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

Minutes of: Governing Body Regular Meeting  
Date of Meeting: March 20, 2019  
Time of Meeting: 5:00 pm  
Minute Page No: Page 1 of 20

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The Regular Meeting of the Governing Body was called to order by Mayor Michele Dale.

**Adequate Notice Statement**

Mayor Dale read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Regular meeting was advertised in the Herald News in its issue of March 17, 2019; copies were provided to the Suburban Trends, the Record and 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.

Agenda No. I

**Pledge of Allegiance**

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

Agenda No. II

**Roll Call**

Present: Councilmembers Ada Erik, Andrena Pegel, Marilyn Lichtenberg, Peter McGuinness  
Luciano Signorino (arrived at 5:20), Patricia Gerst (arrived at 5:56), Mayor Michele Dale  
Absent: None  
Also Present: Township Clerk Antoinette Battaglia, Township Attorney Fred Semrau

Agenda No. III

**Presentations**

Budget Discussion – Mr. Casey began with the major cost structures. He provided the Annual Financial Statement and what happened in 2018. He expressed that some of the delinquent taxes are extremely difficult to collect short of foreclosure. Councilwoman Pegel asked if that information was in the budget books. Mr. Casey said it is not in the budget books and he will email the information to the Governing Body. He noted that the Tax Collector collected 98.18 percent which is very good in terms of a collection ratio. He explained that this year the assessed valuation is slightly greater than last year. Mr. Casey said it is important to note that 40% of the surplus regeneration is from unexpended funds in prior years.

Mr. Casey said that he spoke with the auditors and they have a suggestion to help the taxpayers this year. They are suggesting that the Council take a portion of the money that they received from the sale of the MUA and use it to pay down the BAN principal costs. Councilman McGuinness asked if there were penalties and Mr. Casey said no. Mr. Casey said that this will give the taxpayers immediate relief and also give the Governing Body enough time to have a discussion on what to do overall with the money from the sale. He said they ended the year with a large surplus exceeding their expectations and a three year average. Mr. Casey noted that the budget has been very stable over the past four years. The budget as requested by departments is up 7%. He said that the Governing Body should set a schedule to meet with all the Department Heads. Mr. Casey noted that the Snow Trust Account is now called the Weather Trust Account. Last year the Governing Body agreed to keep \$500,000 in the Weather Trust Account as the base and at the end of last year there was a balance of \$511,000.

Agenda No. IV

**Presentations (Cont'd)**

Mr. Steines, Director of Public Works, explained that he put together a tree crew and last year they removed 1,000 dead, dangerous trees. They have taken down over 300 trees on Reservoir Road in preparation for paving; which they plan on doing again to assist the Engineering Department in paving the roads. He requested five additional new employees because there are over 4,000 catch basins throughout the Township and at this point there are 150 catch basins that are in disrepair. He expressed that it is impossible to repair the catch basins on a day to day basis with all the other work that DPW does. He would like to put together a sewer repair crew. Outside of the winter months it will be their main job every day. As they are repairing them, they are falling apart. Since the weather is breaking, they are receiving 5 - 10 phone calls a day from people reporting the basins have holes or are collapsing. He said he can't dedicate manpower every day to 15 basins. He mentioned that the part time employee they hired to do the data entry has made a big difference. He submitted a request to have a part time data person so the Head Mechanic can compile the data for that person to enter.

Mr. Steines said they have the capability of entering a lot of data into the FacilityDude software. He would like to hire a consultant to do a survey on all the buildings so the data can be entered properly and they will have a fresh starting point. Councilman Signorino asked the cost and Mr. Casey said \$10,000.

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Mr. Casey said that Mr. Eric Miller is pushing for the repaving of more local roads and every time he does that Mr. Steines has the problem of the basins, shoulders and stabilization. That is one of the reasons why Mr. Steines is asking for the extra manpower. Councilman McGuinness asked if there is a way to analyze the cost savings of using the salt compared to when they were cleaning up the grit. Mr. Casey said they can review the spring clean-up costs. Councilman Signorino said he would like to work backwards towards getting the \$650,000 difference. Mr. Steines requested 5 trucks and 1 loader in the capital budget. Councilman McGuinness said he would like to see the conditions of all the trucks and loader.

Mr. Casey suggested that the first bond ordinance be from grant matches. If they want construction this year, they have to start moving on the bond ordinances and match the grants. They need to introduce a bond ordinance authorizing the funds at the next meeting so they can award the contracts. Mr. Casey said he will send the Council a memo by the end of this week with the Open Space balance. Mr. Casey asked the Council how they want to proceed with the budget schedule. He expressed that they need to meet with the departments. He said the goal is to introduce the budget this time next month which means they are a month behind schedule. Councilman Signorino suggested having a special meeting next Wednesday to focus on the budget only. Mr. Casey suggested that they meet on March 27<sup>th</sup> and meet early on April 3<sup>rd</sup> to see if they reached agreements. The Governing Body agreed that they like that idea. Councilman McGuinness made a motion to have a special meeting on March 27, 2019 at 6:30 p.m. seconded by Councilman Signorino.

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Moved: McGuinness Seconded: Signorino  
Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Signorino, Gerst  
Voted Nay: None  
Motion Carried:

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Mayor Dale asked the Governing Body if they are ready to move forward with resolution 2019-105. Mr. Semrau noted that this is the settlement with the property owner Mr. Ligus. He said the terms of the settlement are based on what was discussed in executive session. Mr. Semrau said they have a resolution to authorize the settlement. If the Council would like they could amend the agenda to include the resolution. Councilman Signorino said he would like to move forward with this. He said the resolution states that the Mayor has authority to make changes. Mr. Semrau said they just received the last signed document today and if there was a change it would not be material. He does not anticipate that happening, it would not change the structure of the settlement and it would not deviate from the information that the Governing Body was provided on the dais.

**~ Resolution 2019 – 105 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SETTLEMENT OF LITIGATION ENTITLED “WEST MILFORD TOWNSHIP v. TIMOTHY LIGUS”, SUPERIOR COURT OF NEW JERSEY, PASSAIC COUNTY, CHANCERY DIVISION BEARING DOCKET NO. PAS-C-4-19**

**WHEREAS**, the Township of West Milford filed a civil action in the Superior Court of New Jersey, Passaic County, Chancery Division, Docket No. PAS-C-4-19, naming Timothy Ligus, owner of property known as 599 Morsetown Road, West Milford, NJ, alleging various property violations and seeking restraints, damages and an Order from the Court precluding ongoing, unauthorized business use of the premises; and

**WHEREAS**, the parties have attempted to amicably resolve this matter by entering into a Settlement Agreement which would include, but not be limited to the following:

- A. Cease and desist of the unauthorized commercial activities on the property;
- B. An Engineering report and analysis demonstrating to the Township that activities have ceased and that soils have been removed and tested from the premises to the satisfaction of the Township Engineer;
- C. Reimbursement for certain costs and benefits received by Mr. Ligus in connection with this matter; and
- D. An Order of the Court confirming the respective obligation of the property owner to cease, desist and comply with the terms of the Agreement between the parties.; and

**WHEREAS**, the Mayor and the Township Attorney recommend this Settlement Agreement in that it is in the best of interest of the Township; and

**WHEREAS**, a copy of the Settlement Agreement is on file in the Township Clerk’s office.

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**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of West Milford, in the County of Passaic, and State of New Jersey that the Mayor is hereby authorized to execute a Settlement Agreement in the matter of West Milford Township v. Timothy Ligus, Superior Court of New Jersey, Passaic County, Chancery Division, Docket No. PAS-C-4-19 and resolving the said litigation.

**BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized to make non-substantial changes to the Settlement Agreement as long as it is consistent with the material terms agreed upon between the parties.

This Resolution shall take effect immediately.

Adopted: March 20, 2019  
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Moved: Lichtenberg                      Seconded: Erik  
Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Signorino, Gerst  
Voted Nay: None  
Motion Carried:  
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Agenda No. V

**Reading of or Approval of Unapproved Minutes**

Councilman McGuinness said he has corrections to the executive session minutes. Mr. Semrau said he can't discuss them in the public meeting. He said the entire Council needs to see the corrections and agree to them. Mr. Semrau suggested that Councilman McGuinness make a copy of his corrections and provide them to the Council. Councilman McGuinness asked if they can move to executive session now to speak about the corrections. Mr. Semrau asked Councilman McGuinness to make copies of his proposed changes and they will meet in executive session at the next meeting. He expressed that the changes can't be made in the public meeting. Councilman McGuinness agreed to provide the Council with his changes so they can meet in executive session at the next meeting to discuss the changes.

March 6, 2019 Workshop Meeting  
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Moved: Erik                                  Seconded: Lichtenberg  
Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Signorino, Gerst  
Voted Nay: None  
Motion Carried:  
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Agenda No. VI

**Meetings**

Mayor Dale noted the future meeting schedule:

- April 3, 2019 Workshop Meeting
- April 24, 2019 Regular Meeting / Volunteer Night
- May 1, 2019 Workshop Meeting

Agenda No. VII

**Proclamations**

Week of the Young Child – Mayor Dale invited Kelly Hart from the Highlands Family Success Center to the podium to accept the proclamation. Mayor Dale read the proclamation. Kelly mentioned on April 27<sup>th</sup>, there is an Earth Day celebration at the managing agency in Ringwood from 9 -1. They received funding from the NAYC (The National Association for Educating Young Children) to go towards the event. She said it is open to the public; the age range is 0-8 years old; there are hiking trails and a mud kitchen; they provide all the food and beverages and the event is free. Mayor Dale thanked Kelly for everything she does at the Highlands Family Success Center.

Mayor Dale said that she had an announcement that she would like to make since it is getting late. She said she reengaged the County and they came up with an alternate plan regarding the closure of the Marshall Hill Road Bridge. It will not be fully closed for seven weeks. She said the bridge will close at 7 a.m. each day and reopen between 3:30 and 4:00 p.m. each day. She said the businesses were very concerned because they suffered greatly due to the closure. She noted that the bridge will be fully open on the weekends.

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Agenda No. VIII

**Executive Session**

None

Agenda No. IX

**Unfinished Business, Final Passage of Ordinances**

~ Ordinance 2019 – 003 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY CONCERNING SALARIES AND COMPENSATION FOR ADMINISTRATIVE, CONFIDENTIAL AND UNAFFILIATED EMPLOYEES**

**BE IT ORDAINED**, by the Township Council of the Township of West Milford, in the County of Passaic, New Jersey that pursuant to Chapter 33 entitled Personnel of the Revised General Ordinances of the Township of West Milford, New Jersey, 1976, the following Officer(s) and Employee(s) here below stated shall be classified by job title with the corresponding pay ranges:

*DEPARTMENT AND OFFICE HEADS*

<b>JOB TITLE</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Township Administrator	\$45,000.00	\$130,000.00

1. The aforelisted Officer(s) and Employee(s) shall be compensated in accordance with the preceding Salary Range.
2. **BENEFITS:** Benefits relating to vacation, sick days, personal days, longevity, holidays, bereavement leave and medical insurance shall be those as contained in the contract between the West Milford Municipal Employees Guild (AFSCME 3301) and the Township of West Milford or any employment agreement consistent with applicable law.
3. **OVERTIME:** If not otherwise eligible for overtime compensation by contract or law, each full-time department and division head in lieu of overtime compensation as provided in the Guild contract, shall receive three (3) vacation days and up to 35 compensatory hours annually, the latter earned hour for hour for hours worked above forty per week. All other full-time employees listed in this ordinance if not otherwise eligible for overtime compensation by contract or law, shall receive 21 compensatory hours annually, plus one half hour for each hour worked above thirty-five or forty hours per week depending on the applicable contract for the employee's department. Vacation and compensatory time may be used or accumulated as follows: vacation days may be carried for up to one year from January 1 following the year earned, and compensatory hours may be taken no later than April 1 of the year following the year earned.
4. Stipend Positions will not be subject to increases unless specifically authorized by Resolution of the Governing Body.
5. Any ordinance or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to such extent as they are in conflict or inconsistent. This ordinance shall take effect 20 days after its final passage by the Township Council.

Introduced: March 6, 2019  
Adopted: March 20, 2019  
Effective Date: April 9, 2019

This Ordinance was introduced March 6, 2019 and the Notice of Public Hearing was published in the Herald News on March 10, 2019. The Governing Body will open the meeting to the public to speak to this ordinance only.

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

Motion to adopt Ordinance 2019-003.

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Moved: Erik Seconded: Signorino  
Voted Aye: Erik, Pegel, McGuinness, Signorino, Gerst  
Voted Nay: Lichtenberg  
Motion Carried:  
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Mayor Dale read the following statement:

The Township of West Milford and Timothy Ligus, Constructional Official, hereby makes the following joint statement addressing the following matters that have arisen between the parties. As a result of complaints from residents about activities on the Ligus property, the Township conducted a thorough investigation and found the existence of certain violations. Litigation and disciplinary action ensued. Through the efforts of the Office of the Mayor and the parties respective Council, the outstanding issues have been resolved. Mr. Ligus acknowledges the mistakes he has made and has committed in writing that these events and actions will not occur in the future. All activities that were being conducted at 599 Morsetown Road that were not approved by the municipality have been terminated and abandoned now and in the future. All appropriate controls have been agreed to and applied to ensure future compliance. The parties agree that the above will be a public statement set forth by the Township of West Milford and Timothy Ligus in conjunction with the matters between the parties and this statement will be utilized for public purposes.

Agenda No. X

**Public Comments**

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

Tom Napiorski, 45 Alpine Court, Hewitt – Noted he was speaking at the meeting again because he doesn't want to be forgotten. He expressed that they are asking for \$350,000 in this year's budget for the paving of the roads. He said it will be 2021 before the road is paved and they started this in 2017. He wants to see something in the budget this year that is why he is here at the meeting and he will be at the next one too.

Richard Randazzo, 278 Wooley Road – Said that he needs clarification on the contracts in general. He expressed that the Administrator's contract has a clause, a safety net with 90 days' pay for termination of duties. He asked if the clause was applied to protect the Council if there was poor performance. If it was for performance the contract should not be so general. He asked if any member of the Council can ask a Township employee to perform work or favors without going through the Mayor. Will that employee have the right to refuse and not be subject to any type of punishment? If the employee was terminated can there be litigation for the removal. He feels that long term Council members should know the rules along with short term Council members. If this was a violation of policy, shouldn't that employee be reinstated? He hears that the Council wants to work together as long as it's their way. He said the Council does not want to work with the Mayor and the Council needs clarification on what working together means. He expressed that the Council has a lot of nerve to freely spend taxpayers' money. He noted that he read in the newspaper that the Budget Consultant might be asked to provide additional service again at the taxpayers' expense in the absence of the Administrator that the Council terminated. He thanked the Mayor for not approving the cost of the Administrator's ad. He really hopes that the Council works together during the budget process.

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

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Moved: McGuinness                      Seconded: Gerst  
Voted Aye: Unanimous voice vote  
Voted Nay: None  
Motion carried.

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Agenda No. XI

**Council Comments**

Councilman Signorino – Asked if Mr. Semrau had any responses to the legal questions that were asked. Mr. Semrau said he would need the agreement in front of him to answer the questions. He will do that at a later date. Councilman Signorino asked if it is legal to prohibit an employee from speaking to a Council person. He said, as a resident, he finds that there are employees that are afraid to speak to him on a personal level about information he needs for his family. He asked if an employee could be fired for speaking to him.

**Discussion:**

Mr. Semrau said that type of opinion at a public meeting could create issues. He expressed that he does not like the term gag order. He said it is not a gag order; it is the way Government is supposed to operate and gag order is not an appropriate term. Mr. Semrau said that if Councilman Signorino needs something as a resident he is not to be treated any differently.

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Mr. Semrau said he can always ask the Mayor first if he is unsure. He said as an elected official he has rights as a member of the public and he and his family should be able to go to Town Hall and get the information they need. As an elected official, that communication should not be at Town Hall. Mr. Semrau expressed that when they make the transition from a member of the public to an elected official, they have certain responsibilities. Councilman Signorino said because he is an elected official and a contractor, he has to look outside of the Township for an inspector. He said it could take two weeks for something normally that would take 2-3 days. He said he would not want to compromise someone else's job. He just wanted to make sure it was clarified. Councilman Signorino said recently he was not treated as a member of the public and he wanted to point that out. Mr. Semrau said that Councilman Signorino should bring his concern to the Mayor's attention in case there was a misunderstanding between him and an employee.

Councilwoman Pegel – Said she would like to clarify that the cost of the ad that she read at the last Council meeting was from the League of Municipality website for \$210.00. She said the Mayor had a quote of \$4,000 to run the ad. She does know where that dollar amount came from. She noted that the Mayor still has not submitted any information to her to support that cost. Mayor Dale read the actual quote and said she had copies for the Council. She mentioned that she was going to provide that information in her report tonight. Councilwoman Pegel said there was a miscommunication regarding this subject. The cost that she has is \$210.00. She didn't think there was a big issue with that until the last meeting when there was a \$4,000 dollar amount quoted without the documentation supporting it at that time, which was also noted in the newspaper.

Mayor Dale asked to move resolutions 2019-088 through 2019-103.

Discussion:

Councilman McGuinness expressed that he is concerned about spending money on resolution 2019-089 when there is a problem with the recycling center draining water on to the field and ruining one of the fields. He noted that the football team was not allowed to use the field last year and he is reluctant to pass the resolution. There are some issues out there and they need to be addressed. Mayor Dale said she reached out to Mr. Voli and he sent her plans and it is for the two middle fields. Councilman McGuinness asked in reference to resolutions 2019-93 and 2019-94 why they are doing an emergency appropriation twice. Mayor Dale explained that the elevator broke down with some of the PRIDE Participants in it. She said resolution 2019-93 is the temporary budget and resolution 2019-094 is the contract. Mr. Semrau said he was advised that the Library has not had an opportunity to discuss resolution 2019-088. He said the Library would like to have an opportunity to review this at their next meeting in April. Mayor Dale asked if they can move forward with their portion. Mr. Semrau said, as a courtesy to the Library, the resolution should read "subject to obtaining similar approval from the Library". Mayor Dale said this had to do with the Library's portion of the ownership and they did not have a chance to bring this before their Board for a vote. Mayor Dale said Councilwoman Gerst and Councilman Signorino need to amend their motion and seconded to include subject to approval from the Library Board in resolution 2019-088. Councilman Signorino and Councilwoman Gerst amended their motion and second.

Agenda No. XII

**New Business, Introduction of Ordinances, Resolutions**

Agenda No. XII 1

~ Resolution 2019 – 088 ~

**A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY TO AUTHORIZE THE ACCEPTANCE AND EXECUTION OF A MEMORANDUM OF UNDERSTANDING AMONGST THE TOWNSHIP OF WEST MILFORD, THE WEST MILFORD BOARD OF EDUCATION, WEST MILFORD LIBRARY AND THE FRIENDS OF WALLISCH HOMESTEAD**

**WHEREAS**, the Township of West Milford and the West Milford Board of Education have ownership interests in certain property located at 65 Lincoln Avenue by virtue of the Last Wills and Testaments of Louis Wallisch, Jr. and John Wallisch ("Wallisch Property"); and

**WHEREAS**, the West Milford Library has legal or equitable interests in the Wallisch Property and

**WHEREAS**, for at least the past five (5) years, the Friends of Wallisch Homestead has been involved in the day-to-day operation, upkeep and maintenance of the Wallisch Property and the Friends of Wallisch Homestead has demonstrated its great efforts and ability to restore, maintain, improve and preserve the Wallisch Property; and

**WHEREAS**, the Township of West Milford, the West Milford Board of Education, the West Milford Library and the Friends of Wallisch Homestead ("Parties") have worked collectively to ensure that the

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Wallisch Property is restored, maintained, improved and preserved in accordance with the Last Wills and Testaments of Louis Wallisch, Jr. and John Wallisch; and

**WHEREAS**, the Parties wish to continue the mutually beneficial arrangement under which the Wallisch Property has been managed over at least the past five (5) years; and

**WHEREAS**, to continue the mutually beneficial arrangement, the Parties have agreed to enter into a Memorandum of Understanding to set forth the terms under which the Parties shall continue the arrangement regarding the Wallisch Property,

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

1. That the governing body does hereby accept and authorize the execution of a Memorandum of Understanding documenting the continued mutually beneficial arrangement for the Wallisch Property amongst the Parties, subject to approval from the Library Board of Trustees.
2. That the Mayor of the Township of West Milford is hereby authorized to execute the Memorandum of Understanding amongst the Parties.
3. That a certified copy of this resolution shall be provided to representatives of the West Milford Board of Education, the West Milford Library and the Friends of Wallisch Homestead.
4. That a certified copy of this resolution and a copy of the Memorandum of Understanding shall be maintained on file in the Township Clerk's Office
5. This Resolution shall take effect immediately.

Adopted: March 20, 2019

Agenda No. XII 2

~ Resolution 2019 – 089 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONTRACT TO ROBERT W. WOGISCH LANDSCAPE CONTRACTOR, INC. FOR THE FARRELL SOCCER FIELD REHABILITATION PROJECT**

**WHEREAS**, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on March 8, 2019 at 10:00 a.m. for the Farrell Soccer Field Rehabilitation Project as per the Bid Specifications; and

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

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

**WHEREAS**, the bid received from the lowest bidder Robert W. Wogisch Landscape Contractor, Inc. is in compliance with the provisions of N.J.S.A. 40A:11-23.5 and is a qualified bidder; and

**WHEREAS**, the Chief Financial Officer has certified that encumbrances for these services shall come from account number 04-215-55-827-008.

**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 Robert W. Wogisch Landscape Contractor, Inc. for the Farrell Soccer Field Rehabilitation Project in an amount not to exceed \$107,864.50.
2. The Mayor and Township Clerk be and are hereby authorized and directed to execute a contract with Robert W. Wogisch Landscape Contractor, Inc. in accordance with its bid specification for said Farrell Soccer Field Rehabilitation Project in the Township of West Milford.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: March 20, 2019

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Agenda No. XII 3

~ Resolution 2019 – 090 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF PAVING MATERIALS FROM TILCON NEW YORK INC. THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #5 (PAVING MATERIALS) IN AN AMOUNT NOT TO EXCEED \$50,000.00**

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

**WHEREAS**, the Morris County Cooperative Pricing Council has awarded Contract #5 (Paving Materials), to Tilcon New York, Inc.; and

**WHEREAS**, said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40A:11 et seq., Local Public Contracts Law; and

**WHEREAS**, the Director of Public Works has submitted a written recommendation that the Township of West Milford utilize Tilcon New York, Inc., for the purchase of paving materials through the use of the Morris County Cooperative Pricing Council, Contract #5 in an amount not to exceed \$50,000.00; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number 01-201-26-290-361;

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

1. The Township Council hereby authorizes an expenditure of funds through the Morris County Cooperative Pricing Council, Contract #5, to Tilcon New York, Inc., 9 Entin Road, Parsippany, NJ 07054 for the purchase of paving materials in an amount not to exceed \$50,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: March 20, 2019

Agenda No. XII 4

~ Resolution 2019 – 091 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF CRUSHED STONE, SAND AND GRAVEL FROM EASTERN CONCRETE MATERIALS THROUGH THE USE OF STATE CONTRACT NO. T-0142**

**WHEREAS**, the State of New Jersey has awarded Contract No. T-0142 for Crushed Stone, Sand and Gravel to Eastern Concrete Materials and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

**WHEREAS**, the Township of West Milford anticipates a need for Crushed Stone for various roadway and drainage repairs in 2019; and

**WHEREAS**, the Director of Public Works has submitted a written recommendation that the Township of West Milford purchase Crushed Stone through State Contract No. T-0142 in a total amount not to exceed \$50,000.00; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number 01-201-26-290-360.

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

1. The Township Council hereby authorizes the Director of Public Works to purchase Crushed Stone in a total amount not to exceed \$50,000.00, through State of New Jersey Contract No. T-0142 awarded to Eastern Concrete Materials.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

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

Minutes of: Governing Body Regular Meeting  
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Adopted: March 20, 2019

Agenda No. XII 5

**~ Resolution 2019 – 092 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR ELEVATOR CONSULTING SERVICES CBA ELEVATOR CONSULTANTS, LLC**

**WHEREAS**, the Township of West Milford has a need to appoint CBA Elevator Consultants, LLC as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5 as appropriate*; and

**WHEREAS**, the Township Council has determined that CBA Elevator Consultants, LLC services will provide elevator transportation consulting / engineering services for the specifications for controller upgrade of one LULA elevator located at the Recreation Center for \$3,250.00.

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

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number 01-201-26-291-628.

**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 CBA Elevator Consultants, LLC, 190 Main Street, Suite 402, Hackensack, NJ 07601
2. The total fee authorized for this contract shall not exceed \$3,250.00 without the prior written approval of the Township Council.
3. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: March 20, 2019

Agenda No. XII 6

**~ Resolution 2019 – 093 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE EMERGENCY TEMPORARY AUTHORIZATIONS PRIOR TO THE ADOPTION OF THE 2019 BUDGET**

**WHEREAS**, Local budget law N.J.S.A. 40A:4-1 states in part, in addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the governing body may, by resolution adopted by a 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year and,

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of West Milford that the following:

1. The Township Council hereby authorizes the emergency authorization to be included in the 2019 temporary budget until adoption of 2019 budget by a 2/3 vote of the Governing Body.
2. The Township's 2019 adopted budget shall include these appropriations.

APPROPRIATION	ACCOUNT NUMBER	2018 BUDGET AS ADOPTED	2019 TEMPORARY BUDGET
Administrator S&W	01-201-20-100-100	\$192,928	\$120,000
Administrator O.E.	01-201-20-100-200	\$92,965	\$46,947
<b>TOTAL</b>		<b>\$285,893</b>	<b>\$166,947</b>
Township Mayor & Council S&W	01-201-20-105-100	\$34,000	\$17,170
Township Mayor & Council O.E.	01-201-20-105-200	\$2,400	\$1,212

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<b>TOTAL</b>		<b>\$36,400</b>	<b>\$18,382</b>
Information Technology S&W	01-201-20-140-100	\$136,630	\$68,998
Information Technology O.E.	01-201-20-140-200	\$49,750	\$25,124
<b>TOTAL</b>		<b>\$186,380</b>	<b>\$94,122</b>
Legal O.E.	01-201-20-155-200	<b>\$329,000</b>	<b>\$166,145</b>
General Services S&W	01-201-20-161-100	\$4,000	\$2,020
General Services O.E.	01-201-20-161-200	\$279,500	\$141,148
<b>TOTAL</b>		<b>\$283,000</b>	<b>\$143,168</b>
Engineering S&W	01-201-20-165-100	\$294,291	\$148,617
Engineering O.E.	01-201-20-165-200	\$66,800	\$33,734
<b>TOTAL</b>		<b>\$361,091</b>	<b>\$182,351</b>
Insurance, Other	01-201-23-210-200	\$1,018,000	\$700,000
Insurance, Group	01-201-23-220-200	\$3,239,725	\$40,905
Health Benefit Waiver	01-201-23-230-200	\$81,000	\$40,905
<b>TOTAL</b>		<b>\$4,338,725</b>	<b>\$2,376,966</b>
Clerk S&W	01-201-20-120-100	\$296,899	\$149,934
Clerk O.E.	01-201-20-120-200	\$19,350	\$9,772
<b>TOTAL</b>		<b>\$316,249</b>	<b>\$159,706</b>
Elections S&W	01-201-20-146-100	\$1,500	\$758
Elections O.E.	01-201-20-146-200	\$13,800	\$6,969
<b>TOTAL</b>		<b>\$15,300</b>	<b>\$7,727</b>
Treasurer S&W	01-201-20-130-100	\$268,073	\$135,377
Treasurer O.E.	01-201-20-130-200	\$34,683	\$17,515
<b>TOTAL</b>		<b>\$302,756</b>	<b>\$152,892</b>
Annual Audit	01-201-20-135-200	\$40,000	-
Annual Audit Additional Services	01-201-20-135-200	\$25,000	\$25,000
<b>TOTAL</b>		<b>\$65,000</b>	<b>\$25,000</b>
Tax Collector S&W	01-201-20-145-100	\$191,512	\$96,714
Tax Collector O.E.	01-201-20-145-200	\$58,282	\$29,432
<b>TOTAL</b>		<b>\$249,794</b>	<b>\$126,146</b>
Tax Assessor S&W	01-201-20-150-100	\$214,843	\$108,496
Tax Assessor O.E.	01-201-20-150-200	\$28,340	\$18,439
<b>TOTAL</b>		<b>\$243,183</b>	<b>\$126,935</b>
PLANNING BOARD O.E.	01-201-21-180-200	<b>\$20,025</b>	<b>\$20,025</b>
Planning, Comp. S&W	01-201-21-181-100	\$138,526	\$69,956
Planning, Comp. O.E.	01-201-21-181-200	\$21,175	\$21,175
<b>TOTAL</b>		<b>\$159,701</b>	<b>\$91,131</b>
Zoning Administration S&W	01-201-21-185-100	<b>\$84,978</b>	<b>\$42,914</b>
BOARD OF ADJUSTMENT O.E.	01-201-21-186-200	<b>\$28,275</b>	<b>\$28,275</b>
Historic Preservation S&W	01-201-20-175-100	\$1,560	\$788
Historic Preservation O.E.	01-201-20-175-200	\$500	\$253
<b>TOTAL</b>		<b>\$2,060</b>	<b>\$1,041</b>
Building S&W	01-201-22-195-100	\$372,610	\$188,168
Building O.E.	01-201-22-195-200	\$27,100	\$13,686
<b>TOTAL</b>		<b>\$399,710</b>	<b>\$201,854</b>
Environmental Commission S&W	01-201-22-196-100	\$2,000	\$1,010
Environmental Commission O.E.	01-201-22-196-200	\$890	\$890
<b>TOTAL</b>		<b>\$2,890</b>	<b>\$1,900</b>
Police Patrol S&W	01-201-25-240-100	\$4,716,378	\$2,381,771
Police Patrol O.E.	01-201-25-240-200	\$158,349	\$79,966

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Police Patrol-Purchase of Police Vehicles	01-201-25-240-900	-	-
Police Detective S&W	01-201-25-241-100	\$691,568	\$349,242
Police Administration S&W	01-201-25-242-100	\$509,145	\$257,118
Police Communication S&W	01-201-25-243-100	\$348,559	\$176,022
Police Comm. O.E.	01-201-25-243-400	\$12,500	\$6,313
Police Specials S&W	01-201-25-244-100	\$36,000	\$18,180
Police Specials O.E.	01-201-25-244-200	\$8,975	\$4,532
<b>TOTAL</b>		<b>\$6,481,474</b>	<b>\$3,273,144</b>
Emergency Management S&W	01-201-25-252-100	\$5,000	\$2,500
Emergency Management O.E.	01-201-25-252-200	\$32,500	\$16,413
<b>TOTAL</b>		<b>\$37,500</b>	<b>\$18,913</b>
First Aid - WMFAS Contributions	01-201-25-260-200	\$108,500	\$54,793
First Aid - UGLFAS Contributions	01-201-25-260-200	\$45,750	\$23,104
<b>TOTAL</b>		<b>\$154,250</b>	<b>\$77,896</b>
Aid To Vol. Fire Co.	01-201-25-255-200	\$90,000	\$45,450
Fire Prevention Bureau S&W	01-201-25-265-100	\$156,697	\$79,132
Fire Prevention Bureau O.E.	01-201-25-265-200	\$14,600	\$7,373
Fire Co. Admin. S&W	01-201-25-266-100	\$9,090	\$4,590
Fire Co. Admin. O.E.	01-201-25-266-200	\$294,150	\$148,546
LOSAP	01-201-25-267-200	\$130,000	-
<b>TOTAL</b>		<b>\$694,537</b>	<b>\$285,091</b>
DPW Streets & Roads S&W	01-201-26-290-100	\$1,833,412	\$925,873
DPW Streets & Roads O.E.	01-201-26-290-200	\$449,800	\$327,149
DPW Buildings & Grounds S&W	01-201-26-291-100	\$56,320	\$28,442
DPW Buildings & Grounds O.E.	01-201-26-291-200	\$87,450	\$44,162
DPW Snow Removal S&W	01-201-26-294-100	\$250,000	\$250,000
DPW Snow Removal O.E.	01-201-26-294-200	\$541,797	\$541,797
DPW Vehicle Maintenance S&W	01-201-26-315-100	\$359,449	\$181,522
DPW Vehicle Maintenance O.E.	01-201-26-315-200	\$277,000	\$200,000
<b>TOTAL</b>		<b>\$3,855,228</b>	<b>\$2,498,945</b>
Public Health S&W	01-201-27-330-100	\$229,511	\$115,903
Public Health O.E.	01-201-27-330-200	\$31,340	\$15,827
Vital Statistics S&W	01-201-27-331-100	\$8,790	\$4,439
Vital Statistics O.E.	01-201-27-331-200	\$11,250	\$5,681
Housing Standard Bureau O.E.	01-201-27-332-441	\$8,000	\$4,040
Environmental Health S&W	01-201-27-335-100	\$224,906	\$113,578
Environmental Health O.E.	01-201-27-335-200	\$56,896	\$40,000
Animal Control S&W	01-201-27-340-100	\$106,926	\$53,998
<b>TOTAL</b>		<b>\$677,619</b>	<b>\$353,465</b>
Recreation Programs S&W	01-201-28-370-100	\$270,893	\$136,801
Recreation Programs O.E.	01-201-28-370-200	\$125,000	\$63,125
Recreation.-Bubbling Springs S&W	01-201-28-371-100	\$238,594	\$120,490
Recreation.-Bubbling Springs O.E.	01-201-28-371-200	\$66,000	\$66,000
Recreation.-Admin. S&W	01-201-28-372-100	\$162,236	\$81,929
Recreation.-Admin. O.E.	01-201-28-372-200	\$11,605	\$5,861
Recreation.-Community Center S&W	01-201-28-374-100	\$113,440	\$57,287
Recreation.-Community Center O.E.	01-201-28-374-200	\$28,250	\$14,266

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Recreation.-Parks Maintenance S&W	01-201-28-375-100	\$300,283	\$151,643
Recreation.-Parks Maintenance O.E.	01-201-28-375-200	\$103,500	\$103,500
Senior Citizen Services S&W	01-201-28-376-100	\$42,876	\$21,652
Senior Citizen Services O.E.	01-201-28-376-200	\$9,750	\$4,924
<b>TOTAL</b>		<b>\$1,472,427</b>	<b>\$827,478</b>
Veteran's Bureau S&W	01-201-20-172-100	\$1,321	\$667
Veteran's Bureau O.E.	01-201-20-172-200	\$150	\$76
<b>TOTAL</b>		<b>\$1,471</b>	<b>\$743</b>
Celebration of Public Events O.E.	01-201-30-420-200	\$10,000	\$5,050
Mass Transportation S.W	01-201-30-432-100	\$48,324	\$24,404
Mass Transportation O.E.	01-201-30-432-200	\$12,600	\$6,363
<b>TOTAL</b>		<b>\$60,924</b>	<b>\$30,767</b>
Library S&W	01-201-29-390-100	\$500,000	\$252,500
Library O.E.	01-201-29-390-200	\$495,972	\$247,986
<b>TOTAL</b>		<b>\$995,972</b>	<b>\$500,486</b>
Municipal Court S&W	01-201-43-490-100	\$282,095	\$142,458
Municipal Court O.E.	01-201-43-490-200	\$21,150	\$10,681
Municipal Court Prosecutor S&W	01-201-43-491-101	\$38,000	\$19,190
Municipal Court Prosecutor O.E.	01-201-43-491-200	\$100	\$51
<b>TOTAL</b>		<b>\$341,345</b>	<b>\$172,379</b>
Utilities-Electricity	01-201-31-430-200	\$159,050	\$80,320
Utilities-Street Lights	01-201-31-435-200	\$63,500	\$32,068
Utilities-Telephone	01-201-31-440-200	\$142,500	\$71,963
Utilities-Natural Gas	01-201-31-446-200	\$50,500	\$25,503
Utilities-Fuel	01-201-31-460-200	\$420,000	\$212,100
<b>TOTAL</b>		<b>\$835,500</b>	<b>\$421,953</b>
<b>MISCELLANEOUS &amp; STATUTORY EXPENDITURES</b>			
PERS	01-201-36-471-532	\$891,900	\$971,552
Social Security	01-201-36-472-533	\$650,000	\$328,250
Defined Contributions Retirement Prog	01-201-36-475-536	\$10,000	\$5,050
PFRS	01-201-36-473-534	\$1,467,200	\$1,583,660
<b>TOTAL</b>		<b>\$3,019,100</b>	<b>\$2,888,512</b>
Salaries & Wages Adjustment Account	01-201-37-480-501	-	-
Compensated Absences	01-201-38-485-110	\$110,000	-
Interlocal agreement - Registrar	01-201-47-600-200	-	-
<b>DEFERRED CHARGES &amp; RESERVE FOR UNCOLLECTED TAXES</b>			
Def. Charge – Ord. 00-09 Rec. Fac. Contr.	01-201-46-886-596	\$27,701	\$-
Reserve for Tax Appeals	01-201-46-886-667	\$330,000	\$-
Def. Charge - Ord. 07-06 Various Rd. Imp.	01-46-887-531	\$30,000	\$-
Reserve for Uncollected Taxes	01-201-50-899-200	\$2,225,000	\$-
<b>TOTAL</b>		<b>\$2,612,701</b>	<b>\$-</b>
GRANTS	G-02-41	\$88,266	\$-
<b>SUBTOTAL</b>		<b>\$29,159,274</b>	<b>\$15,464,042</b>
Capital Improvements Fund	01-201-44-900-200	\$150,000	\$-
Cap. Improv. Fund-Fire Emer Equip.	01-201-44-900-230	\$165,000	\$-

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<b>TOTAL</b>		<b>\$315,000</b>	<b>\$-</b>
Debt Service Total		<b>\$4,238,081</b>	<b>\$3,099,863</b>
<b>TOTAL OPERATING BUDGET</b>		<b>\$33,712,355</b>	<b>\$18,563,904</b>
<b>SOLID WASTE DISTRICT BUDGET</b>			
Solid Waste S&W	26-201-55-500-100	\$113,719	\$57,428
Solid Waste O.E. All Other	26-201-55-500-200	\$223,350	\$112,792
Contractual Services	26-201-55-500-514	\$960,000	\$484,800
Disposal Fees	26-201-55-500-548	\$680,000	\$343,400
<b>TOTAL</b>		<b>\$1,977,069</b>	<b>\$998,420</b>

Adopted: March 20, 2019

Agenda No. XII 7

~ Resolution 2019 – 094 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION PRIOR TO THE ADOPTION OF THE 2019 BUDGET PER N.J.S.A.. 40A:4-20**

**WHEREAS**, Local Budget Law N.J.S.A. 40A:4-1 states in part, in addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the Governing Body may, by resolution adopted by a 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year and,

**WHEREAS**, the Township of West Milford has obligatory expenses that exceed the temporary budget,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford by a 2/3 vote, that the following temporary budget appropriation be made and that a certified copy of the resolution be sent to DLGS:

<b>Appropriation</b>	<b>Acct Number</b>	<b>2019 Temporary Budget</b>
PCCHC Historical Grant	01-201-41-725-000	\$1,000.00
PCCHC Heritage Grant	01-201-41-755-000	\$900.00
Community Center Building Maintenance	01-201-28-374-802	\$8,000.00
Utilities Gas	01-201-31-446-200	\$5,000.00
	<b>Total</b>	<b>\$14,900.00</b>

Adopted: March 20, 2019

Agenda No. XII 8

~ Resolution 2019 – 095 ~

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

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

<b>Name &amp; Address</b>	<b>Application No.</b>	<b>Section 1. Amount of Escrow</b>	<b>Section 2. Amount of Refund</b>
Janet Little 285 High Crest Drive West Milford, NJ 07480	ZB07-18-09 16-288-56-705-125	\$950.00	\$412.50

Adopted: March 20, 2019

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**  
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Agenda No. XII 9

**~ Resolution 2019 – 096 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REINSTATEMENT OF TAXES**

**WHEREAS**, there appears on the tax records receipt of payment of taxes; and

**WHEREAS**, the Collector of Taxes recommends the reinstatement of taxes due to reasons stated below.

**NOW, THEREFORE BE IT RESOLVED**, that the proper officers be and they are hereby authorized and directed to reinstate as listed below:

**REASON: 1. INSUFFICIENT FUNDS**

BLOCK/LOT	NAME	AMOUNT	YEAR	INTEREST
5009-11	Knowles, Brian	\$5,556.00	2019	
5505-4.09	Swiatek, Beta	\$828.00	2019	
1504-9	Sarosi, Joseph	\$1,732.00	2019	
9703-23	Lo Faso, Citro	\$2,478.00	2019	
8705-4	Muthusammy, Karen & Derrick	\$2,737.00	2019	\$ 16.18
5315-2.13	Villano, Patricia	\$654.47	2019	\$ 3.47
4401-8	Jankowski, Susan & Thaddeus	\$3,398.16	2019	\$ 30.37
5308-3	Blini, LLC	\$2,943.14	2018	\$252.52
5308-3	Blini, LLC	\$56.86	2019	\$ 56.86
<b>TOTAL</b>		<b>\$20,383.63</b>		

Adopted: March 20, 2019

Agenda No. XII 10

**~ Resolution 2019 – 097 ~**

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

**WHEREAS**, there appears on the tax records balances as listed below; and

**WHEREAS**, the Collector of Taxes recommends the cancellation of taxes due to reasons listed below.

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers be and they are hereby authorized and directed to cancel as hereafter listed below:

**REASON: TAX EXEMPT**

Block & Lot	Name	Amount	Year
5008-2	The Land Conservancy of NJ	\$14.00	2019 1st Half
5101-3		\$3,394.00	
5101-4		\$28.00	
5011-3		\$2.00	
<b>Total</b>		<b>\$3,438.00</b>	

Adopted: March 20, 2019

Agenda No. XII 11

**~ Resolution 2019 – 098 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF RECREATION FEES**

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

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**BE IT RESOLVED** that the following recreational fees upon the report of the Director of Community Services and Recreation be refunded:

Indoor Soccer		
Riley	\$45.00	Brian Kapral 16 Alpine Lane West Milford, NJ 07480

Adopted: March 20, 2019

Agenda No. XII 12

~ Resolution 2019 – 099 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF OVERPAYMENT**

**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:

- REASON:**
- |                      |                            |
|----------------------|----------------------------|
| 1. Incorrect Payment | 6. Tax Appeal County Board |
| 2. Duplicate Payment | 7. State Court Tax Appeal  |
| 3. Senior Citizen    | 8. 100% Disabled Veteran   |
| 4. Veteran Deduction | 9. Replacement Check       |
| 5. Homestead Rebate  | 10. Reduced Assessment     |

Block/Lot	Name	Amount	Year	Reason
1101-17	Wells Fargo Home Mortgage Wells Fargo R.E. Tax Services 1 Home Campus MAC F2302-04D Des Moines, IA 50328	\$1,400.00	2019	2
03503-012	Michael A. Vespasiano Esq. Lend More LLC 331 Main Street Chatham, NJ 07928	\$3,746.53	2017	7
		\$7,541.52	2018	
05310-002	Jacobus & Associates LLC Bald Eagle Realty LLC 201 Littleton Road 1st Floor Morris Plains, NJ 07950	\$16,663.50	2017	7
		\$24,388.00	2018	
<b>TOTAL</b>		<b>\$53,739.55</b>		

Adopted: March 20, 2019

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~ Resolution 2019 – 100 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE REFUND OF OTHER LIENS**

**WHEREAS**, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective lien.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of West Milford that the proper officers be and are hereby authorized and directed to pay the indicated amount to the holder of the lien certificate as hereinafter shown below:

Certificate No.	Certificate Date	Block/Lot/Qual	Reimbursement Amount	Pay to Lien Holder
14-0003	10/14/2014	00802-003	\$110,516.98	LIEN TIMES LLC 203 STEPHENS ROAD WEST MILFORD, NJ 07480
16-0019	10/11/2016	01301-002	\$115,733.52	CHRISTIANA TRUST AS CUSTODIAN PO BOX 71276 PHILADELPHIA, PA 19176
16-0065	10/11/2016	08201-014	\$92,381.34	US BANK CUST FOR PC6; LLC STERLING 50 SOUTH 16 <sup>TH</sup> ST. SUITE 2

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**  
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				PHILADELPHIA, PA 19102
16-0066	10/11/2016	08509-033	\$20,064.71	US BANK CUST FOR PC6; LLC STERLING 50 SOUTH 16 <sup>TH</sup> ST. SUITE 2 PHILADELPHIA, PA 19102
18-0035	10/09/2018	06605-010	\$13,002.06	US BANK C/F PC7 FIRSTRUST BANK 50 SOUTH 16TH STREET SUITE 2050 PHILADELPHIA, PA 19102
18-0040	10/09/2018	09711-015	\$5,634.55	US BANK CUST FOR TOWER DB VIII TRUS 50 SOUTH 16TH STREET SUITE 2050 PHILADELPHIA, PA 19102
18-0048	10/09/2018	13901-013	\$1,875.75	BRIAN LAW 23 WESTPORT IRVINE, CA 92620
<b>Total</b>			<b>\$359,208.91</b>	

Adopted: March 20, 2019

Agenda No. XII 14

~ Resolution 2019 – 101 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING FOR THE ASSIGNMENT OF TAX SALE CERTIFICATE AT PRIVATE SALE BLOCK 02101, LOT 007**

**WHEREAS**, the Collector of Taxes has reported to the Township Council the offer of Marta Sisco-Izak to acquire by assignment the following tax lien certificate held by the Township of West Milford.

Lien Certificate	Date of Sale	Block/ lot	Amount Due
07-018	4-03-07	02101/007	\$14,012.97

**WHEREAS**, the Collector of Taxes did mail such notices and did post such notices as is required by Title 54:5-112 and 5-113, including due publications in the Herald News: and

**WHEREAS**, a public hearing has been held with no one appearing to contest the above application.

**NOW, THEREFORE, BE IT RESOLVED**, that the assignment from the Township, to the said Marta Sisco-Izak, be and the same is hereby authorized and the proper Township officials are hereby authorized and directed to sign the required documentation on behalf of the Township.

Adopted: March 20, 2019

Agenda No. XII 15

~ Resolution 2019 – 102 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RELEASE OF UNCLAIMED MUNICIPAL COURT BAIL AND REFUNDS**

**WHEREAS**, the Municipal Court of the Township of West Milford County of Passaic, State of New Jersey has made numerous unsuccessful attempts to refund bail posted and un-cashed refunds issued; and

**WHEREAS**, the Court Administrator does recommend the release of unclaimed Municipal court bail amounts and un-cashed refunds.

**NOW, THEREFORE, BE IT RESOLVED** that the following bail amounts from the general account are hereby turned over to the Township of West Milford as miscellaneous revenue not anticipated:

<b>Bail Posted</b>			
Check #	Amount	Name	Check Date
8987	\$350.00	James Payne	3/15/2018
9005	\$1.00	Cueva Nasanjo	4/6/2018
<b>TOTAL</b>	<b>\$351.00</b>		

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**NOW, THEREFORE, BE IT RESOLVED** that the following un-cashed refunds from the general account are hereby turned over to the Township of West Milford as miscellaneous revenue not anticipated:

<b>Uncashed Refund</b>			
<b>Check #</b>	<b>Amount</b>	<b>Name</b>	<b>Check Date</b>
4427	\$1.00	Alhadad Turbosh	9/10/2018
4440	\$1.00	Katherine Varian	11/7/2018
<b>TOTAL</b>	<b>\$2.00</b>		

Adopted: March 20, 2019

Agenda No. XII 16

~ Resolution 2019 – 103 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF OUTSTANDING CHECKS OVER SIX MONTHS OLD TO MUNICIPAL CASH BALANCES**

**WHEREAS**, the Chief Financial Officer has determined that the following Township of West Milford Claims account checks have been outstanding for a period in excess of six months.

<b>DATE</b>	<b>CHECK #</b>	<b>AMOUNT</b>
2/7/18	16478	\$120.00
5/24/18	17259	\$10.00
7/12/18	17576	\$73.00
9/6/18	17994	\$50.00
	<b>TOTAL</b>	<b>\$253.00</b>

**NOW, THEREFORE, BE IT RESOLVED** that the above outstanding checks be restored to the Township cash balance.

Adopted: March 20, 2019

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 Moved: Signorino Seconded: Gerst  
 Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Signorino, Gerst  
 Voted Nay: McGuinness, Signorino (resolution 2019-089)  
 Motion Carried:  
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Agenda No. XIII

**Consent Agenda**

None

Agenda No. XIV

**Approval of Expenditures**

~ Resolution 2019 – 104 ~

**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 this office in payment of amounts due by the Township.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Treasurer's report of checks prepared by the Treasurer's Office be approved and issued as follows:

<b>Acct #</b>	<b>Account Name</b>	<b>Amount</b>
1	Current Account	\$838,547.30
3	Reserve Account	34,446.92
2	Grants	554.00
6	Refunds	413,405.96
1	General Ledger	5,983.43

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26	Refuse	3,950.00
4	Capital	0.00
19	Animal Control	574.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	151,171.52
19	Scala Trust	0.00
16	Development Escrow	6,112.00
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$1,454,745.13
Less Refund Resolution		-413,405.96
<b>Actual Bills List</b>		<b>\$1,041,339.17</b>
Other Payments		
Payroll		\$562,753.39
BOE		4,614,668.00
State of NJ, dog report		2,665.20
<b>Total Expenditures</b>		<b>\$6,221,425.76</b>

Adopted: March 20, 2019

Moved: Erik                      Seconded: Lichtenberg  
 Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Signorino, Gerst  
 Voted Nay: None  
 Motion Carried:

Agenda No. XV

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

Councilwoman Lichtenberg – Mentioned that she and Councilwoman Erik attended the United Prevention Program on the New Jersey Drug Monitoring Initiative. She noted various CASA programs and the dates and times. She reminded everyone about the Lions Club and Health Department Annual Health and Wellness Community Services Fair on Saturday, April 6<sup>th</sup> at the Recreation Center from 11:30-2:30. She said she attended the Library Board meeting and there will be one or two artist’s displays in the upper area and the hallway before Memorial Day. She provided an update on the Lakes Committee Meeting and mentioned that the Senior Olympians start practice this Tuesday.

Councilman McGuinness – Said last year the Council voted on resolution 2018-256; amending a previous resolution to extend the effective date to March 31, 2019 for mandatory direct deposit. He made a motion to extend the date until the end of the year so the employees have more time to figure everything out. Mayor Dale said they would need to vote on another resolution to extend the date again. She expressed that it was a cost savings measure and she was only aware of one exception. Her suggestion would be to continue as is. Councilman Signorino seconded Councilman McGuinness motion. Mr. Semrau asked if they could add this to the next meeting agenda so from a legal perspective he can give the Governing Body the options available to them. Ms. Battaglia said since the Council will not vote on the resolution until the next meeting can there be a motion so the Finance and Payroll Departments are aware of the extension. Councilman McGuinness made a motion to extend the direct deposit to April 5<sup>th</sup> seconded by Councilman Signorino and carried by unanimous voice vote. Councilman McGuinness asked if they should pick a Recreation Advisory Committee tonight. Mayor Dale asked if this can be on the next workshop meeting agenda because they do not have the names in the packets. The Council agreed. Councilman McGuinness said he would like a proclamation or plaque for Paul Reilly thanking him for his service. Since he was involved in Parks and Recreation for so many years, he would like to change the name of Nosenzo Park to Paul Reilly Field. Councilman McGuinness made a motion to change the name from Nosenzo Park to Paul Reilly Field seconded by Councilwoman Gerst. Mr. Semrau said they would need to do that by an ordinance. He noted that the project has DEP funding and they might have to check with the DEP first. Mayor Dale asked if Councilman McGuinness wants to do this for all retirees. Councilman McGuinness said he worked with Paul Reilly for many years and he feels Mr. Reilly deserves this for his 40 years of service. Councilman McGuinness asked if there will be an ordinance prepared for the next meeting. Councilwoman Gerst suggested inviting retirees to the Council meetings so they can thank them and recognize them for their service. Councilwoman Erik expressed that a lot of times one side of the Council makes a motion and seconds it which closes down any other talk. She asked if that is legal.

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

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Mr. Semrau said there is always an opportunity after a second to have a discussion or have the mover of the motion make a change or withdraw. Councilman McGuinness noted that this is his report and he did not interrupt anyone. He said he would rather have these types of discussions during unfinished and new business not during reports. Mayor Dale said there seems to be an imbalance and they should try to give more attention to the other side of the room so everyone feels like they are included. Councilman McGuinness said he is looking for consensus and he withdrew his motion. Mayor Dale clarified that the Council gave consensus for Mr. Semrau to draft an ordinance to implement the Nosenzo Park name change to Paul Reilly Field. Mayor Dale said she will draft the proclamation. Councilman McGuinness said he would like to speak about Council on Mandates and B&B Organics in the next executive session. The Governing Body gave consensus. Councilman McGuinness asked if they received any resumes and Mayor Dale said she will provide that information in her report.

Councilman Signorino – Asked the Council if they wanted to go over the RFP's. Since some Council members did not have the RFP's, the Governing Body agreed to add the discussion to the next meeting agenda. Councilman Signorino promoted the museum and the Heritage Committee.

Councilwoman Gerst – Commended the West Milford High School for the Addams Family show. She said they outdid themselves this year and did a fabulous job. She encouraged everyone to support the local young theater groups.

Councilwoman Erik – Asked if there was an answer on killing the geese. She is hoping that the group that started in West Milford knows about the New Jersey's Drug Monitoring initiative program because it is free from the State Police. They provide all types of information. She mentioned various free opioids events and their dates and times.

Mr. Semrau – Mentioned that there is a list of towns that banned the sale and licensing of marijuana. The legislation said that they have one year after the adoption if it becomes legal to make a determination if the Township wants to issue licenses for sale on the local level. He said the clock will start if and when the legislation is adopted. Councilwoman Erik mentioned with the tax on the legal marijuana, it will drive illegal prices down and that's how the market works.

Councilman McGuinness – Promoted a new business in the Township called Asylum 92. It is a speed and agility facility located at 1837 Greenwood Lake Turnpike.

Mayor Dale – Said the County is applying for a grant to rehabilitate the San Cap ballfield so she submitted a letter to the County as requested in support of this project. She said the State did sticker the falling down buildings in Long Pond Iron Works as structurally unsafe. The person in Ringwood who oversees the project has it in his capital expense. When their budget gets approved, they will be seeking to remove the buildings. She said a resident reached out to her regarding an autism program. The Police Department will receive information on special needs children to help the Police understand their needs if they have to respond. The Chief is looking in to the program and will be getting the Governing Body more information. The County was in West Milford the week of March 11<sup>th</sup> repairing the roads. She spoke with Mr. Steines and they do have a schedule to work on addressing a lot of the potholes on the Township roads. She received an email from a resident requesting to review the ordinance on horses. She forwarded the request to the Planning Board for their review.

Mayor Dale provided an update on Councilman Signorino's concern and communication to the County about the poor signage on Route 23 regarding the S-turns. Mayor Dale said that Administration responded on Councilman Signorino's behalf and provided the information to Assemblywoman DeCrocce's office so they can move forward with addressing the issue. She said the S-turns are in the process of a redesign correction. In 2019, the County will be applying a high friction surface treatment on the Route 23 S-turns during construction season. She also reached out to Assemblywoman DeCrocce's office requesting to be updated. Mayor Dale said the County will reach out to the Township when additional information becomes available.

Mayor Dale noted that she received six resumes for the Administrator's position. She provided an update on the request for the grant writer. Councilman McGuinness expressed that the County is charging the Township to use the San Cap baseball fields and he wants to try and make sure they don't raise the fees for the Township. He noted that one practice on the field costs \$25.00 for two hours. Councilwoman Gerst said they should try to work with the County to freeze the fees for the use of the field. Councilman McGuinness asked for an update on the Canning Group to expand their contract to help fulfill the Administrator's position. Mayor Dale said she did not reach out yet. She reviewed the previous agreement; it is not a direction that she would like to pursue and she explained why. Councilman McGuinness asked if the Mayor needs help reviewing the resumes. Councilman Signorino expressed his concern about the 7% increase in the budget and they could have had someone from the Canning Group focusing on the budget. Mayor Dale said they do have a Budget Consultant from the Canning Group and maybe the Council would like to expand his scope on the budget portion. She said that would be at the direction of the Council because they are responsible for the budget. Mayor Dale said once she has the top three or five resumes she will engage the Council and share the resumes of those candidates as well as getting feedback from the Council.

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She looked at the resumes she has and from what she has seen from the six submitted, there is one that she might consider. Councilman McGuinness asked if he can review the resumes in case there is something the Mayor missed. Mayor Dale said once she has them narrowed down she will engage the Council for review. Councilwoman Erik asked about the killing of the geese. Mayor Dale said she reached out to Mr. Zarrillo and she did not get much of an answer. She engaged the Mayor of Greenwood Lake. The FDA was engaged for services last year to round up the geese and euthanize them. Councilwoman Erik asked how many geese and the cost. Mayor Dale said 200 geese and the cost was \$18,000 - \$21,000. Mayor Dale said Greenwood Lake is engaging a more humane way for the geese control and they are adopting those practices this year to look at the results and outcome for next year.

Agenda No. XVI

**Appointments and Resignations**

None

Agenda No. XVII

**Adjournment**

There being no further business to come before the Council, the Governing Body adjourned the meeting at 9:27 p.m.

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

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Approved: April 3, 2019

Respectfully submitted:

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Sherry Zbrzeski, Keyboarding Clerk I

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MICHELE DALE, MAYOR

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ANTOINETTE BATTAGLIA, TOWNSHIP CLERK