
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: April 17, 2013
Time of Meeting: 6:30 P.M.
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The Regular Meeting of the Governing Body was called to order by Mayor Bettina Bieri.

Adequate Notice Statement

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Regular meeting was advertised in the Herald News in its issue of December 30, 2012 and January 6, 2013 copies were provided to the Suburban Trends, the Record, Star Ledger, and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Pledge of Allegiance

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

Roll Call

Present: Councilmembers Ada Erik, Michael Hensley, Vivienne Erk,
Luciano Signorino, Carlla Horton, Mayor Bettina Bieri.
Absent: Edward Rosone.
Also Present: Township Administrator Nancy Gage, Township Clerk Antoinette Battaglia,
Township Attorney Frederick Semrau.

Mayor Bieri asked for a moment of silence for those victims of the Boston marathon tragedy.

Agenda No. I

Reading of or Approval of Unapproved Minutes

Councilwoman Erik moved to adopt the December 19, 2012 Regular Meeting Minutes and December 19, 2012 Executive Meeting Minutes as presented:

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

Agenda No. II

Proclamation

- National Day of Prayer – a member of a local church community came to receive the proclamation. Mayor Bieri read the proclamation and the recipient thanked the Mayor for this proclamation. This, she said, year is the 61st National Day of Prayer event and it will be held on Thursday May 2nd. This year the theme is “Pray for America.” There will be two events, noon at town hall and 7 pm at the Pinecliff Clubhouse. She urged everyone to join in praying for our nation and our town.
- Child Abuse Prevention & Awareness – Mayor Bieri read the proclamation noting it will be mailed out.

Agenda No. III

Presentation

Volunteer Appreciation Night

- 1) Mary B. Haase Lifetime Volunteer Award – Ms. Tonya Cubby and her daughter joined Mayor Bieri at the podium to accept her award. Mayor Bieri read Ms. Cubby’s biography and presented her with a plaque. Ms. Cubby thanked the Mayor & Council as well as the committee of former mayors for this honor. She said she is grateful and hopes to continue working with the museum. She said she does not feel worthy because so many people save human & animal lives and feed the hungry. She recalled some of the projects she has worked on at the museum over the years and thanked her family for their help and patience. Those who volunteer in the community, she said, know that you are often required to do unusual and unexpected things. She thanked all with whom she has and continues to work with particularly past & present Heritage Committee members, her family and Township staff. She hopes she has been a good example to others. She read a quote from Mother Theresa and asked the Heritage Committee members to join her for a photo.

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- 2) 2012 Volunteer of the Year Award – Mr. Gary Oppenheimer joined Mayor Bieri at the podium and the Mayor read his biography. Mr. Oppenheimer thanked the Council for this nomination. He thanked Ms. Cubby for all she does on the environmental commission. He said that he built AmpleHarvest.org in 1999 to learn how to donate extra produce to food pantries. It has become a national enterprise and he thanked the community for the overwhelming support this initiative has received. He listed the names of all those who have made this happen and the cities in the past two days who have signed up nationally. He stated the number of pantries who participate continues to grow. He provided some statistics about hunger in America as well as related data. In America 40% of our food is not consumed yet 1 in 6 people live in food insecure households. The theme to Ample Harvest is “no food left behind”. He said that we should each take every precaution not to waste food. CNN & PBS television stations have filmed in West Milford to document the efforts to provide fresh produce to food pantries. He read an open letter he wrote to gardeners after the Boston tragedy noting that after each tragedy we feel pain, but we also find something that affords us some healing.

Mayor Bieri recognized all the volunteers in West Milford listing the many & varied areas in which they help. She said we are very fortunate that we have an abundance of volunteers. She is proud of this community and thanked each volunteer.

3) Volunteer Group Presentations:

- 1) West Milford Rotary Club – a representative of the West Milford Rotary Club addressed the Council. Rotary is a worldwide organization which is all about service. They have 4 avenues of service; community, international, vocational, and club. He listed some of the local benefits derived in West Milford from Rotary. Today, he said, he would focus on Rotary International and relayed the story of how the West Milford Rotary helped a Russian girl who needed surgery get that medical help in America. They have stayed in touch with Sophia & her mom. Sophia needs another operation. She is now 10 or 11 years old. West Milford Rotary members are making arrangements now to get her here for her second operation. This was not budgeted for so they have to raise substantial funds. The next fundraiser is a golf outing and they will allocate funds. He has been in Rotary for about 25 years and he loves West Milford.
- 2) Sustainable West Milford - Wendy Watson-Hallowell reviewed the mission and history of Sustainable West Milford. Their organization looks to facilitate and support leaders in the community. She showed a power point presentation. Ms. Watson Hallowell advised that this year the farmer’s market is moving to Presbyterian Church and will open on June 5th. This is the 5th year of the farmer’s market and it is unusual in that it is a local-producer-only market. The farmer’s market runs for 20 weeks, every Wednesday. Sustainable West Milford has helped launch 3 businesses, provides assistance to non-profit organizations, local merchants, local artisans and musicians participate in their events. As a result of their efforts, about \$200,000 annually filters into the community. They are always seeking volunteers. They have a native plant medicinal garden about which she explained the concept and how it is done. They have monthly classes and training. They have a new program called West Milford Time Bank to allow people to barter in a larger way. People devote time doing things they are good at. They bank that time and spend it when they need a service from someone else. It is a good way to meet new people and utilize services in a neighborly way. They have started a cash mob to promote the buy local campaign. They gather in the Wells Fargo lot every Saturday morning and all go to one local store. They have partnered with the Chamber of Commerce and she, personally has found it amazing to learn all the services & goods available in West Milford. They have a canning club to preserve both the food and the art of canning goods. Sustainable West Milford will feature strawberry jam in June. They have organic community garden & classes. This is a community effort and everyone works together. It has become a solid local program. They are actively involved in Sustainable Jersey, the West Milford Environmental Commission and the Green Team. They work toward certification and are currently working on an anti-idling educational initiative.
- 3) West Milford Animal Shelter Society - Jean Bremy, President, advised that this organization has volunteers ranging from children to seniors. They take care of stray & unwanted animals. She explained the TNR program. Since its implementation over 200 cats have been spayed or neutered. She explained the advantages and asked anyone who knows of feral cats to call for help. They currently have a lot of kittens. Almost daily they get kittens at the shelter at this time of year. They are seeking to have the kittens fostered so that they can be socialized and prepared for adoption. Ms. Bremy invited everyone to 1st 5K run on May 5th. She thanked Bianchi & Son Construction for the new addition at the shelter and invited people to come see it. She thanked all the people from town who have donated to the shelter to help improve the

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- conditions for the animals. Mayor Bieri noted that this is the 3rd major addition in the 20 years she has volunteered at the shelter. They function wholly on donations and with volunteers.
- 4) West Milford Heritage Committee & Museum - Lou Signorino & Tonya Cubby addressed the Council. Mr. Signorino said the Heritage Committee is like a family. The meetings are very enjoyable and they learn about the history of this community. They take care of the museum. If anyone wants to learn about this town he recommended that they come to the museum which is open on Saturdays from 1 – 4 p.m. They have a reminisce series and they also host class trips from schools where kids learn about the history of this town. There is history, love & culture at the West Milford museum. Carl Richko orchestrates and organizes an annual tennis tournament and has done so for 21 years. Lakeland Bank & Eastern Propane are the main sponsors but they do need more sponsors. He urged people to take part noting that funds are used to maintain the museum. He is honored to be part of this committee. Ms. Cubby said that the biggest upcoming project is the ceiling renovation. The project includes removing the tin ceiling & plaster underneath. They hope to preserve some and recreate the rest. They will install fans and additional lighting. She acknowledged Carl Richko and recalled how he initiated the tennis tournament which has raised over \$60,000 in 21 years. She urged people to come, learn, participate, volunteer and/or donate.
 - 5) Woman's Club of West Milford - Debbie Colby said she has been doing this volunteer night for years and every year she learns something new. She is retiring from teaching this year and finds there is a lot to do in this town. She reviewed the meeting schedule for this club. In 1976 they held the first Victorian Christmas which is their only fundraiser. The monies raised come back into this community. They donate to fire, first aid, the museum, and the Association for Special Children. They sponsor a child at Bubbling Springs camp and they provide a scholarship to a high school student each year. Half of the money goes back to Ringwood Manor. Their new State Project for this and next year is "Family Promise". It is an organization that helps homeless families, low income families and people with medical issues. They work with groups, churches & organizations to meet these families' needs. They will seek to make donations for returning to school. They have seven members in their club and need more.
 - 6) Association for Special Children - Andy Abdul said the Association is a nonprofit organization. Family is key to child's development. This organization empowers parents to advocate for their children. They support children with disabilities. They provide resources to families, agencies & communities. They focus on supporting & educating parents, creating & providing high quality programs to develop skills for disabled children, and informing the community about needs of children with disabilities. He listed achievements in past 5 months. He listed the programs they offer and described them. He said that professionals run these programs. They have been widely recognized over the years. They are here in the community to help families with special needs. Find them online.
 - 7) 4H Club - the kids from 4H Velveteen's addressed the Council. They brought lilac bunnies and explained about this breed which is almost extinct. Becka explained how 4H has helped her in many ways in her life. She listed some of the other good things about 4H. She loves this club. Matt is the Tech officer who has been a member since last Fall. He loves this club and it has become a second family to him. Brendan said he is an ambassador of 4H. He explained how he represents the West Milford chapter. Becka reviewed some of the 4H recent accomplishments. Celeste Hampton said these kids are extraordinary. In the past two weeks they have planted 200 flats of vegetables. They have worked to protect endangered species. Head, heart, hands & health are the 4 Hs. You learn by doing. They are hoping to have a plant exchange later in the year and will participate at ALF. Gail, co leader commended the kids who work hard saying they have been an invaluable help to her. Becka said that 4H presents great opportunities and she encouraged kids to join. Rutgers is their cooperative extension.
 - 8) Search & Rescue – Dina said that West Milford S&R has been in operation for about 19 years. West Milford is the second largest team in New Jersey with 38 dedicated, and skillfully trained members. She thanked all the families who support this dedication. In 2012 the S&R clocked in over 2,000 hours of manpower and she listed some of the rescue missions. She described the work they did during Hurricane Sandy. Their primary work is search & rescue in the woods and any event to which the police call them out. They provide preventative search & rescue programs for our children and have offered the program for four years. The program is a presentation that focuses on children 4-12 and it is aimed at teaching kids how not to get lost in any environment including the woods. They teach them how to stay safe, survive and not panic if they do get lost and they also teach them how to help a rescue effort. The most important thing is to stay in one place if you get lost. They also participate in a lot of public events. They will participate in Relay for Life. They have raised thousands of dollars for Relay for Life event over the years. They have a dunk tank with featured participants which will include the Mayor this year. They have a table at ALF to promote community awareness and

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are involved in conservation efforts including the reptile crossing on Clinton Road. They work on trail maintenance. She thanked the community & local establishments for all their support. Mayor Bieri said it is time the S&R team is recognized. She worked side by side with many of their members during Super-storm Sandy and they were a tremendous help to OEM. They are often forgotten. She explained the effort and training they endure.

- 9) West Milford High School Interact Club - Marilyn Lichtenberg and Interact Club members put on a small play. The scene is the Creative Playground where they are working, raking & picking up garbage. Interact takes care of the playground. Mrs. Lichtenberg listed some of their efforts and accomplishments. She urged kids to join and become involved. They will have a 2K walk at the high school track.

Mayor Bieri thanked all those who spoke about their respective volunteer groups and she asked if anyone else wishes to speak.

Jay Huggins from Hewitt said he is one of three volunteer coordinators of the West Milford pump track. He listed other coordinators. Through JORBA and Teen Town Cycle this group started the pump track at Farrell Field and he explained what it is. The pump track opened last October and was a great success in 2012. The track has had a positive economic impact on the community. He shared comments from their facebook page adding that at the track, on any given day there are riders from all over. The pump track is now open for the 2013 season and the coordinators are spending time on aesthetics. He thanked the Township & volunteers who continue to help with this project.

Mayor Bieri called for a five minute recess to allow people to leave.

Agenda No. IV

Executive Session

~ Resolution No. 2013- 121 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 17th day of April, 2013 that:

1. Prior to the conclusion of this Regular Meeting, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () b. (4) A collective bargaining agreement including negotiations.
 - () 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.
 - o Contract – PAL Agreement; Potential Litigation – Joo v. West Milford
 - o Contract – Triple T – Recycling Center
 - () 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 17, 2013

Moved: Erik
Voted Aye: Erik, Hensley, Erk, Signorino, Horton.
Voted Nay: None.

Seconded: Signorino

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Motion carried.

The Governing Body went into executive session at 8:33 p.m.
The Governing Body returned at 9:11 p.m. to the meeting room with all present as before.

Agenda No. V

Unfinished Business, Final Passage of Ordinances

Agenda No. V 1

~ Ordinance No. 2013- 008 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY TO ACCEPT THE DEDICATION OF A DRAINAGE EASEMENT FROM CARL KIRK ZIEGLER AND BARBARA J. ZIEGLER AS FURTHER DESCRIBED HEREIN AND PURSUANT TO THE TERMS AND CONDITIONS OF THIS ORDINANCE

WHEREAS, Sun Young Joo has made application to the West Milford Township Planning Board for a Major Soil Removal Permit for property known as Block 10402, Lot 12; and

WHEREAS, said application was approved by the West Milford Township Planning Board on January 3, 2013; and

WHEREAS, subsequent to the Planning Board's approval of the Major Soil Removal Permit, revised plans were submitted by the applicant's engineer and approved by the Board's Engineer; and

WHEREAS, the Board's Engineer issued a report dated January 30, 2013 in which he required written documentation from the owners of Block 10401, Lot 11 to confirm that the proposed change in the driveway surface material was acceptable; and

WHEREAS, Carl Kirk Ziegler and Barbara J. Ziegler are the owners of the said property known as Block 10401, Lot 11 within the Township of West Milford; and

WHEREAS, Mr. and Mrs. Ziegler appeared at the public hearing before the Board on February 7, 2013 to express concerns regarding the flow into the manhole at the head of their driveway during major storm events; and

WHEREAS, the applicant's engineer suggested a re-routing of the bypass pipe away from the Ziegler driveway which was acceptable to Mr. and Mrs. Ziegler; and

WHEREAS, while the re-routing of the pipe will eliminate the need to disturb the Ziegler driveway, it will require a Drainage Easement from the Zieglers for the new pipe location.

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

1. The drainage easement set forth in the Deed of Dedication, on file with the Township Clerk, being part of Block 10401, Lot 11, is hereby accepted as and for a public drainage easement.
2. The Mayor is authorized and directed to accept the Drainage Easement and to record same for the benefit of the Township.
3. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.
4. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.
5. This Ordinance shall take effect after publication and passage according to law.

Introduced: March 20, 2013
Adopted: April 17, 2013
Effective Date: May 7, 2013

This Ordinance was introduced on March 20, 2013 and the notice of public hearing was published in the Herald News on March 24, 2013. Mayor opened the meeting to the public to speak on this ordinance only.

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BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced: April 3, 2013
Adopted: April 17, 2013
Effective Date: May 7, 2013

This Ordinance was introduced on April 3, 2013 and the notice of public hearing was published in the Herald News on March 24, 2013. The Council will open the meeting to the public to speak on this ordinance only.

There being no comments from the public Councilwoman Horton made a motion, seconded by Council President Signorino and carried by unanimous voice vote to close public comments.

Motion to adopt ordinance 2013-009.

Discussion: Councilman Hensley said he understands the concept of this ordinance but he does not have enough information about the workings of this to vote on it. He would like to understand how it works. Mr. Semrau advised that passage requires four affirmative votes. Ms. Gage advised that this ordinance does not approve spending. Municipalities are allowed to bank what has been authorized and what could have authorized within the cap. If we have an emergency in a future year we can use the bank. It allows wiggle room in the future if we have an emergency. If we don't do this there is a lengthy State process should a need for emergency appropriations arise. Mayor Bieri explained the details.

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

Agenda No. V 3

~ Ordinance No. 2013- 010 ~

BOND ORDINANCE APPROPRIATING \$1,940,600, AND AUTHORIZING THE ISSUANCE OF \$1,605,000 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1 The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Township of West Milford, in the County of Passaic, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$1,940,600 including the aggregate sum of \$85,600 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes and including also, in the case of the improvement or purpose described in paragraph (c) of said Section 3, the sum 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 or purpose.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,940,600 appropriations not provided for by application hereunder of said down payments and grant, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$1,605,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$1,605,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

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Section 3 The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

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	52,000	49,000

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IMPROVEMENT OR PURPOSE	APPROPRIATION & ESTIMATED COST	ESTIMATED MAX. AMT OF BONDS & NOTES
hereby approved		
(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
(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	\$1,940,600	\$1,605,000

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

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- 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 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
Adopted: April 17, 2013
Effective Date: May 7, 2013

This Ordinance was introduced on April 3, 2013 and the notice of public hearing was published in the Herald News on April 7, 2013. The Council will open the meeting to the public to speak on this ordinance only.

There being no person seeking to be heard, Councilwoman Erik make a motion, seconded by Councilwoman Horton and carried by unanimous voice vote to close the public portion.

Motion to adopt ordinance 2013-010.

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

Agenda No. VI

Public Comments

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

Keith Garley, Alpine Marina, Upper Greenwood Lake said he is representing the marina owners. They would like to request a sit down meeting with the Council to air views as to the Greenwood Lake Commission, weed harvesting and user fees.

Clint Smith, West Milford said he is the Governor's representative to the Greenwood Lake Bi-State Commission. He supports the plan to have such a discussion.

Maryann Minikus, 87 Crest Lake Drive, West Milford said she has some concerns. There was tension at the last meeting she attended and it bothered her. She is not party affiliated. She has reviewed the budget & read the papers. She does not think taxpayers can understand the budget. There are numbers but no explanations. She asked if Council gets enough time to review those numbers. If departments need money to run properly they should get it. But residents are hurting. She is paying too much in taxes and works hard. She has had to make cuts. All she asks is that Council take enough time to review the

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budget. Approve if it is rational. If cuts are possible then cut. She is in the school system and there are hungry people in this community. There will be more businesses and families leaving this community. Spend money wisely.

Erik Hastings, West Milford thanked the Council for help getting the weed harvesting equipment to the County salt shed. The harvester, he said, will be launched on Thursday or Friday. He asked if the \$10,000 appropriation for the Greenwood Lake Bi-State Commission is in or out of the budget. Ms. Gage said the budget is scheduled for the next workshop meeting and a public vote is required to amend.

There being no more comments from the public Council President Signorino moved to close the public portion of the meeting.

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

Agenda No. VII

Council Comments

Council President Signorino said he would be amenable to having the marina owners at the next meeting for a presentation. He thanked Ms. Minikus for her words agreeing that there may be ways to improve the budget process. He will give suggestions to the Administrator.

Councilman Hensley echoed those comments. He noted that this was his first budget process and it was one of the main reasons he ran for Council. He was excited about the subcommittees and he enjoyed the process. However, when he returned to the dais he did not have familiarity with other subcommittees. The process is speedy and there is a lot of information to review. Sometimes you only think of questions weeks later. Moving forward he would like to see the budget handled in a more public venue. This would allow residents to be part of the process.

Councilwoman Erk said she would also be amenable to meeting with marina owners.

Administrator Gage said she will schedule the marina owners as a presentation at next meeting. Mayor Bieri suggested that the Greenwood Lake Bi-State Commission be given equal time at that meeting also.

Agenda No. VIII

New Business Introduction of Ordinances, Resolutions

Mayor Bieri asked for & received consensus to introduce ordinances 2013-011 and 2013-012 as one:

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

Agenda No. VIII 1

~ Ordinance No. 2013- 011 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING §500-36.1.D.(2) and §414-6 OF THE TOWNSHIP CODE TO APPROVE CHANGES TO THE DATES WITHIN WHICH THE FARMERS' MARKET CAN OPERATE ANNUALLY

BE IT ORDAINED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, as follows:

§500-36.1. Temporary outdoor commercial sales event and seasonal farmers market sales.

D. Term of permit.

(2) A seasonal farmers' market permit shall be required for each seasonal event. One permit shall cover the entire duration of the seasonal event permitted within the time period from mid-May through mid-October of each calendar year. The sponsor of the seasonal farmers' market shall be responsible to secure said permit, which shall cover any and all vendors participating in the event.

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§ 414-6 Temporary Outdoor Commercial Sales Permit and Seasonal Farmer's Market Permit

A permit shall be required to conduct a Temporary Outdoor Commercial Sales event and a Seasonal Farmer's Market as defined in Chapter 420, § 420-6 and as regulated in Chapter 500, §500-36.1. The fee for each permit shall be fifty dollars (\$50). A Seasonal Farmer's Market shall be entitled to operate on the basis on one permit per season which shall constitute the time period from mid-May through mid-October per calendar year.

This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Introduced: April 17, 2013

This Ordinance is being introduced tonight. A second reading and public hearing for this Ordinance is set for the Workshop Meeting of the Township Council scheduled for May 22, 2013. Notice of this public hearing shall be published in the Herald News on or about May 26, 2013.

Agenda No. VIII 2

~ Ordinance No. 2013- 012 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING §15-108 OF THE TOWNSHIP CODE TO CHANGE THE NUMBER OF MEMBERS OF THE LIBRARY BOARD OF TRUSTEES FROM SEVEN MEMBERS TO NINE MEMBERS

BE IT ORDAINED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, as follows:

Section §15-108 of the Township code be and is hereby amended to reflect that the composition of the Board of Trustees of the West Milford Township Library shall change so that the number of citizen members on the Board shall increase from five to seven.

This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Introduced: April 17, 2013

This Ordinance is being introduced tonight. A second reading and public hearing for this Ordinance is set for the Workshop Meeting of the Township Council scheduled for May 22, 2013. Notice of this public hearing shall be published in the Herald News on or about May 26, 2013.

Mayor Bieri asked to move Resolutions 2013-122, 2013-123, 2013-124, 2013-125, 2013-126, 2013-127, 2013-128 and 2013-138 as one.

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

Agenda No. VIII 3

~ Resolution No. 2013- 122 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A DEVIATION FROM §500-36.1.D(2) OF THE TOWNSHIP CODE SO THAT THE FARMER'S MARKET CAN OPERATE FOR A 20-WEEK PERIOD FROM MID-MAY TO MID-OCTOBER 2013

WHEREAS, section §500-36.1.D(2) of the Township code authorizes the operation of an annual farmer's market, with the appropriate permits, from June 1 through October 31 of each calendar year; and

WHEREAS, a request has been made to modify this requirement so that the market can operate from mid-May to mid-October each year which is consistent with the availability of fresh food and produce; and

WHEREAS, the Township Council is considering such permanent amendment to said schedule by virtue of amending the code accordingly; and

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WHEREAS, to afford the organizers time to prepare for the 2013 season, a resolution is necessary to convey authorization from the Council for this year.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby authorize those staff members who issue permits in accordance with §500-36 of the Township code to issue such permits for a 20-week period from mid-May to mid-October, 2013.

Adopted: April 17, 2013

Agenda No. VIII 4

~ Resolution No. 2013- 123 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY SUPPORTING SUSTAINABLE STATE FUNDING FOR PRESERVATION AND STEWARDSHIP OF OPEN SPACE, PARKS, FARMLAND AND HISTORIC SITES IN NEW JERSEY

WHEREAS, New Jersey has a long and successful history of preserving open space, parks, farmland, and historic sites; and

WHEREAS, the Green Acres program has helped to preserve over 650,000 acres of land and supported more than 1,100 park development projects over the past 50 years, and the state Agricultural Development Committee has preserved 200,000; and

WHEREAS, all remaining funds for these programs under the Green Acres, Water Supply and Floodplain Protection, Farmland and Historic Preservation Bond Act of 2009 were fully allocated by the end of 2012; and

WHEREAS, municipalities across the Garden State have been direct beneficiaries of, and partners to, these critical state preservation programs; and

WHEREAS, substantial unmet needs remain for additional land and water protection, park development, and farmland and historic preservation, for the health and welfare of all our communities and residents; and

WHEREAS, it is imperative that a sustainable state funding source be established in order to sustain open space, farmland, and historic preservation programs beyond the 2009 Bond Act.

NOW, THEREFORE, BE IT RESOLVED, that the Township of West Milford hereby expresses support for the establishment of a sustainable state funding source for these purposes; and

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the New Jersey State League of Municipalities, Senator Joseph Pennacchio, Assemblyman Jay Webber, Assemblywoman Betty Lou De Croce, the members of the Senate Environment and Energy Committee, the Assembly Environment and Solid Waste Committee, the Commissioner of the Department of Environmental Protection, the New Jersey Secretary of Agriculture and the Governor of the State of New Jersey.

Adopted: April 17, 2013

Agenda No. VIII 5

~ Resolution No. 2013- 124 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE FILING AND ACCEPTANCE OF A 2013 RECYCLING TONNAGE GRANT

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

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WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Township Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that it does hereby endorse the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Office of Recycling and designates David Stires, Recycling Coordinator to ensure that the said application is properly filed.

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Adopted: April 17, 2013

Agenda No. VIII 6

~ Resolution No. 2013- 125 ~

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 TO HAROLD E. PELLOW & ASSOCIATES, INC. FOR THE DESIGN AND PREPARATION OF BID DOCUMENTS TO REHABILITATE THE PARKING LOT AT WESTBROOK PARK

WHEREAS, the Township Council has determined there is a need for improved parking facilities at the Coffee House teen center at Westbrook Park; and

WHEREAS, the existing parking areas will be rehabilitated to the degree that will not require environmental permitting as the Westbrook Park property is restricted by an NJDEP conservation easement; and

WHEREAS, in 2008, Harold E. Pellow & Associates was contracted for conceptual improvements throughout Westbrook Park and is therefore familiar with the property and has submitted a proposal for the design of parking & outdoor lighting improvements in an amount not to exceed \$4,500; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds, said funds to be encumbered from account number: C-04-215-55-801-000.

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 services contract with Harold E. Pellow & Associates, Inc., 117 Plains Road, Augusta, NJ 07822, for the design and preparation of bid documents to rehabilitate the Coffee House parking lot at Westbrook Park, in an amount not to exceed \$4,500.
2. This contract is approved as a "Professional Services" in accordance with the provisions of the Local Public Contracts Law.
3. The total fee authorized for this contract shall not exceed \$4,500 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 and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: April 17, 2013

Agenda No. VIII 7

~ Resolution No. 2013- 126 ~

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 TO CHARLES SCHAFFER ASSOCIATES LLC FOR THE REVIEW AND ANALYSIS OF PUBLIC FACILITIES

WHEREAS, the Township Council has determined there is a need for the review and analysis of all existing departments and spaces for current and future use; and

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WHEREAS, the Township Council has requested professional guidance in the planning of floor layout for the new library structure, the existing library facility, the Hillcrest facility and the relocation of departments in the existing municipal building which also includes the analysis of possible Code issues; and

WHEREAS, Charles Schaffer Associates LLC has submitted a proposal for the review and analysis of all existing departments and spaces for current and future use and in the planning of floor layout for the new library structure, the existing library facility, the Hillcrest facility and the relocation of departments in the existing municipal building which also includes the analysis of possible Code issues in an amount not to exceed \$9,475; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds, said funds to be encumbered from account number: 04-215-55-809-000 captioned facilities fund.

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 services contract with Charles Schaffer Associates LLC, 288 Newton-Sparta Road, Newton, NJ 07860, for the above referenced purposes in an amount not to exceed \$9,475.00.
2. This contract is approved as a "Professional Services" in accordance with the provisions of the Local Public Contracts Law.
3. The total fee authorized for this contract shall not exceed \$9,475.00 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 and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: April 17, 2013

Agenda No. VIII 8

~ Resolution No. 2013- 127 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONSTRUCTION CONTRACT TO HASKELL PAVING INC. FOR THE FIRST, SECOND, THIRD AVENUE IMPROVEMENTS PROJECT

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on April 5, 2013 at 10:00 am for the improvements to First Avenue, Second Avenue, Third Avenue and the included portion of Center Street as per the bid specifications; and

WHEREAS, the Township of West Milford received nine (9) bids for this contract; and

WHEREAS, said bids have been duly reviewed and analyzed by the West Milford Township Engineering Division and the Township Attorney; and

WHEREAS, the bid received from the low bidder Haskell Paving 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 Chief Financial Officer has certified that encumbrances for these services shall come from accounts numbered 02-213-41-863-000, 19-295-56-100-500, 04-215-55-812-016, 04-215-55-812-017.

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

1. The Township Council hereby awards a contract to Haskell Paving Inc., 30 Greenwood Lake Turnpike, Ringwood, NJ 07456 for the First, Second, Third Avenue Improvements project in an amount not to exceed \$496,456.20
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Haskell Paving Inc. in accordance with its bid for said improvements to First Avenue, Second Avenue, Third Avenue and the included portion of Center Street in the Township of West Milford.

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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 17, 2013

Agenda No. VIII 9

~ Resolution No. 2013- 128 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE DISCHARGING OF A CERTAIN MORTGAGE HELD BY THE TOWNSHIP OF WEST MILFORD AGAINST PROPERTY KNOWN AS 19 LARAMIE TRAIL, WEST MILFORD, NJ

WHEREAS, in accordance with its Small Cities CDBG program and Emergency Housing Repair Program, the Township issued a Note and Mortgage in the amount of \$4,975 to Jacqueline Willson, 19 Laramie Trail, West Milford, NJ on June 18, 1998; and

WHEREAS, in accordance with the terms of the loan, at the conclusion of a five year period the loan will be forgiven and the corresponding Mortgage will be discharged.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of West Milford, in the County of Passaic, and State of New Jersey that the Township is hereby authorized to execute and record with the Passaic County Clerk a Discharge of Mortgage in connection with the Emergency Housing Repair Program loan issued to Jacqueline Willson in the amount of \$4,975 for property known as 19 Laramie Trail, Block 505, Lot 5.

BE IT FURTHER RESOLVED, that all municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.

This Resolution shall take effect immediately.

Adopted: April 17, 2013

Agenda No. VIII 10

~ Resolution No. 2013- 138 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY AUTHORIZING THE FILING OF AN APPLICATION TO THE NJDEP, DIVISION OF PARKS AND FORESTRY, FOR A NNL (NO NET LOSS) GRANT IN THE AMOUNT OF \$620,197. FOR COMPENSATORY REFORESTATION IN THE TOWNSHIP OF WEST MILFORD, AND AUTHORIZING RONALD FARR, OF FARR FORESTRY SERVICES, LLC TO PROVIDE PROJECT MANAGEMENT SERVICES FOR THIS NNL GRANT PROJECT FOR THE TOWNSHIP OF WEST MILFORD.

WHEREAS, the Township Council of the Township of West Milford has determined that there is a need to apply for a NNL (No Net Loss) Reforestation Grant from the NJDEP, Department of Parks and Forestry, in the amount of \$620,197.00 with no matching funds required, for compensatory reforestation on public lands in the Township of West Milford as a result of the recent deforestation of approximately 42 acres from the Tennessee Gas Pipeline project; and

WHEREAS, the West Milford Environmental Commission has recommended that the Township Council endorse the application for a NNL Grant in the amount of \$620,197.00 for the planting of approximately 2,000 trees on public lands in the Township of West Milford; and

WHEREAS, there are no matching grant funds required from the Township of West Milford for this NNL Grant Program that was established under the No Net Loss Reforestation Act (NNLR Act) which seeks to conserve forested land in New Jersey and provide funding to perform compensatory reforestation; and

WHEREAS, the Township of West Milford entered into a professional services contract with Ronald Farr of Farr Forestry Services, LLC, authorized by Resolution 2013-114 and adopted on April 3, 2013, to prepare and complete a Community Forestry Management Plan for the Township of West Milford, a condition required by the NNL Grant Program for receipt of the NNL grant funds; and

WHEREAS, Ronald Farr of Farr Forestry Services, LLC submitted a proposal that included his fees for the NNL Grant application in an amount not to exceed 10% of the total NNL Grant, said services to include, but not be limited to, completion of the application, completion of the planting plan with locations and species required for submission with the application, project budget preparation and

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management, forestry supervision and project management, and periodic reporting to the West Milford Environmental Commission and Township of West Milford.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford hereby authorizes the submission of a>NNL (No Net Loss) Grant application to the NJDEP, Division of Parks and Forestry, in the amount of \$620,197.00 and authorizes Ronald Farr of Farr Forestry Services, LLC to complete the grant application and provide the necessary services required for this reforestation grant project.

Adopted: April 17, 2013

Agenda No. IX

Consent Agenda

~ Resolution No. 2013- 129 ~

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:

- a. **2013-130** – Cancel Taxes
- b. **2013-131** – Refund Other Liens
- c. **2013-132** – Refund Overpayments
- d. **2013-133** – Refund MUA Overpayments
- e. **2013-134** – Refund Recreation Fees
- f. **2013-135** – Reinstate Taxes
- g. **2013-136** – Various 2013 Licenses

Applications:

- 1. Application for Off Premise Calendar Raffle License No. 2013-16 by St Joseph Church for various 2013 dates through 9/25/2013.
- 2. Application for On Premise Draw Raffle License No. 2013-17 by Paradise Knoll PTA for 5/18/2013.
- 3. Application for On Premise 50/50 Raffle License No. 2013-18 by Paradise Knoll PTA for 5/18/2013.
- 4. Petition to Extend Licensed Premises by Normtra LLC t/a Big John’s Pub for June 6, 2013.

Adopted: April 17, 2013

Agenda No. IX a

~ Resolution No. 2013- 130 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CANCELLATION OF TAX

WHEREAS, there appears on the tax records balances as listed below; and

WHEREAS, the Collector of Taxes recommends the cancellation of taxes due to reasons listed below.

NOW, THEREFORE, BE IT RESOLVED that the proper officers be and they are hereby authorized and directed to cancel as hereafter listed below:

Reason: **100% Disabled Veteran**

BLOCK/LOT	NAME	AMOUNT	YEAR
1913-8	Howard M. Aiello	\$624.88	4 th Qtr.Full Year
TOTAL		\$624.88	

Adopted: April 17, 2013

Agenda No. IX b

~ Resolution No. 2013- 131 ~

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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF OTHER LIENS

WHEREAS, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective lien.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of West Milford that the proper officers be and are hereby authorized and directed to pay the indicated amount to the holder of the lien certificate as hereinafter shown below:

Certificate No.	Certificate Date	Block/Lot/Qual	Reimburse Amount	Pay to the Lien Holder
13-0030	3-19-13	2702-22	6,075.59	ACTLIEN HOLDING INC. 45 W.45 th St. Suite 1402 New York, NY 10036
13-0087	3-19-13	11106-1	36,041.71	DBW TL HOLDCO 2013 LLC 1345 Ave Of The Americas New York, NY 10105
13-0059	3-19-13	7502-2	2,400.20	US BANK CUST FOR PRO CAP II 50 South 16 th St. Ste 1950 Philadelphia, PA 19102
13-0111	3-19-13	16302-6	12,062.51	CLEMENTE ENTERPRISES LLC P.O. Box 141 Wyckoff, NJ 07481
13-0099	3-19-13	13906-21	10,464.19	MTAG SERVICES AS CUSTODIAN FOR ATCFII NEW JERSEY LLC P.O. Box 54292 New Orleans, La 70154-4292
11-083	4-19-11	9401-9	51,274.48	US BANK CUST FOR CCTS CAPITAL LLC 2 Lberty Place 50 South 16 St. Ste 1950 Philadelphia, PA 19102
11-096	4-19-11	11101-31	20,246.08	THEODORE JENKINS 1418 Cornell Place Union, NJ 07083
12-104	3-27-12	11101-31	40,403.72	FWDSL & ASSOCIATES LP 5 Cold Hill Road S Suite 11 Mendham, NJ 07945
13-0045	3-19-13	5701-3	11,304.17	FWDSL & ASSOCIATES LP 5 Cold Hill Road S Suite 11 Mendham, NJ 07945
13-0046	3-19-13	5701-4	27,132.20	FWDSL & ASSOCIATES LP 5 Cold Hill Road S Suite 11 Mendham, NJ 07945
13-0047	3-19-13	5701-5	14,882.92	DBW TL HOLDCO 2013 LLC 1345 Avenue Of The Americas 46 th Floor New York, NY 10105
11-118	4-19-11	15803-9	13,409.17	ROSEHILL FUND 1 LLC P.O. Box 503 Rye, NY 10580
08-041	4-8-05	2801-5	12,881.66	PAM INVESTORS C/O PATrick Carabellese 127 South Washington Ave Bergenfield, NJ 07621
09-108	3-25-19	9801-28.02	24,833.66	ANTHONY LAMBIASE 55 Mountain Glen Road Ringwood, NJ 07456
11-004	4-19-11	703-1	9,240.24	EMPIRE TAX FUND III LLC 8 Harrows Lane Purchase, NY 10577

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Certificate No.	Certificate Date	Block/Lot/Qual	Reimburse Amount	Pay to the Lien Holder
11-013	4-19-11	1816-1	9,730.09	THEODORE JENKINS 1418 Cornell Place Union, NJ 07083
11-086	4-19-11	9801-28.04	5,204.25	THEODORE JENKINS 1418 Cornell Place Union, NJ 07083
11-087	4-19-11	9801-28.05	12,759.64	LEAN MAN RETIREMENT PLAN C/O Alex Garcia; Ttee 103 Finch Road Ringwood, NJ 07456
11-088	4-49-11	9801-28.07	12,702.17	LEAN MAN RETIREMENT PLAN C/O Alex Garcia; Ttee 103 Finch Road Ringwood, NJ 0745
12-027	3-27-12	2315-2	10,261.09	ACE PLUS LLC 1416 Avenue L Brooklyn, NY 11230
13-0080	3-19-13	9801-28.04	1,613.85	LEAN MAN RETIREMENT PLAN C/O Alex Garcia; Ttee 103 Finch Road Ringwood, NJ 07456
11-070	4-19-11	7601-1.02	56,746.26	US BANK CUST FOR TOWER DBW/ 50 South 16 th St Ste 1950-Tow Philadelphia, PA 19102
Total			401,669.85	

Adopted: April 17, 2013

Agenda No. IX c

~ Resolution No. 2013- 132 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF OVERPAYMENTS

WHEREAS, there appears on the tax records overpayments as shown below and the Collector of Taxes recommends the refund of such overpayments.

NOW, THEREFORE, BE IT RESOLVED that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayment as shown below:

REASONS:

- | | |
|-------------------------------------|--------------------------|
| 1. Incorrect Payment | 2. Duplicate Payment |
| 3. Senior Citizen Veteran Deduction | 4. Homestead Rebate |
| 5. Tax Appeal | 6. 100% Disabled Veteran |

Block/Lot	Name	Amount	Year	Reason
7619-10	Chad & Beth Clark 12 Milford Lane West Milford, NJ 07480	\$1,907.40	2012	1
1913-8	Howard M. Aiello PO Box 425 West Milford, NJ 07480	\$624.88	2012	6
TOTAL		\$2,532.28		

Adopted: April 17, 2013

Agenda No. IX d

~ Resolution No. 2013- 133 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF MUA OVERPAYMENTS

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, there appears on the tax records overpayments as shown below and the Collector of Taxes recommends the refund of such overpayments.

NOW, THEREFORE, BE IT RESOLVED that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayment as shown below:

REASONS: MUA MONEY COLLECTED FROM LIENS SOLD

Block/Lot	Name	Amount	Year	
9711-5	West Milford MUA 179 Cahill Cross Road Suite 202 West Milford, NJ 07480	\$889.28	2012	
9706-13		\$557.78	2012	
4007-5		\$210.88	2012	
4107-4		\$1,768.37	2012	
8802-11		\$1,192.53	2012	
9404-8		\$452.04	2012	
9406-8		\$1,618.34	2012	
6709-8		\$227.07	2012	
3602-1		\$214.70	2012	
7801-15.08		\$697.65	2012	
7801-30.07		\$446.66	2012	
7801-32.07		\$1,325.04	2012	
7801-38.03		\$493.76	2012	
TOTAL		\$10,094.10		

Block/Lot	Name	Amount	Year	
3602-9	West Milford MUA 179 Cahill Cross Road Suite 202 West Milford, NJ 07480	\$441.33	2012	
7801-23.02		\$465.57	2012	
8705-7		\$912.79	2012	
4108-6		\$521.46	2012	
6715-7		\$389.42	2012	
4010-4		\$413.87	2012	
4107-2		\$817.24	2012	
4108-5		\$1,686.62	2012	
6710-4		\$196.47	2012	
7801-44.06		\$2,157.40	2012	
7801-53.06		\$1,737.25	2012	
8801-13		\$1,377.82	2012	
8901-10		\$1,664.00	2012	
9101-1		\$1,815.83	2012	
9101-32		\$1,719.00	2012	
9409-5		\$1,474.56	2012	
9705-5		\$1,662.57	2012	
9705-14		\$170.60	2012	
9707-9		\$1,667.50	2012	
9710-18		\$452.44	2012	
3602-8		\$177.73	2012	
3603-7		\$649.81	2012	
4201-26		\$410.74	2012	
7801-40.05		\$556.46	2012	
8401-3.01		\$1,717.77	2012	
TOTAL		\$25,256.25		

Adopted: April 17, 2013

Agenda No. IX e

~ Resolution No. 2013- 134 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF RECREATION FEES

BE IT RESOLVED that the following recreational fees upon the report of the Director of Community Services and Recreation be refunded:

<u>Pajama Party Music-spring</u>		
Jonathan Andrade	\$86.00	Katherine Andrade 15 Melrose Avenue

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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		Hewitt, NJ 07421
<u>Jewelry design</u>		
Victoria	\$70.00	Laurie Evanchick 22 Pine Lane West Milford, NJ 07480
<u>Comic Book Creation</u>		
James	\$70.00	Megan Walsh-Gammon 57H Bunker Hill Road West Milford, NJ 07480
<u>Preschool/Eager Beaver/Ses 5</u>		
Julia	120.00	Anna Plewa 20 Mohawk Trail West Milford, NJ 07480
<u>Preschool/Eager Beaver/Ses 5</u>		
Madison	120.00	Trish TenHoeve 15 Apple Lane West Milford, NJ 07480
<u>Pajama party music class</u>		
Kyle	\$96.00	Christine Schouten 1 Vanessa Court West Milford, NJ 07480
<u>Creative Writing</u>		
Virginia	\$25.00	Virginia Castro-Conroy 33 Hudson Drive West Milford, NJ 07480
<u>Creative Writing</u>		
Edna	\$25.00	Edna Brodersen 6302 Richmond Road West Milford, NJ 07480

Adopted: April 17, 2013

Agenda No. IX f

~ Resolution No. 2013- 135 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REINSTATEMENT OF TAXES

WHEREAS, there appears on the tax records receipt of payment of taxes; and

WHEREAS, the Collector of Taxes recommends the reinstatement of taxes due to reasons stated below.

NOW, THEREFORE BE IT RESOLVED, that the proper officers be and they are hereby authorized and directed to reinstate as listed below:

REASON: 1. INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR
1204-6	Donna Shepherd/Daniel Androvett	\$2,609.39	2013
TOTAL		\$2,609.39	

Adopted: April 17, 2013

Agenda No. IX g

~ Resolution No. 2013- 136 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2013

WHEREAS, applications have been made for the renewal of various Licenses 2013; and

WHEREAS, reports of recommendation have been received from applicable Township Departments recommending the issuance of said licenses as listed below.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford does hereby approve the issuance of 2013 Licenses as listed below:

2013 CLOTHING BIN PERMIT	
License No.	Organization Name BIN Location
WM2013-H&M 1 WM2013-H&M 2	NJ-NY Volunteer Fireman's Association WM First Aid Squad 2940 Rt 23 (1 bin) Rte 699 (S. Oak Ridge Rd) (1 bin) Newfoundland, NJ
WM2013-H&M 3 WM2013-H&M 4 WM2013-H&M 5 WM2013-H&M 6	NJ-NY Volunteer Fireman's Association Bearfort Plaza 1618 Union Valley Road West Milford, NJ
WM2013-GSW 1 WM2013-GSW 2 WM2013-GSW 3	Amvets WM Recycling Center Lycosky Dr, West Milford
WM2013-GSW 4 WM2013-GSW 5 WM2013-GSW 6	Amvets Bearfort Shopping Village 1618 Union Valley Rd West Milford, NJ
WM2013-GSW 7 WM2013-GSW 8 WM2013-GSW 9	Amvets West Milford Shopping Plaza, LLC 1926-1938 Union Valley Road West Milford, NJ
WM2013-GW 1 WM2013-GW2	Goodwill Industries of Greater NY & Northern NJ WM Recycling Center Lycosky Dr, West Milford

Adopted: April 17, 2013

Agenda No. X

Approval of Expenditures

~ Resolution No. 2013- 137 ~

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	\$506,930.09
3	Reserve Account	47,858.05
2	Grants	0.00
6	Refunds	440,164.48
1	General Ledger	4,216.00
26	Refuse	4,752.36
4	Capital	1,099.95
19	Animal Control	0.00
19	Heritage Trust	0.00
19	Open Space Trust	2,875.00
19	Trust	1,055.00
19	COAH	572.00
16	Development Escrow	1,851.00
20	Special Reserve	0.00
21	Assessment Trust	53,963.98

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Total	\$1,065,337.91
Less Refund Resolution	-440,164.48
Actual Bill List	\$625,173.43
Other Payments	
Total Expenditures	\$625,173.43

Adopted: April 17, 2013

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

Agenda No. XI

Reports of Administrator, Mayor and Council Members

Councilwoman Erk thanked all volunteers saying that she appreciates all they do. She is a member of Heritage committee and can say that the museum is very interesting. She recommends a visit.

Council President Signorino conveyed condolences to those affected by the Boston bombings. Hopes those responsible are brought to justice. He thanked all the volunteers in this town. That is the beauty of America. All acts of volunteerism are positive. Regardless of the volunteer effort, it is worthy. He thanked Tonya Cubby & Gary Oppenheimer for all they do.

Councilwoman Horton thanked everyone who came here this evening saying that it means a lot to Council. The budget would be overwhelming if we had to budget for fire fighter & first aid and search & rescue responders as employees rather than volunteers. She said understands comments from Ms. Minikus. She considers every item in the budget and her decisions are informed having balanced all the needs of the Township and the departments. She conveyed special thanks to Ms. Cubby & Mr. Oppenheimer who exemplify volunteerism. The good outweighs the bad and we will prevail.

Councilwoman Erik urged people to participate in beautification day on April 27th. The monthly blood drive is this Sunday. What happened in Boston can happen any time and hospitals need blood. She said the beautification committee needs help cleaning up Veterans Park and interested parties can contact Dave Stires. Two residents wanted to thank Officer Casparro. She said she received two complaints about a pothole on Otterhole Road in front of house 124.

Councilman Hensley said that summer concert series at Bubbling Springs will begin soon and donations are desperately needed. The Spring brochure for CS&R will be out soon. Day camp registration is open for summer camp and preschool registration is down significantly. Please register if you have a need. He asked for a future presentation and resolution about economics & history. It would support the reintroduction of a banking reform bill by that was first enacted during President Roosevelt's time and that was known as the Glass Steigal bill. It separated two banking platforms. That bill was eliminated in 1999 and as a result we experienced the ".com" bubble and housing market bubble. Banks are not split and banks can use depositor funds for high-risk investments. He gave an example of a bank failure. He foresees another disastrous problem that is preventable. If we don't educate ourselves we are doomed to repeat history.

Mayor Bieri said she was not insinuating that there is adversarial relationship with marina owners and the Greenwood Lake Commission. She simply intended to say that all parties be heard if a presentation was being made. She thanked all volunteers and commended the Council and administration for their work with the budget. She reviewed the work done and the process chosen unanimously by Council. This budget is timely compared to prior years and the result is less than \$20 increase to the average homeowner. That is commendable. The Township has maintained a stable budget for past 4 years despite increased costs. We have maintained services. She noted that about 60% of taxes go to the school and the Township is responsible for approximately 20%. The remaining 20% goes to Passaic County.

Administrator Gage advised that the weed harvester has been moved to the County salt shed at the DPW yard. Eric Bos has offered to repair the roof at the Wallisch house. The BOE gave approval with a condition that they are named as additional insured. By unanimous voice consensus the Council authorized the roof repair. Ms. Gage said that Sandy cleanup continues. DPW did a lot of work in the Fall but stopped for plowing during winter months. They have now restarted and will be working on that as well as Spring regular responsibilities. There should be no expectations that debris will be removed

