
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: February 17, 2010
Time of Meeting: 7:30 P.M.
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The Regular Meeting of the West Milford Township Council 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 20, 2009; and January 10, 2010 copies were provided to the Suburban Trends, the Record, Star Ledger, and Greenwood Lake News and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

Pledge of Allegiance

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

Roll Call

Present: Councilmembers Philip Weisbecker, Joseph Smolinski, Michael Ramaglia, Robert Nolan, Marilyn Lichtenberg, Daniel Jurkovic (arrived @ 7:33). Mayor Bettina Bieri.
Absent: None.
Also Present: Township Administrator Kevin Boyle, Township Clerk Antoinette Battaglia, Township Attorney Frederick Semrau

Agenda No. I

Reading of or Approval of Unapproved Minutes

Councilman Nolan moved to adopt the December 16, 2009 Executive Session as presented:

Moved: Nolan Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Abstain: Ramaglia
Motion carried.

Agenda No. II

Proclamations

K9 Veterans Day – Mayor Bieri invited Mr. Frank Yevchak to the podium to accept this proclamation. Mr. Yevchak read a statement providing an overview of the acts of bravery that can be attributed to dogs who serve and have served in various military and rescue capacities throughout the United States for many years. He thanked the Mayor & Council for acknowledging this bravery by virtue of this proclamation which is similar to many such documents of recognition being issued throughout the America. The hope is that all communities and entities will recognize this bravery and set aside one day each year to recognize these heroes. Mayor Bieri read the proclamation into the record and presented it to Mr. Yevchak and his dog, Nikki.

Agenda No. III

Presentations

Swearing In of Special Police Officers – Mayor Bieri recognized the special police officers who, she said, help protect this Township and our residents. She introduced Sergeant Paul who, on behalf of Chief Costello, thanked the special police officers for their assistance throughout the year. He listed a number of ways that the specials help the police department and enumerated some of their assignments. He noted that each of them is dedicated despite the fact that they work full time jobs in addition to their commitment to the Township. Sergeant Paul gave special recognition to Special Officer Charlie Kurz who has served as a special police officer in West Milford for over 25 years saying that he has done so with honor, distinction and dedication. He is an asset to the West Milford police department. Sergeant Paul introduced each of the special police officers and Mayor Bieri administered their oaths of office.

Damn Yankees (The High School Musical) – Mr. Doug Haber, teacher at West Milford High School, advised that he has brought some students here tonight to perform a short extract from this year's drama production. This year the High School students will perform in a musical called *Damn Yankees* and he listed the performance dates advising that tickets can be purchased at the school. The baseball players in the play will be singing a song from the play tonight. The players approached the podium, introduced themselves and sang the song from the play.

Mayor Bieri advised that there has been a change to the agenda for tonight's meeting to accommodate an early executive session meeting of the Council. She apologized for any inconvenience.

Agenda No. IV

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Executive Session

~ Resolution No. 2010-105 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 17th day of February, 2010 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.
 - () b. (4) A collective bargaining agreement including negotiations.
 - () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - () b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
 - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - Contract Negotiations – Hillcrest Lease & Other Facility Options
 - ~~Contract Negotiations – Potential Acquisition of Random Woods~~
 - () 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: February 17, 2010

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

The Council returned from executive session with all present as before.

Agenda No. V

Unfinished Business, Final Passage of Ordinances

None.

Agenda No. VI

Public Comments

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

Tara Sciuto, 16 Milford Lane, West Milford stated that the local element inherent in ALF is the key component of this festival. Hosting this event on Union Valley Road has been most successful and she believes that local businesses can support this one day event. Pinecliff Lake participates and adds to the event by hosting a carnival on the same day and West Milford businesses benefit from the increased traffic. We should celebrate our small downtown area and, while ALF is about the street light, it is a great excuse for a local event. The proposal to charge \$5 for parking does not benefit local residents. She took exception to Shop Rite's opposition to this event in the local community that supports their business every day. Those who do not shop on the one day that ALF is being celebrated do purchase their staples either the day before or the day after ALF. Shop Rite should participate in ALF and show their appreciation to this community. While Pinecliff Lake residents are most likely the group most negatively impacted by the road closures, they are for the most part proud of ALF. She asked the Council to

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reconsider moving ALF to Jungle Habitat and presented them with a petition of 200 signatures representing residents who wish it to remain on Union Valley Road.

Tina DeSanto, 1469 Macopin Road, West Milford stated that the ALF committee should not make decisions on behalf of West Milford residents. She supports ALF on Union Valley Road and if it is to be moved, she suggested residents be given an opportunity to vote on that at the November election.

Heidi Godau, 145 Pinecliff Lake Drive, West Milford would like ALF to remain on Union Valley Road. She stated that having the event in the center of town allows it to retain its charm and it would not be the same at Jungle Habitat. She stated that it took years to get this right.

Doris Aaronson, 19 Bearfort Road, West Milford stated that the Township should hold any funding for repairs at Hillcrest in an escrow account to be doled out when repairs are effectuated. She expressed agreement with previous speakers about keeping ALF on Union Valley Road and she gave a brief history as to how ALF ultimately ended up there. She commended the West Milford Players on their performance this past weekend and encouraged residents to support local shows. She thanked the DPW for their recent diligence in snow removal. She urged the Council to play hardball with Cablevision in contract negotiations.

Ada Erik, Macopin Road, West Milford commended the DPW for their excellent work adding that the roads in Edison during the recent snow storms were poorly maintained and did not compare to West Milford who had clean roads. She stated that she recently spoke with Edison's mayor who expressed an interest in meeting Mayor Bieri.

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

Moved: Nolan Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. VII

Council Comments

Councilman Nolan commended the DPW for all their efforts throughout these many difficult snow days stating that he drives through a number of towns to get to work all of which do not compare to West Milford. He asked why the parking lots by the Echo Lake Park, Bubbling Springs and Crosswind Restaurant are plowed adding that if they are not used, we should not expend resources to plow them in winter. He stated that the Council was copied on correspondence from the BOE Administrator to Mr. Boyle advising of work certain capital repairs to be done at Hillcrest. He questioned the need to expend \$120,000 for fire detection and alarms. He expressed concern that the BOE continues to demand control of Hillcrest despite the fact that enrollment has been down for years. He asked what happens to the \$500,000 that the Township would pay for capital repairs at Hillcrest in light of the fact that Mr. Cea has indicated that the voters would determine capital projects by virtue of the school budget vote in April.

Council President Smolinski stated that the Council has not made a final determination regarding the ALF committee request to move ALF to Jungle Habitat. He echoed the commendations to the DPW and applauded the school drama club for their presentation earlier tonight.

Councilman Weisbecker stated that, while he was not present for all the discussions regarding the location of ALF but he is not confident that this is the right time to move the event. He recalled earlier events and those who organized them concluding that last year's ALF was phenomenal.

Councilwoman Lichtenberg encouraged residents to send their comments and opinions about ALF to the Council to assist them in making a determination as to location.

Councilman Jurkovic stated that he has a lot of concerns about ALF and the proposal to move the event to Jungle Habitat. He questioned if Rocky is conflicted because he works on the Passaic County Fair which is the event that he wishes to bring into West Milford. His failure to disclose that involvement while espousing that ALF is all about West Milford is disgraceful. It appears that the Committee is attempting to exert pressure on the Council while residents appear to favor continuing this event on Union Valley Road. He stated he supports the residents on this issue and believes that Shop Rite should become involved and participate in this community event.

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Mayor Bieri stated that the process for volunteer night will begin soon and she reviewed that process. Letters will be mailed out and nomination forms will be available online and in the Clerk's office. The deadline for the receipt of nominations for volunteer of the year is March 19th.

Agenda No. VIII

New Business, Introduction of Ordinances, Resolutions

The Council took action on the following resolutions as one group, 2010-081, 2010-082, 2010-083, 2010-084, 2010-085, 2010-086, 2010-087, 2010-088, 2010-089, 2010-090, 2010-091, 2010-092, 2010-093, 2010-094 and 2010-095.

Moved: Nolan Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. VII 1

~ Resolution No. 2010-081 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY SUPPORTING THE CONCEPT OF AMPLE HARVEST

WHEREAS, an estimated 100 billion pounds of food is thrown away on an annual basis in America; and

WHEREAS, the Ample Harvest Organization seeks to diminish hunger in America by enabling backyard gardeners to share their excess garden produce with neighborhood food pantries; and

WHEREAS, the Mayor and Township Council were presented with an overview of Ample Harvest and its objectives, benefits and contributions that which it makes to fight hunger in America; and

WHEREAS, the Mayor and Township Council believe that the goals and objectives of Ample Harvest support the governing body's desire to assist those residents of the community who rely upon neighborhood food pantries.

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

The Mayor and Township Council support the concept of Ample Harvest and its program to utilize backyard gardeners to diminish hunger in America.

BE IT FURTHER RESOLVED, that neighboring communities join in and support the Ample Harvest program by publically supporting and promoting the concept of sharing excess backyard garden produce with neighbors in need.

BE IT FURTHER RESOLVED that a copy of this Resolution be provided to all of the neighboring communities of West Milford Township.

Adopted: February 17, 2010

Agenda No. VII 2

~ Resolution No. 2010-082 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXCHANGE BY WAY OF TERMINATION OF A LEASE AGREEMENT WITH NEW JERSEY TRANSIT FOR VEHICLE #16-1150 AND AUTHORIZING A LEASE AGREEMENT WITH NEW JERSEY TRANSIT FOR VEHICLE #16-1172

WHEREAS, the Township of West Milford has operated and maintained Vehicle #16-1150, VIN XXXXXXXXXXXX7749, 2006, Bluebird, AAFE, which vehicle was leased from New Jersey Transit; and

WHEREAS, the Township has determined that the trade-in and replacement of the vehicle would be in the best interest of the municipality; and

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WHEREAS, New Jersey Transit has proposed to transfer Vehicle #16-1172, VIN XXXXXXXXXXXXXXX9010, a 2006 Ford Starcraft Allstar to the Township of West Milford from the County of Sussex as part of an even exchange of the said vehicles.

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

1. The Mayor is hereby authorized to execute a Termination of Lease Agreement with respect to Vehicle #16-1150, VIN XXXXXXXXXXXXXXX7749, 2006, Bluebird, AAFE;
2. The Mayor is hereby authorized to execute a Lease Agreement with New Jersey Transit for Vehicle #16-1172, VIN XXXXXXXXXXXXXXX9010, a 2006 Ford Starcraft Allstar, which has six ambulatory seats and two wheelchair locations.
3. The Mayor is authorized to take any other incidental actions to effectuate this transaction.

Adopted: February 17, 2010

Agenda No. VII 3

~ Resolution No. 2010-083 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE IMPLEMENTATION OF A HIGHLANDS POLICY IN THE TOWNSHIP

WHEREAS, the Township of West Milford is located entirely in the Preservation Zone as it pertains to the Highlands Act; and

WHEREAS, the Mayor & Township Council has recognized a need to provide a policy to address those projects where a property owner seeks a construction permit for property that is not considered a major Highlands development as defined in the Highlands Act; and

WHEREAS, the Highlands Act provides that in the event that a project is not a major Highlands development a municipality may issue all of the local permits that are needed to begin construction absent the requirement of a Highlands applicability determination; and

WHEREAS, Township Officials have worked with the Township Attorney to draft procedures for Highlands Determinations for Construction in the Township of West Milford; and

WHEREAS, the Mayor & Township Council has reviewed these procedures deeming them to be of benefit to residents, applicants and staff.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that Township Officials be and are hereby directed to implement the approved policies and procedures for Highlands Determinations for Construction in West Milford Township.

Adopted: February 17, 2010

Agenda No. VII 4

~ Resolution No. 2010-084 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN LANDS AND PROPERTIES WHICH ARE NO LONGER NEEDED FOR PUBLIC USE BY THE TOWNSHIP

WHEREAS, the Township of West Milford is the owner of certain lands and premises within the Township of West Milford; and

WHEREAS, the Mayor and Township Council of the Township of West Milford does hereby determine that the lands and properties set forth in Schedule A are no longer needed for public use; and

WHEREAS, the Township of West Milford desires to make available for public sale said lands, with the right of prior refusal to be afforded to adjacent property owners pursuant to N.J.S.A. 40A:12-13.2.

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

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1. The Township of West Milford hereby declares that the lands and premises set forth in Schedule A are no longer needed for public use and should be sold in accordance with appropriate statutes of the State of New Jersey.
2. The Township Council of the Township of West Milford hereby authorizes the Township Clerk to offer for sale to the highest bidder by open public sale at auction the property set forth in Schedule A attached hereto and made a part hereof.
3. The public sale shall take place at the West Milford Township Municipal Building, 1480 Union Valley Road, West Milford, New Jersey, on April 7, 2010 at 6:00 p.m. or as soon thereafter as the matter can be heard and publicly announced, provided the sale is not cancelled.
4. The public sale, if not cancelled, shall take place by open public sale at auction to the highest bidder.
5. The successful bidder at the time of the sale must present cash or a check or money order, payable to the Township of West Milford, in an amount that equals 10% of the assessor's suggested minimum. This deposit shall be non-refundable. The balance of the purchase price shall be paid to the Township no later than sixty (60) days following the acceptance by the Township and the tender of marketable title to the purchaser and submitted to the Township. The purchaser shall be entitled to possession immediately following closing of title.
6. The Township makes no representation as to the title or any other aspects of the land to be sold.
7. At closing of title, purchaser shall also pay to the Township a buyer's premium in the amount of ten (10%) percent of the bid amount.
8. The Township reserves the right to accept or reject any and all bids at the public sale and not to award to the highest bidder. Such decision will be made by the Township Council at a Public Meeting within 30 days from the date of such sale.
9. In the event the Township of West Milford is unable to convey clear and marketable title, insurable at regular rates by a title insurance company authorized to do business in the State of New Jersey, the Township shall forthwith return to the purchaser the deposit and neither party shall have any further rights against the other. The acceptance of a deed by the purchaser from the Township shall extinguish any claims the said purchaser may have against the Township of West Milford in connection with the quality of title conveyed.
10. All conveyances by the Township shall be made by way of a Quit Claim Deed, unless an adequate title binder prepared at the expense of the purchaser is forwarded to the Township prior to the conveyance and discloses that the Township holds marketable title in which case a Bargain and Sale Deed with Covenants Against Grantor's Acts will be the form of conveyance. The Township will include within its deed a metes and bounds description based upon a survey if a survey and metes and bounds description is obtained by the purchaser.
11. The Township Council of the Township of West Milford reserves the right to waive any and all defects and informalities in any proposal and to accept or reject the highest responsible and responsive bidder deemed to be in the best interests of the Township.
12. In those cases where the property being offered is an under-sized lot, adjoining property owners shall be given the first right to bid. If purchased by an adjoining property owner, the under-sized property shall merge into the purchaser's current lot. Furthermore, the property shall not be further subdivided as the conveyance is being made to accommodate the adjoining property owner as to his/her current residence, not for subdivision purposes.
13. If no adjoining property owners bid, the bidding will be opened to the public. The deed of conveyance for all under-sized lots that are sold to any party other than an adjoining property owner shall contain a restriction that the lot cannot be built upon. If it is a conforming lot, then no such deed restrictions shall be placed on the transfer of title. The Township will not represent, warrant, or guarantee the right to build on or improve any of the properties listed for sale. All properties will be subject to all Federal, State, Local Laws and Ordinances.
14. A public notice of sale shall be published in the Township's official newspaper at least once a week for two consecutive weeks, the last publication being no earlier than seven (7) days prior to the date set forth for the public sale, which notice shall contain the conditions of this sale in accordance with N.J.S.A. 40A:12-13(a).
15. In the event the successful bidder fails to close on the property, he shall forfeit ten percent (10%) of the purchase price.
16. The resolution shall take effect immediately.

SCHEDULE A					
BLOCK	LOT	APPROX. ACREAGE	ZONE	LOCATION	ASSESSOR'S SUGGESTED MINIMUM BID

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8508	2	50x100	SHD/R-2	Pinecrest Trail	\$1,500
8509	34*	55x114	SHD/R-2	Pinecrest Trail	\$1,700
10506	1	1.969 Acres	R-4	Shore Drive	\$8,600
10507	1.01	3.921 Acres	R-4	Seneca Road	\$17,200
10507	1.02	.927 Acres	R-4	Seneca Road	\$4,000
10508	7	.208 Acres	LR	Baldwin Drive	\$2,600
10508	9	.262 Acres	LR	Baldwin Drive	\$2,300
10508	11	3.149 Acres	R-4	Seneca Road	\$17,000
10508	12	2.495 Acres	LR	Seneca Road	\$11,000
10509	3	1.252 Acres	LR	Briarcliff Drive	\$5,600
10510	4	1.122 Acres	LR	Briarcliff Drive	\$5,200
10806	2	.247 Acres	LR	Lindys Drive	\$1,300
10817	12	.447 Acres	LR	Lakeview Drive	\$5,000
11001	3	2.710 Acres	LR	Joseph Place	\$10,000
11102	2	1.112 Acres	R-4	Westbrook Road	\$12,400
11302	41	2.969 Acres	LR	Joseph Place	\$10,000
13301	34	.60 Acres	R-4	Macopin Road	\$5,700
13808	3	40x100	LR	Mayflower Avenue	\$400
13812	18	40x100	LR	Germantown Road	\$1,000

Adopted: February 17, 2010

Agenda No. VII 5

~ Resolution No. 2010-085 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A TAX TITLE LIEN SALE

WHEREAS, the Collector of Taxes has requested that the Township conduct a Tax Title Lien Sale on TUESDAY - MARCH 23, 2010 at 10:00 a.m.

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 conduct a Tax Title Lien Sale in the Township Main Meeting Room on Tuesday – March 23, 2010 at 10:00 a.m.

Adopted: February 17, 2010

Agenda No. VII 6

~ Resolution No. 2010-086 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF 5 POLICE VEHICLES THROUGH THE MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL, CONTRACT #15A, TO WARNOCK FLEET

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Purchasing Council (State ID # 6-MCCOOP); and

WHEREAS, the Morris County Cooperative Purchasing Council has awarded Contract #15A police vehicles, to Warnock Fleet & Leasing, 175 Route 10, East Hanover, NJ 07936, and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township of West Milford anticipates a need for five Police vehicles; and

WHEREAS, the West Milford Police Chief has reviewed the Morris County Cooperative Purchasing Council’s contract and related specifications and has submitted a written recommendation to the Township Administrator that the Township of West Milford purchase five 2010 Ford Crown Victoria Police Cars in an amount of \$109,174.75; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number 0-01-25-240-900.

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

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1. The Township Council hereby authorizes the Township Police Chief to purchase five Police vehicles in an amount not to exceed \$109,174.75 through the Morris County Cooperative Purchasing Council, contract #15A.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Township Engineer.

Adopted: February 17, 2010

Agenda No. VII 7

~ Resolution No. 2010-087 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF 12 MOBILE VIDEO RECORDERS THROUGH THE MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL, CONTRACT #41, TO L-3 COMMUNICATIONS MOBILE VISION, INC.

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Purchasing Council (State ID # 6-MCCOOP); and

WHEREAS, the Morris County Cooperative Purchasing Council has awarded Contract #41 mobile video recording systems, to L-3 Communications Mobile Vision, Inc., 90 Fanny Road, Boonton, NJ 07005, and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township of West Milford anticipates a need for twelve digital mobile video recording systems; and

WHEREAS, the West Milford Police Chief has reviewed the Morris County Cooperative Purchasing Council's contract and related specifications and has submitted a written recommendation to the Township Administrator that the Township of West Milford purchase the twelve digital mobile video recording systems in an amount of \$94,666.90; and

WHEREAS, the West Milford Police Chief has also advised the Township Administrator that the Township has secured a Byrne JAG Grant for reimbursement of part of the cost of the digital mobile video recording systems in the amount of \$15,050.70; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account numbers C-04-07-947-204 \$60,000, C-04-08-946-240 \$20,000, and C-04-55-900-634 \$14,666.90.

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

1. The Township Council hereby authorizes the Township Police Chief to purchase twelve digital mobile video recording systems in an amount not to exceed \$94,666.90 through the Morris County Cooperative Purchasing Council, contract #41.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Township Engineer.

Adopted: February 17, 2010

Agenda No. VII 8

~ Resolution No. 2010-088 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF DIESEL FUEL THROUGH THE 2010 MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL CONTRACT TO FINCH FUEL OIL COMPANY, INC.

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Purchasing Council (State ID # 6-MoCCP); and

WHEREAS, the Morris County Cooperative Purchasing Council has awarded the Contract for Diesel Fuel, for the 2010 year to Finch Fuel Oil Company, Inc. and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

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WHEREAS, the Township of West Milford anticipates a need for Diesel Fuel in 2010; and

WHEREAS, the Chief Financial Officer has submitted a written recommendation that the Township of West Milford purchase gasoline through the Morris County Cooperative Purchasing Council, Contract for Diesel Fuel in an amount not to exceed \$190,000; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number 0-01-31-460-200.

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

1. The Township Council hereby authorizes the Township Engineer to purchase Diesel Fuel, in an amount not to exceed \$190,000, through the Morris County Cooperative Purchasing Council Contract for Diesel Fuel awarded to Finch Fuel Oil Company, Inc.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Township Engineer.

Adopted: February 17, 2010

Agenda No. VII 9

~ Resolution No. 2010-089 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF GASOLINE THORUGH THE 2010 MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL CONTRACT, TO ALLIED OIL, LLC.

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Purchasing Council (State ID # 6-MoCCP); and

WHEREAS, the Morris County Cooperative Purchasing Council has awarded Contract, Gasoline, for the 2010 year to Allied Oil, LLC and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township of West Milford anticipates a need for Gasoline in 2010; and

WHEREAS, the Chief Financial Officer and Township Administrator have reviewed the Morris County Cooperative Purchasing Council's contract and related specifications and submitted a written recommendation that the Township of West Milford purchase gasoline through the Morris County Cooperative Purchasing Council, Contract, Gasoline in an amount not to exceed \$220,000; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number 0-01-31-460-200.

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

1. The Township Council hereby authorizes the Chief Financial Officer to purchase Gasoline, in an amount not to exceed \$220,000, through the Morris County Cooperative Purchasing Council, Contract, for Gasoline awarded to Allied Oil, LLC
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: February 17, 2010

Agenda No. VII 10

~ Resolution No. 2010-090 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF PAVING MATERIALS THROUGH THE MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL, CONTRACT #5, DISTRICT #2, PAVING MATERIALS TO TILCON NEW YORK, INC.

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Purchasing Council (State ID # 6-MCCOOP); and

WHEREAS, the Morris County Cooperative Purchasing Council has awarded Contract #5, Paving Materials, for District #2, for the 2010 year to Tilcon New York, Inc. and said contract was awarded

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through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township of West Milford anticipates a need for Paving Materials in 2010; and

WHEREAS, the Township Engineer has reviewed the Morris County Cooperative Purchasing Council's contract and related specifications and has submitted a written recommendation that the Township of West Milford purchase paving materials through the Morris County Cooperative Purchasing Council, Contract #5, Paving Materials in an amount not to exceed \$85,000; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number 0-01-26-290-361.

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

1. The Township Council hereby authorizes the Township Engineer to purchase Paving Materials, in an amount not to exceed \$85,000, through the Morris County Cooperative Purchasing Council, contract #5, Paving Materials awarded to Tilcon New York, Inc.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Township Engineer.

Adopted: February 17, 2010

Agenda No. VII 11

~ Resolution No. 2010-091 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY, STATE OF NEW JERSEY AWARDING A CONTRACT TO TILCON NY INC. FOR ROAD MATERIALS

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on January 29, 2010 at 10 a.m. for road materials as per the Bid Specifications; and

WHEREAS, the Township of West Milford received two (2) bids for this contract; and

WHEREAS, said bids have been duly reviewed and analyzed by the Township Engineer; and

WHEREAS, the bid received from Tilcon NY Inc. has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

WHEREAS, the Township Engineer has submitted a written recommendation for the award of this contract to Tilcon NY Inc.; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from account number C-04-09-943-624 - \$39,730.00 & 0-01-26-290-360 - \$40,000.00

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

1. The Township Council hereby awards a contract to Tilcon NY Inc., 625 Mt. Hope Road Wharton, New Jersey 07885 in an amount not to exceed \$79,730.00 for road materials as per the Bid Specifications
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Tilcon NY Inc., in accordance with its bid for said road materials.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: February 17, 2010

Agenda No. VII 12

~ Resolution No. 2010-092 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY, NEW JERSEY AWARDING A CONTRACT TO ASCAPE LANDSCAPE & CONSTRUCTION CORP. FOR THE MAINTENANCE OF BALLFIELDS AND OTHER SITES, SCHEDULE A

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WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on January 15, 2010 at 10:00 a.m. for maintenance of ball fields and other sites as per the Bid Specifications; and

WHEREAS, the Township of West Milford received six (6) bids for this contract; and

WHEREAS, said bids have been duly reviewed and analyzed by the Director of Community Services and Recreation and the Township Attorney; and

WHEREAS, the bid received from the low bidder for Schedule A of this contract, Ascape Landscape & Construction Corp., has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from account number 0-01-28-375-450.

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

1. The Township Council hereby awards a contract to Ascape Landscape & Construction Corp., PO Box 679, New City, NY 10956 for Maintenance of Ballfields and Other Sites, Schedule A Minor in an amount not to exceed \$6,960 for one year.
2. The Mayor and Township Clerk be and are hereby authorized and directed to execute a contract with Ascape Landscape & Construction Corp. in accordance with its bid for said maintenance of ball fields and other sites, schedule A minor, in the Township of West Milford.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: February 17, 2010

Agenda No. VII 13

~ Resolution No. 2010-093 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY,
NEW JERSEY AWARDING A CONTRACT TO ASCAPE LANDSCAPE & CONSTRUCTION CORP.
FOR THE MAINTENANCE OF BALLFIELDS AND OTHER SITES, SCHEDULE A**

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on January 15, 2010 at 10:00 a.m. for maintenance of ball fields and other sites as per the Bid Specifications; and

WHEREAS, the Township of West Milford received six (6) bids for this contract; and

WHEREAS, said bids have been duly reviewed and analyzed by the Director of Community Services and Recreation and the Township Attorney; and

WHEREAS, the bid received from the low bidder for Schedule A of this contract, Ascape Landscape & Construction Corp., has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from account number 0-01-28-375-450.

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

1. The Township Council hereby awards a contract to Ascape Landscape & Construction Corp., PO Box 679, New City, NY 10956 for Maintenance of Ballfields and Other Sites, Schedule A Minor in an amount not to exceed \$6,960 for one year.
2. The Mayor and Township Clerk be and are hereby authorized and directed to execute a contract with Ascape Landscape & Construction Corp. in accordance with its bid for said maintenance of ball fields and other sites, schedule A minor, in the Township of West Milford.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

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Agenda No. VII 14

~ Resolution No. 2010-094 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT TO MIKE POPOLOSKI, LS OF MAPCO INC. FOR GPS/GIS PROCESSING AND MAPPING SERVICES

WHEREAS, the Township of West Milford has a need to appoint a GPS processing and GIS mapping professional on an as needed basis as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5 as appropriate*; and,

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et. seq.) requires that the Resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, Mike Popoloski, LS of the firm Mapping & Positioning Company, Inc. (MAPCO) will provide GPS/GIS Processing And Mapping Services at a rate of \$80 per hour; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from the 0-01-20-21-480 account in an amount not to exceed \$3,000 without prior written approval from the Township Council.

WHEREAS, Mike Popoloski, LS of the firm Mapping & Positioning Company, Inc. (MAPCO) 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 firm MAPCO from making any reportable contributions through the term of the contract; and

WHEREAS, the Township Administrator has recommended that Mike Popoloski, LS of the firm Mapping & Positioning Company, Inc. (MAPCO) be retained to provide GPS/GIS Processing And Mapping services to the Township of West Milford.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. The Mayor and Township Clerk be and are hereby authorized to execute a contract with Mike Popoloski, LS of the firm Mapping & Positioning Company, Inc. (MAPCO) for professional GPS/GIS Processing And Mapping services in an amount not to exceed \$3,000.
2. This contract is awarded as a "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
3. The duration of the contract shall be for the 2010 calendar year.
4. The total fee authorized for this contract shall not exceed \$3,000 without the prior written approval of the Township Council.
5. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.
- 6.

Adopted: February 17, 2010

Agenda No. VII 15

~ Resolution No. 2010-095 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE BOROUGH OF BLOOMINGDALE FOR REGISTRAR SERVICES

WHEREAS, the Township of West Milford desires to provide registrar services to residents of the municipality and also wishes to maintain all vital statistics records in the Township; and

WHEREAS, the Borough of Bloomingdale employs a Registrar of Vital Statistics and they have agreed to enter into an agreement with the Township of West Milford for their Registrar to provide services to the Township of West Milford on a part-time basis; and

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WHEREAS, said agreement outlines the terms and conditions of the services to be provided; and

WHEREAS, the cost for these services is \$16,952 for the 2010 calendar year.

WHEREAS, the Chief Financial Officer certifies that funds are available for this purpose under account #0-01-27-331-200.

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 an inter-local agreement with the Borough of Bloomingdale for Registrar of Vital Statistics services, said agreement to be available for public inspection in the office of the Township Clerk.

This Resolution shall take effect immediately.

Adopted: February 17, 2010

Agenda No. VII 16

~ Resolution No. 2010-096 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE 2010 TEMPORARY BUDGET

WHEREAS, NJSA 40A:4-19 provides that where contracts, commitments or payments are to be made prior to the final adoption of the 2010 budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

WHEREAS, said temporary appropriations are extended and now limited to 32.5% of the total appropriation in the 2010 budget, exclusive of any appropriations made for debt service, public assistance, and capital improvement fund in said 2009 budget,

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

APPROPRIATION	ACCOUNT NUMBER	2009 BUDGET AS ADOPTED	TEMPORARY BUDGET #2 FOR 2010	COMMENTS / EXPLANATIONS
ADMINISTRATION				
Administrator S&W	01-20-100-100	\$236,000	\$76,700	Normal Operations @ 32.5%
Administrator O.E.	01-20-100-200	\$74,050	\$24,066	Normal Operations @ 32.5%
Greenwood Lake Commission Contribution	01-20-100-200	\$0	\$10,000	Seasonal
TOTAL		\$310,050	\$110,766	
PERSONNEL				
Personnel S&W	01-20-105-100	\$82,000	\$26,650	Normal Operations @ 32.5%
Personnel O.E.	01-20-105-200	\$9,400	\$3,055	Normal Operations @ 32.5%
TOTAL		\$91,400	\$29,705	
MAYOR & COUNCIL				
Township Mayor & Council S&W	01-20-110-100	\$34,000	\$11,050	Normal Operations @ 32.5%
Township Mayor & Council O.E.	01-20-110-200	\$4,350	\$0	Deferred Spending
TOTAL		\$38,350	\$11,050	
INFORMATION TECHNOLOGY				
Information Technology S&W	01-20-140-100	\$79,000	\$25,675	Normal Operations @ 32.5%
Information Technology O.E.	01-20-140-200	\$64,425	\$20,938	Normal Operations @ 32.5%
TOTAL		\$143,425	\$46,613	
Legal O.E.	01-20-155-200	\$264,000	\$85,800	Normal Operations @ 32.5%
GENERAL SERVICES				
General Services S&W	01-20-161-100	\$12,000	\$3,900	Normal Operations @ 32.5%

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General Services O.E.	01-20-161-200	\$78,600	\$25,545	Normal Operations @ 32.5%
TOTAL		\$90,600	\$29,445	
INSURANCE				
Insurance, Other	01-23-210-200	\$771,000	\$250,575	Normal Operations @ 32.5%
Insurance, Other, Less Library Charge Back	01-23-210-200	-\$15,985	(\$5,195)	Normal Operations @ 32.5%
Insurance, Group	01-23-220-200	\$3,141,000	\$1,020,825	Normal Operations @ 32.5%
Insurance, Group - Less Library Chargebacks	01-23-220-200	-\$121,260	(\$39,410)	Normal Operations @ 32.5%
TOTAL		\$3,774,755	\$1,226,795	
Heritage O.E.	01-20-173-200	\$0	\$0	
CLERK'S OFFICE				
Clerk S&W	01-20-120-100	\$231,000	\$75,075	Normal Operations @ 32.5%
Clerk O.E.	01-20-120-200	\$31,230	\$10,150	Normal Operations @ 32.5%
TOTAL		\$262,230	\$85,225	
ELECTIONS				
Elections S&W	01-20-146-100	\$1,200	\$0	Deferred Spending
Elections O.E.	01-20-146-200	\$18,900	\$0	Deferred Spending
TOTAL		\$20,100	\$0	
FINANCE				
TREASURER				
Treasurer S&W	01-20-130-100	\$250,000	\$81,250	Normal Operations @ 32.5%
Treasurer O.E.	01-20-130-200	\$7,630	\$2,480	Normal Operations @ 32.5%
Treasurer O.E. - Less Library Chargebacks	01-20-130-200	-\$2,000	(\$650)	Normal Operations @ 32.5%
TOTAL		\$255,630	\$83,080	
ANNUAL AUDIT				
Annual Audit	01-20-135-200	\$40,000	\$13,000	Normal Operations @ 32.5%
Annual Audit Additional Services	01-20-135-200	\$10,000	\$3,250	Normal Operations @ 32.5%
TOTAL		\$50,000	\$16,250	
TAX COLLECTOR				
Tax Collector S&W	01-20-145-100	\$176,175	\$57,257	Normal Operations @ 32.5%
Tax Collector O.E.	01-20-145-200	\$13,640	\$4,433	Normal Operations @ 32.5%
TOTAL		\$189,815	\$61,690	
ASSESSOR				
Tax Assessor S&W	01-20-150-200	\$328,700	\$106,827	Normal Operations @ 32.5%
Tax Assessor O.E.	01-20-150-200	\$5,510	\$1,791	Normal Operations @ 32.5%
TOTAL		\$334,210	\$108,618	
PLANNING AND BUILDING				
PLANNING BOARD O.E.	01-21-180-200	\$36,000	\$11,700	Normal Operations @ 32.5%
COMPREHENSIVE PLANNING				
Planning, Comp. S&W	01-21-181-100	\$249,000	\$80,925	Normal Operations @ 32.5%
Planning, Comp. O.E.	01-21-181-200	\$19,500	\$6,338	Normal Operations @ 32.5%
TOTAL		\$268,500	\$87,263	
ZONING ADMINISTRATION S&W	01-21-185-100	\$76,000	\$24,700	Normal Operations @ 32.5%

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APPROPRIATION	ACCOUNT NUMBER	2009 BUDGET AS ADOPTED	TEMPORARY BUDGET #2 FOR 2010	COMMENTS / EXPLANATIONS
BOARD OF ADJUSTMENT O.E.	01-21-186-200	\$30,400	\$9,880	Normal Operations @ 32.5%
HISTORIC PRESERVATION				
Historic Preservation S&W	01-20-175-100	\$1,600	\$520	Normal Operations @ 32.5%
Historic Preservation O.E.	01-20-175-200	\$800	\$0	Deferred Spending
TOTAL		\$2,400	\$520	
AUTUMN LIGHTS FESTIVAL	01-20-171-200	\$3,000	\$0	Seasonal
BUILDING / CODE ENFORCEMENT				
Building S&W	01-22-195-100	\$365,000	\$118,625	Normal Operations @ 32.5%
Building O.E.	01-22-195-200	\$9,450	\$3,071	Normal Operations @ 32.5%
TOTAL		\$374,450	\$121,696	
ENVIRONMENTAL COMMISSION				
Environmental Commission S&W	01-22-196-100	\$1,600	\$520	Normal Operations @ 32.5%
Environmental Commission O.E.	01-22-196-200	\$880	\$0	
TOTAL		\$2,480	\$520	
PUBLIC SAFETY				
POLICE DEPARTMENT				
Police Patrol S&W	01-25-240-100	\$4,263,000	\$1,385,475	Normal Operations @ 32.5%
Police Patrol O.E.	01-25-240-200	\$81,750	\$26,569	Normal Operations @ 32.5%
Police Patrol-Purchase Vehicles	01-25-240-201	\$0	\$142,000	Deferred from 2009 Budget
Police Detective S&W	01-25-241-100	\$603,000	\$195,975	Normal Operations @ 32.5%
Police Administration S&W	01-25-242-100	\$758,000	\$246,350	Normal Operations @ 32.5%
Police Communication S&W	01-25-243-100	\$293,000	\$95,225	Normal Operations @ 32.5%
Police Comm. O.E.	01-25-243-200	\$20,000	\$6,500	Normal Operations @ 32.5%
Police Specials S&W	01-25-244-100	\$33,000	\$10,725	Normal Operations @ 32.5%
Police Specials O.E.	01-25-244-200	\$4,100	\$1,333	Normal Operations @ 32.5%
TOTAL		\$6,055,850	\$2,110,151	
OEM				
EMERGENCY MANAGEMENT S&W	01-25-252-100	\$5,000	\$1,625	Normal Operations @ 32.5%
EMERGENCY MANAGEMENT O.E.	01-25-252-200	\$16,000	\$5,200	Normal Operations @ 32.5%
TOTAL		\$21,000	\$6,825	
FIRST AID SQUADS				
First Aid - WMFAS Contributions	01-25-260-200	\$60,650	\$19,711	Normal Operations @ 32.5%
First Aid - UGL 1st Aid Squad Contributions	01-25-261-200	\$40,500	\$13,163	Normal Operations @ 32.5%
TOTAL		\$101,150	\$32,874	
FIRE DEPARTMENT				
Aid To Vol. Fire Co.	01-25-255-200	\$120,000	\$39,000	Normal Operations @ 32.5%
Fire Prevention Bureau S&W	01-25-265-100	\$178,000	\$57,850	Normal Operations @ 32.5%
Fire Prevention Bureau O.E.	01-25-265-200	\$13,580	\$4,414	Normal Operations @ 32.5%
Fire Co. Admin. S&W	01-25-266-100	\$7,700	\$2,503	Normal Operations @ 32.5%
Fire Co. Admin. O.E.	01-25-266-200	\$244,650	\$79,511	Normal Operations @ 32.5%
LOSAP	01-25-267-200	\$40,000	\$0	Deferred 3rd or 4th Qtr
TOTAL		\$603,930	\$183,277	
ENGINEERING AND PUBLIC WORKS				
ENGINEERING				

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Engineering S&W	01-20-165-100	\$496,000	\$161,200	Normal Operations @ 32.5%
Engineering O.E.	01-20-165-200	\$17,300	\$5,623	Normal Operations @ 32.5%
TOTAL		\$513,300	\$166,822	
DPW				
DPW Streets & Roads S&W	01-26-290-100	\$1,738,013	\$564,854	Normal Operations @ 32.5%
DPW Streets & Roads O.E.	01-26-290-200	\$326,500	\$106,113	Normal Operations @ 32.5%
DPW Buildings & Grounds S&W	01-26-291-100	\$97,000	\$31,525	Normal Operations @ 32.5%
DPW Buildings & Grounds O.E.	01-26-291-200	\$41,650	\$13,536	Normal Operations @ 32.5%
DPW Snow Removal S&W	01-26-294-100	\$183,000	\$100,000	Seasonal
DPW Snow Removal O.E.	01-26-294-200	\$1,049,783	\$500,000	Seasonal
DPW Vehicle Maintenance S&W	01-26-315-100	\$293,000	\$95,225	Normal Operations @ 32.5%
DPW Vehicle Maintenance O.E.	01-26-315-200	\$267,000	\$86,775	Normal Operations @ 32.5%
TOTAL		\$3,995,946	\$1,498,028	
HEALTH DEPARTMENT				
Public Health S&W	01-27-330-100	\$306,000	\$99,450	Normal Operations @ 32.5%
Public Health O.E.	01-27-330-200	\$36,015	\$11,705	Normal Operations @ 32.5%
Vital Statistics S&W	01-27-331-100	\$9,000	\$2,925	Normal Operations @ 32.5%
Vital Statistics O.E.	01-27-331-200	\$16,925	\$5,501	Normal Operations @ 32.5%
Housing Standard Bureau O.E.	01-27-332-200	\$25,000	\$0	Deferred Spending
Environmental Health S&W	01-27-335-100	\$284,400	\$92,430	Normal Operations @ 32.5%
Environmental Health O.E.	01-27-335-200	\$24,350	\$7,914	Normal Operations @ 32.5%
Animal Control S&W	01-27-340-100	\$82,000	\$26,650	Normal Operations @ 32.5%
TOTAL		\$783,689	\$246,574	
PARKS AND RECREATION				
Recreation Programs S&W	01-28-370-100	\$376,275	\$122,289	Normal Operations @ 32.5%
Recreation Programs O.E.	01-28-370-200	\$134,000	\$43,550	Normal Operations @ 32.5%
Recreation.-Bubbling Springs S&W	01-28-371-100	\$167,000	\$0	Seasonal
Recreation.-Bubbling Springs O.E.	01-28-371-200	\$64,000	\$0	Seasonal
Recreation.-Admin. S&W	01-28-372-100	\$177,000	\$57,525	Normal Operations @ 32.5%
Recreation.-Admin. O.E.	01-28-372-200	\$16,100	\$5,233	Normal Operations @ 32.5%
Recreation.-Hillcrest S&W	01-28-374-100	\$131,000	\$42,575	Normal Operations @ 32.5%
Recreation.-Hillcrest O.E.	01-28-374-200	\$21,500	\$6,988	Normal Operations @ 32.5%
Recreation.-Parks Maintenance S&W	01-28-375-100	\$271,000	\$88,075	Normal Operations @ 32.5%
Recreation.-Parks Maintenance O.E.	01-28-375-200	\$117,000	\$38,025	Normal Operations @ 32.5%
Senior Citizen Services S&W	01-28-376-100	\$115,000	\$37,375	Normal Operations @ 32.5%
Senior Citizen Services O.E.	01-28-376-200	\$12,425	\$4,038	Normal Operations @ 32.5%
TOTAL		\$1,602,299	\$445,672	
VETERAN'S BUREAU				
Veteran's Bureau S&W	01-20-172-100	\$1,500	\$488	Normal Operations @ 32.5%
Veteran's Bureau O.E.	01-20-172-200	\$0	\$0	
TOTAL		\$1,500	\$488	
Celebration of Public Events O.E.	01-30-420-200	\$6,050	\$0	Seasonal
Mass Transportation	01-30-431-100	\$88,277	\$28,690	Normal Operations @ 32.5%
LIBRARY				
Library S&W	01-29-390-100	\$529,000	\$171,925	Normal Operations but Reduced Assmnt

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APPROPRIATION	ACCOUNT NUMBER	2009 BUDGET AS ADOPTED	TEMPORARY BUDGET #2 FOR 2010	COMMENTS / EXPLANATIONS
Library O.E.	01-29-390-200	\$773,004	\$251,226	Normal Operations but Reduced Assmnt
TOTAL		\$1,302,004	\$423,151	
MUNICIPAL COURT				
MUNICIPAL COURT				
Municipal Court S&W	01-43-490-100	\$316,000	\$102,700	Normal Operations @ 32.5%
Municipal Court O.E.	01-43-490-200	\$12,225	\$3,973	Normal Operations @ 32.5%
Municipal Court Prosecutor O.E.	01-43-491-100	\$28,000	\$9,100	Normal Operations @ 32.5%
TOTAL		\$356,225	\$115,773	
UTILITY EXPENSES & BULK PURCHASES				
UTILITIES & FUELS				
Utilities-Electricity	01-31-430-200	\$171,000	\$25,000	Seasonal, Heavier in Summer Months
Utilities-Street Lights	01-31-435-200	\$49,000	\$15,925	Normal Operations @ 32.5%
Utilities-Telephone	01-31-440-200	\$145,000	\$47,125	Normal Operations @ 32.5%
Utilities-Natural Gas	01-31-446-200	\$120,000	\$40,000	Seasonal, Heavier in Winter Months
Utilities-Fuel	01-31-460-200	\$350,000	\$113,750	Normal Operations @ 32.5%
TOTAL		\$835,000	\$241,800	
MISCELLANEOUS AND STATUTORY EXPENDITURES				
PENSION & FICA				
PERS	01-36-471-200	\$470,470	\$0	Deferred to 2nd Qtr
PERS - Less Library Chargebacks	01-36-471-200	-\$47,000	\$0	Deferred to 2nd Qtr
Social Security	01-36-472-200	\$791,901	\$257,368	Normal Operations @ 32.5%
Less Library Charge backs - Social Security	01-36-472-200	-\$40,469	(\$13,152)	Normal Operations @ 32.5%
PFRS	01-36-473-200	\$555,556	\$0	Deferred to 2nd Qtr
TOTAL		\$1,730,458	\$244,216	
Salaries & Wages Adjustment Account	01-37-480-100	\$0	\$0	
Compensated Absences	01-38-485-100	\$90,000	\$0	Normal Operations @ 32.5%
CAPITAL BUDGET				
CURRENT YEAR CAPITAL				
Capital Improvements Fund	01-44-900-200	\$218,240	\$205,829	Exempt
Cap Improvements Fund Down Payments	01-44-900-200	\$158,228	\$135,684	Exempt
TOTAL		\$376,468	\$341,513	
DEFERRED CHARGES AND RESERVE FOR UNCOLLECTED TAXES				
Emergency Authorizations	01-46-886-593	\$20,000	\$0	Deferred to 4th Qtr
Cancelled Assessments	01-46-886-648	\$3,000	\$0	Deferred to 4th Qtr
Reserve for Tax Appeals	01-46-886-667	\$20,000	\$0	Deferred to 4th Qtr
Def Charges - Bond Ordinance Unfunded	01-46-875-510	\$39,000	\$0	Deferred to 4th Qtr
Reserve for Uncollected Taxes	01-50-899-200	\$1,987,920	\$0	Exempt
TOTAL		\$2,069,920	\$0	
TOTAL OPERATING BUDGET		\$26,542,951	\$8,052,886	30.34%

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APPROPRIATION	ACCOUNT NUMBER	2009 BUDGET AS ADOPTED	TEMPORARY BUDGET #2 FOR 2010	COMMENTS / EXPLANATIONS
SOLID WASTE DISTRICT BUDGET				
Solid Waste S&W	26-55-500-100	\$179,000	\$58,175	Normal Operations @ 32.5%
Solid Waste O.E. All Other	26-55-500-200	\$127,233	\$41,351	Normal Operations @ 32.5%
Contractual Services	26-55-500-202	\$1,475,000	\$479,375	Normal Operations @ 32.5%
Disposal Fees	26-55-500-203	\$985,000	\$320,125	Normal Operations @ 32.5%
TOTAL		\$2,766,233	\$899,026	32.50%

Adopted: February 17, 2010

Discussion: Mr. Boyle advised that this temporary budget was prepared before the changes in the Health Department were approved by Council last night. Those changes will be reflected in the municipal budget before it is presented to Council. Council President Smolinski took issue with the manner in which this document has been presented to Council. He expressed grave concern that the Council is being asked to vote on a financial document without benefit of having had time to study it and have any queries addressed. Councilman Nolan stated that it would appear that the CFO and Administrator spent time preparing this temporary budget noting that certain line items reflect a zero appropriation because payments are not due until later in the year. He urged the Council to focus on adopting the municipal budget in a timely fashion to prevent problems later in the year. The temporary budget, he said, is a mechanism which allows the municipality to operate. Mr. Boyle reviewed those line items that are fully funded in the temporary budget advising that they are contractual matters. He stated that staff members understand direction that has come from Council and this temporary budget reflects less funding than in temporary budgets adopted in prior years.

Moved: Weisbecker Seconded: Nolan
 Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
 Voted Nay: None.
 Motion carried.

Agenda No. VII 17

~ Resolution No. 2010-097 ~

NUMBER NOT USED

Consent Agenda

Agenda No. VIII

~ Resolution No. 2010-098 ~

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. Resolution 2010-099 – Overpayment Refund
- b. Resolution 2010-100 – Refund Escrow Monies
- c. Resolution 2010-101 – Refund Other Liens
- d. Resolution 2010-102 – Reinstate Taxes

Applications:

- a. Application for Tricky Tray RL 2010-14 – WM Elks#2236 for April 24, 2010.
- b. Application for Tricky Tray RL 2010-15 – Our Lady Queen of Peace Church for April 17, 2010.
- c. Application for On Premise 50/50 License RL 2010-16 – Our Lady Queen of Peace Church for April 17, 2010.
- d. Application for Off Premise Draw Raffle RL 2010-17 – Our Lady Queen of Peace Church for April 17, 2010.

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- e. **Application for Social Affair Permit** - Our Lady Queen of Peace Church for 04/17/10
- f. **Application for Off Premise 50/50 Raffle RL 2010-18** – West Milford Rotary for April 12, 2010.

g.
 Adopted: February 17, 2010

Moved: Weisbecker Seconded: Nolan
 Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
 Voted Nay: None.
 Abstain: Councilwoman Lichtenberg abstained from the Rotary Club application only.
 Motion carried.

Agenda No. VIII a.

~ Resolution No. 2010-099 ~

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

WHEREAS, the overpayments were created by reasons stated 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 overpayments as shown below:

REASONS:

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

Block/Lot	Name	Amount	Year	Reason
801-6	Wm. & Jane Hall, 23 Elmwood Ct. Hewitt, NJ 07421	\$113.00	2010	1
2403-16	Douglas & AnnMarie Helmacy 26 Upper Greenwood Road, Hewitt, NJ 07421	\$1,788.00	2010	2
2416-22	Philip & Carol Freer, 50 Papscoe Road Hewitt, NJ 07421	\$1,248.00	2010	2
3602-5	Douglas Hill, 18 Stainsby Road Hewitt, NJ 07421	\$1,164.00	2010	2
3611-14	Michael I. Schneck, Trustee for Behrouzian, Michael, 301 South Livingston Ave. Ste 105, Livingston, NJ 07039	\$6,533.58	2008	5
4011-8	Josephine & Edward Heimers, C/O J. Heimers P.O. Box 399, West Milford, NJ 07480	\$132.00	2010	1
4012-1	Noble Title Agency, Inc. 570 South Avenue East Bldg. A-Mezzanine, Cranford, NJ 07061	\$1,840.00	2010	2
5004-2	Kenneth & Toni Lynn DeFilippo, 35 Rockburn Pass, West Milford, NJ 07480	\$149.95	2010	1
5312-3.04	Masessa & Cluff, Esq. 1524 Route 23 North Butler, NJ 07405	\$781.16	2010	2
6201-15	Arthur B. Weiss, Atty. Century Oaks Building 777 Franklin Ave, Franklin Lakes, NJ 07417	\$1,683.00	2010	2
7302-3	Todd Andersen, 90 Terrace Road West Milford, NJ 07480	\$3,236.00	2010	2
7519-3	Drew K. Murray, Esq. 230 West Parkway Suite 3A, Pompton Plains, NJ 07444	\$1,043.00	2010	2
7801-45.03	Mark & Christina Sacharoff, 45 C Manchester Lane, West Milford, NJ 07480	\$1,638.00	2010	2
8401-22	Eugene & Elaine Prais, P.O. Box 342 West Milford, NJ 07480	\$37.00	2010	2
8401-23	Eugene & Elaine Prais, P.O. Box 342 West Milford, NJ 07480	\$4,005.00	2010	2
9402-13	Gary & Eileen Moore, 3 Frederick Drive West Milford, NJ 07480	\$2,516.00	2010	2
9404-16	Daniel & Helen Schoemer, 14 Leslie Drive	\$2,401.00	2010	2

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Block/Lot	Name	Amount	Year	Reason
	West Milford, NJ 07480			
9406-15	John & Katherine Lahr, 3 Glenda Drive West Milford, NJ 07480	\$2,839.00	2010	2
9802-2	Susan Schiller, 20 Lancaster Lane West Milford, NJ 07480	\$486.67	2010	1
10102-6	BAC Tax Services Corp. P.O. Box 5012 Woodland Hills, CA 91365-5012	\$4,008.36	2010	2
10102-14	A. & P. Castellano, m 40 Gould Road Newfoundland, NJ 07435	\$3,117.00	2010	2
10503-15	Raymond & Pamela Titmas 107 Schofield Road, West Milford, NJ 07480	\$2,059.00	2010	2
10703-3	Jennifer A. Weiss, 41 Woodside Street West Milford, NJ 07480	\$1,737.00	2010	2
10809-3	Matthew & Regan Fagan, 1 Lindy's Drive West Milford, NJ 07480	\$102.00	2010	1
11701-2	William & Jeanine Stark, 333 Otterhole Road West Milford, NJ 07480	\$2,124.00	2010	2
11701-3	Queenie & Danny Wong , 325 Otterhole Road West Milford, NJ 07480	\$1,939.00	2010	2
13001-12	Robert J. Riegler, Atty. 2024 Macopin Road Suite C, West Milford, NJ 07480	\$121.98	2010	1
13812-1	Joseph & Brenda Scates, 41 Walker Avenue West Milford, NJ 07480	\$120.00	2010	1
13901-12.02	Drew K. Murray, 230 West Parkway Suite 3A Pompton Plains, NJ 07444	\$1,891.00	2010	2
14605-2	Lakeland Bank, 250 Oak Ridge Road Oak Ridge, NJ 07438	\$5,677.00	2010	2
15401-57	Helmuth Becker & Linda Jensen 163 La Rue Road, Newfoundland, NJ 07435	\$1,821.00	2010	2
16307-14	Financial Freedom, 6900 Beatrice Drive P.O. Box 4045, Kalamazoo, MI 49003-4045	\$3,218.93	2010	2
16307-16	BAC Tax Services Corporation P.O. Box 5012, Woodland Hills, CA	\$2,029.00	2010	2
TOTAL		\$63,599.63		

Adopted: February 17, 2010

Agenda No. VIII b

~ Resolution No. 2010-100 ~

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 Township's Land Use Administrator, the following Escrow monies be refunded:

Name & Address	Application No.	Amount of Escrow	Amount Refunded
Linda Provost 12 Pawnee Terrace West Milford, NJ 07480	ZB05-09-01	\$750.00	\$371.88

Adopted: February 17, 2010

Agenda No. VIII c

~ Resolution No. 2010-101 ~

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

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lien certificate as hereinafter shown below:

Cert. No	Cert. Date	Block/Lot/Qual	Amount	Pay to the Lien Holder
07-058	04/03/2007	08509-033	\$12,443.87	AMERICAN TAX FUNDING; LLC PO BOX 862658 ORLANDO, FL 32886-2658470
07-068	04/03/2007	11101-031	\$64,887.19	U S BANK CUST/SASS MUNI V DTR TAX LIEN 2 LIBERTY PLACE ANE 50 SO. 16TH ST. STE 1950 PHILADELPHIA, PA 19102
09-098	03/25/2009	08509-033	\$8,051.74	US BANK CUST FOR CCTS CAPITAL LLC 2 LIBERTY PLACE 50 SOUTH 16 ST. STE 1950 PHILDELPHIA, PA 19102
Grand Total			\$85,382.80	

Adopted: February 17, 2010

Agenda No. VIII d

~ Resolution No. 2010-102 ~

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 cancellation of receipt and 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
903-14	William & Margaret Foxon	\$7,061.29	2009
5317-2.16	Catherine Deaver	\$1,023.56	2009
7004-1	William Heafy	\$1,892.85	2009
TOTAL		\$9,977.70	

Adopted: February 17, 2010

Agenda No. X

Approval of Expenditures

~ Resolution No. 2010-103 ~

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.	\$471,635.55
2	Reserve Account	28,117.80
3	Animal Control Trust	0.00
6	Capital.	220.23
7	Grants.	20,008.78
8	Refuse.	6,061.83
9	Refunds.	148,982.43
12	General Ledger.	0.00

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16	Heritage Trust.	0.00
14	Open Space Trust	3,650.00
17	Trust	6,992.00
18	Development Escrow.	371.88
19	LOSAP	0.00
20	Special Reserve	0.00
Total		\$686,040.50
\$Less Refund Resolution		-\$148,982.43
Actual Bill List		\$537,058.07
Other Payments ck # 41661 Aire-Deb added		16,686.00
Less Refund Resolution		
Total Expenditures		\$553,744.07

Approved: February 17, 2010

Moved: Weisbecker Seconded: Ramaglia
 Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
 Voted Nay: None.
 Abstained: Councilman Nolan abstained from payments to Valley Health only.
 Motion carried.

Agenda No. XI

Reports of Mayor, Administrator, Council Members, Attorney and Clerk

Councilman Nolan – advised that he received an email from Debbie Mann seeking to reinstate her mentoring program at Westbrook Park in September. He asked Administrator Boyle for a status update on the renovations at that facility. Mr. Boyle advised that the Facilities Assessment Committee (FAC) had questions for the Director of Community Services & Recreation about those renovations. Mr. Knudsen is preparing a report to submit to the FAC which will be copied out to Council. Councilman Nolan stated that Governor Christie is scheduled to deliver his budget message on March 16, 2010 and it is expected he will address proposed cuts to DEP, the Highlands Council and Highlands Protection Planning grants. He stated that this property tax stabilization aid is intended to offset ratables lost as a result of the Highlands Act. He asked Mr. Semrau if these proposed cuts will impact the grant money appropriated to complete the Highlands conformance work currently being handled by Mr. McGroarty. Mr. Semrau stated that those funds have already been received and most of the work has already been done. Councilman Nolan stated that it appears that presentations are taking consistently longer at Council meetings. He asked for Council consensus to consider limiting the time allocated to presentations and to also consider a policy which would limit the time Council spends on follow-up discussions and discussions. The Council agreed and asked Mr. Semrau to draft a proposed policy which would outline parameters for such limitations. Councilman Nolan reported that the Insurance Committee met earlier today and primarily focused on determining how to get volunteer fire companies and the first aid squads to change their insurance coverage as recommended by the Township’s Risk Manager. If these groups change coverage they would save about 75% on premiums and receive a greater level of coverage. He asked for and received consensus from Council to have a future workshop discussion on this topic.

Councilwoman Lichtenberg – recalled that the Council adopted a resolution in 2008 opposing state legislation that would send certain municipal services to the County, including tax collection and health. She stated that the Senate is reconsidering such legislation and asked for and received Council consensus to have a resolution on the next agenda opposing this proposed law. Councilwoman Lichtenberg gave a thumbs up to the children at Westbrook school for raising funds to provide relief to those impacted by the recent disaster in Haiti. She listed a number of upcoming local events and advised that she is available to residents on Thursday mornings from 10 a.m. to noon at Town Hall.

Councilman Jurkovic stated that members of the ADA committee have expressed concern that there is no ADA enforcement officer in the municipality. He asked Mr. Boyle about the rental agreement with Ms. Mann for use of Westbrook and asked him to confirm that we have the proper insurance. Mr. Boyle stated that there is no agreement currently in place and none will be executed until the renovations are complete.

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Councilman Weisbecker – concurred with Councilman Nolan’s comments about presentations being too lengthy. He added that the Administrator should not schedule any more than two presentations at any one meeting. He asked for a future workshop discussion about setting policies to provide direction to the Administrator. Councilman Weisbecker asked Mr. Boyle to research the potential of land mitigation projects to provide additional revenue to the Township.

Council President Smolinski – stated that agendas dictate the need for presentations and he does not want to limit presentations. Councilman Nolan clarified that his intent was not to place a limit on necessary presentations but rather to institute a policy whereby Council members would limit the time devoted after-presentation comments and questions. Council President Smolinski urged the Council to make a determination about the location of ALF now rather than wait until July and he asked that this matter be scheduled for discussion at the next workshop meeting. He stated that he is disappointed with answers received in response to queries from Council about groups using Westbrook Park. Of the three groups, two are new to the Township and the Council has not received a plan outlining specifics about the renovations. He expressed concern that this matter was discussed at length with the Recreation Advisory Committee despite the fact that the Council has not received requested information about the Westbrook renovations.

Councilman Ramaglia – agreed that a decision on the location of ALF should come sooner rather than later and he thanked Administrator Boyle for following up on tree cutting with Passaic County.

Mayor Bieri – asked Administrator Boyle to schedule ALF as a discussion item for the next workshop meeting. She thanked the DPW and plowing contractors for their diligence during the recent storms. She advised that the census bureau is hiring and provided information for those interested in seeking employment. She stated that Council has approved changes proposed by the Administration to the Health Department. These changes to the structure of the department will allow the department to continue providing services while the Township will save \$130,530 annually. She advised that she has also saved the Township money by seeking to have the State Department of Community Services (DCA) conduct a free study of the police department. She reviewed the staffing in that department advising that she has not authorized any replacements or promotions since she assumed her office and advising that she will await the outcome of the study to help guide her as she reviews such requests from the Chief of Police. She stated that the study will help officials understand the operations of this department and it is not related, in any way, to performance. Council President Smolinski asked that all related information be shared with the Council.

Township Administrator – stated that the Lakes Committee has requested that certain staff members attend upcoming meetings to address certain issues. He attended a meeting yesterday in Jefferson where there was discussion about Cozy Lake Road bridge. Work on this bridge is not scheduled until 2011 or 2012 and the meeting was preliminary in nature. There will be a seminar for management personnel in the police department to educate supervisors about risk management. Passaic County has asked that the Township provide a list of roads that are in need of repair and he is working on that. He has conducted an interview for an assistant caretaker at Westbrook Park and will be seeking Council approval of a contract at a future meeting. He advised that he recently met with Mr. Pfeiffer who has addressed most of the violations on his property. It appears that most of the dam work is completed and Mr. Pfeiffer has moved on the state loan to buy down his mortgage. The State has inspected and approved the work done to date and Township officials are working with him to bring him into full compliance. Mr. Boyle advised that the Morris JIF is now seeking to pursue joint energy purchases among its members which will result in savings to those entities who use natural gas. The Facilities Assessment Committee has discussed retaining a management company to provide an estimate for the rehabilitation of the Johner building and he expects to schedule this for a future workshop discussion.

Township Clerk – Ms. Battaglia advised that petitions for Council and Democratic County Committee will be available on March 1st.

Township Attorney – Mr. Semrau advised that he will be scheduling an executive session discussion on Random Woods in the near future.

Agenda No. XII

Appointments and Resignations

~ Resolution No. 2010-104 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ACCEPTING RESIGNATIONS TENDERED

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby accept the following resignations tendered to the Township:

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<u>Name</u>	<u>Position</u>	<u>Date Tendered</u>
Ed Saade Alternate #1	Municipal Utilities Authority Term expiring January 31, 2013	February 8, 2010

Adopted: February 17, 2010

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. XIII

Executive Session

None.

Adjournment

Agenda No. XIV

There being no further business to come before the Council, the Township Council adjourned the meeting.

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Approved: May 5, 2010

MAYOR BETTINA BIERI
PRESIDING OFFICER

ANTOINETTE BATTAGLIA
TOWNSHIP CLERK