
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council
Date of Meeting: January 1, 2009
Time of Meeting: 1:00 P.M.
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Mayor Bieri called the meeting to order at 1:10 p.m.

Adequate Notice 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 in the Herald News in its issue of December 21, 2008; copies were provided to the Suburban Trends, the Record, Star Ledger, and Greenwood Lake News 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.

Pledge of Allegiance

Mayor Bieri led all in attendance in the Pledge of Allegiance.

Administration of Oath to Township Mayor and Council

Mayor Bieri invited Senator Pennachio and Assemblymen DeCroce & Webber to administer the oath of office to Councilman Philip Weisbecker. Councilman Weisbecker asked Ann Genader to hold the bible as he accepted his oath of office.

Senator Pennachio and Assemblymen DeCroce & Webber administered the oath of office to Council-elect Daniel Jurkovic as his wife and three children held the bible.

Councilman Philip Weisbecker - January 1, 2009 - December 31, 2011
Councilman Daniel Jurkovic - January 1, 2009 - December 31, 2011

Senator Pennachio and Assemblymen DeCroce & Webber invited former Councilman Scangarello to the podium to be recognized for his years of service to the municipality in elected office. They presented him with a certificate of recognition.

Roll Call

Present: Councilmembers Philip Weisbecker, Joseph Smolinski, Salvatore Schimmenti, Robert Nolan, Marilyn Lichtenberg, Daniel Jurkovic. Mayor Bettina Bieri.
Absent: None.
Also Present: Township Clerk Antoinette Battaglia and Township Attorney Fred Semrau.

Agenda No. IV

Council President

Councilman Weisbecker nominated Councilman Smolinski to serve as Council President for the upcoming year. Councilman Schimmenti seconded the nomination. Mayor Bieri asked if there were any other nominations for consideration.

On motion by Councilman Jurkovic, seconded by Councilman Weisbecker the nominations were closed.

Moved: Weisbecker Seconded: Lichtenberg
Voted Aye: Weisbecker, Smolinski, Schimmenti, Lichtenberg, Jurkovic.
Voted Nay: Nolan.
Abstained: None.
Councilman Smolinski was elected Council President for 2009.

Mr. Semrau advised the public that he received instruction from the governing body at a special meeting last week to engage in negotiations for a Township administrator. He asked for a brief executive session before continuing with the meeting to provide Council with an update on these negotiations.

~ Resolution No. 2009- 047 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 1st day of January, 2009 that:

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1. Prior to the conclusion of this **Regular Meeting**, the Township Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () b. (4) A collective bargaining agreement including negotiations.
 - () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - () b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
 - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - Contract Negotiation - Administrator
 - () 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: January 1, 2009

Moved: Weisbecker Seconded: Lichtenberg
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

The Council went into executive session at 1:25 p.m.
The Council reconvened in public at 1:50 p.m. with all present as before.

Organization Meeting

Agenda No. V

Mayor Bieri nominated Antoinette Battaglia to serve as municipal clerk and sought the advice and consent of the Council.

~ Resolution 2009-001 ~

MAYOR'S APPOINTMENT OF ANTOINETTE BATTAGLIA AS MUNICIPAL CLERK WITH COUNCIL CONSENT

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advise and consent to the Mayor's appointment of Antoinette Battaglia to the position of Municipal Clerk in accordance with section §15-20 of the Township Code.

Adopted: January 1, 2009

Councilman Nolan made a motion to adopt this resolution. Mayor Bieri asked for a second but received no response from Council. Mayor Bieri seconded the motion. Mr. Semrau counseled that he would have to research the ability of the Mayor to second a motion for an appointment she is making. While Mr. Semrau was conducting research on the matter, Councilman Jurkovic seconded the motion.

Moved: Nolan Seconded: Jurkovic
Voted Aye: Weisbecker (with reservations), Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Mayor Bieri administered the oath of office to the Township Clerk.

Agenda No. V

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Mayor Bieri advised that the Township conducted a very extensive and inclusive interview process for this key position. She explained the process noting that the Council was included throughout the search. She sought input from the Council and, based on that input, she is appointing Kevin Boyle to the position. Mr. Semrau noted that a contract is being drafted which will outline the specific terms of the appointment. At this time, the contract has not been executed so the appointment is being made on the condition that the contract is satisfactorily executed and an affirmative vote from the Council to authorize the terms of the contract in addition to reference checks being satisfactory. Mr. Semrau outlined the material terms of the contract being negotiated. He stated that Mr. Boyle is in agreement with the terms as presented to him.

~ Resolution 2009-002 ~

MAYOR'S APPOINTMENT OF KEVIN BOYLE AS TOWNSHIP ADMINISTRATOR WITH COUNCIL CONSENT

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advise and consent to the Mayor's appointment of Kevin Boyle to the position of Township Administrator in accordance with section §15-14 of the Township Code at a starting salary of \$120,000.00.

BE IT FURTHER RESOLVED, that the terms and conditions of this appointment shall be outlined in an employment agreement to be executed by the Administrator and the Mayor.

Adopted: January 1, 2009

Moved: Weisbecker Seconded: Jurkovic
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. V

~ Resolution 2009-003 ~

MAYOR'S APPOINTMENT OF FRED SEMRAU, ESQ. AS TOWNSHIP ATTORNEY IN ACCORDANCE WITH SECTION §15-30 OF THE TOWNSHIP CODE

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advise and consent to the Mayor's appointment of Fred Semrau, Esq. to the position of Township Attorney in accordance with section §15-30 of the Township Code for a term of one year from January 1, 2009 through December 31, 2009.

Adopted: January 1, 2009

Moved: Weisbecker Seconded: Jurkovic
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Mayor Bieri administered the oath of office to Mr. Semrau while former Councilmembers Scangarello and Warden held the bible.

Agenda VI

~ Resolution 2009-004 ~

The Council asked for separate votes on certain resolutions contained on the consent agenda. Resolutions 2009-007, 2009-009, 2009-013, 2009-016, 2009-023 and 2009-025 were removed from the consent agenda so that the Council could act on these items separately.

~ Resolution 2009 - 004 ~

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

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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 on the Consent Agenda are hereby approved:

- 1) Resolutions Re-establishing Committees
 - a) **2009-005** - Re-establishment of the Autumn Lights Committee
 - b) **2009-006** - Re-establishment of the 175th Anniversary Committee
 - e) ~~**2009-007** - Re-establishment of the Beautification/Recycling Task Force Committee~~
 - d) **2009-008** - Re-establishment of the Heritage Committee
 - e) ~~**2009-009** - Re-establishment of Lakes Committee~~
 - f) **2009-010** - Re-establishment of Transportation Committee
 - g) **2009-011** - Re-establishment of CASA Committee
 - h) **2009-012** - Re-establishment of Safety Committee
 - i) ~~**2009-013** - Re-establishment of Council Liaison Positions to City of Newark~~
 - j) **2009-014** - Re-establishment of Facilities Assessment Committee
 - k) **2009-015** - Re-establishment of Joint Committee with Library Board
 - l) ~~**2009-016** - Re-establishment of Cable TV Franchise Committee~~

- 2) Resolutions Pertaining to Policies and Financial-related Issues
 - a) **2009-017** - Annual Meeting Notice
 - b) **2009-018** - Signatures on Township Accounts
 - c) **2009-019** - Designating the Legal Newspapers for the Publication of Legal Notices and Other Items for the Township of West Milford
 - d) **2009-020** - Establishing a Cash Management Plan
 - e) **2009-021** - Provide for the Hours of Collection of Taxes
 - f) **2009-022** - Provide for the Rate of Interest to be Charged on Unpaid Taxes and Improvement Assessments
 - g) ~~**2009-023** - Authorizing Certain Statutory Payments of Claims & Other Claims Regular in Nature~~
 - h) **2009-024** - Authorizing the Township Administrator to Maintain a Petty Cash and Various Change Funds (as listed on Resolution)
 - i) ~~**2009-025** - Authorizing the 2009 Temporary Budget~~

Adopted: January 1, 2009

Moved: Nolan Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

The following resolutions were included in the Special Consent Agenda:

Agenda No. VI 1a
~ Resolution 2009-005 ~
**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,
STATE OF NEW JERSEY RE-ESTABLISHING AN
AUTUMN LIGHTS COMMITTEE**

WHEREAS, as a result of hard work and dedication invested by residents of the Township of West Milford, the Township has, for fourteen years, been proud to host an annual Autumn Lights Festival; and

WHEREAS, the Council believes there is sufficient public interest and an adequate number of willing volunteers to organize and operate a fifteenth Autumn Lights Festival in 2009.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford hereby re-establishes an Autumn Lights Committee for the purpose of undertaking and promoting an October 10, 2009 (rain date October 11, 2009) town-wide festival with the following provisions:

1. Lorraine Kirwin shall serve as chairperson of the ALF Committee.
2. The members of the committee shall serve until December 31, 2009.

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3. The continuing need for the Autumn Lights committee shall be reviewed by the Township Council at its January 1st re-organization meeting and the committee shall cease to exist at that time unless re-established by Council resolution.

Adopted: January 1, 2009

Agenda No. VI 1b

~ Resolution 2009-006 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY RE-ESTABLISHING A COMMITTEE TO PLAN EVENTS AND ACTIVITIES TO COMMEMORATE THE 175TH ANNIVERSARY OF THE INCORPORATION OF THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Township of West Milford was incorporated in 1834; and

WHEREAS, the Township shall be celebrating the 175th anniversary of said incorporation throughout the 2009 calendar year; and

WHEREAS, the Township Council established a committee of volunteers to plan events and activities in honor of this milestone in the Township's history.

MEMBERSHIP: The Committee consists of members as follows:

Councilwoman Marilyn Lichtenberg
Councilman Philip Weisbecker
Chairperson Lorraine Kirwan
Each member of the ALF Committee

WHEREAS, all volunteers wishing to work in unison with this committee and under the direction of the Chairperson are welcome.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council does hereby re-establish a committee charged with planning events and activities to commemorate the 175th anniversary of the Township of West Milford throughout the 2009 calendar year.

BE IT FURTHER RESOLVED, that the committee shall cease to exist when the members have completed their charge.

Adopted: January 1, 2009

Agenda No. VI 1d

~ Resolution 2009-008 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY FOR THE RE-ESTABLISHMENT OF THE TOWNSHIP HERITAGE COMMITTEE (ADVISORY)

WHEREAS, the Township Council of the Township of West Milford did establish the West Milford Township Heritage Committee (Advisory) to undertake the following:

1. To work cooperatively on the renovation of the designated Township museum site in conjunction with various Township departments and other professionals appointed by the Township.
2. To gather in, catalog and properly store records, artifacts, photographs and other historical materials for placement into the West Milford Township Museum.
3. To oversee the operation of and scheduling at the West Milford Township Museum.

WHEREAS, upon consideration, it is the opinion of the Mayor and Township Council that the Committee should continue its efforts.

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council that it does hereby re-establish a West Milford Township Heritage Committee (Advisory) to undertake this work with the following provisions:

1. **MEMBERSHIP:** The total number of members of this committee shall be seventeen (17) members; one of whom shall be a liaison member of the Township Council, one of whom shall be a liaison member of the Township staff, and fifteen (15) of whom shall be citizens of the Township of West Milford. In the event that a member fails to attend three unexcused consecutive meetings of the committee, the Chairman will advise the appointing authority in order to have a replacement appointed.
2. **APPOINTING AUTHORITY:** The member of the Township Council shall be appointed by and serve at the pleasure of the Mayor and Township Council.

The member of the Township staff shall be appointed by and serve at the pleasure of the Mayor.

3. **SUNSET:** The Committee shall cease to exist unless re-established by the Township Council at its Organizational Meeting scheduled for January 1, 2009.

Adopted: January 1, 2009

Agenda No. VI 1f

~ Resolution 2009 – 010 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RE-ESTABLISHING A TRANSPORTATION ADVISORY COMMITTEE

WHEREAS, the Mayor and Township Council of the Township of West Milford are interested in re-establishing a Transportation Advisory Committee to review the current transportation program offered by the Township to the citizens of West Milford and submit recommendations to the Mayor and Township Council regarding changes to and improvements to the current program.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council that it does hereby re-establish a Transportation Advisory Committee with the following provisions:

NAME: The name of this committee is the West Milford Transportation Advisory Committee (TAC)

PURPOSE, AUTHORITY, DUTIES

The purpose and authority of this committee is to develop recommendations for the Township Council of the Township of West Milford concerning: Evaluating the current transportation policies and services provided by the Township. Improvements to the coordination of existing services. Improvements to the dissemination of information to the public about existing and future services. Additional funding sources. Planning for the transportation needs as the result of any future growth in the Township.

The committee's authority and existence will terminate when the Township Council has completed consideration of its recommendations.

MEMBERSHIP

There will be eleven (11) members on the committee as follows:

- Member of the Township Council
- Representative of the Township's Senior Citizen Advisory Committee
- Representative of the Township's A.D.A. Committee
- Township Transportation Coordinator
- Representative of the Passaic County Para Transit Office
- Representative of New Jersey Transit
- Township Director of Community Services & Recreation
- Coordinator of Senior Activities
- Three (3) citizen members

APPOINTING AUTHORITY

The members of the Transportation Advisory Committee shall be appointed by and serve at the pleasure of the Township Council. In the event that a member fails to attend three consecutive meetings of the committee, the committee may recommend the Township Council terminate that appointment and declare the position vacant.

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OFFICERS AND STAFFING

Officers. The Officers consist of a chair and vice chair who shall be selected by the membership and who shall serve at the pleasure of the membership for one-year terms. Officers may be re-elected.

Chair. The chair shall have general directional powers over the committee. The chair shall preside at all committee meetings and set committee agendas. The chair shall also be an ex-officio member of all subcommittees and shall be the sole spokesperson for the committee unless this responsibility is delegated in writing.

Vice Chair. The vice chair shall execute all powers of the chair in the absence of the chair.

Staff. The Township will provide staff support to the committee for meeting notification, typing, copying and information gathering to the extent that the budget permits.

ORGANIZATIONAL PROCEDURES

The committee shall hold meetings as necessary at a time and place designated by the chair.

Fifty-one percent of the voting membership of the committee shall constitute a quorum.

All members shall be voting members

These bylaws may be repealed or amended, or new bylaws may be adopted by a majority vote of the Township Council on its own initiative, or upon a recommendation from the committee.

The parliamentary authority for this committee is Robert's Rules of Order Reviewed, except where superseded by these bylaws or local, state, or federal law.

Adopted: January 1, 2009

Agenda No. VI 1g

~ Resolution 2009-011 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RE-ESTABLISHING THE COMMUNITY AGAINST SUBSTANCE ABUSE C.A.S.A. TO SERVE AS THE MUNICIPAL ALLIANCE COMMITTEE

WHEREAS, the Township did establish a West Milford Community Against Substance Abuse (C.A.S.A.) Committee to serve as the local Municipal Alliance Committee; and

WHEREAS, the purpose of the Community Against Substance Abuse (C.A.S.A.) Committee is to study, research and recommend to the Township Council the operation and administration of programs in professional counseling which are of benefit to the residents of the Township; and

WHEREAS, the Township is eligible for funding from the State of New Jersey for the purpose of developing and organizing efforts to reduce alcoholism and drug abuse through a local Municipal Alliance Committee.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford that it does hereby re-establish a Community Against Substance Abuse (C.A.S.A.) Committee to act as the Township of West Milford Municipal Alliance Committee with the following provisions:

MEMBERSHIP: The Committee shall consist of fourteen (14) members as follows:

- 1 Council Liaison
- 1 Staff Member – Director of Community Services & Recreation
- 1 Staff Member – CASA Coordinator
- (Voting Members)**
- 1 Health Board Member
- 1 BOE Student Assistance Coordinator
- 1 Alcohol Abuse Counselor
- 1 West Milford Police Representative
- 1 Child Study Team Representative
- 1 PTA Representative
- 5 Citizen Members

APPOINTING AUTHORITY: The Township Council shall appoint all members.

TERMS: All members shall serve a one-year term ending on December 31, 2009.

Adopted: January 1, 2009

Agenda No. VI 1h

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~ Resolution 2009-012 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY RE-ESTABLISHING A SAFETY COMMITTEE

WHEREAS, the Mayor and Township Council did establish a Safety Committee to review and discuss with management safety issues concerning the Township of West Milford.

WHEREAS, the purpose of the Safety Committee is to provide greater flexibility in complying with future safety requirements and meeting the needs of the Township of West Milford.

MEMBERSHIP: The Committee shall be comprised of eight (8) members as follows:

- 1 Staff Member - Health Department
- 1 Staff Member - Building & Planning Departments
- 1 Staff Member – Administration
- 1 Staff Member – Police Department
- 1 Staff Member - Department of Public Works
- 1 Staff Member – Fire Department
- 1 Staff Member – Department of Community Affairs & Recreation
- Fire Commissioner

WHEREAS, the Personnel Administrator shall serve as the secretary to the Safety Committee responsible for providing meeting notifications, preparing agendas, and filing related reports with the Morris County Joint Insurance Fund (JIF) and/or its affiliates as necessary.

WHEREAS, each of the following organizations shall be notified of every scheduled safety meeting to provide them an opportunity to send one representative to the meeting, said representatives to be afforded the right to fully participate in the meeting(s):

- Each of the Township's Bargaining Units
- Ambulance Squad(s)
- Township's Insurance Committee

BE IT FURTHER RESOLVED that the Safety Committee shall report to the Township Administrator, making recommendations, rendering opinions and providing input with respect to safety issues affecting the Township of West Milford.

Adopted: January 1, 2009

Agenda No. VI 1j

~ Resolution 2009-014 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY RE-ESTABLISHING A FACILITIES ASSESSMENT COMMITTEE

WHEREAS, the Township of West Milford did conduct a facilities assessment study in 1999, which study resulted in "The Sullivan Report"; and

WHEREAS, said report provided details of the condition of various facilities within the Township as well as recommendations to improve both the facilities and their use; and

WHEREAS, the Township Council of the Township of West Milford recognizes a need to update this report and to begin the process of proactively addressing the deficiencies within the buildings and the use of those buildings; and

WHEREAS, the Township Council did establish a facilities assessment committee; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that they do hereby re-establish a Facilities Assessment Committee as follows:

MEMBERSHIP AND APPOINTMENTS: The Committee shall consist of seven members as follows:

- One Council liaison to be appointed by Council
- One staff member from the municipality
- One member from the energy committee
- Four citizen members from the Township of West Milford to be appointed by Council

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BE IT FURTHER RESOLVED that this committee shall review municipal facilities and make recommendations to the Township Council with regard to municipal facilities.

Adopted: January 1, 2009

Agenda No. VI 1k

~ Resolution 2009-015 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ESTABLISHING A COMMITTEE WITH REPRESENTATION FROM THE LIBRARY BOARD AND THE GOVERNING BODY TO REVIEW AND MAKE RECOMMENDATIONS ON LIBRARY FACILITIES

WHEREAS, the Mayor and Township Council desires to re-establish a Committee comprised of representation from the Governing Body and the Library Board of Trustees to review, discuss and make recommendations on library facilities.

MEMBERSHIP: The Committee shall consist of five (5) members as follows:

Mayor Bettina Bieri
Councilman Robert Nolan
Former Councilman Carmelo Scangarello
Library Board President Douglas Ott
Library Board member Eugene Valenta

WHEREAS, this committee shall determine if there is a need for a new library facility and review possible options for the location of such a facility

WHEREAS, members shall report back to their respective colleagues on their findings and recommendations.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council does hereby establish a committee charged with reviewing and making recommendations on library facilities.

BE IT FURTHER RESOLVED, that the committee shall cease to exist when the members have completed their charge.

Adopted: January 1, 2009

Agenda No. VI 2a

~ Resolution 2009-017 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ADOPTING THE SCHEDULE FOR TOWNSHIP COUNCIL WORKSHOP AND REGULAR MEETINGS FOR THE 2009 CALENDAR YEAR

BE IT RESOLVED, that the Township Council of the Township of West Milford does hereby adopt the following schedule of Workshop and Regular Meetings of the Governing Body of the Township for the 2009 calendar year:

January 01, 2009, Reorganization Meeting
January 14, 2009, Council Workshop
January 28, 2009, Regular Council Meeting
February 04, 2009, Council Workshop
February 11, 2009, Regular Council Meeting
February 25, 2009, Council Workshop
March 04, 2009, Regular Council Meeting
March 11, 2009, Council Workshop
March 25, 2009, Regular Council Meeting
April 01, 2009, Council Workshop
April 08, 2009, Regular Council Meeting
April 22, 2009, Council Workshop
May 06, 2009, Regular Council Meeting

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May 13, 2009, Council Workshop
May 27, 2009, Regular Council Meeting
June 03, 2009, Council Workshop
June 10, 2009, Regular Council Meeting
June 24, 2009, Council Workshop
July 08, 2009, Regular Council Meeting
July 22, 2009, Council Workshop
August 05, 2009, Regular Council Meeting
August 19, 2009, Council Workshop
September 02, 2009, Regular Council Meeting
September 9, 2009, Council Workshop
September 23, 2009, Regular Council Meeting
October 07, 2009, Council Workshop
October 14, 2009, Regular Council Meeting
October 28, 2009, Council Workshop
November 04, 2009, Regular Council Meeting
November 11, 2009, Council Workshop
December 02, 2009, Regular Council Meeting
December 16, 2009, Council Workshop

BE IT FURTHER RESOLVED that the Reorganization Meeting of the Governing Body of the Township of West Milford as outlined herein shall be held in the main meeting room of Town Hall located at 1480 Union Valley Road, West Milford, New Jersey 07480 and shall begin at 1:00 p.m.

BE IT FURTHER RESOLVED that all Workshop and Regular Meetings of the Governing Body of the Township of West Milford as outlined herein shall be held in the main meeting room of Town Hall located at 1480 Union Valley Road, West Milford, New Jersey 07480 and all such meetings shall begin at 7:30 p.m.

BE IT FURTHER RESOLVED that official action may be taken at all meetings outlined herein.

BE IT FURTHER RESOLVED that this resolution shall constitute the Annual Notice for the Township of West Milford and the Township Clerk be and is hereby instructed to advertise such notice as required by law and this notice shall be continually posted on the official bulletin board of the Township and shall be retained on file in the Office of the Township Clerk.

Adopted: January 1, 2009

Agenda No. VI 2b

~ Resolution 2009-018 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY CONCERNING SIGNATURES ON TOWNSHIP ACCOUNTS

BE IT RESOLVED, by the Township Council of the Township of West Milford that Mayor Bettina Bieri, or the Township Administrator, and Chief Financial Officer Arthur Magnotti will be the required signers on Township checks.

BE IT FURTHER RESOLVED, that Lakeland Bank is hereby authorized to accept the manual or facsimile signatures of Mayor Bettina Bieri, or the Township Administrator, and Chief Financial Officer Arthur Magnotti on Township checks.

Adopted: January 1, 2009

Agenda No. VI 2c

~ Resolution 2009-019 ~

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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY DESIGNATING THE LEGAL NEWSPAPERS FOR THE PUBLICATION OF LEGAL NOTICES AND OTHER ITEMS FOR THE TOWNSHIP

BE IT RESOLVED, by the Township Council of the Township of West Milford that the following newspapers shall be designated as newspapers in which legal notices and advertisements may be published:

**HERALD NEWS
SUBURBAN TRENDS
STAR LEDGER
THE RECORD**

Adopted: January 1, 2009

Agenda No. VI 2d

~ Resolution 2009-020 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC, STATE OF NEW JERSEY REINSTATING THE TOWNSHIP OF WEST MILFORD'S CURRENT CASH MANAGEMENT PLAN

WHEREAS, pursuant to Chapter 8, Laws of 1982, the Township of West Milford is required to adopt a Cash Management Plan, including the designation of a depository or depositories; and

WHEREAS, the Township of West Milford is to adopt a cash management plan for 2009; and

WHEREAS, the Township CFO requested that the cash management plan provided by Lakeland Bank remain employed by the Township of West Milford, in order to continue the maximization of interest being earned on township deposits and investments; and

WHEREAS, Lakeland Bank will continue to provide their current proposal as adopted by the Governing Body of The Township of West Milford during 2008, which still remains the most beneficial and advantageous to the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that the Cash Management Plan is to continue as follows:

<u>Account</u>	<u>Account Number</u>
Current Account	513000179
Payroll Account	513000160
Capital Account	612300241
Escrow Account	612300284
Public Assistance I Trust Account	612300098
Scala Trust Account	612300268
Developer's Trust Account	612300292
Miscellaneous Trust Account	612300055
Heritage Trust Account	612409634
Dog Trust Account	612409626
Unemployment Trust Account	612409596
Assessment Trust Account	612410071
Public Assistance II Trust Account	612409618
LOSAP Trust Account	612410055
Open Space Trust Account	612410047
COAH Trust	612409804

Adopted: January 1, 2009

Agenda No. VI 2e

~ Resolution 2009-021 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO PROVIDE FOR THE HOURS OF COLLECTION OF TAXES

BE IT RESOLVED, by the Township Council of the Township of West Milford that the following shall be the hours for the collection of taxes, assessments and other monies due the Township:

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West Milford Town Hall – Open Daily, 8:30 a.m. to 4:30 p.m. prevailing time except Saturday, Sunday and legal holidays.

West Milford Town Hall – Hours for Collection, 8:45 a.m. to 4:15 p.m. prevailing time except Saturday, Sunday and legal holidays.

West Milford Town Hall – First Wednesday of February, May, August, and November from 4:30 p.m. to 6:30 p.m.

Adopted: January 1, 2009

Agenda No. VI 2f

~ Resolution 2009-022 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO PROVIDE FOR THE RATE OF INTEREST TO BE CHARGED ON UNPAID TAXES AND IMPROVEMENT ASSESSMENTS

BE IT RESOLVED, by the Township Council of the Township of West Milford that the rate of interest to be charged and collected by the Tax Collector and her department shall be as follows:

On all unpaid and delinquent taxes, the rate of eight percent (8%) per annum on the first \$1,500.00 of the delinquency, and eighteen percent (18%) per annum on any amount in excess of \$1,500.00.

On all unpaid and delinquent improvement assessments the rate of eight percent (8%) per annum on the first \$1,500.00 of the delinquency, and twelve percent (12%) per annum on any amount in excess of \$1,500.00.

No interest shall be charged on taxes if payment is made within ten (10) calendar days after the date upon which the same becomes payable.

That a penalty be charged to a taxpayer in the amount of 6% of a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the calendar year, as authorized by N.J.S.A. 54:4-67.

That when the taxes, interest and costs on a tax sale certificate shall exceed the sum of \$200.00 and additional penalty shall be charged equal to 2% of the amount paid; when the sum exceeds \$5,000.00, an additional penalty shall be charged equal to 4% of the amount paid; and when the sum exceeds \$10,000.00 such additional penalty shall be equal to 6% of such amount paid, as authorized by N.J.S.A. 54:5-61.

That the provisions of this resolution shall apply to all existing tax sale certificates.

Adopted: January 1, 2009

Agenda No. VI 2h

~ Resolution 2009-024 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO REINSTATE AND MAINTAIN VARIOUS PETTY CASH FUNDS (AS LISTED BELOW) TO FACILITATE “CHANGE FUNDS” AND REQUIRED CASH REIMBURSEMENTS FOR VARIOUS MINOR EXPENDITURES MADE BY TOWNSHIP EMPLOYEES

WHEREAS, N.J.S.A 40A: 5-21 authorizes the establishment of a petty cash and change funds; and

WHEREAS, it is necessary from time to time to allow the availability of cash fund for immediate unforeseen minor cash expenditures no greater than \$25.00 each as follows:

Tax Collector Change Fund	\$150.00
Municipal Court Change Fund	\$100.00
Health Department Change Fund	\$ 50.00
Construction Department Change Fund	\$100.00
Animal Control Change Fund	\$100.00
Municipal Clerk Change Fund	\$ 50.00

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Recreation Bubbling Springs Change Fund	\$200.00
Recreation Administration Petty Cash Fund	\$200.00
Recreation Programs Change Fund	\$ 50.00
Recreation Coffee House Change Fund	\$ 50.00
Police Department Change Fund	\$100.00
Administration Motor Vehicle Registration Fund	\$250.00
Administration Misc. Petty Cash Fund	\$250.00

NOW THEREFORE, BE IT RESOLVED, by the Council of the Township of West Milford, County of Passaic, State of New Jersey, that a reimbursable aforementioned impress funds aggregate of \$1,650.00 be re-established for 2009; and

BE IT FURTHER RESOLVED, that said WHEREAS, amounts are to be returned to the Township's General Fund no later than December 31st each year.

Adopted: January 1, 2009

Agenda No. VI 1c

~ Resolution 2009-007~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,
STATE OF NEW JERSEY FOR THE RE-ESTABLISHMENT OF A
BEAUTIFICATION/RECYCLING TASK FORCE COMMITTEE (ADVISORY)**

WHEREAS, the Township Council of the Township of West Milford did establish the Beautification/Recycling Task Force Committee (Advisory); and

WHEREAS, the Beautification Committee was directed to develop and promote a beautification program within the Township of West Milford; and

WHEREAS, upon consideration, it is the opinion of the Mayor and Township Council that the Beautification/Recycling Task Force Committee (Advisory) should continue its efforts.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council that it does hereby re-establish the Beautification/Recycling Task Force Committee with the following provisions:

1. **MEMBERSHIP**: The number of members shall be (14) fourteen members, one of whom shall be a liaison member of the Township Council; eleven shall be citizen members; one who shall be a representative from the West Milford commercial community; and one liaison member who shall be the Waste Disposal and Recycling Coordinator.
2. **APPOINTING AUTHORITY**: The member of the Township Council shall be appointed by the Mayor and Township Council. All other members shall be appointed by and shall serve at the pleasure of the Mayor and Township Council. The Recycling Coordinator shall be appointed by the Mayor. In the event that a member fails to attend three consecutive meetings of the committee, the Chairman will advise the appointing authority in order to have a replacement appointed.
3. **SUNSET**: The Committee shall cease to exist unless re-established by the Mayor and Township Council at its Organizational Meeting scheduled for January 1, 2009.

Adopted: January 1, 2009

Councilman Weisbecker made a motion, seconded by Councilman Nolan to place this resolution on the table for discussion.

Discussion: Council President Smolinski noted that there were several communiqués in Council packets asking that this committee be split. He requested that this topic be tabled to the workshop meeting of January 14th for discussion.

Councilman Weisbecker made a motion to table this resolution and schedule it as a discussion item at the January 14th workshop meeting.

Moved: Weisbecker Seconded: Lichtenberg
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

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Agenda No. VI 1e

~ Resolution 2009-009~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY RE-ESTABLISHING A LAKES COMMITTEE

WHEREAS, the Mayor and Township Council have discussed the various issues surrounding the lake communities located within the Township; and

WHEREAS, in addressing these issues the Mayor and Township Council need to be advised of the situations surrounding the lake communities in order to properly render decisions and take action; and

WHEREAS, in order to identify these issues and situations to help assist the lake communities as well as to increase public awareness regarding the importance of the environment as it relates to the lakes within the Township, it is necessary to continue to investigate these various issues and situations; and

WHEREAS, the Mayor and Township Council desire that the Lakes Committee be continued to achieve these objectives.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that a Lakes Committee be re-established with the following objectives: (A) advise and submit recommendations to the Mayor, Council and Planning Board on matters related to the role Township government may play to improve the various lake communities within the Township; (B) increase public awareness regarding the importance of the lakes and their impact on its surrounding environment; and (C) to review and make recommendations to the Mayor, Township Council and Planning Board on pending federal and state legislation.

BE IT FURTHER RESOLVED, that the eighteen lake communities in the Township of West Milford shall annually identify a member to represent that community on the Lakes Committee and said member shall serve a one-year term as a member of the Lakes Committee. Each of the eighteen members shall have one vote and the members of the following lake communities shall be represented on the Committee:

1. Awosting Community
2. Big Rock Cove Association
3. Forest Hill Park
4. Gordon Lakes
5. Greenbrook Estates
6. Greenwood Lake Association
7. High Crest Lake Association
8. Kitchell Lake
9. Lake Lookover Association
10. Lindy's Lake
11. Mount Glen Lakes Association
12. Mount Springs Association
13. Pinecliff Lake Community Club, Inc.
14. Shady Lake Park
15. Stowaway Park Association
16. Upper Greenwood Lake
17. West Milford Lake
18. Wonder Lake Properties

In addition to the eighteen voting members, there shall be four, ex officio, non-voting liaison members consisting of: the Township Engineer or his/her designee; a member of the Township Council or his/her designee; a member of the Township Planning Board or his/her designee; and a member of the Township Environmental Commission or his/her designee.

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BE IT FURTHER RESOLVED, that one of the voting members shall be designated as "Chair" of the Lakes Committee and shall advise the Township Council and the Planning Board of the Committee's work. In addition to the "Chair", the Lakes Committee may appoint a "Vice-Chair" and "Secretary" and adopt a schedule of meetings.

BE IT FURTHER RESOLVED, that the Lakes Committee shall report to the Mayor, Council and Planning Board, make recommendations, render opinions and input with respect to issues affecting the Township's lake communities.

BE IT FURTHER RESOLVED that minutes shall be taken of all meetings and submitted to the Township Clerk.

Adopted: January 1, 2009

Discussion: Councilman Nolan asked if there is any liability having representation on a Township committee if one of the member lakes is threatening or involved in litigation with the Township. Mr. Semrau advised that if such a situation arose it would be critical that the representative(s) from that lake be excluded from and recuse from any related discussions.

Moved: Nolan Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. VII 2i

~ Resolution 2009-013 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RE-ESTABLISHING TWO COUNCIL LIAISON POSITIONS BETWEEN THE TOWNSHIP AND THE CITY OF NEWARK

WHEREAS, West Milford Township Council wishes to appoint two (2) Council members to serve as liaisons between the Township and the City of Newark; and

WHEREAS, the purpose of these appointments is to facilitate the sharing of information between the two entities relative to items of mutual interest and concern; and

WHEREAS, the appointed liaisons shall not express any positions or take any action on behalf of the Township Council without full Council input and consensus.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of West Milford that they do hereby create two Council Liaison positions for a one-year term to facilitate communications between the Township of West Milford and the City of Newark.

Adopted: January 1, 2009

Discussion: Councilman Nolan questioned the need for this committee noting that there have not been any clear results since its formation. Councilman Weisbecker stated that the relationships forged through this committee have been beneficial to the Township and he acknowledged that the committee postponed some of its agenda while members focused on the recent presidential election. He noted that the City of Newark is one of the largest landowners in West Milford and, as such, this committee is warranted. Councilman Nolan questioned if such relationships should be forged by the respective mayors of each community. Councilman Schimmenti stated that, having served on this committee, he recognizes the benefit of its existence and conveyed one instance where garbage issues were amicably resolved and solutions were found to address concerns about future related issues.

Moved: Nolan Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Schimmenti, Lichtenberg, Jurkovic.
Voted Nay: Nolan.
Motion carried.

Agenda No. VII 2i

~ Resolution 2009-016 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY RE-ESTABLISHING A CITIZEN'S ADVISORY COMMITTEE TO MAKE RECOMMENDATIONS REGARDING THE PROPOSED CABLE TV FRANCHISE CONTRACT RENEWAL

WHEREAS, the Mayor and Township Council established a committee comprised of citizens from the Township to evaluate the past performance of Cablevision of Warwick, LLC and make recommendations to the Governing Body as to the renewal of the franchise.

MEMBERSHIP: The Committee shall consist of five (5) citizen members and a Council Liaison.

WHEREAS, this committee can solicit input from the municipality's residents, review responses and formulate a report for the Governing Body.

WHEREAS, this committee must complete its task and submit its report to the Township Administrator ~~by January 31, 2009~~ in accordance with the franchise renewal guidelines.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council does hereby re-establish a committee charged with evaluating the past performance of Cablevision of Warwick, LLC and providing the Governing Body with a report containing recommendations as to the renewal of the franchise.

BE IT FURTHER RESOLVED, that the committee shall cease to exist when the members have completed their charge.

Adopted: January 1, 2009

Discussion: Mayor Bieri asked if the deadline date for the submittal of the report can be changed advising that the committee had requested this change. Mr. Semrau stated that the report can be submitted to the Administrator in accordance with the franchise renewal guidelines as there have been recent changes to these guidelines.

Councilman Weisbecker amended his motion to reflect a change in the deadline date for the submittal of the report.

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. VII 2g

~ Resolution 2009-023

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CERTAIN STATUTORY PAYMENTS OF CLAIMS AND OTHER CLAIMS REGULAR IN NATURE

WHEREAS, all claims of payment by the Township of West Milford, County of Passaic, State of New Jersey, are required to be first submitted to the Township of West Milford Council for consideration before payment, and

WHEREAS, due to the nature of certain claims and timing of the particular meeting involved, certain claims should be paid when presented which are statutory and regular in nature, rather than held for the next council meeting of the Township of West Milford due to the nature of said claims.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Milford Council, as follows:

- 1) The Township of West Milford does hereby approve the payment between meetings of the following encumbered claims for payment, when the same are presented to the Township of West Milford Council and Chief Financial Officer of the Township of West Milford.
 - a) Township of West Milford payroll obligations.
 - b) Township of West Milford required payments to the Board of Education.
 - c) Required County tax payments to the County Treasurer.
 - d) Banks for investment purposes, internal transfers, and debt service obligations.
 - e) State of New Jersey – Application Fees

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- f) Permit Fees
- g) DEP Fees
- h) License Fees
- i) State Surcharges
- j) Marriage License Fees
- k) Rabies Control Fees
- l) Miscellaneous disbursements approved by specific resolutions.
- m) Reissue of lost or mutilated checks after stop payment has been enforced.
- n) Ten percent (10%) Bid Bond Returns (Clerk's office).
- o) Certain emergencies at only the discretion of the Township of West Milford Mayor or Administrator by the Mayor's designation.
- ~~p) Payments necessary to all vendors that require compliance with the 2006 Prompt Payment Law, Chapter 96, whereby the Township of West Milford shall pay the bill not more than 30 calendar days after the billing date to avoid billable late charges.~~

- 2) The Chief Financial Officer is hereby authorized and directed to prepare the proper vouchers for payment of the above recited accounts when same is properly presented to him/her for payment, and thereafter said claim shall be transcribed on the next scheduled Bill list to be approved by the Township of West Milford Council.
- 3) A certified copy of this resolution shall be forward to the Chief Financial Officer of the Township of West Milford.

Adopted: January 1, 2009

Councilman Nolan made a motion, seconded by Councilman Weisbecker to place this resolution on the table for discussion.

Discussion: Councilman Nolan expressed concern about the provision in this resolution that would allow payments be made within 30 days without Council consent. He noted that that the Council has a regular and frequent meeting schedule that should eliminate the need for such a provision. Councilwoman Lichtenberg concurred and the Council agreed to strike that provision from the resolution instructing that the CFO can address this topic when he next appears before the Council.

Councilman Nolan amended his motion to strike the 30-day payment provision from this resolution.

Moved: Nolan Seconded: Weisbecker
 Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
 Voted Nay: None.
 Motion carried.

Agenda No. VII 2h

~ Resolution 2009-025~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE 2009 TEMPORARY BUDGET

Whereas, NJSA 40A:4-19 provides that where contracts, commitments or payments are to be made prior to the final adoption of the 2009 budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

Whereas, said temporary appropriations are extended and now limited to 26.25% of the total appropriation in the 2008 budget, exclusive of any appropriations made for debt service, public assistance, and capital improvement fund in said 2008 budget,

Now, Therefore, Be It Resolved, by the Township Council of the Township of West Milford that the following temporary budget appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

APPROPRIATION	ACCOUNT NUMBER	2008 BUDGET As Adopted	2009 Temporary BUDGET
ADMINISTRATION			
ADMINISTRATOR			
Administrator S&W	01-20-100-100	\$215,000	\$56,438

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Administrator O.E.	01-20-100-200	\$49,400	\$12,968
TOTAL		\$264,400	\$69,405
PERSONNEL			
Personnel S&W	01-20-105-100	\$79,000	\$20,737
Personnel O.E.	01-20-105-200	\$10,600	\$2,783
TOTAL		\$89,600	\$23,520
MAYOR & COUNCIL			
Township Mayor & Council S&W	01-20-110-101	\$36,868	\$9,678
Township Mayor & Council O.E.	01-20-110-200	\$4,500	\$1,181
TOTAL		\$41,368	\$10,859
INFORMATION TECHNOLOGY			
Information Technology S&W	01-20-140-100	\$76,000	\$19,950
Information Technology O.E.	01-20-140-200	\$46,400	\$12,180
TOTAL		\$122,400	\$32,130
Legal O.E.	01-20-155-200	\$250,000	\$65,625
GENERAL SERVICES			
General Services S&W	01-20-161-100	\$12,000	\$3,150
General Services O.E.	01-20-161-200	\$102,600	\$26,933
TOTAL		\$114,600	\$30,083
INSURANCE			
Insurance, Other	01-23-210-200	\$728,166	\$353,100
Insurance, Other, Less Library Charge Back	01-23-210-200	-\$10,000	\$(2,625)
Insurance, Group	01-23-220-506	\$3,086,290	\$840
Insurance, Group - Less Library Chargebacks	01-23-220-506	-\$119,000	\$(31,238)
TOTAL		\$3,685,456	\$320,078
Heritage O.E.	01-20-173-200	\$1,500	\$394
CLERK'S OFFICE			
CLERK			
Clerk S&W	01-20-120-100	\$218,000	\$57,225
Clerk O.E.	01-20-120-200	\$27,800	\$7,298
TOTAL		\$245,800	\$64,522
ELECTIONS			
Elections S&W	01-20-146-101	\$500	\$-
Elections O.E.	01-20-146-101	\$18,900	\$-
TOTAL		\$19,400	\$-
FINANCE			
TREASURER			
Treasurer S&W	01-20-130-100	\$271,000	\$71,138
Treasurer O.E.	01-20-130-200	\$7,560	\$1,985
Treasurer O.E. - Less Library Chargebacks	01-20-130-200	-\$2,000	\$(525)
TOTAL		\$276,560	\$72,597
ANNUAL AUDIT			
Annual Audit	01-20-135-200	\$40,000	\$10,500
Annual Audit Additional Services	01-20-135-201	\$10,000	\$2,625
TOTAL		\$50,000	\$13,125
TAX COLLECTOR			
Tax Collector S&W	01-20-145-100	\$168,000	\$44,100
Tax Collector O.E.	01-20-145-200	\$13,250	\$3,478
TOTAL		\$181,250	\$47,578
ASSESSOR			
Tax Assessor S&W	01-20-150-200	\$316,000	\$82,950
Tax Assessor O.E.	01-20-150-200	\$6,000	\$1,575
TOTAL		\$322,000	\$84,525
PLANNING AND BUILDING			
PLANNING BOARD O.E.	01-21-180-200	\$46,000	\$12,075
COMPREHENSIVE PLANNING			
Planning, Comp. S&W	01-21-181-100	\$272,000	\$71,400
Planning, Comp. O.E.	01-21-181-200	\$3,200	\$840
TOTAL		\$275,200	\$72,240
ZONING ADMINISTRATION S&W	01-21-185-100	\$73,000	\$19,162
BOARD OF ADJUSTMENT O.E.	01-21-186-200	\$35,000	\$9,188
HISTORIC PRESERVATION			

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Historic Preservation S&W	01-20-175-101	\$1,600	\$420
Historic Preservation O.E.	01-20-175-200	\$1,800	\$473
TOTAL		\$3,400	\$893
Autumn Lights Festival	01-20-171-200	\$3,000	\$-
BUILDING / CODE ENFORCEMENT			
Building S&W	01-22-195-100	\$401,000	\$105,262
Building O.E.	01-22-195-200	\$12,000	\$3,150
TOTAL		\$413,000	\$108,412
ENVIRONMENTAL COMMISSION			
Environmental Commission S&W	01-22-196-101	\$1,600	\$420
Environmental Commission O.E.	01-22-196-200	\$0	\$-
TOTAL		\$1,600	\$420
PUBLIC SAFETY			
POLICE DEPARTMENT			
Police Patrol S&W	01-25-240-100	\$4,100,000	\$1,076,250
Police Patrol O.E.	01-25-240-200	\$91,240	\$23,951
Police Patrol-Purchase of Police Vehicles	01-25-240-201	\$142,000	\$37,275
Police Detective S&W	01-25-241-100	\$465,000	\$122,063
Police Administration S&W	01-25-242-100	\$588,000	\$154,350
Police Communication S&W	01-25-243-100	\$269,000	\$70,612
Police Comm. O.E.	01-25-243-200	\$29,000	\$7,613
Police Specials S&W	01-25-244-100	\$31,000	\$8,138
Police Specials O.E.	01-25-244-200	\$3,000	\$788
TOTAL		\$5,718,239	\$1,501,038
OEM			
EMERGENCY MANAGEMENT S&W	01-25-252-100	\$5,000	\$1,313
EMERGENCY MANAGEMENT O.E.	01-25-252-200	\$24,500	\$6,431
TOTAL		\$29,500	\$7,744
FIRST AID SQUADS			
First Aid - WMFAS Contributions	01-25-260-200	\$67,275	\$17,660
First Aid - UGL 1st Aid Squad Contributions	01-25-261-200	\$40,500	\$10,631
TOTAL		\$107,775	\$28,291
FIRE DEPARTMENT			
Aid To Vol. Fire Co.	01-25-255-200	\$90,000	\$23,625
Fire Prevention Bureau S&W	01-25-265-100	\$185,000	\$48,563
Fire Prevention Bureau O.E.	01-25-265-200	\$8,700	\$2,284
Fire Co. Admin. S&W	01-25-266-100	\$8,000	\$2,100
Fire Co. Admin. O.E.	01-25-266-200	\$257,350	\$67,554
LOSAP	01-25-267-200	\$90,000	\$-
TOTAL		\$639,050	\$144,126
ENGINEERING AND PUBLIC WORKS			
ENGINEERING			
Engineering S&W	01-20-165-100	\$482,000	\$126,525
Engineering O.E.	01-20-165-200	\$18,350	\$4,817
TOTAL		\$500,350	\$131,342
DPW			
DPW Streets & Roads S&W	01-26-290-100	\$1,704,000	\$447,300
DPW Streets & Roads O.E.	01-26-290-200	\$315,600	\$82,845
DPW Buildings & Grounds S&W	01-26-291-100	\$94,000	\$24,675
DPW Buildings & Grounds O.E.	01-26-291-200	\$59,250	\$15,553
DPW Snow Removal S&W	01-26-294-100	\$175,000	\$175,000
DPW Snow Removal O.E.	01-26-294-200	\$579,000	\$579,000
DPW Vehicle Maintenance S&W	01-26-315-100	\$318,000	\$83,475
DPW Vehicle Maintenance O.E.	01-26-315-200	\$266,500	\$69,956
TOTAL		\$3,511,350	\$1,477,804
HEALTH DEPARTMENT			
HEALTH DEPARTMENT			
Public Health S&W	01-27-330-100	\$251,000	\$65,888
Public Health O.E.	01-27-330-200	\$52,100	\$13,676
Vital Statistics S&W	01-27-331-100	\$8,000	\$2,100
Vital Statistics O.E.	01-27-331-200	\$15,400	\$4,043
Housing Standard Bureau O.E.	01-27-332-441	\$1,500	\$394
Environmental Health S&W	01-27-335-100	\$273,000	\$71,663
Environmental Health O.E.	01-27-335-200	\$20,800	\$5,460
Animal Control S&W	01-27-340-100	\$79,000	\$20,738

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Animal Control O.E.	01-27-340-450	\$0	\$-
TOTAL		\$700,801	\$183,960
PARKS AND RECREATION			
RECREATION			
Recreation Programs S&W	01-28-370-100	\$403,000	\$105,787
Recreation Programs O.E.	01-28-370-200	\$133,000	\$34,913
Recreation.-Bubbling Springs S&W	01-28-371-100	\$167,000	\$-
Recreation.-Bubbling Springs O.E.	01-28-371-200	\$64,000	\$-
Recreation.-Admin. S&W	01-28-372-100	\$202,000	\$53,025
Recreation.-Admin. O.E.	01-28-372-200	\$12,400	\$3,255
Recreation.-Hillcrest S&W	01-28-374-100	\$126,000	\$33,075
Recreation.-Hillcrest O.E.	01-28-374-200	\$23,375	\$6,136
Recreation.-Parks Maintenance S&W	01-28-375-100	\$250,000	\$65,625
Recreation.-Parks Maintenance O.E.	01-28-375-200	\$124,700	\$32,734
Senior Citizen Services S&W	01-28-376-100	\$104,000	\$27,300
Senior Citizen Services O.E.	01-28-376-200	\$12,725	\$3,340
TOTAL		\$1,622,201	\$365,190
VETERAN'S BUREAU			
Veteran's Bureau S&W	01-20-172-100	\$1,500	\$394
Veteran's Bureau O.E.	01-20-172-200	\$500	\$131
TOTAL		\$2,000	\$525
PUBLIC ASSISTANCE			
Public Assistance S&W	01-27-345-100	\$0	\$-
Public Assistance O.E.	01-27-345-200	\$0	\$-
TOTAL		\$0	\$-
Celebration of Public Events O.E.	01-30-420-200	\$5,700	\$-
Mass Transportation	01-30-431-200	\$88,277	\$23,173
LIBRARY			
LIBRARY			
Library S&W	01-29-390-100	\$510,000	\$133,875
Library O.E.	01-29-390-200	\$757,738	\$198,906
TOTAL		\$1,267,738	\$332,781
MUNICIPAL COURT			
MUNICIPAL COURT			
Municipal Court S&W	01-43-490-100	\$295,000	\$77,437
Municipal Court O.E.	01-43-490-200	\$14,125	\$3,708
Municipal Court Prosecutor S&W	01-43-491-101	\$27,000	\$7,088
Municipal Court Public Defender Fees	01-43-495-450	\$0	\$-
TOTAL		\$336,125	\$88,233
UTILITY EXPENSES & BULK PURCHASES			
UTILITIES & FUELS			
Utilities-Electricity	01-31-430-200	\$170,000	\$25,000
Utilities-Street Lights	01-31-435-200	\$46,000	\$12,000
Utilities-Telephone	01-31-440-200	\$145,000	\$38,063
Utilities-Natural Gas	01-31-446-200	\$140,000	\$85,000
Utilities-Fuel	01-31-460-200	\$470,000	\$75,000
TOTAL		\$971,000	\$235,063
MISCELLANEOUS AND STATUTORY EXPENDITURES			
PENSION & FICA			
PERS	01-36-471-532	\$406,100	\$-
PERS - Less Library Chargebacks	01-36-471-532	-\$40,000	\$-
Social Security	01-36-472-533	\$768,066	\$201,617
Less Library Charge backs - Social Security	01-36-472-533	-\$39,015	\$(10,241)
PFRS	01-36-473-534	\$983,600	\$-
TOTAL		\$2,078,751	\$191,376
Salaries & Wages Adjustment Account	01-37-480-501	\$218,000	\$-
Compensated Absences	01-38-485-110	\$80,000	
CAPITAL BUDGET			
CURRENT YEAR CAPITAL			
Capital Improvements Fund	01-44-900-200	\$89,413	\$-
Cap Improvements Fund Down Payments	01-44-900-200	\$159,160	\$-
Cap. Improv. Fund-UGL 1st Aid Squad	01-44-905-261	\$0	\$-
TOTAL		\$248,573	\$-
GRANTS			
MASS TRANSIT GRANTS			

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Grants-Mass Trans. State Share	02-41-702-100	\$35,414	\$-
Grants-Mass Trans. Federal Share	02-41-702-200	\$70,828	\$-
Grants-Mass Trans. Local Share	02-41-702-201	\$35,414	\$-
TOTAL		\$141,656	\$-
C.A.S.A. GRANTS			
Grants-C.A.S.A. County Share	02-41-705-200	\$46,300	\$-
Grants-C.A.S.A. - Local Share	02-41-705-201	\$12,333	\$-
TOTAL		\$58,633	\$-
INDV. WITH DISAB. GRANT			
Grants-Indv. with Disabilities-State	02-41-707-200	\$15,000	\$-
Grants-Indv. with Disabilities-Local	02-41-707-201	\$3,000	\$-
TOTAL		\$18,000	\$-
PUBLIC HEALTH PRIORITY GRANT	02-41-714-162	\$14,216	\$-
REREATION TRAILS PROGRAM GRANT			
Grants-Recreation Trails-State	02-41-715-109	\$15,000	\$-
Grants-Recreation Trails-Local	02-41-715-110	\$5,000	\$-
TOTAL		\$20,000	\$-
CLEAN COMMUNITIES GRANT	02-41-718-674	\$38,070	\$-
CULTURAL HERITAGE GRANT			
Grants-Pas. Co. Cultural Heritage- County	02-41-728-331	\$1,782	\$-
Grants-Pas. Co. Cultural Heritage- Local	02-41-728-332	\$2,500	\$-
TOTAL		\$4,282	\$-
DWI			
DWI State	02-41-000-000	\$13,083	
DWI Local	02-41-000-000	\$0	
TOTAL		\$13,083	\$-
HIGHLANDS COAH GRANT (CHAP 159)			
Grants-Highlands COAH	01-41-000-000	\$0	
Grants-Storm Drain Infstrctr. Inventory	02-41-000-000	\$4,000	
TOTAL		\$4,000	\$-
NJ DIV OF HGHWY SAFETY TICKET OR CLICK IT	02-41-733-200	\$0	
NJDEP ESP MAPPNG GRANT			
Grants-NJDEP ESP Mapping-State Share	02-41-735-331	\$0	
Grants-NJDEP ESP Mapping-Local Share	02-41-735-332	\$0	
TOTAL		\$0	\$-
TOURISM & DEVELOPMENT GRANT (CHAP 159)	02-41-000-000	\$0	
NJ DCJ BODY ARMOR GRANT	02-41-742-331	\$5,288	
POST BROOK S.W. STUDY GRANT			
Grants - NJDEP- Pst Brk S.W. Study	02-41-744-330	\$0	
Grants - NJDEP- Pst Brk S.W Study Local	02-41-744-331	\$0	
TOTAL		\$0	\$-
BELCHERS CREEK FECALTESTING			
Grants - NJDEP-Belchers Creek -State	02-41-749-331	\$0	
Grants - NJDEP-Belchers Creek -Local	02-41-749-332	\$0	
TOTAL		\$0	
GRANT - GREENWOOD LK ANTI- PHOSPHORUS	02-41-750-331	\$0	\$-
GRANT - PANDEMIC INFLUENZA PREPARDNESS	02-41-000-000	\$10,072	
GRANT - CONTINGENT. LOCAL MATCH	02-41-745-999	\$25,000	
GRANT - FIRE DEPT EXHAUST SYSTEMS	02-41-746-331	\$0	
GRANT - POLICE, SPEEDING/AGGRESSIVE	02-41-746-332	\$0	
GRANT - WONDER LAKE WATER			
IMPROVEMENT	02-41-746-334	\$0	
TOTAL		\$352,300	\$-
DEBT SERVICE			
Debt Service Total	01-45-000-000	\$2,299,000	\$-
DEFERRED CHARGES AND RESERVE FOR UNCOLLECTED TAXES			
Deficit in Dog Trust Fund	01-37-480-503	\$12,416	
Deficit in Assessment Cash	01-46-886-000	\$0	
Cancelled Assessments	01-46-886-648	\$2,552	
Reserve for Tax Appeals	01-46-886-667	\$20,000	
Prior Yrs Bills-Rentl of Polling Pls, N Jersey Media	01-46-887-528	\$18,000	
Def Charges - Bond Ordinance Unfunded	01-46-875-528	\$39,000	

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Moved: Nolan Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda VII 2

~ Resolution 2009-027 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,
STATE OF NEW JERSEY APPOINTING A PUBLIC AGENCY COMPLIANCE OFFICER**

WHEREAS, NJAC 17:17 authorizes Public Agencies to annually designate a Public Agency Compliance Officer as the Liaison Official responsible for the Agency's contracting procedures.

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Township of West Milford in the County of Passaic, in the State of New Jersey hereby appoints the Township Administrator, to serve as the Public Agency Compliance Officer from January 1, 2009 through December 31, 2009.

BE IT FURTHER RESOLVED, that in accordance with NJAC 17:27 the Township Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the State of New Jersey Department of the Treasury Division of Contract Compliance and EEO in Public Contracts.

Adopted: January 1, 2009

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda VII 3

Mayor Bieri announced that her appointments as follows:

- Thomas Kaczka, Esq. to position of Municipal Prosecutor
- Vincenzo Stampone, Esq. to position of Assistant Municipal Prosecutor
- Joseph Affinito, Esq. to position of Lead Public Defender
- Dana D'Angelo, Esq. to position of Public Defender
- Charles Ferraioli to position of Township Auditor

Mayor Bieri noted that these appointments require Council consent and she asked to move resolutions of appointment (2009-028 through 2009-032) as one. The Council requested that resolution 2009-032 be voted upon separately. Councilman Weisbecker made a motion to move agenda items VII 3 a through d as one.

Agenda VII 3 a

~ Resolution 2009-028 ~

**MAYOR'S APPOINTMENT OF THOMAS KACZKA, ESQ. AS MUNICIPAL PROSECUTOR WITH
COUNCIL CONSENT**

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advise and consent to the Mayor's appointment of Thomas Kaczka, Esq. to the position of Municipal Prosecutor through December 31, 2009.

Adopted: January 1, 2009

~ Resolution 2009-029 ~

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**MAYOR'S APPOINTMENT OF VINCENZO STAMPONE, ESQ. AS ASSISTANT PROSECUTOR
WITH THE ADVICE AND CONSENT OF COUNCIL**

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advice and consent to the Mayor's appointment of Vincenzo Stampone, Esq. to the position of Assistant Prosecutor for a term that shall expire on December 31, 2009.

Adopted: January 1, 2009

~ Resolution 2009-030 ~

**MAYOR'S APPOINTMENT OF JOSEPH AFFINITO, ESQ. AS MUNICIPAL PUBLIC DEFENDER IN
ACCORDANCE WITH SECTION §15-79 OF THE TOWNSHIP CODE**

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advise and consent to the Mayor's appointment of Joseph Affinito, Esq. to the position of lead Municipal Public Defender in accordance with section §15-79 of the Township Code for a term of one year from January 1, 2009 through December 31, 2009.

BE IT FURTHER RESOLVED, that Joseph Affinito, Esq. shall serve as the lead Municipal Public Defender during this term.

Adopted: January 1, 2009

~ Resolution 2009-031 ~

**MAYOR'S APPOINTMENT OF DANA D'ANGELO, ESQ. AS MUNICIPAL PUBLIC DEFENDER IN
ACCORDANCE WITH SECTION §15-79 OF THE TOWNSHIP CODE**

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advise and consent to the Mayor's appointment of Dana D'Angelo, Esq. to the position of Municipal Public Defender in accordance with section §15-79 of the Township Code for a term of one year from January 1, 2009 through December 31, 2009.

Adopted: January 1, 2009

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda VII 3e

~ Resolution 2009-032 ~

**MAYOR'S APPOINTMENT OF CHARLES FERRAIOLI AS TOWNSHIP AUDITOR IN
ACCORDANCE WITH SECTION §15-117 OF THE TOWNSHIP CODE**

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advise and consent to the Mayor's appointment of Charles Ferraioli to the position of Township Auditor in accordance with section §15-117 of the Township Code for a term of one year from January 1, 2009 through December 31, 2009.

Adopted: January 1, 2009

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

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Agenda VII 4 a i

Mayor Bieri sought Council consent for her appointment of Richard McFadden to the position of Township Engineer.

~ Resolution 2009-033 ~

MAYOR'S APPOINTMENT OF RICHARD McFADDEN AS TOWNSHIP ENGINEER WITH COUNCIL CONSENT

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advise and consent to the Mayor's appointment of Richard McFadden to the position of Township Engineer in accordance with section §15-57 of the Township Code.

Adopted: January 1, 2009

Moved: Weisbecker Seconded: Nolan
Voted Aye: Nolan, Lichtenberg.
Voted Nay: Weisbecker, Smolinski, Schimmenti, Jurkovic.
Motion defeated.

Agenda VII 4 a ii

~ Resolution 2009-034 ~

MAYOR'S APPOINTMENT OF ED STEINES AS FIRE COMMISSIONER IN ACCORDANCE WITH SECTION §15-47A OF THE TOWNSHIP CODE

Mayor's Appointment:

In accordance with Section §15-47B of the Code of the Township of West Milford, Mayor Bettina Bieri hereby appoints Ed Steines as Fire Commissioner to serve a two-year term from January 1, 2009 through December 31, 2010 as recommended by the Fire Chief's Association.

This resolution does not require action from the Council. It shall serve to memorialize an appointment made by Mayor Bettina Bieri.

Adopted: January 1, 2009

Agenda VII 4

The Council gave consent to move resolutions 2009-035 and 2009-036 as one.

Agenda VII 4 a iii

~ Resolution 2009-035 ~

MAYOR'S APPOINTMENT OF THE PERSONNEL ADMINISTRATOR AND TOWNSHIP ADMINISTRATOR AS COMMISSIONER AND ALTERNATE COMMISSIONER TO THE NEW JERSEY HEALTH INSURANCE FUND

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advise and consent to the Mayor's appointment of the Township's Personnel Administrator and the Township Administrator as Commissioner and Alternate Commissioner, respectively, to represent the Township of West Milford's interests as a member of the New Jersey Health Insurance Fund (HIF).

Adopted: January 1, 2009

Agenda VII 4 a iv

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~ Resolution 2009-036 ~

MAYOR'S APPOINTMENT OF THE TOWNSHIP ADMINISTRATOR AS COMMISSIONER, CATHERINE SHANAHAN AS ALTERNATE COMMISSIONER AND KATHLEEN HUDAK AS SAFETY DELEGATE TO THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advise and consent to the Mayor's appointment of the Township Administrator as Commissioner, Catherine Shanahan as Alternate Commissioner and Kathleen Hudak as Safety Delegate to represent the Township of West Milford's interests as a member of the Morris County Municipal Joint Insurance Fund (MJIF).

Adopted: January 1, 2009

Moved: Nolan Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion defeated.

Agenda VII 5

Appointments to Boards, Commissions and Committees

Autumn Lights Festival

Councilman Weisbecker nominated Lorraine Kirwan as Chair of this committee. Council President Smolinski seconded the nominations. Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Jurkovic
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Cable Franchise Committee

Councilwoman Lichtenberg nominated Daniel Jurkovic as Council liaison to this committee. Councilman Nolan nominated Blanche DeSimone, Ada Erik, Barry DiGiacinto, and Doris Aaronson to serve on the Cable Franchise Committee. Councilman Weisbecker nominated Harry Clarke. Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: Nolan voted "no" to Mr. Clarke's appointment only.
Motion carried.

ADA Committee

Councilman Weisbecker nominated Midge Touw to the ADA Committee. Council President Smolinski seconded. Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Smolinski
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Building Standards Board

Councilman Weisbecker nominated Council Schimmenti as Council Liaison to the Building Standards Board. Councilwoman Lichtenberg seconded the motion. Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Smolinski
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Environmental Commission

Mayor Bieri announced the following appointments to the Environmental Commission:

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Stephen Sangle, Timothy Metcalf, Gillian Hemstead and David Watson-Hallowell.

Facilities Assessment Committee

Councilman Weisbecker nominated Councilman Daniel Jurkovic as Council liaison and Janice Sangle, Joseph Ponzo, Philip Luogameno, Phil Shanahan, Carmen Scangarello, Timothy Ligus to the Facilities Assessment Committee. Seconded by Council President Smolinski. Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Smolinski
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Fire Prevention Bureau

Councilman Weisbecker nominated Daniel Jurkovic as Council Liaison to the Fire Prevention Bureau. Councilwoman Lichtenberg seconded the motion. Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Lichtenberg
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Greenwood Lake Bi-State Commission

Councilman Weisbecker nominated Eric Hastings and Paul Zarrillo to the Greenwood Lake Bi-State Commission. Seconded by Councilwoman Lichtenberg. Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Lichtenberg
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Board of Health

Councilman Weisbecker made a motion to appoint Bobbie DeSol to the Board of Health. Seconded by Councilwoman Lichtenberg. Councilwoman Lichtenberg made a motion to close and confirm.

Moved: Lichtenberg Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Heritage Committee

Councilwoman Lichtenberg made a motion to appoint Robert Bailey, Adrian Birdsall, Tonya Cubby, Ada Erik, Mary Kochka, Robert Kochka, Kristen Koerner, James Van Hooker and Vivian Erk to the Heritage Committee. Councilman Nolan nominated Marilyn Lichtenberg as Council liaison to this commission. Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Schimmenti
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Insurance Committee

Councilman Nolan nominated Arthur McQuaid and Andrew Gargano to this committee. Councilman Weisbecker nominated Michael Siesta. Councilman Jurkovic nominated Robert Nolan to serve as Council liaison to this committee. Seconded by Councilwoman Lichtenberg. Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Lakes Committee

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Councilman Jurkovic nominated Philip Weisbecker as Council liaison to the Lakes Committee. Seconded by Councilwoman Lichtenberg. Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Schimmenti
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Municipal Alliance Committee (CASA)

Councilman Weisbecker nominated Marilyn Lichtenberg as Council liaison to CASA. Councilwoman Lichtenberg nominated Jacqueline Boshart, Sue Pappas, Connie Livoti, Frank Yevchak and Tom Livoti to this committee. Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Newark/West Milford Liaisons

Council President Smolinski nominated Philip Weisbecker to serve as Council liaison to Newark. Councilman Weisbecker nominated Daniel Jurkovic to serve as Council liaison to Newark. Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Lichtenberg
Voted Aye: Weisbecker, Smolinski, Schimmenti, Lichtenberg, Jurkovic.
Voted Nay: Nolan.
Motion carried.

Parks and Recreation Committee

Councilwoman Lichtenberg nominated Joseph Smolinski as Council liaison to this committee. Council President nominated Todd Maupai, Salvatore Saggio, William Remia, Charles Carbone, Frank Yevchak, Ray Guarino, John Tierney, Mark Lynch, Joseph Ponzio, Salvatore Schimmenti and Christopher Rahey to this committee. Seconded by Councilwoman Lichtenberg. Councilman Weisbecker made a motion to close and confirm.

Councilman Nolan questioned the legality of a Council member taking a citizen slot on committees such as this. Mr. Semrau advised that this does not present a problem as long as the appointments do not constitute a quorum of the Council. Council President Smolinski stated that Councilman Schimmenti has served on this committee for many years and is very involved in all facets of this committee. Councilman Schimmenti stated that he loves this committee and wishes to continue serving as a citizen member.

Moved: Weisbecker Seconded: Lichtenberg
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: Nolan voted "no" to the appointment of Salvatore Schimmenti only.
Motion carried.

Planning Board

Mayor Bieri appointed Richard McFadden, Township Engineer to serve as a class II member of the Planning Board.

Council President Smolinski nominated Philip Weisbecker as the class III Councilmember to the Planning Board. Councilman Weisbecker nominated Kerry Goceljak as class IV, alternate member to the Planning Board. Councilman Weisbecker made a motion to close and confirm.

Councilman Weisbecker asked that a discussion of the ordinance, charter and by-laws governing the Planning Board be discussed at the next workshop meeting. He further asked that the Planning Board be directed to hold off on reviewing that portion of their by-laws until Council has discussed the appointment process.

Moved: Weisbecker Seconded: Lichtenberg
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: Nolan voted "no" to the appointment of Philip Weisbecker only.
Motion carried.

Mayor Bieri designated Kerry Goceljak as alternate #1 and Michael Siesta as alternate #2.

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Senior Citizen Advisory Committee

Councilman Weisbecker nominated Joseph Smolinski as Council liaison to this committee. Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Smolinski
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Telecommunications Committee

Councilman Nolan advised that this committee was not reestablished by resolution. However, he recommended that when the new administrator is hired and has settled in that this committee be reestablished and be given a deadline date of 12/31/09 so that the Township can begin saving money.

Transportation Committee

Councilman Weisbecker nominated Joseph Smolinski as Council liaison to this committee. Council President Smolinski nominated Mary Ann Terracino, Patricia Ryan, Doris Osterhoudt and Janice Sangle to this committee. Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Schimmenti
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Zoning Board of Adjustment

Councilwoman Lichtenberg nominated Barry Weiser to citizen member #2, Frank Curcio to citizen member #5, Jim Olivo to alternate member #1 and Vivian Erk to alternate member #2. Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Lichtenberg
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Wanaque Valley Regional Sewerage Authority (WVRS)

Councilman Weisbecker nominated Harry Clarke to a five-year term and Robert Moshman to a four-year term on the WVRS. Seconded by Council President Smolinski. Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Smolinski
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: Nolan voted "no" to Mr. Clarke's appointment only.
Motion carried.

Agenda No. VIII

The Council took action on the following items.

Agenda No. VIII a

~ Resolution 2009-037 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR THE POSITION OF TOWNSHIP ATTORNEY

WHEREAS, the Township of West Milford has a need to appoint a Township Attorney as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5 as appropriate*; and

WHEREAS, the Chief Financial Officer has determined and certified that the value of the acquisition will exceed \$17,500; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et. seq.) requires that the Resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, the term of a contract for this service is one year from January 1, 2009 through December 31, 2009; and

WHEREAS, Fred Semrau, Esq. has submitted a proposal indicating the firm will provide legal services as sought by the Township of West Milford at the annual compensation not to exceed \$120,000.00; and

WHEREAS, Fred Semrau, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of Dorsey & Semrau, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds to be encumbered from account number 9-01-20-155-200.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey authorizes the Mayor and the Municipal Clerk to enter into a contract with Dorsey & Semrau, LLC as described herein to the satisfaction of the Township Administrator; and,

BE IT FURTHER RESOLVED that the contract, resolution and all other pertinent documents shall remain on file in the office of the Township Clerk; and

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the Township's legal newspaper.

Adopted: January 1, 2009

Councilman Nolan made a motion to have this resolution placed on the table for discussion.

Discussion: Councilman Nolan asked that this contract be approved in an amount not to exceed \$120,000 and if an amendment is necessary it should be brought before Council later in the year. Councilman Nolan amended his motion to have the not to exceed amount changed from \$150,000 to \$120,000.

Moved: Nolan Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. VIII b

~ Resolution 2009-038 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR THE POSITION OF LABOR COUNSEL AND FOR LEGAL SERVICES IN THE NEGOTIATIONS OF LABOR CONTRACTS IN AN AMOUNT NOT TO EXCEED \$60,000

WHEREAS, the Township of West Milford has a need to appoint Labor Counsel as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5 as appropriate*; and

WHEREAS, the Township of West Milford has a need to appoint Labor Counsel to assist in negotiations for labor contracts scheduled to expire on December 31, 2009; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-1, et. seq.*) requires that the Resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, Matthew Giacobbe, Esq. has submitted a Business Entity Disclosure Certification which certifies that his firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of Scarinci & Hollenbeck, LLC from making any reportable contributions through the term of the contract, and

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WHEREAS, the Chief Financial Officer has certified as to the availability of funds said funds to be encumbered from account # 9-01-20-155-202 for services rendered as the Township's Labor Counsel and #98-01-20-155-502 for services rendered in conjunction with the above referenced contract negotiations; and

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Matthew Giacobbe, Esq. of the firm Scarinci & Hollenbeck, LLC, with offices located in Lyndhurst, New Jersey to serve as Labor Counsel and to work with the Township Administrator in contract negotiations on behalf of the Township in an amount not to exceed \$60,000.00.
2. The duration of this contract shall be for the 2009 calendar year.
3. The total fee authorized for this contract shall not exceed \$60,000.00 without the prior written approval of the Township Council.
4. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: January 1, 2009

Agenda No. VIII c

~ Resolution 2009- 039 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO MJB SITE DEVELOPMENT CONSULTANTS, INC. FOR SURVEYING SERVICES TO REVIEW AND CERTIFY THE UPDATED TOWNSHIP TAX MAPS

WHEREAS, the Township of West Milford's Engineering Department anticipates executing changes to the Township's Tax Maps in 2009; and

WHEREAS, the State of New Jersey requires that such changes be reviewed and certified by a licensed land surveyor; and

WHEREAS, the Township of West Milford has a need to appoint a Professional, Licensed Land Surveyor as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5 as appropriate*; and

WHEREAS, MJB Site Consultants has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of MJB Site Development Consultants, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for same, said funds to be encumbered from account number 9-01-20-165-200.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. The Township Mayor and Township Clerk be and are hereby authorized to execute a contract with MJB Site Development Consultants, Inc for professional services to review and certify changes made to the Township's Tax Maps in 2009 in an amount not to exceed \$2,750.00.
2. This contract is awarded without competitive bidding as "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
3. The term of this contract shall be from January 1, 2009 through December 31, 2009.
4. The total fee authorized for this contract shall not exceed \$2,750.00 without the prior written approval of the Township Council.
5. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolutions authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: January 1, 2009

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~ Resolution 2009- 040 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO SCOTT HOLZHAUER, CTA, SCGREA, TO ASSIST THE TOWNSHIP OF WEST MILFORD WITH TAX APPEALS FILED IN THE TAX COURT OF NEW JERSEY

WHEREAS, the West Milford Tax Assessor has recommended that the Township of West Milford retain professional real estate appraisal and consulting services to assist the Township of West Milford with outstanding tax appeal matters in the Tax Court of New Jersey; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from account number 9-01-46-886-667.

WHEREAS, Scott Holzhauer has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of Holzhauer & Hostenstein, LLC from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

6. The Township Mayor and Township Clerk be and are hereby authorized to execute a contract with Holzhauer & Hostenstein, LLC for professional services to assist the Township with Tax appeals filed in the Tax Court of New Jersey in an amount not to exceed \$7,500.00.
7. This contract is awarded without competitive bidding as "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
8. The term of this contract shall be from January 1, 2009 through December 31, 2009.
9. The total fee authorized for this contract shall not exceed \$7,500.00 without the prior written approval of the Township Council.
10. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolutions authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: January 1, 2009

Agenda No. VIII e

~ Resolution 2009 - 041 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE VOZZA AGENCY, INC. TO SERVE AS RISK MANAGEMENT CONSULTANT FOR THE TOWNSHIP

WHEREAS, the Township of West Milford is a member of the Morris Joint Insurance Fund (MJIF); and

WHEREAS, the West Milford Insurance Committee has recommended that the Township of West Milford retain professional risk management services; and

WHEREAS, the Vozza Agency has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the Vozza Agency from making any reportable contributions through the term of the contract; and

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

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1. The Township Mayor and Township Clerk are authorized to execute an agreement with the Vozza Agency, with offices located in Park Ridge, New Jersey to serve as the Township's Risk Management Consultant from January 1, 2009 through December 31, 2009.
2. Compensation for the provision of these services shall be at 6% of the assessment premium for the term of the contract.
3. Compensation shall be made to the Vozza Agency through the Morris Joint Insurance Fund pursuant to their customary payment schedule, as is standard practice in the industry.
4. The Township Commissioners to the Morris Joint Insurance Fund shall keep themselves apprised of these payments by virtue of the regular payment of bills which are authorized and approved at the regular meetings of the MJIF.
5. This resolution shall take effect immediately.

Adopted: January 1, 2009

Agenda No. VIII g

~ Resolution 2009-043 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITH STUART B. KLEPESCH TO PROVIDE LEGAL SERVICES FOR THE TOWNSHIP OF WEST MILFORD (TAX FORECLOSURE LIST #28)

WHEREAS, the Township of West Milford awarded a professional services contract to by virtue of Resolution 2008-366 to represent the Township in foreclosure matters as outlined in foreclosure list # 28; and

WHEREAS, Stuart B. Klepesch, has worked on these matters on behalf of the Township; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from account number 9-01-20-155-502; and

WHEREAS, Stuart B. Klepesch, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that his firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of Stuart B. Klepesch from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

11. The Township Mayor and Township Clerk be and are hereby authorized to execute a contract with Stuart B. Klepesch for professional services to assist the Township with legal matters pertaining to those tax foreclosures outlined in tax foreclosure list #28 in an amount not to exceed \$10,000.
12. This contract is awarded without competitive bidding as "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
13. This contract shall expire on completion of the list or December 31, 2009 whichever comes first.
14. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolutions authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: January 1, 2009

Agenda No. VIII h

~ Resolution 2009-044 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO VINCENZO STAMPONE, ESQ. FOR THE POSITION OF ASSISTANT MUNICIPAL PROSECUTOR IN THE AMOUNT NOT TO EXCEED \$2,500

WHEREAS, the Township of West Milford has a need to appoint an Assistant Municipal Prosecutor as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, Vincenzo Stampone, Esq., with his offices located at 10 Tilt Street, Haledon, New Jersey, 07508, has interviewed with the Township for the position of Assistant Municipal Prosecutor; and

WHEREAS, the Township wishes to retain the services of Vincenzo Stampone, Esq., as Assistant Municipal Prosecutor for the Township of West Milford; and

WHEREAS, the total amount of the contract shall not exceed \$2,500.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose said funds to be encumbered from account # 9-01-43-491-450; and

WHEREAS, Vincenzo Stampone, Esq. has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit Vincenzo Stampone, Esq. from making any reportable contributions through the term of the contract, and

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

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Vincenzo Stampone, Esq. with offices located at 10 Tilt Street, Haledon, New Jersey, 07508, as Assistant Municipal Prosecutor for the Township of West Milford in an amount not to exceed \$2,500.00 with a term to expire December 31, 2009.
2. The Political Contribution Disclosure Form, Business Disclosure Entity Certification and the Determination of Value shall be placed on file in the office of the Township Clerk.
3. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: January 1, 2009

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. VIII f

~ Resolution 2009-042 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITH JOHNSON, MURPHY, HUBNER, MCKEON, WUBBENHORST & APPELT TO PROVIDE LEGAL SERVICES FO THE TOWNSHIP OF WEST MILFORD (TAX FORECLOSURE LIST # 26)

WHEREAS, the Township of West Milford awarded a professional services contract to Johnson, Murphy, Hubner, McKeon, Wubbenhorst & Appelt by virtue of Resolution 2008-365 to represent the Township in foreclosure matters as outlined in foreclosure list # 26; and

WHEREAS, Johnson, Murphy, Hubner, McKeon, Wubbenhorst & Appelt, has worked on this matter on behalf of the Township; and

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WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from account number 8-01-20-155-502.

WHEREAS, Johnson, Murphy, Hubner, McKeon, Wubbenhorst & Appelt has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of Johnson, Murphy, Hubner, McKeon, Wubbenhorst & Appelt from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

15. The Township Mayor and Township Clerk be and are hereby authorized to execute a contract with Johnson, Murphy, Hubner, McKeon, Wubbenhorst & Appelt for professional services to continue with legal matters pertaining to those tax foreclosures outlined in tax foreclosure list #26 in an amount not to exceed \$6,000.
16. This contract is awarded without competitive bidding as "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
17. This contract shall expire on upon completion of the list or December 31, 2009 whichever comes first.
18. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolutions authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: January 1, 2009

Councilman Weisbecker made a motion to have this resolution placed on the table for discussion.

Discussion: Councilman Nolan noted that the resolution presented to Council did not include the requirement for disclosure in accordance with our pay to play legislation. Ms. Battaglia advised that these records are on file in the Clerk's office. Councilman Weisbecker amended his motion to include the language in the resolution.

Moved: Weisbecker Seconded:
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. VIII i

~ Resolution 2009-045 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING EXECUTION OF AN AGREEMENT WITH SUSANNE PAPPAS AS CARETAKER FOR WESTBROOK PARK

Councilman Weisbecker moved to have this resolution placed on the table for discussion and Council President Smolinski seconded the motion.

Discussion: Council President Smolinski recalled that this was discussed in executive session wherein Council agreed with all the terms of the agreement. He noted that he has not seen a copy of the final agreement and cannot recall the terms discussed in executive session. He asked that the Council have an opportunity to review and read this agreement before proceeding with the resolution authorizing its execution. Councilman Nolan made a motion to table this resolution to January 14, 2009.

Moved: Nolan Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Councilman Weisbecker made a motion to extend the current caretaker agreement for 30 days.

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Moved: Weisbecker Seconded: Smolinski
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. VIII j

~ Resolution 2009-046 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC, STATE OF NEW JERSEY MAKING AN APPOINTMENT TO THE PASSAIC COUNTY SOLID WASTE ADVISORY COUNCIL

Mayor and Township Council Appointment:

BE IT RESOLVED, by the Mayor and Township Council of the Township of West Milford that they do hereby make the following appointment as a Township Representative to the Passaic County Solid Waste Advisory Council:

William Schug, Township Representative - Term expires 12/31/2009

Adopted: January 1, 2009

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Public Comments

Mayor Bieri opened the meeting to the public after advising that each person will be limited to five minutes.

Martin O'Shea, 10 Lakeshore Road East, Stockholm expressed bitter disappointment that Councilman Weisbecker did not request that he hold the bible for the swearing in. He distributed a list of questions to the Council that he also read aloud. His questions pertained to the process used to interview and subsequently hire a new administrator.

Doris Aaronson, 19 Bearfort Road, West Milford wished everyone a Happy New Year. She thanked the Council for publishing the survey for the Cable T.V. Franchise Committee and encouraged residents to participate in this process.

Arthur McQuaid, Morestown Road, West Milford thanked the Mayor and Council for their hard work during the past year. He congratulated Mr. Weisbecker and Mr. Jurkovic and wished them luck and he thanked Mr. Scangarello for his years of service on Council. He thanked the council for allowing then Council-elect Jurkovic to participate in the decision making process before he assumed his seat noting that such decisions are wise for the Township.

Jim Novack, Larchmont Drive, West Milford stated that he had hard time getting into the building today due to the inclement weather and the Township's failure to properly clear access points to the building. He stated that rumors abound that the in-coming administrator has been involved in lawsuits and has been the subject of sexual harassment charges. He recommended that the employment contract contain a moral clause.

Carmen Scangarello, 31 Little Pond Road, West Milford congratulated Mr. Jurkovic and Mr. Weisbecker on their elected positions. He expressed hope that the Council communicates well and advised that the front door is broken. He wished everyone good luck.

Councilman Weisbecker moved to close the public portion of the meeting.

Moved: Weisbecker Seconded: Smolinski
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Council Comments

