
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: June 4, 2014
Time of Meeting: 6:30 pm
Minute Page No: Page 1 of 21

The Workshop Meeting of the Governing Body was called to order by Council President Erk.

Adequate Notice Statement

Council President Erk 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

Council President Erk led all in attendance in a salute to the flag.

Roll Call

Present: Councilmembers Ada Erik, Mike Hensley, Vivienne Erk, Michele Dale, Luciano Signorino, CarlLa Horton.
Absent: Mayor Bettina Bieri.
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 April 7, 2014 Special Meeting Minutes and the April 21 Special Session Minutes as presented:

Moved: Erik Seconded: Horton
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton
Voted Nay: None.
Abstained: Erk- April 7, 2014
Motion carried.

Agenda No. III

Meetings

Council President Erk noted the future meeting schedule:

June 25, 2014 Regular Meeting
July 16, 2014 Workshop/Regular Meeting
August 20, 2014 Workshop/Regular Meeting

Agenda No. VI

Proclamations

- 250th Anniversary of the Arrival of Peter Hansenclever in the North Jersey Highlands. - Council President Erk met Mr. Hans Niederstrasser at the podium, read the proclamation and presented it to Mr. Niederstrasser. Mr. Niederstrasser provided a brief history of Mr. Hasenclever's life. He has been studying him for over 12 years and traveled the world to research his life. He presented Council President Erk with a portrait of Mr. Hasenclever for the museum.

Agenda No. IV

Finance Matters

Agenda IV 1

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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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,

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: June 4, 2014
Effective Date: June 24, 2014

This ordinance was introduced on May 7, 2014 and the Notice of Public Hearing was published in the Herald News on May 18, 2014.

Council President Erk introduced the municipal auditor, Chuck Ferraioli who explained the ordinance, its purpose and its history. He recommends this as an insurance policy. He explained how adopting this ordinance can protect a municipality for unforeseen circumstances in an ensuing year. Councilman Hensley asked for an explanation of the two CAPS and Mr. Ferraioli said this is on the spending side and the other is on the levy side. If we had to use this we would still have the more restrictive 2% cap. We are not looking to spend that money.

The Council President opened the meeting to the public to speak on this ordinance only.

There being no comments from the public Councilwoman Erik made a motion, seconded by Councilwoman Horton and carried by unanimous voice vote to close public portion.

Motion to adopt.

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

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Budget:

Statement from Administrator- Council President Erk turned the meeting over to Interim Administrator Casey thanking him for all his efforts. Mr. Casey said this is a public hearing on the budget as introduced after which the Council can act on the amendments. He said revenues are down by \$309,000 this year and over a two-year period revenues have decreased by \$600,000. Reserve accounts that were used in prior budgets are now depleted. Reoccurring expenses have to be met without one-time revenue offsets. Expenditures were kept down to 1.35%. Because of the revenue shortfall the budget requires a 3.9% increase in property taxes. Revenue decreased about 1.5%. Expenditures went up 1.35%. The calculation of the impact to an average home assessed at \$247,000 is an increase is 2.2% total including the county, schools & local for an increase of \$255 with the municipal increase of \$104, which includes solid waste. The governing body has done well with a budget that has held spending flat. The budget includes operating expenses, reoccurring expenses & reoccurring costs. Councilman Signorino said roads are a reoccurring cost that is not in the budget. We are bonding for them this year and he hopes that changes in the future. Councilwoman Dale asked how West Milford compares to neighboring towns this year. Mr. Ferraioli said he will get that information. He said West Milford will be higher this year because there was a \$20 million reduction in revenue because of tax appeals. He is hoping that we can get some movement with the State on watershed. The ratable base has decreased and the chances of it increasing are severely limited. Councilwoman Dale said she would like that explanation in writing with an understanding of what the fiscal impact is.

Mr. Ferraioli said that the purpose of tonight's meeting is to conduct public hearings for the budgets. West Milford is self-examining this year. He explained that every three years DCA examines the budget but not this year. There is also a budget amendment and if introduced we can adopt the budget tonight. He has to leave but his partner Jim Cirullo will remain. Councilwoman Dale said she would like to get dollars & increases in half percentage increments. Mr. Casey said every one-cent generates \$267,000. Half a percent is \$135,000. Each one-cent is \$24.70 to the average household.

Agenda No IV 2

2014 Municipal & Solid Waste Budget Public Hearing

Council President Erk opened the meeting to the public.

There being no comments from the public Councilwoman Erik made a motion, seconded by Councilman Signorino and carried by unanimous voice vote to close public portion.

~ Resolution 2014 - 193 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY TO AMEND THE 2014 MUNICIPAL BUDGET AS INTRODUCED

WHEREAS, the local municipal budget for the year 2014 was approved on May 7, 2014; and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of West Milford, Passaic County, that the following amendments to the approved budget of 2014 be made:

| | | | |
|---------------|-------------|--------|----------------|
| | (Erik | | |
| | (Hensley | (| (|
| | (Erk | (None | (|
| RECORDED VOTE | AYES (Dale | NAYS (| ABSTAIN (None |
| | (Signorino | (| (|
| | (Horton | (| (|

| | CURRENT FUND BUDGET | FROM | TO |
|----|--|--------------|--------------|
| | ANTICIPATED REVENUES | | |
| 1. | Surplus Anticipated | 2,200,000.00 | 2,000,000.00 |
| 3. | (F) Miscellaneous Revenues- Passaic County Cultural Heritage Grant | 0.00 | 2,037.00 |
| | TOTAL Section F | 230,512.21 | 232,549.21 |
| | TOTAL MISCELLANEOUS REVENUES | 5,633,293.03 | 5,635,330.03 |
| 4. | Receipts from Delinquent Taxes | 1,000,000.00 | 1,200,000.00 |

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| | | | |
|----|--|---------------|---------------|
| 5. | SUBTOTAL GENERAL REVENUES (Items 1,2,3 and 4) | 8,833,293.03 | 8,835,330.03 |
| 6. | (A) Local Tax for Municipal Purpose Including Res. For Uncollected Taxes | 21,405,502.85 | 21,405,501.35 |
| | Total Amount to be Raised by Taxes for Support of Municipal Budget | 22,405,120.85 | 22,405,119.35 |
| | TOTAL GENERAL REVENUES (Items 5 and 6) | 31,238,413.88 | 31,240,449.38 |
| | APPROPRIATIONS | | |
| 8. | (A) Operations Within "CAPS" | | |
| | Office of Township Manager (Salary & Wages) | 323,551.69 | 314,551.69 |
| | Other Expenses | 95,450.00 | 104,450.00 |
| | Division of Streets and Road (Salary & Wages) | 1,653,868.60 | 1,658,868.60 |
| | Other Expenses | 386,900.00 | 406,900.00 |
| | Division of Snow Removal (Other Expenses) | 863,570.00 | 838,570.00 |
| | Recreation Programs (Salary & Wages) | 375,721.81 | 344,701.81 |
| | Department of Recreation (Salary & Wages) | 152,179.15 | 137,179.15 |
| | Division of Parks Maintenance (Salary & Wages) | 256,340.93 | 241,340.93 |
| | Insurance (Other Insurance) | 938,854.00 | 998,854.00 |
| | TOTAL OPERATIONS (Item 8(A) Within "CAPS") | 21,824,690.62 | 21,823,670.62 |
| | TOTAL OPERATIONS INCLUDING CONTINGENT WITHIN "CAPS" | 21,824,690.62 | 21,823,670.62 |
| | Detail: | | |
| | Salaries and Wages | 12,708,076.82 | 12,643,056.82 |
| | Other Expenses (Including Contingent) | 9,116,613.80 | 9,180,613.80 |
| | (H-1) TOTAL GENERAL APPROPRIATIONS FOR MUNICIPAL PURPOSES WITHIN "CAPS" | 24,443,449.49 | 24,442,429.49 |
| 8. | (A) Operations – Excluded from "CAPS" | | |
| | Public and Private Programs Offset by Revenues | | |
| | Passaic County Cultural Heritage Grant - County | | 2,037.00 |
| | Passaic County Cultural Heritage Grant - Local | | 1,018.50 |
| | Total Public and Private Offset by Revenues | 282,941.21 | 285,996.71 |
| | TOTAL OPERATIONS – EXCLUDED FROM 'CAPS' | 4,779,964.39 | 4,783,019.89 |
| | (L) SUBTOTAL GENERAL APPROPRIATIONS (Items H-1) and (O)) | 29,223,413.88 | 29,225,449.38 |
| 9. | TOTAL GENERAL APPROPRIATIONS | 31,238,413.88 | 31,240,449.38 |

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the 2014 Local Municipal Budget so amended.

IT IS HEREBY CERTIFIED that the Amended Budget hereto and hereby made a part hereof is a true copy of the Amended Budget approved by resolution of the Governing Body on the 4th day of June 2014.

Adopted: June 4, 2014

Councilwoman Horton made a motion, seconded by Councilman Signorino to place this resolution on the table for discussion.

Discussion: Mr. Casey noted that Council made changes to the budget on Friday night but the bottom line change is minimal. The Council reduced the recreation budget by \$90,000 and the actual budget impact was about \$60,000. Councilman Signorino said that the Council gave direction to cut an additional \$75,000 on top of the \$30,000. Mr. Casey said staff had already taken \$30,000 out of the initial budget. Councilman Signorino said he understood that the Council wanted a total reduction of \$105,000. Mr. Casey said that Council also gave instruction to fund an upcoming court case in this year's budget. That \$60,000 liability is funded with the \$60,000 recreation reduction. The actual budget amendment is \$2,500. Councilwoman Horton said that Council agrees that we are heading down a road where there is a pattern of reduced revenues. We have to deal with long-term systemic changes. Any decisions made now will not be effective until October. The real burden is what are can be done for January 1st 2015. Mr. Casey said that is the direction that is in place with recreation programs. Next year the township will realize the full benefit of those cuts with the preschool program. Councilwoman Dale said we must make cuts; we cannot keep going in this direction. We need all department heads to take a hard look at the budget. We must look at each budget by department. She said that CS&R is a department where the Council can make big cuts. Councilman

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SECTION 2 - UPON ADOPTION FOR YEAR 2014

(Only to be Included in the Budget as Finally Adopted)

RESOLUTION

Be It Resolved by the Township Council of the Township of West Milford of the County of Passaic that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$21,465,501.35 (Item 2 below) for municipal purposes, and
- (b) (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,
- (c) (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18:9-3) and the certification to the County Board of Taxation of
- (d) \$156,480.00 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) \$226,618.00 (Item 5 below) Minimum Library Tax

the following summary of general revenues and appropriations.

| | | | | | | | | |
|--------------------|------|---|-----------|------|---------|-----------|---|------|
| RECORDED VOTE | Ayes | { | ERIK | { | HENSLEY | Abstained | { | NONE |
| (Insert last name) | | { | ERK | { | | | { | |
| | | { | DALE | Nays | | | { | |
| | | { | SIGNORINO | | | | { | |
| | | { | HORTON | | | Absent | { | NONE |
| | | { | | | | | { | |

SUMMARY OF REVENUES

| | | |
|--|-----------------|----------------------|
| 1. General Revenues | | |
| Surplus Anticipated | 08-100 | 2,000,000.00 |
| Miscellaneous Revenues Anticipated | 40964-10 | 5,635,330.00 |
| Receipts from Delinquent Taxes | 15-489 | 1,200,000.00 |
| 2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11) | 07-190 | 21,405,501.35 |
| 3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY: | | |
| Item 7, Sheet 42 | 07-195 | |
| Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14) | 07-191 | |
| Total Amount to be Raised by Taxation for Schools in Type I School Districts Only | | |
| 4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY: | | |
| Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14) | 07-191 | |
| 5. AMOUNT TO BE RAISED BY TAXATION FOR MINIMUM LIBRARY LEVY | 07-192 | 909,818.00 |
| Total Revenues | 40003-60 | 31,240,449.36 |

Sheet 41

SUMMARY OF APPROPRIATIONS

| | | |
|--|-----------------|----------------------|
| 6. GENERAL APPROPRIATIONS: | XXXXXX | XXXXXXXXXXXXXX |
| Within "CAPS" | XXXXXXX | XXXXXXXXXXXXXXX |
| (a&b) Operations Including Contingent | 39601-00 | 21,823,670.62 |
| (c) Deferred Charges and Statutory Expenditures - Municipal | 39604-00 | 2,618,758.87 |
| (g) Cash Deficit | 46-885 | |
| Excluded from "CAPS" | XXXXXXX | XXXXXXXXXXXXXXX |
| (a) Operations - Total Operations Excluded from "CAPS" | 60823-00 | 1,582,074.65 |
| (c) Capital Improvements | 60862-00 | 150,000.00 |
| (d) Municipal Debt Service | 60863-00 | 2,682,136.44 |
| (e) Deferred Charges - Municipal | 60824-00 | 328,809.80 |
| (f) Judgements | 37-480 | 40,000.00 |
| (n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40A:48-17.1 & 17.3) | 29-405 | |
| (g) Cash Deficit | 46-885 | |
| (k) For Local District School Purposes | 60886-00 | |
| (m) Reserve for Uncollected Taxes (Include Other Reserves if any) | 50-899 | 2,015,000.00 |
| 7. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S.A. 40A:4-13) | 60016-00 | |
| Total Appropriations | 30086-00 | 31,240,449.36 |

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 4th day of June, 2014. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2014 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 4th day of June 2014, _____, Clerk.

Sheet 42

Signature

Adopted June 4, 2014

Moved: Horton Seconded: Signorino
 Voted Aye: Erik, Erk, Dale, Signorino, Horton
 Voted Nay: Hensley
 Motion carried.

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Agenda No. IV 4

~ RESOLUTION NO. 2014 - 195 ~

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

SECTION 2 - UPON ADOPTION FOR YEAR 2014
 (Only to be included in the Budget as Finally Adopted)

RESOLUTION

Be it Resolved by the WEST MILFORD **GOVERNING BODY** of the PASSAIC **TOWNSHIP** that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) \$ 1,868,965.59 (Item 2 below) for amount to be raised by taxation for Solid Waste Collection District.

| | | | | | | | | |
|--|--|---|--|-------------|---|-------------|--|-------------|
| <p>RECORDED VOTE (Insert last name)</p> | <p>Ayes { { { { { {</p> | <p>ERIK HENSLEY ERK DALE SIGNORINO HORTON</p> | <p>Nays { { { {</p> | <p>NONE</p> | <p>Abstained { { { {</p> | <p>NONE</p> | <p>Absent { { { {</p> | <p>NONE</p> |
|--|--|---|--|-------------|---|-------------|--|-------------|

SUMMARY OF REVENUES and APPROPRIATIONS

| | | |
|---|--|--------------|
| 1. General Revenues | | |
| Surplus Anticipated | | 90,000.00 |
| Miscellaneous Revenues Anticipated | | 140,000.00 |
| 2. AMOUNT TO BE RAISED BY TAXATION FOR SOLID WASTE COLLECTION DISTRICT | | |
| TOTAL REVENUES | | 2,098,965.59 |
| 3. General Appropriations | | |
| Operations | | 2,098,965.59 |
| Deferred Charges | | |
| Statutory Expenditures | | |
| Judgement | | |
| Deficit in Operations in Prior Years | | |
| Surplus (General Budget) | | |
| TOTAL APPROPRIATIONS | | 2,098,965.59 |

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 4th day of June 2014. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2014 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 4th day of June 2014, _____, Clerk.

Sheet 6

Adopted June 4, 2014

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

Agenda No. IV 5

~ Resolution 2014 - 196 ~

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY FOR SELF-EXAMINATION OF THE 2014 BUDGET RESOLUTION (AS REQUIRED BY DCA)

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of West Milford has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2014 budget year.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Township of West Milford that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the Governing Body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year

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- d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
- a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Approved: June 4, 2014

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

Agenda No. VII

Presentations

Liquor License Transfers (Public Hearings)
Retail Consumption License #1615-33-005-004 Grasshopper Irish Pub & Restaurant, LLC Expansion
Council President Erk opened the meeting to the public. There being no comments from the public
Councilwoman Erik made a motion to close public portion, seconded by Councilwoman Dale and carried
by unanimous voice vote.

~ Resolution 2014 – 183 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PLACE TO PLACE TRANSFER (EXPANSION OF PREMISES) OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-005-004 GRASSHOPPER IRISH PUB & RESTAURANT, LLC t/a GRASSHOPPER IRISH PUB & RESTAURANT

WHEREAS, an application has been received for a Place to Place Transfer (Expansion of Premises) of 2013 - 2014 Plenary Retail Consumption License No. 1615-33-005-004 held by Grasshopper Irish Pub & Restaurant, LLC trading as Grasshopper Irish Pub & Restaurant located at 2891 Route 23, Newfoundland, New Jersey 07435; and

WHEREAS, the Township has conducted a public investigation of the applicant as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980, and

WHEREAS, as a result of that investigation the Township Council has determined the following:

The submitted application is complete in all respects.
The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A. B.C. laws and regulations.
The applicant has disclosed to the issuing authority the source of all financing obtained in the previous license year (July 1, 2012 - June 30, 2013).

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The approval is in compliance and does not waive any municipality, county, or state laws with respect to the establishment.

WHEREAS, as a further result of the public investigation and upon the recommendation of the Police Department the Township Council authorizes the license be transferred as an expansion of premises with conditions as follows:

Persons are not to leave the property of the licensed premise or the extended premise with alcoholic beverages.

A written notice to advise patrons not to leave the extended premise with alcoholic beverages must be posted, and the exit gate shall be alarmed.

Outdoor deck approved as a smoking area for existing customers not as an additional dining area.

A maximum occupancy for the outside deck area with tables and chairs is 42 patrons by NJAC 5:70-3.2(a) 5,F-601.6 and the Township Building and Construction Officials.

If noise becomes an issue additional restrictions will be applied.

NOW, THEREFORE, BE IT RESOLVED that the application is hereby approved and the Township Clerk is authorized to endorse the transfer on the license and issue same as follows:

| |
|--|
| LICENSE |
| GRASSHOPPER IRISH PUB & RESTAURANT, LLC |
| Grasshopper Irish Pub & Restaurant |
| 2891 Route 23 |
| Newfoundland, NJ 07435 |
| 1615-33-005-004 |

Adopted: June 4, 2014

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

Council President Erk moved Executive Session to the end of agenda and opened Public Comments.

Agenda No. VIII

Public Comments

Doris Aaronson, 19 Bearfort Road, West Milford said that this coming Wednesday Dr. Leslie Fine will be making a presentation on the co-infections of Lyme disease. She explained the program that addresses the various infections that can be contracted from ticks. She explained Dr. Fine's qualifications. The presentation will be at town hall at 7:30. She said there will be discussions at the Democratic club meeting about the Highlands Act and how West Milford was negatively impacted financially. The Act promised money to municipalities from the State, which has not been forthcoming. She asked the Council to take issue with State legislators about this. In the past residents took buses to Trenton and she suggests a similar trip be arranged.

Gary Steele, North Glenwood Road, West Milford asked the Council to use microphones properly. He said there are 2 ways to approach the budget. The Council could adopt a resolution insisting that there be a zero increase. There could also be a budget reduction. As a starting point the Council can direct a zero or 1% decrease. Meetings are available at www.westmilfordtv.com

Steve Drew, 567 East Shore Road, West Milford said he is speaking as a resident and he appreciates budget cuts. Council is doing a good job. At most NJ Transit stops, there is a parking lot with a parking fee. He assumes that the local government gets that money. There is a lot in Upper Greenwood Lake where every day cars with NY plates park. He will look into that as a revenue source.

Michael Gerst, Hillview Court, West Milford said he attended the budget meeting last Friday and thought it was positive. Because of the time of year the changes are nullified. He asked if the first 2015 budget meetings can begin immediately after the November election. He said the starting point would be to subtract the revenue losses from any cuts that can be made.

Marilyn Lichtenberg, 37 Hudson Drive, West Milford said she is secretary to the Beautification & Recycling committee. They have reinstated the house beautiful program and have received the first nomination. She reminded everyone to send nominations. The B&R committee is seeking sponsors for Township entry signs. Sponsorship requires that the sponsor maintain the sign and area. The civics club

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will be hosting a seminar on how to use the new cable channel on Monday June 16th at 7 pm in the court room and speakers will be from JAG. She just came from the scholarship presentations at the high school. She read 4 quotes from those presenting scholarships. The Rotary gave students a scholarship for service beyond self. Students said: service above self is a lifestyle. Service above self is an ideal scarcely practiced. Service above self means putting others before yourself and can be applied on a daily basis. Service above self if selflessly leaving an impact on the lives of others.

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

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

Agenda No. IX

Council Comments

Councilwoman Dale said she would like to echo comments made by Messrs. Steele & Gerst. She said next year she would like to see the budget broken out so that Council can see the amounts that cannot be touched by Council like pension, benefits, etc. Then make cuts from there. The Township must meet obligations first and everything else is a wish list. We need to approach the process very differently. She will work closely with the new administrator to get greater detail. Mr. Casey did an excellent job and she is grateful that his efforts placed us in this position.

Councilman Hensley said the starting point of the budget should be zero every year. He hopes the future administrator will proceed that way. Obligations must be clearly identifiable. The Council must understand the number that cannot be changed and focus on numbers that can be changed with an ultimate goal to reduce the tax burden. 60% of taxes collected go to the school and 20% to the county. There is a lot to be done and a lot to look at. We need to vent taxpayer anger to the right places, which is the legislators, and we need to school ourselves. Reach out to our watershed partners to garner support. He wants to hear that the legislators welcome our lobbyist when he knocks on their door. It will take a monumental effort.

Mr. Semrau said that the code and State statutes require that the administrator meet with department heads in the Fall and that the budget be presented to the governing body in January. Mr. Casey started without that process being complied with.

Councilwoman Erik said she will try to be aware of her microphone. She said that Rotary had a hard time choosing from applicants for the service above choice scholarships. She described the meeting last night referred to by Ms. Aaronson. The meeting was unified & hostile. She said the people making the presentation support the Highlands Act and they were surprised at how much West Milford residents know about the effects of the Act on property owners. The Highlands Coalition was there and West Milford residents were vocal about the fact that the Highlands Act promised aid that has not been forthcoming. Highlands takes up 17% of land in this state but produces 65% of the drinking water. Most of the 65% don't know where the water comes from. Newark is one of the biggest landowners and they charge their consumers for the water and that revenue lowers Newark taxes. Since West Milford is not paid for their water anything that is done for free is never really valued. Maybe it is time to start a revolution and start paying attention to the Highlands. They don't know what it takes to live in a Highlands preservation zone. Councilwoman Erk asked for a consensus to ask the administration to research the impact of the Highlands Act on West Milford to serve as the basis for seeking taxpayer relief. Councilman Signorino asked that we send a letter to the governor & legislature. Councilwoman Dale asked if we can start a petition & form letter for residents to send. Mr. Casey said he will schedule this for a future workshop discussion.

Councilwoman Horton thanked everyone who attended that Democratic Club meeting. She supports the Highlands Act but does not agree that the goals of the Act should be accomplished at the expense of West Milford. In Alaska devalued properties were individually compensated. This shortsighted approach takes away support for an important act. Councilwoman Dale asked if we can mail such a letter with tax bills and Mr. Semrau suggested that 3rd quarter tax bills can have a chart with where taxes go as well as a chart with revenues lost. Councilwoman Dale agreed and suggested that there also be instructions for residents to mail a letter to the governor & legislators.

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Agenda No. X

Action Items

Council President Erk asked to move Resolutions 2014-197, 2014-198, 2014-199, 2014-200, 2014-201, 2014-202, 2014-203, 2014-205, 2014-206 and 2014-207 as one. She explained additions.

Moved: Erik Seconded: Signorino
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton.
Voted Nay: Horton (2014-197).
Motion carried.

Agenda No. X 1

~ Resolution 2014 - 197 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE SUBMITTAL AND ACCEPTANCE OF A PASSAIC COUNTY CULTURAL HERITAGE COUNCIL RE-GRANT FOR THE DEVELOPMENT OF A SERIES OF CULTURAL EVENTS DURING 2015

WHEREAS, the Township Council of the Township of West Milford has determined that there is a need for cultural events for residents of all ages and abilities; and

WHEREAS, the Passaic County Cultural and Heritage Council has grant monies available that may be used to assist the Township in realizing this goal; and

WHEREAS, the West Milford Recreation Department has developed a series of cultural programs that could benefit from these funds; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford hereby authorizes the submittal of a Passaic County Cultural and Heritage Grant in the amount of \$5,000.00 with a cash match of \$2,500.00 and an in-kind match of \$2,500.00 for the purpose of planning, scheduling and conducting several cultural events in the Township during 2015 and;

BE IT FURTHER RESOLVED that the Mayor or the Township Administrator be authorized and directed to arrange for the acceptance of said grant.

Adopted: June 4, 2014

Agenda No. X 2

~ Resolution 2014 - 198 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING AN INTERLOCAL SERVICE AGREEMENT WITH THE CITY OF PATERSON FOR COMMUNICABLE DISEASE SERVICES

WHEREAS, The Township of West Milford provides health services for its residents through a locally funded and operated Health Department; and

WHEREAS, state regulations require that local Health Department provide certain communicable disease treatment and prevention services; and

WHEREAS, the Township Health Officer recommends that the Township Council, acting as the Board of Health, enter into a interlocal services contract with the City of Paterson to provide tuberculosis communicable disease prevention and treatment services since the provision of these required services through the joint service arrangement is a cost effective means of providing the required services; and

WHEREAS, the cost of these services is \$100 per year and is provided for in the Township 2014 budget for health services.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the Interlocal service Agreement with the City of Paterson for health care services is hereby approved and the Mayor and Municipal Clerk are authorized to execute the contract on behalf of the Township.

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Adopted: June 4, 2014

Agenda No. X 3

~ Resolution 2014 – 199 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REJECTING ALL BIDS RECEIVED FOR THE WESLEY DRIVE / EVELYN DRIVE CONCRETE CURB REPLACEMENTS PROJECT

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on May 23, 2014 at 10:00 am for concrete curb replacements in advance of contract resurfacing on Wesley Drive and Evelyn Drive; and

WHEREAS, the Township of West Milford received two (2) sealed bids on May 23, 2014 in accordance with the advertised date for acceptance of bids for this project; and

WHEREAS, said two (2) bids have been duly reviewed and analyzed by the West Milford Township Engineering Division; and

WHEREAS, the low bid received from Cifelli & Son General Contracting, Inc., in the amount of \$176,900.00, exceeds the engineering estimate by 48.7%; and

WHEREAS, the Local Public Contracts Law, specifically N.J.S.A. 40A:11-13.2 authorizes a municipality to reject all bids for the above-stated reason; and

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

1. The Township Council hereby rejects all bids received on May 23, 2014 for the Wesley Drive / Evelyn Drive Concrete Curb Replacements project.
2. Under the direction of the Township Engineer and Interim Township Administrator, the Engineering Division will reconfigure the scope of the project to be re-advertised as soon as is practicable.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: June 4, 2014

Agenda No. X 4

~ Resolution 2014 - 200 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A CONTRACT FOR STREET SWEEPING SERVICES 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 recommendation from the Department of Public Works to contract for street sweeping services to supplement existing township operations; and

WHEREAS, the Department of Public Works has solicited three quotations for the provision of street sweeping services and recommends the use of Three D Industrial Maintenance Corp for these services at a cost of \$1,000 per full work day to a maximum of \$25,000; 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

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number 01-201-26-290-408.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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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 Three D Industrial Maintenance Corp in an amount not to exceed \$25,000.

Adopted: June 4, 2014

Agenda No. X 5

~ Resolution 2014 – 201 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PASSAGE OF A CONSENT AGENDA

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

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

Resolutions:

- a. **2014-202** – Rescind resolution 2014-188
- b. **2014-203** – Refund Overpayments

Applications:

- a. Application for Social Affair Permit by Holy Institution Panagia Soumela Inc. for August 16 and August 17, 2014 from noon to midnight (rain dates August 23 and August 24, 2014) same hours.
- b. Application to Extend Licensed Premises by Spirits of Vreeland LLC for June 28 and June 29, 2014 from 10:00 am – 6:00 pm with Recommendations from Police Department.
- c. Application for On Premise Draw Raffle License #2014-27 by West Milford Midget Football Association for June 21, 2014

Adopted: June 4, 2014

Agenda No. X 5a

~ Resolution 2014 – 202 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RESCINDING RESOLUTION 2014-188

BE IT RESOLVED that Resolution 2014-188 be and is hereby rescinded because it is a duplicate of resolution 2014-167 adopted on May 7, 2014.

Adopted: June 4, 2014

Agenda No. X 5b

~ Resolution 2014 – 203 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF OVERPAYMENTS

WHEREAS, there appears on the tax records overpayment as shown below and the Collector of Taxes recommends the refund of such overpayment.

NOW, THEREFORE, BE IT RESOLVED that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayment as shown below:

| Block/Lot | Name | Amount | Year | Reason |
|------------|---|-----------------|------|-------------------------|
| 7801-26.05 | West Milford MUA 179 Cahill Cross Road West Milford, NJ 07480 | \$431.12 | 2014 | Paid Wrong Entity |
| TOTAL | | \$431.12 | | |

Adopted: June 4, 2014

Agenda No. X 6

~ Resolution 2014 - 205 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2014- 2015 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption Licenses for the 2014- 2015 License year have been received and reviewed; and

WHEREAS, the Township Council has conducted a public review of the applications as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980; and

WHEREAS, as a result of that review the Township Council has determined as follows:

1. The submitted applications are complete in all respects.
2. The applicants are qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicants have disclosed to the issuing authority the source of all additional financing obtained in the previous license year (July 1, 2013- June 30, 2014).

WHEREAS, the Police Department has recommended that the licenses be renewed to the current owners.

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk is directed to issue and deliver the license certificate for the Mayor and Township Council of the Township of West Milford.

| 2014-2015 ACTIVE LICENSES | |
|---|--|
| NEW VINELAND CORPORATION t/a Uncorked Wines & Spirits 9 Marshall Hill Road West Milford, NJ 07480 1615-33-003-007 | 2 MOMENTO 2, INC. Momento Restaurant 374 Morsetown Road West Milford, NJ 07480 1615-33-012-005 |
| GIOIA RESTAURANT LLC t/a Vito & Michaels 9 Lakeside Road Hewitt, NJ 07421 1615-33-017-008 | FRANK & SATINA LLC t/a Jimmy Geez North Sports Bar & Grill 3219 Route 23 South Oak Ridge, NJ 07438 1615-33-034-008 |
| PMS LLC t/a The Huntsman Restaurant 1745 Macopin Road West Milford NJ 07480 1615-33-029-007 | THE 2236 CORPORATION Elks Lodge 1860 Union Valley Rd West Milford, NJ 07480 1615-33-031-001 |
| JAMES ANTHONY DELI RESTAURANT, INC. t/a Greenwood Lake Discount Liquors 2019 A Greenwood Lake Turnpike Hewitt, NJ 07421 <u>1615-33-021-004</u> | |

Adopted: June 4, 2014

Agenda No. X 7

~ Resolution 2014 - 206 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES WITH CONDITIONS FOR THE 2014- 2015 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption Licenses for the 2014- 2015 License year have been received and reviewed; and

WHEREAS, the Township Council has conducted a public review of the applications as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980; and

WHEREAS, as a result of that review the Township Council has determined as follows:

1. The submitted applications are complete in all respects.
2. The applicants are qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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3. The applicants have disclosed to the issuing authority the source of all additional financing obtained in the previous license year (July 1, 2013- June 30, 2014).

WHEREAS, the Police Department has recommended that the licenses be renewed to the current owners as active licenses with conditions.

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk is directed to issue the license certificates for the Mayor and Township Council of the Township of West Milford.

| LICENSEE | CONDITIONS |
|--|---|
| WEST MILFORD BAR & LIQUORS INC. Westbrook Hootch Hut 717 Otterhole Road, West Milford, NJ 07480 1615-33-033-002 | 1. License Certificate must be properly displayed. 2. Copy of most recent long form license application must be kept on licensed premises. |
| LATITUDE 41 LOUNGE LLC 322 Lakeside Road, Hewitt, NJ 07421 1615-33-011-004 | 1. Second floor licensed only for storage, use of the roof area is prohibited. |
| TUSCANY BREWHOUSE LLC 3055 Route 23 N/S, Oak Ridge, NJ 07438 1615-33-016-006 | 2. Second floor occupancy load must be strictly adhered to. |

Adopted: June 4, 2014

Agenda No. X 8

~ Resolution 2014 – 207 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF POCKET (INACTIVE, UNSITED) PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2014- 2015 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption License for the 2014- 2015 License year have been received and reviewed; and

WHEREAS, this license has received a Tax Clearance Certificate and Special Ruling for the 2013-2014 year; and

WHEREAS, the Township Council has conducted a public review of the application as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980; and

WHEREAS, as a result of that review the Township Council has determined as follows:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicant had disclosed to the issuing authority the source of all additional financing obtained in the previous license year (July 1, 2011- June 30, 2013).

WHEREAS, the Police Department has recommended that the license be renewed to the current owners as a pocket (inactive) license with conditions.

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk is directed to issue and hold the license certificates for the Mayor and Township Council of the Township of West Milford.

| LICENSE/LICENSEE/T/A | 1. CONDITIONS | LICENSE STATUS |
|----------------------|---------------|----------------|
|----------------------|---------------|----------------|

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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| LICENSE/LICENSEE/T/A | 1. CONDITIONS | LICENSE STATUS |
|--|---|--------------------------|
| <p>JESSIES COUNTRY KETTLE INC t/a Jessies Country Kettle Inc 1603 Greenwood Lake Tpke, Hewitt, NJ 07421 1615-33-013-008</p> | <ol style="list-style-type: none"> 1. Licensee must complete and file a Place to Place Transfer application to site this license, or a Person to Person and Place to Place Transfer application to transfer ownership and site this license in the Clerk's office. 2. Fire Department, Health Department, Building and Zoning, and Police Department inspections must be made and satisfactory recommendations received in the Clerk's office prior to transfer, activation or opening this license. 3. A Health Department Retail Food Establishment license must be acquired prior to opening. | <p>Pocket / Inactive</p> |
| <p>SAAGAR BEVERAGE INC. 28 Phillip Dr. Parsippany, NJ 07054 1615-33-020-007</p> | <ol style="list-style-type: none"> 1. Licensee must complete and file a Place to Place Transfer application to site this license, or a Person to Person and Place to Place Transfer application to transfer ownership and site this license in the Clerk's office. 2. Fire Department, Health Department, Building and Zoning, and Police Department inspections must be made and satisfactory recommendations received in the Clerk's office prior to transfer, activation or opening this license. 3. A Health Department Retail Food Establishment license must be acquired prior to opening. | <p>Pocket / Inactive</p> |
| <p>REFLECTION LAKES INN, INC. 19 Lundy Terrace Butler, NJ 07405 1615-33-026-002</p> | <ol style="list-style-type: none"> 1. Licensee must complete and file a Place to Place Transfer application to site this license, or a Person to Person and Place to Place Transfer application to transfer ownership and site this license in the Clerk's office. 2. Fire Department, Health Department, Building and Zoning, and Police Department inspections must be made and satisfactory recommendations received in the Clerk's office prior to transfer, activation or opening this license. 3. A Health Department Retail Food Establishment license must be acquired prior to opening. | <p>Pocket/ Inactive</p> |
| <p>FILLIPPO ENT LLC t/a Lake Shore Inn 399 Lake Shore Drive Hewitt, NJ 07421 1615-33-035-007</p> | <ol style="list-style-type: none"> 1. Licensee must complete and file a Place to Place Transfer application to site this license, or a Person to Person and Place to Place Transfer application to transfer ownership and site this license in the Clerk's office. 2. Fire Department, Health Department, Building and Zoning, and Police Department inspections must be made and satisfactory recommendations received in the Clerk's office prior to transfer, activation or opening this license. 3. A Health Department Retail Food Establishment license must be acquired prior to opening. | <p>Inactive</p> |

Adopted: June 4, 2014

Agenda No. XII

Approval of Expenditures

~ Resolution No. 2014 – 204 ~

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 | \$503,549.95 |
| 3 | Reserve Account | 220.55 |
| 2 | Grants | 2,181.00 |
| 6 | Refunds | 456.93 |
| 1 | General Ledger | 0.00 |
| 26 | Refuse | 0.00 |
| 4 | Capital | 11,368.50 |
| 19 | Animal Control | 0.00 |
| 19 | Heritage Trust | 0.00 |
| 19 | Open Space Trust | 0.00 |
| 19 | Trust | 9,857.15 |
| 19 | COAH | 0.00 |
| 16 | Development Escrow | 0.00 |
| 20 | Library Trust | 0.00 |
| 21 | Assessment Trust | 0.00 |
| Total | | \$527,634.08 |
| | Less Refund Resolution | -456.93 |
| | Actual Bill List | \$527,177.15 |
| | Other Payments | |
| | Check. # 51389 Amazing Amusements | 2,600.00 |
| | Check. # 51390 Treasurer, State of NJ | 100.00 |
| | Total Expenditures | \$529,877.15 |

Adopted: June 4, 2014

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

Agenda No. XI

Discussion Items

| | |
|----|---|
| 1. | <p>Discussion – Cable TV Committee – Councilman Signorino asked if Mr. Semrau has a draft ordinance for committee composition. Mr. Semrau said he recalls that the document would turn over equipment to BOE. Councilman Signorino said the last plan was to turn it over to a commission with members of the community and the BOE would have a participating member to be inclusive. Councilwoman Erik said that she has been attending JAG meetings. They have form documents for committees, commissions, agreements, etc. They are making a presentation on 6/16 at 7 pm in the courtroom to the civics club. They will explain the benefits of JAG of which NJTV is a member. The Township does not have to do much work because JAG will help with the groundwork. During the convention, she along with Council President Erk & Gary Steele saw many equipment options and startup plans. They have been moving ahead as citizens. Councilman Signorino said he will try to attend that meeting and then meet with Councilman Hensley. They will ask JAG to make a presentation to Council. Councilwoman Erik said JAG has a short version presentation for Council. Councilman Signorino said the spirit of having a commission would be to have local leaders be involved. Councilwoman Erik said JAG just helps startup and they do not become involved thereafter. Councilman Signorino asked Mr. Semrau to send a copy of the last draft of his proposed commission to Council. He said that he & Councilman Hensley will meet with JAG and then come back to Council. Councilman Hensley said he is comfortable going to the civic club meeting and proceeding from there. Councilwoman Erik nominated Council President Vivienne Erk as liaison to JAG seconded by</p> |
|----|---|

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Councilwoman Horton. Mr. Semrau said that a "contact person" is a better term because liaisons serve as contact with official organizations of the Township. Council President Erk said she has been attending the JAG meetings and the members are familiar with her. Councilwoman Dale said it appears that there are 2 committees. Councilman Hensley said there is the sanctioned subcommittee and the de facto subcommittee. Councilwoman Dale asked if they should be working together. Councilman Signorino said the subcommittee has asked the administrator to have Cablevision study the potential of effectuating the drop. Mr. Casey said he did not hear back but will follow up. Councilman Hensley said the civics club meeting will be a learning experience to filter information to the subcommittee. He does not see the need to officially appoint a contact person. Councilwoman Erik said that during the Memorial Day parade, many people asked about the public access station. Many groups would like to tape & air events. The de facto committee is moving ahead because nothing is being done by the subcommittee. Mr. Steele is taping meetings and posting them online. Residents would like more access. Seniors do not want to come out at night. They want to see meetings. Seniors can't drive at night. When she attends JAG meetings, she is repeatedly told to move forward. That is why they are asking for a defined contact person to minimize the contact and confusion. Councilman Signorino said that everyone is working toward the same goals. Trying to adhere to proper channels. Now is the time to move and get the drop installed. He would like to proceed and get more information. He wants to see how Council wants to structure the commission. Marilyn Lichtenberg asked to be heard as a point of order. Marilyn Lichtenberg, 37 Hudson Drive said the civics club is for the people of West Milford to allow them to be informed and ask questions. She explained their prior meetings. Councilman Signorino asked that the civics club provide a report. Mr. Steele asked for a point of order. Gary Steele, North Glenwood Road said he has been in touch with Cablevision for past two years. He was archiving materials for this channel. All Council meetings are available on the internet now since the beginning of the year. The civic club meetings are also there as well as other town events. Cablevision anticipates having the drop box by October 1st. He purchased 6 cameras that are available for public use at no cost. He said people should be encouraged to learn how to use the public access channel. He reviewed his experience. This is great for the community. It will blossom. Channel 77 will be dedicated to the Township. Please don't kill this with bureaucracy. The Council asked that this be scheduled for a future workshop discussion.

Motion to have Council President Erk serve as a contact person for JAG.

Moved: Erik Seconded: Horton
Voted Aye: Erik, Erk, Dale, Signorino, Horton.
Voted Nay: Hensley
Motion carried.

Agenda No. XII

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

Interim Township Administrator Casey directed Council to a letter they received about damage from water at 32 Setting Sun Trail in West Milford. The corrective measures for this issue are funded in the capital program to correct a drainage problem that evolved over time due to homeowners trying to divert water which overpowered the existing system. He said Council needs to spend time to give guidance to the DPW as to responsibility for private drain systems. Homeowners are constantly requesting relief through repairs to drains, correcting problems that emanated from water being directed by homeowners. Many of these issues do not have easements or public access. Councilwoman Dale said she is glad this is being brought up. Mr. Casey said a commitment to this particular problem was made 3 years ago. Councilman Signorino said that these issues should be addressed on a case by case basis. If it is a private matter it should be handled through the courts. The Council, he said, needs legal advice on each situation. He said Mr. Casey should provide a copy of each request. Mr. Casey said the Township needs an overall policy or legislation to provide direction. Councilwoman Dale asked if the municipality has a responsibility to provide services to people on private roads. Councilwoman Erik said this particular issue has been coming to the building standards board for years. She explained the specifics. The town has been putting sandbags on a neighboring property which is only a temporary fix. Councilwoman Horton said the real question is what is our responsibility or obligation. She said she does not want a policy where the Township is responsible for private property. If the Township caused or exacerbated the problem that would be different. Councilwoman Dale asked what services we provide and what is our obligation to houses on private roads. Mr. Casey said past practice has been that we plow a lot of these roads which is a subject that should also be addressed. The Township has been paying for emergency vehicles & patching these roads to allow access. There is a private drain under one road so we cannot patch that road. Mr. Semrau said this Township made a decision to plow & maintain almost all roads in the

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Township including private roads. There was a lawsuit with UGL because they took exception to our road sweeping practices. There were 15 roads that are private but the governing body decided to continue to maintain those roads. It is a policy decision. There was information provided as to what it costs to maintain these roads. These roads are not up to Township standards and they are regularly being flooded out. If one purchases a piece of property on a road that is not a public road the property owner is responsible for the maintenance of that road. Many roads in West Milford were not built to Township standards. Discussion ensued about assessment programs. Mr. Semrau said he wrote a memo some years ago about this assessment program. Councilman Signorino said that he would be willing to consider a voluntary assessment program. Mr. Casey said he will provide information and schedule a future workshop discussion. There are many residents who demand road patching. Councilman Hensley said there is a micro & a macro issue in this discussion. Some people like private roads but there is a cost to the Township for that. Councilwoman Erik gave further details about the property in question here. The Council asked for a future workshop discussion of a road assessment program and a policy for resident assistance.

Interim Administrator Casey said Council received a request from the fire marshal's association asking for support for legislation that would increase requirements for sprinklers. The construction industry is not in favor of this legislation but fire fighters favor it. The Council agreed that they would not support this legislation as requested.

Interim Administrator Casey asked for consensus to set up a trust account for the Autumn Lights Festival (ALF). The Township's \$3,000 annual funding would go into the trust account. The Council gave consensus and Mr. Casey will prepare a resolution for the next meeting.

Councilwoman Dale urged interested parties to get registrations for ALF in early. She said she attended a recent fire chiefs meeting and it was a good meeting.

Councilman Signorino said the Heritage Committee is having its annual tennis tournament and he provided details and thanked sponsors. More sponsors are needed and the funds go toward the upkeep of the museum. The boat races will be held this weekend on Greenwood Lake. The weed harvester is now in the water and is operational again. The boaters association is very positive about the races and are hopeful the event will be successful. The environmental commission has appointed Andy Abdul as a liaison to the Greenwood Lake Bi-state Commission and the Commission is delighted with his attendance at every meeting. They are hoping to have a study done using a 2005 study as a baseline. Things are moving forward and the environmental commission is working on getting grant money for the study. He said the library subcommittee met with the Council subcommittee and discussed library use and reviewed preliminary plans for the new building. He gave details about proposed changes to a staircase location from the back to the front of the building. Councilwoman Dale said there was also discussion of contractual information. The library board wanted clarification as to percentage of space to be used by the municipality and the formula for shared costs of common areas. The Council's subcommittee members directed the Library Board to stick to 25% and to share in 25% of common area space as well. The architect will do an analysis of the percentages and any increased area they may want the Township to share in. She said the Library Board thought it should be 50% of common area but the Council committee stuck to 25% of common area. There is something from their attorney to our attorney to finalize. Councilwoman Horton said the Council committee questioned why the Township would pay for 50% of common areas. The Board said they already paid many preliminary costs. She thanked them but stuck by the 25%. Councilman Signorino said it is easier and makes more sense to be responsible for 25%. Councilwoman Dale said she asked the Library Board for a project plan and the Township should have one too. We must understand each stage of the project to fully participate in this project with dates, deliverables & responsibility clearly delineated. The board agreed. Each entity should have a project plan and make a combined master plan. Councilman Signorino said the board was interested in having the Township use more than 25% of space. He asked if Council is interested in entertaining the idea of more space if it is possible and the Council unanimously agreed that they are interested. Councilwoman Dale said the subcommittee will go back to them and then determine cost & feasibility. Councilman Signorino said he will bring that back to them. Councilwoman Dale said we could commit to 25% and if additional space becomes available the Township would advise them. Mr. Semrau said it is already in the agreement and he added that the agreement he got back had reference to library scheduling shared rooms. Council said that was not discussed. The term of the agreement is the life of the building. Councilman Hensley said he looks forward to seeing the blueprint. Councilman Signorino said the architect will get back within a week and the committee will schedule another meeting through the clerk. Councilwoman Dale asked that if other Council members have questions please provide them to the subcommittee members as soon as possible. Councilman Signorino said Memorial Day was great. He thanked all those who sacrificed for this country.

Councilwoman Horton said the MUA had asked the Governing Body to fund half the cost for a study of what they should do with their plants. They would like an answer. We just approved a budget that does not include that. They deserve a written response. She made a motion to have the administrator advise

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the MUA in writing that for budgetary reasons they cannot fund the study. Councilman Signorino seconded the motion which was carried by unanimous voice vote.

Councilman Signorino asked for a future workshop discussion of making West Milford a 3.5% tax zone.

Councilwoman Horton said she met with the Senior Advisory Committee this afternoon. Most complaints were about potholes. She thanked library board for all work on project long overdue and she thanked poll workers for working yesterday.

Councilwoman Erik said she attended a *United for Prevention* meeting in Passaic County yesterday which is a drug prevention group. The prescription drug drop off box program has resulted in the collection of over 200 lbs of prescription drugs thus far this year. We really need one. They have a mobile collection unit that will be unveiled in next few weeks. This can be used at street fairs like ALF and we can advertise that it is available. At first it cost municipalities money to operate this program but now the State picks up the drugs thereby negating the largest cost. She asked Chief Storbeck to look into this for West Milford. She urged residents not to flush these drugs. She attended a meeting in Goshen for EMS. Insurance companies there lectured about hazards of EMS accidents when treating patients. Insurance companies do not want EMS doing CPR in moving ambulances. There is a new device which is an automated CPR machine. West Milford has six ambulances in town. If you don't carry this equipment insurance rates will increase. LUPUS can be installed to automatically administer CPR while the EMS in the ambulance can be strapped in seats. It is an expense that we will have to incur at some point. LUPUS now cost \$13,000 apiece with a lesser cost for bulk purchases. Councilwoman Dale asked if this is something actual first aid squads should be putting on budget requests. Councilwoman Erik said that it is best for Council to be educated prior to the request. Councilwoman Dale said she appreciates Councilwoman Erik's efforts but nonetheless the individual squad must make their budget requests and include it if they see fit.

Councilman Hensley said the Memorial Day parade was beautiful. It is a great time to reflect on the service & sacrifice of so many of our patriots. We too often take them for granted. He thanked Mr. Niederstrasser who came to the Council meeting and researched an important figure from this area. The iron forge and related industry helped as far back to the revolutionary & civil wars. He looks forward to seeing the picture in the museum. He thanked all volunteers who do so much for this community.

Township Attorney Semrau said he wants to give a brief overview of a tax abatement program. He directed Council to his memo and introduced Joe Bock from his office who researched this. This program would serve as an incentive to encourage property improvements. For the first five years that improvement would be exempt from increased taxes up to the first \$25,000. It encourages improvements & construction and provides relief & incentives. The process itself involves a number of steps. The Township would have to conduct a study and declare that portions or the entire Township as an area in need of rehabilitation. Some communities get concerned about that type of designation. He reviewed the criteria. Mr. Bock did a preliminary analysis that indicates that the housing stock in West Milford is overall on average older than 50 years. The Council would have to do the study, make the determination, and adopt an ordinance delineating the exemption. Programs of this nature have generally been successful. The state does not give local entities many options and this is one of the limited ways the Governing Body can affect the taxation process. Councilman Signorino said he likes the idea. He would support having the entire town included. Mr. Casey is researching what it may cost the municipality. It would not mean the entire improvement would qualify. Councilman Signorino asked about planning board involvement. Mr. Semrau said they would have some involvement. The study would be sent to them for comments. Councilman Signorino said he doesn't want to wait 25 years for next revaluation. What if we do a revaluation in ten years, what would the effect be, he asked. Mr. Semrau said a revaluation could accommodate this but it would complicate the process. However, he continued, this is a five year program that would not overlap with a revaluation. The Council gave consensus to proceed. Mr. Semrau said the Council may want to commission a study and he will find out what that involves & costs. He will get a proposal from Mr. McGroarty & speak with Messrs. Casey & Townsend for a future meeting. After the study is done, Council can proceed with the other steps.

Agenda No. XIV

Appointments and Resignations

Councilman Signorino nominated Hans Niederstrasser, Citizen Member, to the Heritage Committee seconded by Councilman Horton. Councilwoman Erik made a motion seconded by Councilwoman Horton to close & confirm the nomination which was carried by unanimous voice vote.

Agenda No. V

Executive Session

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~ Resolution No. 2014 – 192 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 4th day of June 2014 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. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - Contracts – Township Administrator
 - Attorney-Client Privilege – PAL
 - Attorney-Client Privilege – Random Woods Motorcross
 - Attorney-Client Privilege – Fire Department Negotiations
 - Attorney-Client Privilege – ABC Enforcement
 - Litigation-Hughes & Simmons v. West Milford
 - () b. (8) Personnel matters.
 - () b. (9) Deliberations after a public hearing that may result in penalties.
2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: June 4, 2014

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

The Governing Body went into Executive session at 10:00 pm.
The Governing Body returned to the public meeting at 10:49 p.m. with all present as before.

Agenda No. XIV

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 10:50 p.m.

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

Approved: August 20, 2014

MAYOR BETTINA BIERI, PRESIDING OFFICER

ANTOINETTE BATTAGLIA, TOWNSHIP CLERK