

---

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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: March 6, 2013  
Time of Meeting: 6:30 P.M.  
Minute Page No: Page 1 of 11

---

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 30, 2012 and January 6, 2013; 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, Edward Rosone, Luciano Signorino, Carlla Horton, Mayor Bettina Bieri.  
Absent: None.  
Also Present: Township Administrator Nancy Gage, Township Clerk Antoinette Battaglia, Township Attorney Frederick Semrau.

Agenda No. II

**Reading of or Approval of Unapproved Minutes**

Councilwoman Horton moved to adopt the October 3, 2012 Executive Session Meeting Minutes, and November 28, 2012 Executive Session Meeting Minutes as presented:

---

Moved: Horton Seconded: Erik  
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

---

Agenda No. III

**Meetings**

Mayor Bieri noted the future meeting schedule:

March 20, 2013 Regular Meeting April 3, 2013 Workshop Meeting  
April 17, 2013, Regular Meeting

Agenda No. IV

**Presentations**

None.

Agenda No. V

**Executive Session**

~ Resolution No. 2013- 085 ~

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 6<sup>th</sup> day of March, 2013 that:

1. Prior to the conclusion of this Workshop Meeting, the Township Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
  - ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
  - ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.



---

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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: March 6, 2013  
Time of Meeting: 6:30 P.M.  
Minute Page No: Page 3 of 11

---

Agenda No. VII

**Council Comments**

Mayor Bieri noted that most public comments pertained to upcoming discussion items. The Council deferred commentary to the respective discussions.

Agenda No. VIII

**Discussion Items**

1)	<p>Ordinance – Amend §420-6[70], §420-6[71], §500-66, and §500-90 of the Township Code to allow Chickens on Private Property – Councilwoman Horton said that someone suggested she has a conflict so she consulted the Township attorney who agrees with her that there is no reason for her to recuse. Council President Signorino echoed that and said that he is not recused from this discussion either. Administrator Gage noted that her office received a number of comments on this matter and she is seeking direction from Council. She proposed that the Council establish committee to proffer a recommendation. She asked the Council to proceed with caution and not make a hasty decision in this regard. Councilman Hensley said that he believes other municipalities have ordinances that have no limitations on having chickens on private property. Councilwoman Horton said she is open to changing our ordinances but she is not prepared to make a decision without considering all the concerns including neighborhood issues, setbacks, and all other issues. Council President Signorino thanked everyone for the research that has been done and he asked for more research. He said that the issues appear to be related to space and lot sizes. Councilwoman Horton agreed stating that she is hearing that there are issues with lot sizes, setbacks, and placement of coops as well as aesthetic concerns. Mayor Bieri suggested side, front &amp; rear setbacks and the Council agreed that there must be setback requirements. Mayor Bieri said that other towns have quantity restrictions based on property sizes and many have set standards for the type of fencing to keep chickens in and predators out. She said concerns have been expressed about cleanliness, rodent &amp; insect control. Some towns had licensing and permitting requirements in an effort to address those concerns. Council President Signorino said he does not favor a permitting process. Mayor Bieri noted that the health &amp; zoning departments had concerns and she said that Council should consider who should enforce the ordinance and what the consequences and fines would be. Councilman Rosone said that his concern is safety. He has had bear nuisances with a bird feeder and has found that fences are generally not sufficient to keep bears out. He understands the benefits of having chickens but expressed concern that this could actually open up a pandoras box and bring in bear, fox &amp; rats. He would be interested to hear from towns who have such legislation, what it was like before and what it is like after. Councilwoman Erik said she never had a bear kill a chicken. She had bears kill a horse and other animals and she has had to protect her chickens from raccoons. Councilman Rosone said he is not concerned about protecting the chickens as much as the neighbors and neighborhood. Chickens do attract predators whether it be bear, fox or raccoons. Mayor Bieri asked for consensus to have the Administrator research the matter further and Council agreed. Councilwoman Horton said that this is not a priority over the budget so she is not expecting this to be on the top of the list. Councilman Hensley said in recognition of that perhaps a subcommittee would be more effective and Councilman Rosone noted that it would appear that most of the research has been done.</p>
2)	<p>Resolution – Proposition to Voters for Use of Open Space Funds – Councilwoman Erk asked if we can include appropriations for historic preservation in the public question and she suggested that perhaps we could allocate percentages for acquisition, improvements &amp; historic preservation. Mr. Semrau said that the question can get on the ballot by petition or adoption of a resolution of the Council. Petition would require members of the public to present a petition based on a formula for the numbers required. This is an easier way to accomplish the goal. Councilman Hensley said that the RAC was of the opinion that it would not be detrimental to the water supply because we already have the open space. With the Highlands Act much of the land is already protected. The spirit of the referendum was to utilize the open space in a more active way. The goal is to protect land while having the ability to use it and CYO was the main focus of the discussion at the RAC meeting. Everyone is aware of the water issues and no one would opt to use the money in a way that would be detrimental to the water supply. Mayor Bieri said that while the Highlands Act protects land now, like all other laws, state laws can change. It is important that if you suggest this, the percentages will help to promote the concept because it will clearly identify that there will be funding for open space acquisitions. That would protect future generations. Council President Signorino liked the suggestions made by Councilwoman Erk but he said that he does not think the percentage concept would work because it would be restrictive. Councilwoman Erk suggested 33%, 33% and 33% and Council President Signorino asked how the funds would be handled. Mayor Bieri suggested that the CFO would probably establish three separate funds, one for each component. Councilman Hensley said that he would like to offer flexibility for future councils and would like to have restrictions on utilizing funds if there were other grant funds that required matching funds. Mr. Semrau asked if Council</p>

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

Minutes of: Governing Body Workshop Meeting  
 Date of Meeting: March 6, 2013  
 Time of Meeting: 6:30 P.M.  
 Minute Page No: Page 4 of 11

	<p>would consider allowing a super majority vote of the Council which could override the prescribed allocation. That, he said, would overcome some of the concerns expressed tonight. Mayor Bieri asked for consensus to have Mr. Semrau draft a proposed resolution for the ballot question and she synopsised the conversation. The Council gave consensus asking Mr. Semrau to draft a resolution and schedule this matter for a future workshop discussion.</p>
3)	<p>Block 7619, Lot 6 ROW/Easement Request to Accommodate Well – the Council gave consensus to proceed.</p>
4)	<p>Resolution – Oppose PVWC Plan to Drain Reservoirs – noting that there is a memorandum from the engineering department stating that these reservoirs do not service West Milford, Administrator Gage asked Council if they wish to consider a resolution. The consensus of the Council was not to consider such action.</p>
5)	<p>Resolution – Support Proposed Amendments to Title 18A, Creating a New Formula For Allocation of State Aid to School Districts – Council President Signorino read the statement for the proposed legislation and asked Council to look on the sponsor’s website for statistics. This would affect the entire state he said. Councilwoman Horton asked if this was discussed by BOE committee and Council President Signorino said he hopes to present it to them when they meet with the Council subcommittee. Mayor Bieri said it sounds fair but asked if anyone has calculated the impact on West Milford. Council President Signorino said he will have that information at the next meeting and he asked if we could ask Senator Pennachio if he would like to do a presentation on this matter. Councilwoman Horton asked if we win, who loses and Councilman Hensley said that everyone is a winner. Council President Signorino said that throwing more money at something does not necessarily improve it. He is not a BOE member but an elected official to represent West Milford residents and this would have a positive effect for our residents. The Council gave consensus to proceed.</p>
6)	<p>Resolution – CDBG Grant – the Council gave consensus to proceed.</p>
7)	<p>Budget Discussion – Administrator Gage directed Council to her overview of budget meetings and her capital request information. She hopes to adopt a capital ordinance even before the budget discussion.</p> <p>Police staffing. Councilwoman Erik urged the Council to give consent so that the proposed retiree replacement gets into the academy as soon as possible. The Council gave consensus. Councilman Rosone said he is in favor of a total of three new hires. If we have another retirement the consensus is to replace that person too. Councilwoman Horton said she agrees to three new hires. Mayor Bieri asked if the Council is approving maintaining, with retirements, a force of 42 and, she asked, will the Council approve funding above that number. Councilman Rosone said he would approve adding two people based on the retirements and replace the person who retired last year. He said that if someone retires later in the year he supports replacing that person. This would bring the force up to 44. Council President Signorino said he would like to see a contract ratified before any new hires. Mayor Bieri noted that historically contracts take up to three years to ratify. She asked if Council is prepared to keep police department staffing at a level of 41 while the contracts are negotiated. Mayor Bieri asked for a poll of the Council to increase staffing levels in the police department to 44 and maintain it at that level. By unanimous roll call vote the Council gave consensus to maintain a force of 44 officers.</p> <p>Ms. Gage said that there is an overwhelming number of gun permit applications in the police department and Chief Storbeck has requested more floaters to handle the backlog. The Council agreed. Ms. Gage said the Chief will be researching the possibility of hiring more “Class 2” special officers to increase school patrols.</p> <p>Ms. Gage noted that every year the police department must add vehicles to the fleet because of mileage usage. This year Chief Storbeck has requested 7 new cars and the Township’s mechanic said we must buy 6. Ms. Gage said she is proposing 3 vehicles funded in operating and 3 in capital funding. The police department likes the crossover vehicles and she explained the pros and cons. The Council agreed and gave consensus to proceed as Ms. Gage proposed. Ms. Gage reviewed the police department capital requests and the Council gave consensus to proceed.</p> <p>OEM/Fire/First Aid. Ms. Gage said most of this discussion centered around capital items. They discussed maintenance of vehicles and they are asking for more money because the Township is understaffed with mechanics. If we hire a 3<sup>rd</sup> mechanic, it is possible that we can save on the money fire &amp; first aid is spending to send vehicles out for repairs. The head mechanic supports this hire at \$56,000 plus benefits. Councilwoman Horton asked for a cost analysis and Mayor Bieri asked who is funding their current maintenance costs. Ms. Gage said we pay the bills and she will get the cost analysis. Ms. Gage noted that the West Milford First Aid Squad has submitted a request for a new ambulance. There is some urgency in the request because there would be a savings if they could buy a 2013 chassis.</p>

---

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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: March 6, 2013  
Time of Meeting: 6:30 P.M.  
Minute Page No: Page 5 of 11

---

Council President Signorino asked for debt information. Ms. Gage replied that in order for us to maintain our total debt we need to authorize no more than \$1.56 million in debt in any year. Our total now is \$1.856 million with current requests which means that the Council would have to cut about \$300,000 from the list.

Ms. Gage advised that the engineering department is requesting \$1.178 million to continue with the road program approved last year which would authorize 5.1 miles of road improvements each year. This year the department is seeking DOT & CDBG grant funds and must proceed with a sediment control retrofit program as required by the UGL lawsuit. Ms. Gage outlined the benefits adhering to a consistent road improvement plan of 5.1 miles of road per year. Mayor Bieri noted that this would create a 25 year cycle which will ultimately allow for maintenance instead of more expensive reconstruction. Councilwoman Erik said we need an in-house engineer and Ms. Gage agreed with that. An engineer in any town is an important position, she said. They are integral to grants, infrastructure, bid specifications, etc. We have an excellent engineer in Paul Ferriero but he is a consultant; not an in-house engineer. She has not asked for that funding in this year's budget but she would love to see us move in that direction. Before asking for that she will prepare an analysis and argument for why the position would be justified. We need oversight in DPW. Councilman Rosone asked if a shared services is possible and Ms. Gage said it may not be effective because in her opinion it would be difficult to supervise DPW but she will look into that. Ms. Gage reviewed the lack of structure in the DPW.

Ms. Gage said that the Johner & Macopin fire houses need generators. They are asking for \$65,000 based on the actual cost to install a generator at Hillcrest earlier this year. The council gave consensus to appropriate \$65,000 for generators.

Recreation capital requests. Ms. Gage advised that CS&R has applied for two county open space grants which require matching funds. The first would fund the engineering design of fields at CYO and has a \$50,000 match. The second is for a match for \$150,000 in additional funding approved for outside improvements at the coffee house which will include the parking lot, the pool, and the basketball courts. The total Township contribution would be \$250,000 for the two projects. Council President Signorino suggested choosing one and opined that the CYO really needs work. He would agree to the \$50,000 for CYO. Ms. Gage said the CS&R Director will ask if Passaic County will consider a scaled down proposal or a two year phase in. Councilman Rosone suggested authorizing half this year and half next year.

Ambulance – Ms. Gage said if Council authorizes the ambulance they will go over the goal of staying below \$1.65 million in debt. At this point, they must cut \$130,600 to achieve that goal. Councilman Hensley asked if we can table discussion of the ambulance to go over the numbers. Councilman Hensley made a motion, seconded by Council President Signorino and carried by unanimous roll call vote to table discussion of funding an ambulance to 3/20.

Administrator Gage asked if Council wants to add \$7,500 for search & rescue to get a clothing allowance like the other volunteer groups. The Council gave consensus.

Council President Signorino asked if there are suggestions to remove dollars and Ms. Gage advised that no Council members made suggestions for removal at the subcommittee meetings and she has cut all she can. She said that the coffee house requires monitors and it requires increased funding of \$20,000. Ms. Mulhern said attendance fluctuates drastically from 5 to 65 on any given day. Councilman Rosone asked if there has been discussion about seeking volunteers for this work to which Ms. Mulhern replied that it was discussed and it is not a reliable source of manpower. Discussion ensued about various options. The Council gave consensus to fund an entry level position in the parks division and to maintain staffing levels in DPW despite a recent retirement. The Council gave consensus to extend the hours of the engineering aide and assign that person to work with the Network Administrator two days per week. Discussion ensued about the need for an engineer with Ms. Gage outlining the advantages of a full time, in-house engineer versus a consultant. The Council agreed this discussion is premature and more suited to preliminary discussions for next year's budget.

Weed harvesting at Greenwood Lake – Council President Signorino said he has attended some of Greenwood Lake Bi-State Commission meetings. The money we have given them has been used for rent, secretary, phone bills, etc. He recommends that we do not fund them as there is an outstanding request for an administrative audit of that agency. The Council gave consensus to forego the funding.

In response to a recommendation by Administrator Gage, the Council approved a stipend for the Recycling Coordinator of \$10,000 to be encumbered from the clean communities grant. Mayor Bieri asked that all discussions pertaining to the health department be deferred. The Council gave consensus to maintain staffing levels in the municipal court.

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

Minutes of: Governing Body Workshop Meeting  
 Date of Meeting: March 6, 2013  
 Time of Meeting: 6:30 P.M.  
 Minute Page No: Page 6 of 11

Ms. Gage advised that she hopes to introduce the budget & capital ordinance at the beginning of April. She noted that the auditor does not recommend increasing revenue numbers and noted that the current increase, without adjustments for tonight's decisions, is about \$80 per household.

Agenda No. IX

**Action Items**

Agenda No. IX 1

**~ Ordinance No. 2013- 002 ~**

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 135 "FEES," OF THE REVISED GENERAL ORDINANCES AMENDED**

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

**§ 135-2 Department of Community Services & Recreation**

The Department of Community Services & Recreation is authorized to charge the following fees:

- A. Bubbling Springs membership and badge:
  - (1) Family: consists of parent(s) and all children up to and including full-time students living at home: \$250.00 plus 2 guest badges. Non-resident family sponsored by resident family: \$300.00 (Number will be limited).
  - (2) Individual: a person age 13 through 61 \$125.00
  - (3) Senior Citizens: Individual (Ages 62+) \$15.00
  - (4) Senior Citizens Couple (Ages 62+) \$25.00
  - (5) Late fee: Additional fee added to membership fee after the June deadline of each year \$20.00
- B. Bubbling Spring Park guest membership (per person):
  - (1) A person under two years of age: No charge
  - (2) A person from two years to seventeen years of age: \$5.
  - (3) A person from eighteen to 61 years of age: \$10.00
  - (4) Seniors (Ages 62+) \$2.00
- C. Swim lessons:
  - (1) Lake member.
    - (a) All children:
      - [1] One session: \$60.00
      - [2] Two sessions: \$110.00
      - [3] Three sessions: \$160.00
    - (2) Nonmember.
      - (a) All children:
        - [1] One session: \$70.00
        - [2] Two sessions: \$130.00
        - [3] Three sessions: \$185.00
      - (3) Swim team.
        - (a) First child: \$95.00.
        - (b) Each additional child: \$90.00
  - D. Day camp: children entering kindergarten through 8th grade.
    - (1) Each child: \$250.00 per two-week session
  - E. Teen camp: \$285.00 per two-week session
  - F. Early drop-off/late pickup, per child: \$80 per two-week session for early drop off and \$80.00 per two-week session for late pick up.
  - G. Muppet camp: children ages three and four not entering kindergarten: \$110.00.
  - H. A nonrefundable maintenance fee of \$25 shall be charged for each group use permit that requires the opening, closing and/or cleaning of a facility.
  - I. Permit fees: Bubbling members will be charged a nonrefundable administrative/user fee of \$30 for guest groups numbering more than twenty-five. Permits must be filled out at the Parks & Recreation office. Groups under twenty-five do not need to have a permit or pay a maintenance fee. They must make arrangements with the Lake Director prior to the party.
  - J. PRIDE: \$15.00 per day not to exceed \$60.00 per week
  - ~~K. Pre-School: \$225.00 per 7 week session~~
  - L. Friday Fun Day: \$185.00 per 7 week session

---

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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: March 6, 2013  
Time of Meeting: 6:30 P.M.  
Minute Page No: Page 7 of 11

---

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

Introduced: January 23, 2013  
Adopted: March 6, 2013  
Effective Date: March 26, 2013

This Ordinance was introduced on January 23, 2013 and the Notice of Public Hearing was published in the Herald News on January 27, 2013. Public Hearing and final adoption was tabled at the February 20, 2013 meeting to this meeting. The Mayor opened the meeting to the public to speak on this Ordinance only.

There being no one wishing to be heard Councilwoman Erik made a motion, seconded by Council President Signorino and carried by unanimous voice vote to close the public portion.

Discussion ensued about removing item "K" preschool fees. Councilwoman Erik made a motion to adopt, seconded by Councilman Rosone with an amendment to remove item "K".

---

Moved: Erik Seconded: Rosone  
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

---

Agenda No. IX 2

~ Ordinance No. 2013- 005 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 135 "FEES," OF THE REVISED GENERAL ORDINANCES TO AMEND § 135-2.K PRE-SCHOOL FEES**

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

**§ 135-2 Department of Community Services and Recreation**

The Department of Community Services and Recreation is authorized to charge the following fees:

K. Pre-School: \$290.00 per 7 week session

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

Introduced: February 20, 2013  
Adopted: March 6, 2013  
Effective Date: March 26, 2013

This Ordinance was introduced on February 20, 2013 and the Notice of Public Hearing was published in the Herald News on February 24, 2013. Public Hearing and final adoption was tabled at the February 20, 2013 meeting to this meeting. The Mayor opened the meeting to the public to speak on this Ordinance only.

Councilmembers Horton and Signorino recused from this discussion.

Maryann Stillman, West Milford said that the preschool parents have established a committee and had a movie night where they raised money for the program. They want to have a fundraising committee to subsidize the cost to offset tuition to make it affordable. Part of the reason for a community preschool is to provide affordable day care to stay-at-home moms. Councilman Hensley said that there was an idea to have this group set up a 501(3)© where the group can provide scholarships.

Jen DeArco, West Milford said she is concerned that fun Friday is being considered a separate entity. It should be part of the preschool. Thirty children attend that day. She asked if that is being included. She asked if they do award scholarships how do they know the money goes directly to the children. She does not have a child there now. They would like to form a non-profit organization to support the school. It can be done. They should have had more notification about proposed fee increases but nonetheless the parents raised \$650 in five days. She asked Council to give them a chance.

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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: March 6, 2013  
Time of Meeting: 6:30 P.M.  
Minute Page No: Page 8 of 11  
-----

There being no one else wishing to be heard Councilwoman Erik made a motion, seconded by Councilman Rosone and carried by unanimous voice vote to close the public portion.

-----  
Moved: Erik Seconded: Rosone  
Voted Aye: Erik, Hensley, Erk, Rosone.  
Voted Nay: None.  
Recused: Horton, Signorino.  
Motion carried.  
-----

Mayor Bieri as to move all Resolutions as one.

-----  
Moved: Erik Seconded: Horton  
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.  
-----

Agenda No. IX 3

~ Resolution No. 2013- 086 ~

**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) TO RETROFIT SEDIMENT CONTROL DEVICES AT THE FIREHOUSE COVE AND THE AUDUBON COVE, UPPER GREENWOOD LAKE**

**WHEREAS**, the County of Passaic anticipates having \$640,000 available to the twelve eligible municipalities 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 to retrofit sediment control devices within a qualifying block of Upper Greenwood Lake near the storm drainage outfalls at the Firehouse Cove and Audubon Cove.

**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 \$50,000 with the Township to provide in kind services for the survey, design and construction phase oversight of the improvements.

**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 6, 2013

Agenda No. IX 4

~ Resolution No. 2013- 087 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY, STATE OF NEW JERSEY AWARING A CONTRACT TO VAN ORDEN SAND & GRAVEL OF RINGWOOD FOR ROAD MATERIALS IN AN AMOUNT NOT TO EXCEED \$86,445.00**

**WHEREAS**, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on January 11, 2013 for road materials as per the bid specifications; and

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

**WHEREAS**, said bids have been duly reviewed and analyzed by the Director of Public Works; and

**WHEREAS**, the bid received from Van Orden Sand & Gravel of Ringwood has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

**WHEREAS**, the Director of Public Works has submitted a written recommendation for the award of this contract to Van Orden Sand & Gravel of Ringwood; and

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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: March 6, 2013  
Time of Meeting: 6:30 P.M.  
Minute Page No: Page 9 of 11  
-----

**WHEREAS**, the Chief Financial Officer has certified that encumbrances for these services shall come from account numbers 01-201-26-290-360; 01-201-26-290-343 and 04-215-55-812-017.

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

1. The Township Council hereby awards a contract to Van Orden Sand & Gravel of Ringwood, P.O. Box 8246, Haledon, New Jersey 07538 in an amount not to exceed \$86,445.00 for road materials as per the bid specifications
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Van Orden Sand & Gravel of Ringwood, in accordance with its bid for said road materials.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: March 6, 2013

Agenda No. IX 5

~ Resolution No. 2013- 088 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING RESOLUTION 2012 – 300 ADOPTED SEPTEMBER 5, 2012 CORRECTING THE TERMINATION DATE OF THE INTERLOCAL AGREEMENT WITH THE TOWNSHIP OF BLOOMFIELD FOR HEALTH OFFICER SERVICES**

**WHEREAS**, the Township of West Milford conducted a comprehensive search and analysis to engage the services of a Health Officer; and

**WHEREAS**, the Township of Bloomfield has a full time Health Officer who has experience in the diverse range of services provided by a municipal health department; and

**WHEREAS**, the Township of West Milford engaged the services of the Bloomfield Health Officer and his staff as warranted to oversee the West Milford Health Department in accordance with the terms outlined in the agreement; and

**WHEREAS**, the termination date of the Interlocal Agreement is December 31, 2014.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the termination date of the Interlocal Services Agreement with the Township of Bloomfield for Health Officer Services shall be December 31, 2014 in accordance with the agreement for said services which is on file in the Office of the Township Clerk and which was previously approved by the Township Council by virtue of resolution 2012-300.

This Resolution shall take effect immediately.

Adopted: March 6, 2013

Agenda No. IX 6

~ Resolution No. 2013- 089 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE TERMS OF A SUCCESSOR COLLECTIVE BARGAINING AGREEMENT WITH TEAMSTERS, LOCAL 560 FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2014**

**WHEREAS**, the Township of West Milford ("Township") and the Teamsters, Local 560 have been conducting negotiations for successor Collective Bargaining Agreements; and

**WHEREAS**, the Mayor and Council desires to approve the terms of the agreement as recommended by the Township Administrator in accordance with the memorandum of agreement signed on March 1, 2013.

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

1. The Parties have reached a tentative Agreement; and

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

Minutes of: Governing Body Workshop Meeting  
 Date of Meeting: March 6, 2013  
 Time of Meeting: 6:30 P.M.  
 Minute Page No: Page 10 of 11

- 2. Teamsters, Local 560 has ratified the terms of the Agreement; and
- 2. The Township desires to ratify the terms of the Agreement.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford, County of Passaic, ratifies the terms contained in the Agreement with Teamsters, Local 560 as recommended by the Township Administrator for inclusion in successor Collective Bargaining Agreements and directs the Township’s Labor Counsel to incorporate said terms into the parties’ Collective Bargaining Agreement and authorize the Township Administrator to execute said Collective Bargaining Agreement when completed.

Adopted: March 6, 2013  
 Agenda No. X

**Approval of Expenditures**

Agenda No. X

~ Resolution No. 2013- 090 ~

**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	\$499,562.33
3	Reserve Account	110,211.11
2	Grants	0.00
6	Refunds	0.00
1	General Ledger	0.00
26	Refuse	159,582.92
4	Capital	0.00
19	Animal Control	63,172.52
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	925.35
19	COAH	2,235.00
16	Development Escrow	0.00
20	Special Reserve	0.00
21	Assessment Trust	0.00
Total		\$835,689.23
Less Refund Resolution		0.00
Actual Bill List		\$835,689.23
Other Payments		
Check # 51363 Forest Automotive		12,666.97
<b>Total Expenditures</b>		<b>\$848,356.20</b>

Adopted: March 6, 2013

Moved: Erik  
 Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.  
 Voted Nay: None.  
 Motion carried.

Agenda No. XI

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

---

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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: March 6, 2013  
Time of Meeting: 6:30 P.M.  
Minute Page No: Page 11 of 11

---

Councilwoman Horton thanked everyone for their attendance & input tonight.

Councilman Hensley thanked the 4H club kids for coming out noting that it is a good civics lesson. He said he hopes Council can come to a solution to allow people to live they way they want.

Administrator Gage said that the Parks & Recreation staff has advised that it would be unsafe to store the weedharvesters at Wallisch. Discussion ensued about the equipment stored at Farrell Field and Ms. Gage will report back to Council on that matter.

Mr. Semrau said that the closing of Apple Acres has been ongoing since 2005 and it is expected to be concluded within 30 days.

Agenda No. XII

**Appointments and Resignations**

~ Resolution No. 2013- 091 ~

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

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

<u>Name</u>	<u>Position</u>	<u>Date Tendered</u>
Colleen Andreniuk	Citizen Member – term expires 12/31/13 Historic Preservation Commission	February 19, 2013

Adopted: March 6, 2013

Moved: Erik  
Voted Aye: Erik, Hensley, Erik, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

---

Agenda No. XIII

**Adjournment**

There being no further business to come before the Council, the Township Council adjourned the meeting at 9:53:41 p.m.

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

Approved: June 19, 2013

---

MAYOR BETTINA BIERI  
PRESIDING OFFICER

---

ANTOINETTE BATTAGLIA  
TOWNSHIP CLERK