

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
 Date of Meeting: April 3, 2013
 Time of Meeting: 6:30 P.M.
 Minute Page No: Page 3 of 15

| IMPROVEMENT OR PURPOSE | APPROPRIATION & ESTIMATED COST | ESTIMATED MAX. AMT OF BONDS & NOTES |
|---|--------------------------------|-------------------------------------|
| (a) Acquisition by purchase of new and additional vehicular equipment, including three (3) utility vehicles for use by the Police Department of the Township and one (1) ambulance for use by the First Aid Squad of the Township, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved | \$288,000 | \$271,000 |
| (b) Improvement of various streets and locations in and by the Township by the construction or reconstruction therein of roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2-22 of said Local Bond Law), including without limitation, Coolidge Terrace, Rutgers Avenue, Eisenhower Drive, Evelyn Drive, Point Breeze Drive, Somerville Road, a portion of Bonter Road and a portion of Crest Lake Drive, together with all sidewalks, curbing, structures, appurtenances, milling, drainage improvements, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved | 815,000 | 776,000 |
| (c) Improvement of Otterhole Road in and by the Township by the construction or reconstruction therein of roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2-22 of said Local Bond Law), together with all sidewalks, curbing, structures, appurtenances, milling, drainage improvements, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the \$495,000 appropriation hereby made therefor being inclusive of the amount of \$250,000 received or expected to be received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement | 495,000 | 233,000 |
| (d) Improvement of various streets and locations in and by the Township by the construction or reconstruction therein of roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2-22 of said Local Bond Law), including First Avenue, Second Avenue and Third Avenue, together with all sidewalks, curbing, structures, appurtenances, milling, drainage improvements, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved | 97,000 | 92,000 |
| (e) Improvement of storm water drainage systems along Upper Greenwood Lake in and by the Township so as to control sediment flow, together with all landscaping, structures, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved | 52,000 | 49,000 |
| (f) Acquisition by purchase and installation, as necessary, of new and additional computer equipment for use by the Finance Department and other departments of the Township, together with all appurtenances, attachments, accessories and appurtenances necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved | 20,000 | 19,000 |

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| (g) Improvement of the Municipal Coffee House by the improvement of the parking lot thereat including by the installation of lights, the swimming pool by the renovation thereof, the construction of basketball courts and volleyball courts and the rehabilitation of the retaining wall, together with for all the aforesaid all structures, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved | 77,000 | 73,000 |
| (h) Acquisition by purchase of new and additional equipment, including generators for use by the Fire Departments, First Aid Squads and Office of Emergency Management of the Township, and oxygen tanks, protective masks and radar equipment for use by the Police Department of the Township, together with all, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved | <u>96,600</u> | <u>92,000</u> |
| Totals | <u>\$1,940,600</u> | <u>\$1,605,000</u> |

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment and grant for said purpose.

- Section 4 The following additional matters are hereby determined, declared, recited and stated:
- (a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
 - (b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 10.10 years.
 - (c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,605,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
 - (d) Amounts not exceeding \$90,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.
- Section 5 The funds from time to time received by the Township on account of the \$250,000 grant referred to in Section 1 of this bond ordinance shall be used for financing the improvements or purposes described in paragraph (c) of Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Township authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of said improvements or purposes shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this bond ordinance.
- Section 6 All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale

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- and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.
- Section 7 The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.
- Section 8 The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.
- Section 9 This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

Introduced: April 3, 2013

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for April 17, 2013. Notice of this public hearing shall be published in the Herald News on or about April 7, 2013.

Motion to introduce Ordinance 2013-010

Moved: Erik Seconded: Signorino
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

Administrator Gage said that the budget represents a .97% increase to the average household which equates to an increase of less than \$20 per year, less than \$2 per month. In preparing this budget the greatest challenges were dealing with reductions in revenues and increases in debt service. Operating expenses were reduced although the budget as introduced provides level funding to volunteers and in some cases slightly more. Mayor Bieri interjected that the actual increase is \$19.88.

Mayor Bieri said the budget process starts in the summer of the prior year. The Administrator oversees and reviews each budget line by line looking to make cuts and realize savings through restructuring. By January 15th of any year the Administrator presents a proposed budget to Council. The Mayor does not become involved but must operate within the confines of the budget adopted by the Council.

Mayor Bieri advised that before Council tonight is the budget that has been cut by Administrator and modified by Council. She reviewed options and processes from the past. This year the Council addressed the budget through forming subcommittees which, in her opinion, is more effective and prevents some micro management. Two council people got assigned to each committee and they met with departments. This streamlines the process and allows for in-depth discussions. The Council is not charged with micro managing but rather with establishing policy. She commended Ms. Gage and the Council for this year's budget. She said that she is pleased this year's Council has approved appropriations for road improvements. Other costs have been questioned but personally she feels that emergency services are essential. Volunteers risk their lives to protect the public, life, limb & homes. They need the equipment and resources to do that for their own safety and ability to do the job. She hopes that this budget will be adopted with that funding in place.

Councilman Rosone said that it is nice to see unity as is evident here tonight. There were rumors that the Council wanted to cut clothing allowances or other volunteer costs. That is not true. Questions were posed to the Administrator for information only. As a Council they must be cost efficient and sometimes questions must be asked. He is an advocate for the emergency services. There is a new line item which is a clothing allowance for search & rescue. Questions do not necessarily mean cuts. Departments did not provide all the information necessary but Council is behind volunteers 100%. He said he appreciates all they do for this town. Mayor Bieri said that the committee meeting is the venue where those questions should be asked. Some questions and suggested cuts were posed after that process. On behalf of department/division heads and volunteers she takes offense at those questions. Councilman Hensley said he takes offense at that. He said that the Council has to ask tough questions and Mayor Bieri replied by

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asking if Council needs to ask what a clothing allowance is for. Councilman Hensley said there was never an intention to cut to those items. Everyone is indebted to these volunteers. We are all indebted to them. No one on Council has lost sight of that. There is nothing to fear. Council will wholeheartedly support the budget presented by our Administrator he said. Mayor Bieri said she is glad to hear there are no longer any concerns. She thanked all the volunteers noting that their service is a testament to them. She is pleased to hear that Council is committed to this budget.

Mayor Bieri asked to move Resolution 2013-109 and 2013-110 as one.

Moved: Erik Seconded: Horton
 Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.
 Voted Nay: None.
 Motion carried.

Agenda No. IV 3
 ~ Resolution No. 2013- 109 ~
RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC STATE OF NEW JERSEY AUTHORIZING READING OF THE MUNICIPAL BUDGET BY TITLE.

WHEREAS, pursuant to the Local Budget Law N.J.S.A. 40A:4-1 et seq., all provisions for the introduction and public hearing of the 2013 Municipal Budget for the Township of West Milford have been met; and

WHEREAS, the budget is available for inspection in the office of the Township Clerk, posted on the municipal website, and published in accordance with the law.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the 2013 Municipal Budget and Solid Waste Budget shall be read by title.

Adopted: April 3, 2013

Agenda No. IV 4
 ~ Resolution No. 2013- 110 ~
RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC, STATE OF NEW JERSEY TO AUTHORIZE THE INTRODUCTION OF THE 2013 MUNICIPAL BUDGET AND THE 2013 SOLID WASTE BUDGET

| Revenue and Appropriation Summaries | | |
|--|----------------------|----------------------|
| Summary of Revenues | Anticipated | |
| | 2013 | 2012 |
| 1. Surplus | 2,200,000.00 | 1,600,000.00 |
| 2. Total Miscellaneous Revenues | 6,394,860.95 | 6,814,209.32 |
| 3. Receipts from Delinquent Taxes | 1,200,000.00 | 956,000.26 |
| 4. a) Local Tax for Municipal Purposes | 20,517,177.08 | 20,234,909.27 |
| b) Addition to Local District School Tax | | |
| c) Minimum Library Tax | 1,031,786.00 | 1,101,239.00 |
| Tot Amt to be Rsd by Taxes for Sup of Mun. Bud | 21,548,963.08 | 21,336,148.27 |
| Total General Revenues | 31,343,824.03 | 30,706,357.85 |
| Summary of Appropriations | 2013 Budget | Final 2012 Budget |
| 1. Operating Expenses: Salaries & Wages | 12,429,466.61 | 12,390,667.19 |
| Other Expenses | 11,187,315.95 | 10,407,767.24 |
| 2. Deferred Charges & Other Appropriations | 2,982,443.00 | 3,010,530.77 |
| 3. Capital Improvements | 50,000.00 | 573,175.00 |
| 4. Debt Service (Include for School Purposes) | 2,804,598.47 | 2,434,217.65 |
| 5. Reserve for Uncollected Taxes | 1,890,000.00 | 1,890,000.00 |
| Total General Appropriations | 31,343,824.03 | 30,706,357.85 |
| Total Number of Employees | 196 | 196 |
| 2013 Solid Waste Collection District Budget | | |
| Summary of Revenues | Anticipated | |

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| | 2013 | 2012 |
|--|------------------------|------------------------------|
| 1. Surplus | 90,000.00 | 140,000.00 |
| 2. Total Miscellaneous Revenues | 183,971.95 | 238,357.00 |
| 3. Amount to be Raised by Taxation | 1,709,857.12 | 1,655,000.42 |
| Total Revenues | 1,983,829.07 | 2,033,357.42 |
| Summary of Appropriations | | |
| | 2013 Budget | Final 2012 Budget |
| 1. Operating Expenses: Salaries & Wages | 95,024.07 | 101,062.42 |
| Other Expenses | 60,000.00 | 78,490.00 |
| 2. Contracted Services | 1,148,805.00 | 1,148,805.00 |
| 3. Disposal Fees | 680,000.00 | 705,000.00 |
| 4. Deferred Charges & Other Appropriations | | |
| 5. Surplus (General Budget) | | |
| Total General Appropriations | 1,983,829.07 | 2,033,357.42 |
| Balance of Outstanding Debt | | |
| | General | Water Utility |
| Interest - Budgeted | 752,898.47 | |
| Principal - Budgeted | 2,051,700.00 | |
| Outstanding Balance | 31,292,663.87 | |

Notice is hereby given that the budget and tax resolution was approved by the Governing Body of the Township of West Milford, County of Passaic on April 3, 2013.

A hearing on the Budget and Tax Resolution will be held at The Municipal Building, on May 1, 2013 at 6:30 o'clock P.M. at which time and place objections to the Budget and Tax Resolution for the year 2013 may be presented by taxpayers or other interested persons.

Copies of the Budget are available in the office of Antoinette Battaglia, Township Clerk at the Municipal Building, 1480 Union Valley Road, West Milford, New Jersey, Phone # 973-728-2701 during the hours of 9:00 A.M. to 4:30 P.M.

Adopted: April 3, 2013

Public hearing for 2013 Budget is set for the Workshop Meeting of the Governing Body scheduled for May 1, 2013. Notice of this public hearing shall be published in the Herald News on or about April 14, 2013.

Mayor asked to move Resolution 2013-111 and Resolution 2013-120 as one.

Moved: Erik Seconded: Signorino
 Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.
 Voted Nay: None.
 Motion carried.

Agenda No. IV 5
 ~ Resolution No. 2013- 111 ~
RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC STATE OF NEW JERSEY AUTHORIZING THE 2013 TEMPORARY CAPITAL BUDGET

WHEREAS, the Township of West Milford desires to establish the 2013 Temporary Capital Budget of said municipality by inserting therein the following project;

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

1. The 2013 Temporary Capital Budget of the Township of West Milford is hereby established by the adoption of the schedule to read as follows:

Temporary Capital Budget of the Township of West Milford
 County Of Passaic, New Jersey
 Projects Scheduled for 2013 Method of Financing

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| Project | Estimated Costs | Grants | Budget Appropriation Fund | Capital Improvement Fund | Bonds | Self-Liquidating Bonds |
|----------------------|-----------------|---------|---------------------------|--------------------------|-----------|------------------------|
| Various Improvements | 1,940,600 | 250,000 | | 85,600 | 1,605,000 | |

- The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for 2013 Temporary Capital Budget, to be included in the 2013 Permanent Capital Budget as adopted.

ROLL CALL: Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton

Adopted: April 3, 2013

Agenda No. IV 6
 ~ Resolution No. 2013- 120 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING INCREASE IN DEFERRED SCHOOL TAXES FOR LOCAL SCHOOL TAXES

WHEREAS, the Division of Local Government Services requires that the Governing Body of any municipality which has Deferred School Taxes must authorize any increase in the deferral of any additional amounts, and

WHEREAS, the Governing Body has decided that an increase in Deferred School Taxes is in the best interest of the Township at this time,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that the following Deferred School Taxes be hereby increased for the year ended December 31, 2012 as follows:

| | Deferred Local School Taxes |
|--------------------------|-----------------------------|
| Amount Deferred 12/31/12 | 25,862,877.00 |
| Amount Deferred 12/31/11 | 25,441,863.00 |
| | 421,014.00 |

BE IT FURTHER RESOLVED by the Governing Body that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

Adopted: April 3, 2013

Agenda No. V

Public Comments

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

Richard Poplaski, 17 Leonard Avenue, West Milford, member of Apschawa fire company said that there is a report from Ray Barret's death that explains why physicals are needed for firefighters. He recommended that Council read the report.

David Richards, Hewitt distributed information about accreditation of the police department. He said there are now over 71 police departments accredited by this organization and he listed some. This accreditation is effectively an audit of the police department and it helps standardize processes & procedures. He said that Ridgewood has been accredited for years. There are insurance reduction benefits to becoming accredited.

Marilyn Lichtenberg, 37 Hudson Drive, West Milford said she recalls when Rotary wanted to donate a gazebo to the Township. She recalled the history and efforts made to find a location which ultimately resulted in the gazebo at Bubbling Springs. The new library will be built by town hall. She said that Council is stalling on whether or not to avail of ability to have one floor. She is concerned that we will lose the redevelopment money or that it will be seized by the state. She suggests that this money go toward municipal space needs. The Township cannot expand on the current building so she suggests using the redevelopment money for space in the new library.

Deana D'Argenio, 2 Sugar Bowl Court, Vernon thanked Council for appropriations for search & rescue in budget advising that she serves on this body. She described the work they have done in the past year adding that members all provide their own gear and incur significant costs.

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Ed Steines, Union Valley Road, West Milford said he serves as the fire commissioner and OEM coordinator. He said that questions from Council came late in the process and were not broached when the subcommittee hearings took place. He said that emergency services responds to local needs. The West Milford search & rescue is recognized far & wide. He understands the Council's need to ask questions but the delivery was hurtful. He commended the fire & first aid volunteers and described some of their activities. He said that it appears that over the past few weeks shots were taken at the Township Administrator. Contrary to some comments made he said he must commend Ms. Gage. She has kept department heads informed and included in budget process. He is saddened that someone would insult her intelligence.

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

Moved: Rosone Seconded: Horton
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

Agenda No. VI

Council Comments

Councilman Rosone thanked volunteers for the outstanding job they did at the recent fire at Café Amore. He said it was a job well done as always.

Council President Signorino said that the BOE and Council has a new subcommittee. The BOE & Council subcommittee will have the library chair at their next meeting to discuss the library. He is very excited about this subcommittee. The first meeting was very positive and it will be good going forward.

Councilwoman Erik said that it was a grave oversight that search & rescue did not have a clothing allowance for so long. She is glad that has been rectified.

Councilman Hensley thanked volunteers for their service. He said that when Council talks about cutting budgets they are not targeting volunteers.

Mayor Bieri recalled that West Milford has been working on the accreditation for some time. It takes significant manpower and time. Chief Storbeck acknowledged that from the audience. With current staffing levels we cannot dedicate the manpower to these administrative functions. She agreed with Mrs. Lichtenberg's comments about the library saying that for years the redevelopment money has been sitting in an account. Successive Councils have recommended that those funds be used for capital improvements. It would be a good idea to use the money for the new library. The library board is ready to move forward but it would be shortsighted to build two stories if three stories are needed. She asked what the BOE would be doing with the library. Council President Signorino said there were suggestions from the BOE about the possibility of using Hillcrest or other properties if the library board were open to the consideration. Councilwoman Horton said it is always interesting when Hillcrest is brought up. Renovating that building for any purpose is very costly. She supports the library. She had to order books today because our facility is so small. It does not comply with standards. She would like to move the process along. Mayor Bieri provided background information about Hillcrest and the research that was done by the library board whereby ultimately it was found that this property could not accommodate the needs nor be suitable for such use.

Agenda No. VII

Discussion Items

| | |
|----|---|
| 1) | Discussion – Council's Selection of Volunteer of the Year – Councilwoman Horton nominated Gary Oppenheimer seconded by Councilman Signorino. Councilwoman Erk nominated William Weaver. With Councilwoman Erk abstaining, Gary Oppenheimer was nominated volunteer of the year by majority poll of the Council. Mayor Bieri announced that Tonya Cubby was nominated Lifetime Volunteer of the Year. Each nominee will be invited to the next meeting to receive their plaques. |
| 2) | Ordinance & Resolution – Amending §500-36.1.D(2) and §414-6 of the Township Code to Change the Date of the Farmer's Market Annually - the Council gave consensus to proceed. |
| 3) | Resolution – Supporting Sustainable State Funding for Preservation & Stewardship of Open Space, Farmland & Historic Sites in New Jersey – the Council gave consensus to proceed. |
| 4) | Contract – Professional Services for Crescent Road Bridge Replacement Extension Construction Management – the Council gave consensus to proceed. |
| 5) | Contract – Streetscape Improvements – the Council gave consensus to proceed with the base bid. |

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Agenda No. VIII

Action Items

Mayor Bieri asked to move all the resolutions as one.

Moved: Erik Seconded: Rosone
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.
Voted Nay: None.
Recuse: Horton and Signorino recused on 2013-112 only
Motion carried.

Agenda No. VIII 1

~ Resolution No. 2013- 112 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY INSTRUCTING THAT PRE-SCHOOL FEE INCREASES SHALL TAKE EFFECT FOR SESSION ONE OF THE 2013-2014 SCHOOL YEAR

BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the Director of Community Services & Recreation be and is hereby instructed that the fee increases for the pre-school program as outlined in Ordinance 2013-005 shall become effective for session 1 of the 2013-2014 school year and apply to each session thereafter; and

BE IT FURTHER RESOLVED that said pre-school fee increases shall not apply to session 5 of the 2012-2013 school year.

Adopted: April 3, 2013

Agenda No. VIII 2

~ Resolution No. 2013- 113 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE FILING AND ACCEPTANCE OF AN APPLICATION TO NJ DEP, DIVISION OF PARKS & FORESTRY, NEW JERSEY FOREST SERVICE, COMMUNITY FORESTRY PROGRAM ON BEHALF OF THE TOWNSHIP OF WEST MILFORD FOR A GREEN COMMUNITIES 2013 GRANT IN THE TOTAL AMOUNT OF \$6,000.00

WHEREAS, the Township Council of the Township of West Milford has determined that there is a need for the development of a Certified Forest Management Plan for the Township and to apply to the NJ DEP for a Green Communities 2013 Grant available to the Township for the planning, design, and management of vegetation on public land to maximize the economic, social, visual and environmental contributions to the well-being of the community; and

WHEREAS, the West Milford Environmental Commission has recommended that the Township will benefit from these funds.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford hereby authorizes the submittal of a Green Communities 2013 Application Form for the No Net Loss Re-forestation Grant in an amount of \$6,000.00 as follows:

Grant amount: \$3,000
100% in-kind match (services only): \$3,000

BE IT FURTHER RESOLVED that the Mayor or the Township Administrator be and are hereby authorized and directed to arrange for the acceptance of said grant.

Adopted: April 3, 2013

Agenda No. VIII 3

~ Resolution No. 2013- 114 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO RONALD FARR FOR THE PREPARATION OF THE WEST MILFORD TOWNSHIP CERTIFIED FOREST MANAGEMENT PLAN

WHEREAS, the Mayor and Council of the Township of West Milford has a need to appoint a Professional Forester as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, Ronald Farr, Certified Forester submitted a proposal on March 22, 2013 for the preparation and completion of the West Milford Township Certified Forest Management Plan; and

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WHEREAS, the total amount of the contract shall not exceed \$3,000.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to N.J.A.C. 5:30-5.4.

WHEREAS, Ronald Farr, Certified Forester has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit Ronald Farr, Certified Forester from making any reportable contributions through the term of the contract; and

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 bid and the contract itself must be made available for public inspection.

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

1. The Township Council hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Ronald Farr, Certified Forester with offices located at 6 Ricker Road, Newfoundland, New Jersey, 07435 as professional forester for the Township of West Milford in an amount not to exceed \$3,000.00.
2. The agreement shall be on file in the office of the Township Clerk.
3. The term of the contract shall be for a period to run through December 31, 2013.
4. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: April 3, 2013

Agenda No. VIII 4
~ Resolution No. 2013- 115 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITH W.J. CASTLE, P.E. & ASSOCIATES FOR CONSTRUCTION ADMINISTRATION FOR THE REPLACEMENT OF THE CRESCENT ROAD BRIDGE

WHEREAS, in 2005, the Township Council approved capital funding for the replacement of the Crescent Road Bridge in the Gordon Lakes West development; and

WHEREAS, in 2010, the Township Council authorized the award of a professional services contract to W.J. Castle, P.E. & Associates for the design of the replacement of the bridge; and

WHEREAS, The original request for proposals and subsequent professional services contract did not include construction administration services; and

WHEREAS, the design of the bridge replacement and associated permitting has been completed and the specifications have been reviewed by the Township Attorney; and

WHEREAS, in order to proceed to advertise for the receipt of bids for the construction of the replacement of the bridge, the Engineering Division is recommending that W.J. Castle, P.E. & Associates, Design Engineer for the bridge replacement be awarded a contract for construction administration services including construction oversight and inspection services associated with the replacement of the Crescent Road Bridge;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1. The Township of West Milford hereby authorizes the Mayor and Township Clerk to execute a professional service contract with W.J. Castle, P.E. & Associates for construction oversight and inspection services associated with the replacement of the Crescent Road Bridge, in an amount not to exceed \$29,500.
2. This contract is approved without competitive bidding as "Professional Services" in accordance with the provisions of the Local Public Contracts Law.
3. The total fee authorized for this contract extension shall not exceed \$29,500 without prior written approval of the Township Council.
4. That notice of this action shall be published in accordance with law and said notice to provide that the contract extension and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Adopted: April 3, 2013

Agenda No. VIII 5
~ Resolution No. 2013- 116 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY, STATE OF NEW JERSEY AWARDING A CONTRACT TO ZENITH CONSTRUCTION SERVICES, INC. FOR THE STREETScape IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$295,125.00

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on March 26, 2013 for the Streetscape Improvement Project as per the bid specifications; and

WHEREAS, notice was also sent to companies on the bidder's list and four sets of specifications were either sent out or picked up; and

WHEREAS, the Township of West Milford received one (1) bid for this contract; and

WHEREAS, said bids have been duly reviewed and analyzed by Ferriero Engineering, Inc.; and

WHEREAS, the bid received from Ferriero Engineering, Inc. has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

WHEREAS, the Ferriero Engineering, Inc. has submitted a written recommendation for the award of this contract to Zenith Construction Services, Inc.; and

WHEREAS, the Chief Financial Officer has certified that encumbrance for this project shall come from the following accounts: 02-213-41-862-000 \$25,600.00; 04-215-55-808-000 \$221,838.41 & 04-215-55-812-018 \$47,756.59.

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 Zenith Construction Services, Inc., 365 Thomas Blvd., Orange, New Jersey 07050 in an amount not to exceed \$295,125.00 for the Streetscape Improvement Project as per the bid specifications.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Zenith Construction Services, Inc., in accordance with its basic bid for said Streetscape Improvement Project.
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: April 3, 2013

Agenda No. VIII 6
~ Resolution No. 2013- 117 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SETTLEMENT OF CERTAIN TAX APPEALS

WHEREAS, an appeal of the 2012 real property tax assessment of the following property has been filed in the Tax Court of New Jersey:

| PROPERTY OWNER | BLOCK | LOT | ADDRESS |
|-----------------|-------|------|--------------------|
| Frankee Firrito | 11102 | 6.02 | 80 West Brook Road |

and;

WHEREAS, the Tax Assessor has requested a Correction of Errors appeal be filed in connection with the aforementioned property.

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

1. The settlement of the following tax appeals filed at the Tax Court of New Jersey is hereby authorized as follows:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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| PROPERTY OWNER | YEAR | ORIGINAL ASSESSMENT | PROPOSED SETTLEMENT |
|-----------------|------|---------------------|---------------------|
| Frankee Firrito | 2012 | \$572,400. | \$318,200. |

2. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.
3. The Tax Collector is hereby authorized to credit and/or refund the appropriate taxes in accordance with the terms of this resolution.
4. This Resolution shall take effect immediately.

Adopted: April 3, 2013

Agenda No. VIII 7

~ Resolution No. 2013- 118 ~

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

WHEREAS, the Mayor and Township Council of the Township of West Milford has reviewed the Consent Agenda consisting of various proposed Resolutions and Applications.

NOW, THEREFORE, BE IT RESOLVED, that the following Resolutions and Applications on the Consent Agenda are hereby approved:

Resolutions:

None.

Applications:

1. Petition to Extend Licensed Premises by Normtra LLC t/a Big John's Pub for April 28, 2013.
2. Petition to Extend Licensed Premises by Normtra LLC t/a Big John's Pub for May 27, 2013.
3. Petition to Extend Licensed Premises by Normtra LLC t/a Big John's Pub for June 9, 2013.

Adopted: April 3, 2013

Agenda No. IX

Approval of Expenditures

~ Resolution No. 2013- 119 ~

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 his office in payment of amounts due by the Township.

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

| Acct # | Account Name | Amount |
|--------|------------------------|--------------|
| 1 | Current Account | \$526,175.13 |
| 3 | Reserve Account | 46,258.96 |
| 2 | Grants | 3,803.00 |
| 6 | Refunds | 0.00 |
| 1 | General Ledger | 0.00 |
| 26 | Refuse | 142,079.07 |
| 4 | Capital | 14,702.71 |
| 19 | Animal Control | 202.60 |
| 19 | Heritage Trust | 0.00 |
| 19 | Open Space Trust | 0.00 |
| 19 | Trust | 249.34 |
| 19 | COAH | 71.00 |
| 16 | Development Escrow | 0.00 |
| 20 | Special Reserve | 0.00 |
| 21 | Assessment Trust | 17,384.55 |
| Total | | \$750,926.36 |
| | Less Refund Resolution | 0.00 |

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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| | |
|---------------------------------|---------------------|
| Actual Bill List | \$750,926.36 |
| Other Payments | |
| Check # 1167 Hudson, Essex Soil | 1,125.00 |
| Total Expenditures | \$752,051.36 |

Adopted: April 3, 2013

Moved: Erik Seconded: Horton
Voted Aye: Erik, Hensley, Erk, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

Agenda No. X

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

Councilwoman Erk thanked all volunteers saying that she is grateful for them. She congratulated the volunteer nominees saying that they are all worthy.

Councilman Rosone congratulated all nominees & Gary Oppenheimer. He said that there was a positive discussion at the joint BOE subcommittee meeting noting that it is good to listen to both sides.

Council President Signorino thanked all those who provide emergency services in town saying that we appreciate them. They put themselves in harms way. He thanked Gary Oppenheimer who he said leads by example. He said he is excited for Tonya Cubby. He read an announcement about the Museum's annual tennis tournament which will be held on 6/22 & 6/23 and he listed the sponsors. Interested sponsors can contact either him or Tonya Cubby to get the form. The subcommittee meeting with the BOE was great he said and they will meet again on 4/24. He said he would like to have DPW representation at next the meeting to discuss road services. They also discussed cable vision and he will keep updates coming.

Councilwoman Horton encouraged support of tennis tournament. She said there are a lot of upcoming activities in town and she encouraged seniors to participate rather than staying home alone. CASA had dance last week at the Elks Club and she thanked the teens who were a joy. She also thanked staff & volunteers. She applauded the responders who responded to the Café Amore fire last week. Many towns helped. She congratulated Gary Oppenheimer & Tonya Cubby noting that all nominees are worthy.

Councilwoman Erik thanked the department heads noting that they answered all questions at the committee meetings. She thanked the Administrator & Clerk saying that all our department heads know their stuff. When they are called unprofessional it is unfair.

Administrator Gage advised that the Township went out for bids on BANS which is the municipality's annual financing. The lowest bid came in at .37% interest. She said she is pleased to refinance at that rate. We were notified that Passaic County will require a plaque on the streetscape clock stating that it was funded by the Passaic County Freeholders and the cost will come out of the funding. The Greenwood Lake Bi-State Commission has suggested moving the harvesters to the DPW yard but she cannot recommend that. Mayor Bieri said that we should defer to the DPW Superintendent but she sees that yard all the time and in her opinion there are already space issues. A number of vehicles have been languishing at the yard for years. Eric Hastings if the Greenwood Lake Bi-State Commission sought to be heard.

Eric Hastings, GL Turnpike said that Passaic County officials gave permission to house the weed harvester in the garage overhang at the salt shed. They said they needed municipal approval but they will make sufficient room. The commission will only store 3 pieces of equipment and two will be put in the lake. Ms. Gage said she was not aware of any of these specifics but will get more information. Mr. Hastings said that the Commission has committed to move the equipment from its current location. Mayor Bieri noted that the Township needs something in writing from the County and a recommendation from the department head.

Administrator Gage asked for consensus for a future full fledged workshop discussion on facilities. She said she has received quotes for a space analysis. She will provide all materials at the next meeting, including a recommendation and a resolution to award a contract.

Tracy Wang stated that Township has acquired Apple Valley about 104 acres with grant funds. There were environmental issues that have been abated, DEP approval is complete and we are ready to proceed to closing.

