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

Minutes of: Governing Body Regular Meeting  
Date of Meeting: January 23, 2019  
Time of Meeting: 6:30 pm  
Minute Page No: Page 1 of 24

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The Regular 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 January 6, 2019; 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, Andrena Pegel, Marilyn Lichtenberg, Peter McGuinness  
Luciano Signorino, Patricia Gerst, Mayor Michele Dale  
Absent: None  
Also Present: Township Clerk Antoinette Battaglia, Dawn Sullivan of Dorsey & Semrau for Township  
Attorney Fred Semrau

Agenda No. III

**Reading of or Approval of Unapproved Minutes**

December 19, 2018 Executive Session  
January 2, 2019 Reorganization Meeting  
January 2, 2019 Workshop Meeting

Councilwoman Pegel noted a correction on page 9 of the reorganization meeting minutes. She did not say judicial. She said "they have a fiduciary responsibility to protect the residents". She noted a correction on page 2 of the workshop meeting minutes she said "salaries should commensurate with experience".

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Moved: Erik                      Seconded: Pegel  
Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Gerst  
Voted Nay: None  
Abstain: Signorino  
Motion Carried:

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Agenda No. IV

**Meetings**

Mayor Dale noted the future meeting schedule:

February 6, 2019 Workshop Meeting  
February 20, 2019 Regular Meeting  
March 6, 2019 Workshop Meeting

Agenda No. V

**Executive Session**

None

Agenda No. VI

**Proclamations**

None

Agenda No. VII

**Presentations**

Budget Discussion: Overview and Capital Improvement Plan

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Mr. Casey noted the Governing Body was provided a hard copy of the capital budget and a cover memo for the upcoming year. He said last year they were successful going through the budget process so he outlined a continuation of the process for this year beginning with the capital budget. He will present an overview of the capital budget with a large spreadsheet outlining 2016 through 2019 requests. He mentioned that the requests this year are very similar to the requests in the past. He noted that they will review the debt management plan at the second meeting in February. The goal is to introduce the budget the second week in March. Mr. Casey started the discussion with open space items at Nosenzo Park. The big issue still out there is rest-rooms in the park. He said, at one point in time, there was a septic system there. Councilman Signorino said he recalls a conversation with Freeholder Duffy regarding funding from the County for bathrooms. He said he will try and reach out to the County. Mr. Casey reviewed prior budget request items from Westbrook Park, Farrell Field Park and field upgrades that historically have been completed. He spoke about routine athletic fields and Bubbling Springs ballfield rehab requests. Mr. Casey explained that DPW is requesting a stump grinder and excavator. Councilman Signorino requested the records, purchase orders and expenses for the outside contractors that were used for stump grinding and excavating so they have something to compare to. Mr. Casey said a cost benefit ratio discussion will be a good discussion to have with Mr. Steines. Mr. Casey expressed that the roof at the Recreation building is leaking all over the new gym floor. Councilman Signorino said they should look into seeing if the roof has a warranty. Mr. Casey noted when they accepted the PAL building, the roof was questionable. Mr. Casey stated that the current 911 telephone system is no longer under a maintenance agreement and the Council should have a discussion with the Chief of Police regarding it. Mr. Casey mentioned engineering road grants, local and main road resurfacing and work that should be discussed with the Engineering Department. He stated the capital ordinances are for road assessments that are not funded yet and need to be implemented. Mayor Dale mentioned the reason was to determine with the communities which roads needed the most repair. Have a survey and then have residents request they want funds to resurface their road. Councilman Signorino asked why they appropriated funds for road assessments and for what purpose. Mayor Dale said the purpose of it was to fund each and every year to continue the program. She noted that they funded a road in Newfoundland and recently in Upper Greenwood Lake. Mr. Casey noted that half of the firefighters SCBA gear expires this year. There are life expectancy dates and they can't be used after the expiration date. Councilman McGuinness asked the surplus regenerated this year and Mr. Casey replied they will know that the first week in February. Councilman Signorino asked the status of the end of year department expense reports. Mr. Casey said the budget they will get in a month from now will have those expenses in it.

**Agenda No. VIII**

Mayor Dale asked to move agenda items 1) a-n and 2) a-j.

Discussion:

Councilman Signorino made a motion to amend resolution 2019-011 to include a Council Liaison, seconded by Councilman McGuinness.

Roll call to amend resolution 2019-011 to include a Council Liaison.

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Moved: Signorino Seconded: McGuinness  
Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Signorino, Gerst  
Voted Nay: None  
Motion Carried:

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Councilman Signorino said he does not wish to support Resolutions 2019-012 through 2019-015 because he feels the will of the Council is being circumvented or could be circumvented. He would not want to stop the business because there is more than one person being appointed. There is an alternate in all those instances. He would like to be agreeable to at least having the primary appointee. He does not necessarily want to vote no on the whole thing. He said it looks like these resolutions all propose to appoint the Clerk to some of the Administrative appointments and that is not something he wishes to support. He would like to make the appointments on the other personnel. Mayor Dale asked if he would like to remove the Township Clerk from being the person who is the liaison for the Township which is what the Clerk's roll is. Councilman Signorino said he does not want to do anything that will be in violation of personnel legalities. Mayor Dale noted they are not additional appointments and they have been there each year. She said it provides for business continuity of the Township. Councilman Signorino said unless the resolutions are required by law he will not support them.

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**Unfinished Business, Final Passage of Ordinances**

~ Resolution 2019 – 001 ~

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

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

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

- 2) Resolutions Re-establishing Committees and Making Staff Appointments
  - a) **2019-003** - Re-establishment of Autumn Lights Committee
  - b) **2019-004** - Re-establishment of the Beautification/Recycling Task Force Committee
  - b) **2019-005** - Re-establishment of Fire Board of Review
  - c) **2019-006** - Re-establishment of the Heritage Committee
  - d) **2019-007** - Re-establishment of Municipal Alliance Committee (CASA)
  - e) **2019-008** - Re-establishment of Safety Committee
  - f) **2019-009** - Re-establishment of Shade Tree Advisory Committee
  - g) **2019-010** - Re-establishment of Stormwater Pollution Prevention Team
  - h) **2019-011** - Re-establishment of Emergency Management Council
  - i) **2019-012** - Appoint HIF Commissioner
  - j) **2019-013** - Appoint JIF Commissioner and Safety Delegate
  - k) **2019-014** - Appoint NJSEM Commissioner
  - l) **2019-015** - Appoint Public Agency Compliance Officer
  - m) **2019-016** - Appoint Representative to Passaic County Solid Waste Advisory Council
  
- 3) Resolutions Pertaining to Policies and Financial-related Issues
  - a) **2019-017** - Annual Meeting Notice
  - b) **2019-018** - Signatures on Township Accounts
  - c) **2019-019** - Designating Official Newspapers for the Township of West Milford
  - d) **2019-020** - Establishing a Cash Management Plan
  - e) **2019-021** - Provide for the Hours of Collection of Taxes
  - f) **2019-022** - Rate of Interest to be Charged on Unpaid Taxes and Improvement Assessments
  - g) **2019-023** - Authorizing Certain Statutory Payments of Claims & Other Claims Regular in Nature
  - h) **2019-024** - Authorizing the CFO to Maintain a Petty Cash and Various Change Funds
  - i) **2019-025** - Release of Executive Session Minutes
  - j) **2019-026** - Best Practices Surplus Policy

Adopted: January 23, 2019

Agenda No. VIII 1a

~ Resolution 2019 – 003 ~

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

**WHEREAS**, as a result of hard work and dedication invested by residents of the Township of West Milford the Township has, for twenty-three years been proud to host an annual Autumn Lights Festival; and

**WHEREAS**, the Council believes there is sufficient public interest and an adequate number of willing volunteers to organize and operate the twenty-fifth Autumn Lights Festival in 2019.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford hereby re-establishes an Autumn Lights Committee for the purpose of undertaking and promoting an October 12, 2019 (rain date October 13, 2019) town-wide festival with the following provisions:

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council that it does hereby establish the Autumn Lights Committee with the following provisions:

1. **MEMBERSHIP:** The number of members shall be (10) ten members, one of whom shall be a liaison member of the Township Council; nine (9) shall be citizen members.
2. **CHAIRPERSON:** The committee shall appoint one member from the (9) nine citizen members to serve as Chair of the committee. Rocky Hazelman shall serve as chairperson of the ALF Committee.

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3. **APPOINTING AUTHORITY:** The member of the Township Council shall be appointed by the Township Council. All other members shall be appointed by and shall serve at the pleasure of the Township Council. In the event that a member fails to attend three consecutive meetings of the committee, the Chairperson will advise the appointing authority in order to have a replacement appointed.
4. The members of the committee shall serve until December 31, 2019.
5. **SUNSET:** The continuing need for the Autumn Lights Committee shall be reviewed by the Township Council at its 2020 re-organization meeting and the committee shall cease to exist at that time unless re-established by Council resolution.

Adopted: January 23, 2019

Agenda No. VIII 1b

~ Resolution 2019 – 004 ~

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

**WHEREAS**, the Mayor & Township Council of the Township of West Milford wishes to re-establish a Beautification/Recycling Task Force Committee (Advisory); and

**WHEREAS**, the purpose of the committee shall be to develop and promote a beautification program within the Township of West Milford and to provide advice with regard to garbage and recycling matters in the Township; and

**WHEREAS**, the committee shall seek approval from the Township Administrator before proceeding with any beautification programs; and

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

1. **MEMBERSHIP:** The number of members shall be (8) eight members, one of whom shall be a liaison member of the Township Council; five (5) shall be citizen members; one who shall be a representative from the West Milford commercial community; and one liaison member who shall be the Recycling Coordinator.
2. **CHAIRPERSON:** The committee shall appoint one member from the (8) members to serve as Chair of the committee
3. **APPOINTING AUTHORITY:** The member of the Township Council shall be appointed by the Township Council. All other members shall be appointed by and shall serve at the pleasure of the Township Council. In the event that a member fails to attend three consecutive meetings of the committee, the Chairperson will advise the appointing authority in order to have a replacement appointed.
4. **SUNSET:** The Committee shall cease to exist unless re-established by the Township Council at its Organizational Meeting in January 2020.

Adopted: January 23, 2019

Agenda No. VIII 1c

~ Resolution 2019 – 005 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW  
JERSEY RE- ESTABLISHING A BOARD OF REVIEW TO HEAR DISCIPLINE MATTERS RELATIVE  
TO THE FIRE DEPARTMENTS IN THE TOWNSHIP IN ACCORDANCE WITH THE TOWNSHIP'S  
FUNDING GUIDELINES**

**WHEREAS**, on April 1, 2015 by virtue of Resolution 2015-129 the Township of West Milford did adopt funding guidelines which establish procedures by which fire departments within the Township qualify for municipal funding; and

**WHEREAS**, the funding guidelines establish a "Process to Discipline Fire Officers"; and

**WHEREAS**, that process requires the establishment of a Board of Review to which appointment shall be made in January each year; and

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**WHEREAS**, the funding guidelines warrant that the Board of Review shall be comprised of the following appointees:

- Member 1: Designated by the Township Administrator
- Member 2: Designated by the Fire Chiefs Association and who must be a former Chief within the last ten (10) years who is not a part of the Company in question
- Member 3: Designated by the Township Council
- Member 4: Designated by the Fire Company where the named individual serves
- Member 5 and One (1) Alternate: Designated by the Fire Chiefs Association

; and

**WHEREAS**, the Township Council hereby establishes the Board of Review and requests that the fire companies, the Fire Chiefs and the Township Administrator make the requisite appointments and notify the Township Clerk of same.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey that they do hereby establish a Board of Review in accordance with the funding guidelines for fire departments and request that that the fire companies, the Fire Chiefs and the Township Administrator make the requisite appointments and notify the Township Clerk of same.

Adopted: January 23, 2019

Agenda No. VIII 1d

~ Resolution 2019 – 006 ~

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

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

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

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

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

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

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

3. **SUNSET:** The Committee shall cease to exist unless re-established by the Township Council at its Organizational Meeting in January 2020.

Adopted: January 23, 2019

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

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Agenda No. VIII 1e

**~ Resolution 2019 – 007 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING A RE-ESTABLISHING OF THE COMMUNITY AGAINST SUBSTANCE ABUSE (C.A.S.A.) TO SERVE AS THE MUNICIPAL ALLIANCE COMMITTEE**

**WHEREAS**, it is in the best interest of health and community safety to provide Substance Abuse Prevention programs and services to the residents of West Milford; and

**WHEREAS**, the C.A.S.A. Committee to serve as the local Municipal Alliance Committee has been formed to provide these programs and services in the Township of West Milford; and

**WHEREAS**, Federal Drug Free Communities standards indicate successful communities establish a Committee comprised of a larger group of individual stakeholders; and

**WHEREAS**, the Township Council believes it is in the best interest of the community to align the C.A.S.A. Committee with Federal Drug Free Communities standards;

**WHEREAS**, the C.A.S.A. Coordinator is a non-voting member except when called upon to break a tie; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford, the C.A.S.A. Committee to serve as the Township of West Milford Municipal Alliance Committee be re-established in accordance with Drug Free Communities standards to include the following member positions in 2019 and beyond:

- 1 – Business Representative
- 4 – Citizen Members
- 1 – Civic/Volunteer Organization Representative
- 1 – Health Care Professional
- 1 – Media Representative
- 1 – Member of an Organization Involved in Reducing Substance Abuse
- 1 – Religious/Fraternal Organization Member
- 1 – Youth Representative, 17 years of age or younger
- 1 – Parent Representative (PTA appointed)
- 1 – Liaison of the Governing Body (non-voting member)
- 1 – C.A.S.A. Coordinator (CS&R staff, non-voting member)
- 1 – Liaison of the Community Services & Recreation Department - Director or Designee (non-voting member)
- 1 – Liaison from the West Milford Police Department (non-voting member)
- 1 – School Representative (BOE Liaison, non-voting member)
- 1 – Senior Citizen Member

**BE IT FURTHER RESOLVED**, that in accordance with the Township's annual re-organization meeting, members be appointed on an annual basis by the Governing Body of the Township of West Milford.

Adopted: January 23, 2019

Agenda No. VIII 1f

**~ Resolution 2019 – 008 ~**

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

**WHEREAS**, the Mayor and Township Council did establish a Safety Committee to review and discuss with management safety issues concerning the Township of West Milford.

**WHEREAS**, the purpose of the Safety Committee is to provide greater flexibility in complying with future safety requirements and meeting the needs of the Township of West Milford.

**MEMBERSHIP:** The Committee shall be comprised of eight (8) members as follows:

- 1 Staff Member – Health Department
- 1 Staff Member – Land Use Department
- 1 Staff Member – Administration
- 1 Staff Member – Police Department
- 1 Staff Member – Department of Public Works
- 1 Staff Member – Fire Department

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1 Staff Member – Department of Community Services & Recreation  
Fire Commissioner

**WHEREAS**, the Principal Clerk Typist in the Administrator's Office shall serve as the secretary to the Safety Committee responsible for providing meeting notifications, preparing agendas and filing related reports with the Morris County Joint Insurance Fund (JIF) and/or its affiliates as necessary.

**WHEREAS**, each of the following organizations shall be notified of every scheduled safety meeting to provide them an opportunity to send one representative to the meeting, said representatives to be afforded the right to fully participate in the meeting(s):

Each of the Township's Bargaining Units  
Ambulance Squad(s)  
Township's Insurance Committee

**BE IT FURTHER RESOLVED** that the Safety Committee shall report to the Township Administrator, making recommendations, rendering opinions and providing input with respect to safety issues affecting the Township of West Milford.

Adopted: January 23, 2019

Agenda No. VIII 1g

~ Resolution 2019 – 009 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RE-ESTABLISHING A SUBCOMMITTEE OF THE ENVIRONMENTAL COMMISSION KNOWN AS THE SHADE TREE ADVISORY COMMITTEE**

**WHEREAS**, the West Milford Environmental Commission (EC) recommends the establishment of a Shade Tree Advisory Committee as required by the Township of West Milford Community Forestry Management Plan (CCMP) 2015-2019; and

**WHEREAS**, the West Milford CFMP received approval from the New Jersey Shade Tree Federation in accordance with requirements of the No Net Loss Reforestation Grant that was awarded to the Township in 2013/2014; and

**WHEREAS**, the Shade Tree Committee as an organization under the Environmental Commission (EC) shall be comprised of Environmental Commission representatives selected by the EC, volunteers whose number and appointments shall be determined by the EC, and a staff member from the Township's DPW; and

**WHEREAS**, the NJDEP-Forest Services has advised that the Township of West Milford meets all the criteria under the act and has "Approved Status" for 2017; and

**WHEREAS**, the continuing need for the Shade Tree Committee shall be reviewed by the Township Council at its Re-organization Meeting and the committee shall cease to exist at that time unless re-established by Council resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford hereby establishes a Shade Tree Advisory Committee, a subcommittee under the West Milford Environmental Commission, for the purposes outlined above.

Adopted: January 23, 2019

Agenda No. VIII 1h

~ Resolution 2019 – 010 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RE-ESTABLISHING A TOWNSHIP STORMWATER POLLUTION PREVENTION TEAM**

**WHEREAS**, the State of New Jersey requires the re-establishment of a Stormwater Pollution Prevention Team to assist in the development of regulations by the Township in conformance with requirements of the State's Stormwater pollution Prevention Program.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Township Council of the Township of West Milford that it does hereby re-establish a Stormwater Pollution Prevention Team (number of team members may vary) as follows:

**Purpose:** to prepare an assessment of the infrastructure improvements that would be necessary to the Township's Stormwater facilities and to also develop a plan to maintain these facilities in accordance with state regulations.

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**Membership:** The Committee shall consist of seven (7) members including:

Program Coordinator	Director of Public Works
Public Notice Coordinator	Township Clerk
Post Construction Stormwater Management Coordinator & Ordinance Coordinator	Construction Official
Local Public Education Coordinator	Environmental Commission Chairman
Public Works Coordinator	Director of Public Works
Illicit Connection Coordinator	Health Officer
Mapping Coordinator	GIS Specialist

Adopted: January 23, 2019

Agenda No. VIII 1i

~ Resolution 2019 – 011 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPOINTING MEMBERS TO THE EMERGENCY MANAGEMENT COUNCIL IN ACCORDANCE WITH SECTION §15-50 OF THE TOWNSHIP CODE**

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

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

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

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

Board of Education Representative - Business Administrator or designee  
Chief of Police  
Director of Community Services & Recreation  
Fire Commissioner  
Fire Marshal  
Health Officer  
Mayor  
Public Works Director  
Network Administrator  
Township Administrator  
Township Council Liaison  
Construction Official  
Upper Greenwood Lake Volunteer Ambulance Corps - President or President's designee  
West Milford First Aid Squad - Captain or Captain's designee

Adopted: January 23, 2019

Agenda No. VIII 1j

~ Resolution 2019 – 012 ~

**DEFEATED**

**MAYOR'S APPOINTMENT OF CATHERINE SHANAHAN AS COMMISSIONER AND ANTOINETTE BATTAGLIA AS DEPUTY COMMISSIONER TO THE NEW JERSEY HEALTH INSURANCE FUND**

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Moved: Erik                      Seconded: Lichtenberg  
Voted Aye: Erik, Lichtenberg  
Voted Nay: Pegel, McGuinness, Signorino, Gerst  
Motion Defeated:  
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Agenda No. VIII 1k

**~ Resolution 2019 – 013 ~**

**DEFEATED**

**MAYOR’S APPOINTMENT OF CATHERINE SHANAHAN AS COMMISSIONER,  
ANTOINETTE BATTAGLIA AS ALTERNATE COMMISSIONER AND DENYSE TODD AS SAFETY  
DELEGATE TO THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND**

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Moved: Erik Seconded: Lichtenberg  
Voted Aye: Erik, Lichtenberg  
Voted Nay: Pegel, McGuinness, Signorino, Gerst  
Motion Defeated:  
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Agenda No. VIII 1l

**~ Resolution 2019 – 014 ~**

**DEFEATED**

**MAYOR’S APPOINTMENT OF CATHERINE SHANAHAN AS COMMISSIONER AND  
ANTOINETTE BATTAGLIA AS DEPUTY COMMISSIONER TO THE NEW JERSEY SUSTAINABLE  
ENERGY JOINT MEETING (NJSEM)**

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Moved: Erik Seconded: Lichtenberg  
Voted Aye: Erik, Lichtenberg  
Voted Nay: Pegel, McGuinness, Signorino, Gerst  
Motion Defeated:  
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Agenda No. VIII 1m

**~ Resolution 2019 – 015 ~**

**DEFEATED**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,  
STATE OF NEW JERSEY APPOINTING A PUBLIC AGENCY COMPLIANCE OFFICER**

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Moved: Erik Seconded: Lichtenberg  
Voted Aye: Erik, Lichtenberg  
Voted Nay: Pegel, McGuinness, Signorino, Gerst  
Motion Defeated:  
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Agenda No. VIII 1n

**~ Resolution 2019 – 016 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC, STATE OF NEW  
JERSEY MAKING AN APPOINTMENT TO THE PASSAIC COUNTY SOLID WASTE ADVISORY  
COUNCIL**

**BE IT RESOLVED**, by the Mayor and Township Council of the Township of West Milford that they do hereby make the following appointment as a Township Representative to the Passaic County Solid Waste Advisory Council:

**David Stires**, Township Representative - Term expires 12/31/2019

Adopted: January 23, 2019

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Agenda No. VIII 2a

~ Resolution 2019 – 017 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ADOPTING THE SCHEDULE FOR GOVERNING BODY WORKSHOP AND REGULAR MEETINGS FOR THE 2019 CALENDAR YEAR**

**BE IT RESOLVED**, that the Township Council of the Township of West Milford does hereby adopt the following schedule of Reorganization, Workshop and Regular Meetings of the Governing Body of the Township for the 2019 calendar year:

January 2, 2019	Reorganization Meeting Workshop Meeting	June 12, 2019	Workshop Meeting Regular Meeting
January 16, 2019	Regular Meeting	July 10, 2019	Workshop Meeting Regular Meeting
February 6, 2019	Workshop Meeting	August 14, 2019	Workshop Meeting Regular Meeting
February 20, 2019	Regular Meeting	September 4, 2019	Workshop Meeting
March 6, 2019	Workshop Meeting	September 18, 2019	Regular Meeting
March 20, 2019	Regular Meeting	October 2, 2019	Workshop Meeting
April 3, 2019	Workshop Meeting	October 16, 2019	Regular Meeting
April 17, 2019	Regular Meeting Volunteer Night	November 6, 2019	Workshop Meeting Regular Meeting
May 1, 2019	Workshop Meeting	December 4, 2019	Workshop Meeting
May 22, 2019	Regular Meeting	December 18, 2019	Regular Meeting

**BE IT FURTHER RESOLVED** that the Reorganization Meeting of the Governing Body of the Township of West Milford as outlined herein shall be held in the main meeting room of Town Hall located at 1480 Union Valley Road, West Milford, New Jersey 07480 at 6:30 p.m. and the workshop meeting shall follow immediately thereafter.

**BE IT FURTHER RESOLVED** that all other Meetings of the Governing Body of the Township of West Milford as outlined herein shall be held in the main meeting room of Town Hall located at 1480 Union Valley Road, West Milford, New Jersey 07480 and all such meetings shall begin at 6:30 p.m.

**BE IT FURTHER RESOLVED** that official action may be taken at all meetings outlined herein.

**BE IT FURTHER RESOLVED** that this resolution shall constitute the Annual Notice for the Township of West Milford and the Township Clerk be and is hereby instructed to advertise such notice as required by law and this notice shall be continually posted on the official bulletin board of the Township and shall be retained on file in the Office of the Township Clerk.

Adopted: January 23, 2019

Agenda No. VIII 2b

~ Resolution 2019 – 018 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY CONCERNING SIGNATURES ON TOWNSHIP ACCOUNTS**

**BE IT RESOLVED**, by the Township Council of the Township of West Milford that two out of the three following signers; Mayor Michele Dale, Township Clerk Antoinette Battaglia, or Chief Financial Officer Ellen Mageean will be the required signers on Township checks.

**BE IT FURTHER RESOLVED**, that Columbia Bank is hereby authorized to accept the manual or facsimile signatures of Mayor Michele Dale, Township Clerk Antoinette Battaglia, and the Chief Financial Officer Ellen Mageean on Township checks.

Adopted: January 23, 2019

Agenda No. VIII 2c

~ Resolution 2019 – 019 ~

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

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

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-----

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

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

Adopted: January 23, 2019

Agenda No. VIII 2d

~ Resolution 2019 – 020 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC, STATE OF NEW JERSEY REINSTATING THE TOWNSHIP'S CURRENT CASH MANAGEMENT PLAN**

**WHEREAS**, pursuant to Chapter 8, Laws of 1982, the Township of West Milford is required to adopt a Cash Management Plan, including the designation of a depository or depositories; and

**WHEREAS**, the Township of West Milford is to adopt a cash management plan for 2019; and

**WHEREAS**, the Township CFO requested that the cash management plan provided by Columbia Bank be employed by the Township of West Milford, in order to maximize the interest being earned on township deposits and investments; and

**WHEREAS**, Columbia Bank provided a proposal dated September 28, 2018 for which the Governing Body authorized the Acting Mayor and Township Clerk to execute an agreement with Columbia Bank at the October 17, 2018 meeting.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford that the Cash Management Plan is to continue as follows:

Account

Claims Account  
Current Account  
Payroll Account  
Capital Account  
Escrow Account  
Scala Trust Account  
Trust Account  
Heritage Trust Account  
Dog Trust Account  
Unemployment Trust Account  
Assessment Trust Account  
Open Space Trust Account  
Tax Sale Trust  
Police Outside Services Trust Account  
MUA Sale Account

Adopted: January 23, 2019

Agenda No. VIII 2e

~ Resolution 2019 – 021 ~

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

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

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

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West Milford Town Hall – Open daily, 8:30 am to 4:30 pm prevailing time except  
Saturday, Sunday and legal holidays.

Adopted: January 23, 2019

Agenda No. VIII 2f

~ Resolution 2019 – 022 ~

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

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

1. On all unpaid and delinquent taxes, the rate of eight percent (8%) per annum on the first \$1,500.00 of the delinquency, and eighteen percent (18%) per annum on any amount in excess of \$1,500.00.
2. On all unpaid and delinquent improvement assessments, the rate of eight percent (8%) per annum on the first \$1,500.00 of the delinquency, and twelve percent (12%) per annum on any amount in excess of \$1,500.00.
3. No interest shall be charged on taxes if payment is made within ten (10) calendar days after the date upon which the same becomes payable.
4. That a penalty be charged to a taxpayer in the amount of 6% of a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the calendar year, as authorized by N.J.S.A. 54:4-67.
5. That a Redemption Penalty be charged as authorized by N.J.S.A. 54:5-61:  
2% on amounts of \$200.00 to \$5,000.00  
4% on amounts of \$5,000.01 to \$10,000.00 and  
6% on amounts of \$10,000.01 and over
6. That the provisions of the resolution shall apply to all existing tax sale certificates.

Adopted: January 23, 2019

Agenda No. VIII 2g

~ Resolution 2019 – 023 ~

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

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

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

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

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

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

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- k) Rabies Control Fees
  - l) Miscellaneous disbursements approved by specific resolutions.
  - m) Reissue of lost or mutilated checks after stop payment has been enforced.
  - n) Ten percent (10%) Bid Bond Returns (Clerk's office).
  - o) Certain emergencies at only the discretion of the Township of West Milford Mayor or Administrator by the Mayor's designation.
  - p) Payments necessary to all vendors that require compliance with the 2006 Prompt Payment Law, Chapter 96, whereby the Township of West Milford shall pay the bill not more than 30 calendar days after the billing date to avoid billable late charges.
  - q) Postage and "Express Mail" Services
  - r) Motor Vehicle/Equipment Title Fees
- 2) The Chief Financial Officer is hereby authorized and directed to prepare the proper vouchers for payment of the above recited accounts when same is properly presented to him/her for payment, and thereafter said claim shall be transcribed on the next scheduled Bill list to be approved by the Township of West Milford Council.
- 3) A certified copy of this resolution shall be forward to the Chief Financial Officer of the Township of West Milford.

Adopted: January 23, 2019

Agenda No. VIII 2h

**~ Resolution 2019 – 024 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE CHIEF FINANCIAL OFFICER TO REINSTATE AND MAINTAIN VARIOUS PETTY CASH FUNDS (AS LISTED BELOW) TO FACILITATE "CHANGE FUNDS" AND REQUIRED CASH REIMBURSEMENTS FOR VARIOUS MINOR EXPENDITURES MADE BY TOWNSHIP EMPLOYEES**

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

**WHEREAS**, it is necessary from time to time to allow the availability of a cash fund for immediate unforeseen minor cash expenditures each as follows:

1. Tax Collector Change Fund	\$150.00
2. Municipal Court Change Fund	\$100.00
3. Health Department Change Fund	\$ 50.00
4. Construction Department Change Fund	\$100.00
5. Municipal Clerk Change Fund	\$ 50.00
6. Recreation Administration Petty Cash	\$200.00
7. Recreation Programs Change Fund	\$ 50.00
8. Recreation Coffee House Change Fund	\$ 50.00
9. Police Department	\$100.00
10. Motor Vehicle Registration Petty Cash	\$250.00
11. Administration Misc. Reimbursement Petty Cash	\$250.00
12. Bubbling Springs Gate Change Fund	\$ 30.00

**NOW THEREFORE, BE IT RESOLVED**, by the Council of the Township of West Milford, County of Passaic, State of New Jersey, that a reimbursable aforementioned impress funds aggregate of \$1,380.00 be re-established for 2019; and

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

Adopted: January 23, 2019

Agenda No. VIII 2i

**~ Resolution 2019 – 025 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE MUNICIPAL CLERK TO RELEASE EXECUTIVE SESSION MINUTES IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT**

**WHEREAS**, the Open Public Meetings Act calls for the production of minutes from Executive Sessions and provides for said minutes to remain privileged communications - confidential until such time that same, pursuant to law, shall be released to the public; and

**WHEREAS**, the Mayor and Township Council periodically review and approve Executive Session minutes as to their completeness; and

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

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**WHEREAS**, subsequent to said approval, minutes may become available to the public.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that the Municipal Clerk shall have the authority to release Executive Session minutes to the public upon request after consultation with the Municipal Attorney and it is determined that the specific Executive Session minutes in accordance with the law be released to the public.

**BE IT FURTHER RESOLVED** that this Resolution shall be considered on an annual basis at the reorganization meeting of the Mayor and Council.

Adopted: January 23, 2019

Agenda No. VIII 2j

~ Resolution 2019 – 026 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ESTABLISHING A SURPLUS POLICY FOR THE TOWNSHIP**

**WHEREAS**, in 2011 the State of New Jersey instituted a Best Practices Checklist in an effort to “make government operate more efficiently, strengthen its accountability, and better manage scarce taxpayers’ resources”; and

**WHEREAS**, since the inception of the Best Practices Checklist, the Township of West Milford has made every effort to comply with the standards established by the State resulting in high ratings each year for compliance; and

**WHEREAS**, the Best Practices Checklist recommends the adoption of a surplus policy to serve as a basis for decisions regarding future solvency; and

**WHEREAS**, the Township Auditor and Chief Financial Officer have evaluated the historic budget and financial records and recommended a surplus policy to the Governing Body; and

**WHEREAS**, said surplus policy shall establish a goal in the annual budgeting process whereby the Governing Body shall strive to consistently maintain a \$1,000,000.00 surplus on hand annually to retain a consistent year-end surplus.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford that the Township Council does hereby concur with the surplus policy recommended by the Township Auditor and Chief Financial Officer; and

**BE IT FURTHER RESOLVED** that the Township Council shall strive to achieve that goal annually during the budget process.

Adopted: January 23, 2019

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Moved: Erik Seconded: Lichtenberg  
Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Signorino, Gerst  
Voted Nay: None  
Motion Carried:

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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, West Milford – Said he is still baffled on what happened with the Administrator. He said now, all of a sudden, the Council is making all these changes because of someone’s ego. He noted they forgot about the performance. He asked why they didn’t keep the Administrator until a suitable one was found. They left the Mayor hanging out to dry. He said some of the applicants for administrator were made by some of the Council members. He suggested that the Mayor take her sweet time finding someone who is qualified even if it has to wait until election time. At election time, the people will then vote the way they think the Council should be.

Mike Hensley, Maple Road – Expressed once again the Council never ceases to amaze him with the thick-headedness and wrongful direction they are taking the Township with the majority Council members. They did not reappoint the people who have been in place.

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

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He said it was only a few meetings ago that they received half a million dollars for being in the Joint Insurance Fund and Health Insurance Fund so something must have been going right with those people in place. Now, having nobody is better than having who they had all along? He said this is reckless and a dereliction of duty. It's shameful that they are not being the trusted people that the Township is looking for to run and maintain the Government and having people in place to make sure the day to day operations take place in a smooth, consistent and successful manner.

Mike Chazukow, Pinecrest Trail, West Milford – Noted that the Township is not aware of the end game for this. The Township overwhelmingly and consistently votes conservative and these actions seem to be creating instability in the Township. If there is a benefit, it needs to be made known to the Township as quickly as possible because nobody sees it.

Linda Connolly, 278 Wooley Road – Mentioned that what she is seeing here is not what she expects of the people that are running the Township. Recently, there was an article in the paper stating Congressman Gottheimer talking to both Republicans and Democrats; they have to sit down and talk if they are going to make this work. She said the Council needs to do the same. She can't imagine what is going on beyond what's happening at the meetings. They need to be respectful of each other and sit down and talk. She said West Milford is a little town and they are a close community. She is not seeing the Council do what has to be done for the betterment of the people in the Township. Tell each other what the problem is, work it out and move on.

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

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Agenda No. X

**Council Comments**

Councilman Signorino – Said he appreciates most of the comments that were made. He said nobody up here wants to waste their time. When they get out of work they go straight to the meetings. It seems like some of them are characterized as bad people. He said it's about the kind of people they are and the lives they lead. Most of them are family people and business owners and they just want to do what is right for the town. He noted that it could be tense on the dais sometimes and he tries to be as open as possible. It is tough when dealing with different personalities and people looking for different outcomes. They try to work together as best as possible. All the decisions he is making is to bring the Township back from instability. Since he has been a Councilman for eight years, they have been through four health officers, six administrators, and numerous recreation directors. To him, it has been shambles and a work in progress. They have come a long way and have been lost for quite some time. He thinks things are getting much better, even the planning. He is making the best decisions towards stability. Sometimes it's not easy to see in the instant and it could take months or even years down the road to see the outcome of hard work that people put in. He is confident that they are making the best decisions for the Township. Moving forward, he will continue to do so. He will not be bogged down with drama. He believes that there are plenty of operatives that are looking to create drama and a framework of conspiracy. It is important to work together and he is doing the best he can to do that. Councilman Signorino said they should make use of getting copies of the camera because at the last meeting there were people mouthing profanity towards the Council. He asked that everyone maintain decorum and have respect for the Governing Body. He does not appreciate people mocking them, being disrespectful or painting them as hooligans.

Councilwoman Lichtenberg – Noted that she agrees with the four citizens that commented.

Councilwoman Erik – Thanked the people that spoke. She said the cost efficiency analysis cost \$65,000 and it states how good the Township did by combining the Clerk and the Administrator positions. This Council, not her, chose to separate that and get rid of the Administrator so they can pay more money to get an Administrator. Now, the Council is also choosing to take the duties that the Clerk is responsible for away from her, even though she has not done anything wrong. Not once has anything ever been mentioned that something was not done. Apparently that is no good, so instead of asking the employees to do more with less, they are going to ask them to do less and they will pay more. They are going to have to find people to fill in the cracks.

Mayor Dale – Said despite the actions of the Council and the removal of the Administrator, they have accomplished quite a bit over the last 30 days. As a team at Town Hall, they really pulled together making sure the continuity of the day to day business operations stay in full swing without a miss. She feels the people are spot on.

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

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She explained that she received hundreds of private messages and emails from people that she did not know prior to the Council's actions and the removal of the Administrator and what they have seen go on. It is clear to the public what is happening here and the direction that the Council is moving in and what they are looking to do. It is not appreciated by the residents. She had so many messages that she had to apologize for her tardy reply to them. She encouraged the public to keep watching and act accordingly. As an Administrator and somebody who is running the Township as the executive branch of the Government, she will continue to ensure that they deliver the best possible services regardless of whether or not they have the support from the Council that they need. She asked the residents to reach out to her if their needs are not being met. She will do her best to meet the residents' needs despite the current situation. She appreciates the public's support. She thanked the people that reached out to her and she will continue to ask for their support as they move throughout this year.

Agenda No. XI

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

Discussion:

Councilwoman Erik said last week was a scheduled meeting of the Recreation Committee at the Library. She attended the meeting and sat there with two other people and the attendant that they pay to sit outside at the desk until 8:15. One of the lady's she was sitting with received a phone call stating that the meeting was cancelled due to the lack of a quorum. The lack of a quorum is bad enough and they should have the decency to call the staff at the Library and tell them that the meeting was cancelled. Mayor Dale thanked Councilwoman Erik for bringing that up. She noted that it was addressed with the Recreation Director. There has not been a committee established because they are waiting for the attendance records and minutes from previous years. Councilman McGuinness said that is why they are moving the Committee down from 11 to 9 members to make a quorum easier. He expressed that it is getting harder to find volunteers. Councilwoman Erik noted that she attended a CASA meeting the other night and there were 22 people there.

Agenda No. XI 1

~ Ordinance 2019 – 001 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 15 "ADMINISTRATION OF GOVERNMENT" ARTICLE XIX, "PARKS AND RECREATION COMMITTEE (ADVISORY)", §15-90 "ESTABLISHED; MEMBERS; TERMS"**

**WHEREAS**, the Township Council has determined that the membership of the Parks and Recreation Committee shall be reduced from fourteen (14) members to nine (9) members.

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

**SECTION 1.** Chapter 15 "Administration of Government", Article XIX "Parks and Recreation Committee (Advisory)", §15-90 "Established; Members; Terms" is amended as follows:

**§ 15-90. Established; members; terms.**

There shall be a Parks and Recreation Committee (Advisory) of the Township, consisting of nine (9) members, one of whom shall be a member of the Board of Education, one of whom shall be the Parks Manager for the Newark Watershed, and 7 citizens, to be appointed by the Township Council. The Director of the Department of Community Services and Recreation shall serve as an ex officio member. The one representative of the Township Council and the one representative of the Board of Education shall be appointed by and shall serve at the pleasure of the Township Council and the Board of Education, respectively. Members shall serve without compensation. The term of each member shall be for a period of one year in compliance with N.J.S.A. 40:69A-149.1 et seq., the Mayor-Council-Administrator Plan form of government. Current terms shall expire on December 31, 2013, and subsequent terms shall be in accordance with the calendar year.

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

This Ordinance may be renumbered for codification purposes.

Introduced: January 23, 2019  
Adopted:  
Effective Date:

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

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Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for February 20, 2019. Notice of this public hearing shall be published in the Herald News on or about January 27, 2019.  
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Moved: Erik Seconded: McGuinness  
Voted Aye: Erik, Pegel, McGuinness, Signorino, Gerst  
Voted Nay: Lichtenberg  
Motion Carried:  
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Mayor Dale asked to move resolutions 2019-052 through 2019-059.

Agenda No. XI 2

**~ Resolution 2018 – 052 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING RESOLUTION 2018-262 TO INCLUDE LEAF AS LEASING AGENT AND SON-RISE DOCUMENT SOLUTIONS FOR MAINTENANCE PROVIDER FOR ONE COPYSTAR CS-3252CI COLOR DIGITAL SYSTEM MACHINE B**

**WHEREAS**, by virtue of Resolution 2018-262 adopted on October 3, 2018 the Township Council did authorize Son-Rise Document Solutions a lease/purchase agreement for one Copystar CS-3252CI color digital system machine B for the West Milford Community Services & Recreation department; and

**WHEREAS**, lease payments must be made to LEAF as the leasing agent and Son Rise Document Solutions for the maintenance agreement; and

**WHEREAS**, Resolution 2018-262 did authorize the lease/purchase agreement not to exceed \$9,900.00 at a rate of \$165.00 per month for sixty months in an amount not to exceed 1,980.00 annually; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this lease/purchase agreement, said funds are to be encumbered from account number 01-201-28-372-431.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Township Council hereby authorizes to change payment remittance to LEAF, PO Box 742647, Cincinnati Ohio 45274-2647 as leasing agent.

Adopted: January 23, 2019

Agenda No. XI 3

**~ Resolution 2019 – 053 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE SETTLEMENT OF POTENTIAL LITIGATION REGARDING A BANKRUPTCY FILING**

**WHEREAS**, in November 2016 Anthony Ingravallo filed a bankruptcy action; and

**WHEREAS**, a mistake in timing resulted in the Township filing a Proof of Claim for property taxes owed to the Township at the time of the bankruptcy filing; and

**WHEREAS**, the taxes owed had already been the subject of a tax sale and had been purchased by an outside party; and

**WHEREAS**, the bankruptcy court, on behalf of the property owner, subsequently remitted payment of the amount noted on the Proof of Claim; and

**WHEREAS**, all property taxes are currently paid in full; and

**WHEREAS**, in order to avoid litigation and to amicably resolve the matter, the Township and the property owner wish to enter into a settlement agreement whereby the Proof of Claim amount submitted to the Township by the bankruptcy court on behalf of the property owner will be refunded to the property owner.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and 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 does hereby authorize that the \$6,208.31 already paid to the Township by the bankruptcy court on behalf of the property owner will be refunded to the property owner, Anthony Ingravallo, 15 Warwick Turnpike, Hewitt, NJ 07421.

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

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2. That a certified copy of this resolution be forwarded to the Tax Collector and Township Attorney for forwarding to the property owner's attorney and lienholder.
3. This Resolution shall take effect immediately.

Adopted: January 23, 2019

Agenda No. XI 4

**~ Resolution 2019 – 054 ~**

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

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

**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:

- REASON:**
- |                      |                           |
|----------------------|---------------------------|
| 1. Incorrect Payment | 5. Homestead Rebate       |
| 2. Duplicate Payment | 6. Tax Appeal CB          |
| 3. Senior Citizen    | 7. State Court Tax Appeal |
| 4. Veteran           | 8. 100% Disabled Veteran  |

Block/Lot	Name	Amount	Year	Reason
9404-4	Heritage Abstract Company 350 Mt. Kemble Avenue, Ste A1003 Morristown, NJ 07960	\$3,289.00	2018	2
3604-7	Jersey Coast Title Agency 1803 Whitesville Road Toms River, NJ 08755	\$2,704.00	2018	2
207-10	Morris Home Abstract Co., Inc. 301 East Hanover Avenue, Ste. 1 Morristown, NJ 07960	\$1,241.00	2018	2
302-1	Arthur & Mae Hansen 1 Hansen Lane Hewitt, NJ 0721	\$7,416.62	2018	8
05301-039	Spiotti & Esposito P.C. Attorney Trust Account 271 US Highway 46, Suite F105-106 Fairfield, NJ 07004-2471	\$1,726.11 \$1,651.47 \$1,163.41	2010 2011 2012	7
05301-039.1	US Bank BV001 Trust & Creditors 50 South 16th Street, Suite 2050 Philadelphia, PA 19102-2513	\$883.16 \$904.99 \$930.96 \$929.45 \$46.26 \$9.60 \$9.78 \$12.12	2013 2014 2016 2017 2013 2014 2016 2017	7
05301-039	Fig P.O. Box 54472 New Orleans, LA 70154-4472	\$2,294.92 \$1,394.59 \$1,388.62 \$112.11 \$199.52 \$14.71 \$20.80	2015 2016 2017 2015 2015 2016 2017	7
05505-002.14	Jo-Ann Tremarco 5214 Richmond Road West Milford, NJ 07480	\$250.00	2018	4
04009-002	John Veenstra 17 Board Rd Hewitt, NJ 07421	\$250.00	2018	4
07620-008	Anthony J. Battinelli Jr, 14 Orchard Lane West Milford, NJ 07480	\$250.00	2018	4
05610-006	Willieam Greer Jr. 104 Center Street West Milford, NJ 07480	\$250.00	2018	4
16306-003	Gregory Marshall 12 Silver Lane Oak Ridge, NJ 07438	\$250.00	2018	4

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Block/Lot	Name	Amount	Year	Reason
03008-007	William Liggett 451 Lakeside Road Hewitt, NJ 07421	\$250.00	2018	4
03009-019	Harry Bedford 457 Lakeside Road Hewitt, NJ 07421	\$250.00	2018	3
05315-002.03	Deanna Randall 7203 Richmond Road West Milford, NJ 07480	\$250.00	2018	3
05311-003.12	Barbara Symes 2 Richmond Road Suite 312 West Milford, NJ 07480	\$250.00	2018	3
<b>TOTAL</b>		<b>\$30,593.20</b>		

Adopted: January 23, 2019

Agenda No. XI 5

**~ Resolution 2019 – 055 ~**

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

**WHEREAS**, there appears on the tax records balances as listed below; and

**WHEREAS**, the Collector of Taxes recommends the cancellation of taxes due to reasons listed below.

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers be and they are hereby authorized and directed to cancel as hereafter listed below:

**REASON:** 100% DISABLED VETERAN

Block & Lot	Name	Amount	Year
302-1	Arthur & Mae Hansen	\$7,416.62	2018 Full Year
		\$4,040.00	2019 First Half
<b>Total</b>		<b>\$11,456.62</b>	

Adopted: January 23, 2019

Agenda No. XI 6

**~ Resolution 2019 – 056 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REINSTATEMENT OF TAXES**

**WHEREAS**, there appears on the tax records receipt of payment of taxes; and

**WHEREAS**, the Collector of Taxes recommends the reinstatement of taxes due to reasons stated below.

**NOW, THEREFORE BE IT RESOLVED**, that the proper officers be and they are hereby authorized and directed to reinstate as listed below:

**REASON:** 1. **INSUFFICIENT FUNDS**

BLOCK/LOT	NAME	AMOUNT	YEAR	INTEREST
4011-10	Patricia McNeilly	\$2,234.14	2018	\$28.14
4011-10	Patricia McNeilly	\$13.04	2019	
7604-3	Laura Katona	\$503.50	2018	\$3.50
<b>TOTAL</b>		<b>\$2,750.68</b>		

Adopted: January 23, 2019

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Agenda No. XI 7

**~ Resolution 2019 – 057 ~**

**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:

<b>Self-stories workshop</b>		
Maryann Ackerman	\$10.00	Maryann Ackerman 50 Greenbrook Drive West Milford, NJ 07480
Anita	\$10.00	Anita Tornow 5220 Richmond Road West Milford, NJ 07480
Margaret	\$10.00	Margaret Dooley 41 Red Barn Lane West Milford, NJ 07480

Adopted: January 23, 2019

Agenda No. XI 8

**~ Resolution 2019 – 058 ~**

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

<b>Certificate No.</b>	<b>Certificate Date</b>	<b>Block/Lot/Qual</b>	<b>Reimbursement Amount</b>	<b>Pay to Lien Holder</b>
16-0037	10/11/2016	03701-003	\$39,048.97	MTAG CUST FOR EMPIRE VIII NJ PORTFO PO BOX 2208 HICKSVILLE, NY 11802
18-0042	10/09/2018	10202-001	\$10,929.71	CAZENOVIA CREEK FUNDING II; LLC PO BOX 54132 NEW ORLEANS, LA 70154
18-0036	10/09/2018	07801-028.02	\$29,790.58	SUNSHINE STATE CERTIFICATES VII LLC 7900 MIAMI LAKES DRIVE WE MIAMI LAKES, FL 33016
<b>Total</b>			<b>\$79,769.26</b>	

Adopted: January 23, 2019

Agenda No. XI 9

**~ Resolution 2019 – 059 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2019**

**WHEREAS**, applications have been made for the new licenses and the renewal of various Licenses for the 2019 license year; and

**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 2019 Licenses as listed below:

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<b>License No.</b>	Section 1. <b>2019 CLOTHING BINS</b>
2019-23	Section 2. National Badge of Honor Law Enforcement Brotherhood Inc. UGL Volunteer Ambulance Corp (1)

Adopted: January 23, 2019

Moved: Lichtenberg Seconded: Gerst  
 Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Signorino, Gerst  
 Voted Nay: None  
 Motion Carried:

Agenda No. XII

**Consent Agenda**

None

Agenda No. XIII

**Approval of Expenditures**

~ Resolution 2019 – 060 ~

**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 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	\$478,933.51
3	Reserve Account	184,639.48
2	Grants	879.32
6	Refunds	30,623.20
1	General Ledger	15,878.87
26	Refuse	7,526.57
4	Capital	1,225,220.69
19	Animal Control	136.96
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	64,381.85
19	Scala Trust	1,040.00
16	Development Escrow	9,849.20
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$2,019,109.65
	Less Refund Resolution	-30,623.20
	<b>Actual Bills List</b>	<b>\$1,988,486.45</b>
	Other Payments	
	Payroll	552,856.10
	BOE	4,614,670.00
	Cazenovia Creek Funding	10,929.71
	MTAG C/F Empire VIII NJ Portfolio	39,048.97
	Sunshine State Certificates VII	29,790.58
	<b>Total Expenditures</b>	<b>\$7,235,781.81</b>

Adopted: January 23, 2019

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Moved: Erik Seconded: Gerst  
Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Signorino, Gerst  
Voted Nay: None  
Motion Carried:

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Agenda No. XIV

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

Councilwoman Erik – Said she will let the Council Liaison explain what happened at the CASA meeting. She attended the Beautification and Recycling meeting and there was no quorum. She noted that there were no minutes or attendance taken and the committee was reduced to five. She said if anyone wants to volunteer come to the meeting on the 2<sup>nd</sup> Tuesday of the month and join the Committee. She said they don't even have to join they just have to come out.

Councilwoman Pegel – Thanked the DPW very much for all of their hard work and dedication keeping the roads safe. They did a magnificent job during the past storm. She spoke with the County Engineer because a lot of residents are asking the status of the Marshall Hill Bridge. They are targeting completion in April. There is still a lot of work that has to be done. She noted that she was unable to attend the Senior Advisory meeting due to an emergency.

Councilwoman Lichtenberg – Asked if the Marshall Hill Bridge is going to be closed while they complete the final work. She expressed that they do not want the bridge closed again. Councilwoman Pegel said the County told her the bridge will remain open while they complete the work. Councilwoman Lichtenberg said she will continue to provide information on Township events to the residents because its' goals are to communicate with the public. Since she started announcing events she noticed that more Council people are doing the same. She noted various events and their dates and times. She mentioned that she is in Town Hall every Friday for the residents and if they can't stop by, please call her cell phone.

Councilman McGuinness – Said if anyone has a problem with the service they are paying their taxes for please reach out to him. He provided his phone number. He expressed that the Council is striving towards a zero increase again and the last thing they want to do is interrupt services. He said he would like to sit down with the Mayor and Council in a private session to have a discussion. He expressed that he would still like to keep the recycling companies in compliance to try to continue toward host fees. He said they have plenty of time to move the voting from Paradise Knolls to the Journey Church and he would like to see that done before the Primary Election in June. He provided an update on recreation registrations.

Councilman Signorino – Noted that they did remove the Administrator a few weeks back. It was something that the Council decided to do and he is still supportive of that decision. Moving forward they all know that putting someone in the position will have to be a collaborative effort. He said that changes were made when Mayor Dale was elected and he still sticks by those decisions. He said moving forward he would like to re-establish a working dialogue and expressed his willingness to find an administrator. He said this is the time of year because of the changeover in Government. To prolong the situation, whether it is intentional or not, will not help. He said he will volunteer his time to help. This is not about personalities and there is no reason they can't work together.

Councilwoman Pegel – Mentioned that she reached out to the Mayor on several occasions to help her and offered her professional assistance. She said she would like to sit down and work together because she is here as a Council-person and was elected to work with the residents, listen to their concerns and try and make a change. She extended her assistance to the Mayor again.

Councilwoman Gerst – Thanked the DPW and said they did a fantastic job during the last storm.

Mayor Dale – Said she appreciates the Council's comments. She is hesitant to believe that they are genuine comments. She expressed that if the Council wanted to work with her from the beginning, they would have reached out to her and expressed some sort of concern. They would have wanted to formulate a plan with her, to ensure that the Township, operationally, had the ability to move forward. She noted that it has been four meetings since the removal of the Administrator. She expressed that it will be very costly to the Township and the repercussions of that removal will resonate for years to come. She noted that there was an email sent out to the Council from the Labor Attorney. The Council was also sent a text message to alert them to read their email to make sure they received the information right away. It is important to her for the Township to understand that despite what has happened, they are moving forward, operationally. The staff has stepped up and took on additional tasks and assignments. The staff is working collaboratively to ensure that the services that they are here to deliver to the residents are delivered appropriately. She thanked the staff. She said she did seek a legal opinion from the Township Attorney because she had a number of concerns conducting a search for an administrator that would be an appointment only for the remainder of this year and without an established salary range.

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If she started interviewing tomorrow, found a candidate and took the opportunity to introduce the candidate to the Council, she could not offer that person employment for at least 60 days. Those are the challenges she faces and it is unfair to the applicants. It was a legal opinion for the Council to consider. She hopes that the Council reviews the information so they can have a discussion at the next meeting. She said she appreciates the support from the public and they will continue to make sure they are doing the best job that they can, given the circumstances.

Agenda No. XV

**Appointments and Resignations**

**Municipal Alliance Committee (CASA)**

Councilwoman Lichtenberg nominated Daniel Cibenko and Grace Hawruk as Citizen Members and Robert Nolan as a Senior Citizen Member.

Mayor Dale said that during her council term, she championed for a federal grant that is still available and could potentially bring \$1.2 million dollars to the municipality for drug prevention programs and education. She expressed how important and meaningful this grant is to her. Part of the grant is to have certain members and citizens assigned as appointees. This is something that she would like to see pursued. She noted that Pompton Lakes was successful in pursuing this and it took them five years. She would appreciate the Council's support.

Councilman McGuinness seconded Councilwoman Lichtenberg's nomination. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Signorino and carried by unanimous voice vote.

*Daniel Cibenko, Grace Hawruk, Robert Nolan*

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

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**Heritage Committee**

Councilwoman Erik nominated Harry Bedford to the Heritage Committee, seconded by Councilman Signorino. Councilman Signorino provided an update on the Heritage Committee.

*Harry Bedford*

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

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**Planning Board**

Councilman Signorino nominated Scott Leonescu to the Planning Board, seconded by Councilman McGuinness. Councilwoman Erik nominated Matt Conlon, seconded by Councilman McGuinness. Councilman McGuinness withdrew his second for Matt Conlon.

Councilwoman Lichtenberg asked if the people being discussed have plans filed with the Planning Board. Councilman Signorino said he would welcome a builder on the Planning Board to give their perspective and as far he knows the applicant does not have plans filed with the Planning Board. He said if there is a conflict they would have to recuse themselves. The Council nominated Scott Leonescu to the Planning Board by a unanimous voice vote.

*Scott Leonescu*

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

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Agenda No. XVI

**Adjournment**

There being no further business to come before the Council, the Governing Body adjourned the meeting at 8:27 p.m.

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

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Approved: February 6, 2019

Respectfully submitted:

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Sherry Zbrzeski, Keyboarding Clerk I

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MAYOR MICHELE DALE, PRESIDING OFFICER

\_\_\_\_\_  
ANTOINETTE BATTAGLIA, TOWNSHIP CLERK