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

Minutes of: Township Council  
Date of Meeting: January 3, 2007  
Time of Meeting: 7:30 P.M.  
Minute Page No: Page 1 of 35  
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Mayor DiDonato called this meeting to order at 7:30 p.m. and read the following statement:

**Adequate Notice Statement**

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Regular meeting was advertised in the in the Herald News in its issue of December 17, 2006; copies were provided to the Suburban Trends, the Record, Star Ledger, and Greenwood Lake News on November 22, 2006 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 DiDonato led all in attendance in the Pledge of Allegiance.

**Administration of Oath to Township Council**

Mayor Joseph DiDonato invited Assemblyman Alex DeCroce to administer the oath of office to two incoming Councilmen.

Mayor DiDonato invited Joseph Smolinski to the podium. Mr. Smolinski was joined by his wife and his son while Assemblyman DeCroce administered his oath of office.

Mayor DiDonato invited Dr. Salvatore Schimmenti to the podium. Dr. Schimmenti as joined by his wife, three sons, and his mother while Assemblyman DeCroce administered his oath of office.

Councilman Joseph Smolinski - January 1, 2007 - December 31, 2009  
Councilman Salvatore Schimmenti - January 1, 2007 - December 31, 2009

**Roll Call**

Present: Councilmembers Philip Weisbecker, Joseph Smolinski, Salvatore Schimmenti,  
Robert Nolan, James Warden, Carmelo Scangarello.  
Mayor DiDonato.  
Absent: None.  
Also Present: Township Administrator Richard Kunze, Township Clerk Antoinette Battaglia and  
Township Attorney Fred Semrau.

**Council President**

Agenda No. IV

Councilman Scangarello nominated Councilman Smolinski to serve as Council President for the upcoming year.

Mayor DiDonato asked if there were any other nominations for consideration.

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

January 3, 2007 Township of West Milford

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Moved: Scangarello Seconded: Schimmenti  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Scangarello.  
Voted Nay: Nolan, Warden.  
Councilman Smolinski was voted Council President for 2007.  
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**Organization Meeting**

Agenda No. V. 1

~ Resolution 2007-001 ~

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

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

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

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

- 1) Resolutions Re-establishing Committees
  - a) 2007-002 - Re-establishment of the Autumn Lights Committee
  - b) 2007-003 - Re-establishment of the Beautification/Recycling Task Force Committee
  - c) 2007-004 - Re-establishment of Municipal Alliance Committee (CASA)
  - d) 2007-005 - Re-establishment of the Heritage Committee
  - e) 2007-006 - Re-establishment of the Transportation Committee
  - f) 2007-007 - Re-establishment of the Energy Committee
  - g) 2007-008 - Re-establishment of the Telecommunications Advisory Committee

January 3, 2007 Township of West Milford  
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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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The following resolutions were included in the Special Consent Agenda:

Agenda No. V. 1a

**~ Resolution 2007-002 ~**

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD,  
COUNTY OF PASSAIC, STATE OF NEW JERSEY RE-ESTABLISHING AN  
AUTUMN LIGHTS COMMITTEE**

**WHEREAS**, the Township Council of the Township of West Milford is desirous of retaining the popular Autumn Lights Festival, now in its tenth year; and

**WHEREAS**, the Council believes there is sufficient public interest and willing volunteers to result in a successful event.

**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 6, 2007 (rain date October 7, 2007) town-wide festival with the following provisions:

1. The members of the committee shall serve until December 31, 2007.
2. 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.

**BE IT FURTHER RESOLVED** that Laurie Ardis be appointed Autumn Lights Committee Chair and that residents interested in volunteering to assist with the festival be urged to contact Laurie Ardis.

Adopted: January 3, 2007

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Agenda No. V. 1b

**~ Resolution 2007-003 ~**

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

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

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

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

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

1. **MEMBERSHIP** The number of members shall be (14) fourteen members, one of whom shall be a liaison member of the Township Council; eleven shall be citizen members; one who shall be a representative from the West Milford commercial community; and one liaison member who shall be the Waste Disposal and Recycling Coordinator.
2. **APPOINTING AUTHORITY:** The member of the Township Council shall be appointed by the Mayor and Township Council. All other members shall be appointed by and shall serve at the pleasure of the Mayor and Township Council. The Recycling Coordinator shall be appointed by the Mayor. In the event that a member fails to attend three consecutive meetings of the committee, the Chairman will advise the appointing authority in order to have a replacement appointed.
3. **SUNSET:** The Committee shall cease to exist unless re-established by the Mayor and Township Council at its Organizational Meeting scheduled for January 1, 2008.

Adopted: January 3, 2007

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Agenda No. V. 1c

~ Resolution 2007-004 ~

**RESOLUTION OF THE TOWNSHIP COUNCIL 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 was to study, research and recommend to the Township Council and the then Township Manager 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:

1. **MEMBERSHIP:** The Committee shall consist of twenty-three (23) members including: one (1) member who shall be a member of the Township Council, one (1) member who shall be a member of the West Milford Board of Health, three (3) members from the Township Staff, one (1) member from the Police Department, one (1) member shall be the Alcohol Abuse Counselor from the West Milford School District, fifteen (15) citizen members.
2. **APPOINTING AUTHORITY:** The Township Council shall appoint all members.
3. **TERMS:** All members shall serve a one-year term ending on December 31, 2007.

Adopted: January 3, 2007

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Agenda No. V. 1d

~ Resolution 2007-005 ~

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

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

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**THE TOWNSHIP HERITAGE COMMITTEE (ADVISORY)**

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

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

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

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

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

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

3. **SUNSET:** The Committee shall cease to exist unless re-established by the Township Council at its Organizational Meeting scheduled for January 1, 2008.

Adopted: January 3, 2007

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Agenda No. V. 1e

~ Resolution 2007-006 ~

**RESOLUTION OF THE TOWNSHIP COUNCIL 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**

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

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**MEMBERSHIP**

There will be fourteen (14) members on the committee:  
Member of the Township Council  
Representative of the Township's Senior Citizen Committee  
Representative of the Township's A.D.A. Committee  
West Milford School District Transportation Coordinator  
Township Transportation Coordinator  
Representative of the Passaic County Para Transit Office  
Representative of New Jersey Transit  
Township Recreation Director  
One (1) Passaic County Planning Department Member  
One (1) Office of Seniors, Disabled and Veterans Member  
Four (4) citizen members

**APPOINTING AUTHORITY**

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

**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. 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 3, 2007

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Agenda No. V. 1f

~ Resolution 2007-007 ~

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RE-ESTABLISHING AN ENERGY COMMITTEE**

**WHEREAS**, the Mayor and Township Council did establish an Energy Committee to identify methods to conserve energy and to investigate alternative sources and programs to provide energy to the Township; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that a seven member Energy Committee be re-established that will strive to identify ways to conserve energy, minimize energy costs and identify alternative energy sources and resources which includes special programs and rebates in the course of conducting municipal operations.

**BE IT FURTHER RESOLVED**, that the Mayor and Township Council shall annually identify seven members to serve one-year terms as members of the Energy Committee consisting of the Township Business Administrator, Township Engineer, one member from the Township Council, one member from the West Milford Township Environmental Commission and three citizen members.

**BE IT FURTHER RESOLVED**, that the Energy Committee shall report to the Mayor and Council, make recommendations, render opinions and input with respect to issues affecting the Township's energy resources and programs.

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Adopted: January 3, 2007

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Agenda No. V. 1g

**~ Resolution 2007-008 ~**

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

**WHEREAS**, the Mayor and Township Council did establish a Telecommunications Advisory Committee to identify methods to help with the ever-changing telecommunications industry as well as to reduce Township costs; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that a Telecommunications Advisory Committee be re-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 Mayor and Township Council shall annually identify up to six members to serve one-year terms as members of the Telecommunications Advisory Committee, the members shall consist as follows: the Township Business Administrator; 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 effecting the Township's telecommunications services and implemented systems.

Adopted: January 3, 2007

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Agenda No. V. 1h

**~ Resolution 2007-032 ~**

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD  
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 3, 2007

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Agenda No. V. 1i

**~ Resolution 2007-033 ~**

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

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

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

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

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

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

**BE IT FURTHER RESOLVED**, that the Mayor and Township Council shall annually identify up to eighteen members and designees of the surrounding lake community associations to serve one-year terms as members of the Lakes Committee. Each of the eighteen members shall have one vote and the members of the following lake communities shall be represented on the Committee:

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

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

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

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

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

Adopted: January 3, 2007

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

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**RESOLUTION OF THE TOWNSHIP COUNCIL 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; and

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

- 2) Resolutions Pertaining to Policies and Financial-related Issues
  - a) 2007-009 - Signatures on Township Accounts
  - b) 2007-010 - Designating the Legal Newspapers for the Publication of Legal Notices and Other Items for the Township of West Milford
  - c) 2007-011 - Establishing a Cash Management Plan
  - d) 2007-012 - Provide for the Hours of Collection of Taxes
  - e) 2007-013 - Provide for the Rate of Interest to be Charged on Unpaid Taxes and Improvement Assessments
  - f) 2007-014 - Authorizing Certain Statutory Payments of Claims and Other Claims Regular in Nature
  - g) 2007-015 - Authorizing the Township Administrator to Maintain a Petty Cash and Various Change Funds (as listed on Resolution)
  - h) 2007-016 - Authorizing the 2007 Temporary Budget

Adopted: January 3, 2007  
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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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The following resolutions were included in the Special Consent Agenda:

Agenda No. V. 2a

**~ Resolution 2007-009 ~**

**A 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 Joseph A. Di Donato, or Township Administrator Richard Kunze, and Chief Financial Officer Arthur Magnotti will be the required signers on Township checks.

**BE IT FURTHER RESOLVED**, that Lakeland Bank is hereby authorized to accept the manual or facsimile signatures of Mayor Joseph A. Di Donato, or Township Administrator Richard Kunze, and Chief Financial Officer Arthur Magnotti on Township checks.

Adopted: January 3, 2007

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Agenda No. V. 2b

**~ Resolution 2007-010 ~**

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

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

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

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Adopted: January 3, 2007

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Agenda No. V. 2c

~ Resolution 2007-011 ~

**RESOLUTION OF THE TOWNSHIP COUNCIL 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 2007; 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 2005, 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

Adopted: January 3, 2007

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Agenda No. V. 2d

~ Resolution 2007-012 ~

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

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

West Milford Town Hall – Daily, 9:00 a.m. to 4:00 p.m. prevailing time except Saturday, Sunday and legal holidays.

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

Adopted: January 3, 2007

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Agenda No. V. 2e

~ Resolution 2007-013 ~

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

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

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

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

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

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

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

That when the taxes, interest and costs on a tax sale certificate shall exceed the sum of \$750.00 and additional penalty shall be charged equal to 2% of the amount paid; when the sum exceed \$5,000.00, an additional penalty shall be charged equal to 4% of the amount paid; and when the sum exceeds \$10,000.00 such additional penalty shall be equal to 6% of such amount paid, as authorized by N.J.S.A. 54:5-61.

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

Adopted: January 3, 2007

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Agenda No. V. 2f

**~ Resolution 2007-014 ~**

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

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

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

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

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

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

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- o) Certain emergencies at only the discretion of the Township of West Milford Mayor or Administrator by the Mayor's designation.
  - p) Payments necessary to all vendors that require compliance with the 2006 Prompt Payment Law, Chapter 96, whereby the Township of West Milford shall pay the bill not more than 30 calendar days after the billing date to avoid billable late charges.
- 2) The Chief Financial Officer is hereby authorized and directed to prepare the proper vouchers for payment of the above recited accounts when same is properly presented to him/her for payment, and thereafter said claim shall be transcribed on the next scheduled Bill list to be approved by the Township of West Milford Council.
- 3) A certified copy of this resolution shall be forward to the Chief Financial Officer of the Township of West Milford.

Adopted: January 3, 2007

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Agenda No. V. 2g

**~ Resolution 2007-015 ~**

**RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO REINSTATE AND MAINTAIN VARIOUS PETTY CASH FUNDS (AS LISTED BELOW) TO FACILITATE "CHANGE FUNDS" AND REQUIRED CASH REIMBURSEMENTS FOR VARIOUS MINOR EXPENDITURES MADE BY TOWNSHIP EMPLOYEES**

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

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

Tax Collector Change Fund	\$150.00
Municipal Court Change Fund	\$100.00
Health Department Change Fund	\$ 50.00
Construction Department Change Fund	\$100.00
Animal Control Change Fund	\$100.00
Municipal Clerk Change Fund	\$ 50.00
Recreation Bubbling Springs Change Fund	\$200.00
Recreation Administration Petty Cash Fund	\$200.00
Recreation Programs Change Fund	\$ 50.00
Recreation Coffee House Change Fund	\$ 50.00
Police Department Change Fund	\$100.00
Administration Motor Vehicle Registration Fund	\$250.00
Administration Misc. Petty Cash Fund	\$250.00

**NOW THEREFORE, BE IT RESOLVED**, by the Council of the Township of West Milford, County of Passaic, State of New Jersey, that a reimbursable aforementioned impress funds aggregate of \$1,650.00 be re-established for 2007;

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

Adopted: January 3, 2007

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Agenda No. V. 2h

**~ Resolution 2007-016 ~**

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE 2007 TEMPORARY BUDGET**

**WHEREAS**, NJSA 40A:4-19 provides that where contracts, commitments or payments are to be made prior to the final adoption of the 2007 budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

**WHEREAS**, said temporary appropriations are extended and now limited to 26.25% of the total appropriation in the 2006 budget, exclusive of any appropriations made for debt service, public assistance, and capital improvement fund in said 2006 budget.

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

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**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of West Milford that the following temporary budget appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

<b>APPROPRIATION</b>	<b>ACCOUNT NUMBER</b>	<b>2006 BUDGET</b>	<b>2007 TEMPORARY BUDGET</b>
<b>ADMINISTRATION</b>			
<b>ADMINISTRATOR</b>			
Administrator S&W	01-20-100-100	\$202,000	\$53,025
Administrator O.E.	01-20-100-200	\$57,350	\$15,054
<b>TOTAL</b>		<b>\$259,350</b>	<b>\$68,079</b>
<b>PERSONNEL</b>			
Personnel S&W	01-20-105-100	\$67,000	\$17,588
Personnel O.E.	01-20-105-200	\$8,000	\$2,100
<b>TOTAL</b>		<b>\$75,000</b>	<b>\$19,688</b>
<b>MAYOR &amp; COUNCIL</b>			
Township Mayor & Council S&W	01-20-110-101	\$34,000	\$8,925
Township Mayor & Council O.E.	01-20-110-200	\$5,000	\$1,313
<b>TOTAL</b>		<b>\$39,000</b>	<b>\$10,238</b>
<b>INFORMATION TECHNOLOGY</b>			
Information Technology S&W	01-20-140-100	\$63,500	\$16,669
Information Technology O.E.	01-20-140-200	\$41,500	\$10,894
<b>TOTAL</b>		<b>\$105,000</b>	<b>\$27,563</b>
<b>Legal O.E.</b>	01-20-155-200	<b>\$260,000</b>	\$68,250
<b>GENERAL SERVICES</b>			
General Services S&W	01-20-161-100	\$9,000	\$2,363
General Services O.E.	01-20-161-200	\$115,600	\$30,345
<b>TOTAL</b>		<b>\$124,600</b>	<b>\$32,708</b>
<b>INSURANCE</b>			
Insurance, Other	01-23-210-200	\$636,825	\$167,167
Insurance, Other, Less Library Charge Back	01-23-210-200	-\$8,835	(\$2,319)
Insurance, Group	01-23-220-506	\$3,015,000	\$862,667
<b>TOTAL</b>		<b>\$3,559,765</b>	<b>\$1,005,668</b>
<b>Heritage O.E.</b>	01-20-173-200	<b>\$500</b>	\$0
<b>CLERK'S OFFICE</b>			
<b>CLERK</b>			
Clerk S&W	01-20-120-100	\$208,500	\$54,731
Clerk O.E.	01-20-120-200	\$26,800	\$7,035
<b>TOTAL</b>		<b>\$235,300</b>	<b>\$61,766</b>
<b>ELECTIONS</b>			
Elections S&W	01-20-146-101	\$5,000	\$0
Elections O.E.	01-20-146-101	\$12,600	\$0
<b>TOTAL</b>		<b>\$17,600</b>	<b>\$0</b>
<b>FINANCE</b>			
<b>TREASURER</b>			
Treasurer S&W	01-20-130-100	\$247,732	\$65,030
Treasurer O.E.	01-20-130-200	\$20,275	\$5,322
Treasurer O.E. - Less Library Chargebacks	01-20-130-200	-\$1,100	(\$289)
<b>TOTAL</b>		<b>\$266,907</b>	<b>\$70,063</b>
<b>ANNUAL AUDIT</b>			

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Annual Audit	01-20-135-200	\$40,000	\$10,500
Annual Audit Additional Services	01-20-135-201	\$10,000	\$2,625
<b>TOTAL</b>		<b>\$50,000</b>	<b>\$13,125</b>
<b>TAX COLLECTOR</b>			
Tax Collector S&W	01-20-145-100	\$173,000	\$45,413
Tax Collector O.E	01-20-145-200	\$10,300	\$2,704
<b>TOTAL</b>		<b>\$183,300</b>	<b>\$48,116</b>
<b>ASSESSOR</b>			
Tax Assessor S&W	01-20-150-200	\$267,000	\$70,088
Tax Assessor O.E.	01-20-150-200	\$5,475	\$1,437
<b>TOTAL</b>		<b>\$272,475</b>	<b>\$71,525</b>
<b>PLANNING AND BUILDING</b>			
<b>PLANNING BOARD O.E.</b>	01-21-180-200	<b>\$44,700</b>	\$11,734
<b>COMPREHENSIVE PLANNING</b>			
Planning, Comp. S&W	01-21-181-100	\$333,500	\$87,544
Planning, Comp. O.E.	01-21-181-200	\$7,500	\$1,969
<b>TOTAL</b>		<b>\$341,000</b>	<b>\$101,246</b>
<b>ZONING ADMINISTRATION S&amp;W</b>	01-21-185-100	<b>\$61,000</b>	\$16,013
<b>APPROPRIATION</b>	<b>ACCOUNT NUMBER</b>	<b>2006 BUDGET</b>	<b>2007 TEMPORARY BUDGET</b>
<b>HISTORIC PRESERVATION</b>			
Historic Preservation S&W	01-20-175-101	\$1,500	\$394
Historic Preservation O.E.	01-20-175-200	\$500	\$0
<b>TOTAL</b>		<b>\$2,000</b>	<b>\$394</b>
<b>TOURISM COMMITTEE (Formerly R/D)</b>	01-20-171-200	<b>\$8,500</b>	\$0
<b>BUILDING / CODE ENFORCEMENT</b>			
Building S&W	01-22-195-100	\$359,000	\$94,238
Building O.E.	01-22-195-200	\$12,000	\$3,150
<b>TOTAL</b>		<b>\$371,000</b>	<b>\$97,388</b>
<b>ENVIRONMENTAL COMMISSION</b>			
Environmental Commission S&W	01-22-196-101	\$1,000	\$0
Environmental Commission O.E.	01-22-196-200	\$1,000	\$0
<b>TOTAL</b>		<b>\$2,000</b>	<b>\$0</b>
<b>PUBLIC SAFETY</b>			
<b>POLICE DEPARTMENT</b>			
Police Patrol S&W	01-25-240-100	\$3,869,669	\$1,015,788
Police Patrol O.E.	01-25-240-200	\$73,200	\$19,215
Police Patrol-Purchase of Police Vehicles	01-25-240-201	\$110,000	\$0
Police Detective S&W	01-25-241-100	\$584,000	\$153,300
Police Administration S&W	01-25-242-100	\$420,000	\$110,250
Police Communication S&W	01-25-243-100	\$267,000	\$70,088
Police Comm. O.E.	01-25-243-200	\$30,000	\$7,875
Police Specials S&W	01-25-244-100	\$28,000	\$7,350
Police Specials O.E.	01-25-244-200	\$3,600	\$945
<b>TOTAL</b>		<b>\$5,385,469</b>	<b>\$1,384,811</b>
<b>EMERGENCY MANAGEMENT O.E.</b>	01-25-252-200	<b>\$26,000</b>	\$6,825
<b>FIRST AID SQUADS</b>			
First Aid Organization Contributions	01-25-260-200	\$66,665	\$17,500
First Aid - UGL 1st Aid Squad	01-25-261-200	\$41,110	\$10,791
<b>TOTAL</b>		<b>\$107,775</b>	<b>\$28,291</b>

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<b>FIRE DEPARTMENT</b>			
Aid To Vol. Fire Co.	01-25-255-200	\$90,000	\$23,625
Fire Prevention Bureau S&W	01-25-265-100	\$176,000	\$46,200
Fire Prevention Bureau O.E.	01-25-265-200	\$7,000	\$1,838
Fire Co. Admin. S&W	01-25-266-100	\$9,000	\$2,363
Fire Co. Admin. O.E.	01-25-266-200	\$325,350	\$85,404
LOSAP	01-25-267-100	\$140,000	\$0
<b>TOTAL</b>		<b>\$747,350</b>	<b>\$159,429</b>
<b>ENGINEERING AND PUBLIC WORKS</b>			
<b>ENGINEERING</b>			
Engineering S&W	01-20-165-100	\$405,000	\$106,313
Engineering O.E.	01-20-165-200	\$18,650	\$4,896
<b>TOTAL</b>		<b>\$423,650</b>	<b>\$111,208</b>
<b>DPW</b>			
DPW Streets & Roads S&W	01-26-290-100	\$1,400,800	\$367,710
DPW Streets & Roads O.E.	01-26-290-200	\$325,500	\$85,444
DPW Buildings & Grounds S&W	01-26-291-100	\$87,000	\$22,838
DPW Buildings & Grounds O.E.	01-26-291-200	\$58,750	\$15,422
DPW Johner Building O.E.	01-26-293-200	\$0	\$0
DPW Snow Removal S&W	01-26-294-100	\$157,770	\$290,000
DPW Snow Removal O.E.	01-26-294-200	\$716,000	\$600,000
DPW Vehicle Maintenance S&W	01-26-315-100	\$279,000	\$73,238
DPW Vehicle Maintenance O.E.	01-26-315-200	\$236,200	\$62,003
<b>TOTAL</b>		<b>\$3,261,020</b>	<b>\$1,516,653</b>
<b>HEALTH DEPARTMENT</b>			
<b>HEALTH DEPARTMENT</b>			
Public Health S&W	01-27-330-100	\$253,000	\$66,413
Public Health O.E.	01-27-330-200	\$50,975	\$13,381
Vital Statistics S&W	01-27-331-100	\$63,000	\$6,000
Vital Statistics O.E.	01-27-331-200	\$1,200	\$315
Housing Standard Bureau O.E.	01-27-332-441	\$2,000	\$0
Environmental Health S&W	01-27-335-100	\$240,000	\$63,000
Environmental Health O.E.	01-27-335-200	\$23,200	\$6,090
Animal Control S&W	01-27-340-100	\$70,000	\$18,375
Animal Control O.E.	01-27-340-450	\$0	\$0
<b>TOTAL</b>		<b>\$703,375</b>	<b>\$173,573</b>
<b>PARKS AND RECREATION</b>			
<b>RECREATION</b>			
Recreation Programs S&W	01-28-370-100	\$139,000	\$36,488
Recreation Programs O.E.	01-28-370-200	\$171,000	\$44,888
Recreation.-Bubbling Springs S&W	01-28-371-100	\$167,000	\$0
Recreation.-Bubbling Springs O.E.	01-28-371-200	\$60,000	\$5,000
Recreation.-Admin. S&W	01-28-372-100	\$354,000	\$92,925
Recreation.-Admin. O.E.	01-28-372-200	\$11,200	\$2,940
Recreation.-Westbrook Park O.E.	01-28-373-200	\$0	\$0
Recreation.-Hillcrest S&W	01-28-374-100	\$74,500	\$19,556
Recreation.-Hillcrest O.E.	01-28-374-200	\$23,300	\$6,116
Recreation.-Parks Maintenance S&W	01-28-375-100	\$222,268	\$58,345
Recreation.-Parks Maintenance O.E.	01-28-375-200	\$120,000	\$31,500
Senior Citizen Services S&W	01-28-376-100	\$70,000	\$18,375

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Senior Citizen Services O.E.	01-28-376-200	\$12,800	\$3,360
<b>TOTAL</b>		<b>\$1,425,068</b>	<b>\$319,493</b>
<b>VETERAN'S BUREAU</b>			
Veteran's Bureau S&W	01-20-172-100	\$1,300	\$341
Veteran's Bureau O.E.	01-20-172-200	\$1,200	\$0
<b>TOTAL</b>		<b>\$2,500</b>	<b>\$341</b>
<b>PUBLIC ASSISTANCE</b>			
Public Assistance S&W	01-27-345-100	\$0	\$0
Public Assistance O.E.	01-27-345-200	\$0	\$0
<b>TOTAL</b>		<b>\$0</b>	<b>\$0</b>
<b>Celebration of Public Events O.E.</b>	01-30-420-200	<b>\$22,800</b>	\$5,000
<b>Mass Transportation</b>	01-30-421-200	<b>\$84,740</b>	\$22,244
<b>LIBRARY</b>			
<b>LIBRARY</b>			
Library S&W	01-29-390-100	\$394,000	\$103,425
Library O.E.	01-29-390-200	\$676,541	\$177,592
<b>TOTAL</b>		<b>\$1,070,541</b>	<b>\$281,017</b>
<b>MUNICIPAL COURT</b>			
<b>MUNICIPAL COURT</b>			
Municipal Court S&W	01-43-490-100	\$252,000	\$66,150
Municipal Court O.E.	01-43-490-200	\$14,050	\$3,688
Municipal Court Prosecutor S&W	01-43-491-101	\$23,000	\$6,038
Municipal Court Public Defender Fees	01-43-495-450	\$0	\$0
<b>TOTAL</b>		<b>\$289,050</b>	<b>\$75,876</b>
<b>UTILITY EXPENSES &amp; BULK PURCHASES</b>			
<b>UTILITIES &amp; FUELS</b>			
Utilities-Electricity	01-31-430-200	\$125,000	\$30,000
Utilities-Street Lights	01-31-435-200	\$40,000	\$5,000
Utilities-Telephone	01-31-440-200	\$157,050	\$41,226
Utilities-Natural Gas	01-31-446-200	\$145,000	\$60,000
Utilities-Fuel	01-31-460-200	\$270,000	\$60,000
<b>TOTAL</b>		<b>\$737,050</b>	<b>\$196,226</b>
<b>MISCELLANEOUS AND STATUTORY EXPENDITURES</b>			
<b>PENSION &amp; FICA</b>			
PERS	01-36-471-532	\$140,000	\$222,500
PERS - Less Library Chargebacks	01-36-471-532	-\$17,500	(\$4,594)
Social Security	01-36-472-533	\$734,285	\$175,000
Less Library Charge backs - Social Security	01-36-472-533	-\$30,000	(\$7,875)
PFRS	01-36-473-534	\$430,000	\$648,000
<b>TOTAL</b>		<b>\$1,256,785</b>	<b>\$1,033,031</b>
<b>Salaries &amp; Wages Adjustment Account</b>	01-37-480-501	<b>\$496,000</b>	\$130,200
<b>Compensated Absences</b>	01-46-887-529	<b>\$130,000</b>	\$0
<b>CAPITAL BUDGET</b>			
<b>CURRENT YEAR CAPITAL</b>			
Capital Improvements Fund	01-44-900-200	\$138,800	\$0
Cap Improvements Fund Down Payments	01-44-900-200	\$186,675	\$0
Cap. Improv. Fund-UGL 1st Aid Squad	01-44-905-261	\$0	\$0
<b>TOTAL</b>		<b>\$325,475</b>	<b>\$0</b>

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<b>GRANTS</b>			
<b>MASS TRANSIT GRANTS</b>			
Grants-Mass Trans. State Share	02-41-702-100	\$28,427	\$0
Grants-Mass Trans. Federal Share	02-41-702-200	\$56,313	\$0
Grants-Mass Trans. Local Share	02-41-702-201	\$28,427	\$0
<b>TOTAL</b>		<b>\$113,167</b>	<b>\$0</b>
<b>C.A.S.A. GRANTS</b>			
Grants-C.A.S.A. County Share	02-41-705-200	\$47,200	\$0
Grants-C.A.S.A. - Local Share	02-41-705-201	\$11,575	\$0
<b>TOTAL</b>		<b>\$58,775</b>	<b>\$0</b>
<b>INDV. WITH DISAB. GRANT</b>			
Grants-Indv. with Disabilities-State	02-41-707-200	\$14,025	\$0
Grants-Indv. with Disabilities-Local	02-41-707-201	\$2,805	\$0
<b>TOTAL</b>		<b>\$16,830</b>	<b>\$0</b>
<b>PUBLIC HEALTH PRIORITY GRANT</b>	02-41-714-162	<b>\$14,216</b>	\$0
<b>DDEF GRANT</b>	02-41-715-109	<b>\$0</b>	\$0
<b>CLEAN COMMUNITIES GRANT</b>	02-41-718-674	<b>\$34,259</b>	\$0
<b>CULTURAL HERITAGE GRANT</b>			
Grants-Pas. Co. Cultural Heritage- County	02-41-728-331	\$1,656	\$0
Grants-Pas. Co. Cultural Heritage- Local	02-41-728-332	\$828	\$0
<b>TOTAL</b>		<b>\$2,484</b>	<b>\$0</b>
<b>JUV ACCT INCENT BLK GRANT</b>			
Grants-Recreation Trails-State	02-41-728-669	\$25,000	\$0
Grants-Juvl Acct. Incent. Blk - Local	02-41-728-670	\$5,000	\$0
<b>TOTAL</b>		<b>\$30,000</b>	<b>\$0</b>
<b>STORM DRAIN INFSTR GRANT</b>			
Grants-DWI State	02-41-730-330	\$13,675	\$0
Grants-DWI Local	02-41-730-331	\$0	\$0
<b>TOTAL</b>		<b>\$13,675</b>	<b>\$0</b>
<b>NJ DIV OF HGHWY SAFETY TICKET OR CLICK IT</b>	02-41-733-200		\$0
<b>NJDEP ESP MAPPG GRANT</b>			
Grants-NJDEP ESP Mapping-State Share	02-41-735-331	\$2,500	\$0
Grants-NJDEP ESP Mapping-Local Share	02-41-735-332	\$2,500	\$0
<b>TOTAL</b>		<b>\$5,000</b>	<b>\$0</b>
<b>PASSAIC COUNTY TOBACCO GRANT</b>	02-41-739-331	<b>\$0</b>	\$0
<b>NJ DCJ BODY ARMOR GRANT</b>	02-41-742-331	<b>\$4,305</b>	\$0
<b>POST BROOK S.W. STUDY GRANT</b>			
Grants - Police Aggressive Driving-State	02-41-744-330	\$7,500	\$0
Grants - Police Aggressive Driving-Local	02-41-744-331	\$0	\$0
<b>TOTAL</b>		<b>\$7,500</b>	<b>\$0</b>
<b>NJDEP GREENWOOD LK GRANT</b>			
Grants-Fire Department Exhaust System-State	02-41-745-331	\$160,308	\$0
Grants-Fire Department Exhaust System-Local	02-41-745-332	\$0	\$0
<b>TOTAL</b>		<b>\$160,308</b>	<b>\$0</b>
<b>BELCHERS CREEK FECAL TESTING</b>			
Grants - Wonder Lake Water Improvement-State	02-41-749-331	\$250,600	\$0
Grants - Wonder Lake Water Improvement-Local	02-41-749-332		\$0

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

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		<b>\$250,600</b>	<b>\$0</b>
<b>NJDEP BEAR PROOF GARBAGE CAN STUDY</b>	02-41-750-331		<b>\$0</b>
<b>GRANT - CONTINGENT. LOCAL MATCH</b>	02-41-745-999	<b>\$25,000</b>	\$0
<b>TOTAL</b>		<b>\$736,119</b>	<b>\$0</b>
<b>DEBT SERVICE</b>			
<b>Debt Service Total</b>	01-45-000-000	<b>\$1,991,000</b>	\$0
<b>DEFERRED CHARGES AND RESERVE FOR UNCOLLECTED TAXES</b>			
<b>Judgments - Banker Road</b>	01-37-480-503	\$0	\$0
<b>Deficit in Assessment Cash</b>	01-46-886-000	\$6,110	\$0
<b>Cancelled Assessments</b>	01-46-886-648	\$12,890	\$0
<b>Reserve for Tax Appeals</b>	01-46-886-667	\$20,000	\$0
<b>Prior Years Bills</b>	01-46-887-528	\$314	\$0
<b>Def Charges - Bond Ordinance Unfunded</b>	01-46-875-528	\$39,000	\$0
<b>Spec Emerg - Storm Water Mngmt Plan</b>	01-46-877-000	\$0	\$0
<b>Reserve for Uncollected Taxes</b>	01-50-899-200	\$1,759,000	\$0
<b>TOTAL</b>		<b>\$1,837,314</b>	<b>\$0</b>
<b>TOTAL OPERATING BUDGET</b>		<b>\$27,357,778</b>	<b>\$7,172,951</b>
<b>SOLID WASTE DISTRICT</b>			
Solid Waste S&W	26-55-500-100	\$212,000	\$55,650
Solid Waste O.E. All Other	26-55-500-200	\$98,200	\$25,778
Contractual Services	26-55-500-202	\$1,222,000	\$320,775
Disposal Fees	26-55-500-203	\$1,000,000	\$262,500
Grants - Recycling County of Passaic	26-41-753-336	\$ 30,709	\$0
Prior Year's Bills	26-55-900-900	\$0	\$0
Commercial Pick Up	26-55-500-201	\$0	\$0
<b>TOTAL</b>		<b>\$2,562,909</b>	<b>\$664,703</b>

Adopted: January 3, 2007

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 Agenda No. VI 1a

~ Resolution 2007-017 ~

**RESOLUTION OF THE TOWNSHIP COUNCIL 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 2.29 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 15 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:

- Paul Reilly, Telecommunications Systems Analyst
- Ed Steines, Fire Commissioner
- Kenneth Hawkswell, Health Officer
- Gerald Storms, Public Works Director
- Renee Palermo, Recreation Director
- Beverly Lujbli, Captain-West Milford First Aid Squad
- Eileen Casbarro, President-Upper Greenwood Lake Volunteer Ambulance Corps
- Richard Kunze, Township Administrator

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

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Paul Costello, Police Chief  
Joseph Di Donato, Township Mayor  
Richard McFadden, Township Engineer  
Michael Woch, Fire Marshal  
Steven Cea, Board of Education Representative

Adopted: January 3, 2007  
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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Mayor DiDonato appointed Frederic Semrau as Township Attorney for the 2007 calendar year with Council consent. Councilman Weisbecker moved to close and confirm.  
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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VI 2a

**~ Resolution 2007-018~**

**A 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, 2007 through December 31, 2007; and,

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

**WHEREAS**, Fred Semrau, Esq. must complete and submit a Business Entity Disclosure Certification which certifies that their 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*; and,

**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 Township Administrator and the Municipal Clerk to enter into a contract with Dorsey & Semrau, LLC as described herein to the satisfaction of the Township Administrator; and,

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

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

Adopted: January 3, 2007  
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Moved: Weisbecker Seconded: Scangarello

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

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Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Mayor DiDonato appointed Charles Ferraioli to serve as Township Auditor for the Township with Council consent. Councilman Weisbecker moved to close and confirm.

Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VI 2b

**~ Resolution 2007-019~**

**A 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, 2007 through December 31, 2007; and,

**WHEREAS**, Ferraioli, Wielkotz, Cerullo & Cuva, P.A. has submitted a proposal indicating the firm will provide auditing services as sought by the Township of West Milford at the annual compensation not to exceed \$72,500.00.

**WHEREAS**, Ferraioli, Wielkotz, Cerullo & Cuva, P.A. must complete and submit a Business Entity Disclosure Certification which certifies that their 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*; and,

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Township Committee of the Township of West Milford, County of Passaic, State of New Jersey authorizes the Township Administrator 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 with this resolution; and,

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

Adopted: January 3, 2007  
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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VI 2c

**~ Resolution 2007-020 ~**

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

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**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD  
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 2007; 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 Development Consultants, Inc. has submitted a proposal to supply surveying services for reviewing the updated Township Tax Maps and the signing of same by a licensed land surveyor; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for same, said funds to be encumbered from account number 7-01-20-165-200.

**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. In consideration for reviewing and certifying changes to the Township's Tax Maps, the Township of West Milford agrees to pay MJB Site Development Consultants, Inc. for services provided in an amount not to exceed \$2,600.00.
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. 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 3, 2007  
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Moved: Weisbecker                      Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VI 2d

~ Resolution 2007-021

**RESOLUTION OF THE TOWNSHIP COUNCIL 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  
OUTSTANDING STATE TAX APPEALS CURRENTLY 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 an outstanding tax appeal matter in the Tax Court of New Jersey; and

**WHEREAS**, Scott Holzhauer of Holzhauer & Holenstein, LLC has submitted a Proposal for Services in connection with the above referenced matters; 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 7-01-46-886-667.

**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 Mayor be and is hereby authorized to execute a contract with Holzhauer & Hostenstein, LLC for professional services to assist the Township with outstanding State Tax appeals currently filed in the Tax Court of New Jersey in an amount not to exceed \$10,000.00.
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 and all associated documents have been on file in the Administrator's office for at least ten (10) days.
3. 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 3, 2007  
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Moved: Scangarello Second: Smolinski  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VI 2e

**~ Resolution 2007-022**

**RESOLUTION OF THE TOWNSHIP COUNCIL 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,

**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, 2007 through December 31, 2007; and

**WHEREAS**, Robert Beinfield, Esq. of the firm Hawkins Delafield & Wood LLP has submitted a proposal indicating the firm will provide bond services as sought by the Township of West Milford at an hourly rate of \$175.00; 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.

**WHEREAS**, the Township Administrator 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:

4. The Township Administrator be and is hereby authorized to execute a contract with Hawkins, Delafield, & Woods for professional bond counsel services in an amount not to exceed \$5,000.00.
5. 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.
6. The duration of the contract shall be for the 2007 calendar year.
7. 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 3, 2007  
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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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Agenda No. VI 2f

**~ Resolution 2007-023~**

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITH JOHNSON, MURPHY, HUBNER, MCKEON, WUBBENHORST & APPELT TO PROVIDE LEGAL SERVICES FO THE TOWNSHIP OF WEST MILFORD (TAX FORECLOSURE LIST # 25, 26 AND 27)**

**WHEREAS**, the Township of West Milford is in need of legal services to represent the Township in foreclosure matters as outlined in foreclosure list # 25, 26 and 27; and

**WHEREAS**, Robert Oostdyk of the firm Johnson, Murphy, Hubner, McKeon, Wubbenhorst & Appelt, has agreed to perform legal services for the Township in these matters; 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 7-01-20-155-502.

**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:

8. The Township Administrator be and is hereby authorized to execute a contract with Robert Oostdyk of the firm Johnson, Murphy, Hubner, McKeon, Wubbenhorst & Appelt for professional services to assist the Township with legal matters pertaining to those tax foreclosures outlined in tax foreclosure list #25, 26 and 27 in an amount not to exceed \$6,000.
9. 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.
10. This contract covers the term from January 1, 2007 through December 31, 2007.
11. 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 3, 2007

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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VI 2g

**~ Resolution 2007-024~**

**A 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 MATTHEW J. MULHALL, P.G. OF M2 ASSOCIATES, INC.**

**WHEREAS**, the Township of West Milford wishes to engage the professional services of a hydro-geologist to assist the Township in the matter known as *Eagle Ridge* and the matter known as *Valley Ridge*; and

**WHEREAS**, Matthew J. Mulhall, PG, M2 Associates, 56 Country Acres Drive, Hampton, NJ has provided such services in the interest of the municipality in the past; and

**WHEREAS**, Mr. Mulhall demonstrates the requisite experience and familiarity and background to assist the Township in these matters; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds said funds to be encumbered from account number 7-01-20-100-450; 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 bid and the contract itself must be made available for public inspection.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee 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 Township Administrator and Township Clerk to execute an agreement with Matthew J. Mulhall, PG of M2 Associates, Inc., 56 County Acres Drive, Hampton, NJ 08827 to assist the Township in the matters known as *Eagle Ridge* and *Valley Ridge* by reviewing existing technical reports, plans, and documentation and attending hearings/meetings in an amount not to exceed \$15,000.00.
2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person authorized by law to practice a recognized profession.
3. The total fee authorized for this contract shall not exceed \$15,000.00 without the prior written approval of the Township Council.
4. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: January 3, 2007

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Moved: Weisbecker                      Seconded: Nolan  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VI 2h

**~ Resolution 2007-025~**

**A 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 BETH HINSDALE-PILLER, ESQ. OF FOX ROTHSCHILD, LLP FOR COUNSEL SERVICES**

**WHEREAS**, the Township of West Milford has been named as a defendant in the matter entitled Harry Shortway v. Township of West Milford, United States District Court Docket No. 06-2933 (FSH); and

**WHEREAS**, there are certain claims contained in said suit that are not covered by the Township's insurance coverage; and

**WHEREAS**, the Township must obtain counsel to provide a defense to said claims; and

**WHEREAS**, the Township wishes to retain the services of Beth Hinsdale-Piller, Esq. of Fox Rothschild, LLP to serve in such capacity in accordance with the proposal submitted dated September 27, 2006, a copy of which is attached hereto and incorporated herein; and

**WHEREAS**, the Chief Financial Officer certifies availability of funds, said funds to be encumbered from account number 7-01-20-155-200; and

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

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

5. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Beth Hinsdale-Piller, Esq. of the firm Fox Rothschild, LLP, 75 Eisenhower Parkway, Roseland, NJ 07068, at the hourly rate of \$145 in an amount not to exceed \$2,500.
6. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said

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

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- services are performed by a person authorized by law to practice a recognized profession.
7. The total fee authorized for this contract shall not exceed \$2,500 without the prior written approval of the Township Council.
  8. This contract shall be effective immediately and shall expire on December 31, 2006.
  9. Notice of this action shall be published once in the Township's official newspaper as required by law.
  10. A copy of this resolution shall be provided to Arthur Magnotti, Township Treasurer/Chief Financial Officer and Beth Hinsdale-Piller, Esq. of the firm Fox Rothschild, LLP, 75 Eisenhower Parkway, Roseland, NJ 07068 for their information and guidance.

Adopted: January 3, 2007  
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Moved: Weisbecker                      Seconded: Nolan  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VI 2i

**~ Resolution 2007-026~**

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD  
AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT  
COMPETITIVE BIDDING TO WILLIAM BOWKLEY TO ACT AS A HEARING OFFICER IN A  
CONFIDENTIAL PERSONNEL MATTER FOR THE TOWNSHIP OF WEST MILFORD**

**WHEREAS**, the Township of West Milford has a need to engage the services of a hearing officer in a confidential personnel matter; and

**WHEREAS**, William Bowkley has the qualifications and experience necessary to provide such services; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for same, said funds to be encumbered from account number 7-01-20-155-502.

**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:

4. In consideration for acting in the capacity of hearing officer in a confidential personnel matter for the Township, the Township of West Milford agrees to pay William Bowkley for services provided in an amount not to exceed \$3,000.00.
5. 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.
6. 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 3, 2007  
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Moved: Weisbecker                      Seconded: Nolan  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VI 2j

**~ Resolution 2007-027~**

**A 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**

**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,

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

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**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 for the first quarter of the 2007 calendar year; and,

**WHEREAS**, Fred Knapp, Esq. must complete and submit a Business Entity Disclosure Certification which certifies that their 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 Laufer, Knapp 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*; and,

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Township Committee of the Township of West Milford, County of Passaic, State of New Jersey authorizes the Township Administrator and the Municipal Clerk to enter into a contract with Laufer Knapp, LLC 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 with this resolution; and,

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

Adopted: January 3, 2007  
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Moved: Weisbecker Seconded: Nolan  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VI 2k

~ Resolution 2007-031~

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD,  
COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING A PROFESSIONAL  
SERVICES CONTRACT WITH JOHNSON, MURPHY, HUBNER, MCKEON, WUBBENHORST &  
APPELT TO PROVIDE LEGAL SERVICES FOR THE TOWNSHIP OF WEST MILFORD**

**WHEREAS**, the Township of West Milford is in need of legal services to represent the Township in legal matter known as Fox-Keller v. Township of West Milford; and

**WHEREAS**, Johnson, Murphy, Hubner, McKeon, Wubbenhorst & Appelt, has agreed to perform legal services for the Township in these matters; 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 7-01-20-155-502.

**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:

12. The Township Administrator be and is hereby authorized to execute a contract with Johnson, Murphy, Hubner, McKeon, Wubbenhorst & Appelt for professional services to assist the Township with legal matter pertaining to Fox-Keller v. Township of West Milford in an amount not to exceed \$2,000.
13. 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.
14. This contract covers the term from January 1, 2007 through December 31, 2007.

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

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15. 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 3, 2007  
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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VI 3a

Mayor DiDonato appointed Thomas Kaczka to the position of Municipal Prosecutor with Council consent. Councilman Weisbecker moved to close and confirm.

Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
-----

~ Resolution 2007-028~

**MAYOR'S APPOINTMENT OF THOMAS KACZKA AS MUNICIPAL PROSECUTOR FOR A TWO YEAR TERM FROM JANUARY 1, 2007 THROUGH DECEMBER 31, 2009 PURSUANT TO SECTION 15-67 OF THE MUNICIPAL CODE**

**BE IT RESOLVED**, by the Township Council of the Township of West Milford that they do hereby concur with the Mayor's appointment of Thomas Kaczka to the position of Municipal Prosecutor for a two-year term, from January 1, 2007 and through December 31, 2009.

Adopted: January 3, 2007  
-----

Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VI 3b

~ Resolution 2007-029~

**A RESOLUTION OF THE TOWNSHIP COUNCIL 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 Richard Kunze, Township Administrator, to serve as the Public Agency Compliance Officer from January 1, 2007 through December 31, 2007.

**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 3, 2007  
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Moved: Weisbecker Seconded: Nolan  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VI 4

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

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The Mayor and Township Council made the following appointments to boards, commissions, committees and staff positions.

Municipal Court Judge

Mayor DiDonato asked for Council approval of his appointment of Andrew Blair to the position of Municipal Court Judge. Councilman Weisbecker moved to close and confirm.

-----  
Moved: Weisbecker Seconded: Scangarello  
Voted Aye: None.  
Voted Nay: Weisbecker, Smolinski, Schimmenti, Nolan, Scangarello.  
Recused: Warden.  
Motion defeated.  
-----

Mayor DiDonato asked for Council approval of his appointment of Joseph Perconti to the position of Municipal Court Judge. Councilman Weisbecker moved to close and confirm.

-----  
Moved: Weisbecker Seconded: Nolan  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Scangarello.  
Recused: Warden.  
Voted Nay: None.  
Motion carried.  
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ADA

Councilman Weisbecker nominated the following persons to serve on the Americans with Disabilities Committee:

Lois Hamilton  
Janice Sangle  
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Moved: Weisbecker Seconded: Nolan  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Autumn Lights Committee

Councilman Weisbecker nominated Laurie Ardis to serve on the Autumn Lights Committee.

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Moved: Weisbecker Seconded: Warden  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Energy Committee

Councilman Weisbecker nominated the following persons to serve on the Energy Committee:

Michael Tfank  
Tim Dalton  
William Messmer  
Richard Kunze  
Richard McFadden  
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Moved: Weisbecker Seconded: Nolan  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Environmental Commission

Mayor DiDonato announced the following appointments to the Environmental Commission and asked for Council consent:

Irene Smith  
Douglas Ott  
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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
-----

Fire Prevention Bureau

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

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Mayor DiDonato announced the following appointments to the Fire Prevention Bureau and asked for Council consent:

Edward Steines

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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Health Board

Councilman Weisbecker nominated Rodman Marshall to serve on the Board of Health.

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Moved: Weisbecker Seconded: Nolan  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Heritage Committee

Councilman Nolan nominated the following persons to serve on the Heritage Committee:

Ada Erik  
Robert Bailey  
Richard McFadden  
Robert Kochka  
Mary Kochka  
James Van Hooker  
Kristen Koerner  
Tonya Cubby  
Adrian Birdsall

-----  
Moved: Weisbecker Seconded: Smolinski  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Insurance Committee

Councilman Weisbecker nominated the following persons to serve on the Insurance Committee:

Andrew Gargano  
Arthur McQuaid

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Moved: Weisbecker Seconded: Smolinski  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Lakes Committee

Councilman Weisbecker nominated the following persons to serve on the Insurance Committee:

David Lynch  
Darlene Kane

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Moved: Weisbecker Seconded: Smolinski  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Library Board of Trustees

Mayor DiDonato announced his appointment of John Aiello to the Library Board of Trustees and asked for Council consent.

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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Warden, Scangarello.  
Voted Present: Nolan.  
Voted Nay: None.  
Motion carried.  
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Solid Waste Advisory Council

Councilman Weisbecker nominated William Schug to serve on the Passaic County Solid Waste Advisory Council.

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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Planning Board

Mayor DiDonato appointed James O'Bryant to serve on the Planning Board and asked for Council consent:

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Moved: Weisbecker Seconded: Smolinski  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Mayor DiDonato appointed David Volpe to serve on the Planning Board and asked for Council consent:

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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Mayor DiDonato appointed Douglas Ott to serve on the Planning Board and asked for Council consent:

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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Mayor DiDonato appointed Kurt Wagner to serve on the Planning Board and asked for Council consent:

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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Mayor DiDonato appointed Steven Castronova to serve on the Planning Board and asked for Council consent:

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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Scangarello.  
Voted Nay: Nolan, Warden.  
Motion carried.  
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Telecommunications Committee

Councilman Nolan nominated the following persons to serve on the Telecommunications Committee:

Lawrence MacKinnon  
Jeffrey Miller  
Gary Oppenheimer  
Paul Costello  
Brian Jenkins  
Richard Kunze  
Arthur Magnotti

-----  
Moved: Nolan Seconded: Weisbecker  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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Tourism Commission

Mayor DiDonato announced the following appointments to the Tourism Commission and asked for Council consent:

Bev Puntolillo  
Paul Zarillo

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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.

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Zoning Board of Adjustment

Mayor DiDonato announced the following appointments to the Zoning Board of Adjustment and asked for Council consent:

Francis Hannan  
Arthur McQuaid

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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Scangarello.  
Voted Nay: Nolan, Warden.  
Motion carried.

-----  
The following appointments were made for Council Liaison positions to various boards, committees and commissions:

ADA

Councilman Scangarello nominated Councilman Schimmenti to serve as the Council Liaison to the Americans with Disabilities Act Compliance Committee.

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Moved: Scangarello Seconded: Smolinski  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.

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Beautification & Recycling Committee

Councilman Smolinski nominated Councilman Weisbecker to serve as the Council Liaison to the Beautification & Recycling Committee.

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Moved: Smolinski Seconded: Warden  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.

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Building Standards Board

Councilman Scangarello nominated Councilman Schimmenti to serve as the Council Liaison to the Building Standards Board.

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Moved: Scangarello Seconded: Warden  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.

-----  
Energy Committee

Councilman Smolinski nominated Councilman Weisbecker to serve as the Council Liaison to the Energy Committee.

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Moved: Smolinski Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.

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Fire Prevention Bureau

Councilman Weisbecker nominated Councilman Scangarello to serve as the Council Liaison to the Fire Prevention Bureau.  
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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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Moved: Weisbecker Seconded: Warden  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Heritage Committee

Councilman Scangarello nominated Councilman Nolan to serve as the Council Liaison to the Heritage Committee.  
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Moved: Scangarello Seconded: Smolinski  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Insurance Committee

Councilman Weisbecker nominated Councilman Nolan to serve as the Council Liaison to the Insurance Committee.  
-----

Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Lakes Committee

Councilman Scangarello nominated Councilman Weisbecker to serve as the Council Liaison to the Lakes Committee.  
-----

Moved: Scangarello Seconded: Warden  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Parks & Recreation Committee

Councilman Scangarello nominated Councilman Smolinski to serve as the Council Liaison to the Parks & Recreation Committee.  
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Moved: Scangarello Seconded: Warden  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Planning Board

Councilman Scangarello nominated Councilman Weisbecker to serve as the Council Liaison to the Planning Board.  
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Moved: Scangarello Seconded: Warden  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Warden, Scangarello.  
Voted Nay: Nolan.  
Motion carried.  
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Senior Citizen Advisory Committee

Councilman Scangarello nominated Councilman Smolinski to serve as the Council Liaison to the Senior Citizen Advisory Committee.  
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Moved: Scangarello Seconded: Schimmenti  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Transportation Advisory Committee

Councilman Scangarello nominated Councilman Smolinski to serve as the Council Liaison to the Transportation Advisory Committee.  
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Moved: Scangarello Seconded: Warden  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.

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West Milford/Newark Liaisons

Councilman Scangarello nominated Councilman Weisbecker and Councilman Warden to serve as the Council Liaisons to Newark.  
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Moved: Scangarello Seconded: Smolinski  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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The Council took action on the following item.

Agenda No. VII 1

~ Resolution 2007-030 ~

**A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING EXECUTION OF A CONTRACT WITH THE WEST MILFORD MUNICIPAL EMPLOYEES GUILD**

**WHEREAS**, the Township of West Milford and the West Milford Municipal Employees Guild have concluded their negotiations, pursuant to the provisions of Chapter 123 P.L. 1974 of the State of New Jersey, and have arrived at an agreement for the employees of the West Milford Municipal Employees Guild for years January 1, 2005 through December 31, 2009; and

**WHEREAS**, said agreement has been approved by the Township Council; and

**WHEREAS**, the Township Council is advised that the West Milford Municipal Employees Guild has ratified and approved of said agreement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Council of the Township of West Milford, in the County of Passaic, and State of New Jersey that the aforesated agreement be and the same is herewith formally approved; the Mayor and Township Administrator are hereby authorized and directed to sign said agreement for and on behalf of the Township of West Milford, the Township Clerk is authorized and directed to attest to the same; sufficient copies are to be signed and/or attested, so that each of the parties shall receive a signed copy, and the Township Clerk shall cause one signed copy to be filed with the New Jersey Public Employment Relations Commission in accordance with the provisions of R.S. 34:13A-1 et seq., subject to adoption of the related salary ordinance.

This Resolution shall take effect immediately.

Adopted: January 3, 2007  
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Moved: Weisbecker Seconded: Nolan  
Voted Aye: Weisbecker, Smolinski, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Abstained: Schimmenti.  
Motion carried.  
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**Public Comments**

Mayor DiDonato opened the meeting to the public.

Jeff Simmers, 128 Mountain Circle South, West Milford asked why there were no appointments to the Beautification & Recycling Committee. Clerk Battaglia responded that the appointments made last year were for two-year terms and still stand.

Doris Aaronson, 19 Bearfort Road, West Milford wished everyone a Happy New Year. She stated that there are serious problems with the Highlands Master Plan noting that major lake communities have been targeted for housing growth even though, in West Milford, those areas cannot support more homes. Additionally, such development would bring additional children into the school system and cause increased taxes. West Milford is not being reimbursed for supplying water to over four million residents throughout the state. She stated that the Highlands Council will conduct six public hearings on the plan and written comments will be accepted through March 2<sup>nd</sup>. She encouraged both the public and the Council to participate. She commended the Council on the stance they took with regard to the dissolution of the Wanaque Valley Regional Sewerage Authority. She stated that West Milford should be reimbursed.

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Andrew Gargano, 45 Apshawa Cross Road, West Milford stated that he attended a reorganization meeting in another town where they invited all persons being appointed and had them sign their oaths at the meeting. He suggested such process should be considered to assist the Clerk. He stated that in 2005 the Board of Education (BOE) had a referendum on installing an artificial turf field. The voters overwhelmingly defeated the question. He stated that this type of facility is simply too costly and the municipality will not get value for the money. Based on what is currently being proposed, the Township would spend close to \$1 million for a product that has a life expectancy of eight-to-ten years. Proponents are proposing installing this field beside a newly constructed rubber track and he expressed concern that the track would be damaged in the process. Maintenance of such facilities requires antiseptic treatments. He stated that funding such a project for the school, when PAL and the Township provides sports venues for most West Milford children, is not logical. He stated that several residents are dismayed that the Council is considering such a project. Mr. Gargano stated that he agrees with Mayor DiDonato on the WVRSA matter opining that West Milford officials must meet with officials from Ringwood and Wanaque to discuss all pertinent issues.

Gary Oppenheimer, 24 Clover Road, Newfoundland read a "Thumbs Down" segment from last week's AIM newspaper where an anonymous party slandered two Councilmen. He stated that these are vile words written by the same person who posts similar rantings on the web. He asked the Mayor and Council to rebuke the writer for this and to similarly rebuke the AIM newspaper for printing such an anonymous hateful writings. Newspapers, he said, should share ideas not hate.

Martin O'Shea, 10 Lakeshore Road East, Stockholm stated that he finds two resolutions before Council tonight to be deficient. He stated that the resolution appointing Township Counsel does not reflect an account number. The resolution appointing a Hearing Officer states that the appointment is being made for a confidential personnel matter and that is not proper. He stated that, when a governing body is expending public funds, they must be more specific. He cited a case supporting his argument and encouraged the Township Attorney to look into the matter.

Jim Novack, Mount Laurel, West Milford congratulated the Council on finally passing the Guild contract. He expressed hope that the employees get interest on their retroactive pay and that they get their checks by Friday. He stated that, as surely as Wanaque is offering \$150,000 for West Milford's seats on the WVRSA, it must be worth a lot more. He stated that they want us out and they will pay us to get out. He welcomed the Bergen Record reporter to the meeting and remarked that he would like to see her in attendance more often. He noted that, two weeks ago, SLAP picked up garbage on a Sunday and the bags stayed on the roadside for over a week before DPW picked it up. Additionally, he stated that another cleaning initiative took place last week and the garbage is still on the roadside. He also suggested that the Health Department issue violations to the Middle School because their property is unkempt. Mr. Novack asked for a moment of silence for recently departed President Ford.

Councilman Weisbecker moved to close the public portion of the meeting at 8:37 p.m.

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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.

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**Council Comments**

Councilman Weisbecker congratulated Councilmen Smolinski and Schimmenti on their swearing in. He is looking forward to a great year working with these men. He listed and thanked all the newspapers who cover our meetings.

Councilman Schimmenti wished everyone a Happy New Year and thanked everyone who voted for him. He stated that he will do his best for all residents and asked that the negativity that has been prevalent in the past cease.

Councilman Nolan congratulated Councilmen Smolinski and Schimmenti. He thanked Mr. Oppenheimer for his comments about the item in the newspaper and agreed that newspapers should focus on communication. He stated that he will continue to work as hard as he has for the past two years and he will continue to ask questions and support government. He will oppose any changes to the attorney accountability ordinance. He will not vote to approve any Planning and Zoning Board invoices unless the relevant board adopts a resolution passing them because, otherwise, the Council has no way of knowing if the board members approved the payments. He will request that the auditor address this matter in his comments this year. He will continue to fight for a water tax, preliminary approvals on Planning applications and to stop Eagle & Valley Ridge developments. He stated that

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there is a Planning Board meeting tomorrow and he stressed to Councilman Weisbecker that the Council must know if the Planning Board plans to appeal the judge's decision on Valley Ridge.

Mr. Semrau sought to clarify that Councilman Nolan does not want to stop the developers but, rather, he wants to ensure that there are no environmental violations at either site.

Councilman Warden wished everyone a Happy New Year and congratulated Councilmen Smolinski and Schimmenti. He stated that he looks forward to working with them and the thanked former Council President Gervens for consistently working for the benefit of West Milford despite partisan politics. He stated that he appreciates Mr. Gargano's comments about the astro-turf, reminding him that he received criticism when trying to construct the PAL building which has been wonderful for West Milford. He encouraged everyone to retain open minds when presentations are being made rather than immediately shooting down any proposal before all the facts are in. He expressed appreciation for Mr. Oppenheimer's comments stating that such attempts to get himself and Mr. Nolan off the Council have been consistent for over a year and a half now. He stated that he continues to pursue the parties who write such things on the Internet and these people will be brought to justice.

Councilman Scangarello recognized former Council President Gervens in the audience and expressed his appreciation to Mr. Gervens. He welcomed Councilmen Smolinski and Schimmenti noting that he is confident that they will give their best to the position.

Council President Smolinski thanked everyone for their votes and for their good wishes. He stated that he and Councilman Schimmenti will live up to their promises noting that there are a lot of issues facing this Council. The proposed State tax reform and the Highlands Master Plan will have a greater impact on West Milford than on most communities throughout the state. He encouraged everyone to join together, cast partisan politics aside, and work on these issues for West Milford. He thanked Assemblyman DeCroce for attending this meeting, and he thanked his family without whose support he could not do this job.

Mayor DiDonato congratulated Councilmen Smolinski and Schimmenti and thanked former Council President Gervens. He thanked all the Councilmembers for their hard work throughout 2006.

**Executive Session**

Agenda No. X

~ Resolution 2007-034 ~

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 3<sup>rd</sup> day of **January**, 2007, that:

1. Prior to the conclusion of this **Organization Meeting**, the Township Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
  - ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
  - ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
  - ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
  - ( ) b. (4) A collective bargaining agreement including negotiations.
  - ( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
  - ( ) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
  - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
    - Valley Ridge
    - Eagle Ridge
  - ( ) b. (8) Personnel matters.
  - ( ) b. (9) Deliberations after a public hearing that may result in penalties.

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

Minutes of: Township Council  
Date of Meeting: January 3, 2007  
Time of Meeting: 7:30 P.M.  
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2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: January 3, 2007

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Moved: Weisbecker Seconded: Nolan  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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The Council went into Executive Session at 8:50 p.m.

The Council reconvened in public session at 9:05 p.m. with all present as before.

**Adjournment**

There being no further business to come before the Council, the Township Council adjourned the meeting at 9:07 p.m.

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Moved: Nolan Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Warden, Scangarello  
Voted Nay: None  
Abstained:  
Meeting adjourned.  
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Approved: February 7, 2007

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MAYOR JOSEPH DIDONATO  
PRESIDING OFFICER

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ANTOINETTE BATTAGLIA  
TOWNSHIP CLERK