
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: April 1, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 1 of 7

The Workshop Meeting of the Governing Body was called to order by Mayor Bettina Bieri.

Adequate Notice Statement

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Workshop meeting was advertised in the Herald News in its issue of December 21, 2014 and January 4, 2015; copies were provided to the Suburban Trends, the Record, Star Ledger, and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

Please also make note of all fire and emergency exits – located to the left, right, and rear of this room - for use in case of an emergency. Thank you.

Pledge of Allegiance

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

Roll Call

Present: Councilmembers Ada Erik, Mike Hensley, Vivienne Erk, Michele Dale, Luciano Signorino, Marilyn Lichtenberg, Mayor Bettina Bieri.
Absent: None.
Also Present: Township Administrator Kenneth Gabbert, Township Clerk Antoinette Battaglia, Township Attorney Frederick Semrau.

Agenda No. II

Reading of or Approval of Unapproved Minutes

Councilwoman Erik made a motion, seconded by Councilwoman Lichtenberg, to approve the January 14, 2015 Special and Executive Session and the January 21, 2015 Regular Meeting minutes as presented.

Moved: Erik Seconded: Lichtenberg
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Lichtenberg
Voted Nay: None.
Motion carried.

Agenda No. III

Meetings

Mayor Bieri noted the future meeting schedule:

April 22, 2015 Volunteer Night
May 6, 2015 Workshop Meeting
May 20, 2015 Regular Meeting

Mayor Bieri reminded local volunteer groups to sign up for volunteer night.

Agenda No. IV

Presentations

- Beautification and Recycling Committee (BRC) – Tee Shirt Awards – Bill Weaver addressed the Council saying that many students could not make tonight’s meeting because of a conflicting art festival. Cassie Owen is here to accept the winner’s prize. Mr. Weaver said this is the middle school art class and the artwork gets better every year. He said that BRC has done a lot of things over the years including having people volunteer regularly to clean up the town. The West Milford Elks has a breakfast on the 2nd Sunday of every month. Breakfast will be half price in June to anyone wearing this year’s t-shirt. Mr. Stires gave details about beautification day on April 25th. He encouraged people to join the effort. He thanked everyone for volunteering.

Agenda No. V

Proclamations

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: April 1, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 2 of 7

- Autism Awareness Month – Mayor Bieri read the proclamation and asked the Clerk’s Office to mail it out.

Agenda No. VI

Executive Session

~ Resolution No. 2015 – 128 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 1st day of April 2015 that:

1. Prior to the conclusion of this **Workshop Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () b. (4) A collective bargaining agreement including negotiations.
 - PBA and SOA Negotiations
 - () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - () b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
 - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - Contracts – MUA
 - Contracts – Jungle Habitat
 - Contracts – Fire truck
 - Contracts – DPW Director
 - Contracts – Shared Service – Ogdensburg
 - Contracts – Health Education Agreement
 - Potential Litigation – West Milford Cable TV
 - () b. (8) Personnel matters.
 - () b. (9) Deliberations after a public hearing that may result in penalties.
2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: April 1, 2015

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

The Governing Body went into executive session at 6:44 p.m.
The Governing Body returned to the public meeting at 8:37 pm with all present as before.

Agenda No. VII

Presentations

The EDC presentation was cancelled.

Agenda No. VIII

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
 Date of Meeting: April 1, 2015
 Time of Meeting: 6:30 pm
 Minute Page No: Page 3 of 7

Discussion Items

1.	Discussion: Selection of 2014 Volunteer of the Year - Mayor Bieri said nine worthy & wonderful volunteers have been nominated for this award and she does not envy the Council having to make this decision. Councilwoman Lichtenberg said one of the nominees has already received the lifetime volunteer award. She recommended Mr. Schaub and the Council agreed giving consensus to notify Mr. Schaub that he would be recognized as volunteer of the year. Mayor Bieri noted that the former mayors had selected Jerry Plunkett for the lifetime award this year. She said she will be absent on volunteer night but conveyed her congratulations and best wishes to all the volunteers.
2.	Discussion: Possible Land Sale/Acquisition – Councilman Hensley expressed concerns that the language in the Green Acres agreement associated with this property infringes upon the Township’s ability to receive grant funding for trails on this property. Mr. Semrau said there are eight Green Acres & Land Conservancy restrictions on the property and he reviewed the restrictions. He said if there is a preferred use for the property the Township could ask for a change in the language. He recalled that such a request was granted by the State when the Township sought approval for the pump track at Farrell Field. Councilman Hensley said that it is often necessary to move vegetation to create hiking trails but there is a deed restriction on this property that prohibits the turning of the soil. Mr. Semrau said he believes that those issues could be resolved and Councilman Hensley said he will provide Mr. Semrau the details of the proposed trails grant.
3.	Discussion: S2807 – Consolidation of Watershed Authorities – Mr. Semrau said he drafted a resolution based on the direction from the last meeting. It is on the agenda for consideration later in the evening. The Council thanked him and gave consensus to proceed.
4.	Resolution: Opposing a Proposed “Pilgrim Pipeline” – Councilman Hensley said he favors sending a resolution in opposition to the pipeline and Mayor Bieri said it should reference that West Milford is located on the borders of Wanaque. Councilmembers Dale and Erk said they would abstain at this time. Councilman Hensley said that the point is to send a message to any future entity who may want to do something similar in West Milford. He said it is important that they know that we are proactively stewards of the land. Send a message that we take these projects seriously and say we are not in favor. The Governing Body instructed the Clerk to prepare a resolution for consideration at the next meeting paying particular attention to those points that are particular to West Milford.

Agenda No. IX

Public Comments

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

Gary Steele, North Glenwood Road, West Milford said channel 77 is barely up and running. A month ago there were 192 programs loaded onto the server. Right now only Council and BOE meetings are being aired. He would like to see a plan to develop programming. There are programs ready to go up now. He listed some. He said Council got his memo. He is passionate about this. He put up a website a year ago to air Council and BOE meetings and reflect what a channel might look like. He purchased 6 cameras which are available at the library. He said he has put about \$2,500 of his money & 4 years into this. It is time to open up and make it a PEG channel. He is encouraging Council to take affirmative action to do that. He spoke with Chief Storbeck about emergency messaging that could have been broadcast on the cable channel. There was a major road closure today. That could have been broadcast.

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

 Moved: Erik Seconded: Dale
 Voted Aye: All in favor
 Voted Nay: None.
 Motion carried.

Agenda No. X

Council Comments

Attorney Fred Semrau asked if he could speak with chair of the Cable TV Committee to establish objectives and reestablish the committee. That would address where they are in the process and ensure that they are moving forward. Councilwoman Dale said they have met the objective and Mr. Semrau said he will look into it to determine how to proceed.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: April 1, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 4 of 7

Agenda No. XI

Action Items

Mayor Bieri asked to move Resolutions 2015-129, 2015-130 and 2015-131 as one including Consent Agenda.

Moved: Erik Seconded: Dale
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Lichtenberg.
Voted Nay: None.
Motion carried.

Agenda No. XI 1

~ Resolution No. 2015 – 129 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING THE ADOPTION OF THE PROPOSED GUIDELINES TO QUALIFY AND BE ELIGIBLE TO RECEIVE TOWNSHIP FUNDING AND UTILIZE TOWNSHIP OWNED FIRE APPARATUS EQUIPMENT

WHEREAS, the Township of West Milford worked in conjunction with all of the fire companies within the Township to develop guidelines related to receipt of funding; and

WHEREAS, numerous meetings and conversations were held between the Township and the fire companies in order to develop guidelines that were acceptable to all; and

WHEREAS, with the assistance and cooperation of the fire companies, the Township has finalized the guidelines for obtaining funding.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of West Milford, in the County of Passaic, that the Township Council accepts and ratifies the Proposed Guidelines to Qualify and be Eligible to Receive Township Funding and Utilize Township Owned Fire Apparatus Equipment as presented to the Council.

This Resolution shall take effect immediately.

Adopted: April 1, 2015

Agenda No. XI 2

~ Resolution 2015 - 130 ~

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:

Name & Address	Application No.	Amount of Escrow	Amount Refunded
Esco Optics PO Box 308 Oak Ridge, NJ 07438	0620-0241 16-288-56-701-129	\$4,396.55	\$2,069.67
Bernard Connors 293 Germantown Road West Milford, NJ 07480	0730-0768 16-288-56-701-162	\$750.00	\$346.07

Adopted: April 1, 2015

Agenda No. XI 3

~ Resolution 2015 – 131 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PASSAGE OF A CONSENT AGENDA

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: April 1, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 6 of 7

Motion carried.

Agenda No. XIII

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

Councilman Hensley asked for an update of the BOE/Council subcommittee. Councilman Signorino advised that the committee has not met as yet but there are a number of topics he will be broaching when they do meet. Councilwoman Dale said she would like to create a schedule where they will meet regularly. The cost of education is a significant percentage of resident's tax bills. Councilman Hensley asked them to discuss the teen coffee house after care program when they do meet because he would like to see the BOE agree to bus the children there after school. He said the EDC has asked about the BOE allowing business sponsors at their ball fields and Councilman Signorino said that this was discussed last year at which time the BOE was amenable to the suggestion. Councilman Hensley suggested that the funds could go back to the program or the facility. Councilman Hensley said that both the BOE and the Township have a need for a wash plant for their respective vehicle fleets and he asked that the subcommittee discuss the potential for a shared endeavor because the BOE has fewer restrictions than the Township under the Highlands Act.

Council President Erk said PRIDE is planning their annual sale and seeking donations.

Councilwoman Lichtenberg said there is a spring cleaning initiative for cleaning medicine cabinets on Saturday April 25th in Ringwood & Bloomingdale. CASA and the Macopin Education Committee are sponsoring a program for parents called *Hidden in Plain Site* regarding drug & alcohol abuse at the High School on April 16th. The health & wellness fair at Hillcrest is scheduled for May 9th and the Relay for Life softball game is May 30. She has set up a website to raise funds.

Councilwoman Erik said there will be a free CPR seminar at the Presbyterian Church on April 19th.

Administrator Gabbert commended the Auditor and CFO advising that the Township has maintained a AA rating with Standard & Poor.

Attorney Fred Semrau said the Governing Body authorized filing appeal of Newark Watershed property. His office filed & amended the petition to address the fact that the dams on some reservoirs and the value of some are over \$100 million. The Township is seeking over \$100 million in assessed value based on the cost assessed for the dams. He is continuing to look at this and may seek assistance from an engineer at a future meeting. There are two sides to the appeal, seeking an increase in value per acre and the second is that we have identified these improvements to the property which if it can be assessed that would be \$4 million in tax ratables. He has filed to protect the Township's rights. He has been given direction to continue to pursue this. The City of Newark filed a tax appeal in tax court and they have to overcome the burden of the Township's appeal last year

Agenda No. XIV

Appointments and Resignations

Agenda No. XIV a

~ Resolution 2015 - 133 ~

MAYOR'S APPOINTMENT OF DAVID FERRANTE, ESQ. AS MUNICIPAL PROSECUTOR WITH COUNCIL CONSENT

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do provide advice & consent to the Mayor's appointment of David Ferrante, Esq. to the position of Municipal Prosecutor in accordance with section §15-78 of the Township Code for the 2015 calendar year.

Adopted: April 1, 2015

Moved: Erik Seconded: Lichtenberg
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Lichtenberg
Voted Nay: None.
Motion carried.

Agenda No. XIV b

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: April 1, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 7 of 7

~ Resolution 2015 - 134 ~

MAYOR'S APPOINTMENT OF CARLOS LUACES AS DIRECTOR OF PUBLIC WORKS IN ACCORDANCE WITH §15-56 OF THE TOWNSHIP CODE

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advise and consent to the Mayor's appointment of Carlos Luaces to the position of Director of Public Works in accordance with section §15-56 of the Township Code at a starting salary of \$80,000.00.

Adopted: April 1, 2015

Moved: Erik Seconded: Dale
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Lichtenberg
Voted Nay: None.
Motion carried.

Mayor Bieri appointed the following person(s) based on the recommendation from the Fire Commissioner:

Samantha L. Coursen, Fire Police – Community Volunteer Fire Company (Co. #2)

Agenda No. XIV

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 9:26 p.m.

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

Approved: July 15, 2015

MAYOR BETTINA BIERI
PRESIDING OFFICER

ANTOINETTE BATTAGLIA
TOWNSHIP CLERK