
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: January 3, 2018
Time of Meeting: 6:30 pm
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The Workshop Meeting of the Governing Body was called to order by Mayor Bettina Bieri.

Adequate Notice Statement

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Workshop meeting was advertised in the Herald News in its issue of December 24, 2017, December 31, 2017; copies were provided to the Suburban Trends, the Record and Star Ledger and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Agenda No. I

Pledge of Allegiance

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

Agenda No. II

Roll Call

Present: Councilmembers Andrena Pegel, Mike Hensley, Tim Wagner, Luciano Signorino
Patricia Gerst, Mayor Bettina Bieri
Absent: None
Also Present: Township Administrator/Clerk Antoinette Battaglia, Township Attorney Fred Semrau

Agenda No. III

Reading of or Approval of Unapproved Minutes

December 20, 2017 Regular Meeting
December 20, 2017 Executive Session

Moved: McGuinness Seconded: Signorino
Voted Aye: Pegel, Hensley, Wagner, McGuinness, Signorino, Gerst
Voted Nay:
Abstained: Pegel, Gerst (executive session)

Administrator Battaglia asked Councilwoman Pegel and Councilwoman Gerst to reconsider their vote on the executive session minutes because they were not in attendance at the meeting. Councilwoman Pegel and Councilwoman Gerst abstained on the executive session minutes.

Agenda No. IV

Meetings

Mayor Bieri noted the future meeting schedule:

January 17, 2018 Regular Meeting
February 7, 2018 Workshop Meeting
February 21, 2018 Regular Meeting

Agenda No. V

Executive Session

~ Resolution No. 2018 – 036 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 3rd day of January, 2018 that:

1. Prior to the conclusion of this **Workshop Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
() b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.

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- () 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.
 - (X) b. (4) A collective bargaining agreement including negotiations.
 - Negotiations – PBA Local 162
 - () 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.
 - Attorney-Client Privilege – MUA
 - () b. (8) Personnel matters.
 - () b. (9) Deliberations after a public hearing that may result in penalties.
2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: January 3, 2018

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

The Governing Body went into executive session at 9:40 p.m.
The Governing Body returned to the public meeting at 10:30 p.m. with all present as before.

Agenda No. VI

Presentations

None

Agenda No. VII

Proclamations

Radon Action Month – Mayor Bieri mentioned that radon is a serious, odorless gas. There are free test kits available on a limited basis though Passaic County; call 973-225-3651, it's a first come first serve basis. The County would make arrangements to deliver the kits at the free Eye Screening held at Town Hall on Tuesday, January 30th from 10am-2pm.

Agenda No. VIII

Discussion Items

1.	Ordinance: Pool Table Ordinance: Administrator Battaglia said the EDC sent a memo to the Governing Body requesting that the fees and the section of the code regarding licenses be eliminated. She noted that the revenue each year has been a consistent amount of approximately \$600.00. She asked the Governing Body to consider deferring the discussion until after the budget discussion because revenue is down in many places. Councilman Signorino said he was pleased that this made it to the agenda after six years of him proposing it; they went through it several times. He said the only consequence is additional pool tables, and Councilman Hensley said that he agrees with Councilman Signorino. He said it's a further taxation on local businesses that discourages such activity. Councilman Signorino asked if there was a fee per table and a cost to have a pool table, and Councilman Hensley said there are the two ordinances and the corresponding subsections. Administrator Battaglia said that she will draft an ordinance for the Governing Body's consideration at the next meeting. Councilman Wagner said that it's a nominal fee, the revenue is only bringing in \$675.00 a year, and it could be discouraging other bars from having pool tables or bringing in a billiard hall. He noted that every dollar counts, but this is a fee that is attacking several small businesses in town. Councilman Signorino asked Councilwoman Pegel to mention this at the next EDC meeting to check and see if there are arcade fees. Administrator Battaglia confirmed that there will be an ordinance at the next meeting for the Governing Body's consideration.
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<p>2.</p>	<p>Discussion: Basketball Agreement with Jefferson: Administrator Battaglia said the Director of Community Services and Recreation recognized that there were some teams that do not have enough children to compete in the leagues. The Township would not be paying extra and they are just participating in the league. She explained that he reached out to Jefferson, they drafted an agreement, which would cover everything, and they presented it to the Risk Manager. She asked the Governing Body if they are amenable, so she could present a resolution at the next meeting to authorize the agreement. The Governing Body gave consensus.</p>
	<p>Discussion: Council Subcommittee Representative Appointments: Administrator Battaglia noted that they try to make these appointments each year at the first workshop meeting to ascertain the interest that the Governing Body has to continue with the committees and/or make any changes. Councilman McGuinness said that they should proceed with this. Councilman Signorino noted that there are specific ones that should be reviewed. The Council gave consensus to proceed.</p> <p><u>Personnel Committee</u> Councilman Signorino and Councilman McGuinness said they are both interested in serving, and Councilman Wager said he would serve as an alternate. The Governing Body gave consensus.</p> <p><u>Library Committee</u> Mayor Bieri noted that they do not need a Construction Committee anymore. The Council gave consensus to disband the committee.</p> <p><u>Board of Education Committee</u> Councilman McGuinness made a motion to nominate Councilwoman Gerst to serve as the alternate, and it was seconded by Councilman Signorino. Councilman McGuinness and Councilman Signorino said that they will continue to serve. Councilman Signorino made a motion to close and confirm, seconded by Councilman McGuinness and carried by unanimous voice vote.</p> <p>----- Moved: McGuinness Seconded: Signorino Voted Aye: Unanimous voice vote Voted Nay: None Motion carried. -----</p>
<p>3.</p>	<p><u>Independence Day Celebration</u> Councilman Wagner said he would like to continue to serve. Councilman Signorino said he would like serve. Councilman Hensley said he would like to serve and take Ada Erik's position. Councilman Signorino said he supports Councilman Hensley as the alternate. The Council gave general consensus for Councilman Signorino to be the Councilmember, and Councilman Hensley as the alternate.</p> <p><u>Facilities Committee</u> Mayor Bieri said she would appreciate remaining on the committee because she put a lot of work into it. The Council gave consensus to keep the committee status quo.</p> <p><u>Revitalization Committee</u> Councilman Hensley said he would appreciate serving on the committee. Councilman McGuinness asked the purpose of the committee. Administrator Battaglia explained that last year Mr. McGroarty discussed this because the Governing Body gave specific direction in reference to the development and revitalization. Councilman Signorino asked for an update for the new Councilmembers. Administrator Battaglia said if this continues and when the committee has reason to bring something forward she could do that at that time. Councilman Hensley said maybe Councilwoman Gerst would like to serve, and Councilwoman Gerst replied in the affirmative. Councilman Signorino nominated Councilwoman Gerst and Councilman Hensley.</p> <p><u>Snow Committee</u> Councilman Wagner and Councilman McGuinness said they would like to continue to serve. Councilman Signorino said he would like to remain as the alternate. The Council gave consensus.</p> <p>Administrator Battaglia explained that there has been a lot of activity in the Snow Committee. The snow reports will be posted to the cloud. She asked the staff to prepare to have a meeting to meet with the subcommittee. Councilman Wagner asked for an update on the 2017 budget and how much surplus has been used by line item.</p>

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Table with 2 rows and 2 columns. Row 1: Administrator Battaglia thanked Councilman McGuinness for challenging the contamination of the grit pile. Row 2: Discussion: Veterans' Park Sign: Administrator Battaglia said they received a letter from the PBA, and they would like to donate a sign to Veteran's Park.

Agenda No. IX

Public Comments

Mayor Bieri opened the meeting to the public after advising that there is a five-minute limit for each speaker.

Bob Nicholson, 20 Hyde Road, Stockholm – Said that the new Governor might legalize marijuana in 90 days, so some towns are passing ordinances to not allow retail distribution and he said the Governing Body should consider doing the same and bringing this to the attention of the CASA Committee.

Ada Erik, 1693 Macopin Road, West Milford – Mentioned that a lot of towns are passing an ordinance against the selling of marijuana. She noted that there was not budget meetings listed on the agenda.

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

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

Agenda No. X

Council Comments

Mr. Semrau – Noted that Point Pleasant was one of the first towns to adopt an ordinance in reference to marijuana legalization. He explained that the draft legislation talks about it from a liquor license standpoint, and it would be the Governing Body's decision to issue them.

Discussion:

Councilman Signorino directed Mr. Semrau to look into a grandfather clause for bear hunts and gun control. He spoke about how the new legislator might ban the bear hunts and change the gun control laws. Mr. Semrau said he would need consensus from the Governing Body to add that to a future meeting agenda as a discussion.

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Agenda No. XI

Action Items

None

Agenda No. XII

Approval of Expenditures

~ Resolution No. 2018 – 037 ~

RESOLUTION APPROVING THE PAYMENT OF BILLS

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

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

Acct #	Account Name	Amount
1	Current Account	\$477,577.10
3	Reserve Account	3,391.74
2	Grants	3,878.50
6	Refunds	30.00
1	General Ledger	0.00
26	Refuse	137,257.43
4	Capital	247,479.77
19	Animal Control	204.75
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	13,621.88
19	COAH	0.00
16	Development Escrow	1,587.50
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$885,028.67
	Less Refund Resolution	-30.00
	Actual Bills List	\$884,998.67
	Other Payments	
	Payroll	520,658.20
	Petty Cash	242.61
	Total Expenditures	\$1,405,899.48

Adopted: January 3, 2018

Moved: McGuinness Seconded: Signorino
 Voted Aye: Pegel, Hensley, Wagner, McGuinness, Signorino, Gerst
 Voted Nay:
 Abstained:

Administrator Battaglia noted that the Governing Body gave consensus to begin the budget meeting dates discussion at the next Governing Body meeting on January 17, 2018; the CFO and the Budget Consultant will be at the meeting.

Agenda No. XIII

Reports of Administrator, Mayor and Council Members

Councilwoman Pegel – Wished everyone a happy New Year. She said that she is excited to be on the Council and she thanked everyone that elected her. She noted that she is honored to be on the dais, she looks forward to working with everyone, and she will represent the Township with utmost integrity, professionalism, and respect. She said there is a lot of work to get done, and she thanked everyone for the opportunity.

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Councilman Hensley – Welcomed Councilwoman Pegel and Councilwoman Gerst to the Council. He wished everyone a happy and healthy New Year. He mentioned that he is very excited for the upcoming year with the Council. He believes they have come a long way, and administration has finely tuned the nomination process; it's very fair how the turns and rotation take place. He thanked the Council for moving forward with the EDC recommendation; it's not a business friendly fee, and it's a great victory for the EDC. He said they will be excited when Councilwoman Pegel shares the information with them. He is looking forward to a great new year.

Councilman Wagner – Congratulated Jaime and Bill Murphy for winning the Christmas Tree Lighting contest sponsored by HEAT. He noticed that the do not litter signs have been put up and said they look terrific. He looks forward to trying to get the budget to zero this year. He congratulated Councilwoman Pegel and Councilwoman Gerst.

Councilman McGuinness – Wished everyone a happy New Year. He mentioned that this is the second year for him as a Councilman and it's a learning process. He noted that school is out on break, and anyone that does not have enough heat should contact the OEM Coordinator for assistance. He said he looks forward to working with everyone on the Council.

Councilman Signorino – Wished everyone a happy New Year. He said that he is excited for the Governing Body because this year is another opportunity to do the best that they can for the Township because the people deserve it. He appreciates all the time that everyone will contribute, and he looks forward to working with the Board of Education. He noted that the Township signs are beautiful, but he wished they said businesses welcome. He spoke about all the scams, especially scams targeting the senior citizens, and said Orange and Rockland warned their customers about a scam. He said do not be so quick to give away your wallet, and to please contact someone that could help; the police, a friend or family member. He noted that the IRS would never contact someone by phone and ask for money.

Councilwoman Gerst – Thanked the people of the Township that put their trust in her and Councilwoman Pegel. She believes this will be a great year, and she is very excited to get started. She thanked everyone for awarding her this opportunity, and she congratulated Councilman Wagner on his Council Presidency. She wished everyone a happy New Year.

Mayor Bieri – Welcomed Councilwoman Pegel and Councilwoman Gerst. She wished everyone a happy, safe and healthy New Year. She mentioned that as elected officials, they tend to receive a lot of complaints, and most people do not recognize all the positives. She said that she frequently hears the fantastic job that Administrator Battaglia does, and she thinks it's nice that individuals are recognizing her expertise and knowledge. She said that she gets the job done, and get the desired outcome accomplished; she handles her duties admirable and professionally. She thanked everyone for their continued support of the Township, Governing Body and each other. Mayor Bieri noted that Administrator Battaglia changed the whole concept of government and customer service by enforcing a new system.

Administrator Battaglia – She thanked the residents who reach out and compliment the staff. She noted that the county approved the repurposing of the Teen Center elevator grant, and it will be used for ADA improvements at the old library. She noted that she spoke with Freeholder Duffy, and he had suggestions for improving the communications and relationship between the Township and the County, so she will be working directly with Freeholder Duffy.

She reached out to Mr. Steines, and asked for the plans regarding the upcoming storm. She explained that they did not apply the brine because of the temperature; brine is effective for up to minus 18 degrees, and the temperature will be minus 12 degrees, so the application of the brine could turn the snow into ice very fast. She noted that it will be very windy the day after the storm, and there could be some fallen trees; Mr. Steines did dispatch all of the resources to make certain all the equipment is ready.

Mr. Semrau – Said that there is a companion case to the tax appeals that they have against the city of Newark in Jefferson Township that is going to trial in February before Judge Bianco. He said that he is monitoring that and he would like the ability to go ahead and witness some of the testimonies and discussions. He noted that he will provide the Governing Body with an update, and he requested the authority to imitate appeals against Newark Watershed based on the information they received from Mr. Krauser; an independent expert appraiser that recommended that they file the appeals. He asked the Governing Body for a motion authorizing him to proceed.

Councilman Hensley made a motion, and it was seconded by Councilman Wager.

Moved: Hensley Seconded: Wagner
Voted Aye: Unanimous voice vote
Voted Nay: None
Motion carried.

Mayor Bieri thanked the Council for supporting the reappointment of Mr. Semrau.

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Agenda No. XIV

Appointments and Resignations

None

Agenda No. XV

Adjournment

There being no further business to come before the Council, the Governing Body adjourned the meeting at 11:23 p.m.

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

Approved: January 17, 2018

Respectfully submitted:

Sherry Zbrzeski, Keyboarding Clerk I

MAYOR BETTINA BIERI, PRESIDING OFFICER

ANTOINETTE BATTAGLIA, TOWNSHIP CLERK