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

Minutes of: Township Council Special Meeting  
Date of Meeting: March 31, 2009  
Time of Meeting: 7:30 P.M.  
Minute Page No: Page 1 of 3

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Mayor Bettina Bieri called the Special Meeting of the West Milford Township Council to order.

**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 special meeting was transmitted to the Herald News on February 8, 2009; copies were provided to the Record, Star Ledger, Suburban Trends and Greenwood Lake News and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

**Pledge of Allegiance**

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

Agenda No. I

**Roll Call**

Present: Councilmembers Philip Weisbecker, Joseph Smolinski, Salvatore Schimmenti, Robert Nolan, Marilyn Lichtenberg, Mayor Bettina Bieri.  
Absent: Councilman Daniel Jurkovic.  
Also Present: Township Administrator Kevin Boyle, Township Clerk Antoinette Battaglia, Township Attorney Fred Semrau.

Agenda No. II

**Purpose**

Mayor Bieri stated that the purpose of tonight's meeting is to continue the review of the proposed 2009 Municipal Budget. Tonight staff from Engineering and Public Works are here to address the Council. She deferred to Rich McFadden the Township Engineer, Kevin Boyle the Township Administrator and Arthur Magnotti the Township Chief Financial Officer.

Agenda No. III

**Review of 2009 Municipal Budget**

Engineering - Mr. McFadden stated that stationary and office supplies is a new line item not reflected in prior budgets. He is proposing level funding for all other line items. In response to Councilwoman Lichtenberg, Mr. Magnotti said he will research the \$3,000 increase in technical supplies. Councilman Weisbecker asked about overtime expenditures and Mr. McFadden explained that the bulk of these costs cover inspections during paving. Additionally, the part-time floater is charged to this line and there was a need for overtime in 2008. There was a need for overtime to comply with stormwater regulations and work on the paving of Magnolia Road. Discussion ensued about the functions of the floater assigned to Engineering and Councilman Weisbecker stated that he would like to see these costs broken out separately. Council President Smolinski asked about overtime for snow removal and Mr. Magnotti advised that the salary and wage line item in the snow removal budget reflects that overtime. The Council reviewed the supervisory and inspection roles of engineering staff during snow events. Gerry Storms, the DPW Superintendent, advised that there is a minimum three-hour callout time for staff and that this is a provision in the labor contracts. Discussion ensued about staffing levels and staff designations during snow storms. Council asked that every effort be made to cut overtime and foremen should check each district while out plowing. The Council discussed routes handled by Township employees and routes cleaned by contractors.

Mr. McFadden stated that some of the costs charged to fees for services in the Engineering budget include dam inspections which are mandated every four years. The Township owns dams at Westbrook Park and Bubbling Springs. The state mandates that tax maps must be sealed by a licensed land surveyor and this is also charged to fees for services. This line item has been cut by \$1,000 this year.

Streets and Roads – Mr. McFadden stated that one mechanic retired last year and was not replaced. The appropriations for clothing are contractual, are based on state mandates, and change from year to year. Supervisors ensure that employees are complying with the mandates governing safety attire. Mr. McFadden stated that the prices for stone appear to have stabilized and he recommended that the line item be reduced to \$40,000. However, asphalt has increased 57.8% since last year but he believes it prudent to reduce the appropriations from \$125,000 to \$105,000. Stone is primarily used for maintenance of existing roads and shoulders and asphalt for patching and building trenches for drainage projects. The market for fuel has been very volatile and it is hard to project how those costs will evolve in the coming year. In response to Councilman Weisbecker, Mr. McFadden stated that the road striping line

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item is increasing by \$5,000. There are a couple of reasons for this. The first is that many of these costs were charged to capital accounts in the past and secondly, new latex materials used for striping have resulted in increased costs of about \$0.07 per foot.

Public Properties – Mr. McFadden advised that he is proposing reducing the appropriations for cleaning supplies by \$3,000 and fees for services for the same amount. The Township did not fund carpet and window cleaning in 2008 but he plans to have those items completed in 2009. The maintenance of the Wallisch property was previously outsourced but is now being done in-house by recreation personnel. Councilwoman Lichtenberg stated that she has volunteers who are willing to paint Wallisch.

Snow Removal – Mr. McFadden stated that the appropriations for ice control aggregates should be increased. Mr. Magnotti stated that he will seek Council approval to transfer \$83,000 to the trust account and he will get the actual expenditures for grits in 2009. Salt increased by 39.4% in 2008. In response to Councilman Weisbecker, Mr. Boyle stated that the Township cannot substantially reduce grit usage for a number of reasons. Discussion ensued about the use of grit and salt and the combinations thereof. Mr. Storms stated that he will be recalibrating the sanders to automate the mixing process and he explained the hydraulic systems that allow control of ratios. Mr. McFadden advised that the Township has reduced the amount of grits used in the process to address environmental concerns. Road sweeping is funded through this budget and Mr. McFadden and Mr. Storms reviewed the road sweeping schedules with the Council.

Vehicle Maintenance – Mr. Storms advised that the appropriations for parts is based on actual expenditures in 2008. He advised that there were some major repairs required in 2008. While this is not expected to reoccur in 2009, there may be a need for overtime because the department is operating with one less person. Mr. Storms reviewed recent repairs to Township vehicles.

Solid Waste and Recycling - Mr. McFadden advised that stationary and supplies is a new line item in this budget. Appropriations for the tub grinder are down because it is being used for fewer days. One laborer position was eliminated in this department and the fees for services line item is being cut by \$2,000. The tipping fees are estimated and the contracts are being renegotiated this year. Mr. Boyle stated that the new contracts will be for five year terms to allow the successful bidder to capitalize equipment. With increased recycling, the amount of trash collected has been dropping. The recycling grant money is reflected as revenue and a portion of those funds will be used for a new recycling shed this year. With the impending retirement of the Recycling Coordinator, Mr. McFadden has been considering recommending replacing him with a different title and a lower salary and will ask that the recycling aide remain on site. Mr. Schug, the Recycling Coordinator, reviewed the educational initiatives and future plans to increase both participation in recycling programs and the products to be recycled.

Fuels – Mr. Magnotti reviewed the forecasted appropriations for fuel, street lights, natural gas and telephones. He also reviewed the actual expenditures in 2008. The Council asked for a status update on the fuel monitoring system that was budgeted in the past. Mr. Storms stated that he has met with vendors and received the first quote for the tanks. He has not proceeded with the security system at this time. The Council expressed concern noting that they funded this system three times, in 2004, 2006 and 2008. Mr. Storms advised that he hopes to have the system in place in late Spring.

Capital – Buildings and Grounds – Mr. McFadden stated that he is requesting funding to replace the boiler in the police department. In response to Council, he advised that he applied for a grant last year for the rehabilitation of the dam at Bubbling Springs. He reviewed the DEP classification of that dam adding that the grant applied for would contribute to the engineering costs for the rehabilitation. Subsequently, the Township would apply for grant funding to proceed with the project.

Capital - Various Road and Sidewalks Projects – Mr. McFadden stated that the Township has been averaging more than ten miles of road work each year for a number of years with the exception of last year. He is requesting \$3.5 million for road resurfacing. He advised Council that if the road program is cut in half (5 miles per year) the Township will be on a thirty year schedule and the roads will suffer. Mr. Boyle stated that the Engineer is aware that there may be cuts to the road resurfacing program over the next few years due to the financial picture. Mr. McFadden reviewed the process used to prioritize roads advising that his department has rated almost one-hundred roads. He reviewed the history and benefits of a long-term road paving program advising that the first cycle is the most expensive. Mayor Bieri stated that taxpayers expect to receive certain services for their taxes including garbage collection, emergency services and good roads. Discussion ensued about regular maintenance projects, road assessment programs, and road paving contracts. Council President Smolinski urged frugality in deference to the current economic climate. Discussion ensued about Cahill Cross and Westbrook Road and potential future grant opportunities. Mr. McFadden stated that he will research potential grant opportunities for other road projects.

Capital – DPW Equipment – Mr. Storms stated that he is recommending that, instead of replacing a truck this year, he is requesting that the Township replace the body on an existing truck to realize some

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savings. Mr. Boyle stated that he is recommending that the purchase of a new front end loader be deferred at this time. These two recommendations will result in a reduction in this capital request of \$40,000 and \$95,500 respectively. Administrator Boyle also recommended removing the request for a hybrid SUV but stated that the replacements of the striping machines are necessary. Mr. Storms discussed vehicle washing mandates and options recommending that the Township defer purchasing a system until the technology improves.

The Mayor and Council thanked Mr. McFadden and Mr. Storms for their attendance at this meeting.

Temporary Budget – Councilman Nolan asked for an explanation about the CAP and Mr. Magnotti advised that the spending CAP is 2.5% with an allowance, by ordinance, of 3.5%. The levy CAP is 4% and if exceeded the options are to make reductions or apply to the local finance board for a waiver. This year, many municipalities are struggling with the levy CAP because of reductions in revenue. If seeking a levy CAP waiver, municipality’s must take the pension deferral as dictated by the Governor.

Agenda No. IV

**Public Comments**

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

James Warden, 199 Highcrest Drive, West Milford stated that the Township is facing serious financial difficulties. A significant component of this budget is salaries, retirement benefits, and pension benefits. These benefits are killing the Township. He recommended that Rice notices be issued to all Township employees so that the Council can tell them that concessions must be made on benefits to avoid layoffs. He stated that he would like to see projected revenue numbers for next year that are calculated on a premise that Newark wins the tax appeal.

There being no further comments from the public, Councilman Nolan made a motion to close the public portion of the meeting.

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Moved: Nolan Seconded: Weisbecker  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg.  
Voted Nay: None.  
Motion carried.

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Mayor Bieri stated that she has spoken with the Township’s labor counsel who has advised that the Township can open discussions with the labor unions. Councilwoman Lichtenberg recommended that this process begin immediately. Council President Smolinski urged the Council to tread cautiously and have all necessary information at hand before instilling fear in all the municipal employees.

Agenda No. V

**Action Items**

None.

Agenda No. VI

**Adjournment**

There being no further business to come before the Council, the Township Council adjourned the meeting at 10:50 p.m.

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Moved: Nolan Seconded: Lichtenberg  
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg.  
Voted Nay: None.  
Motion carried.

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Approved: June 24, 2009

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MAYOR BETTINA BIERI  
PRESIDING OFFICER

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ANTOINETTE BATTAGLIA  
TOWNSHIP CLERK