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

Minutes of: Township Council Special Meeting  
Date of Meeting: April 1, 2008  
Time of Meeting: 7:30 P.M.  
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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 published in the Herald News on January 31, 2008; 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.

**Roll Call**

Present: Councilmembers Joseph Smolinski, Salvatore Schimmenti, Robert Nolan, Marilyn Lichtenberg, Carmelo Scangarello. Mayor Bettina Bieri.  
Absent: Phillip Weisbecker  
Also Present: Acting Township Administrator and Township Clerk Antoinette Battaglia

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**Purpose**

Mayor Bieri advised that the purpose of this meeting is to review the proposed 2008 Municipal Budget, go over updates and overview. Formal action may or may not be taken at this meeting. She deferred to Township Finance Director, Arthur Magnotti.

Mr. Magnotti began by reviewing a handout that was included in the Council packets and reviewed amendments. Referring to the Health Department he clarified that Medicare payments are received by check. He noted that there was an attachment that detailed the Animal Control budget expenditures. The salary and wages for the Health Department include full and part time employees. Mayor Bieri asked for a breakdown of total full time and total part time employee salary and wages. Mr. Magnotti said that he will provide a breakdown for the Mayor. He said that overtime is paid to the Animal Control Officer for after hour emergencies and court appearances. He provided a schedule for fees for services for Animal Control that analyzed actual payments made. Councilman Nolan objected to the \$5000 that had been paid for Computer Services. Mr. Magnotti answered that he has renegotiated that contract for this year and the figure will be corrected in the budget. Regarding an animal census, Interim Administrator Battaglia advised that this had not been performed since 1997. Mr. Magnotti referenced the Dog Trust deficit stating that he had neglected to tell the Council that cat license revenues are not permitted to be deposited into the Dog Trust. They must be deposited in the regular operating fund. He is forecasting \$14,000 more this year than last year due to increased licensing fees. He anticipates that the deficit will be okay. With regards to the Recreation Department pickup truck that had been discussed at the previous meeting, Mr. Magnotti verified that the amount was \$33,000. He went on to review some of the funds that will be used for this purchase. He commented that with regards to the question raised about extraordinary aid, the deadline was Friday, March 21 and that in all probability the Township would not have been eligible. Mr. Magnotti next spoke about the deferred school tax. He explained that when the school rate increases, the Township income increases. This year the school rate is just below 2% and he estimates that the Township will realize approximately \$435,000-\$450,000 in surplus creating a shortfall next year of at least \$500,000. Councilman Smolinski commented about how the effect will be felt next year. Mr. Magnotti added that it will be somewhat offset by reduced pension contributions to the Police and Fire Pensions. Councilman Nolan clarified that the school budget was increased this year and that there will be additional surplus. The only negative impact would happen if the school budget goes down. Mr. Magnotti clarified that this is reflective of the lesser amount the Township will receive and that this impacts anticipated revenue. He has received RFP's from the auditing firms and will discuss that later. He is now seeking direction on how to proceed with the budget. He added that he has appropriated in this budget for the Wastewater Management Plan. He said that there was \$2,050,000 in surplus last year and 1,745,000 in inter-fund receivable. He had recognized \$3,795,000 in 2007 and is recommending recognizing \$300,000 less this year. The ending balance in 2007 was \$4,468,000. Councilman Nolan asked why the Township cannot use more money from surplus to offset this budget. Mr. Magnotti said that he is anticipating less interest in 2008, but that he will provide an estimate to the Council. Councilman Nolan commented that the Township surplus of 10% of the budget seems high. He asked Mr. Magnotti to ascertain from other Townships' CFO's what percentage of surplus they have in relation to their budgets. Regarding redevelopment money, Councilman Nolan asked about the interest earned. Referring to a schedule contained in the packets, Mr. Magnotti said that the interest earned had been \$152,392 and it has been anticipated

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revenue in past budgets. He said that Open Space is a dedicated fund. He explained that the MRNA (miscellaneous revenue not anticipated) total of \$218,000 goes right into surplus. He told the Council that they could anticipate those revenues in 2008 however the impact in 2009 will be negative. Councilman Nolan said that if this is done once, it will need to be done always. Mr. Magnotti referred to a question that Councilman Nolan had asked about the delinquent tax account saying that he has spoken with the Township Tax Collector and explained that in a slow economy residents fall behind in their taxes which in turn become delinquent tax receipts which in turn impacts the Townships receipts. The line item is due to a slumping economy. He compared to Jefferson Township who uses the same ratio. There is a financial statement attached which shows the collection rates for two years. Councilman Nolan questioned the MRNA saying that the Township will be receiving a letter about receiving Clean Community Grant Funds. Mr. Magnotti said that this has already been included in the budget adding that there is an offsetting of appropriation and thusly there is no affect on the tax rate. In response to Councilman Nolan, Mr. Magnotti reviewed the snow removal budget balances remaining unspent. Councilman Nolan asked how much was remaining in the Trust. Mr. Magnotti explained that there is money in reserves from prior years. This reserve would be used in the event of emergencies. Also, funding that was available from 2007 reserve has not been moved into permanent reserve and that this can be used to offset the snow removal budget. Councilman Smolinski asked how the Council would know this money is there. Mr. Magnotti answered that the Township has only had a snow removal reserve for two years. He said that he is compiling a list of options for the next budget meeting. He said that regarding snow removal for 2007, there is only \$40,000 left in the budget. Councilman Schimmenti asked if the county had reimbursed the Township for supplies that they used this past year. Councilman Smolinski asked if there are any other reserve funds that had accumulated through the years. Mr. Magnotti mentioned capital improvements and said that he will meet with Interim Administrator Battaglia and return to the Council any recommendations that they may have. He told the Council that he will generate a report of the 2007 reserve to show balances in all accounts. He cautioned that those balances will be collapsed into surplus next year and thusly are book accounts. Mayor Bieri asked for a print out of all accounts including reserves. Mr. Magnotti said that he will print out a 2007 reserve update and explained why there are some capital reserves. Councilman Smolinski asked why the Township maintains reserves if the surplus is healthy. Mr. Magnotti explained that in 2002 the Township experienced a catastrophic year with snow removal and dedicated reserves addressing these types of emergencies. The goal is to provide a cushion. Councilman Smolinski said that he would like Mr. Magnotti to provide options for cutting the Township budget. Councilman Nolan expressed that he doesn't have any problems with keeping \$170,000 in a snow removal reserve but putting any amount over \$170,000 into surplus. Interim Administrator Battaglia brought to the Councils attention the upcoming Townships 175<sup>th</sup> Anniversary in 2009 and was asking Council to decide what types of events they would like to see and then appropriate necessary funding. Councilman Nolan asked if the Council reduced the Townships contribution to the library would they be amenable to using some of those funds for events surrounding this celebration. He further explained that the legislation would limit library funding to the prior years expenditures. It was recommended that all of the Township Committees come together to discuss the anniversary and to determine what type of celebration should be held. Ms. Battaglia said that Mrs. Kirwin has brought to her attention the subject of a celebration and is seeking authorization to begin the process of organizing a committee. Council consensus was to give the authorization to Mrs. Kirwin. Mr. Magnotti stated again that he will make recommendations on the operating budget. Councilman Scangarello confirmed that the budget in its current state requires approximately \$168 for the average homeowner and that this is unacceptable. Councilman Smolinski questioned how the figure went from \$130 to \$168. Mr. Magnotti explained that this is because of cuts in State aid and that with this budget he is assuming a worse case scenario. Councilman Nolan asked Mr. Magnotti to also estimate the impact of capitalizing the Department of Public Works for road repair. Mr. Magnotti warned that once the Township begins doing this that it must do so moving forward. Councilman Nolan requested a survey of surrounding Township CFO's regarding this subject as well. Mayor Bieri asked if a figure could be ball parked on the impact this would have on debt service. Councilman Nolan asked why today's taxpayers should have to bear the burden of paying for labor when future residents will reap benefits from improved roads. Councilman Scangarello agreed that this topic is a double-edged sword. It was commented that improved roads improve property values and that current residents would benefit from this when they sold their home. Councilman Nolan stated that if you bond for labor this year that you have to do it every year going forward. It was suggested that perhaps the number of miles that get resurfaced may be reduced to further reduce capital expenditure. Mr. Magnotti said that he will review the capital budget with Interim Administrator Battaglia and return to the Council with options. Interim Administrator Battaglia asked that the salary for Health Officer be increased from \$40,000 to \$60,000. Councilman Nolan asked if the Council is okay with removing Wastewater Management Plan funding from the budget. Mr. Magnotti agreed and said that removing that funding would be one of his recommendations. Councilman Scangarello asked that Mr. Magnotti provide recommendations. Councilman Nolan recommended that the Council not give Mr. Magnotti an amount that they are

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seeking to budget but rather to provide various scenarios. Mayor Bieri said that they must know the impact of each individual item. Mr. Magnotti assured that the options will include substantial cuts to capital. He said that he will meet with Interim Administrator Battaglia to review unexpended capital surplus. Councilman Nolan said that the options presented have all been "one shot deals" and that discussing the impact for future years is also necessary. He feels that staffing levels in all departments needs to be addressed. Councilman Scangarello reminded the Council members that this year is the highest year for pension contributions. Councilman Nolan asked if the Council was satisfied with the staffing levels in the Health Department, Tax Assessors Department and the Planning Department. He asked for consensus to issue Rice notices to those departments, however if there is not agreement then they should not proceed. He also said that he is amenable to reviewing Mr. Magnotti's recommendations before deciding if this is necessary. Mr. Magnotti stated that he would have his recommendations for the upcoming Friday packets. It was arranged that there was an upcoming Budget meeting set for Saturday, April 5 at 9am.

Regarding Auditor RFP's, Councilman Smolinski asked for clarification of the Pay to Play Ordinance. Township Clerk Battaglia explained that the local pay to play legislation applies to all professional services whether hired through the competitive process or hired through the solicitation of quotes. Mr. Magnotti reviewed his solicitation efforts and the schedule he created to synopsize the RFP's. He commented that each proposal included references. After review, it was agreed to move this to the Saturday agenda. Mayor Bieri expressed that an applicant should be chosen based upon a balance of experience, service and costs.

The Mayor and Council thanked Mr. Magnotti for his time and efforts.

**Public Comments** - no public comments

**Adjournment**

There being no further business to come before the Council, the Township Council adjourned the meeting at 8:48 p.m.

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Moved: Weisbecker Seconded: Nolan  
Voted Aye: Unanimous voice vote.  
Voted Nay: None.  
Motion carried.

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Approved: May 28, 2008

Respectfully Submitted:

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MAYOR BETTINA BIERI  
PRESIDING OFFICER

Judy Manning, Part-time Secretary

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ANTOINETTE BATTAGLIA  
TOWNSHIP CLERK