a shot/beer joint. He is not looking to attract hoodlums. The parcel by the lake is zoned lake commercial and the property owner wants to make a nice place where people can go. She is not looking for a late night place. Ms. Dykstra agreed saying there is money in liquor and this is a business decision. She said the taxes are high and she would be happy with a restaurant without the license if it could sustain her bills. Mr. Semrau asked if they would consider limiting hours of operation and Mr. Juliano said he would consider that. Councilman Signorino said that docks would likely be closed at midnight or 1 am if kitchen closes at 10 or 11 pm. Ms. Dykstra said her marina is busy during the day and not so much at night. Councilman Signorino said he has always favored a nice place on the lake but residents have real concerns and we should try to work this out. Any suggestions should be sent to Council. Councilwoman Horton said she went there on Sunday morning. She saw the configuration of the docks and she was shocked at how the horizontal slips require maneuvering to be used. She said no one should have to buy a neighbors property to have a safe quality of life. Ms. Dykstra said she must find a feasible way to earn an income that sustains her bills including property taxes.

Mayor Bieri asked if we could facilitate a meeting with residents, the property owner & applicant to achieve middle ground. Mr. Semrau said that the benefit of such a meeting would be that it provides us an opportunity to give residents a voice. He asked if Cottage Cove residents could choose one or two persons amongst themselves to try to reconcile differences. The goal would be to facilitate a healthy discussion and he would come back to the governing body at a future public meeting with updates.

Mr. Fiorello said he heard a plea to site a license to open a business. He has been to BYO restaurants that are successful. There are 32 licenses in West Milford and he asked that the Council not change an ordinance for one person. Don't disregard the rights of 31 others to represent one he said. Mayor Bieri said the activities at the dock have been ongoing and this may provide an opportunity to address them.

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Elsie Mosley, Cottage Cove, West Milford said the lake front property is nothing but a septic system. She said the septic system flows into the lake. Mr. Semrau said that issue must be addressed by the health department.

Mayor Bieri asked residents to contact the municipal clerk if they wish to participate in a meeting. Councilman Signorino said we all try to help local businesses. Latitude 41 is on the lake. Councilwoman Dale said that regardless of liquor license issue, she hopes the parties get together. She would like to see neighborhood issues addressed.

Motion to close public session.

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

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Economic Development Commission - Steve Drew, 567 East Shore Road, Hewitt addressed the Council. He had a digital presentation. He said the EDC will present facts to the governing body and the Council must make decisions from there. He reviewed elements of economy saying that government does not add to GDP. Government often grows despite the economy. If government grows too big it can create destructive unbalanced growth. Government services cost money. Where is West Milford? What is our growth? Where are we going? The United States is coming out of a recession. Our area is recovering slowly. The US economy grew by 2.6% in 2013 and the total economy is based on total goods & services sold. Consumer spending is twice the size of commercial spending. China is expected to pass the USA as the largest economy in 5-10 years. There has been no population growth in West Milford since 1990. Changes in population have twice the impact on overall economic activity as changes in business. Reasons for lack of population growth include lack of available residential property, the Highlands Act, aquifers, schools, and taxes. He reviewed township spending for a number of years. West Milford spending, he said, went up 15% over ten years and the Township did better than Passaic County and West Milford schools. Morris County rates are lower than Passaic County. He looked at available properties in West Milford. Property values in West Milford fell, leveled out and are not bouncing back. He reviewed limits to growth with the Highlands Act. He reviewed limits to growth from aquifers. He reviewed limit to growth pertaining to schools. He reviewed limits to growth because of taxes. New Jersey has the highest property tax rate in the United States and Passaic County is the highest in New Jersey proportionally based on income. He reviewed a summary of his presentation.

Agenda No. VI

**Proclamations**

None.

Agenda No. VII

**Public Comments**

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

Robert Nolan, 1 Winding Way, West Milford said that in the papers recently he read that Newark is looking at a \$90 million deficit and the state is facing an \$800 million deficit. He questions whether or not we will see any results from the Newark watershed efforts. Princeton Public Affairs Group is the largest lobbyist in the state and he listed some of their clients. He reviewed PPAG's income & spending. It is a sad commentary that in New Jersey, to accomplish anything, one must hire a lobbyist. Assemblywoman DeCroce needs to get co-sponsors to get this legislation posted for a vote. Chances are slim to none. Senator Sweeney will not post a bill that will cause increased taxes because he plans to run for governor. The only chance is to get the governor to put the money in the budget. Watershed aid has not increased since 2004. Our elected officials need to approach Senator Pennachio & Assemblyman Webber to get this done.

Doris Aaronson, 19 Bearfort Road, West Milford said Mr. Drew has not lived here very long. Long time residents understand we have serious aquifer problems. It is not just the number of houses but the number of people. Many studies have been done and have determined that West Milford is overdeveloped for the amount of available water. We had a drought in the 1980s. She provided an overview of conditions in West Milford. If we become overpopulated, she said, we will run out of water.

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

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

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Voted Nay: None.  
Motion carried.

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Agenda No. VIII

**Council Comments**

Councilman Hensley said that one of the studies mentioned in Mr. Drew's report was one referenced by Ms. Aaronson. He provided clarification of Mr. Drew's presentation. He said Mr. Drew recommended that West Milford should effectively market our town to people who would like to move here to existing homes to protect the beauty of this town. He urged keeping an open mind to have homes occupied. If we occupy current homes there will be patronizing of local business. Our population has not grown since 1990 which can be defined as a stagnant community. We are fortunate that someone who has not lived here long could provide insight. He thanked Mr. Drew for his in-depth presentation to Council to point us in the right direction. If we continue to grow government and maintain a stagnant population it will create a downward spiral and property values will continually decrease.

Mr. Semrau said that Council may want to consider a tax abatement program, an incentive program for home repairs, with a 5-year abatement plan to enhance the value of the Township. There would be no increase in taxes during the abatement period. The Council asked Mr. Semrau to provide more details for a future workshop discussion.

Agenda No. IX

**Discussion Items**

None

Agenda No. X

**Action Items**

Mayor Bieri asked to move Resolutions 2014-160 through 2014-168 as one.

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

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Agenda No. X-1

**~ Resolution 2014 - 160 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, AUTHORIZING THE PURCHASE OF TWO POWER PRO STRETCHERS FOR THE UPPER GREENWOOD LAKE VOLUNTEER AMBULANCE CORP. IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICIES**

**WHEREAS**, the Township Council of the Township of West Milford did adopt ordinance 2013-020 to create the position of Qualified Purchasing Agent in the municipality and they did subsequently adopt resolution 2013-330 appointing a Qualified Purchasing Agent (QPA) and increasing the bid threshold to \$36,000; and

**WHEREAS**, as a condition to the increase in the bid threshold, the Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase in excess of the former bid threshold of \$17,500 and that the purchase shall warrant a minimum of three quotations; and

**WHEREAS**, the Township Council has received a request from the Upper Greenwood Lake Volunteer Ambulance Corp for the purchase of two Power-Pro XT (6506) Stretchers with service and warranty service; and

**WHEREAS**, the Upper Greenwood Lake Volunteer Ambulance Corp requested proposals and received three proposals for two Power-Pro XT (6506) Stretchers with service and warranty service; and

**WHEREAS**, the Upper Greenwood Lake Volunteer Ambulance Corp has submitted a purchase order in an amount not to exceed \$29,998.00 for two Power-Pro XT (6506) Stretchers with service and warranty service from Stryker EMS Equipment, 1904 Pembroke Drive, Macungie, PA 18062 in accordance with State law; and

**WHEREAS**, the Township's Qualified Purchasing Agent has reviewed the recommendation and confirmed that the purchase is in compliance with the New Jersey Local Public Contracts Law; and

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**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number 04-215-55-818-006.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute the purchase order issued to Stryker EMS Equipment for two Power-Pro XT (6506) Stretchers with service and warranty service for the Upper Greenwood Lake Volunteer Ambulance Corp in an amount not to exceed \$29,998.00.

Adopted: May 7, 2014

Agenda No. X-2

~ Resolution 2014 – 161 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE ADMINISTRATION TO ADVISE THE PASSAIC COUNTY OPEN SPACE GRANT PROGRAM THAT THE TOWNSHIP IS UNABLE TO UTILIZE CERTAIN GRANT FUNDING**

**WHEREAS**, in 2012 the Township of West Milford submitted a grant application for \$150,000 to the Passaic County Open Space Grant fund for improvements to West Brook Park, locally called “The Coffee House”; and

**WHEREAS**, the County of Passaic provided two grants to the Township totaling \$150,000 for this project and requiring a local Township matching funds of \$150,000; and

**WHEREAS**, the first grant for \$ 72,500 was a reallocation of a previous grant awarded to the Township and the Township was able to provide the matching funding in the amount of \$75,000 in the 2013 Capital Improvement Ordinance (2013-10); and

**WHEREAS**, due to the fiscal constraints affecting the Township, the Township was not able to fund the required match of \$77,500 for the second grant and has determined to reprioritize the scope of the grant request to correspond to available funding leaving selected improvements to future funding opportunities; and

**WHEREAS**, The Township is very appreciative of the support of the Passaic County Board of Chosen Freeholders in providing funding for various open space and park activities in the Township and recognizes the need of the County to expend committed grant funding in an expeditious and equitable manner.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford that that the Township Administration is hereby instructed to notify the County of the inability of the Township to provide the required matching funding for the 2012 West Brook Park Phase II grant due to the fiscal constraints currently impacting on the Township thereby allowing the County to de-obligate the \$77,500 grant, making the funds available for assignment to other Passaic County municipalities; and

**BE IT FURTHER RESOLVED** the Township of West Milford requests that if it is legally and financially possible, the Board of Chosen Freeholders give favorable consideration to reallocating this grant to one or more of the grant applications submitted by the Township of West Milford this year, assuming these applications receive a favorable endorsement through the grant review and approval processes.

Adopted: May 7, 2014

Agenda No. X-3

~ Resolution 2014 – 162 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING AN AGREEMENT WITH THE GREENWOOD LAKE BI-STATE COMMISSION TO ACCEPT WEED HARVESTING EQUIPMENT**

**WHEREAS**, Greenwood Lake is a public access body of water located in both New Jersey and New York; and

**WHEREAS**, the Greenwood Lake Bi-State Commission is a public agency created to foster the economic and environmental quality of Greenwood Lake including but not limited to periodic harvesting of aquatic weeds; and



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

Minutes of: Governing Body Workshop Meeting  
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**WHEREAS**, the Township of West Milford has agreed to assume some of the lake maintenance activities of the Commission for that portion of the lake in the Township, specifically periodic weed harvesting activities; and

**WHEREAS**, the Greenwood Lake Commission has ownership of various pieces of equipment to harvest weeds growing in the lake and to facilitate the Township's weed harvesting efforts has agreed to transfer ownership of certain pieces of weed harvesting equipment to the Township of West Milford.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford that the Township of West Milford does hereby accept the terms and conditions for the transfer of ownership of certain weed harvesting equipment as set forth in the Agreement which shall remain on file in the Office of the Township Clerk.

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk be and are hereby authorized to execute said agreement on behalf of the Township and to forward said executed Agreement to the appropriate parties at the Lake Commission and other involved agencies and parties.

Adopted: May 7, 2014

Agenda No. X-4

~ Resolution 2014 - 163 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT WITH THE WEST MILFORD BOARD OF EDUCATION FOR THE LOAN OF A SCHOOL BUS FROM THE BOE TO THE TOWNSHIP FOR USE IN THE BUBBLING SPRINGS DAY CAMP PROGRAM**

**WHEREAS**, the Township Of West Milford is desirous of using one (1) fifty-four (54) passenger school bus (hereinafter referred to as the "School Bus") that is owned by the West Milford Board of Education to use in connection with the Township's Bubbling Springs Day Camp Program in West Milford, New Jersey; and

**WHEREAS**, the West Milford Board of Education agrees to loan the School Bus to the Township from June 30, 2014 to August 22, 2014 in accordance with a Memorandum of Agreement filed in the Office of the Township Clerk; and

**WHEREAS**, the Township of West Milford and the West Milford Board of Education have successfully engaged in this loan program for a number of years.

**NOW, THEREFORE BE IT RESOLVED**, that the proper officers be and are hereby authorized and directed to execute a memorandum of agreement for the loan of one school bus from the Board of Education to the Township of West Milford for use for the Township's Bubbling Springs Day Camp Program from June 30, 2014 to August 22, 2014

Adopted: May 7, 2014

Agenda No. X-5

~ Resolution 2014 - 164 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE 2014 TEMPORARY APPROPRIATIONS**

**WHEREAS**, NJSA 40A:4-20 provides that in addition to temporary appropriations necessary for the period prior to the budget adoption, the governing body may make emergency temporary appropriations for any purpose for which appropriations may lawfully be made.

**WHEREAS**, Resolution 2014-023 for the initial temporary appropriations budget needs to be amended, and:

**WHEREAS**, Resolution 2014-132, effective April 1, 2014 was extended to include emergency appropriations; and

**WHEREAS**, effective May 1, 2014 said temporary appropriations are extended to include emergency appropriations in the 2014 temporary budget,

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of West Milford that the following temporary budget appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records and a copy filed with the Director of Division of Local Government Services.

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

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APPROPRIATION	ACCOUNT NUMBER	2013 BUDGET AS ADOPTED	2014 TEMPORARY BUDGET
Administrator S&W	01-201-20-100-100	\$341,011	\$ 144,077
Administrator O.E.	01-201-20-100-200	\$68,700	\$ 71,401
TOTAL		\$409,711	\$215,478
Township Mayor & Council S&W	01-201-20-105-100	\$34,000	\$ 16,965
Township Mayor & Council O.E.	01-201-20-105-200	\$850	\$ 1,144
TOTAL		\$34,850	\$18,109
Information Technology S&W	01-201-20-140-100	\$93,492	\$ 49,500
Information Technology O.E.	01-201-20-140-200	\$34,825	\$ 14,714
TOTAL		\$128,317	\$64,214
Legal O.E.	01-201-20-155-200	\$240,000	\$ 143,900
General Services S&W	01-201-20-161-100	\$50,500	\$ 21,336
General Services O.E.	01-201-20-161-200	\$115,500	\$ 75,707
TOTAL		\$166,000	\$97,043
Engineering S&W	01-201-20-165-100	\$319,091	\$ 169,816
Engineering O.E.	01-201-20-165-200	\$39,750	\$ 34,294
TOTAL		\$358,841	\$ 204,110
Insurance, Other	01-201-23-210-200	\$915,000	\$ 450,000
Insurance, Group	01-201-23-220-200	\$3,429,705	\$ 1,749,050
Health Benefit Waiver	01-201-23-230-200	\$35,400	\$ 14,957
TOTAL		\$4,380,105	\$2,214,007
Clerk S&W	01-201-20-120-100	\$253,776	\$ 132,220
Clerk O.E.	01-201-20-120-200	\$20,530	\$ 8,674
TOTAL		\$274,306	\$140,894
Elections S&W	01-201-20-146-100	\$2,200	\$ -
Elections O.E.	01-201-20-146-200	\$14,400	\$ -
TOTAL		\$16,600	\$ -
Treasurer S&W	01-201-20-130-100	\$151,956	\$ 81,201
Treasurer O.E.	01-201-20-130-200	\$15,858	\$ 7,800
TOTAL		\$167,814	\$ 89,001
Annual Audit	01-201-20-135-200	\$40,000	\$ 40,000
Annual Audit Additional Services	01-201-20-135-200	\$20,000	\$ 20,000
TOTAL		\$60,000	\$ 60,000
Tax Collector S&W	01-201-20-145-100	\$163,239	\$ 82,968
Tax Collector O.E.	01-201-20-145-200	\$18,215	\$ 8,896
TOTAL		\$181,454	\$ 91,864
Tax Assessor S&W	01-201-20-150-100	\$287,695	\$ 147,051
Tax Assessor O.E.	01-201-20-150-200	\$17,760	\$ 11,504
TOTAL		\$305,455	\$ 158,555
PLANNING BOARD O.E.	01-201-21-180-200	\$30,500	\$ 12,886
COMPREHENSIVE PLANNING			
Planning, Comp. S&W	01-201-21-181-100	\$120,867	\$ 61,066
Planning, Comp. O.E.	01-201-21-181-200	\$20,800	\$ 8,788
TOTAL		\$141,667	\$ 69,854
ZONING ADMINISTRATION S&W	01-201-21-185-100	\$78,883	\$ 41,328
BOARD OF ADJUSTMENT O.E.	01-201-21-186-200	\$30,200	\$ 18,760
Historic Preservation S&W	01-201-20-175-100	\$1,600	\$ 676
Historic Preservation O.E.	01-201-20-175-200	\$800	\$ 338
TOTAL		\$2,400	\$ 1,014
Autumn Lights Festival	01-201-20-171-471	\$3,000	\$ -

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

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APPROPRIATION	ACCOUNT NUMBER	2013 BUDGET AS ADOPTED	2014 TEMPORARY BUDGET
Building S&W	01-201-22-195-100	\$354,196	\$ 174,648
Building O.E.	01-201-22-195-200	\$6,530	\$ 2,759
TOTAL		\$360,726	\$ 177,407
Environmental Commission S&W	01-201-22-196-100	\$1,600	\$ 776
Environmental Commission O.E.	01-201-22-196-200	\$880	\$ 372
TOTAL		\$2,480	\$ 1,148
Police Patrol S&W	01-201-25-240-100	\$4,201,328	\$ 2,155,061
Police Patrol O.E.	01-201-25-240-200	\$135,120	\$ 57,088
Police Patrol-Purchase of Police Vehicles	01-201-25-240-900	\$108,000	\$ -
Police Detective S&W	01-201-25-241-100	\$642,105	\$ 327,789
Police Administration S&W	01-201-25-242-100	\$517,273	\$ 260,548
Police Communication S&W	01-201-25-243-100	\$369,860	\$ 165,266
Police Comm. O.E.	01-201-25-243-200	\$15,000	\$ 6,338
Police Specials S&W	01-201-25-244-100	\$35,000	\$ 14,788
Police Specials O.E.	01-201-25-244-200	\$9,300	\$ 3,929
TOTAL		\$6,032,986	\$ 2,990,806
Emergency Management S&W	01-201-25-252-100	\$5,000	\$ 2,113
Emergency Management O.E.	01-201-25-252-200	\$43,100	\$ 18,210
TOTAL		\$48,100	\$ 20,323
First Aid - WMFAS Contributions	01-201-25-260-200	\$72,600	\$ 30,674
First Aid - UGL 1st Aid Squad Contributions	01-201-25-260-200	\$40,500	\$ 17,111
TOTAL		\$113,100	\$ 47,785
Aid To Vol. Fire Co.	01-201-25-255-200	\$90,000	\$ 38,025
Fire Prevention Bureau S&W	01-201-25-265-100	\$197,117	\$ 90,482
Fire Prevention Bureau O.E.	01-201-25-265-200	\$18,380	\$ 7,766
Fire Co. Admin. S&W	01-201-25-266-100	\$10,000	\$ 4,725
Fire Co. Admin. O.E.	01-201-25-266-200	\$265,650	\$ 112,237
LOSAP	01-201-25-267-200	\$119,700	\$ 0.00
TOTAL		\$700,847	\$ 253,235
DPW Streets & Roads S&W	01-201-26-290-100	\$1,469,016	\$ 741,659
DPW Streets & Roads O.E.	01-201-26-290-200	\$341,900	\$ 144,453
DPW Buildings & Grounds S&W	01-201-26-291-100	\$97,646	\$ 45,255
DPW Buildings & Grounds O.E.	01-201-26-291-200	\$36,600	\$ 15,464
DPW Snow Removal S&W	01-201-26-294-100	\$250,000	\$ 250,000
DPW Snow Removal O.E.	01-201-26-294-200	\$1,013,570	\$ 771,000
DPW Vehicle Maintenance S&W	01-201-26-315-100	\$274,637	\$ 136,034
DPW Vehicle Maintenance O.E.	01-201-26-315-200	\$265,500	\$ 139,174
TOTAL		\$3,748,869	\$ 2,243,038
Public Health S&W	01-201-27-330-100	\$223,098	\$ 112,259
Public Health O.E.	01-201-27-330-200	\$36,738	\$ 15,522
Vital Statistics S&W	01-201-27-331-100	\$8,360	\$ 4,032
Vital Statistics O.E.	01-201-27-331-200	\$19,200	\$ 12,586
Housing Standard Bureau O.E.	01-201-27-332-441	\$25,000	\$ 10,563
Environmental Health S&W	01-201-27-335-100	\$204,980	\$ 105,604
Environmental Health O.E.	01-201-27-335-200	\$60,060	\$ 31,750
Animal Control S&W	01-201-27-340-100	\$99,019	\$ 43,336
TOTAL		\$676,455	\$ 335,651
Recreation Programs S&W	01-201-28-370-100	\$411,086	\$ 173,684
Recreation Programs O.E.	01-201-28-370-200	\$143,300	\$ 60,544
Recreation.-Bubbling Springs S&W	01-201-28-371-100	\$173,800	\$ 8,000

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

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APPROPRIATION	ACCOUNT NUMBER	2013 BUDGET AS ADOPTED	2014 TEMPORARY BUDGET
Recreation.-Bubbling Springs O.E.	01-201-28-370-200	\$66,600	\$ 33,139
Recreation.-Admin. S&W	01-201-28-372-100	\$147,470	\$ 68,306
Recreation.-Admin. O.E.	01-201-28-372-200	\$20,200	\$ 8,535
Recreation.-Hillcrest S&W	01-201-28-374-100	\$116,860	\$ 49,373
Recreation.-Hillcrest O.E.	01-201-28-374-200	\$38,750	\$ 16,372
Recreation.-Parks Maintenance S&W	01-201-28-375-100	\$246,000	\$ 104,935
Recreation.-Parks Maintenance O.E.	01-201-28-375-200	\$116,350	\$ 49,158
Senior Citizen Services S&W	01-201-28-376-100	\$91,255	\$ 38,555
Senior Citizen Services O.E.	01-201-28-376-200	\$14,525	\$ 6,137
TOTAL		\$1,586,196	\$ 616,738
Veteran's Bureau S&W	01-201-20-172-100	\$1,500	\$ 634
Veteran's Bureau O.E.	01-201-20-172-200	\$150	\$ 63
TOTAL		\$1,650	\$ 697
Celebration of Public Events O.E.	01-201-30-420-200	\$6,500	\$ 2,746
Mass Transportation	01-201-30-432-200	\$85,000	\$ 35,913
Library S&W	01-201-29-390-100	\$532,657	\$ 225,048
Library O.E.	01-201-29-390-200	\$499,129	\$ 214,632
TOTAL		\$1,031,786	\$ 439,680
Municipal Court S&W	01-201-43-490-100	\$296,818	\$ 129,406
Municipal Court O.E.	01-201-43-490-200	\$14,645	\$ 6,188
Municipal Court Prosecutor S&W	01-201-43-491-100	\$25,000	\$ 10,563
Municipal Court Prosecutor O.E.	01-201-43-491-200	\$2,500	\$ 1,056
TOTAL		\$338,963	\$ 147,212
Utilities-Electricity	01-201-31-430-200	\$160,200	\$ 67,685
Utilities-Street Lights	01-201-31-435-200	\$53,400	\$ 22,562
Utilities-Telephone	01-201-31-440-200	\$138,500	\$ 68,516
Utilities-Natural Gas	01-201-31-446-200	\$87,500	\$ 36,969
Utilities-Fuel	01-201-31-460-200	\$455,000	\$ 212,238
TOTAL		\$894,600	\$ 407,969
<b>MISCELLANEOUS AND STATUTORY EXPENDITURES</b>			
<b>PENSION &amp; FICA</b>			
PERS	01-201-36-471-532	\$782,778	768,909
Social Security	01-201-36-472-533	\$640,000	\$ 339,400
Defined Contributions Retirement Prog	01-201-36-475-536	\$4,000	\$ 1,690
PFRS	01-201-36-473-534	\$1,231,958	\$ 1,177,661.00
TOTAL		\$2,658,736	\$ 2,287,660
Salaries & Wages Adjustment Account	01-201-37-480-501	\$0	\$ -
Compensated Absences	01-201-38-485-110	\$0	
Interlocal agreement - Finance	01-201-47-400-130	\$49,231	\$ 28,800
Interlocal agreement - Health	01-201-47-500-200	\$79,650	\$ 53,366
<b>DEFERRED CHARGES &amp; RESERVE FOR UNCOLLECTED TAXES</b>			
Judgments		\$0	
Deficit in 2004 Assessment Bonds	01-201-46-886-596	\$17,407	
Emergency Authorization	01-201-46-887-528	\$270,000	
Reserve for Tax Appeals	01-201-46-886-667	\$20,000	
Def Charges - Ord 92-14 Impr to Mun Prop	01-201-46-886-510	\$39,000	
Reserve for Uncollected Taxes	01-201-50-899-200	\$1,890,000	
TOTAL		\$2,236,407	\$ -

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

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APPROPRIATION	ACCOUNT NUMBER	2013 BUDGET AS ADOPTED	2014 TEMPORARY BUDGET
GRANTS	G-02-41	\$1,101,551	\$ -
SUBTOTAL		\$28,763,936	\$13,731,190
CAPITAL BUDGET			
CURRENT YEAR CAPITAL			
Capital Improvements Fund	01-201-44-900-200	\$50,000	50,000.00
Cap Improvements Fund Down Payments			\$ -
Cap. Improv. Fund-Fire Emer Equip.	01-201-44-900-230	\$523,175	
TOTAL		\$573,175	50,000.00
Debt Service Total		\$2,434,218	\$1,634,772.75
TOTAL OPERATING BUDGET		\$31,771,329	\$ 15,415,963
SOLID WASTE DISTRICT BUDGET			
Solid Waste S&W	26-201-55-500-100	\$93,302	\$ 46,420
Solid Waste O.E. All Other	26-201-55-500-200	\$86,250	\$ 36,441
Contractual Services	26-201-55-500-514	\$1,148,805	\$ 510,370
Disposal Fees	26-201-55-500-548	\$705,000	\$ 297,863
Grants - Recycling County of Passaic		\$0	\$ -
Prior Year's Bills		\$0	\$ -
Commercial Pick Up		\$0	\$ -
TOTAL		\$2,033,357	\$ 891,093

Adopted: May 7, 2014

Agenda No. X-6

**~ Resolution 2014 - 165 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF WEST MILFORD AUTO RECYCLERS INC. JUNKYARD LICENSE FOR THE LICENSE YEAR 2014**

**WHEREAS**, this application has been made for the renewal of the West Milford Auto Recyclers, Inc. Junkyard license; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford does hereby approve the issuance of the 2014 License as listed below: and;

Lic No.	JUNKYARD LICENSE
2014-04	West Milford Auto Recycler Inc. 112 Weaver Road, West Milford

Adopted: May 7, 2014

Agenda No. X-7

**~ Resolution 2014 - 166 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RELEASE OF AN ESCROW IN CONNECTION WITH THE TOWNSHIP'S ACQUISITION OF BLOCK 8001, LOT 1**

**WHEREAS**, the Township has completed the acquisition of Block 8001, Lot 1 located in the Township of West Milford; and

**WHEREAS**, as part of the agreement to acquire the property an escrow was posted which has a balance of \$10,000; and

**WHEREAS**, the Township has been authorized to release said escrow and return said funds to the Township's Open Space Trust Fund.

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

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**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the escrow being held with respect to the acquisition of Block 8001, Lot 1 shall hereby be released and provided to the Township's Open Space Trust Fund as reimbursement of acquisition costs. .

Adopted: May 7, 2014

Agenda No. X-8

~ Resolution 2014 - 167 ~

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

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

<b>Name &amp; Address</b>	<b>Application No.</b>	<b>Amount of Escrow</b>	<b>Amount Refunded</b>
DeMott Post 810 Macopin Road West Milford, NJ 07480	0410-1971 16-288-56-701-080	\$1,200.00	\$97.90

Adopted: May 7, 2014

Agenda No. X-9

~ Resolution No. 2014 - 168 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE DISPOSAL OF INOPERABLE VEHICLES AND EQUIPMENT THAT ARE MUNICIPALITY-OWNED**

**WHEREAS**, the Township's Chief Mechanic has provided a list of Township owned vehicles which are not safe to operate and from which salvageable parts have been removed; and

**WHEREAS**, the vehicles and equipment listed below are no longer in use by the Township and are surplus to the needs of the Township; and

**WHEREAS**, the Public Works Department and Township Administrator recommends that these vehicles be disposed of for their scrap metal value due to the difficulty and cost of transporting the equipment from the Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council that the Township Administration is authorized to dispose of the vehicles and equipment listed below as scrap metal after having secured the most favorable disposal price via a competitive quote process.

Adopted: May 7, 2014

Agenda No. XI

**Approval of Expenditures**

~ Resolution No. 2014 - 169 ~

**RESOLUTION APPROVING THE PAYMENT OF BILLS**

**WHEREAS**, the Township Treasurer has submitted to the members of the Township Council a report listing individual disbursement checks prepared by his office in payment of amounts due by the Township.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Treasurer's report of checks prepared by him be approved and issued as follows:

<b>Acct #</b>	<b>Account Name</b>	<b>Amount</b>
1	Current Account	\$390,065.04
3	Reserve Account	434.56
2	Grants	2,650.89
6	Refunds	137.90
1	General Ledger	5,238,668.07
26	Refuse	103,117.00

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

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4	Capital	55,905.00
19	Animal Control	49.24
19	Heritage Trust	11,715.00
19	Open Space Trust	1,950.00
19	Trust	2,329.94
19	COAH	0.00
16	Development Escrow	2,305.00
20	Library Trust	0.00
21	Assessment Trust	0.00
Total		\$5,809,372.64
Less Refund Resolution		-137.90
Actual Bill List		\$5,809,189.74
Other Payments.		
Ck#51385 Theodore Adragna.		250.00
Ck# 51386 Ralph Stalbaum		7,171.80
<b>Total Expenditures</b>		<b>\$5,816,611.54</b>

Adopted: May 7, 2014

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

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Agenda No. XII

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

Councilwoman Erik said West Milford received \$195,000 in a transportation grant. The CASA dinner was very well run and she commended everyone including the reporters who wrote about it. Ringwood Borough had a mass casualty drill & the West Milford squad did an outstanding job. Last week's beautification picnic was very well attended and was a wonderful event. On May 18<sup>th</sup> there will be an interfaith cleanup including Veteran's Park for Memorial Day.

Councilman Hensley said that he appreciates Mr. Casey's reports. He has done a wonderful job keeping Council apprised of all issues. The EDC trust account has been set up and he asked if that can be advertised. Mayor Bieri instructed that donations should be made by check to the Township of West Milford and specify in the subject line that the funds are for an EDC donation.

Councilwoman Erk said she attended the JAG convention in New Brunswick today where she looked at servers and saw interesting demonstrations. Council approved Cablevision to move ahead with the fiber optic drop at the last meeting. Mr. Casey said he spoke with the Network Administrator to review that and prepared a draft letter to Cablevision. Councilwoman Erk said that tomorrow Councilwoman Erik & Mr. Steele will go back to the convention to look at other options available through JAG. She said it is now time to seek committee memberships. Councilman Signorino said he is surprised to learn about this and Councilman Hensley concurred. They are on the subcommittee and have not been communicated with by the Council President. Councilman Signorino said he will share information with the Council President. Councilwoman Erk asked for & received consensus to schedule this for discussion at the June workshop meeting. Councilwoman Erk congratulated the clerk on municipal clerk's week.

Councilman Signorino said he was late tonight. He missed the vote on minutes. He did not vote on this and he wants to correct the record. Mr. Semrau said the protocol is for the Councilman to relay comments to the municipal clerk who can check the record and we can go from there. Councilman Signorino said he will call the clerk. He said the museum ceiling renovation is almost finished and it is expected to open this summer. The 22<sup>nd</sup> annual tennis tournament is coming. He provided details and noted they are seeking sponsors.

Mayor Bieri thanked everyone for prayers & condolences on her brother's passing.

Administrator Casey said DPW employee Jill Knipp has been pursuing FEMA grants and we have closed out 3 years worth resulting in \$200,000 expected revenue this year.

Mr. Semrau mentioned that Denise Loeffel recently retired and she was a wealth of information & history. He congratulated Ann Genader for her award at the last meeting. He said that everyone involved is working diligently on Newark watershed issues. At the last watershed meeting he heard about Jefferson Township's ongoing tax appeals and the West Milford Council subsequently authorized him to file tax

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

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appeals to protect our ability to change the assessed value if Jefferson prevails. He has filed those appeals.

Agenda No. XIII

**Appointments and Resignations**

Agenda No. XIII 1

~ Resolution 2014 - 170 ~

**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 resignations tendered to the Township:

<u>Name</u>	<u>Position</u>	<u>Date Tendered</u>
Rick Robinson	Economic Development Commission Citizen Member Term expires 12/31/14	April 7, 2014

Adopted: May 7, 2014

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

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Councilman Hensley nominated Michael Gerst as a citizen member to the Economic Development Committee; seconded by Councilwoman Dale. Motion to close & confirm.

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

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Councilman Hensley nominated Dominick Swartz as a citizen member to the Recreation Advisory Committee, seconded by Councilwoman Erik. . Motion to close & confirm.

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

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Agenda No. XIV

**Finance Matters**

Agenda No. XIV-a

~ Ordinance 2014 - 004 ~

**TOWNSHIP OF WEST MILFORD CALENDAR YEAR 2014 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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

**WHEREAS**, the Township Council of the Township of West Milford in the County of Passaic finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,



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

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**WHEREAS**, the Township Council hereby determines that a 1.5% increase in the budget for said year, amounting to \$XXXX in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of West Milford, in the County of Passaic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Township of West Milford shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$XXXX, and that the CY 2014 municipal budget for the Township of West Milford be approved and adopted in accordance with this ordinance; and,

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

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

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

Introduced: May 7, 2014  
Adopted:  
Effective Date:

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

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*\*\*Second reading and public hearing for this Ordinance is set for the Workshop Meeting of the Township Council scheduled for June 4, 2014. Notice of this public hearing shall be published in the Herald News on or about May 11, 2014\*\**

Agenda No. XIV-b

Mayor Bieri asked to move Resolutions 2014-157, 2014-158 and 2014-171 as one.

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

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~ Resolution 2014 - 157 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING READING OF THE MUNICIPAL BUDGET BY TITLE**

**WHEREAS**, pursuant to the Local Budget Law N.J.S.A. 40A:4-1 et seq., all provisions for the introduction and public hearing of the 2014 Municipal Budget for the Township of West Milford have been met; and

**WHEREAS**, the budget is available for inspection in the office of the Township Clerk, posted on the municipal website, and published in accordance with the law.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the 2014 Municipal Budget and Solid Waste Budget shall be read by title.

Adopted: May 7, 2014

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting  
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Agenda No. XIV-c

~ Resolution 2014 - 158 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE INTRODUCTION OF THE 2014 MUNICIPAL BUDGET AND THE 2014 SOLID WASTE BUDGET

MUNICIPAL BUDGET NOTICE

Section 1.

Municipal Budget of the Township of West Milford, County of Passaic for the Fiscal year 2014  
 Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2014;  
 Be it Further Resolved, that said Budget be published in the Herald News  
 In the issue of May 11, 2014  
 The Governing Body of the Township of West Milford does hereby approve the following as the Budget for the year 2014:

**RECORDED VOTE**  
 (Insert last name)

Ayes ( Erik, Hensley, Erk, Dale, Signorino, Horton )  
 Nays ( None )  
 Abstained ( None )  
 Absent ( None )

Notice is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Township of West Milford, County of Passaic, on May 7, 2014.  
 A hearing on the Budget and Tax Resolution will be held The Municipal Building, on June 4, 2014 at 6:30 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the year 2014 may be presented by taxpayers or other interested persons.

Sheet 2

EXPLANATORY STATEMENT  
 SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET

	YEAR 2014
General Appropriations For: (Reference to item and sheet number should be omitted in advertised budget)	XXXXXXXXXX
1. Appropriations within "CAPS"	XXXXXXXXXX
(a) Municipal Purposes ((Item H-1, Sheet 19) (N.J.S. 40A:4-45.2))	24,443,449.49
2. Appropriations excluded from "CAPS"	XXXXXXXXXX
(a) Municipal Purposes ((Items H-2, Sheet 28) (N.J.S. 40A:4-45.3 as amended))	4,779,964.39
(b) Local District School Purposes in Municipal Budget (Item K, Sheet 29)	
Total General Appropriations excluded from "CAPS" (Item O, Sheet 29)	4,779,964.39
3. Reserve for Uncollected Taxes (Item M, Sheet 29) - Based on Estimated 97.97% Percent of Tax Collections	2,015,000.00
4. Total General Appropriations (Item 9, Sheet 29)	\$0.00
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11)	\$0.00
(i.e., Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)	31,238,413.88
6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget (as follows)	XXXXXXXXXX
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes (Item 6(a), Sheet 11)	21,425,502.85
(b) Addition to Local District School Tax (Item 6(b), Sheet 11)	
(c) Minimum Library Tax (Item 6(c), Sheet 11)	999,618.00

Sheet 3

SOLID WASTE COLLECTION DISTRICT RESOLUTION

Section 1.

Municipal Budget of the Township of West Milford, County of Passaic for the Fiscal year 2014  
 Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2014;  
 Be it Further Resolved, that said Budget be published in the Herald News  
 In the issue of May 11, 2014  
 The Governing Body of the Township of West Milford does hereby approve the following as the Budget for the year 2014:

**RECORDED VOTE**  
 (Insert last name)

Ayes ( Erik, Hensley, Erk, Dale, Signorino, Horton )  
 Nays ( None )  
 Abstained ( None )  
 Absent ( None )

Notice is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Township of West Milford, County of Passaic, on May 7, 2014.  
 A hearing on the Budget and Tax Resolution will be held The Municipal Building, on June 4, 2014 at 6:30 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the year 2014 may be presented by taxpayers or other interested persons.

Sheet 2

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

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Adopted: May 7, 2014

*\*\*Public hearing for 2014 Budget is set for the June 4, 2014 Workshop Meeting of the Governing Body. Notice of this public hearing may be published in the Herald News on or about May 11, 2014\*\**

Agenda No. XIV-d

~ Resolution 2014 - 171 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING INCREASE IN DEFERRED SCHOOL TAXES FOR LOCAL SCHOOL TAXES**

**WHEREAS**, the Division of Local Government Services requires that the Governing Body of any municipality which has Deferred School Taxes must authorize any increase in the deferral of any additional amounts, and

**WHEREAS**, the Governing Body has decided that an increase in Deferred School Taxes is in the best interest of the Township at this time,

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body that the following Deferred School Taxes be hereby increased for the year ended December 31, 2013 as follows:

	Deferred Local School Taxes
Amount Deferred 12/31/13	26,248,163.00
Amount Deferred 12/31/12	<u>25,862,877.00</u>
	<u>385,286.00</u>

**BE IT FURTHER RESOLVED** by the Governing Body that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

Adopted: May 7, 2014

**Adjournment**

There being no further business to come before the Council, the Township Council adjourned the meeting at 11:15 p.m.

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

Seconded: Erik

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Approved: July 16, 2014

\_\_\_\_\_  
MAYOR BETTINA BIERI, PRESIDING OFFICER

\_\_\_\_\_  
ANTOINETTE BATTAGLIA, TOWNSHIP CLERK