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

Minutes of: Township Council Workshop  
Date of Meeting: March 2, 2011  
Time of Meeting: 7:30 P.M.  
Minute Page No: Page 1 of 13

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The Workshop 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 Workshop meeting was advertised in the Herald News in its issue of December 19, 2010 and January 9, 2011; 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.

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 Philip Weisbecker, Joseph Smolinski, Michael Ramaglia, Edward Rosone, Luciano Signorino, Daniel Jurkovic, Mayor Bettina Bieri.  
Absent: None.  
Also Present: Township Administrator Kevin Boyle, Township Clerk Antoinette Battaglia, Township Attorney Frederick Semrau.

Agenda No. II

**Reading of or Approval of Unapproved Minutes**

Councilman Weisbecker moved to adopt the September 1, 2010 Executive Session Meeting Minutes as presented:

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Moved: Weisbecker Seconded: Ramaglia  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.  
Voted Nay: None.  
Motion carried.

Agenda No. III

**Meetings**

Mayor Bieri noted the future meeting schedule:

March 16, 2011 Regular Meeting April 6, 2011 Workshop Meeting  
April 20, 2011

Agenda No. IV

**Presentations**

Village on Ridge – Jack Lefkowitz – postponed

Agenda No. V

**Proclamations**

None.

Agenda No. VI

**Unfinished Business Final Passage of Ordinances**

None.

Agenda No. VII

**Public Comments**

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

James Foody, 2 Koshaqua Trail North, Hewitt stated that he is speaking as a citizen, not a member of the Board of Education (BOE). He asked Councilman Weisbecker for an apology for seeking that he reimburse the Township for the turf field delay. He sought an injunction but did not receive it. Bernice

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Colefield, he said, caused the work stoppage. He asked how much Mr. Semrau billed the Township to find out who filed the motion and who signed the check. He stated that the application for green acres has yet to be submitted for reimbursement for the turf field and suggested that the money should go back to the open space fund. Last Thursday two maintenance personnel from the school district went to a class at Rutgers about turf fields. They were told that the district should put \$80,000 per year, \$40,000 each for the Town and BOE for future replacement for turf field. They should hire two personnel just to maintain the field. It must be washed at least two times per month and common plastic products can ruin the field. He requested that the Governing Body meet with the BOE to have the two people who attended the Rutgers class share their newfound knowledge. It would be in everyone's interests to hear what was said.

John Lauritano, 20 Brady Street, West Milford acknowledged Mr. Semrau, Mr. Boyle and the Mayor & council for their work on Mt. Glen Lake issues. He thanked them.

Bob Nicholson, 20 Hyde Road, Stockholm stated that the bicycle trail on Ridge Road needs to have the grit swept away. Weeds need to be cut back to allow for safe passage of bicycles. Councilman Ramaglia has asked that eyesores on Route 23 be addressed and he requested that that businesses be asked to take such pride in their individual properties. There is lack of maintenance at Veteran's field and the EDC will volunteer maintenance.

Doris Aaronson, 19 Bearfort Road, West Milford stated that this past Saturday there was a large amount of sewerage that came from the Bald Eagle Village manhole. Every time there is a large rainfall the sewage flows onto the road. It is a health and safety concern to residents in that area. The sewerage goes into Belchers creek causing pollution to that and other waterways in West Milford and causes weeds to grow at an alarming rate. The sewage spills cause taxpayers money because health staff are called out to inspect and monitor the situation each time. The fire department is called out to clean up the mess. These conditions endanger the health and safety of residents and pollutes the environment. This is a recurring problem that is never addressed by the Council. It is time that the Council is proactive in getting the MUA to address this repetitive problem. The *Trends* recently provided information about County grants that support neighborhood and non-profit volunteer efforts to clean up areas in town.

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

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Moved: Weisbecker Seconded: Smolinski  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.  
Voted Nay: None.  
Motion carried.

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Agenda No. VIII

**Council Comments**

Council President Smolinski stated that Mr. Foody sat through the presentations on the turf field where professionals spoke about the materials and the maintenance. The up front and annual costs were addressed and they are comparable to the ongoing costs for maintaining natural grass fields. Mr. Foody's comments are becoming old and redundant. It is a disservice to our youth who were prevented from playing on this field at the end of last football season. This Council is proud of providing for our residents. This free field was negotiated. Councilman Ramaglia got a free car from the County; we seek funding for many projects including a sidewalk; we do not reject such funds because of maintenance costs. He said Mr. Foody is out of line. He asked Administrator Boyle to get a history and report from the MUA about the Bald Eagle Village plant and the proposed future updates. Mr. Boyle stated that protocol has been lost in the shuffle. The local health department has become involved in a field where they don't belong. The DEP came yesterday and met with the Administrator and the Health Director. Henceforth all complaints and monitoring will be handled by the DEP. There are proposed upgrades and the MUA is prepared. All future occurrences will be handled directly with the DEP. There will be future incidences and the DEP met with the MUA yesterday. The health department will now refer all complaints to the DEP who has authority to deal with the MUA going forward. He will get a report for Council. He stated that the MUA is required to notify the DEP of any breach in the system and they have done that. This is not an issue for the local health department.

Councilman Rosone stated that the MUA has been effectuating repairs at the plant for at least the past six months as well as upgrades. They are performing due diligence. They do conform with reporting requirements with DEP. He recommended that people attend MUA meetings for status updates.

Councilman Jurkovic stated that it is important that people understand that the MUA was formed years ago as a result of package plants approved for developments. There were few regulations at that time. As

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developers abandoned areas and the package plants, the MUA is confronted with dealing with poorly installed package plants. They have to deal with this poor infrastructure within very tight fiscal constraints. They are an independent authority. They have public meetings and the public can attend and ask any questions. Council has limited jurisdiction. He urged residents to address concerns with the MUA directly and advise Council if you don't get an adequate response. Maintenance on grass fields is \$45,000 per year and at turf field meetings there were extensive discussions about annual appropriations for future replacement costs.

Agenda No. IX

**Discussion Items**

1)	Ordinance – Amending Chapter 321 / Storage of Garbage and Refuse – Mr. Semrau advised that changes are noted on the draft before Council. In response to Council Signorino he advised that one would identify a commercial entity by their continuous business relationship for the sale and resale of such material. Most violators are repetitive offenders. The Council gave consensus to proceed.
2)	Ordinance – Amending 152-2 Local Enforcement of the Uniform Fire Code - Council agreed to defer introduction pending state review of this proposed ordinance.
3)	Ordinance – Amending Article XI Department of Public Works and Engineering of the Township Code and Ordinance Amending 15-19 Administration – Mr. Semrau advised that in accordance with Council direction he has drafted an ordinance to have the engineering department report to the administrator's office. DPW would be a separate department. Council President Smolinski objected to the Mayor being the appointing authority. The Council gave consensus to proceed.
4)	Contract – Professional Services Agreement for Wastewater Management Plan with Paul Ferriero for an amount not to exceed \$30,000 – Mr. Boyle advised that the Township Engineer, Paul Ferriero estimates completion will cost \$25,000 and there is an outstanding amount of \$5,000. The Township will continue to seek additional funding from the DEP and County. We should budget now and seek reimbursement. It is critical to proceed because this will affect the master plan and all businesses in town. Mr. Semrau agreed adding that if the Township does not comply, the DEP could force all development to halt in the Township. All building permits could be affected. It is timely to move forward on this. He suggested that the Planner be contacted about mapping that may be available through master plan process. The Council gave consensus to proceed.
5)	Contract – Amend Contract for Tom Gilmartin – The Council gave consensus to proceed.
6)	Contract – Community Cars Program – Mr. Boyle stated that this is a unique program where volunteers will offset our transportation program. Many seniors do not like the bus program. This company oversees the operation, they own the vehicles and we provide volunteers. This program provides transportation at a nominal fee to the seniors in our community. He stated that he will have the Attorney and the Risk Manager look at the contract. Council President Smolinski stated that this is a good program to provide transportation which will subsidize our existing program. He outlined specifics of the program. The cost is reasonable. The program, he said, will become effective on April 1 <sup>st</sup> . The company must realize \$75 per day to sustain the program. He asked that the papers advertise this program to ensure its success. If successful, we will ultimately be provided with a van that will provide for people with disabilities. The Council gave consensus to proceed.
7)	Contract COAH Services – Administrator Boyle asked to defer this discussion to the April workshop meeting.
8)	Contract – Apple Valley Estates - Mr Semrau reviewed the process by which Green Acres require two appraisals before closing on acquisitions funded with Green Acres monies. Therefore, the Land Conservancy obtained proposals from both Scott Holzhauer and Integra Realty and recommends contracts for both. Mr. Boyle stated that the township is starting to gear up for closings on Green Acre properties. Mr. Semrau recalled that in 2006 Holzhaur did an appraisal report on this property and this may just need to be updated. Consensus to proceed.
9)	Contract – Green Acres – Contract for Assessment Reports with Bouchan and James, Inc. – Mr. Boyle advised that this contract is for the preliminary assessment for Green Acres which is the first step in the acquisition process for the Green property. The Land Conservancy recommends Boucher & James. Mr. Semrau recalled that a number of concerns were expressed about prior use of this property so it is best to do a phase I on this particular property prior to negotiations. Consensus to proceed.
10)	Contract – Random Woods Property Appraisal – Mr. Boyle stated that this contract will be the final step to close on Random Woods. The Land Conservancy recommends Joshua Mackoff and Landmark appraisal. Mr. Semrau commended the Land Conservancy for following up on all outstanding open space matters. Consensus to proceed.
11)	Contract – Motor Gasoline Bid - Consensus to proceed.
12)	Contract – 2011 Paving Material Bid - Consensus to proceed.

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13)	Contract – Grass Cutting Bid - Consensus to proceed.
14)	Contract – GIS Specialist - Consensus to proceed.

Agenda No. X

**Action Items**

The Township Council took action on the following items:

Agenda No. X 1

~ Resolution No. 2011- 043 ~

**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**

**DEFEATED BY VOTE BELOW**

Discussion: The Council instructed Mr. Boyle to get a quote for these services from the Township Engineer saying that it is logical to have all these services provided through one company.

Moved: Weisbecker Seconded: Jurkovic  
 Voted Aye: None.  
 Voted Nay: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.  
 Motion defeated.

Agenda No. X 2

~ Resolution No. 2011- 091 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE 2011 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 2011 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 16.25% of the total appropriation in the 2011 budget, exclusive of any appropriations made for debt service, public assistance, and capital improvement fund in said 2010 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 the record:

Appropriation	Account Number	2010 Budget As Adopted	2011 Temporary Budget	Comments / Explanations
Administrator S&W	01-20-100-100	\$338,000	\$54,925	Normal operations @ 16.25%
Administrator O.E.	01-20-100-200	\$69,550	\$11,302	Normal operations @ 16.25%
TOTAL		<b>\$407,550</b>	<b>\$66,227</b>	
Personnel S&W	01-20-105-100	\$0	\$ -	
Personnel O.E.	01-20-105-200	\$0	\$ -	
TOTAL		<b>\$0</b>	<b>\$0</b>	
<b>MAYOR &amp; COUNCIL</b>				
Township Mayor & Council S&W	01-20-110-101	\$34,000	\$5,525	Normal operations @ 16.25%
Township Mayor & Council O.E.	01-20-110-200	\$850	\$138	Normal operations @ 16.25%
TOTAL		<b>\$34,850</b>	<b>\$5,663</b>	
<b>INFORMATION TECHNOLOGY</b>				
Information Technology S&W	01-20-140-100	\$77,500	\$12,594	Normal operations @ 16.25%
Information Technology O.E.	01-20-140-200	\$55,575	\$9,031	Normal operations @ 16.25%
TOTAL		<b>\$133,075</b>	<b>\$21,625</b>	
Legal O.E.	01-20-155-200	\$234,000	\$38,025	Normal operations @ 16.25%
<b>GENERAL SERVICES</b>				

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General Services S&W	01-20-161-100	\$20,000	\$3,250	Normal operations @ 16.25%
General Services O.E.	01-20-161-200	\$74,000	\$12,025	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$94,000</b>	<b>\$15,275</b>	
<b>INSURANCE</b>				
Insurance, Other	01-23-210-200	\$823,000	\$216,038	Normal operations @ 26.25%
Insurance, Other, Less Library Charge Back	01-23-210-200	-\$22,466	\$(3,651)	Normal operations @ 16.25%
Insurance, Group	01-23-220-506	\$3,262,000	\$856,275	Normal operations @ 26.25%
Insurance, Group - Less Library Chargebacks	01-23-220-506	-\$135,000	\$(21,938)	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$3,927,534</b>	<b>\$1,046,724</b>	
<b>Heritage O.E.</b>	01-20-173-200	<b>\$0</b>	<b>\$</b>	<b>-</b>
<b>CLERK'S OFFICE</b>				
Clerk S&W	01-20-120-100	\$231,000	\$37,538	Normal operations @ 16.25%
Clerk O.E.	01-20-120-200	\$23,530	\$3,824	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$254,530</b>	<b>\$41,361</b>	
<b>ELECTIONS</b>				
Elections S&W	01-20-146-101	\$600	\$	- Seasonal
Elections O.E.	01-20-146-101	\$16,400	\$	- Seasonal
<b>TOTAL</b>		<b>\$17,000</b>	<b>\$</b>	<b>-</b>
<b>FINANCE</b>				
<b>TREASURER</b>				
Treasurer S&W	01-20-130-100	\$153,565	\$24,954	Normal operations @ 16.25%
Treasurer O.E.	01-20-130-200	\$5,860	\$952	Normal operations @ 16.25%
Treasurer O.E. - Less Library Chargebacks	01-20-130-200	-\$2,000	\$(325)	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$157,425</b>	<b>\$25,582</b>	
<b>ANNUAL AUDIT</b>				
Annual Audit	01-20-135-200	\$40,000	\$6,500	Normal operations @ 16.25%
Annual Audit Additional Services	01-20-135-201	\$10,000	\$1,625	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$50,000</b>	<b>\$8,125</b>	
<b>TAX COLLECTOR</b>				
Tax Collector S&W	01-20-145-100	\$211,043	\$34,294	Normal operations @ 16.25%
Tax Collector O.E.	01-20-145-200	\$11,990	\$1,948	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$223,033</b>	<b>\$36,243</b>	
<b>ASSESSOR</b>				
Tax Assessor S&W	01-20-150-200	\$275,606	\$44,786	Normal operations @ 16.25%
Tax Assessor O.E.	01-20-150-200	\$5,070	\$824	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$280,676</b>	<b>\$45,610</b>	
<b>PLANNING AND BUILDING</b>				
<b>PLANNING BOARD O.E.</b>	01-21-180-200	<b>\$34,900</b>	<b>\$5,671</b>	Normal operations @ 16.25%
<b>COMPREHENSIVE PLANNING</b>				
Planning, Comp. S&W	01-21-181-100	\$173,859	\$28,252	Normal operations @ 16.25%
Planning, Comp. O.E.	01-21-181-200	\$38,400	\$6,240	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$212,259</b>	<b>\$34,492</b>	
<b>ZONING ADMINISTRATION S&amp;W</b>	01-21-185-100	<b>\$74,543</b>	<b>\$12,113</b>	Normal operations @ 16.25%
<b>BOARD OF ADJUSTMENT O.E.</b>	01-21-186-200	<b>\$28,400</b>	<b>\$4,615</b>	Normal operations @ 16.25%
<b>HISTORIC PRESERVATION</b>				
Historic Preservation S&W	01-20-175-101	\$1,600	\$260	Normal operations @ 16.25%
Historic Preservation O.E.	01-20-175-200	\$800	\$130	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$2,400</b>	<b>\$390</b>	
<b>Autumn Lights Festival</b>	01-20-171-200	<b>\$3,000</b>	<b>\$</b>	<b>-</b> Seasonal
<b>BUILDING / CODE ENFORCEMENT</b>				
Building S&W	01-22-195-100	\$365,007	\$59,314	Normal operations @ 16.25%
Building O.E.	01-22-195-200	\$6,730	\$1,094	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$371,737</b>	<b>\$60,407</b>	
<b>ENVIRONMENTAL COMMISSION</b>				
Environmental Commission S&W	01-22-196-101	\$1,600	\$260	Normal operations @ 16.25%
Environmental Commission O.E.	01-22-196-200	\$880	\$231	
<b>TOTAL</b>		<b>\$2,480</b>	<b>\$491</b>	
<b>PUBLIC SAFETY</b>				

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<b>POLICE DEPARTMENT</b>				
Police Patrol S&W	01-25-240-100	\$4,426,534	\$719,312	Normal operations @ 16.25%
Police Patrol O.E.	01-25-240-200	\$69,850	\$11,351	Normal operations @ 16.25%
Police Patrol-Purchase of Police Vehicles	01-25-240-201	\$124,000	\$20,150	Deferred to later in year
Police Detective S&W	01-25-241-100	\$510,500	\$82,956	Normal operations @ 16.25%
Police Administration S&W	01-25-242-100	\$623,294	\$101,285	Normal operations @ 16.25%
Police Communication S&W	01-25-243-100	\$278,000	\$45,175	Normal operations @ 16.25%
Police Comm. O.E.	01-25-243-200	\$10,000	\$1,625	Normal operations @ 16.25%
Police Specials S&W	01-25-244-100	\$33,000	\$5,363	Normal operations @ 16.25%
Police Specials O.E.	01-25-244-200	\$3,900	\$634	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$6,079,078</b>	<b>\$987,850</b>	
<b>OEM</b>				
EMERGENCY MANAGEMENT S&W	01-25-252-100	\$5,000	\$813	Normal operations @ 16.25%
EMERGENCY MANAGEMENT O.E.	01-25-252-200	\$20,000	\$3,250	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$25,000</b>	<b>\$4,063</b>	
<b>FIRST AID SQUADS</b>				
First Aid - WMFAS Contributions	01-25-260-200	\$60,650	\$9,856	Normal operations @ 16.25%
First Aid - UGL 1st Aid Squad Contributions	01-25-261-200	\$40,500	\$6,581	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$101,150</b>	<b>\$16,437</b>	
<b>FIRE DEPARTMENT</b>				
Aid To Vol. Fire Co.	01-25-255-200	\$90,000	\$14,625	Normal operations @ 16.25%
Fire Prevention Bureau S&W	01-25-265-100	\$179,584	\$29,182	Normal operations @ 16.25%
Fire Prevention Bureau O.E.	01-25-265-200	\$15,000	\$2,438	Normal operations @ 16.25%
Fire Co. Admin. S&W	01-25-266-100	\$7,700	\$1,251	Normal operations @ 16.25%
Fire Co. Admin. O.E.	01-25-266-200	\$243,650	\$39,593	Normal operations @ 16.25%
LOSAP	01-25-267-200	\$40,000	\$0.00	Deferred to later in year
<b>TOTAL</b>		<b>\$575,934</b>	<b>\$87,089</b>	
<b>ENGINEERING</b>				
Engineering S&W	01-20-165-100	\$456,022	\$74,104	Normal operations @ 16.25%
Engineering O.E.	01-20-165-200	\$20,400	\$3,315	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$476,422</b>	<b>\$77,419</b>	
<b>DPW</b>				
DPW Streets & Roads S&W	01-26-290-100	\$1,605,630	\$260,915	Normal operations @ 16.25%
DPW Streets & Roads O.E.	01-26-290-200	\$286,900	\$46,621	Normal operations @ 16.25%
DPW Buildings & Grounds S&W	01-26-291-100	\$95,274	\$15,482	Normal operations @ 16.25%
DPW Buildings & Grounds O.E.	01-26-291-200	\$37,900	\$6,159	Normal operations @ 16.25%
DPW Snow Removal S&W	01-26-294-100	\$235,000	\$38,188	Seasonal need 100%
DPW Snow Removal O.E.	01-26-294-200	\$1,206,645	\$196,080	Seasonal need 100%
DPW Vehicle Maintenance S&W	01-26-315-100	\$249,251	\$40,503	Normal operations @ 16.25%
DPW Vehicle Maintenance O.E.	01-26-315-200	\$278,500	\$45,256	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$3,995,100</b>	<b>\$649,204</b>	
<b>HEALTH DEPARTMENT</b>				
Public Health S&W	01-27-330-100	\$276,359	\$44,908	Normal operations @ 16.25%
Public Health O.E.	01-27-330-200	\$41,655	\$6,769	Normal operations @ 16.25%
Vital Statistics S&W	01-27-331-100	\$9,000	\$1,463	Normal operations @ 16.25%
Vital Statistics O.E.	01-27-331-200	\$18,300	\$2,974	Normal operations @ 16.25%
Housing Standard Bureau O.E.	01-27-332-441	\$25,000	\$4,063	Normal operations @ 16.25%
Environmental Health S&W	01-27-335-100	\$227,055	\$36,896	Normal operations @ 16.25%
Environmental Health O.E.	01-27-335-200	\$65,000	\$10,563	Normal operations @ 16.25%
Animal Control S&W	01-27-340-100	\$80,602	\$13,098	Normal operations @ 16.25%
Animal Control O.E.	01-27-340-450	\$0\$	-	
<b>TOTAL</b>		<b>\$742,971</b>	<b>\$120,733</b>	
<b>RECREATION</b>				
Recreation Programs S&W	01-28-370-100	\$407,035	\$66,143	Normal operations @ 16.25%
Recreation Programs O.E.	01-28-370-200	\$132,000	\$21,450	Normal operations @ 16.25%
Recreation. -Bubbling Springs S&W	01-28-371-100	\$167,000	\$27,138	Seasonal later in year
Recreation. -Bubbling Springs O.E.	01-28-371-200	\$50,000	\$8,125	Seasonal later in year
Recreation.-Admin. S&W	01-28-372-100	\$176,684	\$28,711	Normal operations @ 16.25%

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Recreation.-Admin. O.E.	01-28-372-200	\$14,400	\$2,340	Normal operations @ 16.25%
Recreation.-Hillcrest S&W	01-28-374-100	\$138,741	\$22,545	Normal operations @ 16.25%
Recreation.-Hillcrest O.E.	01-28-374-200	\$20,350	\$3,307	Normal operations @ 16.25%
Recreation.-Parks Maintenance S&W	01-28-375-100	\$275,073	\$44,699	Normal operations @ 16.25%
Recreation.-Parks Maintenance O.E.	01-28-375-200	\$117,350	\$19,069	Normal operations @ 16.25%
Senior Citizen Services S&W	01-28-376-100	\$113,304	\$18,412	Normal operations @ 16.25%
Senior Citizen Services O.E.	01-28-376-200	\$12,125	\$1,970	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$1,624,062</b>	<b>\$263,910</b>	
<b>VETERAN'S BUREAU</b>				
Veteran's Bureau S&W	01-20-172-100	\$1,500	\$244	Normal operations @ 16.25%
Veteran's Bureau O.E.	01-20-172-200	\$0	\$ -	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$1,500</b>		
<b>PUBLIC ASSISTANCE</b>				
Public Assistance S&W	01-27-345-100		\$ -	
Public Assistance O.E.	01-27-345-200		\$ -	
<b>TOTAL</b>			<b>\$ -</b>	
<b>Celebration of Public Events O.E.</b>	01-30-420-200	<b>\$6,550</b>	<b>\$ -</b>	Seasonal later in year
<b>Mass Transportation</b>	01-30-431-200	<b>\$87,088</b>	<b>\$14,152</b>	
<b>LIBRARY</b>				
Library S&W	01-29-390-100	\$536,245	\$87,140	Normal operations @ 16.25%
Library O.E.	01-29-390-200	\$703,124	\$114,258	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$1,239,369</b>	<b>\$201,397</b>	
<b>MUNICIPAL COURT</b>				
Municipal Court S&W	01-43-490-100	\$312,723	\$50,817	Normal operations @ 16.25%
Municipal Court O.E.	01-43-490-200	\$12,350	\$2,007	Normal operations @ 16.25%
Municipal Court Prosecutor S&W	01-43-491-101	\$26,000	\$4,225	Normal operations @ 16.25%
Municipal Court Public Defender Fees	01-43-495-450	\$0	\$ -	
<b>TOTAL</b>		<b>\$351,073</b>	<b>\$57,049</b>	
<b>UTILITIES &amp; FUELS</b>				
Utilities-Electricity	01-31-430-200	\$160,200	\$26,033	Normal operations @ 16.25%
Utilities-Street Lights	01-31-435-200	\$49,000	\$7,963	Normal operations @ 16.25%
Utilities-Telephone	01-31-440-200	\$150,000	\$24,375	Normal operations @ 16.25%
Utilities-Natural Gas	01-31-446-200	\$117,500	\$19,094	Normal operations @ 16.25%
Utilities-Fuel	01-31-460-200	\$410,000	\$66,625	Normal operations @ 16.25%
<b>TOTAL</b>		<b>\$886,700</b>	<b>\$144,089</b>	
<b>MISCELLANEOUS &amp; STATUTORY EXPENDITURES</b>				
<b>PENSION &amp; FICA</b>				
PERS	01-36-471-532	\$605,686	\$ -	Deferred to 2nd Quarter
PERS - Less Library Chargebacks	01-36-471-532	-\$43,680	\$ -	Deferred to 2nd Quarter
Social Security	01-36-472-533	\$658,316	\$106,976	Normal operations @ 16.25%
Less Library Charge backs - Social Security	01-36-472-533	-\$41,023	\$(6,666)	Normal operations @ 16.25%
PFRS	01-36-473-534	\$1,159,055	\$ -	Deferred to 2nd Quarter
<b>TOTAL</b>		<b>\$2,338,354</b>	<b>\$100,310</b>	
<b>Salaries &amp; Wages Adjustment Account</b>	01-37-480-501	<b>\$0</b>	<b>\$ -</b>	No Budget needed for 10
<b>Compensated Absences</b>	01-38-485-110	<b>\$120,000</b>		Deferred to later in year
<b>CAPITAL BUDGET</b>				
<b>CURRENT YEAR CAPITAL</b>				
Capital Improvements Fund	01-44-900-200	\$159,495	\$ -	Exempt
Cap Improvements Fund Down Payments	01-44-900-200		\$ -	Exempt
Cap. Improv. Fund-Fire Emer Equip.	01-44-939-290	\$30,000		
<b>TOTAL</b>		<b>\$189,495</b>	<b>\$ -</b>	
<b>DEBT SERVICE</b>				
<b>Debt Service Total</b>	01-45-000-000	<b>\$2,427,243</b>	<b>\$ -</b>	Exempt
<b>DEFERRED CHARGES &amp; RESERVE FOR UNCOLLECTED TAXES</b>				
<b>Judgments</b>	01-37-480-503	\$24,360		No Deficit/No budget
<b>Deficit in 2004 Assessment Bonds</b>	01-46-886-000	\$4,185		No budget
<b>Over Expenditure of Appropriations</b>	01-46-887-531	\$14,851		Deferred to later in year
<b>Reserve for Tax Appeals</b>	01-46-886-667	\$9		Deferred to later in year

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<b>Def Charges - Ord 92-14 Impr to Mun Prop</b>	01-46-875-528	\$39,000		Deferred to later in year
<b>Reserve for Uncollected Taxes</b>	01-50-899-200	\$1,887,923		Exempt
<b>TOTAL</b>		<b>\$1,970,328</b>	<b>\$ -</b>	
<b>TOTAL OPERATING BUDGET</b>		<b>\$29,780,809</b>	<b>\$4,192,341</b>	
<b>SOLID WASTE DISTRICT BUDGET</b>				
Solid Waste S&W	26-55-500-100	\$170,000	\$27,625	Normal operations @ 16.25%
Solid Waste O.E. All Other	26-55-500-200	\$109,250	\$17,753	Normal operations @ 16.25%
Contractual Services	26-55-500-202	\$1,121,302	\$182,212	Normal operations @ 16.25%
Disposal Fees	26-55-500-203	\$750,000	\$121,875	Normal operations @ 16.25%
Grants - Recycling County of Passaic	26-41-753-336	\$0	\$ -	Exempt
Prior Year's Bills	26-55-900-900	\$0	\$ -	No budget
Commercial Pick Up	26-55-500-201	\$0	\$ -	No budget
<b>TOTAL</b>		<b>\$2,150,552</b>	<b>\$349,465</b>	<b>16.25%</b>

Adopted: March 2, 2011

Discussion: Administrator Boyle stated that this resolution will address snow removal shortfalls in DPW. Other than that we are within guidelines set by Council. We are applying for reimbursement from FEMA for the December storm. No other storms have been designated as eligible. He commended staff for putting together the application and assisting the BOE with their application too. This temporary budget should cover expenses until the end of April.

Moved: Weisbecker Seconded: Ramaglia  
 Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.  
 Voted Nay: None.  
 Motion carried.

Agenda No. X 3

~ Resolution No. 2011- 092 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMITTAL AND ACCEPTANCE OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR PHASE III OF THE MARSHALL HILL ROAD SIDEWALK CONSTRUCTION PROJECT**

**WHEREAS**, the County of Passaic anticipates having \$795,000 available to the twelve communities of the County and to eligible non-profit agencies under the Community Development Block Grant (CDBG); and

**WHEREAS**, the Township Council of the Township of West Milford has determined that there is a need for these grant funds in order to construct the Marshall Hill Road sidewalk, Phase III.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford hereby authorizes the submittal of a 2011 grant application entitled Community Development Block Grant (CDBG) in the amount of \$100,000; and

**BE IT FURTHER RESOLVED** that the Township of West Milford will contribute \$100,000 toward the construction of the Marshall Hill Road sidewalk; and

**BE IT FURTHER RESOLVED** that the Mayor or the Township Administrator be authorized and directed to approve the acceptance of said grant should it be awarded.

Adopted: March 2, 2011

Moved: Weisbecker Seconded: Ramaglia  
 Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.  
 Voted Nay: None.  
 Motion carried.

Agenda No. X 4

~ Resolution No. 2011- 093 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMITTAL AND ACCEPTANCE OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR ROAD RESURFACING**

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**WHEREAS**, the County of Passaic anticipates having \$795,000 available to the twelve communities of the County and to eligible non-profit agencies under the Community Development Block Grant (CDBG); and

**WHEREAS**, the Township Council of the Township of West Milford has determined that there is a need for these grant funds for the following road resurfacing project; Audubon Road, Aura Court, Bradley Court, Denville Court, Esterville Court, Jamesburg Road, Kingsland Road, Newfield Road, Palmyra Road, and Pleasant Road; and

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford hereby authorizes the submittal of a grant application entitled Community Development Block Grant (CDBG) for \$100,000 with a Township contribution of \$67,500 for the resurfacing road project for the qualifying block group above.

**BE IT FURTHER RESOLVED** that the Mayor or the Township Administrator be authorized and directed to approve the acceptance of said grant should it be awarded.

Adopted: March 2, 2011  
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Moved: Jurkovic Seconded: Weisbecker  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.  
Voted Nay: None.  
Motion carried.  
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Mayor Bieri asked to move Resolutions 2011-093 and 2011-094 as one.

Agenda No. X 5

~ Resolution No. 2011- 094 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,  
STATE OF NEW JERSEY FOR THE RESTRUCTURING OF A RECYCLING COMMITTEE TO ESTABLISH  
A BEAUTIFICATION/RECYCLING TASK FORCE COMMITTEE (ADVISORY)**

**WHEREAS**, the Township Council of the Township of West Milford did establish a Recycling Advisory Committee at the reorganization meeting on January 5, 2011; and

**WHEREAS**, the Township Council wishes to incorporate a Beautification Committee within the structure of the Recycling Committee hereby renaming it as the Beautification/Recycling Task Force Committee (Advisory)

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

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

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

1. **MEMBERSHIP:** The number of members shall be (14) fourteen members, one of whom shall be a liaison member of the Township Council; eleven shall be citizen members; one who shall be a representative from the West Milford commercial community; and one liaison member who shall be the Recycling Coordinator.
2. **CHAIRPERSON:** The committee shall appoint one member from the (14) members to serve as Chair of the committee
3. **APPOINTING AUTHORITY:** The member of the Township Council shall be appointed by the Township Council. All other members shall be appointed by and shall serve at the pleasure of the Township Council. In the event that a member fails to attend three consecutive meetings of the committee, the Chairperson will advise the appointing authority in order to have a replacement appointed.
4. **SUNSET:** The Committee shall cease to exist unless re-established by the Township Council at its Organizational Meeting scheduled for January 1, 2012.

Adopted: March 2, 2011

Agenda No. X 6

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**~ Resolution No. 2011- 095 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY IN OPPOSITION TO SENATE BILL S-2664 AND ASSEMBLY BILL A-3766 "MARKET COMPETITION AND CONSUMER CHOICE ACT"**

**WHEREAS**, the New Jersey State Senate and the New Jersey State Assembly will each have before them for consideration a bill entitled the "Market Competition and Consumer Choice Act"; and

**WHEREAS**, this act would fundamentally alter the regulation of telephone and cable television service in New Jersey; and

**WHEREAS**, A3766/S2664 changes are so sweeping it deserves deliberate review and analysis, and must not be fast-tracked; and

**WHEREAS**, among other things, A3766/S2664 limits the obligation of a cable company to provide cable and Internet connections to municipal buildings; and

**WHEREAS**, currently all municipal buildings are eligible for this benefit but the bill would limit the obligation to just one municipal building; and

**WHEREAS**, A3766/S2664 would eliminate the requirement that cable companies provide basic service and Internet to municipal buildings and schools at no charge; and

**WHEREAS**, A3766/S2664 does not require the cable companies to provide a return feed to allow cable-casting of live municipal events and meetings; and

**WHEREAS**, A3766/S2664 would reduce the franchise fee payable by certain cable companies that have converted from a traditional franchise to a system-wide franchise; and

**WHEREAS**, A3766/S2664 does not require cable companies to meet or surpass any existing line extension policy or to meet any applicable consumer protection requirements, all of which are required by the current law; and

**WHEREAS**, the proposed verification process for determining whether a company is operating in a "competitive franchise area" is inadequate; and

**WHEREAS**, the proposed process for renewal of a system-wide franchise must be corrected to require that the renewal be under the same terms and conditions as the original franchise; and

**WHEREAS**, A3766/S2664 eliminates the right of a municipality operating under a municipal-consent based franchise to petition the BPU for a higher franchise fee.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township of West Milford calls on the legislature to amend S-2664 A-3766 to ensure that all the commitments of N.J.S.A. 48:5A-28 be provided (a) upon application for a system-wide franchise, (b) upon renewal of a system-wide franchise and (c) upon conversion of a municipal-consent based franchise to a system-wide franchise; and

**BE IT FURTHER RESOLVED**, that the Township of West Milford strongly urges the legislature to oppose A3766/S2664 until such amendments are made and there has been an opportunity for all stakeholders to fully analyze the impact of these proposals; and

**BE IT FURTHER RESOLVED**, that the Township of West Milford strongly urges the legislature to oppose A3766/S2664 until they have determined the fiscal impact of the bill on municipalities on throughout the State; and

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**BE IT FURTHER RESOLVED** that copies of this resolution be forwarded to Governor Christie, our State senator, our representatives in the General Assembly and the New Jersey League of Municipalities.

Adopted: March 2, 2011

Moved: Jurkovic Seconded: Weisbecker  
 Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.  
 Voted Nay: None.  
 Motion carried.

**Approval of Expenditures**

Agenda No. XI

~ Resolution No. 2011- 096 ~

**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. . . . .	\$167,218.24
2	Reserve Account . . . . .	31,957.95
3	Animal Control Trust	4,265.18
6	Capital. . . . .	133,974.91
7	Grants. . . . .	2,548.80
8	Refuse. . . . .	147,462.25
9	Refunds. . . . .	184.00
12	General Ledger. . . . .	0.00
16	Heritage Trust. . . . .	0.00
14	Open Space Trust	0.00
17	Trust . . . . .	21,505.00
18	Development Escrow. . . . .	630.00
19	LOSAP	0.00
20	Special Reserve	0.00
Total		\$509,746.33
Less Refund Resolution		-184.00
<b>Actual Bill List</b>		<b>\$509,562.33</b>
Other Payments		
<b>Total Expenditures</b>		<b>\$509,562.33</b>

Approved: March 2, 2011

Moved: Weisbecker Seconded: Ramaglia  
 Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.  
 Voted Nay: None.  
 Motion carried.

Agenda No. XII

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

Councilman Weisbecker noted we did not get approved for grant for Clinton Road which is a shame as we have previously done that entire road through grants. We have always got bike path grants and did not qualify this year. Mr. Boyle advised that the DOT says the amount of available money is dwindling at a time

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when they are getting more applications. The DOT prioritizes the projects conducting an onsite review and ranking. A lot of weight is placed on volume. He will seek answers. Councilman Weisbecker asked if there is a plan to address the infrastructure destroyed this winter noting that parts of Clinton Road have been heavily hit. He stated that he would like a report as to how this will be addressed. Administrator Boyle stated that the Township needs money to address these issues. If the Council funds these repairs the work will be done. Councilman Weisbecker stated that New York state has not moved to match the legislation passed by New Jersey regarding user fees at Greenwood Lake which negates the New Jersey legislation. Councilman Jurkovic stated that when this matter was brought before the council it was assured that New York had passed the companion legislation.

Council President Smolinski thanked the Clerks office for sending out the resolution on S turns on Route 23. There was very positive and significant feedback. Many municipalities support having a study done by the State and he thanked those municipalities for their support.

Councilman Rosone asked what the protocol is for members of the public handing notes to people on the dais after the public session. Mr. Semrau stated that the public portion allows for communications. Over the years there have been instances where elected officials have been uncomfortable with such communications. It is discouraged.

Administrator Boyle advised that the ALF chair will meet with staff at the next department head meeting. He reviewed the phases of the energy audit advising that the project cost is \$199,479 between all facilities. The Township cost will be about \$17,868 and staff is working on paperwork to get that money. Additional funding will be sought in 2011. He advised that the Banker Road site remediation plan was approved and Birdsall Engineering will be in charge with the DEP to effectuate this project. The preliminary assessment is almost done and we are still looking into insurance coverage. He advised that he is working with the High School on an internship program within municipal offices. The tax sale is scheduled for April 19<sup>th</sup>. There is an open space meeting with staff, the Land Conservancy and the open space committee on March 16<sup>th</sup>. On the dais tonight the Mayor & Council have received a CD on streetscape improvements. We will start meeting with residents regarding easements in the near future. The ANJEC grant has been submitted for a trails master plan and there will be public meetings as required. The final transfers will be considered at the next meeting and he is still trying to figure how to cover the costs of the December snow storm. He stated that he spoke with Mr. Steele today about his proposed resolution and he asked the Governing Body if they want action on this for the 16<sup>th</sup> to prevent continued conversation with Mr. Steele. Councilman Jurkovic stated that the Council does not need an individual citizen setting the agenda adding that he would rather that Administrator Boyle spent the time working on the budget. Consensus not to proceed with Mr. Steele's resolution.

Township Attorney Semrau advised that the model OPRA form has been updated by the GRC and he asked for motion to adopt the updated form as promulgated by GRC. The form pertains to preferred delivery of records. Councilman Weisbecker stated that he is concerned that the proposed legislation to amend the Open Public Meetings Act will affect the public's rights at public meetings. It would prohibit Council from responding to issues raised at meetings by members of the public.

Agenda No. XIII

**Appointments and Resignations**

Councilman Weisbecker nominated Edward Rosone as Council Liaison to the Beautification Recycling Task Force.

Motion to close and confirm.

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Moved: Weisbecker Seconded: Jurkovic  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.  
Voted Nay: None.  
Motion carried.

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Council nominated the Recycling Advisory Committee citizen members to the Beautification Recycling Task Force Committee; Dave Stires as Recycling Coordinator, William Weaver, Ada Erik, James Novack, Laura Calvetto, and Marilyn Lichtenberg.

Motion to close and confirm.

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Moved: Weisbecker Seconded: Jurkovic  
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.  
Voted Nay: None.  
Motion carried.

