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

Minutes of: Governing Body Regular  
Date of Meeting: January 23, 2013  
Time of Meeting: 6:30 P.M.  
Minute Page No: Page 1 of 20

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The Regular 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 Regular meeting was advertised in the Herald News in its issue of December 30, 2012 and January 6, 2013 copies were provided to the Suburban Trends, the Record, 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.

**Pledge of Allegiance**

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

**Roll Call**

Present: Councilmembers Ada Erik, Michael Hensley, Vivienne Erk, Edward Rosone, Luciano Signorino, Carlla Horton, Mayor Bettina Bieri.  
Absent: None.  
Also Present: Township Clerk Antoinette Battaglia, Township Attorney Frederick Semrau.

Agenda No. I

**Reading of or Approval of Unapproved Minutes**

Councilwoman Horton moved to adopt the November 14, 2012 Workshop Meeting Minutes as presented, seconded by Councilman Rosone.

Discussion: Council President Signorino asked that the last paragraph on page 12 be changed to strike the reference made to unavailability of Council. He asked that it say only that Council gave consensus for the Mayor & Attorney attend the meeting with the State and MUA representatives. All agreed. Councilmembers Horton & Rosone amended their motions accordingly.

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Moved: Horton Seconded: Rosone  
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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Agenda No. II

**Executive Session**

~ Resolution No. 2013- 046 ~

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 23<sup>rd</sup> day of January, 2013 that:

1. Prior to the conclusion of this Regular Meeting, the Township Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
  - ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
  - ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
  - ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
  - (X) 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

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- 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.
    - o Contract – Triple T Construction – Recycling Center
    - o Contract – Building Maintenance Hillcrest
    - o Contract – Caretaker Agreement
    - o Litigation - Shortway vs. West Milford (Action No. 06-2933)
  - ( ) 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 23, 2013

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Moved: Erik Seconded: Rosone  
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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The Governing Body went into executive session at 6:39 p.m.

Mr. Semrau noted that Mr. Saunders, the attorney who represents Triple T is in attendance but will not be joining the Governing Body in executive session.

Governing Body returned to main meeting room at 8:04:55 pm with all present as before.

Agenda No. III

**Presentation**

Liquor License Transfers (Public Hearings)  
Retail Consumption License #1615-33-023-004 Falciglia Sal F to Blini LLC - There was no one in the public wishing to be heard on this license and the Council had no questions.

Agenda No. IV

**Unfinished Business Final Passage of Ordinances**

None.

Agenda No. V

**Public Comments**

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

Tim Wagner, Westbrook Road, West Milford stated that there has been very little progress with installation of signs. He said that signs have been ordered and should have been installed some time ago. He said that the DPW and other departments in municipal government are understaffed. In his opinion, the pay scales must be lowered so that we can increase workforce. If Council wants to be serious about reducing the tax burden they must be serious about reducing the pay scale. We need to hire more workers at lower pay scales. He urged the Council to reduce DPW and police salaries. Each and every year Council continues to increase payroll and increase taxes. Several employees who work for DPW and CS&R no longer live in town. The whole governing body got a \$450 increase this year which sets a bad precedence. He asked the Council to hold off on amending the police service administration fee until the police contract is in place.

James Foody, 2 Kushaqua Trail North, Hewitt read two paragraphs from the Hillcrest lease. The first pertained to capital improvements and that definition. Capital improvements shall include but shall not be limited to repairs in exhibit C. The lease said that rent must be used for capital improvements. He hopes the Council can get out of this lease early and get rent money back.

Bob Nicholson, 20 Hyde Road, Stockholm said he noticed that the recreation fees eliminates people over 61. He asked if that was an oversight. People with special needs were also removed. Resolution 2012-407 is the anti idling ordinance. At the flu clinic yesterday a number of vehicles were idling. He made mention to a police officer and the Clerk. He asked where the education will start and who will do that.

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There has to be some follow through. October 3, 2012 minutes said that the fire lane ordinance was approved for introduction. He has not seen that ordinance introduced. Last weeks Passaic County open space had a meeting in Bloomingdale. Some people there were berating the County about Highlands and the Governor and that was inappropriate. That was not representative of residents' sentiments.

Jack Smith, Verona said he represents Emax, a firm that provides energy rates that are better than current rates. If they cannot do that they will pay up to \$1,000 of first month's energy bill. He explained this energy broker company and left his business card with the Administrator.

Doris Aaronson, 19 Bearfort Road, West Milford said she wishes to provide an overview of the Passaic County Open Space meeting in Bloomingdale. Most of the focus was on city parks rather than West Milford or rural issues. She reviewed comments made by West Milford residents. Carl Richko spoke about need to protect the water in the Highlands. Linda Connolly said we need more dog parks. Ada Erik wanted more horse trails. Rich Randazzo spoke about water shortages from wells. Joe Smolinski requested money for more ballfields.

Eleanor Monahan, 26 High Street, West Milford said she is sick of articles attacking our police department. Some people want salaries reduced. To suggest that is an insult to police officers. We have large events and want even more. Security is not free or cheap and is needed. There has been increased attendance at ALF and the air show. People feel safe seeing police. Multiple-day events cost more than one-day events. Maybe organizers could cut their costs rather than blame the police. She said she hopes Council will raise staffing levels in the police department. This is a large town with real problems that must be addressed. It is time to bring the staffing level to where it should be. We need it now.

Bob Nicholson, from the audience, asked for a point of order. Bob Nicholson, 20 Hyde Road, Stockholm said that Doris Aaronson grossly misstated comments he made. He never said he did not want funding for active recreation. Twice there were warnings not to speak about the Highlands yet Carl Richko kept speaking about that. He wants county funding. People were at the County open space meeting asking what West Milford is going to do with the three large parks in town.

Tim Wagner asked for a point of order. Tim Wagner, Westbrook Road, West Milford said that he would never compromise safety. He does not want fewer police. He wants lower pay scales. We cannot afford police at over \$100,000 and DPW at over \$55,000. It is a matter of economies. Taxes will continue to increase if we keep paying these exorbitant salaries. There is a reason event organizers struggle. It is not to compromise safety. He never said he wanted less safety.

Joseph Smolinski, Camelot Drive, West Milford said he was at the County meeting. The forum was for input on county parks and expending open space money. He did not say he just wants ballfields. Sandcap is a big part of West Milford recreation. There is more property across the street that is not being used. He learned that Passaic County funding is spent mostly down county and not here in West Milford. Recreation wanted to utilize more of the Sandcap property. RAC is very interested in expanding use at that property. To characterize him as only wanting ballfields is disingenuous. He hopes the County will explore greater use of Sandcap. A study was done by Kathleen Caren that showed that 97% of towns want the money for recreation not acquisition. In his opinion, as a resident, he does not think we should acquire any more open space land.

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

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Moved: Erik Seconded: Rosone  
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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Agenda No. VI

**Council Comments**

Councilman Rosone said that the environmental commission would be interested in hearing about the anti idling resolution. Mayor Bieri said that it was the Green Team that proposed this and they agreed that they are responsible for the education aspect.

Councilwoman Erik said that the signs came in as predicted, the next week we had Super Storm Sandy and following that we had severe weather conditions. That moved the sign installation down on the priority list. She said the Township does need help on recycling and she encouraged residents to join. She said that she also attended the county open space meeting. She said that T&M will be sending out 3,000 surveys to Passaic County residents. There are 500,000 residents in Passaic County meaning that

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the survey will test less than 1% of the residents. Generally between 2% and 4% of surveys sent out are sent back. It is likely that the results of the survey will not present a very good determination about the sentiments of the residents. At the meeting, she asked the T&M representative if there is a process for determining who will get the survey. He could not answer that but they are going to use the results to determine the sentiment. She will be attending the future meetings.

Council President Signorino said that the signs were scheduled for installation but the weather has negatively impacted that schedule.

Councilman Hensley thanked everyone who attended the Bloomingdale meeting. The idling resolution passed because it did not have enforcement provisions. It is a tool for education and passed on its own merits. He had a great time at the air show.

Mayor Bieri said she has had meetings with our open space coordinator and county officials with Township staff. She thanked Mr. Foody for his comments about Hillcrest. The agreement may be well written but the deal is not a good one. We should have use of that facility for \$1 per year. She has read that contract over and over many times. There were many sections that made it clear that the generator is a capital improvement and yet the BOE balked at that community-based need.

Agenda No. VII

**New Business, Introduction of Ordinances, Resolutions**

Mayor Bieri asked to move introduction of all Ordinances as one.

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Moved: Erik Seconded: Signorino  
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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Agenda No. VII 1

**~ Ordinance No. 2013- 001 ~**

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 271, "POLICE SERVICES CHARGES," OF THE REVISED GENERAL ORDINANCES**

**BE IT ORDAINED** by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, as follows:

- SECTION 1.** Chapter 271 Police Services Charges, Section §271-2, Rate for employment by third parties, of the Revised General Ordinances of the Township of West Milford, is hereby amended and supplemented to read as follows:
- § 271-2.** Rate for employment by third parties.  
Third parties seeking to utilize Township police services must coordinate the services through the Police Department. The Township shall be paid for the outside employment of police by third parties at a rate equal to the overtime rate of the officer being employed or straight time rates of a special officer plus an additional 10% for benefits, supervision, and other overhead. The Township may require the establishment of an escrow account initially funded at an amount estimated to cover the cost of the employment which shall be posted at least 10 days prior to the date in which the employment is needed.
- SECTION 2.** All ordinances of the Township of West Milford which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.
- SECTION 3.** If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.
- SECTION 4.** This Ordinance may be renumbered for purposes of codification.
- SECTION 5.** This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Introduced: January 23, 2013

This Ordinance is being introduced tonight. A second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for February 20, 2013. Notice of this public hearing shall be published in the Herald News on or about January 27, 2013.

Agenda No. VII 2

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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~ Ordinance No. 2013- 002 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 135 "FEES," OF THE REVISED GENERAL ORDINANCES

BE IT ORDAINED by the Municipal Council of the Township of West Milford, County of Passaic, State of New Jersey, as follows:

§ 135-2 Department of Community Services & Recreation

The Department of Community Services & Recreation is authorized to charge the following fees:

- A. Bubbling springs membership and badge:
(1) Family: consists of parent(s) and all children up to and including full-time students living at home: \$250.00 plus 2 guest badges. Non-resident family sponsored by resident family: \$300.00 (Number will be limited).
(2) Individual: a person age 13 through 61 \$125.00
(3) Senior Citizens: Individual (Ages 62+) \$15.00
(4) Senior Citizens Couple (Ages 62+) \$25.00
(5) Late fee: Additional fee added to membership fee after the June deadline of each year \$20.00
B. Bubbling Spring Park guest membership (per person):
(1) A person under two years of age: No charge
(2) A person from two years to seventeen years of age: \$5.
(3) A person from eighteen to 61 years of age: \$10.00
(4) Seniors (Ages 62+) \$2.00
C. Swim lessons:
(1) Lake member.
(a) All children:
[1] One session: \$60.00
[2] Two sessions: \$110.00
[3] Three sessions: \$160.00
(2) Nonmember.
(a) All children:
[1] One session: -. \$70.00
[2] Two sessions: -. \$130.00
[3] Three sessions: -. \$185.00
(3) Swim team.
(a) First child: \$95.00.
(b) Each additional child: \$90.00
D. Day camp: children entering kindergarten through 8th grade.
(1) Each child: \$250.00 per two-week session
E. Teen camp: \$285.00 per two-week session
F. Early drop-off/late pickup, per child: \$80 per two-week session for early drop off and \$80.00 per two-week session for late pick up.
G. Muppet camp: children ages three and four not entering kindergarten: \$110.00.
H. A nonrefundable maintenance fee of \$25 shall be charged for each group use permit that requires the opening, closing and/or cleaning of a facility.
I. Permit fees: Bubbling members will be charged a nonrefundable administrative/user fee of \$30 for guest groups numbering more than twenty-five. Permits must be filled out at the Parks & Recreation office. Groups under twenty-five do not need to have a permit or pay a maintenance fee. They must make arrangements with the Lake Director prior to the party.
J. PRIDE: \$15.00 per day not to exceed \$60.00 per week
K. Pre-School: \$225.00 per 7 week session
L. Friday Fun Day: \$185.00 per 7 week session

This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Introduced: January 23, 2013

This Ordinance is being introduced tonight. A second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for February 20, 2013. Notice of this public hearing shall be published in the Herald News on or about January 27, 2013.

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**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY CONCERNING SALARIES AND COMPENSATION FOR PART TIME AND SEASONAL EMPLOYEES**

**BE IT ORDAINED** by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that pursuant to Chapter 33 entitled Personnel of the Revised General Ordinances of the Township of West Milford, New Jersey, 2007 the following Officers and Employees here below stated shall be classified by job title with the corresponding pay ranges:

**TEMPORARY, PART TIME AND SEASONAL EMPLOYEES**

<b>JOB TITLE</b>	<b>WAGE RATE</b>
Recreation Attendant (includes coffeehouse monitors, volley ball referees, program assistants)	\$8.00 - \$15.00 per hour
Substitute Lake Director & Day Camp Director	\$12.00 - \$20.00 per hour
Recreation Aide (includes waterfront supervision, concession/gate monitors, seasonal maintenance workers, day camp counselors, program specialist, athletic coordinator)	\$8.25 - \$25.00 per hour
Swim Instructor	\$8.50 - \$15.00 per hour
Head Swim Instructor/Swim Team Coordinator	\$15.00 - \$30.00 per hour
Seasonal Omni Bus	\$12.00 - \$28.00 per hour
Programs for the Disabled:	
Summer Aide	\$7.50 - \$12.00 per hour
Aide	\$8.50 - \$15.00 per hour
Teacher	\$15.00 - \$25.00 per hour
Pre School Teacher	\$12.00 - \$22.00 per hour
Building Service Worker (Monitor)	\$9.00 - \$14.00 per hour
Head Teacher	\$25.00 - \$28.00 per hour

Any ordinance or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to such extent as they are in conflict or inconsistency.

This ordinance shall take effect 20 days after its final passage by the Township Council.

Introduced: January 23, 2013

This Ordinance is being introduced tonight. A second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for February 20, 2013. Notice of this public hearing shall be published in the Herald News on or about January 27, 2013.

Agenda No. VII 4

~ Ordinance No. 2013- 004 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY CONCERNING SALARIES AND COMPENSATION FOR ADMINISTRATIVE, CONFIDENTIAL AND UNAFFILIATED EMPLOYEES**

**BE IT ORDAINED**, by the Township Council of the Township of West Milford, in the County of Passaic, New Jersey that pursuant to Chapter IV entitled Personnel of the Revised General Ordinances of the Township of West Milford, New Jersey, 1976, the following Officers and Employees here below stated shall be classified by job title with the corresponding pay ranges:

*MAYOR AND COUNCIL*

<b>JOB TITLE</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Township Mayor	\$5,348.00	\$5,800
Township Council	\$4,754.00	\$5,200

*DEPARTMENT AND OFFICE HEADS*

<b>JOB TITLE</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Township Administrator	\$70,000.00	\$144,000.00
Director of Finance	\$55,000.00	\$112,000
Director of Public Works	\$55,000.00	\$110,000
Township Clerk	\$55,000.00	\$95,000.00
Director of Community Services and Recreation	\$55,000.00	\$95,000.00

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Court Administrator	\$45,000.00	\$90,000
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*DIVISION HEADS*

<b>JOB TITLE</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Police Chief	\$137,500.00	\$148,000
Tax Assessor	\$50,000.00	\$109,000
Tax Collector	\$50,000.00	\$93,500.00
Construction Official	\$45,000.00	\$99,000
Fire Marshall	\$50,000.00	\$70,000.00

*CONFIDENTIAL AND UNAFFILIATED EMPLOYEES*

<b>JOB TITLE</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Data Processing Coordinator/Network Administrator	\$35,000.00	\$81,000
Chief Custodian	\$25,000.00	\$71,000
Judge	\$15,000.00	\$36,000
Prosecutor	\$10,000.00	\$27,000.00
Entry-Level Computer Technician	\$15 per hr.	\$20 per hr.

*STIPENDS*

<b>JOB TITLE</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Fire Commissioner	\$3,000.00	\$6,500.00
Deputy Fire Commissioner	\$1,500.00	\$5,000.00
Emergency Management Coordinator	\$2,000.00	\$2,000.00
Deputy Emergency Management Coordinator	\$3,000.00	\$3,000.00
Telecommunications Systems Analyst	\$2,500.00	\$5,500.00
Veteran Officer	\$500.00	\$1,500.00
Secretary Bd./Comm P/T (A) – General	\$130 per mtg.	\$200 per mtg
Secretary Bd./Comm P/T (B) – Zoning Bd.	\$250 per mtg.	\$500 per mtg
Deputy Registrar	\$3,000.00	\$6,000.00
Alternate Deputy Registrar	\$1,000.00	\$3,000.00

1. The aforelisted Officers and Employees shall be compensated in accordance with the preceding Salary Range.
2. **BENEFITS:** Benefits relating to vacation, sick days, personal days, longevity, holidays, bereavement leave and medical insurance shall be those as contained in the contract between the West Milford Municipal Employees Guild (AFSCME 3301) and the Township of West Milford or any employment agreement consistent with applicable law.
3. **OVERTIME:** If not otherwise eligible for overtime compensation by contract or law, each full-time department and division head in lieu of overtime compensation as provided in the Guild contract, shall receive three (3) vacation days and up to 35 compensatory hours annually, the latter earned hour for hour for hours worked above forty per week. All other full-time employees listed in this ordinance if not otherwise eligible for overtime compensation by contract or law, shall receive 21 compensatory hours annually, plus one half hour for each hour worked above thirty-five or forty hours per week depending on the applicable contract for the employee's department. Vacation and compensatory time may be used or accumulated as follows: vacation days may be carried for up to one year from January 1 following the year earned, and compensatory hours may be taken no later than April 1 of the year following the year earned.
4. Stipend Positions will not be subject to increases unless specifically authorized by Resolution of the governing body.
5. Any ordinance or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to such extent as they are in conflict or inconsistent. This ordinance shall take effect 20 days after its final passage by the Township Council.

Introduced: January 23, 2013

This Ordinance is being introduced tonight. A second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for February 20, 2013. Notice of this public hearing shall be published in the Herald News on or about January 27, 2013.

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Discussion: Ms. Gage advised that traditionally when the Guild/ AFSCME 3301, white collar workers ratify their contract those terms apply to department & division heads. The health insurance changes will also apply if you approve the salary ordinance. The proposed change for Mayor & Council is discretionary but the Auditor requires that the ordinance reflect the range. These are maximum ranges and Council is not necessarily approving any change in the actual compensation amounts. The ranges are reflected through 2014 in accordance with the contract term.

Mayor Bieri asked to move Resolutions 2013-047, 2013-048, 2013-049, 2013-050, 2013-051, 2013-052, 2013-060 and 2013-061.

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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Agenda No. VII 5

~ Resolution No. 2013- 047 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF NEWARK, THE TOWNSHIP OF WEST MILFORD AND THE WEST MILFORD POLICE DEPARTMENT FOR MONITORING & SECURITY OF WATER SUPPLY FACILITIES IN THE NEWARK WATERSHED**

**WHEREAS**, the City of Newark has obtained and appropriated funding for monitoring and security systems for water supply facilities in the Newark Watershed; and

**WHEREAS**, the West Milford Police Department has recommended the execution of a Memorandum of Understanding with the City of Newark for the installation of monitoring equipment in the police department to allow for improved monitoring at those facilities; and

**WHEREAS**, said agreement outlines the terms and conditions of the responsibilities of each party to the agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the Mayor and Township Clerk be and are hereby authorized to execute a Memorandum of Understanding with the City of Newark to identify the systems & security infrastructure to be exchanged and/or shared by each party and delineate the respective responsibilities of the parties; and

**BE IT FURTHER RESOLVED** that the Memorandum of Agreement shall not be considered to be complete without final review by the Township Attorney with his original signature affixed thereto as evidence of such final review.

This Resolution shall take effect immediately.

Adopted: January 23, 2013

Agenda No. VII 6

~ Resolution No. 2013- 048 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO JOANNA SLAGLE FOR THE PREPARATION OF THE WEST MILFORD TOWNSHIP TRAILS MASTER PLAN FOR AN AMOUNT NOT TO EXCEED \$7,800**

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

**WHEREAS**, Joanna Slagle of Banisch Associates, Inc. submitted a proposal dated December 19, 2012 for the preparation and completion of the West Milford Township Trails Master Plan; and

**WHEREAS**, the total amount of the contract shall not exceed \$7,800.00; and

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**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds pursuant to N.J.A.C. 5:30-5.4.

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

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

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

1. The Township Council hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Joanna Slagle of Banisch Associates, Inc. with offices located at 111 Main Street, Flemington, New Jersey, 08822 as professional planner for the Township of West Milford in an amount not to exceed \$7,800.00. The agreement shall be on file in the office of the Township Clerk.
2. The term of the contract shall be for a period to run through December 31, 2013.
3. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: January 23, 2013

Agenda No. VII 7

~ Resolution No. 2013- 049 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP AND TMP OF NEW YORK, INC. d/b/a TEPLITZ METAL PROCESSING FOR THE MARKETING OF RECYCLABLE SCRAP METAL**

**WHEREAS**, proposals were solicited for The Marketing Of Recyclable Scrap Metal for the Township of West Milford by the Solid Waste and Recycling Coordinator, West Milford Department of Public Works on December 11, 2012; and

**WHEREAS**, one proposal was received on December 26, 2012 in the Office of the Township Clerk and conveyed to the Solid Waste and Recycling Coordinator; and

**WHEREAS**, Teplitz has satisfactorily worked with the Township as the scrap metal vendor for four years; and

**WHEREAS**, the Director of Public Works and the Solid Waste & Recycling Coordinator have thoroughly reviewed each proposal, and has recommended the award of a contract to TMP of New York, Inc. d/b/a Teplitz Metal Processing;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the Mayor and the Municipal Clerk are hereby authorized to execute an agreement with TMP of New York, Inc. d/b/a Teplitz Metal Processing for the marketing of recyclable scrap metal for the period of January 1, 2013 through December 31, 2013 for the Township of West Milford.

Adopted: January 23, 2013

Agenda No. VII 8

~ Resolution No. 2013- 050 ~

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

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

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

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

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

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

1. The Township Mayor and Township Clerk are authorized to execute an agreement with Professional Insurance Associates, Inc., with offices located in Carlstadt, New Jersey to serve as the Township's Risk Management Consultant from January 1, 2013 through December 31, 2013.
2. Compensation for the provision of these services shall be at 5% of the Municipality's annual assessment as promulgated by the Morris County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund.
3. Compensation shall be made to the Professional Insurance Associates, Inc. through the Morris Joint Insurance Fund pursuant to their customary payment schedule, as is standard practice in the industry.
4. The Township Commissioners to the Morris Joint Insurance Fund shall keep themselves apprised of these payments by virtue of the regular payment of bills which are authorized and approved at the regular meetings of the MJIF.
5. This resolution shall take effect immediately.

Adopted: January 23, 2013

Agenda No. VII 9

~ Resolution No. 2013- 051 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A CARETAKER AGREEMENT WITH JANETTE WEBER TO SERVE AS CARETAKER OF WESTBROOK PARK**

**WHEREAS**, the Township of West Milford previously authorized caretaker agreements for Westbrook Park; and

**WHEREAS**, the Director of Community Services & Recreation has recommended Janette Weber to serve in this capacity.

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

1. The Mayor and Municipal Clerk be and are hereby authorized to execute a caretaker agreement with Janette Weber to serve as caretaker of Westbrook Park for the period January 1, 2013 through December 31, 2013.
2. Said agreement is contingent upon Ms. Weber completing a successful interview with the Township Administrator and satisfactory completion of a background check in accordance with Township requirements for same.
3. The Chief Financial Officer shall receive a copy of the aforementioned agreement and make appropriate adjustments with respect to any 1099 reporting to the IRS.
4. This Resolution shall take effect immediately.

Adopted: January 23, 2013

Agenda No. VII 10

~ Resolution No. 2013- 052 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A PERSON TO PERSON AND PLACE TO PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-023-004 FROM FALCIGLIA SAL F. TO BLINI LLC FOR PREMISES AT 216 CAHILL CROSS ROAD, WEST MILFORD**

**WHEREAS**, an application has been received for a Person to Person and Place to Place transfer of 2012 - 2013 Plenary Retail Consumption License No. 1615-33-023-004 presently held by Falciglia Sal F. to Blini LLC for premises at 216 Cahill Cross Road, West Milford, New Jersey 07480; and

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

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**WHEREAS**, the Township Council has conducted a public investigation of the applicant as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980, and

**WHEREAS**, as a result of that investigation the Township Council has determined the following:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicant has disclosed to the issuing authority the source of all financing obtained in the previous license year (July 1, 2011 - June 30, 2012).

**WHEREAS**, as a further result of the public investigation and upon the recommendation of the Police Department the Township Council authorizes the inactive license be transferred with conditions as follows:

Prior to activating the license inspections of premises must be made and satisfactory recommendations must be received at the Township Clerk's office from the following departments: Health Department, Fire Prevention Department and Police Department. Inactive licenses must submit pages 1, 2 and 11 of the 12-page Application to the Township Clerk's office within ten days of opening premises.

**NOW, THEREFORE, BE IT RESOLVED** that the application is hereby approved and the Township Clerk is authorized to issue the license certificate for the Mayor and Township Council of the Township of West Milford upon receipt of satisfactory recommendations of premise inspections.

Adopted: January 23, 2013

Agenda No. VII 11

~ Resolution No. 2013- 060 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING A LOWER CO-INSURANCE LIMIT THROUGH THE OFFERING PROVIDED BY XL INSURANCE COMPANY AND THE JOINT INSURANCE FUND (JIF)**

**WHEREAS**, the Township of West Milford (hereinafter, the Township) is a member of the Morris County Municipal Joint Insurance Fund (hereinafter, the JIF) for all Property and Casualty coverages (including but not limited to Property, General Liability, Inland Marine and Workers Compensation) and more specifically, Employment Practices Liability and Public Officials Liability coverage; and

**WHEREAS**, the Employment Practices Liability and Public Officials Liability coverages are provided by XL Insurance Company, through a separate insurance contract held by the JIF on behalf of its member municipalities; and

**WHEREAS**, the 2013 renewal program offered by XL Insurance Company allows for various options to change both deductibles and co-insurance, at an additional premium; and

**WHEREAS**, Municipal Risk Management Consultant (hereinafter, the RMC) has performed due diligence in reviewing the options and provided a recommendation for consideration during a recent public meeting of the Governing Body; and

**WHEREAS**, the Governing Body, after reviewing and discussing the options presented and recognizing the timeframe for action did by consensus on December 5, 2012 agree to take action.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Township of West Milford, County of Morris, State of New Jersey, the Township Administrator and RMC are hereby authorized and directed to effectuate the following option

\$20,000 Deductible with a 20% Co-Insurance of the 1<sup>st</sup> \$100,000. of claim

as stated in the Memorandum issued by the JIF Underwriting Manager for a January 1, 2013 effective date; and

**BE IT FURTHER RESOLVED**, a certified copy of this Resolution shall be forwarded to Professional Insurance Associates, 429 Hackensack Street, P.O. Box 818 Carlstadt, NJ 07072, Risk Management Consultant to the Township.

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

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This Resolution shall take effect immediately.

Adopted: January 23, 2013

Agenda No. VII 12

~ Resolution No. 2013- 061 ~

**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 FOX ARCHITECTURAL DESIGN FOR THE PERFORMANCE OF ARCHITECTURAL SERVICES FOR THE TOWNSHIP MUSEUM IN AN AMOUNT NOT TO EXCEED \$6,300.00**

**WHEREAS**, there exists a need for professional services to be rendered for Architectural Services associated with the West Milford Museum; and

**WHEREAS**, the Township wishes to retain Fox Architectural Design to provide such professional services regarding the above referenced property and in accordance with its proposal for such services dated March 19, 2010, which has been placed on file with the Office of the Township Clerk; and

**WHEREAS**, the total amount of the contract shall not exceed \$6,300.00; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds said funds to be encumbered from the Heritage Trust Fund; and

Agenda No. VII 13

~ Resolution No. 2013- 063 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE TERMS OF A SUCCESSOR COLLECTIVE BARGAINING AGREEMENT WITH AFSCME COUNCIL 52, LOCAL 2275 FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2014**

**WHEREAS**, the Township of West Milford ("Township") and the AFSCME Council 52, Local 2275 have been conducting negotiations for successor Collective Bargaining Agreements; and

**WHEREAS**, the Mayor and Council desires to approve the terms of the agreement as recommended by the Township Administrator in accordance with the memorandum of agreement signed on January 4, 2013.

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

1. The Parties have reached a tentative Agreement; and
2. AFSCME Council 52, Local 2275 has ratified the terms of the Agreement; and
2. The Township desires to ratify the terms of the Agreement.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford, County of Passaic, ratifies the terms contained in the Agreement with AFSCME Council 52, Local 2275 as recommended by the Township Administrator for inclusion in successor Collective Bargaining Agreements and directs the Township's Labor Counsel to incorporate said terms into the parties' Collective Bargaining Agreement and authorize the Township Administrator to execute said Collective Bargaining Agreement when completed.

Adopted: January 23, 2013

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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Motion to send notice to DOP requesting a reduction of force of 2 employees in building maintenance.

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Moved: Signorino Seconded: Erik  
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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

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Agenda No. VIII

**Consent Agenda**

**~ Resolution No. 2013- 053 ~**

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

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

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

**Resolutions:**

- a. **2013-054** – Correct LOSAP List
- b. **2013-055** – Cancel Check
- c. **2013-056** – Refund Escrow Funds
- d. **2013-057** – Refund Health Department Fee
- e. **2013-058** – Refund Other Liens
- f. **2013-059** – Refund Overpayments

**Applications:**

- 1. Application for Special Permit for Social Affair by Saint Joseph for March 16, 2013.
- 2. Application for On Premise Draw Raffle License No. 2013-04 by St. Joseph Church for March 16, 2013.
- 3. Application for Casino Night License No. 2013-05 by St. Joseph Church for March 16, 2013.
- 4. Application for Off Premise Draw Raffle License No. 2013-06 by BPOE West Milford Elks Lodge #2236 for April 26, 2013.

Adopted: January 23, 2013  
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Moved: Horton Seconded: Signorino  
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VIII a

**~ Resolution No. 2013- 054 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING THE CORRECTED LIST OF VOLUNTEER MEMBERS OF THE TOWNSHIP OF WEST MILFORD FIRE DEPARTMENTS AND FIRST AID SQUADS**

**WHEREAS**, the Township adopted Resolution No. 2012-389 which approved the certification list of volunteer members of the Township of West Milford for 2011; and

**WHEREAS**, the list was posted for 30 days and there are corrections to this list.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Township Council of the Township of West Milford, formally approve the corrected list of the volunteer members of the Township of West Milford fire departments and first aid squads for the year 2011, a copy of which list is on file in the Office of the Township Clerk.

Approved: January 23, 2013

Agenda No. VIII b

**~ Resolution No. 2013- 055 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF A TOWNSHIP CHECK**

**BE IT RESOLVED**, by the Township Council of the Township of West Milford that, based upon the report and request of the Tax Collector's Office the following check be cancelled:

**REASON: OVERPAYMENT OF REFUND - Check Undeliverable**

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BLOCK/LOT	NAME	AMOUNT	YEAR
5312-1.03	Lena Saffioti	\$250.00	2012
<b>TOTAL</b>		<b>\$250.00</b>	

Adopted: January 23, 2013

Agenda No. VIII c

~ Resolution No. 2013- 056 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF ESCROW MONIES**

**BE IT RESOLVED**, by the Township Council of the Township of West Milford that, based upon the report and request of the Planning Department the following Escrow monies be refunded:

Name & Address	Application No.	Amount of Escrow	Amount Refunded
Your Home Team 37 Christine Court West Milford, NJ 07480	0830-0822	\$3,824.46	\$166.28

Adopted: January 23, 2013

Agenda No. VIII d

~ Resolution No. 2013- 057 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF HEALTH DEPARTMENT FEE**

**WHEREAS**, John Dinky, Jr. submitted a septic application for a permit to locate and construction or alter an individual sewage disposal system in the amount of \$90.00 for work at 77 Terra Cotta Road; and

**WHEREAS**, no work needed to be done;

**WHEREAS**, the Health Department has recommended that the above referenced fee be refunded;

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers be and they are hereby authorized and directed to issue checks refunding such duplicate fees as shown below:

Name	Amount
Earthcare/Residual Management Company Kevin Kopocsi 99 Maple Grange Road Vernon, NJ 07462	\$90.00

Adopted: January 23, 2013

Agenda No. VIII e

~ Resolution No. 2013- 058 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF OTHER LIENS**

**WHEREAS**, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective lien.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of West Milford that the proper officers be and are hereby authorized and directed to pay the indicated amount to the holder of the lien certificate as hereinafter shown below:

Certificate No	Certificate Date	Block/Lot/Qual	Reimbursement Amt	Pay to the lien holder
06-076	04/11/2006	12305-011	\$258.29	CHUN T. LI 9 MALJUM COURT WAYNE, NJ 07470

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Certificate No	Certificate Date	Block/Lot/Qual	Reimbursement Amt	Pay to the lien holder
07-073	04/03/2007	12305-011	\$251.78	CHUN T. LI 9 MALJUM COURT WANYE, NJ 07470
11-002	04/19/2011	00510-011	\$52,250.21	US BANK CUST FOR TOWER DBW 50 SOUTH 16TH ST. STE 1950-TOW PHILADELPHIA, PA 19102
11-034	04/19/2011	02704-011	\$20,975.47	ROSEHILL FUND I LLC PO BOX 503 RYE, NY 10580
11-039	04/19/2011	03603-001	\$741.70	US BANK CUST FOR TOWER DBW 50 SOUTH 16TH ST. STE 1950-TOW PHILADELPHIA, PA 19102
11-048	04/19/2011	04301-009	\$12,397.08	LEAN MAN RETIREMENT PLAN C/O ALEX GARCIA TTEE 103 FINCH ROAD RINGWOOD, NJ 07456
12-0051	03/27/2012	03603-001	\$8,890.43	ROSEHILL FUND 1 LLC JOHN HANRATTY PO BOX 503 RYE, NY 10580
12-0139	03/27/2012	15602-004-CELL	\$36,551.88	TOWER DBW II TRUST 2012-1 1345 AVE / AMERICAS 46 FL NEW YORK, NY 10105
<b>GRAND TOTAL</b>			<b>\$132,316.84</b>	

Adopted: January 23, 2013

Agenda No. VIII f

**~ Resolution No. 2013- 059 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF OVERPAYMENTS**

**WHEREAS**, there appears on the tax records overpayments as shown below and the Collector of Taxes recommends the refund of such overpayments.

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayment as shown below:

**REASONS:**

- 1. Incorrect Payment
- 2. Duplicate Payment
- 3. Senior Citizen/Veteran Deduction
- 4. Homestead Rebate
- 5. Tax Appeal

Block/Lot	Name	Amount	Year	Reason
2512-27	John & Elaine Kieffer 300 Lakeshore Drive, Hewitt, NJ 07421	\$1,042.14	2012	2
3004-19	Ellen Faulkner 220 Skyline Lakes Drive, Ringwood, NJ 07456	\$250.00	2012	3
3405-15	Craig & Gloria Shaljian 12 Old Lakeside Road, Hewitt, NJ 07421	\$161.48	2012	5
3506-8	Joseph Leto 29 Lakeside Road, Hewitt, NJ 07421	\$250.00	2012	3
4010-7	Sandra Luogameno 56 Wanaque Road, Hewitt, NJ 07421	\$250.00	2012	3
4301-37	Bernhard Bartsch 33 Forest Lake Drive, Hewitt, NJ 07421	\$250.00	2012	3
5315-3.10	Glendon Herman 7310 Richmond Rd, West Milford, NJ 07480	\$250.00	2012	3
5601-5	Lillian Bocchiaro 548 Ridge Road, West Milford, NJ 07480	\$250.00	2012	3
6101-5	Ralph & Barbara Zaccaro 678 Morsetown Ro, West Milford, NJ 07480	\$217.02	2012	5

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Block/Lot	Name	Amount	Year	Reason
7516-6	Barbara Clare 6 Willow Lane, West Milford, NJ 07480	\$250.00	2012	3
9705-2	Robert Dydo 8 Warren Place, West Milford, NJ 07480	\$250.00	2012	3
9901-14.03	Anne Thornton 1064 Union Valley Rd, West Milford NJ 07480	\$250.00	2012	3
15803-18	Bruce Bobrowski 12 Paradise Road, Oak Ridge, NJ 07438	\$250.00	2012	3
15804-7	Singh Real Estate Enterprises, 555 Lincoln Drive West Ste 100, Marlton, NJ 08053	\$3,051.55	2012	1
16804-18	Daniel & Joanne Vinales 34 Crest Hill Drive, Oak Ridge, NJ 07438	\$2,694.00	2012	2
<b>TOTAL</b>		<b>\$9,666.19</b>		

Adopted: January 23, 2013

Agenda No. IX

**Approval of Expenditures**

~ Resolution No. 2013- 062 ~

**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	\$432,585.63
2	Reserve Account	423,389.09
3	Animal Control Trust	3,685.12
6	Capital	351,965.03
7	Grants	8,308.86
8	Refuse	169,449.65
9	Refunds.	142,073.03
12	General Ledger	5,004,613.28
16	Heritage Trust	29.71
14	Open Space Trust	66,453.00
17	Trust	2,115.00
18	Development Escrow	7,928.28
19	COAH	0.00
20	Special Reserve	0.00
11	Assessment Trust	0.00
Total		\$6,612,595.68
Less Refund Resolution		-142,073.03
Actual Bill List		\$6,470,522.65
Other Payments Ck #51347 US Postmaster		14,000.00
Check #51351 Pitney Bowes		1,332.00
Check #51352 US Postmaster		\$1,595.00
<b>Total Expenditures</b>		<b>\$6,487,449.65</b>

Adopted: January 23, 2013

Moved: Erik  
 Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
 Voted Nay: None.  
 Motion carried.

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

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Agenda No. X

**Reports of Administrator, Mayor and Council Members**

Councilman Hensley asked about a notice in packets from Marlboro asking towns to join in a lawsuit against JCP&L. The Council gave consensus to have Mr. Semrau look into that and report back.

Councilman Rosone said that on January 10<sup>th</sup> there was correspondence about a joint committee with the BOE. Ms. Gage reminded Council said that she asked for clarification and they sent that letter. She is planning that for discussion along with other committees at February workshop. Councilman Rosone said he favors the committee and wants to serve on it. He asked Doris Aaronson if she got information about ages & Hepatitis C. She said no. He said it is important when considering the issues and he added that it is very important that any information be accurate. Hepatitis C can be spread through many means other than heroin use. It is fair, he said, to have all the facts.

Council President Signorino said he appreciates comments about the BOE committee. He is looking forward to it and wants to serve.

Councilwoman Horton thanked everyone who attended tonight's meeting. She is liaison to a few committees. CASA is having an awareness dinner on Monday night at Elks at 6:30. RSVP is required. The lakes committee is preparing a letter to the Administrator regarding concerns about lack of enforcement of the septic pumping ordinance. She thanked Councilman Rosone for offering to serve on the BOE committee. She said she appreciates material received from the MUA who is facing obstacles in their path toward safe clean water. The Hillcrest lease is linked to the need to review our facilities and our needs. It is distressing to have to scramble to install a generator days before a storm utilizing more taxpayer money. Councilwoman Erk said that she would also be interested in the BOE committee.

Councilwoman Erik conveyed a child's thanks to Jayme for the sledding hill. She asked for a tow-rope to get back up the hill. She said she called the CDC on the Hepatitis C statistics but they will not disclose ages. There was a recent article in the paper about Jessie's Journey. Last week she took a resident to the hospital because of that article. She described this young woman's struggle with Heroin.

Mayor Bieri said that DCA sent a letter advising that West Milford got \$20,000 for a ROID grant. There was a meeting on November 21<sup>st</sup> last year with DEP. It was mostly an update. There were representatives from DEP, DCA, MUA, and the Township and they discussed how to bring the MUA into compliance as well as possible options for transfer or sale. MUA had some homework to do and are seeking Council input. Therefore she would request that a committee for the MUA also be discussed at the next workshop meeting. Council President Signorino asked if the Mayor has attended many MUA meetings. She said she did in past but not so much recently. Council President Signorino asked Administrator Gage to find out if they have followed through on finding out if they qualify for loan infrastructure through the State. Mayor Bieri said that they have too much debt burden and will not get more funding. Councilwoman Horton said they have reached out to PVSC to establish a strategy. Mayor Bieri advised there was a memo about water coalition efforts. The lobbyist, she said, is working to get towns signed on. On January 11<sup>th</sup> she participated in a conference call with staff and the lobbyist to discuss a proposed bill that might advance West Milford's cause. She and Mr. Semrau went to Trenton to speak but the hearing was postponed. However, she took advantage of the opportunity and spoke to the bill's sponsor Senator Smith. Yesterday she met with Senator Majority office staff to see if there is a possibility of an amendment of that bill to get a portion of that charge to come back to host municipalities. She is still working on it. Mr. Semrau advised that the proposed legislation was intended to fund the acquisition of open space. There is discussion that this bill will die in committee. We are not at the point where we effectively lobby but are trying to get educated about the process and how to rally to find our spot. Mayor Bieri explained S-813 as well as the other options proposed. From the audience, Mr. Smolinski said that in 2009 West Milford residents defeated a state referendum for \$400 million for open space. He asked if the sale of Newark property to the State was discussed. Mayor Bieri answered in the affirmative.

Administrator Gage said that the Board of Education prematurely received a check in the amount of \$500,000 from the Township which is supposed to be held in escrow and is for the title transfer of Wallisch. The Township has not made payments for the past two years. When all issues are resolved we will claim a deduction for the generator purchase from the rent for Hillcrest. The first phase of the budget process is on the dais. It is a new format based on the new accounting software. She has provided Council with requests from Department Heads as well as other financial data. She has made some recommended changes to reduce operating expenses. The Auditors will prepare financial statements and come up with end of year numbers and she will be discussing revenues with him next week. She has put together a schedule of committee meetings for Council consideration and she is recommending two Saturdays. She asked the Council to let her know of any issues. Paul Ferriero has provided a

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

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recommendation for the clock at the circle and he will need a decision in a few weeks. County grant money will fund the \$40,000 price tag. The Council agreed that they like the concept from Mr. Ferriero and they gave permission to proceed. Council President Signorino asked if we are getting a plaque with inscriptions noting that the Council should have input on that. Ms. Gage advised that she met with the open space committee to discuss if the Township will be seeking to acquire open space. There was no interest in acquisition but there is definitely interest in recreation. There is an outstanding grant for the coffee house in the amount of \$150,000 for which the Township must commit matching funds to proceed. She will schedule discussion in the budget process. There is also a \$50,000 outstanding grant for the engineering design for the fields at CYO which also requires matching funds which will also require discussion during the budget process. Ms. Gage advised that the Joo application was heard and approved at the Planning Board meeting on January 3<sup>rd</sup>. Several steps have yet to be taken and construction of improvements to repair damage to drainage system are supposed to begin no later than February 15<sup>th</sup>. It would appear that neighbor's concerns were addressed. She advised that the State has revised budget dates and the Governor's office has said that state aid numbers will come out on February 26<sup>th</sup>.

Agenda No. XI

**Appointments and Resignations**

**Municipal Utilities Authority**

Councilwoman Erik nominated David Ofshinsky to Commissioner #5 and Paul McGill to Alternate #1 on the Municipal Utility Authority. Seconded by Councilwoman Horton.

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Moved: Horton Seconded: Rosone  
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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**Wanaque Valley Regional Sewage Authority**

Councilwoman Erik nominated Robert Moshman to Citizen Commissioner Member on Wanaque Valley Regional Sewage Authority. Seconded by Councilman Signorino.

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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**American with Disabilities Act Compliance Committee**

Councilwoman Erik nominated Stephen Oatley Citizen Member on the ADA. Seconded by Councilman Signorino.

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Moved: Rosone Seconded: Signorino  
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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**Beautification / Recycling Task Force Committee (Advisory)**

Councilwoman Erik nominated Selisa Colwell Citizen Member on the Beautification / Recycling Task Force Committee. Seconded by Councilwoman Horton.

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Moved: Rosone Seconded: Horton  
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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**Parks & Recreation (Advisory) Committee**

Councilman Signorino nominated Patricia Gerst Citizen Member on the Parks & Recreation (Advisory) Committee. Seconded by Councilman Hensley.

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Moved: Erik Seconded: Hensley  
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.

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

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Voted Nay: None.  
Motion carried.

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**Municipal Alliance Committee (CASA)**

Councilwoman Erik nominated Lori Novak-Carafello Citizen Member to Municipal Alliance Committee (CASA). Seconded by Councilwoman Horton.

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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**Economic Development Commission**

The Governing Body made the following nominations for citizen members on the Economic Development Commission:

Roll call for nomination of Michele Dale Citizen Member on the Economic Development Commission.

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Hensley, Signorino, Horton.  
Voted Nay: Erk, Rosone.  
Motion carried.

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Roll call for nomination of Beverly Puntillillo Citizen Member on the Economic Development Commission

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Hensley, Rosone, Signorino, Horton.  
Voted Nay: Erk.  
Motion carried.

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Roll call for nomination of Clint Space Citizen Member on the Economic Development Commission.

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Hensley.  
Voted Nay: Erk, Rosone, Signorino, Horton.  
Motion carried.

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Roll call nomination of Angelo Silvestri Citizen Member on the Economic Development Commission.

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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Roll call nomination of Timothy Wagner Citizen Member on the Economic Development Commission.

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Moved: Erik Seconded: Horton  
Voted Aye: Hensley, Erk, Rosone, Signorino, Horton.  
Voted Nay: Erik.  
Motion carried.

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Roll call nomination of Paul Zarillo Citizen Member on the Economic Development Commission.

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Hensley, Erk, Signorino, Horton.  
Voted Nay: Rosone.  
Motion carried.

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Roll call nomination of Bob Nicholson Citizen Member on the Economic Development Commission.

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Moved: Erik Seconded: Horton  
Voted Aye: Erk, Rosone, Signorino, Horton.  
Voted Nay: Erik, Hensley.  
Motion carried.

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**Environmental Commission**

