
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Workshop
Date of Meeting: April 4, 2012
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- () 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.
- (X) b. (4) A collective bargaining agreement including negotiations.
 - Update on all labor 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.
 - Costello v. Township of West Milford
 - Hardin v. Township of West Milford
 - Sparkes v. Township of West Milford.
- () 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 4, 2012

Moved: Signorino Seconded: Rosone
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

The Council went into executive session at 6:35 p.m.
The Council reconvened in public at 8:08 with all present as before.

Agenda No. V

Presentations

Beautification & Recycling T-Shirt Awards – Dave Stires and Bill Weaver joined Mayor Bieri at the podium. Mr. Stires announced the winner of this year’s contest, Theresa Furnbacher, and showed the audience the resulting t-shirt which will be distributed for the annual beautification day. Mr. Weaver noted that the inspiration for Miss Furnbacher’s design were the bears in her neighborhood. He and Mr. Stires also showed the runner up submissions and commended all participants. Mr. Stires announced that Beautification Day 2012 will be held on April 21st. He stated that there were over one thousand participants last year and they hope to beat that number this year. He asked residents to sign up in advance to get supplies. He advised that many local businesses are sponsoring this event and donating prizes.

Security System for Gas Tanks – OEM Coordinator Ed Steines introduced a representative from Aurora Environmental to discuss a security system for fuel usage. The representative gave a presentation including Power Point visuals to show the various components and options to provide security and safeguards for the various fuel tanks at multiple locations and facilities in the Township. Options include systems that can track mileage, use, purchases, cost, and individual access to the systems. The information is tracked in a computer system and based on the software and the levels of control purchased components can be added or deleted as needed. The systems also have the ability to track whether or not a vehicle was speeding since the last fueling when the nozzle from the gas pump is inserted into the fuel tank. Any damage to the car will automatically trigger an alarm. Information and data is available online and will be available by virtue of web-based software accessible in real time. Employees are given pin numbers to track use and register individual data. There are override options that can provide for access with controls that is not pre-programmed or if a key is lost. Restrictions may be set to limit fuel usage or to establish time limits by individual employees. The Aurora representative showed pictures of the Township’s current systems and conceptual plans depicting what they would look like when replaced. He noted that the current tanks do not meet code requirements. He also showed photographs of other projects in other municipalities.

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Mayor Bieri recalled that some years ago the Council has requested and set aside funding for such a system. She stated that there are currently no controls in place and she stated that she favors a system that would allow for customized restrictions and controls. Councilman Ramaglia stated that he would like to see restrictions implemented immediately. Councilwoman Horton asked for data from the past three years on how much has been spent for fuel and data that would support that there will be financial benefits to installing this system.

Addressing questions from the Council, Mr. Steines confirmed that the project was approved in 2008 with an estimated completion date of 2009. He opined that this system will save taxpayer monies. Councilman Ramaglia stated that he supports this project but would like to see restrictions imposed immediately. Councilman Rosone agreed adding that he approves of the wireless key & ring options. He asked for clarification as to how the system prevents one from filling a personal vehicle with gas or diesel. The Aurora representative explained that when the nozzle is inserted into the gas tank it registers through the ring the vehicle being fueled. If that ring has been tampered with or is not located within the opening, the system becomes inoperable. The use of individual pins keeps track of who is filling which vehicle and when. Councilman Rosone posed questions about cost and durability of the proposed new system. The Aurora representative stated that the old system including the tanks will be removed and replaced as a key component of the project. He stated that the system has greater durability than the tanks currently in place and he described the composition of the new tanks. Discussion ensued about available funding, the potential need for additional appropriations this year and the cost of various options. Mr. Steines advised that he has calculated that there is sufficient funding in place for the upgrade but not for the wireless system. The Aurora representative listed the various locations and depots noting that once the system is installed the Township can opt for upgrades or software alternates at a later time.

In response to Councilman Ramaglia, the Aurora representative recommended starting with the systems at Town Hall and the DPW yard making the outlying depots additions at a later date and saving the wireless components for another time. Discussion ensued about the various depots and Councilman Smolinski asked if the fact that the depots house diesel that can be used as a heating source is a cause for greater concern. The Aurora representative answered in the negative advising that it is believed in the industry that the greatest controls are needed in gasoline tanks. That would allow the Township to begin the project with the funds that have already been appropriated. He anticipated that each site would cost about \$28,000.

Discussion ensued about what other companies were looked at for the same type of system. Mayor Bieri asked Mr. Steines if he could provide comparisons from the different companies and Councilwoman Horton asked for three competing bids. Councilman Smolinski stated that he would like to see this proceed as soon as possible.

Agenda No. VI

Proclamations

None.

Agenda No. VII

Unfinished Business Final Passage of Ordinances

None.

Agenda No. VIII

Public Comments

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

Richard Randazzo, Wooley Road, West Milford stated that he has experience with controlling fuel usage for twenty trucks used by salesmen. The company he works for has assigned him such oversight and they use a system by which they track each driver and each vehicle. He offered his knowledge to the Council as they contemplate the proposed fuel security system. He finds that such controls realize savings and would be supportive of such controls of taxpayer funds. Mr. Randazzo stated that he is here to speak about the well ordinance that was adopted some years ago. He stated that there are deficiencies in the legislation that he would like to see corrected. The ordinance requires that an entity wishing to develop a property comprising of four or more lots must adhere to the well ordinance. He expressed concern about a proposed development in his neighborhood whereby the developer is proposing to subdivide before making application thereby reducing the property from a proposed four-lot development to a three-lot development and circumventing the well ordinance. He distributed some information to the Council. He recalled certain discussions that took place when the original ordinance was being considered. He recalled that the Council thought there were protective measures inherent in

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the ordinance but he fears that a particular applicant has found a means to circumvent the ordinance. He stated that he wants the well ordinance enforced for the developer that is currently proposing developing four lots on Wooley Road despite the fact that the owner has separated one lot. He stated that information obtained about his well by this developer has yet to be provided to him. He believes that the information obtained from his well belongs to him. He stated that the Council adopted the well ordinance to protect residents and it is now being circumvented thereby eliminating those protections. He reiterated his offer to assist with the fuel security system.

Doris Aaronson, 19 Bearfort Road, West Milford stated that the Health Department is understaffed and has been operating without a health officer since December. She is happy to hear that the Administrator will be advertising for this position. She stated that there have been complaints from contractors about the length of time it takes to process applications. There have also been problems with the level of communication between divisions of the health department. The Health Advisory Board, she said, wishes to see a well-staffed health department. She is hopeful that an additional REHS will also be hired. Ms. Aaronson recalled that the Council had previously been provided information about the Greenwood Lake Bi-State Commission's potential acquisition of a cabin on Lakeside Road. The acquisition, she said, will be inexpensive and there will be a public hearing regarding the grant that she is hoping the Council will attend.

Karen Wiedmann, 6 Sunset Lane, West Milford stated that she is a realtor and owner of Remax. She is hoping that the health department will stay in West Milford. Relocating the health department to an office outside of town will make access to vital information difficult especially for realtors.

Mayor Bieri stated that she has never planned on having the health department relocate outside of town. She asked where such a notion originated and Ms. Wiedmann stated that she heard it from Doris Aaronson. Mayor Bieri confirmed that the Township has been without a health officer since the beginning of the year. She advised that she and the Administrator have been researching various options to improve the department. They looked into a possible shared services agreement with Sussex County as well as potential shared services with various other municipalities. However, each option was based on the premise that the services would remain in town. A solution has yet to be found and the research will continue. She asked people not to react to hearsay.

There being no more comments from the public Councilman Ramaglia moved to close the public portion of the meeting.

Moved: Ramaglia Seconded: Rosone
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

Agenda No. IX

Council Comments

Mr. Semrau recalled discussions about the well ordinance that occurred at the time it was being developed. Discussions about developments, at that time, were hypothetical. The ordinance was adopted by the Council and he knows that the Township Engineer, Township Planner and Planning Board Attorney have all been following this issue. The ordinance applies even if a given plot is subdivided, applying to a four-lot subdivision. Even if it were to become three lots, Mr. Semrau firmly believes that the ordinance would still apply. He will ask them to review the ordinance and, if there are any proposed revisions, to advise the Council accordingly. Councilman Smolinski asked why the data about Mr. Randazzo's well is being withheld. Discussion ensued about a number of planning board matters pertaining to the question and application in question.

Council President Signorino asked if the Township can help directly facilitate the weedharvesting at Greenwood Lake. He said that he believes that the current assistance being proffered is not the most effective. Mayor Bieri noted that the Township, for a number of years, provides annual funding to the Greenwood Lake Bi-State Commission. For many years those funds were dedicated to weedharvesting. However, a few years ago the commission requested that they be allowed to use that funding for other services and the Council concurred. Council President Signorino stated that he would prefer to have West Milford take care of the lake directly to save the Commission money. Mayor Bieri stated that it could be researched but without the benefit of that analysis she would estimate that it will cost infinitely more than \$10,000 to have a DPW employee operate the weedharvester and that does not account for the loss of that employee from the regular DPW functions. Council President Signorino stated that it is simply a suggestion.

Agenda No. X

Discussion Items

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1)	Selection of Volunteer of the Year – Councilwoman Horton nominated Richard Wirth. And Councilman Rosone nominated Dennis & Lorraine Kirwan. After a roll call vote, the Council selected Dennis & Lorraine Kirwan as this year’s recipients.
2)	Cablevision and a Dedicated Public Access Channel – Administrator Gage directed Council to the memo in their packet. She advised that the Cablevision representative, Gary Shaw has done this many times and has a lot of good advice. Today the Administration is seeking direction from Council to set up a committee and establish ground rules. Mr. Shaw suggested BOE & Council participation initially before opening the committee up to public participation. Council President Signorino, Councilwoman Erik and Councilman Smolinski expressed interest in serving. Councilman Smolinski stated that he likes the idea of BOE participation and he asked for evening meetings.
3)	Resolution: Reestablish Transportation Committee – the Council gave consensus to proceed.
4)	Resolution: Opposing S-1552 – Amendments to OPRA – Mayor Bieri asked that the discussion include this and the next item, amendments to OPMA. She thanked staff for the detailed resolution. Councilwoman Horton stated that she is left with thinking that this is a really serious thing. She is looking at this as a start. The Senate, exempting themselves from the legislation does not sit well with anyone. Councilman Ramaglia stated that this will be a work in progress. He suggests that we send this down and continue monitoring it. Discussion ensued about sending this out to other municipalities for comments. The Council agreed to send it to the legislators as well as other communities. The Council gave consensus to proceed.
5)	Resolution: Opposing S-1551 – Amendments to OPMA – Consensus to proceed.
6)	Resolution: Cancel Taxes – NJ Bell Telephone Company – Mr. Semrau advised that in the State of New Jersey, unlike 43 other states, there is no personal property tax on machinery & equipment except for certain utilities. That tax applies to NJ Bell and Verizon. Each year they fill out a form and self assess their equipment and appraise it. It then goes on the tax rolls and the municipality collects taxes. In West Milford that equates to almost \$200,000 per annum. According to Verizon they believe that if users and subscribers go under 50% in any community, the company is exempt from these taxes. In their opinion they have reached that this year and they notified the tax assessor that they are under the 50% subscriber rate. The tax assessor prepared a resolution based on that. He talked to BT about. The tax assessor can file an appeal at tax court and force Verizon to demonstrate that subscribers dipped below 50% if Council directs that appeal. Additionally, there is an ongoing appeal in State Court. If Council directs the appeal, Mr. Semrau will prepare the appeal and we will keep them on the tax rolls until it has been adjudicated. If the appeal is successful the Township will collect about \$180,000 and if you refund the money you have to pay it all back including \$60,000 that you cannot recoup from the BOE. Council President Signorino stated that Riverdale had a similar instance where the Mayor sent a letter to Verizon telling them that just telling the municipality is not sufficient but they must fill out a form by September or have a \$100 per day levy imposed. Verizon will not provide their data. He doesn’t know why the tax appeal would be necessary as it was not in Riverdale. Mr. Semrau stated that he reviewed the information about Riverdale. There are about 30 municipalities that have been affected. The Tax Assessor set the value at \$0 in January so our only recourse is an appeal. It would have been nice if we had known in advance and had a window like Riverdale had. We no longer have that option. We would have to file an appeal by May 1 st . The Council gave unanimous consent to have Mr. Semrau file the appeal.
7)	Resolution: Release Open Space Funds for Eagle Ridge & Green Property – Mr. Semrau noted that, dating back to 2005, Passaic County had given a grant of \$250,000 to West Milford for the purchase of Eagle Ridge. The purchase price being asked by the owner is \$1 million. The County has now asked if West Milford will consider releasing the funds for Eagle Ridge and the grant for the Green property approved in 2010. The release would be in good faith in recognition of the numerous grants the county has given us in recent years. He listed a number of the properties for which we received funding. We cannot exchange this for another project. The appropriate protocol would be to send the money back. Eagle Ridge is seven years old. The Council gave consensus to release the Eagle Ridge grant monies. Mr. Semrau recommended that before releasing Green property funding the Township get an update from the Land Conservancy and the Council agreed. Mr. Semrau noted that Eagle Ridge has had all development approvals lost so it cannot be developed as once planned.

Agenda No. XI

Action Items

Agenda No. X 1
 ~ Resolution No. 2012- 134 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE 2012 TEMPORARY BUDGET

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WHEREAS, NJSA 40A:4-19 provides that where contracts, commitments or payments are to be made prior to the final adoption of the 2012 budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

WHEREAS, Resolution 2012-020 for the initial temporary appropriations budget needs to be amended, and

WHEREAS, said temporary appropriations are extended and now limited to 32.35% of the total appropriation in the 2012 budget, exclusive of any appropriations made for debt service, public assistance, and capital improvement fund in said 2011 budget,

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that the following temporary budget appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for their records:

APPROPRIATION	ACCOUNT NUMBER	2011 BUDGET AS ADOPTED	2012 TEMPORARY BUDGET	YTD SPENT
Administrator S&W	01-20-100-100	\$312,613	\$83,288	
Administrator O.E.	01-20-100-200	\$83,950	\$45,000	
TOTAL		\$396,563	\$128,288	
Personnel S&W	01-20-105-100	\$0	\$ -	
Personnel O.E.	01-20-105-200	\$0	\$ -	
TOTAL		\$0	\$0	
Township Mayor & Council S&W	01-20-110-101	\$34,000	\$0,099	
Township Mayor & Council O.E.	01-20-110-200	\$850	\$1,175	
TOTAL		\$34,850	\$11,274	
Information Technology S&W	01-20-140-100	\$80,431	\$26,019	
Information Technology O.E.	01-20-140-200	\$65,725	\$21,262	
TOTAL		\$146,156	\$47,281	
Legal O.E.	01-20-155-200	\$209,000	\$209,000	
General Services S&W	01-20-161-100	\$30,000	\$ -	
General Services O.E.	01-20-161-200	\$74,000	\$23,939	
TOTAL		\$104,000	\$23,939	
Insurance, Other	01-23-210-200	\$822,260	\$495,000	1st installment due Feb.
Insurance, Other, Less Library Chargeback	01-23-210-200		\$ -	
Insurance, Group	01-23-220-506	\$3,483,216	\$1,232,000	
Insurance, Group, Less Library Chargebacks	01-23-220-506		\$ -	
TOTAL		\$4,305,476	\$1,727,000	
Heritage O.E.	01-20-173-200	\$0	\$ -	
Clerk S&W	01-20-120-100	\$238,433	\$77,133	
Clerk O.E.	01-20-120-200	\$23,530	\$7,612	
TOTAL		\$261,963	\$84,745	
Elections S&W	01-20-146-101	\$1,200	\$500	Seasonal
Elections O.E.	01-20-146-101	\$16,400	\$2,000	Seasonal
TOTAL		\$17,600	\$2,500	
Treasurer S&W	01-20-130-100	\$159,281	\$54,527	
Treasurer O.E.	01-20-130-200	\$4,670	\$1,511	
Treasurer O.E., Less Library Chargebacks	01-20-130-200		\$ -	
TOTAL		\$163,951	\$56,038	
Annual Audit	01-20-135-200	\$40,000	\$40,000	
Annual Audit Additional Services	01-20-135-201	\$10,000	\$10,000	

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TOTAL		\$50,000	\$50,000	
Tax Collector S&W	01-20-145-100	\$152,881	\$52,457	
Tax Collector O.E.	01-20-145-200	\$13,990	\$4,526	
TOTAL		\$166,871	\$56,983	
Tax Assessor S&W	01-20-150-200	\$270,912	\$87,022	
Tax Assessor O.E.	01-20-150-200	\$5,200	\$2,300	
TOTAL		\$276,112	\$89,322	
PLANNING BOARD O.E.	01-21-180-200	\$36,900	\$28,100	
Planning, Comp. S&W	01-21-181-100	\$174,026	\$38,842	
Planning, Comp. O.E.	01-21-181-200	\$23,300	\$12,500	
TOTAL		\$197,326	\$51,342	
ZONING ADMINISTRATION S&W	01-21-185-100	\$74,333	\$24,047	
BOARD OF ADJUSTMENT O.E.	01-21-186-200	\$30,400	\$28,000	
Historic Preservation S&W	01-20-175-101	\$1,600	\$518	
Historic Preservation O.E.	01-20-175-200	\$800	\$259	
TOTAL		\$2,400	\$776	
Autumn Lights Festival	01-20-171-200	\$3,000	\$ -	Seasonal
Building S&W	01-22-195-100	\$365,644	\$92,995	
Building O.E.	01-22-195-200	\$6,530	\$2,112	
TOTAL		\$372,174	\$95,107	
Environmental Commission S&W	01-22-196-101	\$1,600	\$518	
Environmental Commission O.E.	01-22-196-200	\$880	\$285	
TOTAL		\$2,480	\$802	
Police Patrol S&W	01-25-240-100	\$4,326,724	\$1,365,870	
Police Patrol O.E.	01-25-240-200	\$94,193	\$30,471	
Police Patrol-Purchase of Police Vehicles	01-25-240-201	\$50,000	\$ -	Deferred to later in year
Police Detective S&W	01-25-241-100	\$515,828	\$182,400	
Police Administration S&W	01-25-242-100	\$484,521	\$141,213	
Police Communication S&W	01-25-243-100	\$245,826	\$79,525	
Police Comm. O.E.	01-25-243-200	\$8,000	\$2,638	
Police Specials S&W	01-25-244-100	\$33,000	\$10,676	
Police Specials O.E.	01-25-244-200	\$8,000	\$4,088	
TOTAL		\$5,766,092	\$1,816,881	
Emergency Management S&W	01-25-252-100	\$5,000	\$1,618	
Emergency Management O.E.	01-25-252-200	\$26,500	\$8,573	
TOTAL		\$31,500	\$10,190	
First Aid - WMFAS Contributions	01-25-260-200	\$60,650	\$19,620	
First Aid - UGL 1st Aid Squad Contributions	01-25-261-200	\$40,500	\$13,102	
TOTAL		\$101,150	\$32,722	
Aid To Vol. Fire Co.	01-25-255-200	\$90,000	\$29,115	
Fire Prevention Bureau S&W	01-25-265-100	\$177,610	\$57,457	
Fire Prevention Bureau O.E.	01-25-265-200	\$15,830	\$5,121	
Fire Co. Admin. S&W	01-25-266-100	\$9,089	\$2,940	

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Fire Co. Admin. O.E.	01-25-266-200	\$255,150	\$82,541	
LOSAP	01-25-267-200	\$90,000	\$29,115	Deferred to later in year
TOTAL		\$637,679	\$206,289	
Engineering S&W	01-20-165-100	\$277,592	\$87,870	
Engineering O.E.	01-20-165-200	\$40,400	\$32,000	
TOTAL		\$317,992	\$119,870	
DPW Streets & Roads S&W	01-26-290-100	\$1,598,185	\$486,013	
DPW Streets & Roads O.E.	01-26-290-200	\$408,900	\$132,279	
DPW Buildings & Grounds S&W	01-26-291-100	\$91,072	\$29,462	
DPW Buildings & Grounds O.E.	01-26-291-200	\$37,600	\$12,164	
DPW Snow Removal S&W	01-26-294-100	\$235,000	\$53,570	Seasonal need 100%
DPW Snow Removal O.E.	01-26-294-200	\$1,161,385	\$168,432	Seasonal need 100%
DPW Vehicle Maintenance S&W	01-26-315-100	\$258,155	\$83,513	
DPW Vehicle Maintenance O.E.	01-26-315-200	\$278,500	\$100,000	
TOTAL		\$4,068,797	\$1,065,433	
Public Health S&W	01-27-330-100	\$306,373	\$99,112	
Public Health O.E.	01-27-330-200	\$47,738	\$15,443	
Vital Statistics S&W	01-27-331-100	\$9,000	\$2,912	
Vital Statistics O.E.	01-27-331-200	\$18,640	\$6,030	
Housing Standard Bureau O.E.	01-27-332-441	\$25,000	\$8,088	
Environmental Health S&W	01-27-335-100	\$193,156	\$62,486	
Environmental Health O.E.	01-27-335-200	\$69,150	\$63,800	
Animal Control S&W	01-27-340-100	\$85,000	\$27,498	
Animal Control O.E.	01-27-340-450	\$0	\$ -	
TOTAL		\$754,057	\$285,367	
Recreation Programs S&W	01-28-370-100	\$410,500	\$112,797	
Recreation Programs O.E.	01-28-370-200	\$132,000	\$42,702	
Recreation.-Bubbling Springs S&W	01-28-371-100	\$167,000	\$ -	Seasonal later in year
Recreation.-Bubbling Springs O.E.	01-28-371-200	\$50,000	\$16,175	Seasonal later in year
Recreation.-Admin. S&W	01-28-372-100	\$175,323	\$56,717	
Recreation.-Admin. O.E.	01-28-372-200	\$14,400	\$4,658	
Recreation.-Hillcrest S&W	01-28-374-100	\$117,471	\$38,002	
Recreation.-Hillcrest O.E.	01-28-374-200	\$20,350	\$6,583	
Recreation.-Parks Maintenance S&W	01-28-375-100	\$256,212	\$82,885	
Recreation.-Parks Maintenance O.E.	01-28-375-200	\$117,350	\$37,963	
Senior Citizen Services S&W	01-28-376-100	\$88,838	\$28,739	
Senior Citizen Services O.E.	01-28-376-200	\$12,125	\$3,922	
TOTAL		\$1,561,569	\$431,143	
Veteran's Bureau S&W	01-20-172-100	\$1,500	\$485	
Veteran's Bureau O.E.	01-20-172-200	\$0	\$ -	
TOTAL		\$1,500		
Public Assistance S&W	01-27-345-100		\$ -	
Public Assistance O.E.	01-27-345-200		\$ -	

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TOTAL			\$ -	
Celebration of Public Events O.E.	01-30-420-200	\$6,500	\$1,000	Seasonal later in year
Mass Transportation	01-30-431-200	\$85,000	\$27,498	
Library S&W	01-29-390-100	\$536,245	\$173,475	
Library O.E.	01-29-390-200	\$611,482	\$197,814	
TOTAL		\$1,147,727	\$371,290	
Municipal Court S&W	01-43-490-100	\$286,157	\$92,572	
Municipal Court O.E.	01-43-490-200	\$13,100	\$4,238	
Municipal Court Prosecutor S&W	01-43-491-101	\$26,000	\$9,011	
Municipal Court Public Defender Fees	01-43-495-450	\$0	\$ -	
TOTAL		\$325,257	\$105,821	
Utilities-Electricity	01-31-430-200	\$160,200	\$51,225	
Utilities-Street Lights	01-31-435-200	\$49,000	\$15,852	
Utilities-Telephone	01-31-440-200	\$120,000	\$38,820	
Utilities-Natural Gas	01-31-446-200	\$117,500	\$38,011	
Utilities-Fuel	01-31-460-200	\$410,000	\$132,635	
TOTAL		\$856,700	\$276,543	
MISCELLANEOUS & STATUTORY EXPENDITURES				
PENSION & FICA				
PERS	01-36-471-532	\$749,756	\$749,756.00	Deferred to 2nd Quarter
PERS - Less Library Chargebacks	01-36-471-532		\$ -	Deferred to 2nd Quarter
Social Security	01-36-472-533	\$617,293	\$617,293	
Less Library Charge backs - Social Security	01-36-472-533		\$ -	
PFRS	01-36-473-534	\$1,301,632	\$ -	Deferred to 2nd Quarter
TOTAL		\$2,668,681	\$1,367,049	
Salaries & Wages Adjustment Account	01-37-480-501	\$0	\$ -	No Budget needed for 10
Compensated Absences	01-38-485-110	\$100,000		Deferred to later in year
DEFERRED CHARGES & RESERVE FOR UNCOLLECTED TAXES				
Judgements	01-37-480-503	\$0		No Deficit/No budget
Deficit in 2004 Assessment Bonds	01-46-886-000	\$17,169		No budget
Over Expenditure of Appropriations	01-46-887-531	\$48,200		Deferred to later in year
Reserve for Tax Appeals	01-46-886-667	\$20,000		Deferred to later in year
	01-46-887-528			Deferred to later in year
Def Charges - Ord 92-14 Impr to Mun Prop	01-46-875-528	\$39,000		Deferred to later in year
	01-46-877-000			No Budget
Reserve for Uncollected Taxes	01-50-899-200	\$1,890,000		Exempt
TOTAL		\$2,014,369	\$ -	
GRANTS	G-02-41	\$100,691	\$32,574	
SUBTOTAL		\$27,396,816	\$8,864,213.48	32.35%

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APPROPRIATION	ACCOUNT NUMBER	2011 BUDGET AS ADOPTED	2012 TEMPORARY BUDGET	YTD SPENT
CAPITAL BUDGET				
CURRENT YEAR CAPITAL				
Capital Improvements Fund	01-44-900-200	\$0	\$ -	Exempt
Cap Improvements Fund Down Payments	01-44-900-200		\$ -	Exempt
Cap. Improv. Fund-Fire Emer Equip.	01-44-939-290	\$0		
TOTAL		\$0	\$ -	
Debt Service Total	01-45-000-000	\$2,434,218	\$1,044,097.25	Exempt
TOTAL OPERATING BUDGET		\$29,831,034	\$9,908,311	
Solid Waste S&W	26-55-500-100	\$136,000	\$43,996	
Solid Waste O.E. All Other	26-55-500-200	\$93,250	\$30,166	
Contractual Services	26-55-500-202	\$1,085,750	\$351,240	
Disposal Fees	26-55-500-203	\$750,000	\$242,625	
Grants - Recycling County of Passaic	26-41-753-336	\$0	\$ -	Exempt
Prior Year's Bills	26-55-900-900	\$0	\$ -	No budget
Commercial Pick Up	26-55-500-201	\$0	\$ -	No budget
TOTAL		\$2,065,000	\$668,028	32.35%

Adopted: April 4, 2012

Moved: Rosone Seconded: Signorino
 Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
 Voted Nay: None.
 Motion carried.

Approval of Expenditures

Agenda No. XII

~ Resolution No. 2012- 135 ~

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	\$127,037.09
2	Reserve Account	12,542.87
3	Animal Control Trust	0.00
6	Capital	10,942.15
7	Grants	6,778.72
8	Refuse	54,913.09
9	Refunds	0.00
12	General Ledger	0.00
16	Heritage Trust	0.00
14	Open Space Trust	0.00
17	Trust	0.00
18	Development Escrow	0.00
19	COAH	426.00

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20	Special Reserve	0.00
Total		\$212,639.92
Less Refund Resolution		0.00
Actual Bill List		\$212,639.92
Other Payments Check # 48758 Dorsey Trust Acct.		68,500.00
Check # 48736 Arbitrator		1,050.00
Total Expenditures		\$282,189.92

Approved: April 4, 2012

In response to Councilman Ramaglia’s questions, Administrator Gage will get information to Council during the coming week about the Rockland Electric payments.

Moved: Ramaglia Seconded: Rosone
 Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
 Voted Nay: None.
 Abstain: Horton abstained from 48653 only.
 Motion carried.

Agenda No. XIII

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

Councilman Ramaglia stated that he discussed the CDBG grant with Freeholder Duffy this week. Administrator Gage advised that there will be discussion at the next meeting with the Township Engineer in attendance about potentially foregoing the Marshall Hill sidewalk project and seeking to have that funding appropriated for needed road work on 1st, 2nd & 3rd Avenues. Councilman Ramaglia agreed and said that this evidences the continued positive working relationship we have nurtured with Passaic County. Working together, he said, gets results.

Councilman Rosone thanked his intern for working with him.

Council President Signorino advised that the Museum will have a reminisce series on April 14th. He explained the reminisce series and advised that Linda Baer will present some of her antique collections and speak about history of Macopin Road this year. He encouraged everyone to attend. He advised that the annual tennis tournament is being dedicated to the memory of Jim VanHooker. He announced some of the sponsors and advised that more sponsors are needed. He advised that players can find the entry form online. He advised that the FAC met last night and they are seeking direction from Council on a number of matters including health issues in the basement as well as moving forward with any plans to move offices. They also want to know the status of the pole barn at Bubbling Springs and how to proceed with the Johner Building. Administrator Gage stated that the expansion of the septic system at Bubbling Springs is not viable. A pole barn could only be used for storage and not for office space. Mayor Bieri stated that she understood that it had been made clear that the pole barn would not be approved by the Highlands Act. The Bubbling Springs septic needs repairs even without any additional usage. Every time our professionals research these matters there is a related cost. Committees do not have that authority. In her opinion the library presents options that should be considered first. She suggests waiting for the next meeting with the library that will occur when the Library Board has information to relay. Council President Signorino stated that he did meet with Doug Ott from the Library Board and did discuss matters with the FAC. They are working on scheduling a meeting with FAC and certain Library Board members for Thursday next week. Council President Signorino stated that he needs direction from the Council about short term solutions to move departments out of the basement. He stated that the answer on the pole barn gives that direction for the moment and the meeting with the library board next week will help them determine how to proceed further. Administrator Gage stated that she will speak with the construction official tomorrow. She expressed concern that her office has not been notified of any concerns with the basement. If such concerns exist and she is made aware of them, she will address them in her capacity of administrator. Those are not matters for the committee. Council President Signorino stated that he spoke with the Township Attorney regarding the federal regulations pertaining to ADA. He is now aware that the new regulations that recently went into effect apply to new construction or alterations. There were concerns about the Township not being up to code but he is now comfortable reporting back to FAC.

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Councilwoman Horton thanked all those in West Milford who volunteer regardless of whether or not they are nominated for an award. She attended a fireman’s installation on Saturday night and it was a good event to recognize those who volunteer in our fire department. Later that evening she attended an event at the Elks Club for seniors. She reminded Administrator Gage that she would like baseline data about fuel consumption. She thanked residents for recycling which reduces the cost of tipping fees. She wished a number of residents happy birthday.

Township Administrator Gage advised that Paul Ferriero, the Township Engineer, will attend the May 2nd workshop meeting to discuss the CDBG grant and the related projects. Prior to the next regular meeting on the 18th Frank Covelli will be conducting a training session for elected officials whereby the municipality will receive a \$250 per person credit for attendance. Mayor Bieri noted that she attended the seminar while at the League last year and the Township has already been credited accordingly. She confirmed the Council’s availability for four dates for budget meetings and advised that she will proceed in preparing for those meetings. The Council agreed that each of those meetings should begin at 6:30 p.m. Administrator Gage asked if the Council wishes to reconsider the Epic Solutions software for the budget. Councilwomen Horton and Erik both said yes. Ms. Gage stated that it may be too late to have that software for this year’s budget and she will work with the CFO to provide options for next year. At this point, for this year, the CFO and the Auditor are already working in the traditional manner. Discussion ensued about obtaining other quotes and comparisons of multiple software applications. Council President Signorino advised that he has been discussing the Epic Solutions products with Mr. Rheinhardt and will continue that dialogue. Administrator Gage stated that she did receive a report from the Chief of Police about his meeting with the churches. She will distribute it and schedule a workshop discussion. Councilman Smolinski asked if one church is still paying and Ms. Gage answered in the affirmative. By motion made by Councilman Smolinski, seconded by Councilman Rosone and carried by unanimous roll call vote the Council agreed to endorse the Eagle Scout project proposed and outlined in their packet with the condition that the Eagle Scout make a presentation to RAC. Ms. Gage advised that the rate for the note sale today was very favorable at .556%.

Charlene Osleador a high school student who is interning in the Clerk’s office gave the Clerk’s report. Ms. Osleador advised that the school elections will be held on April 17th and polls will open at 7 a.m. and close at 9 p.m. The April 18th Council meeting is also volunteer night.

Township Attorney Semrau expressed pleasure at following Charlene Osleador’s report. He has known her all her life and he is very proud to see her here tonight. He advised that there was a mediation session in the UGL v. West Milford matter last week. He gave an overview of the mediation and advised that the parties appear close to reaching a settlement agreement. He believes the proposed agreement protects the Township’s interests. He advised that he has asked the court and prosecutor to notify Mr. Witherspoon of any court proceedings related to the matter he has broached with the Council. Mr. Semrau advised that there is a finding of lead in certain areas at Wallisch. He asked for consensus to submit that report to the Township’s environmental insurance carrier to determine if they will provide coverage. He will also notify the Board of Education and he recommends that the matter be resolved prior to transfer of title. He advised that the BOE has requested that they be allowed to utilize some of the funds from the Wallisch transfer to begin capital projects even before the title is transferred.

Agenda No. XIV

Appointments and Resignations

~ Resolution No. 2012- 136 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ACCEPTING RESIGNATIONS TENDERED

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby accept the following resignations tendered to the Township:

<u>Name</u>	<u>Position</u>	<u>Date Tendered</u>
Denise DePalma Citizen Member	Health Advisory Board Term expiring December 31, 2013	March 27, 2012

Adopted: April 4, 2012

Discussion: Councilwoman Horton noted that Ms. DePalma had referenced the absence of a health officer in her letter of resignation. She asked if the Township is in violation of any statutes by virtue of the vacancy. Mr. Semrau answered in the negative. Administrator Gage provided an update as to the measure that have been taken in an effort to provide supervision and/or fill the vacancy in the health department. She advised that she will be advertising for a replacement.

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Moved: Ramaglia Seconded: Rosone
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

Councilwoman Erik made a motion to appoint John L. Waldo to Citizen Member on the Heritage Committee (Advisory) seconded by Councilwoman Horton.

Moved: Erik Seconded: Horton
Voted Aye: Erik, Smolinski, Ramaglia, Signorino, Horton.
Voted Nay: None.
Abstain: Rosone.
Motion carried.

Agenda No. XV

Executive Session

None.

Agenda No. XVI

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 10:34:21 p.m.

Moved: Erik Seconded: Signorino
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

Approved: June 27, 2012

MAYOR BETTINA BIERI
PRESIDING OFFICER

ANTOINETTE BATTAGLIA
TOWNSHIP CLERK