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

Minutes of: Township Council  
Date of Meeting: January 1, 2010  
Time of Meeting: 1:00 P.M.  
Minute Page No: Page 1 of 32

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Mayor Bieri called the meeting to order at 1:00 p.m.

**Adequate Notice Statement**

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Reorganization meeting was advertised in the in the Herald News in its issue of December 20, 2009; 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**

Mayor Bieri acknowledged Senator Pennachio, Freeholder Duffy and Paterson Council members in attendance in the audience. She invited Senator Pennachio forward to administer the oath of office to Council-elect Smolinski and Ramaglia.

Council-elect Smolinski joined the Senator at the podium and invited his family to join him. Mr. Smolinski introduced his wife, son, and niece asking them to jointly hold the bible as he was sworn into office. Senator Pennachio administered the oath of office to Councilman Smolinski.

Council-elect Ramaglia joined Senator Pennachio at the podium and invited his wife, daughter and sister to join him and hold the bible as he was sworn into office. Senator Pennachio administered the oath of office to Councilman Ramaglia.

Councilman Joseph Smolinski - January 1, 2010 - December 31, 2012  
Councilman Michael Ramaglia - January 1, 2010 - December 31, 2012

**Roll Call**

Present: Councilmembers Philip Weisbecker, Joseph Smolinski, Michael Ramaglia, Marilyn Lichtenberg, Daniel Jurkovic. Mayor Bettina Bieri.  
Absent: Councilman Nolan.  
Also Present: Township Clerk Antoinette Battaglia and Township Attorney Fred Semrau.

Agenda No. IV

**Election of Council President**

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

Councilman Weisbecker made a motion to close & confirm.

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Moved: Weisbecker Seconded: Jurkovic  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Absent: Nolan.  
Motion carried: Councilman Smolinski was elected Council President for 2010.

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Agenda No. V

**Mayor's Appointment of Township Attorney**

~ Resolution 2010-001 ~

**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, 2010 through December 31, 2010.

Adopted: January 1, 2010

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Moved: Weisbecker Seconded: Jurkovic  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.

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

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Motion carried.  
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Mayor Bieri advised that Mr. Semrau has executed his oath office, thanked him for his years of service to West Milford and stated that she looks forward to working with him again this year.

Agenda No. VI

**Resolution 2010-002 Authorizing Passage of Special Consent Agenda**

Agenda No. VI 1

**Resolutions Re-establishing Committees**

~ Resolution 2010 - 002 ~

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

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

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

- 1) Resolutions Re-establishing Committees
  - a) **2010-003** - Re-establishment of the Autumn Lights Committee
  - b) **2010-004** - Re-establishment of the Beautification Committee
  - c) **2010-005** - Re-establishment of CASA Committee
  - d) **2010-006** - Re-establishment of Facilities Assessment Committee
  - e) **2010-007** - Re-establishment of the Heritage Committee
  - f) **2010-008** - Re-establishment of Recycling Committee
  - g) **2010-009** - Re-establishment of Safety Committee
  - h) **2010-010** - Re-establishment of Telecommunications Committee
  - i) **2010-011** - Re-establishment of Transportation Committee
  - j) **2010-012** - Re-establishment of Council Liaison Positions to City of Newark
  - k) **2010-013** - Establishment of Hometown Online TV Franchise Committee
  - l) **2010-014** - Re-establishment of Records Committee

Adopted: January 1, 2010  
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Moved: Weisbecker                      Seconded: Jurkovic  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.  
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The following resolutions were included in the consent agenda.

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Agenda No. V1 1 a

~ Resolution 2010-003 ~

**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 fifteen 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 sixteenth Autumn Lights Festival in 2010.

**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 9, 2010 (rain date October 10, 2010) town-wide festival with the following provisions:

- 1. Joyce Leinberger shall serve as chairperson of the ALF Committee.
- 2. The members of the committee shall serve until December 31, 2010.

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

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

Adopted: January 1, 2010

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Agenda VI 1 b

~ Resolution 2010-004 ~

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

**BE IT RESOLVED**, that the Mayor and Township Council does hereby establish a Beautification Advisory Committee to develop and promote a beautification program within the Township.

**BE IT FURTHER RESOLVED** that the committee shall consist of five (5) citizen members appointed by the Township Council.

**BE IT FURTHER RESOLVED** that the committee shall appoint one member from the five citizen members to serve as Chair of the committee.

**BE IT FURTHER RESOLVED** that the committee shall seek approval from the Township Administrator before proceeding with any beautification programs.

**BE IT FURTHER RESOLVED** that the committee shall cease to exist unless re-established by the Mayor and Township Council at its Organizational Meeting scheduled for January 1, 2011.

Adopted: January 1, 2010

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Agenda No. VI 1 c

~ Resolution 2010-005 ~

**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	
<b>(Voting Members)</b>	
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, 2010.

Adopted: January 1, 2010

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

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Agenda No. VI 1d

~ Resolution 2010-006 ~

**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  
Two staff members from the municipality  
Four citizen members from the Township of West Milford to be appointed by Council

**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, 2010

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Agenda No. VI 1 e

~ Resolution 2010-007 ~

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

**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.

**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.

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

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3. *SUNSET*: The Committee shall cease to exist unless re-established by the Township Council at its Organizational Meeting scheduled for January 1, 2010.

Adopted: January 1, 2010

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Agenda No. VI 1f

~ Resolution 2010 – 008 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY RE-ESTABLISH A RECYCLING ADVISORY COMMITTEE**

**BE IT RESOLVED**, that the Mayor and Township Council does hereby establish a Recycling Advisory Committee to provide advice with regard to garbage and recycling matters in the Township.

**BE IT FURTHER RESOLVED** that the committee shall consist of seven (7) members as follows:

Council Liaison as appointed by the Township Council  
Recycling Coordinator  
Five (5) Citizen Members as appointed by the Township Council

**BE IT FURTHER RESOLVED** that the committee shall appoint one member from the five citizen members to serve as Chair of the committee.

**BE IT FURTHER RESOLVED**, that the committee shall cease to exist unless re-established by the Mayor and Township Council at its Organizational Meeting scheduled for January 1, 2011.

Adopted: January 1, 2010

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Agenda No. VI 1g

~ Resolution 2010-009 ~

**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.

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

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Adopted: January 1, 2010

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Agenda No. VI 1 h

**~ Resolution 2010-010 ~**

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

**BE IT RESOLVED** by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that a Telecommunications Advisory Committee be established that will strive to investigate and recommend ways to upgrade and reconfigure the telecommunications systems within the Township of West Milford in order to minimize costs as well as to identify any new telecommunications changes and trends.

**BE IT FURTHER RESOLVED**, that the Township Council shall annually identify one Council Liaison to be appointed by Council and up to seven members to serve one-year terms as members of the Telecommunications Advisory Committee, the members shall consist as follows: the Township Administrator; the Township Chief Financial Officer; the Township Network Administrator; the Township Chief of Police or designee; and up to three citizen members who each have demonstrated knowledge and expertise in telecommunication systems and trends.

**BE IT FURTHER RESOLVED**, that the Telecommunications Advisory Committee shall report to the Mayor and Council, make recommendations, render opinions and input with respect to issues affecting the Township's telecommunications services and implemented systems.

Adopted: January 1, 2010

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Agenda No. VI 1 I

**~ Resolution 2010-011 ~**

**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

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

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**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.

**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, 2010

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Agenda No. VI 1 j

~ Resolution 2010-012 ~

**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, 2010

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Agenda No. VI 1 k

~ Resolution 2010-013 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ESTABLISHING A CITIZEN'S ADVISORY COMMITTEE TO MAKE RECOMMENDATIONS REGARDING THE PROPOSED HOMETOWN ONLINE, INC. CABLE FRANCHISE CONTRACT RENEWAL**

**WHEREAS**, the Mayor and Township Council desires to establish a committee comprised of citizens from the Township to evaluate the past performance of Hometown Online, Inc. (subsidiary of WVT Communications, formerly Warwick Telephone Company) and make recommendations to the Governing Body as to the renewal of the franchise.

**MEMBERSHIP:** The Committee shall consist of seven (7) 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.

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

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**WHEREAS**, this committee must complete its task and submit its report to the Township Administrator in accordance with the renewal process guidelines.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Township Council does hereby establish a committee charged with evaluating the past performance of Hometown Online, Inc. 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, 2010

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Agenda No. VI 1 I

~ Resolution 2010-014 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ESTABLISHING A RECORDS COMMITTEE**

**WHEREAS**, the Mayor and Township Council has dedicated resources to improving and updating records management within the Township of West Milford; and

**WHEREAS**, municipal departments have been informally and actively involved in this process.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Township Council does hereby formally re-establish a Records Committee comprised of representation from each department within the Township as designated by the respective department heads; and

**BE IT FURTHER RESOLVED** that the committee shall work with the Records Custodian to develop, implement, and maintain a long-term, strategic and systematic system for records management within the Township; and

**BE IT FURTHER RESOLVED** that the committee shall seek funding sources to implement and support such record initiatives; and

**BE IT FURTHER RESOLVED** that the committee shall make recommendations to the Governing Body pertaining to records management as necessary.

Adopted: January 1, 2010

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**Resolution 2010-002 Authorizing Passage of Special Consent Agenda**

~ Resolution 2010 - 002 ~

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

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

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

**Resolutions Pertaining to Policies and Financial related Issues**

- 2) Resolutions Pertaining to Policies and Financial-related Issues
  - a) **2010-015** – Annual Meeting Notice
  - b) **2010-016** - Signatures on Township Accounts
  - c) **2010-017** - Designating the Legal Newspapers for the Publication of Legal Notices and Other Items for the Township of West Milford
  - d) **2010-018** - Establishing a Cash Management Plan
  - e) **2010-019** - Provide for the Hours of Collection of Taxes
  - f) **2010-020** - Provide for the Rate of Interest to be Charged on Unpaid Taxes and Improvement Assessments
  - g) **2010-021** - Authorizing Certain Statutory Payments of Claims & Other Claims Regular in Nature
  - h) **2010-022** - Authorizing the Township Administrator to Maintain a Petty Cash and Various Change Funds (as listed on Resolution)

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

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i) **2010-023** - Authorizing the 2010 Temporary Budget

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

Agenda No. VI 2 a

**~ Resolution 2010-015 ~**

**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 2010 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 2010 calendar year:

January 01, 2010, Reorganization Meeting	July 7, 2010, Council Workshop Meeting
January 06, 2010, Council Workshop Meeting	July 21, 2010, Regular Council Meeting
January 20, 2010, Regular Council Meeting	August 04, 2010, Council Workshop Meeting
February 03, 2010, Council Workshop Meeting	August 18, 2010, Regular Council Meeting
February 17, 2010, Regular Council Meeting	September 01, 2010, Council Workshop Meeting
March 03, 2010, Council Workshop Meeting	September 15, 2010, Regular Council Meeting
March 17, 2010, Regular Council Meeting	October 06, 2010, Council Workshop Meeting
April 07, 2010, Council Workshop Meeting	October 20, 2010, Regular Council Meeting
April 21, 2010, Regular Council Meeting	November 03, 2010, Council Workshop Meeting
May 5, 2010, Council Workshop Meeting	November 10, 2010, Regular Council Meeting
May 19, 2010, Regular Council Meeting	December 01, 2010, Council Workshop Meeting
June 2, 2010, Council Workshop Meeting	December 15, 2010, Regular Council Meeting
June 16, 2010, Regular Council Meeting	

**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, 2010

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Agenda No. VI 2 b

**~ Resolution 2010-016 ~**

**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 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 on Township checks.

Adopted: January 1, 2010

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Agenda No. VI 2 c

~ Resolution 2010-017 ~

**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  
STAR LEDGER**

**SUBURBAN TRENDS  
THE RECORD**

Adopted: January 1, 2010

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Agenda No. VI 2 d

~ Resolution 2010-018 ~

**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 2010; 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, 2010

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Agenda No. VI 2e

~ Resolution 2010-019 ~

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

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

Minutes of: Township Council  
Date of Meeting: January 1, 2010  
Time of Meeting: 1:00 P.M.  
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**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:

1. West Milford Town Hall – Open Daily, 8:30 a.m. to 4:30 p.m. prevailing time except Saturday, Sunday and legal holidays.
2. West Milford Town Hall – Hours for Collection, 8:45 a.m. to 4:15 p.m. daily prevailing time except Saturday, Sunday and legal holidays.
3. 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, 2010

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Agenda No. VI 2f

~ Resolution 2010-020 ~

**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:

1. 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.
2. 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.
3. 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.
4. 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.
5. That when the taxes, interest and costs on a tax sale certificate is more than \$200.00, but less than \$5,000.00 an additional penalty shall be charged equal to 2% of the amount paid; if 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.
6. That the provisions of the resolution shall apply to all existing tax sale certificates.

Adopted: January 1, 2010

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Agenda No. VI 2 g

~ Resolution 2010-021 ~

**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.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council
Date of Meeting: January 1, 2010
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- 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
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.
q) Postage and “Express Mail” Services
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, 2010

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Agenda No. VI 2 h

~ Resolution 2010-022~

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:

Table with 2 columns: Item description and Amount. Items include Tax Collector (\$150.00), Municipal Court (\$100.00), Health Department (\$ 50.00), Construction Department (\$100.00), Animal Control (\$100.00), Municipal Clerk (\$ 50.00), Recreation Bubbling Springs (\$200.00), Recreation Administration (\$200.00), Recreation Programs Change Fund (\$ 50.00), Recreation Coffee House Change Fund (\$ 50.00), Police Department (\$100.00), Administration Motor Vehicle Registration Fund (\$250.00), Administration Misc. Reimbursement Fund (\$250.00), Bubbling Springs Gate & Concession Change Fund (\$170.00).

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 2010; 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, 2010

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Agenda No. VI 2 I

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

Minutes of: Township Council  
Date of Meeting: January 1, 2010  
Time of Meeting: 1:00 P.M.  
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-----

**~ Resolution 2010-023 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, AND STATE OF NEW JERSEY AUTHORIZING THE 2010 TEMPORARY BUDGET**

Discussion: Councilman Jurkovic questioned the need to appropriate 25% of the 2009 budget in the temporary budget asking if that amount can be reduced by 10%. Mr. Boyle advised that certain line items in the temporary budget are fully funded because of obligations to pay within the first quarter of the year while other line items are funded at less than the allowed amount. Overall the budget represents 25% of the 2009 budget. He outlined some of those fully funded, front-loaded items including police cars and the appropriations for maintenance of Greenwood Lake. Councilman Jurkovic stated that reducing the temporary budget by an additional 10% will afford the Council greater opportunity to make greater cuts during the budget process. Council President concurred with Councilman Jurkovic adding that approving the temporary budget at 25% sets a bad precedent. Acknowledging that the governing body adopted three temporary budgets in 2009, he calculated that following that precedent in 2010 will equate to 75% of the budget being appropriated by virtue of temporary budgets rather than approval of the annual budget. He stated that the matter is one of accountability and questioned how funding can be cut if Council allocates such funding in the temporary budget.

Councilman Jurkovic made a motion to table this resolution to the January 6, 2010 workshop meeting.

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Moved: Jurkovic Seconded: Weisbecker  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VII

**Appointments**

Agenda No. VII 1

**~ Resolution 2010-024 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPOINTING MEMBERS TO THE EMERGENCY MANAGEMENT COUNCIL**

**WHEREAS**, Residents' safety is enhanced by the Emergency Management Council; and

**WHEREAS**, Township Code Section 15-50 provides for an Emergency Management Council to assist in supervising and coordinating the civilian defense and disaster control activities of the Township; and

**WHEREAS**, the Emergency Management Council shall consist of up to 13 persons.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford, New Jersey, that it, hereby appoints the following members to the Emergency Management Council

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford, New Jersey, that it hereby appoints the following members by title to the Emergency Management Council:

- |   |                       |
|---|-----------------------|
| Telecommunications Systems Analyst  | Fire Commissioner     |
| Health Officer  | Public Works Director |
| Director of Community Services & Recreation                                       |                       |
| Captain or Captain's designee -West Milford First Aid Squad                       |                       |
| President or President's designee -Upper Greenwood Lake Volunteer Ambulance Corps |                       |
| Township Administrator  | Police Chief          |
| Township Mayor  | Township Engineer     |
| Fire Marshal  |                       |
| Board of Education Representative - Business Administrator or designee,           |                       |

Adopted: January 1, 2010

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Moved: Jurkovic Seconded: Weisbecker  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.

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

Minutes of: Township Council  
Date of Meeting: January 1, 2010  
Time of Meeting: 1:00 P.M.  
Minute Page No: Page 14 of 32  
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Voted Nay: None.  
Motion carried.  
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Agenda No. VII 2

~ Resolution 2010-025 ~

**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, 2010 through December 31, 2010.

**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, 2010  
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Moved: Weisbecker Seconded: Smolinski  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VII 3

~ Resolution 2010-027 ~

**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:

**David Stires**, Township Representative - Term expires 12/31/2010

Adopted: January 1, 2010  
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Moved: Smolinski Seconded: Weisbecker  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VII 4 a

~ Resolution 2010-028~

**MAYOR'S APPOINTMENT OF JOSEPH C. PERCONTI, ESQ. AS MUNICIPAL JUDGE WITH  
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 Joseph C. Perconti to the position of Municipal Judge in accordance with section §15-75 of the Township Code.

**BE IT FURTHER RESOLVED**, that in accordance with N.J.S.A. 2B:12-4 this appointment shall be for a term of three years from January 1, 2010 to December 31, 2012.

Adopted: January 1, 2010  
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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

Minutes of: Township Council  
Date of Meeting: January 1, 2010  
Time of Meeting: 1:00 P.M.  
Minute Page No: Page 15 of 32  
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Moved: Weisbecker Seconded: Lichtenberg  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VII 4 b

~ Resolution 2010-029 ~

**MAYOR'S APPOINTMENT OF VINCENZO STAMPONE AS MUNICIPAL PROSECUTOR WITH  
ADVICE AND CONSENT OF COUNCIL**

Councilman Weisbecker made a motion to place this resolution on the table for discussion.  
Councilwoman Lichtenberg seconded the motion.

Discussion: Council President Smolinski asked Mayor Bieri to provide an explanation of this appointment. Mayor Bieri stated that this topic was discussed last year resulting in an extensive interview process conducted with bi-partisan involvement. At that time, it was agreed that Mr. Stampone would be retained as assistant prosecutor to allow the current prosecutor to attain tenure for pension purposes. That goal has been realized and appointing Mr. Stampone to the position of prosecutor conforms with the agreed upon course of action while saving the Township the cost of pension and payroll taxes. Council President Smolinski asked if Mayor Bieri offered the contractual position to Mr. Kackza, the current prosecutor to which Mayor Bieri answered in the negative reiterating that this was the direction from the Council in 2009. She added that she has spoken with a number of persons involved in the court system and that Mr. Stampone comes highly recommended. With the appointment of Mr. Stampone, there will no longer be a need to appoint an assistant prosecutor. Councilman Weisbecker recommended tabling this discussion to the workshop meeting and Council President Smolinski agreed stating that, out of respect, the Township should provide the current prosecutor with an opportunity to vie for the position. He stated that the Township has not received any formal complaints against Mr. Kackza. Mr. Semrau stated that the Council can schedule an executive session discussion for a future meeting to discuss performance and, because Mr. Kackza is an employee, he would receive a Rice notice advising him of such discussion. The Council asked Mr. Boyle to schedule that executive session discussion for January 6<sup>th</sup> and notify Mr. Kackza accordingly.

Councilman Weisbecker made a motion to table this resolution to January 6, 2010.

-----  
Moved: Weisbecker Seconded: Smolinski  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.  
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Agenda VII 4 c

~ Resolution 2010-030 ~

**NUMBER NOT USED**

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Agenda VII 4 d

~ Resolution 2010-031 ~

**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, 2010 through December 31, 2010.

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

-----  
Moved: Lichtenberg Seconded: Jurkovic  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.  
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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

Minutes of: Township Council  
Date of Meeting: January 1, 2010  
Time of Meeting: 1:00 P.M.  
Minute Page No: Page 16 of 32  
-----

Agenda VII 4 e

~ Resolution 2010-032 ~

**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, 2010 through December 31, 2010.

Adopted: January 1, 2010  
-----

Moved: Smolinski Seconded: Weisbecker  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.  
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Agenda VII 4 f

~ Resolution 2010-033 ~

**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, 2010 through December 31, 2010.

Adopted: January 1, 2010  
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Moved: Weisbecker Seconded: Lichtenberg  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.  
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Agenda VII 5 a

~ Resolution 2010-034 ~

**MAYOR'S APPOINTMENT OF RITA DE NIVO AS MUNICIPAL TAX COLLECTOR WITH 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 Rita DeNivo to the position of Municipal Tax Collector in accordance with section §15-41 of the Township Code.

**BE IT FURTHER RESOLVED**, that by virtue of this appointment and in accordance with N.J.S.A 40A:9-145 et seq. Ms. DeNivo shall attain tenure during the term of this appointment.

**BE IT FURTHER RESOLVED**, that the Tax Collector shall also serve as the Tax Search Officer for the municipality in accordance with section §15-41 of the Township Code.

Adopted: January 1, 2009  
-----

Moved: Weisbecker Seconded: Lichtenberg  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.  
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Agenda VII 5 b

~ Resolution 2010-035 ~

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

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

Minutes of: Township Council  
Date of Meeting: January 1, 2010  
Time of Meeting: 1:00 P.M.  
Minute Page No: Page 17 of 32  
-----

**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, 2010  
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Moved: Jurkovic Seconded: Lichtenberg  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.  
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Agenda VII 5 c

~ Resolution 2010-036 ~

**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, 2010

Discussion: Councilman Weisbecker, noting that Kathy Hudak is scheduled to retire early in 2010 asked why she would be appointed to the JIF. He asked Mr. Boyle if it would be more logical to have Ms. Hudak's replacement assume this role. Mr. Boyle advised that the replacement has not been determined as yet. He recommended moving this resolution as is and adopting an amendment later in the year to reflect the next safety delegate when that person is determined.

-----  
Moved: Jurkovic Seconded: Lichtenberg  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.  
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Agenda VII 5 d

~ Resolution 2009-026 ~

**MAYOR'S APPOINTMENT OF THE TOWNSHIP ADMINISTRATOR AND ADMINISTRATIVE SECRETARY AS COMMISSIONER AND ALTERNATE COMMISSIONER TO THE NEW JERSEY SUSTAINABLE ENERGY JOINT MEETING (NJSEM)**

**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 and Catherine Shanahan as Commissioner and Alternate Commissioner, respectively, to represent the Township of West Milford's interests as a member of the New Jersey Sustainable Energy Joint Meeting (NJSEM).

Adopted: January 1, 2010

-----  
Moved: Lichtenberg Seconded: Weisbecker  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.  
-----

Agenda VII 5 e

~ Resolution 2010-037 ~

**MAYOR'S APPOINTMENT OF FRED STEWART AS DEPUTY FIRE COMMISSIONER IN ACCORDANCE WITH SECTION §15-47B OF THE TOWNSHIP CODE**

**Mayor's Appointment:**

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

Minutes of: Township Council  
Date of Meeting: January 1, 2010  
Time of Meeting: 1:00 P.M.  
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In accordance with Section §15-47B of the Code of the Township of West Milford, Mayor Bettina Bieri hereby appoints Fred Stewart as Deputy Fire Commissioner to serve a two-year term from January 1, 2010 through December 31, 2011 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, 2010

\*\*\*\*\*  
Agenda VII 6

**Appointments to Boards, Commissions and Committees – Mayor's Appointments**

Environmental Commission

Mayor Bieri announced the following appointments to the Environmental Commission:  
Douglas Ott Planning Board Representative and Maryellen Gabay Alternate #1.

Historic Preservation Commission

Mayor Bieri announced the following appointments to the Historic Preservation Commission:  
Samantha Vaughan and Dianne Dalessandro-Foley.

Library Board of Trustees

Mayor Bieri announced the following appointments to the Library Board of Trustees:  
Douglas Ott.

Planning Board

Mayor Bieri appointed Richard McFadden, Township Engineer to serve as Class II member of the Planning Board, Douglas Ott as Class IV member and Christopher Garcia as Class IV member.

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Agenda VII 7

**Appointments to Boards, Commissions and Committees – Council Appointments**

ADA Committee

Councilman Weisbecker nominated Daniel Jurkovic to serve as Council Liaison to the ADA Committee, seconded by Council President Smolinski. Councilman Weisbecker made a motion to close and confirm.

-----  
Moved: Weisbecker Seconded: Lichtenberg  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.

-----  
Councilman Weisbecker nominated Janice Sangle and Salvatore Schimmenti to the ADA Committee. Seconded by Council President Smolinski. Councilman Weisbecker made a motion to close and confirm.

-----  
Moved: Weisbecker Seconded: Lichtenberg  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.

Beautification Advisory Committee

Councilwoman Lichtenberg nominated Kathy Glatz and Leslie Wilson to the Beautification Advisory Committee. Seconded by Councilman Weisbecker. Councilman Weisbecker made a motion to close and confirm.

-----  
Moved: Weisbecker Seconded: Jurkovic  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.

Advisory Board of Health

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Councilman Weisbecker nominated Denise DePalma-Farr and Salvatore Schimmenti to the Board of Health. Seconded by Councilwoman Lichtenberg. Councilman Weisbecker made a motion to close and confirm.

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

Minutes of: Township Council  
Date of Meeting: January 1, 2010  
Time of Meeting: 1:00 P.M.  
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Moved: Weisbecker Seconded: Lichtenberg  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.

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**Building Standards Board**

Council President Smolinski nominated Councilman Weisbecker as Council Liaison to the Building Standards Board. Councilman Jurkovic seconded the motion. Councilman Ramaglia made a motion to close and confirm.

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

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**Cable Franchise Committee**

Council President Smolinski nominated Councilman Weisbecker as Council Liaison to this committee. Seconded by Councilman Jurkovic. Councilman Weisbecker nominated Robert Nichols, Brandon Nichols, Ted Hajek, Robert Buchman, Frank Sarnicola, Kevin Ryan, and Michael Kovatch to serve on the Cable Franchise Committee. Seconded by Councilman Jurkovic. Councilman Jurkovic made a motion to close and confirm.

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

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**Municipal Alliance Committee (CASA)**

Council President Smolinski nominated Michael Ramaglia to serve as Council Liaison to CASA. Seconded by Councilman Jurkovic. Councilman Weisbecker made a motion to close and confirm.

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Moved: Weisbecker Seconded: Jurkovic  
Voted Aye: Weisbecker, Smolinski, Jurkovic.  
Voted Nay: Ramaglia.  
Abstained: Lichtenberg.  
Motion failed.

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Mr. Semrau advised that this motion is defeated because affirmative vote of four Council members is required for the motion to pass.

Council President Smolinski nominated Michael Ramaglia to serve as Council Liaison to CASA. Seconded by Councilman Jurkovic. Councilman Weisbecker made a motion to close and confirm.

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Moved: Weisbecker Seconded: Jurkovic  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Jurkovic.  
Abstained: Lichtenberg.  
Motion carried.

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Councilman Weisbecker nominated Jacqueline Boshart, Sue Pappas, Connie Livoti, Frank Yevchak and Tom Livoti to this committee. Seconded by Councilman Jurkovic. Councilman Weisbecker made a motion to close and confirm.

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

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**Facilities Assessment Committee**

Councilman Ramaglia nominated Councilman Daniel Jurkovic as Council liaison to the Facilities Assessment Committee. Councilman Weisbecker made a motion to close and confirm.

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

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

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Councilman Weisbecker nominated Janice Sangle, Joseph Ponzo, Carmen Scangarello, Michael Siesta and William Remia to the Facilities Assessment Committee. Seconded by Councilman Jurkovic. Councilman Weisbecker made a motion to close and confirm.

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

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**Fire Prevention Bureau**

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

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

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**Greenwood Lake Bi-State Commission**

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

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

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**Heritage Commission**

Council President Smolinski nominated Councilwoman Marilyn Lichtenberg as Council Liaison to the Heritage Commission. Council President Smolinski nominated Robert Bailey, Adrian Birdsall, Vivian Erk, Tonya Cubby, Ada Erik, Mary Kochka, Robert Kochka, Kristen Koerner, and James Van Hooker to the Heritage Committee. Seconded by Councilwoman Lichtenberg. Councilman Weisbecker made a motion to close and confirm.

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

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**Insurance Committee**

Council President Smolinski nominated Robert Nolan to serve as Council Liaison to this Committee. Seconded by Councilman Ramaglia. Councilman Weisbecker made a motion to nominate Michael Siesta, Arthur McQuaid, Carol Capossela and Andrew Gargano to this committee. Seconded by Councilman Ramaglia. Councilman Weisbecker made a motion to close and confirm.

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

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**Lakes Committee**

Councilman Ramaglia nominated Philip Weisbecker as Council liaison to the Lakes Committee. Seconded by Councilwoman Jurkovic. Councilman Weisbecker nominated Pat Jones (Forest Hill Park), Pat Sarnella (Greenbook Property Association), Blanche DeSimone (Gorden Lake East Property), Lynn Mandon (High Crest Lake), Elaine Buchtman (Lake Lookover), Jane Litwinka (Lindy's Lake), Ken Bergen (Mt. Glen Lakes), Ed Spriko ((Pinecliff Lake) and Dave Lynch (UGLPOA) to the Lakes Committee. Councilman Ramaglia seconded. Councilman Weisbecker made a motion to close and confirm.

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

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**Newark/West Milford Liaison Committee**

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

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Councilman Ramaglia nominated Philip Weisbecker and Daniel Jurkovic to serve as Council Liaisons to Newark/West Milford Liaison Committee. Seconded by Councilwoman Lichtenberg. Councilman Weisbecker made a motion to close and confirm.

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

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Recreation Advisory Committee

Councilman Weisbecker nominated Joseph Smolinski as Council liaison to this committee. Seconded by Councilman Ramaglia. Council President Smolinski nominated Todd Maupai, John Lauritano, William Remia, Charles Carbone, Frank Yevchak, Michael Baez, John Tierney, Mark Lynch, David Volpe, Salvatore Schimmenti and Christopher Rahey to this committee. Seconded by Councilman Ramaglia. Councilman Weisbecker made a motion to close and confirm.

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

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Planning Board

Council President Smolinski nominated Philip Weisbecker as the Class III Council member to the Planning Board. Seconded by Councilwoman Lichtenberg. Councilman Smolinski nominated Michael Siesta as Class IV Alternate 1 member to the Planning Board. Councilman Weisbecker made a motion to close and confirm.

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

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Recycling Advisory Committee

Council President Smolinski nominated Philip Weisbecker as Council Liaison to this Committee. Seconded by Councilman Ramaglia. Council President Smolinski nominated Ada Erik, James Novack, Alice Hart, and Celeste Byrnes Hicks to this committee. Seconded by Councilman Weisbecker. Councilman Weisbecker nominated William Weaver to the committee. Seconded by Council President Smolinski. Councilman Weisbecker made a motion to close and confirm.

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

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Senior Citizen Advisory Committee

Councilman Weisbecker nominated Council President Joseph Smolinski as Council liaison to this committee. Seconded by Councilman Ramaglia. Council President Smolinski nominated Jack Bandazian, Doris Osterhoudt, Vivian Gunther, Avonne Cassella, Donald Schweitzer, Richard Wirth, Mariann Boettcher, Patricia Burd, and Elsie Schweitzer to this committee. Seconded by Councilman Ramaglia. Councilman Weisbecker made a motion to close and confirm.

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

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Transportation Advisory Committee

Councilman Weisbecker nominated Council President Joseph Smolinski as Council liaison to this committee. Seconded by Councilman Ramaglia. Council President Smolinski nominated Mary Ann Terracino, to this committee. Seconded by Councilwoman Lichtenberg. Councilman Weisbecker made a motion to close and confirm.

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

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

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Telecommunications Advisory Committee

Councilman Weisbecker nominated Councilman Robert Nolan as Council Liaison and Stephen Cooper and John Irizarry to this committee. Seconded by Councilman Jurkovic. Councilman Weisbecker made a motion to close and confirm.

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

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Zoning Board of Adjustment

Council President Smolinski nominated Ada Erik to citizen member #6, Gian Severini to citizen member #7 and Jim Olivo to alternate member #1. Seconded by Councilman Ramaglia. Councilman Weisbecker made a motion to close and confirm.

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

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Agenda No. VIII

**Action Items**

The Council took action on the following items.

The Council gave consent to move resolutions 2010-038, 2010-039, 2010-040, 2010-041, 2010-042, 2010-044, 2010-045, 2010-046, 2010-047, 2010-048, 2010-049 and 2010-050 as one.

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

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Agenda No. VIII a

**~ Resolution 2010-038 ~**

**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 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

**WHEREAS**, the term of a contract for this service is one year from January 1, 2010 through December 31, 2010; and

**WHEREAS**, Fred Semrau, Esq. 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 10-01-20-155-200.

**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

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

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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, 2010

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Agenda No. VIII b

~ Resolution 2010-039 ~

**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 AUDITOR**

**WHEREAS**, the Township of West Milford has a need to appoint a Township Auditor 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,

**WHEREAS**, the term of a contract for this service is one year from January 1, 2010 through December 31, 2010; and

**WHEREAS** Charles Ferraioli of the firm Ferraioli, Wielkotz, Cerullo & Cuva, P.A. will provide auditing services and financial consulting in an amount not to exceed \$50,000; and

**WHEREAS**, Charles Ferraioli 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 Ferraioli, Wielkotz, Cerullo & Cuva, P.A. 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 10-01-20-135-200.

**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 Ferraioli, Wielkotz, Cerullo & Cuva, P.A. as described herein to the satisfaction of the Township Administrator; and

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed 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, 2010

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Agenda No. VIII c

~ Resolution 2010- 040 ~

**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 HAWKINS, DELAFIELD, & WOODS FOR BOND COUNSEL SERVICES**

**WHEREAS**, the Township of West Milford has a need to appoint Bond 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,

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

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**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**, Robert Beinfield of the firm Hawkins, Delafield & Wood, LLC will provide legal services as bond counsel in an amount not to exceed \$7,500; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from various accounts pursuant to "Section 20" of the Local Bond Law in an amount not to exceed \$7,500 without prior written approval from the Township Council.

**WHEREAS**, Robert Beinfield, 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 Hawkins, Delafield & Wood, LLC from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer has recommended that Hawkins, Delafield & Woods be retained to provide Bond Counsel services to the Township of West Milford.

**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 Mayor and Township Clerk be and are hereby authorized to execute a contract with Hawkins, Delafield, & Woods for professional bond counsel services in an amount not to exceed \$7,500 which shall include services administered as bond counsel to the Township.
2. This contract is awarded as a "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
3. The duration of the contract shall be for the 2010 calendar year.
4. The total fee authorized for this contract shall not exceed \$7,500 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 resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: January 1, 2010

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Agenda No. VIII d

~ Resolution 2010- 041 ~

**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 PAUL FERRIERO OF FERRIERO ENGINEERING, TO WORK ON OPEN SPACE MATTERS AS DICTATED BY THE TOWNSHIP COUNCIL**

**WHEREAS**, with the creation of a dedicated source of tax revenue ("Open Space Trust Fund") for the acquisition of open space, the Township has worked hard in attempting to obtain various parcels of land throughout the Township for open space purposes; and

**WHEREAS**, the Township Council must perform due diligence prior to expending open space funds on property acquisition; and

**WHEREAS**, from time to time, such due diligence requires engineering review of certain facets of any given property being considered for open space acquisition; and

**WHEREAS**, Paul Ferriero 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 Ferriero Engineering 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 these services said funds to be encumbered from the Township's Open Space Trust Account.

**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:

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

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1. The Township Mayor and Township Clerk be and are hereby authorized to execute a contract with Paul Ferriero, PE, PP, CME, LEED AP for professional services to perform due diligence at the Council's direction on properties to be considered for open space acquisition.
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 until December 31, 2010.
4. The total fee authorized for this contract shall not exceed \$3,000 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, 2010

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Agenda No. VIII e

~ Resolution 2010 - 042 ~

**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 and 2009-043 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 10-01-20-155-502; 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:

1. 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 for the entire list.
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. This contract shall expire on completion of the list or December 31, 2010 whichever comes first.
4. 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, 2010

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Agenda No. VIII g

~ Resolution 2010-044 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING FOR AN AGREEMENT FOR PROFESSIONAL SERVICES WITH CHILTON MEMORIAL HOSPITAL**

**WHEREAS**, there exists a need for certain Community Health Education services to the West Milford Health Department; and

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

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**WHEREAS**, the Township received a proposal to provide these services from Chilton Memorial Hospital; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, *et seq.*) requires that a resolution authorizing the award of a contract be available for public inspection; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this contract, said encumbrances to be taken from account number 10-01-27-330-200.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of West Milford, New Jersey as follows:

1. That the proper Township Officials are hereby authorized and directed to execute a contract in a total amount not to exceed \$7,640.00 for community health education services with:

CHILTON MEMORIAL HOSPITAL  
97 West Parkway, Pompton Plains, New Jersey 07444

2. This contract is awarded without competitive bidding as a "Professional Service" in connection with N.J.S.A. 40A: 11-5 (1) (a).
3. That a notice of this action shall be published once in the *Herald News*.

Adopted: January 1, 2010

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Agenda No. VIII h

~ Resolution 2010-045 ~

**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, 2010; 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

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds said funds to be encumbered from account # 10-01-20-155-202 for services rendered as the Township's Labor Counsel and #10-01-20-155-502 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 2010 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.

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

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Adopted: January 1, 2010

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Agenda No. VIII i

**~ Resolution 2010-046 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO THE LAND CONSERVANCY OF NEW JERSEY FOR OPEN SPACE CONSULTING AND ADVISORY SERVICES**

**WHEREAS**, with the creation of a dedicated source of tax revenue (“Open Space Trust Fund”) for the acquisition of open space, there exists a need to retain the services of an open space preservation consultant whose staff members have the technical expertise and experience in the field of open space and farmland preservation and stewardship; and

**WHEREAS**, The Land Conservancy of New Jersey is a nonprofit organization whose mission is to preserve and protect open space for natural, historic, agricultural and recreational purposes and to assist municipalities in the stewardship of open space lands; and

**WHEREAS**, The Land Conservancy of New Jersey has previously provided such services to the Township under the name of the Morris Land Conservancy to the satisfaction of the municipality; and

**WHEREAS**, the Township wishes to retain The Land Conservancy of New Jersey for the purpose of assisting the West Milford Township Council and the West Milford Township with a variety of open space services and landowner negotiations, including, but not limited to, the preparation of grant applications as may be required with regard to the possible acquisition of open space and farmland and other various related services; and

**WHEREAS**, the total amount of the contract for the twelve (12) month term shall not exceed \$11,500.00; and

**WHEREAS**, funds are available for this purpose through the Township’s Open Space Trust Fund; and

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

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

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with The Land Conservancy of New Jersey, with offices located at 19 Boonton Avenue, Boonton, New Jersey, 07005, as open space preservation consultant to assist the Township in the area of open space acquisition, preservation and stewardship in an amount not to exceed \$11,500.00.
2. This contract is awarded without competitive bidding as the total price of the contract shall not exceed the \$17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3.
3. The total fee authorized for this contract shall not exceed \$11,500.00 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.
5. A copy of this resolution shall be provided to Arthur Magnotti, Treasurer, and The Land Conservancy of New Jersey, 19 Boonton Avenue, Boonton, New Jersey, 07005, for their information and guidance.

Adopted: January 1, 2010

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Agenda No. VIII j

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

Minutes of: Township Council  
Date of Meeting: January 1, 2010  
Time of Meeting: 1:00 P.M.  
Minute Page No: Page 28 of 32  
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**~ Resolution 2010-047 ~**

**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 2010; 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 10-01-20-165-200.

**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 2010 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, 2010 through December 31, 2010.
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, 2010

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Agenda No. VIII k

**~ Resolution 2010-048 ~**

**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 10-01-46-886-667.

**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 & Holenstein, LLC from making any reportable contributions through the term of the contract; and

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

Minutes of: Township Council  
Date of Meeting: January 1, 2010  
Time of Meeting: 1:00 P.M.  
Minute Page No: Page 29 of 32  
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**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 Holzhauser & 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, 2010 through December 31, 2010.
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, 2010

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Agenda No. VIII I

~ Resolution 2010-049 ~

**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 CHARLES MCGROARTY TO SERVE AS PLANNING CONSULTANT FOR AN AMOUNT NOT TO EXCEED \$22,500**

**WHEREAS**, the Mayor and Council of the Township of West Milford has a need to appoint a Professional Planner as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, Charles McGroarty has provided professional planning services as sought by the Township of West Milford at a rate of \$142.00 per hour; and

**WHEREAS**, the total amount of the contract shall not exceed \$22,500.00; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this purpose said funds to be encumbered from account number 10-01-20-100-281; and

**WHEREAS**, Charles McGroarty 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 Banisch Associates, Inc. from making any reportable contributions through the term of the contract; and

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

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

1. The Township Council hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Charles McGroarty of Banisch Associates, Inc. with offices located at 111 Main Street, Flemington, New Jersey, 08822 as professional planner for the Township of West Milford in an amount not to exceed \$22,500.00. The agreement shall be on file in the office of the Township Clerk.
2. The term of the contract shall be for a period to run through December 31, 2010.
3. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: January 1, 2010

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Agenda No. VIII f

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

Minutes of: Township Council  
Date of Meeting: January 1, 2010  
Time of Meeting: 1:00 P.M.  
Minute Page No: Page 30 of 32  
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**~ Resolution 2010-043 ~**

**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 TO MIKE POPOLOSKI, LS OF MAPCO INC. FOR GPS/GIS PROCESSING AND MAPPING SERVICES**

Councilman Weisbecker made a motion to table this resolution pending a future workshop discussion about the need for these services.

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Moved: Weisbecker Seconded: Jurkovic  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VIII m

**~ Resolution 2010-050 ~**

**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 MUNICIPAL PROSECUTOR IN THE AMOUNT NOT TO EXCEED \$26,000**

Councilman Jurkovic made a motion to table this resolution to the January 6, 2010 workshop meeting.

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Moved: Jurkovic Seconded: Weisbecker  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VIII n

**~ Resolution 2010-051 ~**

**NUMBER NOT USED**

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Agenda No. VIII o

**~ Resolution 2010-052 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPOINTING A RISK MANAGER**

Discussion: Councilman Jurkovic noted that the Council received an email from another risk manager interested in being appointed in West Milford and advising that he could realize cost efficiencies for the Township. He made a motion to table this resolution to table this resolution to the February 3, 2010 workshop meeting to allow the Council to hear from Frank Covelli of PSI.

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Moved: Jurkovic Seconded: Weisbecker  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VIII p

**~ Resolution 2010-053 ~**

**RESOLUTION AUTHORIZING THE TOWNSHIP OF WEST MILFORD TO ADOPT SECTION 125 OF THE INTERNAL REVENUE CODE PERTAINING TO FLEXIBLE BENEFITS**

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

Minutes of: Township Council  
Date of Meeting: January 1, 2010  
Time of Meeting: 1:00 P.M.  
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**WHEREAS**, the Council of the Township of West Milford wishes to adopt the context of Section 125 of the Internal Revenue Code pertaining to a flexible benefit plan for its eligible employees; and

**WHEREAS**, certain contributions which shall include applicable voluntary employee payments for benefits be exempt from Federal Income taxes; and

**WHEREAS**, any designated official of the Township of West Milford may without a further resolution, execute an adoption agreement and any related documents or amendments which may be necessary or appropriate to adopt the plan or maintain its compliance with applicable Federal, State and local statutes.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township of West Milford Council that the Mayor is authorized to execute all applicable documents necessary to implement this plan; and **BE IT FURTHER RESOLVED**, that this Resolution take effect immediately.

Adopted: January 1, 2010  
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Moved: Weisbecker Seconded: Lichtenberg  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.  
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Agenda No. IX

**Payment of Bills**

None.

Agenda No. X

**Public Comments**

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

George Eckhardt, 93 Lincoln Avenue, West Milford stated that he has past experience in municipal service. He congratulated the Mayor & Council on the reorganization meeting and wished them unity in the year to come. He voiced his expectations of positive accomplishments in 2010.

Andre Savegh, Paterson Councilman stated that he is here today with his colleagues from Paterson who he introduced. He congratulated Messrs. Smolinski and Ramaglia on their elected office specifically acknowledging Councilman Ramaglia, his wife Heather, daughter Gianna and sister AnneMarie all of whom have a fan club in Paterson. He commended West Milford for having the same goal as the elected officials in Paterson, that being good government. He is impressed with the conduct on the dais here today and looks forward to forging a positive relationship with West Milford. He stated that he would like to learn more about the West Milford Environmental Commission and wished everyone the best in 2010.

Doris Aaronson, 19 Bearfort Road, West Milford stated that there have been continuous violations of recycling regulations in West Milford for years. She would like to see greater enforcement and asked Council to discuss this matter at a future workshop. She wished everyone a Happy New Year.

There being no further comments from the public, Councilman Ramaglia moved to close the public portion of the meeting.  
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Moved: Ramaglia Seconded: Weisbecker  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.  
Voted Nay: None.  
Motion carried.  
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Agenda No. XI

**Mayor and Council Comments and Attorney Report**

Councilman Weisbecker thanked Mr. Eckhardt for his words and stated that the Council expects to accomplish much this year. He welcomed Councilman Ramaglia to the dais and congratulated Council President Smolinski on his re-election. The Council, he said, will work well with the Mayor in the coming year. He thanked the Paterson Council members for coming today and wished everyone a Happy New Year filled with prosperity. He stated that the first priority of the Council is to work hard on the budget to benefit the municipality and the taxpayers.

