
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: February 18, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 1 of 21

The Regular Meeting of the Governing Body was called to order by Mayor Bettina Bieri.

Adequate Notice Statement

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Workshop meeting was advertised in the Herald News in its issue of December 21, 2014 and January 4, 2015; copies were provided to the Suburban Trends, the Record, Star Ledger, and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Pledge of Allegiance

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

Roll Call

Present: Councilmembers Ada Erik, Mike Hensley, Vivienne Erk, Michele Dale, Luciano Signorino, Marilyn Lichtenberg, Mayor Bettina Bieri.
Absent: None.
Also Present: Township Administrator Kenneth Gabbert, Township Clerk Antoinette Battaglia, Township Attorney Frederick Semrau.

Agenda No. I

Reading of or Approval of Unapproved Minutes

Councilman Signorino moved to adopt the January 7, 2015 Reorganization Meeting Minutes as presented.

Moved: Signorino Seconded: Dale
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Lichtenberg.
Voted Nay: None.
Motion carried.

Agenda No. II

Public Hearing

Passaic County Open Space Grant Applications:

Nosenzo Park - Tim Roetman CS&R director addressed the Council saying they have prepared three grant applications. Phase III Improvements for Nosenzo Pond Park. The prior applications are currently under DEP review and this application is for field lighting consisting of four (4) 70' light poles with shields to angle the lighting to field surface and prevent glare to adjoining properties. Councilwoman Lichtenberg said the lot number should be 16 not 12 and requested that the Block and Lot Number be verified. Mayor Bieri said the resolution would then be changed to reflect the correct information if necessary. Tim said the total anticipated cost was \$200,000.00 including all equipment and labor. There is an anticipated annual cost of \$2,000.00. That will be for future budget discussions.

Mayor Bieri opened the meeting to the public to speak on this issue only. There being no public wishing to be heard, Councilwoman Erik made a motion to close public portion, seconded by Councilwoman Lichtenberg and carried by unanimous voice vote.

Westbrook Park Teen Center - Tim Roetman addressed Council saying this is for ADA improvements to the Westbrook Teen Center building, which includes a unisex bathroom and an elevator to link the first & second floors. This will allow persons with disabilities access between floors from inside the building. Right now they must go outside to gain access from floor to floor. This will allow use by programs such as PRIDE and programs for persons with all abilities. Total anticipated cost is \$125,000.00. The elevator quote is from Otis Elevators, a local company from NJ and an architect for designing the elevator shaft.

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Mayor Bieri opened the meeting to the public to speak on this issue only. There being no public wishing to be heard, Councilwoman Erik made a motion to close public portion, seconded by Councilwoman Lichtenberg and carried by unanimous voice vote.

Architectural & Engineering Services for Recreation Facilities - Tim Roetman addressed Council saying this is for architectural engineering work for PAL and surrounding property to determine what improvements can be made to the property including the facility and property around the Melody Lake area. Preliminary estimate from Ferriero Engineering is \$60,000.00, which would also fund initial minimal improvements. Councilman Hensley asked what the study is intended for. Tim said it would assist in determining what the building could be used for if the Township took over the building. It would include the building and perhaps walking paths. Mayor said that irregardless of whether or not the township shares or takes sole possession of the building, this work is necessary. Mayor also said Westbrook Teen Center building is underutilized.

Mayor Bieri opened the meeting to the public to speak on this issue only. There being no public wishing to be heard, Councilwoman Erik made a motion to close public portion, seconded by Councilwoman Lichtenberg and carried by unanimous voice vote.

Mayor Bieri thanked Tim & Liz for their efforts. She remarked for years there were no grant applications. She had to make suggestions and even wrote two applications herself last year.

Agenda No. III

Executive Session

~ Resolution No. 2015 – 073 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 18th day of February 2015 that:

1. Prior to the conclusion of this **Regular Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () b. (4) A collective bargaining agreement including negotiations.
 - () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - (X) 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.
 - Public Safety – Department Structure – Special Operations Unit
 - (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.
 - PAL
 - Jungle Habitat Lease
 - () 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 18, 2015

Moved: Erik Seconded: Signorino
Voted Aye: All in favor.
Voted Nay: None.
Motion carried.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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The Governing Body went into Executive session at 6:45 pm.
The Governing Body returned to the public meeting at 8:23 p.m. with all present as before.

Agenda No. IV

Public Comments

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

Bill Collister, 92 Oxbow Lane, West Milford said he is the PAL treasurer and has volunteered with PAL for 21 years. He said Council should make only accurate statements. In April 2013 multiple year financial statements were given to Administrator Gage. More financial information was given in May. More information was requested and provided. Comments were made that income went up and expenses went down and that is inaccurate. He said there were annual losses and expenses are rising and income is going down.

Ava, a minor child, said children are constantly told to work well together. Council should work with PAL.

James Foody, 2 Kushaqua Trail North, Hewitt said he has a neighbor in Florida who sent a letter asking the Township to accept dedicated roads. He read the letter.

Doris Aaronson, 19 Bearfort Road, West Milford said lakes are covered with ice. She urged caution when going out on ice. Winter sports can be fun but there are dangers. Some water entering lakes from homes is warm and can cause weak ice. She would like to see warning tickets rather than enforcement tickets to those who park in handicap parking spots.

Liz Hodge, 7 Cumberland Road, West Milford has lived here 23 years with two children in West Milford schools and she is a past president of PAL. She served in many capacities and has volunteered with other organizations and participates in many local events. As a concerned parent she is concerned that the Township is evicting PAL and taking over programs. PAL has run these since 1977. Most athletic child-based programs are run by private organizations and volunteers with CS&R only overseeing them. How can a department with salary base of over \$400,000 run PAL programs without additional expenses and thereby increased taxes? She does not understand the change of direction. This seems like a land grab and bullying. She grew up in a family that lived on government assistance and help from organizations. She volunteers with PAL to give back and pay it forward. PAL helps the community. She has seen the benefits to the children who participate. It provides a safe environment. She listed the benefits of their programs. A volunteer depicted the PAL as a community and she agrees. We do not want our children back in parking lots. She spoke about kids who have gone on to college sports from PAL. Other kids have succumbed to drugs instead of sports. Volunteers run PAL. Support PAL and their programs.

Jillian Gaffney, 22 Sherwood Court, Newfoundland said she and her family have lived in West Milford for 17 years and all three of her children have participated in PAL programs and activities. Her husband is a coach and she has coached in the past. PAL has been a great resource to her family. They have made many friends as part of the PAL family. The town intends to take over PAL programs and she does not understand how that benefits taxpayers. CS&R does not run sports programs. All sports organizations are run by volunteers. The nine employees in CS&R cost over \$500,000 in salaries. The department operates from 8:30 to 4:30 daily. PAL programs are held in late afternoon, evenings and weekends. To be operated, there will be increased payroll costs with CS&R. This does not make sense. School enrollment has steadily declined in recent years as enrollment in PAL programs. PAL pays all maintenance costs associated with their programs and the PAL building. PAL is simply asking for a chance to refinance their loan. They do not want to walk away from their financial responsibilities. If the Township forces PAL to walk away, the taxpayers will be responsible for the outstanding bill. She questioned why the Township would take these programs away from the PAL volunteers, coaches and staff. She urged the Council to work with the PAL and come to a mutually beneficial agreement. The children need these PAL programs as part of the PAL mission.

Dorrie Torp, 24 Binnacle Ave West Milford said she agrees with all the comments made and she stands in solidarity with those seeking to have PAL programs continue. She has three children who have benefitted from PAL programs and she has volunteered there. PAL is a community that helps raise healthy children. West Milford has a lot of volunteers. She relayed an anecdote relayed to her by a child recently about sportsmanship. She does not understand how the Township can take over PAL without increasing taxes. Volunteers took over the animal shelter and accomplished more than the town ever could.

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Steve Drew, 567 Lakeshore Road, Hewitt serves on the Board of Education. He said the BOE agreed to participate in a softball game against the town to benefit Relay for Life.

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

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

Agenda No. V

Council Comments

Councilwoman Dale said she reviewed the PAL 990's filed with the State for multiple years. These filings indicate that there have been increasing revenues for the years filed. She reviewed the numbers from the 990's. That would seem to contradict the assertions made by PAL representatives to the Township that revenues have been declining during those years. She reviewed the expenses reflected on the 990's filed with the State. Those numbers would indicate that the revenue for the four year period in question has increased by about 7%. This evening comments were made that enrollment had declined. She questioned how revenue could have increased if enrollment is down. She can only rely on information at hand. She was in the audience in 2013 when PAL came before the Council asking for a two-year relief from their fiscal obligation. The Township did not agree to that and thus began the years of negotiations. There were multiple letters from the Township attorney to the PAL attorney. PAL did not provide any official response. There may have been some correspondence but PAL did not give any official reply to the numerous attempts by the Township to negotiate an agreement. PAL sought to restructure their debt in 2013 and asked for help. Now there is a public perception that the Township would not negotiate simply because PAL, rather than respond to the communiques, insisted that they be allowed to meet with the Council in executive session. She said that the Council cannot meet with PAL or any other group in executive session because that is not legal. PAL came to a public meeting in 2013 where they made a plea and provided a balance sheet. Township officials, including the Mayor who is a CPA, could not understand that balance sheet and so they continued to ask for additional information. It was repeatedly communicated to the PAL that the Township could not meet with them in executive session and they clearly understood that because they did broach the subject in a public forum in 2013. She questions why the PAL did not come back to the Council in a public format until a final demand was sent. Even this evening the Council has not heard from the PAL about a plan with supporting financial information. As elected officials the Mayor & Council serve the entire community and have a fiscal responsibility to all residents. She had to seek out the 990's to get information about the PAL finances and that information, filed as official government records, differs from that which the PAL has provided to Township officials. PAL sent a proposal at about 5:30 p.m. yesterday to elected officials by email and that proposal did not make sense. They propose new terms which are far less than they claim they have agreed to.

Fred Semrau confirmed that the Township cannot meet with non-Township officials in executive session. The purpose of executive session discussions regarding contracts is to strategize, not to negotiate terms with an outside entity. Councilwoman Dale said that in reviewing the 990's filed with the State and the information contained therein, it would not appear that the PAL has the fiscal resources to meet their obligation to the Township, even the reduced obligation offered to them by the Township which is \$3,000 or 50% less than their original obligation. She takes exception to the perception promulgated by PAL that the Township will not meet or negotiate with them. That is not the case but the Township has been clear that those discussions cannot take place in executive session.

Councilman Signorino said that subcommittees have worked effectively for communicating with organizations like PAL in the past. He would like to alleviate the concerns expressed by residents. Mr. Semrau said that there have been multiple meetings with PAL officials and Township officials. He recalled a meeting in July 2013 where he and various Township officials, including a subcommittee of Council, met with PAL officials. Additionally, multiple administrators have had a number of meetings with PAL representatives. He said that a subcommittee of Council could meet with PAL representatives but he acknowledged the successive administrators have had multiple such meetings and have reported back to Council. Councilman Signorino said that Council has decided to take action and he will stand by that decision. Mr. Semrau asked for a brief executive session based on comments made and because there is a pending legal matter.

Councilwoman Lichtenberg said the Relay for Life softball game with the BOE will be on May 30th.

Councilman Signorino asked Mr. Semrau if there is a report on Lakeside Development. Mr. Semrau said the report is not ready this evening. He said there are a number of roads that the Township takes care of for various reasons in varied conditions. DPW works hard at that. If the Council were to take a position to accept one road simply because it was dedicated could spur similarly situated communities to make an

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argument that their roads should be accepted. Councilman Signorino said there are unique circumstances here and Mr. Semrau cautioned against setting a bad precedent. From a legal perspective Mr. Semrau said he believes that the first action should take place between the residents and the corporation. They have been through agreements and litigation. The residents must first address that with the corporation. There may be frustrations but the Township should not become involved without repercussions. Councilman Signorino is concerned about predatory actions and he wants to protect residents. Mr. Semrau said he equates this to private matters with lake associations and he gave an example. The litigation that occurred between Lakeside Development and the affected residents resulted in settlements with the residents and the corporation. If that was extinguished by the courts, then the town could consider further obligations, policy and action. It is not the Township's place to get involved. Councilman Signorino said he had previously asked Mr. Semrau to provide Council with an outline of all their options. Mayor Bieri said there are many lake associations and residents may not be happy but it is not a Township responsibility and Mr. Semrau agreed saying that in many ways this situation is very similar. If members are not happy they have rights to challenge the actions of the corporation or a lake association. If we stepped in we would have to take the legal issues on even though the Township was not involved in its creation.

~ Resolution No. 2015 – 091 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 18th day of February 2015 that:

3. Prior to the conclusion of this **Regular Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () b. (4) A collective bargaining agreement including negotiations.
 - () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - () b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
 - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - PAL
 - () b. (8) Personnel matters.
 - () b. (9) Deliberations after a public hearing that may result in penalties.
4. 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 18, 2015

Mayor Bieri read a motion for executive session to discuss litigation, PAL. Councilwoman Erik made a motion, seconded by Council President Erk to go into executive session at 9:12 p.m.

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

The Governing Body returned to the public meeting at 9:40 p.m. with all present as before. Mr. Semrau read the following statement:

The Township of West Milford funded the acquisition of property and the construction of the PAL building at a cost of \$1,800,000.00 to the West Milford taxpayers. The PAL came to the Township on a number of occasions and negotiated & renegotiated the terms by which they were to repay that debt. Most recently

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in 2013, the PAL asked to open negotiations again. Within weeks of asking to negotiate, the PAL stopped making their monthly payments of \$6,000. In fact, they did not even make any token payments until November 2014. That resulted in a total default of \$110,000.00, which is directly funded by the taxpayers. The PAL could no longer afford to make payments towards the \$1.8 million debt.

The Township made multiple proposals to the PAL; none of which were accepted. In fact, the Township did not even receive formal responses to the proposals. After almost two years, the Township submitted the most recent proposal, which was an interim agreement to require payments to the public trust, while a permanent long-term agreement would be negotiated. Elected officials have a fiduciary obligation to the entire population of the Township and therefore propose such interim and long-term agreements.

Yesterday the Township received a proposal from the PAL where they propose to pay a reduced rent and where the Township, at taxpayer expense, would assume responsibility for capital repairs to the facility and virtually all operating costs.

The Mayor and Council propose to offer residents programs that are currently offered through the PAL. The PAL could continue to exist, if it so chooses. Or the PAL could opt to structure themselves in the same manner as all the other community sports organizations do. Examples include West Milford girls' softball, little league, midget football and even the PAL soccer program. The Township would simply coordinate use of both recreation fields and buildings as we currently do with municipal fields and buildings now. Rest assured volunteers are very important and would be included in such programs. The PAL president can attest to the effectiveness and synergy of CS&R and the PAL, as he also served as an appointed member on the Townships' RAC committee. It is hoped, in the best interests of the community and the children that PAL volunteers would continue to volunteer coaching and refereeing these programs under the direction of the Department of Community Services & Recreation. The PAL could continue as a valuable community-based non-profit organization, with the ability to raise funds and contribute to community events including sporting events without the financial burden of building maintenance & related costs.

The Township hopes that the PAL leaders will meet with municipal officials to coordinate a smooth transition for those who currently participate in their programs. In fact, there have been two meetings scheduled by the Township Administrator with the PAL representatives to effectuate this transition. Both meetings were canceled by the PAL members. The next meeting is scheduled for next Friday at 3pm with the Administrator and PAL representatives. It is the Governing Body's hope that that meeting will take place and that it will start and effectuate a smooth transition for the West Milford Township Recreation Department to coordinate and maintain the PAL programs.

Agenda No. VI

Presentations

- Liquor License Transfer - Retail Consumption License #1615-33-035-007 from Filippo Ent. LLC to Josef Lang Holdings, LLC.

Mayor Bieri asked if there was anyone wishing to be heard on this license transfer. There being no one wishing to be heard, Councilwoman Erik made a motion, seconded by Councilwoman Lichtenberg and carried by unanimous voice vote to close the public comment period.

Agenda No. VII

Proclamations

None.

Agenda No. VIII

Unfinished Business, Final Passage of Ordinances

Agenda No. VIII 1

~ Ordinance 2015 - 001 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO AMEND §226-7 "NOISE, ENFORCEMENT, VIOLATIONS & PENALTIES" OF THE TOWNSHIP CODE TO REDUCE THE PENALTY PROVISION

BE IT ORDAINED, by the Township Council of the Township of West Milford, in the County of Passaic and State of New Jersey, that §226-7 B, Enforcement; violations and penalties of the Township Code be and is hereby amended as follows:

SECTION 1:

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- (2) Full Season Discount: A 20% discount will be offered to participants who enroll in the full eight (8) weeks of Day Camp upon initial registration.
(3) The discount will not apply to off-site field trips.

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

Introduced: February 18, 2015

Second reading and public hearing for this ordinance is set for the Regular Meeting of the Township Council scheduled for March 18, 2015. Notice of this public hearing shall be published in the Herald News on or about February 15, 2015.

Motion to introduce ordinance.

Moved: Erik Seconded: Dale
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Lichtenberg.
Voted Nay: None.
Motion carried.

Mayor Bieri asked to move Resolutions 2015-074 (w/ amended Block and Lot numbers), 2015-075, 2015-076, 2015-077, 2015-078, 2015-079, 2015-088, 2015-089, 2015-090 and 2015-080 (consent agenda) as one. Resolution 2015-081 amended to delete second line item.

Moved: Erik Seconded: Signorino
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Lichtenberg.
Voted Nay: None.
Recused: Lichtenberg (recused on application #3 on the consent agenda only)
Motion carried.

Agenda No. IX 2

~ Resolution 2015 - 074 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING FROM THE PASSAIC COUNTY OPEN SPACE AND FARMLAND PRESERVATION TRUST FUND FOR NOSENZO POND PARK IN THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Department of Community Services and Recreation has recommended to the Township Council the submission of an application for funding lights on Nosenzo Pond Park Field for this calendar year; and

WHEREAS, the Department of Community Services and Recreation has recommended that this application be approved by the Township Council and submitted to Passaic County Open Space Committee for consideration in the County Open Space Program; and

WHEREAS, the Mayor and Township Council have reviewed and approached the owners of Block 9302 Lot 16 located on Nosenzo Pond Park; and

WHEREAS, in accordance with the requirements of the Passaic County Open Space Trust Fund Grant Application, the Township notified by certified mail all property owners within 200 feet of the subject property that the site know as Block 9302 Lot 16 is being considered for lighting and that a Public Hearing would take place on February 18, 2015; and

WHEREAS, the Department of Community Services and Recreation submitted the following application for consideration to the Township Council:

Table with 2 columns: Project, Total Project Funding, County Funds Requested. Row 1: Nosenzo Pond Park, \$200,000.00. Row 2: Block 9302 Lot 16, \$100,000.00.

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WHEREAS, in accordance with the requirements of the Passaic County Open Space Committee, the Township advertised a Public Notice on February 8, 2015 for the Public Hearing to be held on February 18, 2015 on the application; and

WHEREAS, the Public Hearing was held on February 18, 2015, at which time public input was solicited on the application.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford, that it hereby authorizes the Township Administrator to arrange for the submission of all grant application materials as prepared by the West Milford, Department of Community Services and Recreation to seek funding from the Passaic County Open Space and Farmland Preservation Trust Fund for the lighting of the Nosenzo Pond Park Field.

Adopted: February 18, 2015

Agenda No. IX 3

~ Resolution 2015- 075 ~

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING FROM THE PASSAIC COUNTY OPEN SPACE AND FARMLAND PRESERVATION TRUST FUND FOR WESTBROOK PARK IN THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Department of Community Services and Recreation has recommended to the Township Council the submission of an application for funding for ADA improvements including but not limited to an elevator at Westbrook Park upon engineering and architect recommendations.

WHEREAS, the Department of Community Services and Recreation has recommended that this application be approved by the Township Council and submitted to Passaic County Open Space Committee for consideration in the County Open Space Program; and

WHEREAS, the Mayor and Township Council have reviewed and approached the owners of Block 11101 Lot 1 located on 1073 Westbrook Road; and

WHEREAS, in accordance with the requirements of the Passaic County Open Space Trust Fund Grant Application, the Township notified by certified mail all property owners within 200 feet of the subject property that the site know as Block 11101 Lot 1 is being considered for ADA improvements including but not limited to an elevator at Westbrook Park upon engineering and architect recommendations and that a Public Hearing would take place on February 18, 2015; and

WHEREAS, the Department of Community Services and Recreation submitted the following application for consideration to the Township Council:

Project: <i>ADA Upgrades and Improvements</i> 1073 Westbrook Road, West Milford Block 11101 Lot 1	Total Project Funding: \$125,000.00 County Funds Requested: \$ 62,500.00
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WHEREAS, in accordance with the requirements of the Passaic County Open Space Committee, the Township advertised a Public Notice on February 8, 2015 for the Public Hearing to be held on February 18, 2015 on the application; and

WHEREAS, a Public Hearing was held on February 18, 2015, at which time public input was solicited on the application;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford, that it hereby authorizes the Township Administrator to arrange for the submission of all grant application materials as prepared by the West Milford Township Department of Community Services and Recreation to seek funding from the Passaic County Open Space and Farmland Preservation Trust Fund for the Services for the Improvements of Westbrook Park.

Adopted: February 18, 2015

Agenda No. IX 4

~ Resolution 2015 – 076 ~

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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING FROM THE PASSAIC COUNTY OPEN SPACE AND FARMLAND PRESERVATION TRUST FUND FOR ARCHITECT AND ENGINEERING SERVICES FOR CURRENTLY OWNED RECREATION FACILITIES IN THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Department of Community Services and Recreation has recommended to the Township Council the submission of an application to fund engineering and architectural services for currently owned recreation facilities; and

WHEREAS, the Department of Community Services and Recreation has recommended that this application be approved by the Township Council and submitted to Passaic County Open Space Committee for consideration in the County Open Space Program; and

WHEREAS, the Mayor and Township Council have reviewed and approached the owners of Block 5307 Lot 11.02 located on 66 Cahill Cross Road; and

WHEREAS, in accordance with the requirements of the Passaic County Open Space Trust Fund Grant Application, the Township notified by certified mail all property owners within 200 feet of the subject property that the site know as Block 5307 Lot 11.02 is being considered for architectural and engineering services and that a Public Hearing would take place on February 18, 2015; and

WHEREAS, the Department of Community Services and Recreation submitted the following application for consideration to the Township Council:

Project		
<i>Architect and Engineering Services</i>	Total Project Funding:	\$60,000.00
	County Funds Requested:	\$30,000.00

WHEREAS, in accordance with the requirements of the Passaic County Open Space Committee, the Township advertised a Public Notice on February 8, 2015 for the Public Hearing to be held on February 18, 2015 on the application; and

WHEREAS, a Public Hearing was held on February 18, 2015 at which time public input was solicited on the application.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford, that it hereby authorizes the Township Administrator to arrange for the submission of all grant application materials as prepared by the West Milford, Department of Community Services and Recreation to seek funding from the Passaic County Open Space and Farmland Preservation Trust Fund for engineering and architectural services for currently owned recreation facilities.

Adopted: February 18, 2015

Agenda No. IX 5

~ Resolution 2015 – 077 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE ISSUANCE OF A RECREATION GROUP USE PERMIT (BROWN'S POINT – 2015 POWER BOAT RACES)

WHEREAS, the Township's Director of Community Services & Recreation has received a request for the use of Brown's Point on June 5 to June 8, 2015 as a launching site for a power boat race being sponsored by the Greenwood Lake Power Boat Association; and

WHEREAS, this event is of an extraordinary nature requiring the approval of the Township Council of the Township of West Milford; and

WHEREAS, the Director of Community Services & Recreation has made application and obtained requisite approvals from the State of New Jersey, Department of Environmental Protection; and

WHEREAS, based upon the review of the application and the report of the Director, the Township Council approves of the issuance of a Group Use Permit to the Greenwood Lake Power Boat Association, with the following conditions:

1. It shall arrange for portable toilets to be located on the site, in accordance with Township Health Department guidelines and shall see that all portable toilets are emptied at the end of the events on Saturday and Sunday.

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2. It shall arrange for a 20 yard dumpster to be located on the site in accordance with the Recreation Director's recommendation.
3. It shall agree to pay for any extraordinary expenses incurred by the Township in providing CS&R, Health Department or Police Department personnel for the events.
4. It shall issue a notice by May 15, 2015 to surrounding residents which will include a description of activities and the dates and times of those events.
5. It shall provide to the Township Insurance Certificates with the Township of West Milford and the State of New Jersey, Department of Environmental Protection named as an additionally insured party in the amount of \$1,000,000.00 umbrella (\$500,000.00 property damage and \$1,000,000.00 personal injury.)
6. It shall provide Insurance Certificates with the Township of West Milford and State of New Jersey D.E.P. named as additionally insured parties in the amount of \$1,000,000 for liquor liability, which coverage will include a Hold Harmless Agreement.
7. It shall arrange for a plan of traffic control, sufficient parking, security and crowd control in accordance with the recommendation of the Chief of Police by March 13, 2015 which must be implemented by May 1, 2015

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford does hereby authorize the issuance of a Group Use Permit to the Greenwood Lake Water Power Boat Association for the use of Brown's Point on Friday June 5, 2015 and Monday June 8, 2015 with the above noted conditions; and

BE IT FURTHER RESOLVED that the sponsoring organization is authorized to charge admission fees of – \$10.00 for 12 years and older, – \$5.00 for children 5 years to 11 years, 4 years and under no charge. There is also an additional \$5.00 charge on top of the above listed fees for anyone wanting to go into the pits.

Adopted: February 18, 2015

Agenda No. IX 6

~ Resolution 2015 – 078 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT FOR THE PURCHASE OF ROCK SALT FROM CARGILL INCORPORATED DEICING TECHNOLOGY

WHEREAS, the Department of Public Works has found it necessary to request a change order to the contract with Cargill Incorporated Deicing Technology, 24950 Country Club Blvd., Suite 450, North Olmsted, Ohio 44070.

WHEREAS, due to the number and type of storms this season there is a need to amend our contract for the purchase of salt in order to be prepared for the remainder of this season. A change order in the amount of \$100,000 for the purchase of up to 1600 tons of rock salt at the current contract price of \$62.49 per ton is requested. This amount is less than 20% of the original contract amount of \$531,165.00.

WHEREAS, the Chief Financial Officer has certified as to the availability of funds and encumbrances for this purchase shall come from account number 01-26-294-363; and

WHEREAS, after careful consideration the Governing Body has found it to be in the best interest of the Township to award a change order to the contract to Cargill Incorporated Deicing Technology.

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 change order to the contract to Cargill Incorporated Deicing Technology for Rock Salt in an amount not to exceed \$100,000.00.
2. The Township Administrator is hereby authorized and directed to execute a change order with Cargill Incorporated Deicing Technology in accordance with its bid for Rock Salt.
3. The Township's Chief Financial Officer has certified the availability of fund for same.
4. This resolution, change order and contract shall be available for public inspection in the office of the Municipal Clerk.

Adopted: February 18, 2015

Agenda No. IX 7

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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~ Resolution 2015 – 079 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PERSON TO PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-035-007 FROM FILIPPO ENT LLC TO JOSEF LANG HOLDINGS LLC FOR PREMISES AT THE SAME LOCATION

WHEREAS, an application for the person to person transfer of 2014-2015 Plenary Retail Consumption License No. 1615-33-035-007 presently held by Filippo Ent LLC to Josef Lang Holdings LLC for premises at the same location has been received and reviewed; and

WHEREAS, the Mayor and Township Council has conducted a public review of the application as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control; and

WHEREAS, as a result of that investigation and review the Mayor and Township Council have determined the following:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicant has disclosed to the issuing authority the source of all financing obtained in the previous license year (July 1, 2013 – June 30, 2014).

WHEREAS, the Police Department has recommended that the license be transferred to the new owner as an active license with conditions as follows.

NOW, THEREFORE, BE IT RESOLVED that the transfer application is hereby approved and the Township Clerk is authorized to endorse the transfer and deliver the license certificate for the Mayor and Township Council of the Township of West Milford.

LICENSE/LICENSEE/T/A	CONDITIONS	LICENSE STATUS
JOSEF LANG HOLDINGS LLC t/a The Lakeshore Inn Bar 399 Lake Shore Drive Hewitt, NJ 07421 1615-33-035-007	1. A Retail Food Establishment license must be acquired and satisfactory recommendation received in the Clerk’s Office prior to opening 2. Licensee must submit applicable pages of 12-page application to the Township Clerk prior to re-opening	Active

Adopted: February 18, 2015

Agenda No. IX 8

~ Resolution 2015 – 088 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, SUPPORTING THE CDBG APPLICATION BEING SUBMITTED TO THE COUNTY OF PASSAIC BY MORRIS HABITAT FOR HUMANITY, INC.

WHEREAS, the Township of West Milford and Morris Habitat for Humanity, Inc. entered into a Developer’s Agreement on March 7, 2013 for provision of one affordable for-sale unit to offset the Township’s Council on Affordable Housing (“COAH”) obligation (“the Project”); and

WHEREAS, the March 7, 2013 Developer’s Agreement stipulated the transfer of title of a lot, specifically property located at Block 10508 Lot 11, 100% municipally owned to Morris Habitat for Humanity, Inc. by the Township for the sum of \$1.00 and allowed for the substitution of property if the designated lot was deemed unacceptable; and

WHEREAS, Morris Habitat for Humanity, Inc. subsequently deemed the property to be unacceptable and has now designated property located at 27 Chatham Road (Block 2410 Lot 13) as the subject property to be developed; and

WHEREAS, the property located at 27 Chatham Road (Block 2410 Lot 13) was a foreclosed upon property which is wholly owned by Wells Fargo Bank, N.A. and has been donated to Morris Habitat for Humanity, Inc. for the sum of \$1.00; and

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WHEREAS, the Developer's Agreement stipulated that the Township would provide funding from its Housing Trust Fund in the amount of \$50,000 and not to exceed \$50,639 to Morris Habitat for Humanity, Inc. toward the construction of a single family for-sale affordable home; and

WHEREAS, the Township has been advised that it is Morris Habitat for Humanity, Inc.'s intention to apply to Passaic County for a Community Development Block Grant (CDBG) to help fund the Project; and

WHEREAS, the Mayor and Township Council are in support of this Project and are in support of Morris Habitat for Humanity, Inc.'s CDBG application to Passaic County for funding of the Project.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of West Milford, in the County of Passaic, that Morris Habitat for Humanity, Inc. may submit its CDBG application to Passaic County with the full support of the Governing Body in the application and the Project.

This Resolution shall take effect immediately.

Adopted: February 18, 2015

Agenda No. IX 9

~ Resolution 2015 – 089 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY REGARDING MUNICIPAL COUNCIL FAIR HOUSING

WHEREAS, The Township of West Milford supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. It is the policy of Township of West Milford to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The Township of West Milford further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. Therefore, the Municipal Council of Township of West Milford do hereby approve the following:

BE IT RESOLVED, that within available resources, the Township of West Milford will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New Jersey Division on Civil Rights and the U.S. Department of Housing and Urban Development, as appropriate; and

BE IT FURTHER RESOLVED, that the Township of West Milford shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New Jersey Law Against Discrimination, and any local laws or ordinances; and

NOW THEREFORE BE IT RESOLVED, that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

Adopted: February 18, 2015

Agenda No. IX 10

~ Resolution 2015 - 090 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING FUTURE PURCHASES FOR REPAIR PARTS IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICIES

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WHEREAS, the Township Council of the Township of West Milford did adopt ordinance 2013-020 to create the position of Qualified Purchasing Agent in the municipality and they did subsequently adopt resolution 2013-330 appointing a Qualified Purchasing Agent (QPA) and increasing the bid threshold to \$36,000; and

WHEREAS, as a condition to the increase in the bid threshold, the Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase in excess of the former bid threshold of \$17,500 and that the purchase shall warrant a minimum of three quotations; and

WHEREAS, the Township Council has received a recommendation from the Department of Public Works to contract for repair parts which expense shall exceed the aggregate quote threshold of \$17,500.00; and

WHEREAS, the fleet consists of International trucks, the Department of Public Works has the need for repair parts and recommends the use of Deluxe International for these parts – Deluxe International is the distributor in this area for International repair parts, there is no state contract for International repair parts; and

WHEREAS, the Township’s Qualified Purchasing Agent is aware of the recommendation, confirmed that Deluxe International is the regional vendor for repair parts and the purchase is in compliance with the New Jersey Local Public Contracts Law; 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 01-201-26-315-341.

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 appropriate Township officials be and are hereby authorized to execute future purchases to Deluxe International in an amount not to exceed \$36,000.00 for the 2015 calendar year.

Adopted: February 18, 2015

Agenda No. X

Consent Agenda

~ Resolution 2015 – 080 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PASSAGE OF A 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. **2015-081** – Cancellation of Taxes
- b. **2015-082** – Refund Overpayments
- c. **2015-083** – Refund Escrow Funds
- d. **2015-084** – Refund Other Liens
- e. **2015-085** – Refund Recreation Fees
- f. **2015-086** – Various Licenses

Applications:

- 1. Application for 50/50 On Premise Raffle License #2015-03 by Our Lady Queen of Peace Church for April 25, 2015.
- 2. Application for Tricky Tray Raffle License #2015-04 by Our Lady Queen of Peach Church for April 25, 2015.
- 3. Application for 50/50 Off Premise Raffle License #2015-05 by Rotary Club of West Milford for October 10, 2015.
- 4. Application for 50/50 Off Premise Raffle License #2015-06 by West Milford High School PTSO for June 9, 2015.

Adopted: February 18, 2015

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~ Resolution 2015 – 081 ~

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

~ AMENDED ~

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: 1. 100% Disabled Veteran

BLOCK/LOT	NAME	AMOUNT	YEAR	REASON
11104-16 Q-Farm	Patsy & Heindrun Mastricola	\$10.00	2015 First Half	1
TOTAL		\$10.00		

Adopted: February 18, 2015

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Resolution 2015 – 082 ~

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 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:

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

Block/Lot	Name	Amount	Year	Reason
2202-1.05	Evelyn Sisto	\$664.10	2013	7
2202-1.05	45 Castle Rock Road Hewitt, NJ 07421	\$683.20	2014	7
2608-9	B. & M. Shand	\$1,061.95	2012	7
2608-9	251 Point Breeze Drive Hewitt, NJ 07421	\$1,090.78	2013	7
3006-16	Builders Title Agency, Inc. 70 Grand Avenue Suite 106 River Edge, NJ 07661	\$1,339.00	2015	2
3406-25	Robert Nebel	\$1,017.98	2012	7
3406-25	168 Lakeside Road Hewitt, NJ 07421	\$1,046.57	2013	7
5904-7	Kearns & Duffy, P.C. 3648 Valley Road PO Box 56 Liberty Corner, NJ 07938	\$2,162.00	2015	2
12901-38	Guardian Title Services, LLC 187 Washington Avenue, Suite 2G Nutley, NJ 07110	\$3,775.00	2015	2
14703-3	Hunziker, Jones, & Sweeney, P.A. Trust Account	\$446.42	2012	7
14703-3	Att: Susan E. Champion, Esq.	\$458.96	2013	7
14703-3	155 Route 46 West	\$472.16	2014	7
16102-31	Wayne, NJ 07470	\$1,295.31	2012	7
16102-31		\$1,331.69	2013	7

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16102-31		\$1,369.99	2014	7
TOTAL		\$18,215.11		

Adopted: February 18, 2015

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~ Resolution 2015 – 083 ~

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

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

Name & Address	Application No.	Amount of Escrow	Amount Refunded
Charles Decker 12 Rosemont Avenue West Milford NJ 07480	16-288-56-701-236 9840-9338	\$877.25	\$877.25
Frank & Charles Decker 58 Morsetown Road West Milford	16-288-56-701-126 0620-0130	\$4,710.00	\$2,767.00
Patricia Heddy 7 Ash Road West Milford, NJ 07480	16-288-56-705-029 ZB07-10-09	\$1,650.00	\$217.60
Ronn S. Kidd 41 Stetson Road Ringwood, NJ 07465	16-288-56-701-062 0310-1958	\$11,377.31	\$110.50
Ronn S. Kidd 41 Stetson Road Ringwood, NJ 07465	16-288-56-701-019 0110-1876	\$1,000.00	\$97.49
Donovan Fritz 18 Cherbourg Drive West Milford, NJ 07480	16-288-56-705-049 ZB05-13-04	\$950.00	\$530.00

Adopted: February 18, 2015

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~ Resolution 2015 – 084 ~

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:

Certificate No.	Certificate Date	Block/Lot/Qual	Reimbursement Amount	Pay to the Lien Holder
12-0057	03/27/2012	03705-045	\$28,379.80	TOWER FUND SER. AS CUST. FOR EBURY FUND 1 NJ LLC PO BOX 37695 BALTIMORE, MD 21297-3695
12-0152	03/27/2012	17401-009	\$77,562.00	FNA JERSEY LIEN SERVICES LLC 575 ROUTE 70 2 nd FLOOR PO BOX 1030 BRICK, NJ 08723
14-0015	10/14/2014	01701-067	\$14,061.33	FWDSL & ASSOCIATES LP 5 COLD HILL ROAD SOUTH SUITE 11 MENDHAM, NJ 07945
14-0023	10/14/2014	02601-033	\$40,642.92	US BANK CUST FOR BV001 TRUST

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				50 SOUTH 16 TH ST SUITE 2050 PHILADELPHIA, PA 19102
14-0046	10/14/2014	06001-003	\$27,195.61	US BANK CUST FOR BV001 TRUST 50 SOUTH 16 TH ST SUITE 2050 PHILADELPHIA, PA 19102
14-0057	10/14/2014	07801-012.05	\$4,122.49	US BANK CUST FOR BV001 TRUST 50 SOUTH 16 TH ST SUITE 2050 PHILADELPHIA, PA 19102
14-0058	10/14/2014	07801-018.02	\$6,105.08	MTAG CUST CAZ CREEK NJ LLC PO BOX 54303 NEW ORLEANS, LA 70154
14-0068	10/14/2014	09711-005	\$6,127.36	MTAG CUST CAZ CREEK NJ LLC PO BOX 54303 NEW ORLEANS, LA 70154
14-0070	10/14/2014	10701-004	\$81,949.11	MTAG AS CUST FOR ALTERNA FUND I LLC PO BOX 54817 NEW ORLEANS, LA 70154
14-0076	10/14/2014	14202-001	\$72,643.35	US BANK CUST FOR BV001 TRUST 50 SOUTH 16 TH ST SUITE 2050 PHILADELPHIA, PA 19102
Grand Total			\$358,789.05	

Adopted: February 18, 2015

Agenda X e

~ Resolution 2015 – 085 ~

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 Department of Community Services and Recreation be refunded:

Bob Ross Oil Painting 1/31/15		
Brianna	\$60.00	Karen Zachok 22 Postbrook Road N West Milford, NJ 07480

Adopted: February 18, 2015

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~ Resolution 2015 – 086 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2015

WHEREAS, applications have been made for the new licenses and the renewal of various Licenses for the 2015 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 2015 Licenses as listed below and;

2015 CLOTHING BIN LICENSES	
2015-29 and 2015-30	H&M Leasing Corporation / Marc Field NJ – NY Volunteer Fireman’s 2 Bins at West Milford First Aid Squad Ridge Road, West Milford

Adopted: February 18, 2015

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Approval of Expenditures

~ Resolution No. 2015 - 087~

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	\$733,752.35
3	Reserve Account	142,462.81
2	Grants	2,824.47
6	Refunds	377,064.16
1	General Ledger	0.00
26	Refuse	0.00
4	Capital	18,630.00
19	Animal Control	16.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	1,052.95
19	COAH	0.00
16	Development Escrow	7,469.09
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
Total		\$1,283,271.83
Less Refund Resolution		-377,064.16
Actual Bill List		\$906,207.67
Other Payments		
Payroll		\$575,428.35
Treasurer, State of NJ Dog Report		4,381.80
BOE		4,461,686.00
DCRP		318.93
B&B Disposals LLC		70,598.99
Total Expenditures		\$6,018,621.74

Adopted: February 18, 2015

Moved: Erik Seconded: Signorino
 Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Lichtenberg.
 Voted Nay: None.
 Motion carried.

Agenda No. XII

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

Councilwoman Dale said she attended the most recent CASA meeting and her first MUA meeting. She said she is seeking clarification from Mr. Semrau about liability from the Township's standpoint if the MUA were not to be able to continue. She was impressed with the group and they are doing very best with the funding they do have. The financials seem to be in order. She looks forward to working with them. She may not be able to attend every meeting. She did not attend the fire department meeting because it conflicted with the last Council meeting.

Councilman Signorino asked if Administrator Gabbert got quotes for water testing. Administrator Gabbert said the health officer is still reviewing the information submitted. Councilman Signorino said Lakeland Bank donated a clock to the museum. He attended the environmental commission meeting and they are

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working on the forestry grant. They will confer with the BOE about possible plantings on some BOE properties and he asked Mr. Farr about the potential of using funding to plant new trees for existing invasive species.

Councilwoman Lichtenberg announced upcoming free blood pressure screenings at Hillcrest. She gave details of the annual Cinderella project at the high school this year. She explained the program where donated prom dresses are sold. She will be coordinating the softball game with the BOE to raise funds for Relay for Life. She attended the library board meeting and they are hoping to get a bid packet submitted in March. The beautification & recycling committee will be making house beautiful awards at next meeting.

Councilwoman Erik said the ADA committee discussed snow being pushed into handicapped spaces at various locations throughout town. The committee asked the construction official to look into that. She said the large snow banks this year are blocking the line of sight at many intersections and the sidewalks at Walgreen's were not cleared in a timely fashion. The beautification & recycling committee chose the annual t-shirt contest winners and will be making those awards soon. The EDC has judged the entries for the marketing contest. She attended the BOE meeting last night.

Councilman Hensley said the EDC has narrowed the submissions for the marketing contest to three finalists all of which are good. The EDC has requested that the Council make the final decision. They have indicated the finalists as submissions A, B and C. He said the EDC is excited to have had this contest. He explained the contest and said there were over 300 entries. They hope to make a presentation at a future meeting. By poll vote, the Council selected the submission identified as "A".

Councilman Signorino said that TJ Maxx signed a lease at the old theater at the Shop Rite shopping center.

Mayor Bieri commended Lakeland Bank for their renovations. She used to go to MUA meetings under the old board and they were frustrating then. She thanked the current membership for all their hard work and structure. They are faced with limited resources. She said she gets a lot of emails including many complaints on many topics. She read a recent email which was very positive praising SAR for helping change a tire.

Administrator Gabbert said one fire department is behind on reports. He said notice has been properly advertised and we can now proceed to purchase a new fire truck through the Houston Galveston Group. Councilwoman Dale asked if we have worked with fire departments to streamline the process and Mr. Gabbert said we have a company who has a request in this year's capital budget. Councilwoman Dale said she does not want fire companies to perceive the town as being difficult in the process. Administrator Gabbert said questions were raised about snow plowing oversight. He directed Council to a response from engineering. It is a complex process with many issues. The solid waste hauler & recycling collector is proactive in addressing concerns raised. They provided copies of their internal disciplinary procedures. Cablevision has notified the Township that the Hewitt store will be closing. He said that he has provided updated costs for the police department. He gave percentages of increases. There is a budget meeting on Friday at 6 pm. It will deal with some personnel issues. He distributed the health department proposal and will have it updated on Friday.

Fred Semrau said the public safety discussion in executive session was about the department structure and public safety. It was not limited to the SOU. He said the lobbyist is seeking bi-partisan support for the watershed legislation. He will be speaking with them about how to promote the legislation and they are working on expanding the coalition.

Agenda No. XIII

Appointments and Resignations

Senior Advisory Committee

Councilwoman Lichtenberg nominated Mary Ann Terracino, seconded by Councilwoman Erik, to the vacant Citizen Member position on the Senior Advisory Committee.

Moved: Lichtenberg Seconded: Erik
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Lichtenberg
Voted Nay: None.
Motion carried.

Agenda No. XIV

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: February 18, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 21 of 21

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 10:23 p.m.

Moved: Erik Seconded: Signorino
Voted Aye: All in favor.
Voted Nay: None.
Motion carried.

Approved: May 6, 2015

MAYOR BETTINA BIERI
PRESIDING OFFICER

ANTOINETTE BATTAGLIA
TOWNSHIP CLERK