
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: January 6, 2020
Time of Meeting: 6:30 pm
Minute Page No: Page 1 of 9

The Workshop Meeting of the Governing Body was called to order by Mayor Michele Dale.

Adequate Notice Statement

Mayor Dale 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 November 11, 2019 and January 5, 2020; 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 Dale led all in attendance in a salute to the flag.

Agenda No. II

Roll Call

Present: Councilmembers Ada Erik, Marilyn Lichtenberg, Kevin Goodsir, Warren Gross
Patricia Gerst, Mayor Michele Dale
Absent: Andrena Pegel
Also Present: Interim Township Administrator Robert Casey, Township Attorney Fred Semrau

Agenda No. III

Reading of or Approval of Unapproved Minutes

December 18, 2019

Moved: Lichtenberg Seconded: Erik
Voted Aye: Erik, Lichtenberg, Gerst
Voted Nay: None
Absent: Pegel
Abstain: Goodsir, Gross
Motion Carried:

Mayor Dale requested to bring back the minutes on the next meeting agenda.

Agenda No. IV

Meetings

Mayor Dale noted the future meeting schedule:

January 15, 2020 Regular Meeting
February 5, 2020 Workshop Meeting
February 19, 2020 Regular Meeting

Mayor Dale noted that she will move executive session to the end of the agenda.

Agenda No. VI

Presentations

None

Agenda No. VII

Proclamations

None

Agenda No. VIII

Discussion Items

None

Mayor Dale asked to move resolutions 2020-063 through 2020-069.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: January 6, 2020
Time of Meeting: 6:30 pm
Minute Page No: Page 2 of 9

Agenda No. XI

Action Items

Agenda No. XI 1

~ Resolution 2020 – 063 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY SUPPORTING ASSEMBLY BILL A-5726 TO INCREASE THE WAGES OF POLL WORKERS TO BE PAID BY THE STATE OF NEW JERSEY

WHEREAS, the proper conduct of elections is a critical obligation of elected and appointed officials throughout the State of New Jersey with poll workers required to be working from 5:15 a.m. to after 8:00 p.m. on the days of primary, regular and special elections, working over 15 hours per day in most elections; and

WHEREAS, State law provides that poll workers are to receive \$200.00 per day making it increasingly difficult to find poll workers willing to spend the long hours involved in this important role; and

WHEREAS, Assemblyman Kevin T. Rooney is the primary sponsor of Assembly Bill A-5726 which would increase the wage paid to poll workers from \$200.00 to \$300.00 to be paid by the State of New Jersey; and

WHEREAS, the Mayor and Council of the Township of West Milford wish to memorialize their support for this legislation which is necessary to help attract persons to serve as poll workers.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of West Milford that it does support Assembly Bill A-5726 and urges enactment by both houses and signing into law by Governor Murphy; and

BE IT FURTHER RESOLVED that a true copy of this resolution be forwarded to the Office of the Governor, our State Legislators, our County Election Officials, the New Jersey League of Municipalities and Passaic County Municipal Clerks.

Adopted: January 6, 2020

Agenda No. XI 2

~ Resolution 2020 – 064 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF AUTOMOTIVE GASOLINE THROUGH STATE CONTRACT NO. T0083 TO GRIFFITH ALLIED TRUCKING COMPANY, LLC

WHEREAS, the State of New Jersey has awarded Contract No. T0083 for Automotive Gasoline to Griffith Allied Trucking Company, LLC and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township of West Milford anticipates a need for Automotive Gasoline for the period from January 1, 2020 through December 31, 2020; and

WHEREAS, the Director of Public Works has submitted a written recommendation that the Township of West Milford purchase Automotive Gasoline through State Contract No. T0083 for the period from January 1, 2020 through December 31, 2020 in a total amount not to exceed \$230,000.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds subject to the passage of the 2020 Budget for these purchases said funds to be encumbered from account numbers 01-201-31-460-315 (105,000.00) and 01-201-31-460-240 (125,000.00).

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

1. The Township Council hereby authorizes the Director of Public Works to purchase Automotive Gasoline, for the period from January 1, 2020 through December 31, 2020 in a total amount not to exceed \$230,000.00, through State of New Jersey Contract No. T0083 awarded to Griffith Allied Trucking Company, LLC.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: January 6, 2020

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: January 6, 2020
Time of Meeting: 6:30 pm
Minute Page No: Page 3 of 9

Agenda No. XI 3

~ Resolution 2020 – 065 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF DIESEL FUEL THROUGH HUNTERDON COUNTY EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING PROGRAM (HCESC) CONTRACT THROUGH GRIFFITH ALLIED TRUCKING, LLC

WHEREAS, the Township of West Milford is a member of the Hunterdon County Educational Services Commission Cooperative Purchasing Program (HCESC); and

WHEREAS, the Hunterdon County Educational Services Commission Cooperative Purchasing Program (HCESC) has awarded Contract #HCESC-FUEL-18/19 to Griffith Allied Trucking, LLC and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township of West Milford anticipates the need for Diesel Fuel for the period from January 1, 2020 through September 30, 2020; and

WHEREAS, the Director of Public Works has submitted a written recommendation that the Township of West Milford purchase diesel fuel through the HCESC Contract through Griffith Allied Trucking, LLC in an amount not to exceed \$170,000.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds subject to the passage of the 2020 Budget for these purchases, said funds to be encumbered from account number 01-201-31-460-316 (\$170,000.00).

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

1. The Township Council hereby authorizes the Department of Public Works to expend funds for the purchase of diesel fuel, for the period from January 1, 2020 through September 30, 2020 in a total not to exceed amount of \$170,000.00 to Griffith Allied Trucking, LLC through HCESC Contract.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: January 6, 2020

Agenda No. XI 4

~ Resolution 2020 – 066 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO TRANSFER ITEMS OF CURRENT FUND APPROPRIATIONS IN ACCORDANCE WITH THE PROVISION OF N.J.S.A. 40:4-58

WHEREAS, there appears to be a surplus in the 2019 appropriation over and above the demand deemed to be necessary for the balance of the year:

| APPROPRIATION | ACCOUNT NUMBER | TRANSFER PROPOSAL |
|----------------------------|----------------|-------------------|
| Police Patrol, S&W | 25-240-100 | \$70,000 |
| TOTAL TRANSFERS OUT | | \$70,000 |

WHEREAS, there appears to be insufficient funds in the following appropriations to meet the demands thereon for the balance of the 2019 budget year:

| | | |
|----------------------------|------------|-----------------|
| Police Administration, S&W | 25-242-100 | \$50,000 |
| Police Communications, S&W | 25-243-100 | \$20,000 |
| TOTAL TRANSFERS IN | | \$70,000 |

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of West Milford in the County of Passaic, State of New Jersey, that in accordance with the provisions of N.J.S.A. 40A:4-58, part of the 2019 appropriation heretofore mentioned be and the same are hereby transferred to the appropriations mentioned as being insufficient to meet prior demands. A certified copy of this Resolution shall be forwarded by the Township Clerk to the Township Treasurer.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: January 6, 2020
Time of Meeting: 6:30 pm
Minute Page No: Page 4 of 9

Adopted: January 6, 2020

Agenda No. XI 5

~ Resolution 2020 – 067 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING REFUND OF ENGINEERING DEPARTMENT PERFORMANCE GUARANTEES

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

| Name & Address | Block & Lot | Amount Refunded | Amount Remaining |
|--|------------------------|------------------------|-------------------------|
| William Stanton 5 Chimney Ridge Trail West Milford, NJ 07480 | 13002-13 | \$500.00 | \$0 |

Adopted: January 6, 2020

Agenda No. XI 6

~ Resolution 2020 – 068 ~

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

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

| Resort World Casino trip | | |
|-------------------------------------|---------|--|
| Sharon | \$40.00 | Sharon McQuitty 15 Adelaide Terrace West Milford, NJ 07480 |
| Mary Ann | \$40.00 | Mary Ann Terracino 7110 Richmond Road West Milford, NJ 07480 |
| Bob Ross Day Adult Art Class | | |
| Sue | \$35.00 | Sue Williams 6 Gould Road West Milford, NJ 07480 |
| Bob Ross Kids Art 12/15 | | |
| Joshua | \$50.00 | Shelley Samuel 10 Alvin Road West Milford, NJ 07480 |
| Night Yoga | | |
| Cynthia | \$37.50 | Cynthia Kraft 8 Alpine Ridge Road West Milford, NJ 07480 |
| Nancy | \$37.50 | Nancy Pryor PO Box 258 West Milford, NJ 07480 |
| Bob Ross Night Adult Art | | |
| Kathy | \$60.00 | Kathy Ackerly 44 Goldfinch Lane Hewitt, NJ 07421 |

Adopted: January 6, 2020

Agenda No. XI 7

~ Resolution 2020 – 069 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2020

WHEREAS, applications have been made for the new licenses and the renewal of various Licenses for the 2020 license year; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
 Date of Meeting: January 6, 2020
 Time of Meeting: 6:30 pm
 Minute Page No: Page 5 of 9

WHEREAS, reports of recommendation have been received from applicable Township Departments recommending the issuance of said licenses as listed below.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford does hereby approve the issuance of 2020 Licenses as listed below:

| | |
|--------------------|--|
| License No. | 2020 PRECIOUS SECONDHAND METALS LICENSE |
| 2020-01 | Linda Leaman – Jewelry Repair Center, LLC |
| License No. | 2020 PRECIOUS SECONDHAND METALS LICENSE |
| 2020-02 | Alexis Randolph / John Pytleski – J. Alexander Fine Jewelery |

Adopted: January 6, 2020

 Moved: Erik Seconded: Lichtenberg
 Voted Aye: Erik, Lichtenberg, Goodsir, Gross, Gerst
 Voted Nay: None
 Absent: Pegel
 Motion Carried:

Agenda No. XII

Approval of Expenditures

~ Resolution 2020 – 070 ~

RESOLUTION APPROVING THE PAYMENT OF BILLS

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

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

| Acct # | Account Name | Amount |
|---------------|---------------------------|-----------------------|
| 1 | Current Account | \$231,407.09 |
| 3 | Reserve Account | 0.00 |
| 2 | Grants | 9,875.27 |
| 6 | Refunds | 800.00 |
| 1 | General Ledger | 0.00 |
| 26 | Refuse | 61,566.77 |
| 4 | Capital | 230,508.43 |
| 19 | Animal Control | 0.00 |
| 19 | Heritage Trust | 0.00 |
| 19 | Open Space Trust | 47,150.00 |
| 19 | Trust | 17,257.12 |
| 19 | Scala Trust | 0.00 |
| 16 | Development Escrow | 705.00 |
| 19 | Tax Sale Trust | 0.00 |
| 21 | Assessment Trust | 0.00 |
| | Special Reserve | 0.00 |
| Total | | \$599,269.68 |
| | Less Refund Resolution | -800.00 |
| | Actual Bills List | \$598,469.68 |
| | Other Payments | |
| | Payroll | 575,690.78 |
| | Petty Cash | 212.57 |
| | Petty Cash | 60.00 |
| | Petty Cash | 195.00 |
| | Total Expenditures | \$1,174,628.03 |

Adopted: January 6, 2020

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: January 6, 2020
Time of Meeting: 6:30 pm
Minute Page No: Page 6 of 9

Moved: Erik Seconded: Goodsir
Voted Aye: Erik, Lichtenberg, Goodsir, Gross, Gerst
Voted Nay: None
Absent: Pegel
Motion Carried:

Agenda No. XIV

Appointments and Resignations

~ Resolution 2020 – 071 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RECOGNIZING A VACANCY ON THE LIBRARY BOARD OF TRUSTEES AND THE PLANNING BOARD

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby posthumously recognize the service and contributions made by Douglas Ott to the Township of West Milford by virtue of his service on the Library Board of Trustees and the Planning Board; and

BE IT FURTHER RESOLVED, that the Township Council hereby makes it known that a vacancy exists on the Library Board of Trustees and the Planning Board for the unexpired term of Douglas Ott, said terms to expire on December 31, 2021, and December 31, 2019 respectively.

Adopted: January 6, 2020

Moved: Gross Seconded: Lichtenberg
Voted Aye: Erik, Lichtenberg, Goodsir, Gross, Gerst
Voted Nay: None
Absent: Pegel
Motion Carried:

Agenda No. IX

Public Comments

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

Richard Randazzo, 278 Wooley Road – Spoke about being a poll worker. He expressed that whatever Antoinette stated at the meeting back in December 2018 she said in public and it should be in the meeting minutes. As far as the confidential report, all the previous councilman had to do was read the minutes or watch the meeting on YouTube. A councilman cannot ask an employee to do something without consulting with the Mayor first and that councilman did. There should have been something in the ethics committee to stop him. He congratulated the newly elected officials.

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

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

Agenda No. X

Council Comments

Councilwoman Lichtenberg – Said that Mr. Randazzo does have the option to request to work in West Milford as a poll worker.

Mr. Semrau – Explained why the Council should not discuss any type of personnel matters on the dais.

Agenda No. XIII

Reports of Administrator, Mayor and Council Members

Mayor Dale – Wished everyone a happy New Year and thanked everyone for their support. She congratulated the new Councilmembers.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: January 6, 2020
Time of Meeting: 6:30 pm
Minute Page No: Page 7 of 9

She read a letter from a little girl requesting Christmas decorations in the center of town by ShopRite. Mayor Dale said she will be petitioning the Council with that request for consideration this year. She asked the Council and CFO if they can allocate funding for Christmas decorations this year. She thanked the young lady for reaching out to her.

Councilwoman Lichtenberg – Noted that this week is Law Enforcement Appreciation Week and she highly appreciates the law enforcement in our Township.

Councilman Goodsir – Congratulated Councilman Gross and thanked Pete and Lou for their service. He asked if the Township would bring back the Trout Derby. He has a few organizations that would like to donate. He asked if the Trout Derby could be on the next meeting agenda for discussion. He would like to have it the last Saturday in April. He noted various events that are held by the American Legion that are open to the public.

Councilman Gross – Said that he can help with the trout stocking. The Township would have to get a license to stock the fish and they can only stock rainbow and brown trout. He said he is in favor of doing something for Christmas. He thanked Councilman Goodsir, Mayor Dale and everyone who voted for him.

Councilwoman Gerst – No report.

Councilwoman Erik – No report.

Mr. Casey – No report.

Mr. Semrau – Provided an update on the MUA and the Newark Watershed. Mr. Semrau thanked the Mayor and Council for reappointing him. He said there have been so many changes in the Township with the Mayor and Administration, and there has been one steady person through it all and that is Cathy Shanahan. He expressed that through all the changes and emotions she had to endure she has been as stellar as always to work with.

Agenda No. V

Executive Session

~ Resolution 2020 – 062 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 6th day of January, 2020 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.
 - () 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.
 - Litigation – Stelmach v. West Milford
 - (X) b. (8) Personnel matters
 - Attorney-Client Privilege- Personnel Issue – Administration and Community Services and Recreation
 - () 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 6, 2020

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: January 6, 2020
Time of Meeting: 6:30 pm
Minute Page No: Page 8 of 9

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

The Governing Body went into executive session at 8:41 p.m.
The Governing Body returned to the public meeting at 9:55 p.m. with all present as before.

Mr. Semrau asked for a resolution which would be to authorize a settlement in the matter of Carol Stelmach verses the Township of West Milford; Docket number PAS-L-200-19, litigation between the Township of West Milford and Carol Stelmach.

~ Resolution 2020 – 072 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY TO AUTHORIZE THE SETTLEMENT OF LITIGATION FILED IN THE PASSAIC COUNTY SUPERIOR COURT CAPTIONED CAROL STELMACH v. TOWNSHIP OF WEST MILFORD, ET AL., DOCKET # PAS-L-200-19

WHEREAS, on or about January 18, 2019, West Milford Police Officer Carol Stelmach commenced litigation in the Passaic County Superior Court against the Township of West Milford and the West Milford Police Department; and

WHEREAS, while denying all of the allegations contained in the Complaint, the Township and the Township Police Department engaged in settlement negotiations with Officer Stelmach and her attorney; and

WHEREAS, in order to avoid further litigation and to amicably resolve the matter, the parties wish to enter into a settlement agreement to resolve all matters in dispute.

WHEREAS, the Mayor and Administrator shall have the right to make non-substantial changes to the settlement agreement that which the governing body went over the terms this evening prior to execution of the agreement.

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

1. That the governing body hereby authorize the Mayor and the Chief of Police to execute a settlement agreement which will be on file with the Township Clerk to authorize the settlement of the litigation which will include financial considerations as well as the complete release of all claims in connection with this matter.
2. This Resolution shall take effect immediately.

Adopted: January 6, 2020

Moved: Erik Seconded: Gross
Voted Aye: Erik, Lichtenberg, Goodsir, Gross, Gerst
Voted Nay: None
Absent: Pegel
Motion Carried:

Agenda No. XV

Adjournment

There being no further business to come before the Council, the Governing Body adjourned the meeting at 9:58 p.m.

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: January 6, 2020
Time of Meeting: 6:30 pm
Minute Page No: Page 9 of 9

Approved: February 5, 2020

Respectfully submitted:

Sherry Zbrzeski, Keyboarding Clerk II

MICHELE DALE, MAYOR

DIANE CURCIO, ACTING TOWNSHIP CLERK