
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: March 4, 2015
Time of Meeting: 6:30 pm
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The Workshop 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 (arrived 6:34), Marilyn Lichtenberg, Mayor Bettina Bieri.
Absent: None.
Also Present: Township Administrator Kenneth Gabbert, Township Clerk Antoinette Battaglia, Township Attorney Frederick Semrau.

Agenda No. II

Reading of or Approval of Unapproved Minutes

Councilwoman Erik made a motion, seconded by Councilwoman Lichtenberg, to approve the January 7, 2015 Workshop and Executive Meeting minutes as presented.

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

Agenda No. III

Meetings

Mayor Bieri noted the future meeting schedule:

March 18, 2015 Regular Meeting April 1, 2015 Workshop Meeting
April 22, 2015 Volunteer Night

Councilman Signorino asked for a moment of silence for former Councilman Salvatore Schimmenti, who recently passed away.

Agenda No. V

Proclamations

- Multiple Sclerosis Awareness Week - Janet Laycox & Nancy Meramo joined Mayor Bieri to accept the proclamation. Mayor Bieri read the proclamation and introduced Ms. Laycox and Ms. Meramo saying that she has known Janet for 10 years and volunteers with her at the animal shelter. Ms. Laycox thanked the Mayor saying she has been dealing with MS for 20 years. She thanked people for listening and helping those with MS. Ms. Meramo said there is a local support group that meets every 4th Wednesday at Hillcrest. Mayor Bieri encouraged people to attend the support group.

Agenda No. IV

Executive Session

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~ Resolution No. 2015 – 092 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 4th day of March 2015 that:

1. Prior to the conclusion of this **Workshop 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.
 - (X) b. (4) A collective bargaining agreement including negotiations.
 - PBA and SOA 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.
 - Contracts – Interlocal Agreement for CFO
 - Contracts – PAL
 - Contracts – Director Department of Public Works
 - (X) b. (8) Personnel matters.
 - Chief Financial Officer
 - () 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: March 4, 2015

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

The Governing Body went into executive session at 6:41 p.m.
The Governing Body returned to the public meeting at 7:59 pm with all present as before.

Agenda No. VI

Presentations

Passaic County Open Space Grant Application - Westbrook Road Property Easement - Linda Glosinski of the New Jersey Land Conservancy addressed the Council regarding the Passaic County grant application that is due to the county on March 13. I am here tonight on behalf of West Milford Township, who is the applicant for a Passaic County Open Space and Farmland Preservation Trust Fund Grant Application for the Hewitt Butler Trail Connector Project. This is an important preservation project that will permanently secure an unprotected section of the Hewitt Butler Trail in West Milford.

The municipality is required to hold a public hearing on the application prior to submission to the County. As required, a legal notice indicating that a public hearing shall be held was advertised in the Herald News newspaper. In addition, all property owners within a 200-foot radius of the property were notified, via certified mail, about the hearing.

Ms. Glosinski provided project details saying the total property is 137 acres, with 129 acres being farmland assessed. The conservation and trail access easement will provide an important buffer for the Norvin Green State Forest, which is located along the northern property limits. The Hewitt Butler Trail is a significant regional trail, over 12 miles in length, that winds through West Milford and the NJ Highlands

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and is a major destination for hikers. The trail is currently blazed across the property with informal permission by the current owner. It is not permanently secured. Acquiring a conservation and trail access easement will permanently secure Hewitt Butler Trail in this area. We are trying to avoid an interruption in the trail and a potentially dangerous road walk that could result. All of the easement is identified as Bio-Diversity Rank 4 by the 2012 Landscape Project as providing habitat for State Endangered Barred Owl, Bald Eagle, Northern Goshawk, Golden Winged Warbler, Bobcat, Red-Shouldered Hawk, and Timber Rattlesnake. Records of State Threatened species for Wood Turtle are also identified. The West Brook flows in an easterly direction through the proposed easement area, paralleling Westbrook Road, which eventually flows to the Wanaque Reservoir, the largest drinking water reservoir in New Jersey. West Brook is classified as a FW2- Trout Production/Category One Waterway. A small, unnamed tributary to West Brook originates on site, flowing in a southerly direction and off site. By preserving the property, the headwaters to the stream will be protected. Preservation of this property will continue local and regional efforts to preserve land for the protection and enhancement of our public water supplies. TLC-NJ will own and manage the Conservation and Trail Access easement, at no cost or burden to the Township. The NYNJ TC will maintain the Hewitt Butler Trail that currently traverses the property. The Trail Conference currently maintains the trail on the property. We do not believe that acquisition of this conservation easement will affect the assessment of the property or taxes collected.

Mr. Semrau stated the purpose tonight is to ascertain whether or not there is public support for this.

Mayor Bieri opened the meeting to the public advising that this is a public hearing to obtain citizen input concerning this grant application at this time.

Donald Weiss, resident and member of Environmental Commission and NJ Trail conference. He has a letter from the NJ Trails conference Director supporting this. He supports this project. He outlined the purpose of the Trail Conference which is comprised of volunteers. He outlined their work. The Hewitt Butler Trail and this particular peak is one of the most scenic places in West Milford. There are 3 long distance trails in West Milford, Appalachian Trail, Highlands Trail but the Hewitt Butler Trail is about 80% in West Milford. It is very popular and he outlined some points of interest along the trail. It contributes to recreation in town. He asked Council to support this project.

There was applause from the public showing support.

There being no more comments from the public, motion to close public portion.

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

Mayor Bieri asked Council if there are any more comments on this application.

Councilman Signorino said he has supported this from the beginning and he still supports it. He would like to see it go through.

Councilman Hensley thanked Mr. Weiss for lending his expertise on our local trails. He supports our local trails and this sounds like it is one of the best. He said that if any funds are expended from our open space account for this, those funds come from the open space account acquisition funds that existed prior to our ordinance allowing other uses.

Township Attorney Fred Semrau commended Linda who has been assigned to WM for the past few years. He listed some of her accomplishments on behalf of West Milford.

Friends of Wallisch Open Space Grant Application – Dave Ofshinsky from the Friends of Wallisch Homestead, Inc. said (FOWH) is a NJ not for profit corporation with IRS 501(c)(3) status. FOWH is dedicated to the conservation, preservation and adaptive reuse of the Wallisch Homestead. The funds in this application are intended to be coordinated and work in combination with the funding West Milford Township (WMTWP) received for the Wallisch Homestead under the 2014 Passaic County Open Space Trust Fund. In this way, full restoration and rehabilitation of the Stone Barn roof and related structural reinforcement can be done, along with siding repairs, and to install temporary electrical service at the site for use during the restoration process. The facility assessment by Langan Engineering that was provided by Passaic County will guide all work for this project once the assessment has been completed. Approximate cost estimates are \$30,000 roof & structural work, siding \$10,000 and electrical work \$10,000. The estimates will be finalized once the Langan report is in, which is expected to happen shortly. The Homestead has been vacant for about ten years, and while the structures are in sound shape, it is imperative that preservation efforts are started as soon as possible. This project will allow for the ongoing preservation and restoration of the Wallisch Homestead facilities to allow for the continued

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development of the site as a recreational, educational and cultural facility in the West Milford Township.

There was applause from the public showing support.

Mayor Bieri opened the meeting to the public advising that this is a public hearing to obtain citizen input concerning this grant application at this time.

There being no comments from the public, motion to close public portion.

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

Mayor Bieri said she appreciates all the efforts, noting that this is a beautiful property in town that needs work. Mayor said the County has been very supportive giving money last year outside of the grant cycle. She expressed hope they will view the application well this year.

Mayor Bieri asked Council if there are any more comments on this application. There being no further comments Mayor Bieri thanked Mr. Ofshinsky for his presentation and efforts for applying for the grant.

Frank Covelli, PIA Risk Manager – 2014 Report – Mr. Covelli reviewed his annual report and commended West Milford for the improved safety standards. He said the JIF has not given dividends because they have focused those funds on police accreditation instead. They have fully funded that at \$250,000 per year which covers about five police agencies each year. The fund is financially strong and he reviewed their assets advising that they have a surplus of over \$17 million. Mr. Semrau said the Township is trying to take ownership of a weed harvester and are trying to get it insured but watercraft has limitations. He does not have the dimensions of the weed harvester and we will need Mr. Covelli’s help to get coverage. Mr. Covelli said the harvester was operated last year and is on our schedule. Mr. Semrau said Mr. Covelli represents West Milford very well pursuing issues & claims.

House Beautiful – Beautification and Recycling Committee (BRC) - Councilwoman Marilyn Lichtenberg approached the podium and invited the winner of the competition to join her. She said the BRC awarded 2 residents with the house beautiful award for 2014. They received about 12 entries. She encouraged people to nominate homes for 2015. Glenn Paul, 718 Warwick Turnpike is one winner. She showed a picture of his property and presented him with a certificate and a \$25 gift certificate which was donated from a local realtor. Mr. Paul said his property is a venue for his artwork. He described some of the unique characteristics and artwork that he has made. Mr. & Mrs. Kalosieh, Hudson Drive were presented with a certificate and a donated gift certificate. Mrs. Lichtenberg reminded everyone to change clocks this weekend.

Agenda No. VII

Discussion Items

1.	Discussion: Economic Redevelopment – Councilman Hensley said he asked Mr. Semrau to address an idea that would identify properties that could be rezoned to encourage development or redevelopment making them eligible for PILOT programs. That would provide incentives for development and investors. To proceed, you would need input from the planner and certain departments such as construction & tax. This would allow development and tax incentives. Mr. Semrau explained PILOT programs saying the Township gets payment but the BOE & county do not get taxes because it is a commercial property. Before you get there, properties must qualify in accordance with the standards under the MLUL. To proceed, you would ask the planner to identify possible properties. Then you have to coordinate with the planning board and then it comes back to the governing body for ordinance consideration. Councilman Signorino said he supports that. Councilman Hensley said it would be a long process but worthy to identify properties, give incentives to new businesses, invest in these properties thereby increasing property values throughout the town. Mr. Semrau asked for and received consensus to ask Mr. McGroarty submit a proposal for this work, then we would amend his contract accordingly.
2.	Discussion: Town-wide Garage Sale Date – After discussion, the Council gave consensus to schedule the town-wide garage sale for September 18, 19 & 20 and asked the clerk to prepare a resolution for the next meeting.
3.	Ordinance: Rename portion of Dockerty Hollow Road – Discussion ensued about changing the name of a portion of Dockerty Hollow Road. Councilman Hensley said that when Arnold Road was changed to Highlander, there was a loss of some historic significance. He would like to have this road renamed Arnold Road, in honor of an historic figure. The Council gave consensus and instructed Mr. Semrau to prepare an ordinance.
4.	Discussion: Cable TV 77 Policies – Administrator Gabbert asked that this discussion be deferred to

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March 18th and the Council agreed.

Agenda No. VIII

Public Comments

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

Brian Townsend, 1872 Macopin Road, West Milford said the deputy tax assessor handed out information at Saturday the budget meeting in his absence. There were questions from the Council. One question was about using the geographical size of municipality compared to other towns. West Milford's size presents challenges for inspections. Travel time alone is an issue. His office makes every effort to conduct inspections efficiently and they try to limit travel time. They tend to conduct inspections in zones when possible. Just traveling in those zones can be a challenge. Upper Greenwood Lake is almost 7 square miles in size. The diversity in West Milford is also a factor. There are 99 delineated neighborhoods as well as pocket developments. That increases travel time significantly. They cannot always control their workload - it is at the mercy of construction projects. They often have to accommodate resident's schedules. He gave a handout tonight. On Saturday it was said there are a large amount of outstanding permits. He could not get permit counts from municipalities he contacted. But he did get information on added assessments in those towns. Only Clifton had more added assessments than West Milford. He hopes this provides clarification for the Council.

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

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

Agenda No. IX

Council Comments

Attorney Fred Semrau said Mr. Townsend and his staff were a great help in the process of appealing the Newark Watershed value last year. It was Mr. Townsend who suggested another appeal this year. Mr. Semrau reached out to Matt Krauser for a proposal for this work to see if there is a benefit to file an appeal this year. He asked if Mr. Townsend had any comments. Mr. Townsend said Mr. Krauser is involved in Jefferson and Ringwood both of whom have reservoirs. This appeal will bring equity. Newark litigation is always on the forefront of his staff's mind. Mr. Semrau said he is hoping to report to Council by next meeting if there are grounds to file an appeal. He commended the Tax Assessors office on all the work they have done on this.

Agenda No. X

Action Items

Mayor Bieri asked to move Resolutions 2015-093, 2015-096, 2015-097 and 2015-099 as one including the Consent Agenda. Resolution 2015-094 was moved to the March 18, 2015 Regular Meeting. Resolution number 2015-095 was not used.

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

Agenda No. X 1

~ Resolution 2015 - 093 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING TO THE PASSAIC COUNTY OPEN SPACE TRUST FUND FOR THE PURCHASE OF A CONSERVATION AND TRAIL EASEMENT

WHEREAS, the Township of West Milford has considered a number of Open Space proposals and initiatives pertaining to lands throughout the Township; and

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WHEREAS, the Mayor and Township Council have reviewed the conservation and trail access easement proposed for Block 4701, Lot 61, located on Westbrook Road, within the Township. Acquiring a Conservation and Trail Access Easement will permanently secure the Hewitt Butler Trail in this area, and:

WHEREAS, with the assistance of The Land Conservancy of New Jersey, the Mayor and Township Council prepared an application for a Passaic County Open Space Grant for Block 4701, Lot 61, requesting \$74,000 in County funds; and

WHEREAS, the Mayor and Township Council have reviewed and approached the owners of Block 4701, Lot 61, located on Westbrook Road; and

WHEREAS, in accordance with the requirements of the Passaic County Open Space Trust Fund Grant Application, a public notice was advertised on February 22, 2015 for the Public Hearing to be held on March 4, 2015; and

WHEREAS, in accordance with the requirements of the Passaic County Open Space Trust Fund Grant Application, notification was sent by certified mail to all property owners within 200 feet of the subject property advising that the site known as Block 4701, Lot 61 is being considered for a Conservation and Trail Access Easement and that a Public Hearing would take place on March 4, 2015; and

WHEREAS, a Public Hearing was held on March 4, 2015 at which time public input was solicited regarding the application.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford, County of Passaic and State of New Jersey that after considering all of the materials and reviewing the application for the Passaic County Open Space Trust Fund Grant for funding for a Conservation and Trail Easement on 88 of the 131 acres of the property known as Block 4701, Lot 61, and after conducting a Public Hearing with respect to this application, the Township Administration is hereby authorized to seek funding from the Passaic County Open Space and Farmland Preservation Trust Fund for this acquisition in the amount of \$56,500.

BE IT FURTHER RESOLVED that the Administrator is hereby authorized to arrange for submission and filing of the grant application materials as prepared with the County of Passaic.

Adopted: March 4, 2015

Agenda No. X 4

~ Resolution 2015 – 096 ~

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. **2015-097** – Refund Overpayments

Applications:

1. Application for Off Premise Raffle License #2015-07 by Our Lady Queen of Peace Church for May 31, 2015.
2. Application for 50/50 On Premise Raffle License #2015-08 by Our Lady Queen of Peace Church for May 29, 30 and 31, 2015.
3. Application for 50/50 Off Premise Raffle License #2015-09 by West Milford First Aid Squad Inc. for June 28, 2015.
4. Application for 50/50 On Premise Raffle License #2015-10 by PTA Apshawa School of West Milford for April 22, 2015.
5. Application for Tricky Tray Raffle License #2015-11 by PTA Apshawa School of West Milford for April 22, 2015.
6. Application for Bingo Raffle License #2015-12 by PTA Apshawa School of West Milford for April 22, 2015.

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Agenda No. X 4a

~ Resolution 2015 – 097 ~

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
3406-25	Robert Nebel 168 Lakeside Road Hewitt, NJ 07421	\$1,076.67	2014	7
2608-9	B. & M. Shand 251 Point Breeze Drive Hewitt, NJ 07421	\$14.31	2014	7
TOTAL		\$1,090.98		

Adopted: March 4, 2015

Agenda No. X 5

~ Resolution 2015 - 099 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO MATTHEW S. KRAUSER TO REVIEW ASSESSMENTS WITHIN THE TOWNSHIP IN AN AMOUNT NOT TO EXCEED \$10,000.00

WHEREAS, the Township of West Milford wishes to conduct analyses and valuations of Newark Watershed lands; and

WHEREAS, Matthew S. Krauser of Integra Realty Resources has such experience and expertise; and

WHEREAS, Matthew S. Krauser of Integra Realty Resources of Whippany New Jersey has submitted a proposal for such services in an amount not to exceed \$10,000; and

WHEREAS, the total amount of the contract shall not exceed \$10,000.00 without the written approval of the Township Council; and

WHEREAS, the Chief Financial Officer has certified availability of funds for these services said funds to be encumbered from account number 01-201-20-161-450; and

WHEREAS, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; and

WHEREAS, Matthew S. Krauser has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that his firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit Matthew S. Krauser or Integra Realty Resources from making any reportable contributions through the term of the contract, and

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

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Matthew S. Krauser, of Integra Realty Resources, with offices located at 110 S. Jefferson Road, 2nd Floor, Whippany, New Jersey, 07981, as municipal consultant to assist the Township in reviewing assessments of Newark Watershed lands in an amount not to exceed \$10,000.00 and in accordance with his proposal.
2. This contract is awarded without competitive bidding as the total price of the contract shall not exceed the \$17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3.
3. The total fee authorized for this contract shall not exceed \$10,000.00 without the prior written approval of the Township Council.
4. The Political Contribution Disclosure Form, Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
5. Notice of this action shall be published once in the Township’s official newspaper as required by law.

Adopted: March 4, 2015

Agenda No. XI

Approval of Expenditures

Councilwoman Lichtenberg noted that Truck # 20 had a significant number of repairs this month. It is scheduled for replacement. Councilwoman Dale agreed that there were a lot of repairs.

~ Resolution No. 2015 - 098 ~

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	\$275,721.05
3	Reserve Account	23,889.40
2	Grants	484.12
6	Refunds	1,090.98
1	General Ledger	0.00
26	Refuse	99,217.36
4	Capital	0.00
19	Animal Control	25.47
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	633.20
19	COAH	0.00
16	Development Escrow	0.00
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00

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Total	\$401,061.58
Less Refund Resolution	-1,090.98
Actual Bill List	\$399,970.60
Other Payments.	
Payroll	\$601,327.91
Total Expenditures	\$1,001,298.51

Adopted: March 4, 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 Lichtenberg asked Council if we can get a grant from the Highlands Council for a study of the effects of the Highlands Act in West Milford. Other towns have gotten these grants. Councilman Signorino said he asked for this study years ago. Councilwoman Lichtenberg said she spoke to a Highlands Representative about this. The Council gave consensus to have this brought up at a future meeting. Councilwoman Lichtenberg said Senator Garrett's representative is available to residents at town hall on the 1st Thursday of every month. She reminded everyone that the clocks change this weekend.

Councilwoman Erik said 34 people were certified at the recent CPR clinic. There is another one coming up. She attended the installation at Fire Company #2 a couple of weeks ago and spoke with firefighters. They thanked her for what Council did last year. The Health Board is working on drugs & heroin programs. She attended a distracted teen driving class last week. It is primarily focused on cell phones. The JAG meeting was very informative last week. West Milford now has 3 people who are trained in programming. She urged people to volunteer and become trained. There is another one coming up.

Council President Erk said the Greenwood Lake Bi-State Commission has improved their book keeping efforts. They have a new treasurer who is very organized. They have updated their books back to 2009. They have voting members from both the NY & NJ DEP. They are making vast improvements.

Councilwoman Dale thanked fire companies 1 2 & 3 for invitations to their installation dinners. She had a good time. It is an honor to work with them as liaison. Company 2 is having a fish & chip fundraiser this Saturday. She gave details on how to get tickets. They are also having a fair on April 11th.

Councilman Signorino said he is glad to hear progress with Greenwood Lake commission. He said he has not heard back about roads in the Lakeside community. He made a motion to accept the dedication of the roads in that neighborhood. Councilwoman Erik seconded that. Mr. Semrau urged caution saying that this action scares him. He has information for his report. He understands concerns raised. There is a whole history with this matter and accepting those roads will involve significant responsibility. If you accept the roads, it would be a dangerous precedent. These roads have been privately maintained. To accept them now will lead to litigation and we would be infringing on the rights of a private entity. He is concerned that there are so many private roads in the Township that we have not accepted but have maintained. If residents of that development are able to demonstrate they have dissolved the association, acceptance may be logical. But that is not the case. Accepting will create liability. It would be like taking over a property owner association. If residents in a lake association said we don't want to pay dues, you cannot just take over. He respects the concern. There has been litigation where residents have had the ability to present the argument and were not successful. He is concerned this is government becoming involved in a private matter. It could result in 3 part litigation. From a legal perspective something has to happen between the association and residents before Council steps in. By saying yes to those roads that responsibility and all associated costs will become that of all residents. Councilwoman Lichtenberg said she lives in a lake community and she agrees with what Mr. Semrau said. Councilman Signorino said he does not take this lightly. In light of what has been presented to him he is concerned about what residents have been subjected to. He lives on a private road. He said his motion was to accept the roads but the attorney's comments compromise that intent. He withdrew the motion. Mr. Semrau said that some individuals may be trying to persuade the Township to become involved in this issue and Councilman Signorino said we should protect the right of residents. He will take Mr. Semrau's advice. He would like a full report. Mayor Bieri said this issue has been addressed numerous times over the years. Because it is not the answer certain people want to hear does not mean it has not been addressed. Councilman Signorino said Mayor Bieri has never disagreed with any

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professional in town. Mayor Bieri said there have been numerous reports about this matter over the years. Councilwoman Lichtenberg said this association has a designated block & lot for those roads. How would the Township remove the block & lot from them? Mr. Semrau said that if residents feel that strongly, they should pursue it through the proper channels. This matter has been litigated and that was their opportunity to demonstrate their argument. That is a mechanism to address this without government interference.

Mayor Bieri said we are all concerned about all residents. That does not always translate into actionable actions by Council. This is a private matter that has been researched again & again. It is not municipal business. She listed private lake communities and their issues. She has had conflicting opinions with many professional and staff members but she chooses to disagree respectfully rather than argue. It is tax time, seniors & those with disabilities should file their freeze program papers now.

Councilwoman Lichtenberg said that on 3/16 the lakes committee is having a joint meeting with Sustainable West Milford at 7 pm at town hall about pesticides.

Councilman Signorino said one of the most important things we do in this town is roads. When there are concerns we should flush them out.

Administrator Gabbert said the new garbage hauler has been very responsive to complaints. DPW has tested brine now on two occasions and he is awaiting a report. At the capital meeting on Saturday he shared a draft of the vehicle list. He asked for input and so far there has been one request which is being worked on. Any other comments should be submitted right away so that they can proceed with the task.

Attorney Fred Semrau said that the governing body discussed in executive session a resolution of the legal issue with PAL. There is a proposed agreement which would provide for a transition period for PAL through July 31, 2015 where they would pay the Township \$2,500 per month and pay utilities & maintenance. The Township would collect rent from the daycare facility already there. He asked for a motion to authorize the Mayor & Administrator to be allowed to approve minor adjustments and allow that this agreement be approved. If PAL cannot make the payments the Township would immediately take over the facility.

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

Mr. Semrau said there has been discussions about an ATV park and the Township has discussed this with the DEP regarding Jungle Habitat. Over the last year the governing body has been in discussions with DEP and would now like to let state representatives know and encourage them to please support this endeavor. He has some minor comments. He asked for and received consensus to have administration to send letter out.

Agenda No. XIII

Appointments and Resignations

Insurance Committee

Council President Erk said we should get this committee up and running and made a motion to nominate all five (5) citizens that have submitted Citizen Leadership Forms to serve on this committee. Councilwoman Erik made a motion to close nominations, seconded by Councilwoman Dale and carried by unanimous voice vote to close the nominations. Roll call for the nominations.

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

Councilwoman Lichtenberg nominated Council President Erk as liaison to the Insurance Committee, seconded by Councilwoman Erik. Councilwoman Erik made a motion to close and confirm seconded by Councilwoman Lichtenberg and carried by unanimous voice vote to close the nominations.

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

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Mayor Bieri appointed the following person(s) based on the recommendation from the Fire Commissioner:

Quinton R. Johnson, Fire Fighter – West Milford Volunteer Fire Company (Co. #6)
Robert Masterson, Fire Fighter – Community Volunteer Fire Company (Co. #2)

Agenda No. XIV

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 10:15 p.m.

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

Approved: June 3, 2015

MAYOR BETTINA BIERI
PRESIDING OFFICER

ANTOINETTE BATTAGLIA
TOWNSHIP CLERK