
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: June 22, 2016
Time of Meeting: 6:30 pm
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The Regular Meeting of the Governing Body was called to order by Mayor Bettina Bieri.

Adequate Notice Statement

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Regular meeting was advertised in the Herald News in its issue of December 20, 2015 and January 3, 2016; copies were provided to the Suburban Trends, the Record and Star Ledger and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Pledge of Allegiance

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

Roll Call

Present: Councilmembers Ada Erik, Mike Hensley, Tim Wagner, Michele Dale,
Luciano Signorino, Marilyn Lichtenberg, Mayor Bettina Bieri.
Absent: None.
Also Present: Attorney Dawn Sullivan

Agenda No. II

Reading of or Approval of Unapproved Minutes

March 16, 2016 Regular Meeting
March 16, 2016 Executive Session

Councilwoman Erik stated that these are the newest minutes that were brought out, they were back in March. She said at the last council meeting, a council member said that they reviewed the minutes on something more recent. She asked what minutes were reviewed because these were well before what he referenced. Mayor Bieri asked if there is any discussion on these minutes and any other comments can be brought up during council comments.

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

Agenda No. III

Presentations

Eagle Scout Presentation – Liam Harrington spoke at the podium. He stated that he has been scouting for the past 10 years and is now a part of troop 146 in Upper Greenwood Lake. For his Eagle Scout Project, he built a retaining wall to build a flag pole memorial for Upper Greenwood Lake Fire Company. He said they are now able to have formal flag ceremonies. It took about 275 hours with help from family, friends, and staff from the summer camp where he works. He noted that materials were donated from Lowes in Butler and Battinelli Supply in West Milford. In the future, he will be attending Unity College in Maine with a major in law enforcement.

Mayor Bieri noted we have a disproportionately high number of young men who make it to the rank of Eagle Scouts in West Milford. That is a huge testament to our community, parents, scout leaders, and the neighborhood support. She thanked him for the doing the project because it all benefits the community.

Senior Olympian Champions

Mayor Bieri invited Councilwoman Lichtenberg to the podium. Mayor Bieri explained that Councilwoman Lichtenberg participates in the Senior Olympics. Councilwoman Lichtenberg provided some background about the Senior Olympics. She stated that it consists of six different towns participating in six different events. Teamwork is very important because it's the team points which provide a victory for the town. This

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year, six participants received medals and West Milford received first place in the event. She called out each participant who received a medal and then called the rest of the team up. Mayor Bieri presented a plaque that will be hung at the Hillcrest building. She congratulated the participants.

Mayor Bieri added that there is one more presentation from the Economic Development Commission.

Jo Ann Blom, Melissa Brown-Blaeuer, Tom McNair said they would like to recognize Karen from the jewelry store in town. They invited her to the podium. She has had her business in West Milford for over 35 years and she donates to the community. The EDC would like to thank her for helping the community. Mayor Bieri presented the Established Business Award for 30 plus years in the community.

Jo Ann Blom said they would like to recognize a new business, Fox Island Creamery. She thanked them for picking West Milford and wished nothing but the best and success in West Milford. Mayor Bieri said she is a regular at both the jewelry store and Fox Island Creamery. At the creamery, they change out all of the flavors and the ice cream is made fresh here in West Milford. She said you can really tell the difference when it's home made.

Tom McNair said he would like to inform the public of what the EDC has planned. He said they had a very successful seminar here for small business on May 23rd. They continue to work closely with the Passaic County EDC. He said our number one focus is to bring more information on county and state events that are available for small business here in West Milford. Mr. McNair said they are planning a seminar with the Passaic County EDC in October which will be specifically designed for small business. In addition, there are many qualified volunteers who are offering their services. We look forward to helping residents and all of the services are free.

Jo Ann Blom stated she would like to acknowledge some of the accomplishments of the EDC. She explained that they started the Town-wide Garage Sale and the idea of the fireworks. She mentioned other proposed ideas for the commission. She said the EDC works well with the chamber and thanked them. In addition, the EDC met with Freeholder Duffy and asked for help in cleaning up Union Valley Road, county roads, and cleaning up the trees in West Milford. Ms. Blom stated that the EDC has worked with the Passaic County EDC Director and they have introduced us to the seminars and future seminars that we will be holding. We would like to make West Milford a business friendly community. She thanked all of the commissioners because they are caring and are hard working.

Melissa Brown-Blaeuer said she has many great ideas that she would like to implement. She said she has put together a power point presentation with many ideas that includes a number of photographs that she has taken around the area. She said she would like to improve the tourism signage and the recreational signage at the entry points in West Milford so people are aware of the opportunities to enjoy the outdoors. Second, is to reach out more effectively in the state and the county departments of tourism and make connections to see how we can fund some of the initiatives. Lastly, is to make better digital connections so people are aware of what is in the township and what it has to offer.

Mayor Bieri thanked the EDC commissioners. She stated we also have private organizations like HEAT all working toward economic development. The biggest way that we can develop our economy is by supporting it. She noted that we are not getting new businesses in if we are not supporting our existing businesses. She encouraged everyone to spend money in town and support our local businesses.

Agenda No. IV

Executive Session

None

Agenda No. V

Unfinished Business, Final Passage of Ordinances

~ Ordinance 2016- 009 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING STOP SIGNS AT THE INTERSECTION OF TERRACE ROAD & CLIFF ROAD

WHEREAS, the Mayor and Township Council have received complaints regarding traffic flow at the corner of Terrace Road and Cliff Road; and

WHEREAS, the Mayor and Township Council received an investigatory memorandum from Township Engineering Aide, Eric Miller, on April 1, 2016 which indicated a need for stop signs at the intersection of Terrace Road and Cliff Road; and

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WHEREAS, the Mayor and Township Council desire to ensure that all travelers on Cliff Road and Terrace Road are safe; and

WHEREAS, the Township Professional Engineers, Ferriero Engineering, Inc., have submitted their certification on file in the Clerk’s Office that the safety of the traveling public is better protected by the installation of stop controls at the intersection. Since the greater volumes of traffic are on Cliff Road, the stop controls should be installed on Terrace Road approaching Cliff Road in both directions.

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

- SECTION 1.** The intersection formed by Cliff Road and Terrace Road is designated as a Stop Intersection and that STOP signs shall be placed facing traffic on Terrace Road approaching Cliff Road in both directions.
- SECTION 2.** All violations shall be punished in accordance with Township Ordinances for traffic violations.
- SECTION 3.** All ordinances of the Township of West Milford, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.
- SECTION 4.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
- SECTION 5.** This Ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Introduced: May 18, 2016
Adopted: June 22, 2016
Effective Date: July 12, 2016

There being no one wishing to be heard, Councilwoman Erik made a motion, seconded by Councilman Signorino and carried by unanimous voice vote to close the public comment period.

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

Agenda No. VI

Public Comments

Tim McGuire 69 Morris Ave said he would like to talk about the Crescent Park water situation. He is well aware that the MUA is an autonomous body but the water situation is a quality of life issue and a property value issue. He stated that last night MUA meeting did very little to gain our confidence back. The MUA expressed that they barely have enough money to operate the system and they have no money to maintain the system. The problem in Crescent Park was not caused by Mother Nature; it was caused by neglecting the system. Mr. McGuire explained that the MUA is blaming residents for wasting water but there are still people in Crescent Park that still have not been notified by the MUA. There was no action until it was brought up at the council meeting and it’s inexcusable. He asked the council to confirm that there is a water restriction. In addition, he asked if there can be a committee to oversee the sale of the MUA. He explained that he finds it disturbing that the MUA would be in charge of the bid process. Mr. McGuire stated that the water from the MUA is not a gift. He explained that he pays \$500 a quarter on average for water. Hopefully it will be sold sooner or later but help is needed right now.

Michael Bremski JCP&L stated that he wanted to stop by and say that this year they will be sponsoring the Air Show in August for the 3rd or 4th year. He said it’s a great show and they enjoy it. If anyone has any questions or concerns he is here to speak with.

Kathleen Caren Quince Tree Lane noted that she is here to support resolution 2016-225. She said she has done a lot of reading and has been to meetings about this. It is a very scary proposal. She understands that even though they don’t have their permits, they are still moving forward with construction. She thanked the governing body for having this on the agenda.

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Renee Alessio Hillcrest Drive explained that she is speaking as a resident of West Milford. She is happy that the council has put the resolution about CPV on the agenda tonight and hopes it is passed. When residents heard about this in town, they were pretty scared about it because it's not that far away from us. She said she doesn't know if we are still doing enough to use renewables. Residents are looking into putting solar into their home but what are we doing in West Milford as far as renewables for the township. She noted that we should really be doing more for wind and solar in West Milford and hopes that the township looks into those projects. There is going to be another meeting regarding the Pilgrim Pipeline in Parsippany on June 30th and many towns are coming together to fight this. She asked if the township can provide representation at the meeting.

Christina Zitzman Dockerty Hollow Road said she was struck by two trespassing dirt bikes. She was taken by ambulance to the hospital. On April 29th, she and her husband came in to talk to Detective Walker and made video statements as requested. Following up with her personal doctors, further effects of her injury were found. When she told Detective Walker her new medical diagnosis, he asked her to come in and do another statement. During that statement, she asked why she was not offered any counseling services or help with the NJ victims fund as the costs for her injuries are mounting. She said she has over \$2,500 in out of pocket expenses right now from the incident and her injuries have made a significant impact on her family and work. She has still yet to be given any materials or information.

Ms. Zitzman said she and Detective Walker had discussed some possible leads and she was told to email them. Her husband emailed Detective Walker and to this day has still not received a response. She was told to speak with Captain Congleton instead and has not gotten a response or any information. She said it is disturbing that they have not had the time to update me but they did have time to call her husband's employer asking unwarranted questions that insinuate serious problems. She said for his position in the U.S. Army, he has had numerous background checks and extensive testing. The phone call to his employer from the West Milford Police department was an attempt to assault his character. She noted that her injuries have impaired all aspects of her life and have costed her thousands of dollars. The most alarming aspect of this is how the police department has handled the situation.

Gary Steele North Glenwood Road stated that he urges the council now that the election was over, to review the state law relative to commissioners that are appointed and to adjust the town code to reflect the state laws. He asked the council to please look into it and to make the adjustments.

Dave Ofshinsky 47 Morris Avenue expressed that he is here to talk about the MUA. The big news was that we voted to release an RFP for potential sale of the MUA. It's been a two year process with lots of ups and downs and we believe it's the best move for the MUA at this point. He will try and keep everyone posted. Mr. Ofshinsky noted that there are still issues with the water in Crescent Park and the restrictions can't be released quite yet. People can use the water for essential purposes like bathing and drinking. We are in a moderate drought in this area and the MUA is being careful for now. He is not sure when the restriction will be lifted because the tank level has to be maintained for essential use.

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.

Mayor Bieri said because of how the agenda is structured, the public session was started early. She stated that the public portion will be reopened at a later time after 7:30pm.

Agenda No. VII

Council Comments

Council President Dale noted that she would like to talk about the MUA. She said she was updated last night that there was a motion passed at the meeting to pursue the sale of the MUA. She stated that as the liaison, she has been working behind the scenes with members of the MUA in preparation of a sale and it has taken about a year. Regarding the oversight of the RFP, the Mayor can answer some of those questions because she has been heavily involved with the interested parties. She said it will be a long process but in the meantime we can address some other issues. Council President Dale explained that last night, the DEP communicated to the MUA proposing water restriction on not only the Crescent Park facilities but all of the facilities that the MUA is responsible for. The DEP recognizes the issues with the MUA and the DEP is supporting the restriction within the Crescent Park area until there is at least one week of monitoring the system to make sure it is able to retain the essential need of the homes. They

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anticipate it being lifted within the week and ask that you continue to conserve water until they can make sure that it is not an emergency. Council President Dale noted that we have not lost sight that there is an issue and the administration will continue to update her on a daily basis as to the tank levels and any more problems. She said she will keep everyone updated through the 911 system and will be requesting a meeting with the MUA and the municipality to work together and communicate.

Councilman Signorino said it's great that we were able to respond. He would like to thank Mr. Ofshinsky as a commissioner for communicating to the residents. He would expect that any time from here on, he would support having a response by the office of emergency management or having a shelter to provide showers and fresh drinking water for the families. Councilman Signorino explained he is glad that this is being worked through right now but he doesn't feel comfortable with the questions that are not being answered right now. He is hoping by next week will we have more answers.

Mayor Bieri explained that the topic of the MUA has been an interest of hers since she has taken office. As she mentioned at the last meeting, the commissioner should be commended because they have done a tremendous job and improvements. She noted that this is not to negate the failures of the MUA in regard to communication with the township and residents but they are aware of the problem. They are burdened with an infrastructure that has not been maintained since 1964 as well as lack of funding. Mayor Bieri said the other thing that is concerning is that notification of the water levels wasn't given early enough, even though the water levels are checked every day. Somehow they didn't get the information that they needed. She explained that she has met with some of them who are interested and she will personally be reaching out interested parties that an RFP has been authorized. The resolution that they put forth the RFP is the first step. She noted that the MUA has issued a press release that is going out to the customers and the newspapers. It clarifies many things and it will take a year if not longer to effectuate the sale. The township and the governing body will definitely be involved. Mayor Bieri stated that she would like to make clear that the resolution that was passed is separate from the Crescent Park issue. The resolution would have been passed if that incident happened or not. She read the press release. She noted that it will not only be beneficial to the MUA customers but also in terms of the rest of the community that is affected by the environmental impacts. She thanked the commissioners for taking the step and Council President Dale as the liaison. With regard to Crescent Park, they are not out of the woods yet. The MUA is making sure that the system is properly functioning before they lift all of the restrictions. Council President Dale added that she wanted to make it very clear that there has been a lot of behind the scenes work done by the MUA, Mayor Bieri and the township for them to even be able to issue this RFP. Mayor Bieri stated that steps are being taken and it's going to be a long haul. She is confident that we can get a bidder that will be reasonable and who will cover the debt. Mayor Bieri noted that it's an historic event.

Councilman Signorino said this is an important milestone especially since he has been on the council for six years. One concern that the council has always had is the debt and high cost to the resident. He explained that its staggering that the bill is three times what someone else's sale would be especially if the money is being consumed for a failing system. If someone were to buy it with all of the debt they could possibly have to increase the rate and as a business owner he understands that concern. He noted that he understands that there is a serious problem and hopes that we are successful and benefits the user. He appreciates the effort.

Council President Dale stated that there was not one governing body member that wanted to be the liaison to the MUA because of its previous history and financial issues. She reluctantly accepted understanding what a challenge it would be. Since taking over, she is the only governing body member that has gotten us to this point to position us for this particular sale. Mayor Bieri noted that we made it clear that we are not making any promises but it's a step in the right direction. We will have to see what comes in, in terms of proposals whether it's feasible, and what the future would hold at that point. She said it's a step that needs to happen in order to have change. Council President Dale stated that this is the biggest step that we have been able to take to hopefully have a positive outcome because it's been in issue for many years.

Agenda No. VI

Public Comments

Ruth Adams, 711 Otterhole Road said she didn't hear Ms. Alessio's presentation earlier but she was here to support her on it. She has been going up to Wawayanda every Saturday since April carrying a sign because the project frightens her. The wind from the smoke towers will carry the exhaust 25-50 miles and West Milford is in those areas. She noted that it is environmentally wrong and a danger to West Milford. This is a very dangerous plant.

Will Cytowicz 694 Lakeshore Drive said he is speaking on behalf of the Economic Development Commission. He was asked by the commission to give a synopsis. He provided information about what the commission has done in the past and the plans for the present and future projects. He stated that the commission is looking forward as a community to provide a new environment and new opportunity.

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

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

Agenda No. VII

Council Comments

Councilwoman Erik stated that she attended the MUA meeting last night. It was very well attended by the residents and the biggest thing that came out of it was a lack of communication. She explained that the township found out about the issue four days after people were without water. She suggested that the residents tell the township as well if they are out of water because the township provides the Office of Emergency Management. There has to be communication both ways and she feels for the families. She noted that the State of New Jersey and the news are already talking about restrictions in the northern part of the state within the next two to three weeks if we don't get rain. As far as the pollution from the plant, she has said that all along. The pollution is going to affect our air and food.

Councilman Signorino said he appreciates that we will be getting regular updates from our liaison.

Councilman Hensley thanked the EDC and the commissioners for their hard work and dedication to better West Milford. He explained that there are a number of initiatives as mentioned that he is personally excited about. He explained that the EDC is looking to recognize well established businesses as well as selecting one of those businesses once a month for recognition. In addition, they would like to notice and give attention to new business that are opening in the township. Councilman Hensley stated that there is much good that each business performs for our residents and the EDC is looking to show some excitement and recognition. He is very excited about that initiative and appreciates the councils support. Many good things are going on and they are also looking at getting grant funding to clean up local areas.

Agenda No. VIII

New Business, Introduction of Ordinances, Resolutions

Agenda No. VIII 1

~ Ordinance 2016 - 011 ~

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER X, TRAFFIC, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY

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

SECTION 1. Chapter X, Traffic, Section 10-5, Speed Limits, Schedule V, is hereby amended in regard to the speed limit for roads and parking lots in Bald Eagle Commons as follows:

<u>NAME OF STREET</u>	<u>DIRECTION</u>	<u>SPEED</u>	<u>LOCATION</u>
Richmond Road	Both	25 mph	Entire length
Lafayette Street	Both	25 mph	Entire length

SECTION 2. Regulatory and warning signs shall be erected and maintained by the applicant to effect the designated speed limits as authorized by the Department of Transportation.

SECTION 3. Enforcement provisions in Title 39 of the Revised Statutes of New Jersey shall be made applicable on the private roads in Bald Eagle Commons in the Township of West Milford.

SECTION 4. All ordinances of the Township of West Milford which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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SECTION 5. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 6. This Ordinance shall take effect as required by law and upon the posting of appropriate signs and the approval of the Commissioner of Transportation.

Introduced: June 22, 2016
Adopted: July 13, 2016
Effective Date: August 02, 2016

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

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

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

Agenda No. VIII 2

~ Resolution 2016 – 225 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY OPPOSING A PROPOSED 650 MEGAWATT GAS FIRED POWER PLANT AND RELATED PIPELINE IN THE COUNTY OF ORANGE, STATE OF NEW YORK

RESOLVED, that the Township of West Milford, NJ, hereby opposes the development of the CPV Valley Energy Center and related Millennium Valley Lateral Pipeline in Orange County NY; and

RESOLVED, that the West Milford Town Council requests that all permits issued by all permitting agencies be suspended until the region-wide health, safety, and environmental impacts can be independently assessed; and

WHEREAS, Competitive Power Ventures, has received approval from the Town of Wawayanda, the New York State Department of Environmental Conservation, and the New York State Public Service Commission to build a 650 MW Gas and Oil Power Plant Project which will include two 275 Foot smoke stacks and a 965,000 gallon oil tank, a 15,000 gallon ammonia tank, and Gas Insulate Substation, in both the Town of Wawayanda and the City of Middletown, known as the CPV Valley Energy Center; and

WHEREAS, The CPV Valley Energy Center would create a significant new source of toxic air emissions including 2.1 million tons of CO₂e and 700 tons of other criteria pollutants annually that will degrade the air quality of the Lower Hudson Valley and the Highlands Region, and risk the ecology, waterbodies and groundwater resources of the protected Highlands Watershed; and

WHEREAS, The Township of West Milford, New Jersey is only 15 miles as the crow flies from the site proposed for the CPV Valley Energy Center; and

WHEREAS, air contaminants emitted by the CPV Valley Energy Center will not be confined within artificial town borders and therefore are of regional concern; and

WHEREAS, Passaic County is already a non-attainment area for ozone exposure; and

WHEREAS, Recent studies demonstrate that ozone inhibits crop production, and causes respiratory diseases; and

WHEREAS, The CPV Valley project is sited on a critical recharge area for the Wallkill River Aquifer, which is part of the 15 Basin Aquifer Systems of North West New Jersey, designated as a Sole Source Aquifer, which serves parts of Passaic County and connects with the Highlands Sole Source Aquifer; and

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WHEREAS, CPV also would require a 7 mile lateral pipeline to be owned and operated by the Millennium Pipeline, known as the Valley Lateral Pipeline which would go through the Town of Minisink, crossing 12 water bodies over the 15 Basin Aquifer System; and

WHEREAS, Pipelines are prone to leaks and explosions; and

WHEREAS, There have been over 10,000 pipeline incidents since 1973, including an explosion in San Bruno, California resulting in 8 fatalities, and more recently an explosion of a Pipeline in Sissionville, WV, owned and operated by NiSource, the same parent company of the Millennium Pipeline that destroyed 5 homes and melted an entire section of an interstate highway; and

WHEREAS, the American Medical Association and the Medical Society of the State of New York have adopted resolutions entitled "Protecting Public Health from Natural Gas Infrastructure," which recognize the potential impact on human health associated with natural gas infrastructure and call for a government assessment of risk associated therewith; and

WHEREAS, families living within a few kilometers of Millennium's 12,000 HP compressor station in Minisink, NY, have experienced respiratory, neurological, and dermatological problems since it began; and

WHEREAS, The CPV Valley Energy Project would only economically benefit the Town of Wawayanda and to a minimal degree the City of Middletown while all of the health, safety, and environmental costs would burden neighboring municipalities and residents; and

WHEREAS, the Governing Body of the Township of West Milford, which is a municipality that serves as a steward to watershed lands, has concluded that the CPV Valley Energy Project is not beneficial to our citizens, but instead could cause adverse effects to the region and to the citizens of the New Jersey Highlands Preservation Area, the County of Passaic and the State of New Jersey.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Township of West Milford hereby opposes the proposed CPV Valley Energy Project and related Millennium Valley Lateral Pipeline because of the potential degradation of New Jersey's drinking water supply and degradation of North West New Jersey's air quality; and

BE IT FURTHER RESOLVED that the Governing Body of the Township of West Milford calls for a moratorium on any and all construction, planning, proposal and surveying for the CPV Valley Energy Center and related Millennium Valley Lateral Pipeline prior to the completion of a full independent environmental review and impact analysis; and

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby authorized to forward a copy of this resolution the Governor's Office of the State of New York, The Orange County legislature of the State of N.Y. , The Town of Wawayanda, The New York State Department of Environmental Conservation, the New York State Public Service Commission, the Highlands Council, the offices of Senator Pennacchio, Assemblyman Webber and Assemblywoman DeCroce, the New Jersey League of Municipalities, Passaic County Board of Freeholders and the remaining fifteen municipalities in Passaic County.

Adopted: June 22, 2016

Agenda No. VIII 3

~ Resolution 2016 – 226 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING NEW YORK SMSA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS PERMISSION TO JOINTLY USE UTILITY POLES

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless, ("Verizon Wireless"), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

WHEREAS, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon Wireless may jointly use such poles erected within the public right-of-way in the Township of West Milford; and

WHEREAS, New Jersey law permits such joint use provided that there is the consent of the relevant municipality;

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

1. Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to jointly use poles erected by parties that have the lawful right to maintain poles within the public right-of-way in the Township of West Milford, subject to the following:
 - A. Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way.
 - B. Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State, and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by the Township of West Milford.
 - C. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Township of West Milford, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy poles located within the public right-of-way, except to the extent resulting from the acts or omissions of the Township of West Milford.
 - D. Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. Verizon Wireless shall include the Township of West Milford as an additional insured.
 - E. Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.
 - F. Notwithstanding any provision contained herein, neither the Township of West Milford nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.
 - G. This instrument shall be adopted on behalf of the Township of West Milford by the Township Council of the Township of West Milford and attested to by the Township of West Milford Clerk who shall affix the Township of West Milford Seal thereto.
 - H. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is jointly using.

STATEMENT

This resolution authorizes Verizon Wireless to jointly use poles erected within the public right-of-way of the Township of West Milford by parties that have the lawful right to maintain such poles.

Adopted: June 22, 2016

Agenda No. VIII 4

~ Resolution 2016 – 227 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING RESOLUTIONS 2013-354, 2014-337, 2015-228 AND 2015-360 TO INCREASE THE CONTRACT VALUE WITH ERIC L. HARRISON, ESQ. OF METHFESSEL & WERBEL IN THE

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: June 22, 2016
Time of Meeting: 6:30 pm
Minute Page No: Page 10 of 20

MATTER KNOWN AS TRIPLE T CONSTRUCTION V. THE TOWNSHIP OF WEST MILFORD, ITS OFFICERS AND ASSIGNS

WHEREAS, by virtue of Resolution 2013-354 adopted December 4, 2013 and 2014-337 adopted on October 22, 2014 and Resolution 2015-228 adopted on July 15, 2015 and Resolution 2015-360 adopted November 11, 2015 the Township Council did authorize the engagement of Special Legal Counsel services to be provided by Eric Harrison, Esq. of Methfessel & Werbel; and

WHEREAS, Resolutions 2013-354, 2014-337, 2015-228, 2015-360 and the related Professional Services Contract did authorize services in an amount not to exceed \$75,000; and

WHEREAS, the Township Administrator has been advised that the Township's needs, related to the matter known as Triple T Construction vs. the Township of West Milford and certain officers and government officials named in the said litigation, necessitates an amendment in an additional amount not to exceed \$35,000; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds and said funds to be encumbered from account 01-201-20-155-502 for \$35,000; and

WHEREAS, that a notice of this action shall be published in accordance with law, and said notice to provide that the originally awarded Professional Services Contract, and this resolution serving as the Addendum to the Contract are available for public inspection in the office of the Township Clerk and that the professional services offered by Eric Harrison, Esq. are extended by an additional twelve months or until the conclusion of the legal matter, whichever comes first.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that they do hereby authorize the Township Administrator to approve an amendment of \$35,000 to Eric Harrison, Esq. for Special Legal Services which amount is in excess of the approved contract amount of \$75,000 bringing the contract total to an amount not to exceed \$110,000 and re-engaging the services of Eric Harrison for an additional twelve months or until the conclusion of this legal matter, whichever comes first.

Adopted: June 22, 2016

Agenda No. VIII 5

~ Resolution 2016 - 228 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING THE CERTIFICATION LIST OF VOLUNTEER MEMBERS OF THE TOWNSHIP OF WEST MILFORD FIRE DEPARTMENTS AND FIRST AID SQUADS

WHEREAS, the Township adopted Ordinance No. 1999-26 which created the Length of Service Awards Program (LOSAP); and

WHEREAS, N.J.S.A. 40A: 14-191 requires that the Emergency Service Organizations furnish the Township council with an annual certification list of all volunteer members who have qualified for credit under the award program for the previous year;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council of the Township of West Milford, formally approve the list of the volunteer members of the Township of West Milford fire departments and first aid squads submitted by each fire department and first aid squad for the year 2015, a copy of which list is attached here as an addendum; and

BE IT FURTHER RESOLVED that a copy of this list will be posted for at least thirty (30) days in the respective fire houses, first aid squads and municipal clerk's office.

Adopted: June 22, 2016

Agenda No. VIII 6

~ Resolution 2016 - 229 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION AND ACCEPTANCE OF A RECREATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES (ROID) GRANT

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
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WHEREAS, the Township of West Milford, County of Passaic, State of New Jersey, desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for funding in the amount of \$20,000 State share, with \$4,000 local share, for a total contract of \$24,000 for 2017 to carry out Comprehensive Recreation Programs for Individuals With Disabilities.

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

1. The submittal of the grant application to the Department of Community Affairs is hereby authorized.
2. The Township Council recognizes and accepts that the Department of Community Affairs may offer a lesser or greater amount and, therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, they hereby authorize the execution of any such grant agreement.
3. Upon receipt of the fully executed agreement from the Department, the Township Council authorizes the expenditure of funds pursuant to the terms of the agreement between the Township of West Milford and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

Adopted: June 22, 2016

Agenda No. VIII 7

~ Resolution 2016 – 230 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUES AND APPROPRIATION

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget and,

WHEREAS, the Director may also approve the insertion of any item of appropriation for an equal amount,

WHEREAS, the Township of West Milford wishes to amend its 2016 Budget to include an amount as revenue,

NOW THEREFORE, BE IT RESOLVED that the Governing body of the Township of West Milford hereby requests the Director of the Division of Local Government Services to approve the insertion of an item in the budget of the year 2016 which is now available as a revenue from:

Special Items of General Revenue Anticipated with Prior Written consent of the Director of Local Government Services:
Public and Private Revenues Off-Set with Appropriations:
Clean Communities Grant 2016; \$84,317.62

BE IT FURTHER RESOLVED that a like sum be and the same is hereby appropriated under the caption of:

General Appropriations
(A) Operations – Excluded from CAPS
Public and Private Programs Offset by Revenue
Clean Communities Grant 2016: \$84,317.62

BE IT FURTHER RESOLVED, that the Township Finance Department will electronically file with the State of NJ in accordance with LFN 2014-11.

Adopted: June 22, 2016

Agenda No. VIII 8

~ Resolution 2016 – 231 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: June 22, 2016
 Time of Meeting: 6:30 pm
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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REINSTATEMENT OF TAXES

WHEREAS, there appears on the tax records receipt of payment of taxes; and

WHEREAS, the Collector of Taxes recommends the reinstatement of taxes due to reasons stated below.

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

REASON: 1. INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR	
8903-9	George Eckhardt	\$73.00	2016	
1906-5	Arbensesha Mirzo	\$2,464.00	2016	
3003-2	Michael Caprioni	\$1,025.00	2016	
14301-21	Debra Hoffman	\$3,320.00	2016	
	TOTAL	\$6,882.00		

Adopted: June 22, 2016

Agenda No. VIII 9

~ Resolution 2016 – 232 ~

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

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

Swim Lessons (discount)		
Jacob and Lyric	\$10.00	Michelle Freire 68 Morsetown Road West Milford, NJ 07480
Day Camp		
Hunter	\$515.00	Maria Timmerman 41 Belmont Drive West Milford, NJ 07480

Adopted: June 22, 2016

Agenda No. VIII 10

~ Resolution 2016 - 233 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF POLICE DEPARTMENT TRAFFIC FEES

BE IT RESOLVED, by the Township Council of the Township of West Milford that, upon the report and request of the Chief of Police the following overpayment of traffic control fees be refunded:

Name & Address	From Account No.	Amount Refunded
Greenwood Lake Powerboat Association 37 Fremont Terrace Oak Ridge, NJ 07438	19-295-56-120-325	\$473.08

Adopted: June 22, 2016

Agenda No. VIII 11

~ Resolution 2016 – 234 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF ENGINEERING DEPARTMENT PERFORMANCE GUARANTEE

BE IT RESOLVED, by the Township Council of the Township of West Milford that, upon the report and request of the Township's Engineering Department, the following Performance Guarantee be refunded as follows:

Name & Address	Block & Lot	Amount Remaining	Amount Refunded
Mr. Craig Shaljian 12 Old Lakeside Road South Hewitt, NJ 07421	3405 & 15	0	\$1,000.00

Adopted: June 22, 2016

Agenda No. VIII 12

~ Resolution 2016 – 235 ~

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

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

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

Certificate No.	Certificate Date	Block/Lot/Qual	Reimburse Ment Amount	Pay to the Lien Holder
11-027	04/19/2011	02404-006	\$68,586.58	TOWER FUND SER.AS CUST. FOR EBURY FUND 1NJ LLC PO BOX 37695 BALTIMORE, MD 21297-3695
13-0048	03/19/2013	05708-001	\$29,168.52	EMPIRE TF5 JERSEY HOLDINGS LLC 57 WEST 38 TH STREET 9 TH FLOOR NEW YORK, NY 10018
15-0032	10/13/2015	03501-004	\$25,126.08	US BANK CUST FOR BV001 TRUST 50 SOUTH 16 TH ST, SUITE 2050 PHILADELPHIA, PA 19102
15-0051	10/13/2015	06002-015	\$194.75	US BANK CUST/PC6 LLC STERLING NATIONAL 50 SOUTH 16 TH ST, SUITE 2050 PHILADELPHIA, PA 19102
15-0065	10/13/2015	07801-023.04	\$4,798.53	FIG CAPITAL INVESTMENTS NJ13 LLC MTAG CST FIG CAP INV NJ13 8323 RAMONA BLVD W.SUITE 2 JACKSONVILLE, FL 32221
		Grand Total	\$127,874.46	

Adopted: June 22, 2016

Agenda No. VIII 13

~ Resolution 2016 - 236 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2016- 2017 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption Licenses for the 2016-2017 License year have been processed on the ABC POSSE website 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; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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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.

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.

2016-2017 ACTIVE LICENSES	
BRUCO CORPORATION t/a Town Tavern Country Inn 673 Macopin Road, West Milford NJ 07480 1615-33-002-002	NEW VINELAND CORPORATION t/a Uncorked Wines & Spirits 9 Marshall Hill Road, West Milford, NJ 07480 1615-33-003-007
J&S INVESTMENTS LLC t/a J&S Road House 17 Wooley Road, West Milford, NJ 07480 1615-33-008-003	M&M DISCOUNT LIQUORS LLC t/a M&M Discount Liquors 574A Macopin Road, West Milford, NJ 07480 1615-33-009-007
PLAZA BAR & LIQUORS INC. t/a Plaza Bar & Liquors 1930 Union Valley Road, Hewitt, NJ 07421 1651-33-010-003	2 MOMENTO 2, INC. t/a Momento Restaurant 374 Morsetown Road, West Milford, NJ 07480 1615-33-012-005
JAMES ANTHONY DELI RESTAURANT, INC. t/a Greenwood Lake Discount Liquors 2019 A Greenwood Lake Turnpike, Hewitt, NJ 07421 1615-33-021-004	BLINI LLC t/a Blini Restaurant & Pizzeria 216 Cahill Cross Road, West Milford NJ 07480 1615-33-023-005
THE 2236 CORPORATION t/a Elks Lodge 1860 Union Valley Road, West Milford NJ 07480 1615-33-031-001	FRANK & SATINA LLC t/a Jimmy Geez North Sports Bar & Grill 3219 Route 23 South, Oak Ridge, NJ 07438 1615-33-034-009
FRANK M. SELL MEMORIAL POST NO. 289 t/a American Legion Post 289 177 Lincoln Avenue, West Milford, NJ 07480 1615-31-037-001	JOSEF LANG HOLDINGS LLC t/a The Lake Shore Inn Bar 399 Lake Shore Drive, Hewitt, NJ 07421 1615-33-035-008

Adopted: June 22, 2016

Agenda No. VIII 14

~ Resolution 2016 - 237 ~

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 2016- 2017 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption Licenses for the 2016-2017 License year have been processed on the ABC POSSE website 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; and

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

4. The submitted applications are complete in all respects.
5. The applicants are qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
6. The applicants have disclosed to the issuing authority the source of all additional financing obtained in the previous license year.

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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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
OLD SCHOOL PUB LLC t/a Old School Pub 551 Warwick Turnpike, Hewitt, NJ 07421 1615-33-004-007	1. Premises outlined on the drawings submitted at transfer of license, which excludes the use of the basement as a storage area for alcoholic beverages to be continued. 2. Occupancy loads must be adhered to. 3. Exits are not to be blocked
GRASSHOPPER IRISH PUB & RESTAURANT LLC t/a Grasshopper Irish Pub & Restaurant 2891 Route 23, Newfoundland, NJ 07435 1615-33-005-005	1. Persons are not to leave the property of the licensed premise or the extended premise with alcoholic beverages. 2. 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. 3. Outdoor deck approved as a smoking area for existing customers not as an additional dining area. 4. A maximum occupancy for the outside deck area with tables and chairs is 42 patrons by NJAC 5:70-3.2(a)5, F-601.1 and the Township Building Construction Officials. 5. If noise becomes an issue additional restriction will be applied.
SUNWOO TRADE LLC t/a Tuscany Brewhouse 3055 Route 23 N/S, Oak Ridge, NJ 07438 1615-33-016-006	1. Second floor occupancy load must be strictly adhered to.
HPLAY WEST MILFORD LIQUORS LLC t/a Island of Spirits 3025 Route 23 Oak Ridge, NJ 07438 1615-33-019-002	The owner is to consider parking limitations when scheduling advertised special events. Occupant loads must be adhered to.
SPIRITS OF VREELAND LLC t/a The Vreeland Store 1383 Macopin Road, West Milford, NJ 07480 1615-33-022-003	1. The front porch area is not licensed.
PIONEER BAR & GRILL, INC. t/a Pioneer Bar & Grill 350 Warwick Turnpike, Hewitt, NJ 07421 1615-33-028-007	1. Occupancy loads must be adhered to. 2. Exits are not to be blocked.
WEST MILFORD BAR & LIQUORS INC. t/a 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.

Adopted: June 22, 2016

Agenda No. VIII 15

~ Resolution 2016 – 238 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF POCKET (INACTIVE) PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2016- 2017 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption License for the 2016- 2017 License year have been processed on the ABC POSSE website and reviewed; and

WHEREAS, these licenses have received a Tax Clearance Certificate and Special Ruling for the 2016-2017 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; and

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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7. The submitted application is complete in all respects.
8. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.

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

1. Pocket Licenses must submit a 12 page Place-to-Place Transfer application with detailed sketch of proposed site and a Police Investigation Request to the Township Clerk’s Office and receive inspections of premises and satisfactory recommendations from the following departments: Health, Fire, Building, Zoning and Police Departments prior to siting this license.
2. In addition, all inactive licenses must be inspected by the Fire, Health, Building, Zoning and Police and submit applicable pages of the 12 page application to the Township Clerk’s Office and receive satisfactory recommendations from those departments prior to activation or opening this license.
3. A Health Department Retail Food Establishment license must be acquired prior to opening.

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	CONDITIONS
FESTA A. FRANK JR. PO Box 97, Scotch Plains, NJ 07076 1615-33-013-008	Conditions as above in resolution.
THREE SHEETS LLC 322 Lakeside Road, Hewitt, NJ 07421 1615-33-011-005	1. Second floor licensed only for storage, use of the roof area is prohibited. 2. Conditions as above in resolution
JULIANO ANGELO M 7 Parkside Court, Wayne, NJ 07470 1615-33-015-009	Conditions as above in resolution
BREDA LLC 7 Manchester Way, Pine Brook, NJ 07058 1615-33-027-012	Conditions as above in resolution

Adopted: June 22, 2016

Agenda No. IX

Consent Agenda

None.

Agenda No. X

Approval Of Expenditures

~ Resolution No. 2016 – 239 ~

RESOLUTION APPROVING THE PAYMENT OF BILLS

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

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

Acct #	Account Name	Amount
1	Current Account	549,877.92
3	Reserve Account	1,395.12
2	Grants	29,728.00
6	Refunds	129,872.54
1	General Ledger	0.00
26	Refuse	132,553.33

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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4	Capital	60,519.00
19	Animal Control	629.10
19	Heritage Trust	115.00
19	Open Space Trust	0.00
19	Trust	18,976.21
19	COAH	0.00
16	Development Escrow	2,851.75
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		926,517.97
	Less Refund Resolution	-129,872.54
	Actual Bills List	\$796,645.43
	Other Pyts.	
	Payroll/SS	580,885.39
	BOE	4,506,715.00
	NJ DIV OF MOTOR VEHICLES	120.00
	STATE OF NJ DOG REPORT	90.60
	RB EXPRESS	800.00
	Total Expenditures	588,5256.42

Adopted: June 22, 2016

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

Agenda No. XI

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

Councilwoman Lichtenberg stated that we have gotten requests for an Alzheimer's care givers support group in town. She wanted to note that the 4th Wednesday of each month at 6:30pm there will be a group meeting in town. Yesterday started the Tri-Town Wellness Challenge which continues until August 16th. Participation accumulates credits and points toward prizes at the end of the program. If anyone is interested, they can contact the health department for more information. Monday June 27th, there is a disaster preparation and fireworks safety program for anyone who is interested at town hall. July 6th from 10am there is a free blood pressure screening at Bald Eagle Commons. Councilwoman Lichtenberg stated that we are looking for submissions for our 2016 House Beautiful Contest. If you see a property that is taken care of by the home owner, that property can be nominated by emailing erik@westmilford.org or by dropping off your nomination from the Clerk's Office. On July 18th the Lakes Committee and the Civic Club will be sponsoring a presentation on Recycling Makes Dollars and Cents or the Township at 7pm. The next summer concert is at the rotary gazebo at Bubbling Springs is June 28th at 7:15pm. She listed the other events at Bubbling Springs. July 2nd is the Independence Day Celebration. She thanked the 4-H Velveteen's for donating flowers for the gazebo which were planted on Friday and wished everyone a Happy Independence Day on July 4th. Lastly, she thanked the two umpires who participated in the Board of Education versus Township Council softball game.

Councilwoman Erik noted that the Civics Club meeting is on June 18th. She and Councilwoman Lichtenberg attended a meeting last week with Passaic County Transit. The seniors asked why our services for Paratransit were cut and they claimed that it is because West Milford population increased in the past 5 years. Councilwoman Erik explained that our population has not increased and has stayed the same. Councilwoman Lichtenberg will be attending that special meeting with the State of New Jersey Transit next week and will continue to fight. Councilwoman Lichtenberg noted that she also has a petition regarding the Paratransit in West Milford that she will be bringing with her to the meeting. She is concerned about the grant coming up. Councilman Signorino suggested having a letter written as a governing body supporting the petition and that would go out with the petition. Mayor Bieri stated that everyone should sign it because it's really important that we have transportation for our seniors and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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disabled. Mayor Bieri recommended putting the petitions in community services, the Clerk's Office, and to have a resolution for the next agenda.

Council President Dale explained that she brought up the line item for transportation at budget time. She would like to know what happened with the grant because she knew it was matching. It's important to be aware of when you are speaking with the county. She would like to know what the outcome was, where the funding is, and how that positions us if we don't receive the grant. Councilwoman Erik said she has a meeting Tuesday with Passaic County with the road department due to upkeep concerns. If anyone has a problem, please send it to her so it can be brought up at the meeting.

Councilman Hensley explained at the last EDC meeting, guests from the players club came and shared their concerns about vacating Hillcrest and where they will be able to meet. He would like to Board of Education Subcommittee take a look and approach that subject with the Board of Education so we can try and work that situation out.

Councilwoman Erik added that the Beautification and Recycling Crew went out and cleaned Echo Lake Road from Route 23 to Macopin Rd and Oak Ridge Road. She and Councilwoman Lichtenberg cleaned from Macopin to Route 23 in one direction and another crew did the other direction. She noted that her big truck was full of garbage and they spent three hours cleaning.

Councilman Wagner stated that the American Legion Car Show was this past weekend. It did very well and about 25 cars attended. Regarding the Relay for Life, he attended and it was a very moving experience. The June 12th circus went very well and it was nice to have another event in town for families. The Fireworks are being held on July 2nd and more volunteers are needed. Bubbling Springs Day Camp registration has been doing great and averaging 185 kids per week. Councilman Wagner announced that the teen beach party is tomorrow for 6th graders at Bubbling Springs. Adult dodgeball started yesterday and there were 24 participants. The summer kickball league begins July 11th.

Council President Dale announced that there will be an additional session for the Save a Life; Prevent an Heroin Opiate Overdose Education Program will be holding an additional session on August 10 from 7pm - 8:30 pm at Hillcrest. Seats are limited. On June 23rd from 7pm - 9pm is the 6th graders CASA beach party at Bubbling Springs. On June 30th is the 7th and 8th grade CASA sponsored beach party and on August 25th is the CASA sponsored beach party for all incoming 7th and 8th graders at Bubbling Springs. Council President Dale explained that she has not gotten an update from the state regarding the grant funding that was applied for drug and alcohol prevention. We should find out by late August. If we receive the grant, this will be the first time in our history that we have gotten a federal grant funding this large. The grant would allow for a full time coordinator dedicated in the municipality for drug and alcohol prevention. She hopes that we get that opportunity for our community.

Councilman Signorino thanked everyone who participated, volunteered, and sponsored the tennis tournament. We did not do as well this year as we have in the past with raising funds but it was good fun. He noted that the event is to raise money for the maintenance of the Museum. The museum is open on Saturdays for anyone who would like to learn about the history of West Milford. In addition, the Relay for Life did a wonderful job and he attended. It's always nice to see the community come together for such a good cause. Councilman Signorino explained that in the past the township has passed a resolution supporting the Fair School Funding Act and appreciates all of the support from the governing body. He noted that cities tend to get twice or three times as much funding per child compared to West Milford. He stated that he doesn't think it's fair and would like to see equal support for our children. Council President Dale explained that there is a website that shows each municipality, the current funding, and what the change in funding would be. West Milford would be a 30-35% increase in student funding. Councilman Signorino said he would like to wish everybody a happy independence day and to have a safe summer.

Councilwoman Lichtenberg stated that even though the Relay for Life is over, you can still donate to the American Cancer Society. Councilwoman Erik said Councilwoman Lichtenberg and she went down to New Brunswick today for a seminar. Before they left, they heard that St. Jude is collecting water bottles caps at the Highlands Center to raise money for childhood cancer research. Please save the caps and donate them.

Mayor Bieri mentioned that she was away for a week on a family matter. She missed Relay for Life for the first time in nine years as well as the Senior Olympics. Since her return, there were many events. On Friday she is meeting with someone who has a proposal for jungle habitat. If there is any kind of viability to it, she would bring it back to the governing body and see if we could pursue it through the state. In addition, she attended the Chamber of Commerce Scholarship Award Ceremony. This Saturday, she will be officiating her 214th wedding. She reminded everyone about the farmers market in town every Wednesday from 3pm to 7pm. There is pickle ball being played at the Recreation Center and is a mix between ping-pong ball and tennis. There are many new things going on through our Community Services and Recreation Department to create interest so please check it out. Mayor Bieri said regarding the EDC concerns, there will be options depending on what the Board of Education would like to do.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Some options are having them stay there or possibly moving them to one of the schools. In addition, there are also churches that have beautiful stages that were willing to offer their services. She will follow up with Tim Roetman and it will be researched further to have something lined up. Lakeland State Bank Hewitt office will be closing on July 29th. If you have an account there, don't worry. It's being transferred directly to the West Milford office. We have received grant money the past several years for Nosenzo Pond Park to rehabilitate that park with lighting and fields. We have gotten an extension so there will not be any action happening at this time.

Mayor Bieri said regarding the League of Municipalities, in 2009 the West Milford governing body asked the league to sponsor legislation that would notify municipalities of any potential purchases of open space whether it's through the state, county, or private entities. She stated that the League of Municipalities did indeed sponsor that on May 11th of this year. Years have gone by but it did pass the Assembly on May 26th so the next step is it to pass the Senate. Lastly, there is a huge concern for a resolution asking for the funding formula for Passaic County Technical Institute to be changed. A letter went out to all county superintendents of schools and all school business administrators asking to support this. Right now the County of Passaic funds 9% of the Passaic County Technical Institute budget and 51% of the tech institutes budget comes from tuition. The proposal would change that funding mechanism to redistribute the funds. If this resolution passes, the funding formula would change to 30% from Passaic County and 30% from tuition. The additional net cost to West Milford if this goes through would be almost \$800,000 annually and we send roughly 50 students a year. She explained that it's very critical that we get additional information and add this for the next workshop agenda. The council agreed. Council President Dale suggested joining the Board of Education Subcommittee meeting to inform them. Mayor Bieri said we need to stand against this and hopefully the other towns will too. West Milford would definitely be dramatically impacted.

Agenda No. XII

Appointments and Resignations

~ Resolution 2016 – 240~

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

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

<u>Name</u>	<u>Position</u>	<u>Date Tendered</u>
William Cytowicz	Beautification and Recycling Committee Citizen Member Term expires 12/31/16	June 2, 2016
Gary Oppenheimer	Environmental Commission Citizen Member Term expires 12/31/16	June 13, 2016
Jennifer Easterbrook	Environmental Commission Alternate Citizen Member Term expires 12/31/17	June 21, 2016

Adopted: June 22, 2016

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

Councilwoman Lichtenberg nominated Patrick Restaino to the Beautification and Recycling Committee. Councilwoman Erik made a motion to close and confirm the nomination, seconded by Councilman Signorino.

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

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Motion carried.

Mayor Bieri noted that she has some Mayoral appointments as a result of resignations. Currently there are a total of three vacancies of the Environmental Commission. Mayor Bieri stated she would like to move Jim Rogers from an alternate position to a citizen position. In addition, she appointed Dave Ofshinsky as alternate number one.

Agenda No. XIII

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 8:42 p.m.

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

Approved: September 21, 2016

Respectfully submitted:

Nichole Hanrahan Clerk Typist

MAYOR BETTINA BIERI, PRESIDING OFFICER

ANTOINETTE BATTAGLIA, TOWNSHIP CLERK