





TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Workshop
Date of Meeting: April 4, 2007
Time of Meeting: 7:30 P.M.
Minute Page No: Page 3 of 5

West Milford received more dollars per capita than any of the municipalities highlighted by the Beautification & Recycling Committee in their reports. Recycling in West Milford more than doubled between 2000 and 2005 and the handling & transporting of recyclables resulted in savings to the municipality. West Milford has a market-based contract for the sale of recyclables which results in the Township realizing increased revenue. He reviewed plans for improvements to the recycling program including obtaining and using the Kemp property to complement the current recycling facility. He also noted that his department will be focusing on enforcement of recycling ordinances. Councilman Scangarello asked that the Township Attorney review the lease with Kemp to determine if changes can be made. Councilman Nolan expressed concern because the property in question is a Brownfield property and the Township may not want to assume the cost of cleanup. Mr. McFadden advised that his proposed use of the property would be for the Township to purchase that portion that is currently leased and which is not contaminated. Councilman Nolan asked for an explanation of the fluctuations in the tonnage report. Mr. McFadden noted that there are many variables in recycling and the fluctuations may be a combination of factors. The Council reviewed the tonnage report with Mr. McFadden and discussed greater enforcement. The Council thanked Mr. McFadden for speaking with them tonight. Mayor DiDonato asked Mr. Simmers, the Chairman of the Beautification & Recycling Committee, if he had any comments. Mr. Simmers commended Mr. McFadden and his staff. He noted that the reports came to the same conclusion. However, he stated that the West Milford salary rate is high and if that should be renegotiated in the future, in-house collection may be possible. Bill Weaver, Beautification & Recycling Committee member stated that he wanted to be a part of this committee primarily to facilitate getting in-house recycling in West Milford because he believes that in-house collection will increase recycling in the municipality. He would like to see curbside collection done in-house. The Council recommended that the Township revisit the numbers again in two years. They authorized bidding for curbside collection with two options in the contract. One would provide for a two-year contract and the alternate would be for five years.

Agenda No. XII

Mayor DiDonato noted that Mr. Matt Mulhall, the Township's Hydro-geologist is present to discuss matters with the Council in executive session. He asked the Council for consensus to go into executive session at this time and resume discussion items after the executive session. The Council agreed.

~ Resolution 2007-121 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 4th day of April, 2007, that:

- 1. Prior to the conclusion of this Workshop Meeting, the Township Council 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.
( ) 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.
- West Milford v. TCR NJ/PA Land Acquisition, LP - Valley Ridge - Docket No. PAS-L-1429-06
- K. Hovnanian v. West Milford - Eagle Ridge - Docket No. A-6031-04T3
- Shortway v. Township of West Milford (Action No. 06-2933)
(X) b. (8) Personnel matters.
- Health Officer
( ) b. (9) Deliberations after a public hearing that may result in penalties.

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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 4, 2007

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

The Council went into Executive Session 8:31 p.m.

The Council reconvened in public session at 9:30 p.m. with all present as before.

**Items For Discussion, continued**

2)	2006 Tonnage Grant – the Council gave consent to have a resolution authorizing the submission of the tonnage grant application at the next Council meeting.
3)	2007 Municipal Budget – Administrator Kunze advised that he had provided Council with information in their packets and he e-mailed them updated budget sheets. The updated information contains additional cuts totaling \$180,000 and he reviewed the specific line item cuts. The net affect on the tax levy equates to an increase this year to the average home assessed at \$130,000 of \$99.203. Mayor DiDonato asked if the Council is ready to introduce next week. Councilman Nolan stated that he would like an opportunity to discuss the hiring of three additional people prior to final adoption. Mayor DiDonato asked the Administrator to have the budget ready for introduction next week and to schedule another special budget meeting to afford the Council an opportunity to discuss any amendments.
4)	Rapid Access Key Box Systems – Administrator Kunze advised that the intent of this ordinance is to provide access to buildings to emergency personnel without the need for them to break in to a building. Mr. Semrau, in answer to a question posed by Mayor DiDonato, advised that there are protections from liability under Title 59. However, he will insert some edits into the ordinance to provide for control of the boxes and keys. The Council instructed Mr. Semrau to make the necessary edits and asked the Administrator to schedule this for discussion at a future workshop.
5)	Tax Foreclosure List #28 and #29 – Administrator Kunze advised that the Tax Collector has recommended award of a professional service contract to Mr. Klepesch to handle the foreclosure lists. His rates are equivalent to those charged by the Township Attorney and he has experience. Council agreed.
6)	Offsite Council Meetings – Councilman Weisbecker noted that, in the past, the Council often held meetings offsite and he asked that this be considered again. Mayor DiDonato asked the Clerk if we have audio ability for such meetings. Clerk Battaglia advised that the Township does not currently have a portable audio system. Councilman Weisbecker suggested that a basic tape recorder would suffice. Mayor DiDonato noted that the climate for records is different today than it was in the past. To have the Township revert to using tape cassettes may ultimately cause problems. He instructed the Clerk to research digital recording systems and to find out if the school or other suitable facilities have such systems in place.
7)	Engineering Services for Westbrook Tennis Courts – Administrator Kunze advised that the Township received proposals from engineering firms for this project. Funding for these services would be through county open space grants. The Township Engineer and Recreation Director have reviewed the proposals and they have worked with Civil Dynamics in the past. They both recommend award to Civil Dynamics based on the strength of the proposal and past history. Mr. Semrau noted that he is aware of three firms who could not bid on this project because of the pay-to-play legislation. Councilman Weisbecker noted that he does not want to see any change orders on this project. Administrator Kunze advised that the needs of this project are clearly defined so he does not expect any change orders.
8)	Drainage Easement – Mr. Semrau advised that he will present the Council with an ordinance for introduction at next week’s meeting. This has been cleared with the Township Engineer and the property owner has signed the necessary paperwork.
9)	Resignations & Appointments – Clerk Battaglia advised the Council that she received resignations from Daniel Kochakji, Environmental Commission and Ed Spirko, Zoning Board of Adjustment. With Council consent she will have a resolution accepting the resignations for the next meeting. Councilman Schimmenti nominated William Lynch, who currently serves on the Zoning Board as Alternate #1 to be appointed to the unexpired citizen member term being vacated by Mr. Spirko and Barry Weiser, to be moved from Alternate #2 to Alternate #1. The nominations were seconded by Councilman Scangarello.

