
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Special Meeting
Date of Meeting: March 31, 2014
Time of Meeting: 6:30 P.M.
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Mayor Bettina Bieri called the Special Meeting of the West Milford Governing Body 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 published in the Herald News on March 28, 2014; copies were provided to the Record, Star Ledger, Suburban Trends 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, Michael Hensley, Vivienne Erk, Michele Dale,
Luciano Signorino, Carl La Horton, Mayor Bettina Bieri.
Library Board of Trustees Dr. Joan Oberer, Mr. Douglas Ott, Mr. Andrew Gargano, Mr. Eugene Valenta,
Ms. Nancy Gridley, Mr. James Rogers, Ms. Gillian Hemstead, Ms. Iris Wechling
Absent: None.
Also Present: Interim Township Administrator Robert Casey, Township Clerk Antoinette Battaglia,
Township Attorney Fred Semrau.

Agenda No. II

Purpose

Mayor Bieri noted that this is a joint meeting with the West Milford Library Board of Trustees and the West Milford Mayor and Township Council to discuss building expansion plans and financing thereof. Mayor Bieri asked Dr. Joan Oberer to begin the meeting as the Chair of the Library Board.

Dr. Oberer thanked everyone for being here noting that this is an important meeting. The library board wants Council to know they have listened, heard about reports ordered, listened to the architect, and listened to comments. Both the Council & board have a responsibility to taxpayers. The library board has listened to taxpayers too. The board is seeking to build a wonderful library and community center next door to town hall. By listening to all parties, the board has adjusted the offer to Council. For reasons of both economy & efficiency they feel this is best. The library board now proposes a smaller two-story building. 4,000 of that 17,000 square foot building could be used for conference rooms, meeting rooms or municipal purposes on the 2nd floor. This would allow the Council to provide for community needs as the Council understands them. Dr. Oberer introduced the library board's architect, Mr. Iovino noting that he has drawn up floor plans to provide a visual.

Mr. Iovino said there has been a series of changes over past 2.5 years amid the constant question as to how much can be built. He was asked to develop a design which he is presenting tonight. In his design, the first floor would be predominately dedicated to the library and the second floor would address both library & Township needs including common spaces such as restrooms, corridors, stairs and elevators. That would leave a dedicated usable space for the town of just about 3,000 square feet. The common space is almost 4,800 square feet. In other words, the Township would have about 31% of space including that which is shared in common space. The use is irrelevant to him. If there was no shared space the library would have fewer needs. The Township can use spaces separately from library hours and he explained how. His exercise was purely to create a footprint. Dr. Oberer said the parameters offered by the library board to Council will remain same and she said the Township architect & the library architect have slightly different estimates.

Brian Altman, Element Architectural addressed the Council saying that his plan is very similar to Mr. Iovino's. Mr. Altman introduced himself and explained the project assigned to him by the Township. His layout is almost exactly the same as Mr. Iovino's mainly because elevators & exits must be respected in the layouts. Therefore, he focused on creating a logical conclusion in terms of layout. The difference in his plan is there is definition in meeting rooms. General square footage & layouts are the same. He did not plan anything for library space and he does not have much to add except numbers.

Mr. Altman said he worked with 7,460 square feet on the 2nd floor. The library use on that floor is 2,100 square feet. The municipal use is also 2,100 square feet and common areas, shared & split in two,

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ultimately results in a total square footage of 7,460. This could also be calculated as 3,470 square feet for each entity, the library & the Township with common areas split 50/50. Mr. Iovino explained the differences in his square footage calculations versus Mr. Altman's noting that it still amounts to 50/50 use. Mr. Altman noted that for the overall building the configuration would result in total library use of 76.5% and Township use of 23.22 %.

Mayor Bieri said one of the potential uses for the municipality would be conference rooms. With that in mind, Mr. Altman's plan depicts 7 rooms to accommodate those needs. Mr. Altman agreed noting that the average room in his plan can accommodate 25-30 people. Dr. Oberer said that ultimately the rooms could be divided to expand or retract. Mayor Bieri noted that the CS&R director said most meetings in Hillcrest accommodate 5-30 people. Councilwoman Horton asked why only meeting rooms and Mayor Bieri said the discussion was that the old library would accommodate staff and the new library would accommodate residents. She said if departments get moved into the old library they will have more space than they do now. Councilwoman Dale questioned that assertion and Mayor Bieri said that compared to what municipal offices have now, staff would not lose space. It was proposed this way to provide one-stop shopping for residents. If Council vacates Hillcrest, programs & staff would move to PAL and community needs would be housed in the new library. Councilman Signorino said PAL is an integral piece of the puzzle. Mayor Bieri said this proposal is based on Council comments saying they would like to vacate Hillcrest but she noted that Council could decide to stay in Hillcrest. Councilman Signorino said the Administrator estimated it would cost more to go into the new library. Mayor Bieri & Dr. Oberer said this plan reduces town cost by more than half. Dr. Oberer said this plan, the board believes, is the most cost effective & efficient to offer every segment of the community the best facilities & resources. Dr. Oberer said the board is confident, having heard all comments & concerns from Council, this is the best plan. They had a dream of a 24,000 square foot building. The Council expressed a different reality so they adjusted the plan. Councilman Signorino asked how the board feels about the municipal plan. Dr. Oberer said they are both being presented today for the first time and the board is okay with both. Councilman Signorino said the Township may need another room and Mayor Bieri reminded him that these are concept plans drafted today. The goal for tonight, she said, is to determine if the concept interests the Council. If so, the other issues have to be negotiated. Mr. Gargano said this plan is more cost effective & more affordable for both sides. Councilwoman Horton asked if the footprint has changed and Dr. Oberer said no. If they proceeded with three floors there would have been 24,000 square feet. Councilwoman Horton asked if a third floor could be added if two were built now and Mr. Iovino answered in the negative saying that if you don't do it now you miss the opportunity. Councilwoman Horton asked how many meeting rooms are used at Hillcrest on any given night and Mayor Bieri replied that the director said the most is ten adding that with proper scheduling all meeting needs can be met under this configuration. Discussion ensued about some of the proposed library spaces that could be more widely available.

Councilwoman Dale thanked the board for listening and commended them for taking a step back based on Council concerns. She said her assumption is that the board is still evaluating operating costs in the future. Dr. Oberer said that operating costs are not the question at hand. The board has taken various steps to adequately project costs. They feel that they can afford this number for this project. They do not plan on seeking a tax increase for this library. They have done due diligence. Councilwoman Dale said she would hate to see us build this space and learn later that it is unaffordable adding that if there is to be a joint effort, there has to be an understanding of operating costs. Dr. Oberer said the library has had all those discussions. They have reviewed various options to become confident that they can carry the costs for this facility. Councilwoman Dale asked what happens if ultimately the board can't and Dr. Oberer said funding was reduced primarily because of the revaluation. Funding will likely be steady for next several years. Studies show that it may remain steady and actually increase around 2020. The board has worked with the numbers they have now and they are confident they can operate within those confines. She explained their 3 sources of funding. They have determined what the bonding will cost and what those payments will be. Mayor Bieri said that in reviewing those numbers the board determined that with the reduced scale the costs will decrease. Dr. Oberer said the top floor of current library is 3,000 square feet. This would be triple that space even though it is smaller than first envisioned. The board feels this will be a wonderful improvement. Councilwoman Dale said she is still concerned about affordability saying she does not want 100% of funds utilized to operate this new space. She asked that the library board retain a surplus for rainy day funds and the board agreed. Councilwoman Horton concurred with those sentiments and asked if the state will approve this plan to meet state standards. Dr. Oberer said the state makes recommendations for the size of a library based on the population. That number was around 17,000 to 18,000 square feet. The library still gets state funding and she believes the improvement would be recognized by the state as a library/community center concept. Mayor Bieri agreed saying that the Township cannot comfortably afford 18,000 square feet. This is the library board's comfort level and they were mindful of the Council comments about the municipal portion. Councilwoman Horton said the cost is very close to the amount available in the redevelopment funds.

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Councilman Signorino thanked the library board saying that he is happy for the new proposal and would like to see this move forward. Mayor Bieri said she is fiscally conservative & likes the idea of using the redevelopment money. However if Council decided to bond for this, with just rent minus operating costs at Hillcrest the Township could bond for this without increasing operating costs. Councilwoman Dale said she favors using redevelopment money rather than bonding. Councilman Signorino agreed saying that he does not want to break the bank to accommodate this. In addition to the new library the Township must to renovate this building and the old library. He appreciates this and thinks this is a great proposal. Councilwoman Horton said she supports the library. There will be a crunch period when we are in transition. There are many other organizations that will help accommodate our needs during that period of time.

Councilwoman Dale asked what the library is seeking in funds now. Mr. Gargano said the board is trying to whittle that down. Dr. Oberer said the number was about \$2 million but the amount will be based on the cost per square feet. When the project goes out to bid, the board will know costs. Mr. Gargano said the capital fund is now at \$2.8 million. The cost would be about \$3.25 million which would mean a request of about \$750,000 but there is no definitive at this time. Councilwoman Horton noted that with the scaled back plans, the cost has been cut in about half. Dr. Oberer said common area costs would be additional. She said costs would be divided based on square footage usage which is delineated spaces & shared common areas.

Councilman Hensley said Hillcrest is a treasured facility and is used as a shelter especially in times of catastrophe. He asked if the library could foresee the new library serving in some capacity during times like that. He recommends backup generators & emergency preparedness. Councilwoman Horton said Hillcrest will still be a public property. Mr. Gargano said the board did discuss this and they are looking at a backup generator. He said showers cannot be installed because of septic restrictions. The most that can be done is to get a fully functional library with a backup generator. Mayor Bieri said there are multiple bathrooms at PAL and accommodations could be made there during renovations. The library could act as a refuge site for certain needs. Her understanding with Hillcrest is that it is part of the Township's emergency plan as submitted to the state and it is a public facility. The Township may choose to revise the emergency management plan. Mr. Ott said the high school would also still be available.

Councilwoman Horton asked if there is consensus to proceed. Mayor Bieri said that the requested deadline in the library memo is also based on permits that were obtained in 2009 which have expiration dates. Councilman Hensley asked if there are any concerns with the septic and Dr. Oberer said it was designed for a 3-story building so it is now overkill. Mr. Semrau said if there is consensus tonight it is not binding. Action would be taken at a later date. The first step would be to agree to move forward and he would draft a minimal agreement to address the proposed square footage and the financing mechanism. From there the governing body would speak about usage and other facilities. Those decisions could come later, as part of this plan, or as separate decisions. Mayor Bieri said the theory is the library board needs a commitment that the Township would commit to roughly 25% of the building subject to further negotiations. That would allow the architect to proceed with design. Mr. Semrau asked if there is agreement that the financing plan will be based on percentage of usage. Dr. Oberer said that the board believes that the construction costs would be based on that formula. The library has already paid 100% of acquisition, architect, & septic costs. Ongoing, the library board anticipates a cost share of 75/25%. Councilwoman Dale said she favors separate utilities & combined maintenance. Water joint, outside/inside maintenance 75/25% but separate utilities. Dr. Oberer said the board is inclined to continue this conversation to address all issues and iron out all the details. Mayor Bieri noted that the Township will continue to collect funds before sending the funding to the library. The Township can deduct their due before sending money to library thereby ensuring the bond is paid. Mr. Gargano said that for every \$1 million bond payment the cost is about \$75,000. Dr. Oberer said the board is hoping to bond minimally and the library has already expended about \$800,000 and is eager to move forward. She believes due diligence has been done & it is time to move forward. Mr. Semrau asked if there is consensus to the 75/25% split depending on occupied square footage plus the common areas. Councilman Signorino asked about potential library usages, noting that he heard about a possible art museum, coin museum, etc. Dr. Oberer said the board felt the concept of a coin collection could be incorporated on the first floor in library space. An art gallery sounds wonderful she said. Councilwoman Horton asked if there is a significant difference in the cost for building conference versus library space and the architects both agreed that there is no difference in the construction cost but the cost of furnishings would be distinctly different. Councilwoman Horton said she is eager to get out of Hillcrest. Mayor Bieri noted that the Township currently pays 100% of costs at Hillcrest in addition to rent. Councilman Hensley said he likes the open space at the entry because it is the heart & soul of the buildings. Discussion ensued about various spaces on the current plans. Mayor Bieri said this meeting is not intended to plan details which will come later. Councilman Hensley said he is enthusiastic about potential exhibits. Mr. Semrau noted that each partner to the project, Council & board will have say on the final plans. Councilman Signorino asked about ownership. Dr. Oberer said the Township owns the

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property which has a deed restriction that it be used for a library. The unanimous consensus of the Council was to move forward and they asked Mr. Semrau to draft the initial agreement.

Agenda No. III

Public Comments

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

Doris Aaronson, 19 Bearfort Road, West Milford asked about parking. She said that there is little concern about population growth in West Milford under the Highlands Act. Mayor Bieri said the approvals obtained were based on sufficient parking for 3 stories so the reduced scale does not pose any problems. Councilwoman Erik said the population has remained static for the past 10 years.

Richard Wirth, 1812 Clinton Road, West Milford said he is speaking for the seniors. He belongs to two senior groups and the same question is consistently asked. When will the library be built? If the Council acts on the library plan, can we proceed immediately? If council acts in April can ground be broken in May? Seniors want this library built in their lifetime.

Jim Bordino, Upper Greenwood Lake, West Milford said he has spoken before both the library board & Council. He said the Mayor accused him of slander adding that he has the minutes from library board meetings. He has questions that he asked in 2009. He said he read that there was an agreement with the town architect for a plan & cost. He said Mr. Altman was interrupted when trying to expose costs. He asked if costs are based on building costs or project costs. Brian Altman said this is very early in a very complex process. His firm does a lot of public bidding for various types of facilities. The numbers he will present are not for private buildings; they are for public buildings. He calculated costs based on what bids are generally coming in at now. He responded to the Council that he can only provide a range for this project at this time based on low & high bids that have come in on other projects. The per square foot cost contains a certain amount of site work inherent in costs, and he calculates a cost of \$200 to \$238 per square foot for building costs. Mr. Bordino asked for project versus building costs and Mr. Altman said the median bid would be \$216. He said there will be low bidders and there will be bids higher than \$238. This is an attractive project to contractors. Mr. Bordino said he researched library costs and the average is \$260 per square foot without elevators & a sprinkler systems. Mr. Altman said his estimates include everything. Mr. Bordino asked the library board architect if the building will look like that published in the paper last year. Mr. Lovino said it is hoped so but it is subject to change. Mr. Lovino said the building will be composed of steel & concrete structural frame with a residential-feel siding and some stonework. Mr. Bordino said he has been a construction manager for years prior to retirement. He asked about cost over runs lamenting that the elected officials did not ask such questions. Councilwoman Dale said she did ask the question about cost over run percentages. Mayor Bieri said the library board also addressed that issue. Councilman Hensley asked about local labor asking if it is possible to specify that a percentage of the job be accomplished with local labor. Fred answered. Discussion ensued about the public bidding process and affirmative action requirements.

Wayne Gottlieb, 20 South Ridgefield Road, West Milford asked about displacing tenants at Hillcrest. He said he did not hear about displacing tenants. Mayor Bieri said no decisions have been made about Hillcrest at this time.

Marilyn Lichtenberg, 37 Hudson Drive, West Milford said this was a great meeting and she wants this new library built.

Clinton Smith, 34 Rocky Point Road, West Milford said there are water problems with the Finn property. He asked if it is advisable to build on a slab. He asked how the septic got installed with water conditions. Mr. Lovino said a civil engineer designed the septic and drain systems and he said there is not a problem. There is a traditional water table. The soil borings show a high water table but there is a benefit of gravity which allays any concerns. He said construction of a building with a slab on grade is an option which does not cause him any concern. Discussion ensued about the potential for a basement. Mr. Lovino said cost was the primary factor in eliminating the basement even though it could be constructed. He said this was addressed many times with the board. He said there is nothing abnormal about the water table. Mayor Bieri said there is nothing wrong with the property itself and she said PERC tests were done before acquisition as part of the due diligence process.

Dave Richards, 27 Ringwood Lane, Hewitt said there is a kitchen in Hillcrest for seniors. He said the Township is getting rent from tenants at Hillcrest and he questions what will be done with those people. The BOE owns the building and it is up to them to determine use when it is vacated. He said 4 rooms were being used when he scheduled a meeting there. He said the Township should not count on being able to use the building if they vacate. Councilwoman Dale asked if Township used to occupy Hillcrest for

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\$1 per year. Mr. Gottlieb, from the audience, said the old lease was a \$1 per year rent with improvements to be made by the Township. He said the Township did not do repairs and the building was not properly maintained. He said the Township breached the lease. Mr. Gargano said there are asbestos abatement issues in town. Mr. Gottlieb opined about recognition agreements with landlords, sub-landlords & tenants. The BOE, he said, has no obligation to Township tenants. Councilwoman Dale said that with new agreement the BOE was to invest all rent in capital improvements. Mr. Richards said the BOE cannot touch escrow money and he blamed the Township for all the failures at Hillcrest. Mr. Semrau said he would love for the BOE to return the money to the Township in accordance with their commitment to do so. He asked that the BOE members stop threatening eviction and stop making wild accusations against his client at public meetings. Mayor Bieri noted that no decisions have been made regarding Hillcrest and the purpose of this meeting is to discuss the library.

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

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

Agenda No. IV

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 8:16 p.m.

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

Approved: May 21, 2014

MAYOR BETTINA BIERI, PRESIDING OFFICER

ANTOINETTE BATTAGLIA, TOWNSHIP CLERK