
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 1 of 31

The Regular Meeting of the West Milford Township Council 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 19, 2010 and January 9, 2011; copies were provided to the Suburban Trends, the Record, Star Ledger, and Greenwood Lake News 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, Philip Weisbecker, Joseph Smolinski, Michael Ramaglia, Edward Rosone, Luciano Signorino, Daniel Jurkovic, Mayor Bettina Bieri.
Absent: None.
Also Present: Township Administrator Kevin Boyle, Township Clerk Antoinette Battaglia, Township Attorney Frederick Semrau

Mayor Bieri made the following comments:

Agenda No. I

Reading of or Approval of Unapproved Minutes

None.

Agenda No. II

Proclamations

National Day of Prayer – Mayor Bieri invited Jean Castagna, Chair of the West Milford National Day of Prayer, to accept the proclamation. Mayor Bieri read the proclamation and presented it to Ms. Castagna who invited everyone to attend the events on Thursday May 5th at noon at Town Hall and 7:30 pm at the Pinecliff Lake clubhouse. The participants will pray for our families, homes, communities and our nation.

Agenda No. III

Presentations

Volunteer Appreciation Night

- 1) 2010 Volunteer of the Year Award – Mr. David Lynch

Mayor Bieri invited Dave Lynch forward to receive his Volunteer of Year Award. She advised that this award is bestowed by the Council which is a difficult decision based on nominations made from the community. Mayor Bieri read Mr. Lynch's biography making note of his many accomplishments and contributions throughout the years to the West Milford community. Mr. Lynch was joined by his wife.

Mr. Lynch thanked the Mayor & Council for this honor. He thanked his children for attending and for coming tonight with his three grandchildren. His volunteer efforts extended over a long period of time. He thanked Ann Genader, a local reporter, for always attending the Lake Committee meetings and he thanked everyone else for coming out. He introduced his wife who he thanked for tolerating his volunteer efforts for years. Mrs. Lynch commended her husband for a lot of years and a lot of hours noting that she did encourage him despite the long hours. She stated that we really need volunteers and people to become involved.

- 2) *Mary B. Haase Lifetime Volunteer Award – Mr. Carl Richko*

Mayor Bieri invited Carl Richko to accept the 2010 Mary B. Haase Lifetime Achievement Award. Mr. Richko was joined by his wife Peggy and their grandchildren. Mayor Bieri read a biography about Mr. Richko who was nominated by the former Mayors of the Township.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 2 of 31

Mr. Richko introduced his wife Peggy who ran the Boston marathon two days ago. His son David is en route from New York City but his daughter-in-law Suzanne and their children Trent, Catherine & Meghan are all present. In 1994 when he sat on the Council an idea was formed to recognize the volunteers in the town and thus began the annual tradition of the Volunteer of the Year Award and then the Lifetime Award. He recalls saying it would be good to honor an elderly person and now it appears that he is at that stage in life. Being involved is most beneficial primarily because of all the wonderful people you meet. His son David arrived. Mr. Richko stated that he has spent 49 years in West Milford. He thanked the former Mayors and introduced those present, Bob Moshman, Glenn Wenzel, and Maria Harkey. He recalled that 33 years ago he sat in Mrs. Harkey's living room and became involved in West Milford politics. He relayed how the former Mayors informed him of their selection noting that at the first meetings, he was part of the committee. He recognized former winners in the audience, Jim Van Hooker, Bob & Mrs. Kochka and Marilyn Lichtenberg, and he acknowledged former Mayor Weisbecker. He thanked the former Mayors, the Council, friends & family for this honor tonight and for being here. Mayor Bieri asked the former Mayors to join Mr. Richko for a photo and then did likewise with the former lifetime recipients who were present.

Volunteer Group Presentations:

1. Women's Club of West Milford - Debbie approached the podium and addressed the audience advising that the West Milford Women's Club is for women; it became federated in 1960; the first community project was making curtains for a bedroom in Wayne manor; they meet at Echo Lake Baptist Church. Their meetings often feature guest speakers, talent nights, game nights, and workshops on various matters. Monies raised from the annual Victorian Christmas enables donations to local fire departments, first aid squads, the museum, and the Association for Special Needs. Each year they sponsor a child at Bubbling Springs and work toward the refurbishing of the Manor in Ringwood. She encouraged everyone and anyone to join and volunteer this community based group.
2. The West Milford Players - Erica Crocco stated that she has volunteered with the West Milford Players for ten years as an actor and director. They perform at Hillcrest and are a community theater since 1979 with three shows per year. Everyone who participates volunteers time and effort. They are all proud of their quality shows every season and proud that they donate profits to local groups and other non-profits. She listed some of the beneficiaries over the years adding that they have also given globally and she listed some of those beneficiaries. With every show they get the word out about the organization they are supporting. She gave details about the upcoming show which involves young people and children. They have chosen the beneficiaries which are a pediatric foundation and Seeing Eye dogs. This years show is dedicated to Eric Torres a young West Milford resident who recently passed away in a tragic car accident. This performance is also intended to teach the kids that this is about giving back to the community. Volunteerism is dying out and is very important. She listed other local groups and events in which the Players participate and she urged everyone to come to their performances.
3. Rotary Club - Katherine Playa & Marilyn Lichtenberg advised that they prepared a skit which enacts the Rotary elevator speech. They acted out the elevator speech highlighting that the Rotary is an international service organization with individual clubs all over the world. Their motto is service above self. There are four avenues of service. Their skit relayed the contributions made to the West Milford community including the donation of a gazebo at Bubbling Springs, lights at the High School football field, and the mural at Town Hall. The High School Interact Club is part of Rotary and is comprised of HS students who engage in a number of fundraising events for various causes. They have lunch every Tuesday at the Passport Café. If you want to join, come to lunch and see if it is for you.
4. Knights of Columbus - Phil Stor is a member of Knights of Columbus local council located at St. Josephs' church. He congratulated Messrs. Richko and Lynch stating that as a resident he is proud of their accomplishments. West Milford residents are honored to have them as part of our community. Volunteerism requires hard work & sacrifice. The Knights of Columbus lives by the same spirit. They promote charity, unity, paternity and patriotism. They believe in family strength and family values and they volunteer to give time & money to charities. Locally the Knights of Columbus council is involved in many activities. In the past year they raised funds for intellectuality challenged local citizens, conducted spelling bees for youth, and they go to Lions VA hospital once every month to take them to Mass on Sunday mornings. Anyone who wishes to can participate and help with that. They actively pay tribute to living and deceased veterans. They have raised funds for the local parish and food pantry seeking collections locally at Shop Rite & A&P for the food pantries. They sponsor a golf outing to raise money that is invested in this community. Have socials, dances, and potluck evenings. He urged residents to reach out if you wish to join or are in need of assistance.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 3 of 31

5. West Milford Environmental Commission – Tonya Cubby, the Commission secretary, addressed the Council advising that Steve Sangle and Gary Oppenheimer could not attend. She advised that the Environmental Commission is an advisory board to the Township Council. They have applied for and monitored numerous grants over the years to protect the environment. She listed and described current grant initiatives. They are a dedicated group each of whom is very well informed. It is one of the many boards, commissions and committees in the Township that invests time and effort to help the community.
West Milford Heritage Committee – Tonya Cubby addressed the Council for this committee advising that she has served as chairperson for many years. Everyone on this committee works together. And many committee members are here tonight. She listed some of their events advising that the reminisce series has proven very popular. They have class visits at the museum and this spring they will host third graders from Upper Greenwood Lake and Apshawa schools. Henceforth, this will be a regular requirement for third graders in West Milford because local children need to know about the history of this town. There are numerous artifacts at the museum. They just received a collection of artifacts and documents from John Mueller’s family. They are looking for volunteers with the only requirement being that one be a West Milford resident. The museum is open every Saturday and needs volunteers to man the museum during those hours. They have one meeting per month. Their annual fundraiser is the tennis tournament and they have several books available for purchase. The newest book is a 3D account of the civil war. Ms. Cubby encouraged people to donate if they have items that may be of historic value and significance. Councilman Signorino stated that he serves as liaison to this committee and he thanked Tonya for all she does. Anyone interested in history should consider joining this committee. One can learn a lot at these meetings. The tennis tournament this year is on May 14th & 15th at the tennis courts across from CYO. He said that they still need sponsors and he listed and thanked those who have already sponsored this event.
6. Historic Preservation Commission - Jim Van Hooker is Chair of Historic Commission which is an advisory board to the Planning Board and the Township Council. Mr. Van Hooker reviewed the membership and makeup of the Commission advising that they have two alternate seats that need to be filled. He encouraged people to apply and join. He expressed concern that we are losing the oldest house in West Milford, 1754 Tichner House. He gave a brief history of the Tichner family and their house including its title transfers. We have lost a lot of historic buildings in West Milford including many in Upper Greenwood Lake. He stated that he is the only original member of the HPC. They need volunteers. He noted that people come from all over the United States to the museum trying to trace their history. He was nominated in 1985 as Township historian. He moved to West Milford when he graduated high school.
7. West Milford Animal Shelter – Linda Connolly & Bettina Bieri addressed the Council and advised that, with all the volunteers at the Animal Shelter, they care for the animals in West Milford. Most animals received at the shelter are dogs, cats, rabbits although over the years they have had a number of unusual animals. The shelter is seeking new volunteers. One Macopin School teacher has organized so that her students give two hours of community service at the Animal Shelter and they thanked her and the students. This will teach children the joy of volunteering for your community. The High School students organized an animal club and they volunteer at the shelter during weekend mornings. All the volunteers at the shelter are very grateful for this assistance. The animal shelter has fundraising events to support the shelter. With those funds and the money from the Township they have been able to build a new kennel addition. In the future they hope to expand the cat area. They look forward to having people come to the shelter. Interested parties can volunteer and can adopt dogs & cats who are looking for a home. Ms. Bieri stated that Ms. Connolly is the operations manager for the shelter and as such has the huge task of managing the facility. Scheduling is very difficult as there are two shifts required every day. The shelter started in 1976 as an auxiliary organization to the Township shelter. Since 1993 they have been exclusively volunteer and every penny raised goes directly to the animals. They typically handle about 1,000 animals per year, generally dogs and cats, all from West Milford. Cats are a large part of the population. Dogs come and go more frequently. Ms. Bieri is the health officer for the Animal Shelter. She ensures that the animals are physically and mentally ready for adoption and she handles medical emergencies. Volunteers work seven days per week and the group as a whole takes pride in the cleanliness of the facility which is cleaned daily. They follow state regulations and although they are fortunate to have many volunteers they still need more. They need people to cover morning and evening shifts seven days per week. Volunteers range in age from 12 to 80-plus and many group organizations assist. If you are looking for an animal please come to the shelter first. If you wish to help please volunteer. They are hoping to build a final addition this year to the shelter. Ms. Bieri and Ms. Connolly welcomed everyone to join them. They are proud to say that the West Milford Animal Shelter is on the ASPCA list of a must-see animal shelter.
8. West Milford Elks Club – Jim Lupo announced to the Township that 2011 is the Elks 50th anniversary. He invited the Mayor & Council, Mr. Semrau and Mr. Boyle and all residents to the

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 4 of 31

lodge to see what they do for the Township. Jim, listed some of the philanthropic endeavors they engage in. He invited everyone to the Elks Club on June 11, 2011 from 2pm to 6 pm where they will serve refreshments. All money raised goes back to the Township.

Agenda No. IV

Unfinished Business, Final Passage of Ordinances

Agenda No. IV 1

~ Ordinance 2011 - 002 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 321, SOLID WASTE; RECYCLING, SECTION 321-3, STORAGE OF GARBAGE AND REFUSE, OF THE REVISED GENERAL ORDINANCES AS AMENDED

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

SECTION 1. Chapter 321, Solid Waste; Recycling, Section 321-3, Storage of Garbage and Refuse, Subsection (G) of the aforesaid Revised General Ordinances is hereby amended and supplemented to read as follows:

§ 321-3. Storage of garbage and refuse.

- G. (1) Bulk items, such as furniture, mattresses and rugs, will be collected on regular scheduled garbage collection day, with a limit of 1 bulk item, 3 cans and 1 bundle of construction material every garbage collection.
- (2) No individual or entity that engages in the sale or resale of recycling material shall attempt to recover or remove any of the RECYCLING items left at curbside intended for bulk pick up, including items intended for metal pick up and recycling without the consent of the Township Recycling Coordinator, as stated in Section 321-21 of this Chapter. Failure to obtain said consent shall result in a violation of this Chapter and shall subject the violator to the penalties provided for in Section 321-11.

SECTION 2. All ordinances of the Township of West Milford which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 4. This Ordinance may be renumbered for purposes of codification.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

INTRODUCED: March 16, 2011
ADOPTED: April 20, 2011
EFFECTIVE DATE: May 10, 2011

This Ordinance was introduced on March 16, 2011 and the Notice of Public Hearing was published in the Herald News on March 20, 2011. The Council will open the meeting to the public to speak on this ordinance only.

There being no comments from the public, Councilman Weisbecker made a motion, seconded by Councilman Ramaglia, to close this public portion of the meeting. Approved by unanimous roll call vote.

Motion to adopt ordinance.

Moved: Weisbecker Seconded: Ramaglia
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. IV 2.

~ Ordinance 2011 - 003 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 5 of 31

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING AN EASEMENT FOR BLOCK 6402, LOT 6; BLOCK 6401, LOT 5; BLOCK 6607, LOT 1; BLOCK 6608, LOT 1; BLOCK 6609, LOT 1 AND BLOCK 6404, LOT 12

WHEREAS, the Tennessee Gas Pipeline Company needs to obtain a permanent easement from the Township with respect to the properties known as: BLOCK 6402, LOT 6; BLOCK 6401, LOT 5; BLOCK 6607, LOT 1; BLOCK 6608, LOT 1; BLOCK 6609, LOT 1 AND BLOCK 6404, LOT 12; and

WHEREAS, the Township Council of the Township of West Milford is desirous of transferring said permanent easement; and

WHEREAS, the Township Attorney has prepared a Deed of Easement granting Tennessee Gas Pipeline Company certain rights as set forth in the Deed of Easement and a Compensation Agreement which shall pay the Township the sum of \$27,500.00.

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 easement set forth in the Amending Right of Way Agreement and Compensation Agreement, which are on file in the Township Clerk's office, for the properties known as BLOCK 6402, LOT 6; BLOCK 6401, LOT 5; BLOCK 6607, LOT 1; BLOCK 6608, LOT 1; BLOCK 6609, LOT 1 AND BLOCK 6404, LOT 12, is hereby accepted as and for a permanent easement.
2. 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.
3. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.
4. This Ordinance shall take effect after publication and passage according to law.

INTRODUCED: April 6, 2011
ADOPTED: April 20, 2011
EFFECTIVE DATE: May 10, 2011

This Ordinance was introduced on April 6, 2011 and the Notice of Public Hearing was published in the Herald News on April 10, 2011. The Council will open the meeting to the public to speak on this ordinance only.

There being no comments from the public, Councilman Weisbecker made a motion, seconded by Councilman Ramaglia, to close this public portion of the meeting. Approved by unanimous roll call vote.

Motion to adopt ordinance.

Moved: Weisbecker Seconded: Ramaglia
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. IV 3

~ ORDINANCE NO. 2011 – 004 ~

BOND ORDINANCE APPROPRIATING \$1,675,000, AND AUTHORIZING THE ISSUANCE OF \$1,142,000 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 therefore and amounting in the aggregate to \$1,675,000 including the aggregate sum of \$58,000, as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of:
 Date of Meeting:
 Time of Meeting:
 Minute Page No:

Township Council Regular
 April 20, 2011
 7:30 P.M.
 Page 6 of 31

therefore 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, (i) in the case of the improvement or purpose described in paragraph (b) of said Section 3, the sum of \$200,000 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, and (ii) in the case of the improvement or purpose described in paragraph (c) of said Section 3, the sum of \$275,000 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 \$1,675,000 appropriations not provided for by application hereunder of said down payments and said grants, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$1,142,000 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 \$1,142,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

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 AND ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES
(a) Acquisition by purchase of new and additional vehicular equipment, including one (1) pick up truck for use by the Department of Public Works of the Township, together with all equipment, attachments and accessories necessary therefore or incidental thereto, all as shown on and in accordance with the specifications therefore on file or to be filed in the office of the Township Clerk and hereby approved	\$33,000	\$31,100
(b) Construction of a bike path in and by the Township along Westbrook Road from Macopin Road to Ridge Road, together with all structures, appurtenances, landscaping, equipment, work and materials, necessary therefore or incidental thereto, all as shown on and in accordance with the plans and specifications therefore on file or to be filed in the office of the Township Clerk and hereby approved, the \$847,000 appropriation hereby made therefore being inclusive of the amount of \$200,000 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	847,000	616,000
(c) Installation of a new traffic signal at the intersection of Lakeshore Drive and Warwick Turnpike in and by the Township, together with all paving, landscaping, structures, equipment, work and materials necessary therefore or incidental thereto, all as shown on and in accordance with the plans and specifications therefore on file or to be filed in the office of the Township Clerk and hereby approved, the \$388,000 appropriation hereby made therefore being inclusive of the amount of \$275,000 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	388,000	107,500
(d) Improvement of municipally-owned facilities and grounds in and by the Township, including the rehabilitation of various athletic fields, together with for all the aforesaid all structures, equipment, work and materials necessary therefore or incidental thereto, all as shown on and in accordance with the plans and specifications therefore on file or to be filed in the office of the Township Clerk and hereby approved	27,000	25,500
(e) Acquisition by purchase of new and additional fire fighting equipment for the preservation of life and property in the Township, consisting of one (1) tanker truck for use by the West Milford Fire Company, together with all equipment, attachments and accessories necessary therefore or incidental thereto, all as shown on and in accordance with the specifications therefore on	<u>380,000</u>	<u>361,900</u>

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
 Date of Meeting: April 20, 2011
 Time of Meeting: 7:30 P.M.
 Minute Page No: Page 7 of 31

file or to be filed in the office of the Township Clerk and hereby approved		
Totals	<u>\$1,675,000</u>	<u>\$1,142,000</u>

Except as otherwise stated in paragraphs (b) and (c) above with respect to the \$475,000 grants-in-aid of financing the purpose described in said paragraph, 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 therefore, as above stated, is the amount of the said down payment 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 9.17 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 \$1,142,000, 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 \$100,000 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 \$475,000 grants referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in paragraphs (b) and (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 therefore by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of said improvements or purposes shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this bond ordinance.
- Section 6.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale 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.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 8 of 31

INTRODUCED: April 6, 2011
ADOPTED: April 20, 2011
EFFECTIVE DATE: May 10, 2011

This Ordinance was introduced on April 6, 2011 and the Notice of Public Hearing was published in the Herald News on April 10, 2011. The Council will open the meeting to the public to speak on this ordinance only.

There being no comments from the public, Councilman Ramaglia made a motion, seconded by Councilman Weisbecker, to close this public portion of the meeting. Approved by unanimous roll call vote.

Motion to adopt ordinance.

Moved: Ramaglia Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. IV 4.
~ **ORDINANCE NO. 2011 – 005** ~

CALENDAR YEAR 2011
AN ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of West Milford in the County of Passaic finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 1.5% increase in the budget for said year, amounting to \$349,507.11 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of West Milford, in the County of Passaic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Township of West Milford shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$815,516.59, and that the CY 2011 municipal budget for the Township of West Milford be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

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.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 9 of 31

INTRODUCED: April 6, 2011
ADOPTED: April 20, 2011
EFFECTIVE DATE: May 10, 2011

This Ordinance was introduced on April 6, 2011 and the Notice of Public Hearing was published in the Herald News on April 10, 2011. The Council will open the meeting to the public to speak on this ordinance only.

There being no comments from the public, Councilman Weisbecker made a motion, seconded by Councilman Rosone, to close this public portion of the meeting. Approved by unanimous roll call vote.

Motion to adopt ordinance.

Moved: Weisbecker Seconded: Rosone
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. IV 5

~ ORDINANCE NO. 2011 - 006 ~
AMENDED

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 71, ANIMALS, OF THE REVISED GENERAL ORDINANCES

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

SECTION 1. Chapter 71, Animals, Article II, Wildlife Feeding, of the aforesaid Revised General Ordinances is hereby amended and supplemented by the addition of Article V, entitled Waterfowl, to read as follows:

ARTICLE V
WATERFOWL

§ 71-37. Purpose.

It has been well established that the feeding of migratory, non-migratory and resident waterfowl is detrimental to the waterfowl and may result in damage to flora, fauna and property, harm water quality, increase potential to spread disease and cause a public health nuisance and safety hazard that is detrimental to the health and general welfare of the public. The purpose of this article is to prohibit the feeding of waterfowl, on any public or lands owned by community property associations in the Township, including Township and State waterways, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 71-38. Definitions and word usage.

- A. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.
B. For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this article clearly demonstrates a different meaning:
FEED - To give, place, expose, deposit, distribute or scatter any edible material in a location accessible to waterfowl any type of food, including but not limited to corn, wheat or other grains, bread, popcorn, salt, scraps or any similar nutritive substance to be eaten by waterfowl.
PERSON - Any individual 18 years of age or older, corporation, company, partnership, firm, association, or entity subject to municipal jurisdiction.
WATERFOWL - Any bird that frequents the water, or lives about rivers, lakes, etc., or on or near the sea; whether migratory or not, including but not limited to ducks, geese, swans, heron, and egrets.
WATERWAYS - Lakes, ponds, streams, creeks, rivers and stormwater basins.

§ 71-39. Feeding of Waterfowl Prohibited.

- A. No person shall purposely or knowingly, as said terms are defined in Title 2C of the New Jersey Revised Statutes, feed, bait, cause, permit to be fed or in any manner provide access to food to any waterfowl in the township, on lands or waterways located in the Township of West Milford either publicly or owned land or lands owned by a community property association. This section

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 10 of 31

shall not apply to the feeding of waterfowl raised and securely kept in an enclosed pen or other enclosure on privately owned property.

- B. No person shall purposely or knowingly create any condition which results in a congregation of waterfowl on property which:
- (1) Results in an accumulation of waterfowl feces or droppings;
 - (2) Results in damage to flora, fauna or real property;
 - (3) Results in a threat or nuisance to the public health, safety or welfare; or
 - (4) Results in a threat to the health, safety or welfare of waterfowl.

§ 71-40. Enforcement.

All police officers of the Township, regular and special, and the Health Officer or his/her duly authorized designee are hereby given full power and authority and are charged with the duty to enforce all provisions of this article.

§ 71-41. Violations and penalties.

Any person or persons, firm, association or corporation violating any of the provisions of this article shall, upon conviction thereof, be subject to the penalties imposed in Chapter 1, Article III, General Penalty, of the Township Code.

SECTION 2. All ordinances of the Township of West Milford which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 4. This Ordinance may be renumbered for purposes of codification.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

INTRODUCED: April 6, 2011
ADOPTED: April 20, 2011
EFFECTIVE DATE: May 10, 2011

This Ordinance was introduced on April 6, 2011 and the Notice of Public Hearing was published in the Herald News on April 10, 2011. The Council will open the meeting to the public on speak to this ordinance only.

Harry Clark, Risley Road, Upper Greenwood Lake has an issue with this ordinance. When he asked earlier today how this ordinance will be enforced he was told this was brought forth by the lakes committee because some people are feeding the geese. He understands that because he serves on board of trustees on Upper Greenwood Lake and recognizes the impact of resident Canadian geese. Stopping 5-6 people will not have much impact. Moreover, this ordinance prohibits people taking their grandchildren to feed the ducks. Somewhere in the health department manual, there must be a way to enforce the feeding of waterfowl in a more considerate manner. What if a child drops bread in water, is it a violation? He takes issue with the way this ordinance is worded. If we are worried about lake pollution he suggested that we should focus on stormdrains. He stated that he would like to see this ordinance rewritten.

Jim Van Hooker, Edgecomb Road, West Milford has a brook that runs in back of his house. For years a couple of ducks come by his house and take the bird feed from his bird feeder. He questioned if he will go to jail because the ducks do this. He does not intentionally feed them. This is ridiculous. His grandchildren come from Colorado and love to see the ducks who come every day.

Mr. Sarnella, 45 Spring Avenue, West Milford stated that he has geese & ducks defecating on land and docks. It is highly unsanitary. There are people purposefully feeding these birds and causing a health hazard. Police have some discretion in enforcement and can inject logic. He asked the Township Attorney to explain the fines.

Lynn Mandon, Highcrest Lake, West Milford stated that this is a good ordinance for lake communities. The lakes committee did not intend to go after property owners. Rhode Island has a similar law and she quoted from their law about nuisance animals and the negative impact on quality of life and related health hazards. Fecal coliform causes beach closings and Police do have discretion when it comes to enforcement. The lakes committee understands that the penalty section is in accordance with standards and gives the judge discretion.

Pat Jones, Forest Hill Park, West Milford spent four hours this afternoon seeking a nest of geese eggs. Children pick up goose feces at the beach and ingest it. Geese waste is the worst lake pollutant and can kill children and pets. She favors this ordinance and advised that they have geese every year that create health issues. They cannot walk outside.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 11 of 31

There being no comments from the public, Councilman Weisbecker made a motion, seconded by Councilman Rosone, to close this public portion of the meeting. Approved by unanimous roll call vote.

Discussion: Councilman Jurkovic stated that he generally favors this ordinance because of comments from the lakes committee. However, he has concerns about discretion afforded to police officers. The word shall is repeated in the ordinance and that removes discretion. It also may impact the ability of the animal shelter to feed wildlife because the animal shelter is on municipal property. Mayor Bieri advised that the animal shelter does not feed wildlife. When taken in, those animals are immediately given to other agencies. Feeding them can cause harm. Councilman Jurkovic stated that he would like the definition of a person changed to say any person over the age of 18. Mr. Semrau advised that the comments being made tonight mirror comments made to lakes committee. The feeding of waterfowl is creating a problem. Based on tonight's comments he would recommend the following changes:

A person is any individual, 18 years of age or older.
Property should be amended in 71-39 a. to read publicly owned or owned by a property association. Remove private property.

These changes, he said, would address concerns but protect the integrity of the ordinance. Councilman Jurkovic asked about the discretion to the Police Department and other enforcement agents. Mr. Semrau advised that the police and the courts always have discretion. The court can dismiss, reduce or waive fines. Councilman Jurkovic stated that he has concerns that other enforcement agents other than police may not be well trained in enforcement protocol. Mr. Semrau advised that the enforcement requires that the ordinance include the words "no person shall" and discretion is afforded to the court and enforcement agents.

Councilman Weisbecker stated that the Lakes Committee discussed this on a number of occasions and at length with assistance from legal counsel. This is intended to promote health and address these health concerns. Many beaches and swimming lakes are being negatively affected by waterfowl feces. There have been a number of health issues and hazards. It is important to adopt this now because the migration season is upon us. He asked the Council to pass this ordinance.

Council President Smolinski stated that this is a problem in many areas including lakes and recreation facilities. This is to protect our children on the beaches, docks and playing fields. It is not likely that people will go to jail for violations. He stated that he agrees with Councilman Weisbecker.

Councilman Jurkovic recalled incidents at his lake where the lake and docks were closed due to feces for about a month and a half. The community asked residents to stop feeding and the result was positive and the problem went away. He urged people to be more respectful of their property and neighbors so that government does not have to step in.

Councilman Signorino stated that he shares the concerns expressed by the Lakes Committee. Nonetheless, he cannot vote for this because he does not agree that people should be punished because state legislation does not allow us to address the problem in other manners. The penalties appear excessive although he acknowledged it is the standard.

Motion to adopt the ordinance as amended:

Moved: Weisbecker Seconded: Ramaglia
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Jurkovic.
Voted Nay: Signorino.
Motion carried.

Agenda No. V

Public Comments

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

Jack Brooks, 1680 Union Valley Road, West Milford stated that he is here to express personal support for Acting Chief Chiosie and his efforts to make our community safer. Many residents agree and he supports Chiosie's request for two additional officers to do work in the middle & high schools. There is an immediate need. Please take time to speak with school officials about this matter because he is sure they will agree. The officers have created a special curriculum to address these specific needs. When his kids were in school it was well known that drugs are available and this unacceptable situation still exists. Chief Chiosie has the need for these two additional officers and our community needs them. He

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 13 of 31

if she wins the BOE election. An individual spoke against the waterfowl ordinance and he disagrees with certain comments made advising that we cannot shoot any birds. The Council must make decisions to protect residents and children. He is trying to improve the quality of life for residents and this municipality. The waterfowl ordinance is needed. Police can utilize discretion and common sense rules the day. This will protect our lake waters. Lake communities and groups favor this and understand its value. This is the result of much work and discussion.

Councilman Rosone stated that he favors SRO's in the schools. We should try to work with BOE for a joint effort in that. He stated that he would like the Township to pursue a COPS grant this year noting that the deadline is May 25th. Administrator Boyle advised that Captain Storbeck is working on that. Council President stated that this grant has a cap of one officer for every twenty funded for 3 years at no cost to the taxpayers. This is what Council brought up at budget hearing and their patience has paid off. If we are successful in this funding application we could supply police officers and staffing at the level requested by the Chief at no cost to the taxpayers. He has other ideas of supplying SRO's at minimal cost and plans on meeting with Acting Chief Chiosie as part of the budget committee. He stated that this is a great program that we didn't take advantage of before. He thanked the Police Department for moving on this.

Mayor Bieri stated that when she first asked Gene Chiosie to come on board as Acting Chief, SRO's and drugs were an agreed-upon priority. He acted immediately. The assignment of officers falls strictly under the purview of the Chief of Police and neither the Mayor nor the Council can interfere. The funding level in the budget was for officers as of 12/31/10 and there has been one retirement since then. There is a deadline of May 25th for the COPS grant which would fund officers for 3 years and then the cost is on us. Based on comments made at a prior meeting she has looked up why we did not take advantage of COPS grant in recent years because it was inaccurately stated that it was at her bidding. However, she never got involved in any discussion about COPS grants. We applied in 2008 and the purposes for these grants varies from year to year. 2008 was a program for school security equipment and training which required matching funds from both the town and school. That funding round was not for officers because the grant did not have that provision in 2008. In 2009 we did not apply. Councilman Weisbecker objected to the Mayor's comments. Mayor Bieri continued saying that on April 20, 2009 the Township Auditor, Mr. Ferraioli, recommended against taking advantage of COPS funding. She favors applying for grant money, but she clarified that not applying was not at her directive. It was Council's decision whether or not to apply. All grants require Council approval. She acknowledged that these are often difficult decisions for the Council to make because of matching funds. She asked that the Chief put together a summary, make a recommendation and fast track this process. She further asked him to provide an overview of plans and staffing. Council President Smolinski stated that he spoke with Acting Chief Chiosie requesting to meet with him about budget implications. He condemned Mayor for shutting Council out of the budget process. Councilman Jurkovic agreed that we need SRO's stating that last year he asked about SRO's and was told that we cannot afford them. We funded 48 officers last year and operated with 38. Now the Council has added 5 officers and one additional officer retired. The recommendation the Mayor referred to is to bring the department up to 46. If we get the two reflected in the budget we are up to 44. SRO's have been out for 2 years and we need SRO's back and we need to meet with the school. We need to coordinate with the BOE. He stated that it is disturbing that we are having public discussion about staffing in police department. We should discuss this in executive session as offered to the Chief. He stated that he agrees with the Chief that SRO's are good and the Council is trying to build up staffing levels to the recommended amount. This, he said, cannot happen quickly. He stated that we must be careful with grants because we pay the full cost after three years. We need to plan beyond November. Mayor Bieri stated that this is exactly her point. The Council chose not to apply in past because of long term commitment despite Council President Smolinski's assertions in the past that this was her doing. Joe, she said, may have misunderstood and she recommends that he understand current funding levels rather than engaging in day-to-day decisions not within Council's purview.

Council President Smolinski asked if the budget committee can meet with department heads about budget issues and Mr. Semrau replied in the affirmative.

Agenda No. VII

New Business, Introduction of Ordinances, Resolutions

Agenda No. VII 1

~ Ordinance No. 2011- 007~

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF OTTERHOLE ROAD IN AND BY THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 14 of 31

\$565,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$547,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATION

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 improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Township of West Milford, in the County of Passaic, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$565,000, said sum being inclusive of all appropriations heretofore made therefore and including the sum of \$18,000 as the down payment for said improvement or purpose required by law and now available therefore 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 the sum of \$200,000 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 improvement or purpose and to meet the part of said \$565,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$547,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$547,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.
- Section 3.**
- a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of various roads and locations in and by the Township, including, without limitation, Otterhole Road, from Highview Drive to Larsen Road, by the surfacing or resurfacing thereof to provide a roadway pavement at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in section 40A:2-22 of said Local Bond Law), together with all curbing, drainage facilities, landscaping, milling, traffic markings, signage, structures, equipment, site work, work and materials necessary therefore or incidental thereto, all as shown on and in accordance with the plans and specifications therefore on file or to be filed in the office of the Township Clerk and hereby approved.
 - b) The estimated maximum amount of bonds or notes to be issued for said purposes is \$547,000 of which \$200,000 is the amount of notes of the Township to be issued pending receipt of the said \$200,000 NJDOT grant.
 - c) The estimated cost of said purpose is \$565,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefore being the amount of the said \$18,000 down payment for said purpose.
- Section 4.** The following additional matters are hereby determined, declared, recited and stated:
- a) The said purpose described in Section 3 of this bond ordinance is not a current expense and 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) According to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (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 \$547,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
 - d) Issuing said obligations 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 cost of said improvement and is included in the foregoing estimate thereof.
 - e) Pending receipt of the said NJDOT grant and pursuant to section 40A:2-11(c) of said Local Bond Law no down payment is required for such obligations.
- Section 5.** The funds from time to time received by the Township on account of the grant referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvement or purpose, or to payment or reduction

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 15 of 31

of the authorization of the obligations of the Township authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this bond ordinance.

Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Township Treasurer or the Chief Financial Officer (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 section 40A:2-8 of said Local Bond Law. 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 inconsistent 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 20, 2011

Mayor Bieri advised that this ordinance was being introduced tonight. A second reading and public hearing for the Ordinance is set for the Regular Meeting of the Township Council scheduled for May 18, 2011. She opened the meeting to the public to speak on this matter only.

There being no comments from the public, Councilman Weisbecker made a motion, seconded by Councilman Ramaglia, to close this public portion of the meeting. Approved by unanimous roll call vote.

Moved: Weisbecker Seconded: Ramaglia
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
Voted Nay: None.
Absent: None.
Motion carried.

Agenda No. VII 2

~ Ordinance No. 2011- 008~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF THE WALLISCH PROPERTY IDENTIFIED AS BLOCK 6401, LOTS 4, 5 & 6; BLOCK 6402, LOT 6; BLOCK 6604, LOT 12; BLOCK 6605, LOT 20; BLOCK 6607, LOT 1; BLOCK 6608, LOT 1 AND BLOCK 6609, LOT 1 IN THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., provides that a municipality may, by ordinance, provide for the acquisition of real property or an interest therein by purchase, gift, devise, lease, exchange, or condemnation in the manner provided in the Eminent Domain Act, N.J.S.A. 20:3-1, et seq.; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 16 of 31

WHEREAS, the Owner of the Wallisch Property has agreed to convey BLOCK 6401, LOTS 4, 5 & 6; BLOCK 6402, LOT 6; BLOCK 6604, LOT 12; BLOCK 6605, LOT 20; BLOCK 6607, LOT 1; BLOCK 6608, LOT 1 AND BLOCK 6609, LOT 1 to the Township in consideration of the payment of \$500,000; and

WHEREAS, the Mayor and Township Council of the Township of West Milford has determined that it is in the interest of the Township to acquire the said property; and

WHEREAS, funds have been certified by the Chief Financial Officer as being available to make the acquisition.

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:

- SECTION 1.** The Township of West Milford hereby authorizes the acquisition of BLOCK 6401, LOTS 4, 5 & 6; BLOCK 6402, LOT 6; BLOCK 6604, LOT 12; BLOCK 6605, LOT 20; BLOCK 6607, LOT 1; BLOCK 6608, LOT 1 AND BLOCK 6609, LOT 1 for the total sum of \$500,000.
- SECTION 2.** The Mayor and Township Clerk and all other proper officers and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this ordinance.
- SECTION 3.** All ordinances of the Township of West Milford, which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
- SECTION 4.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.
- SECTION 5.** This ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

INTRODUCED: April 20, 2011

Mayor Bieri advised that this ordinance was being introduced tonight. A second reading and public hearing for the Ordinance is set for the Regular Meeting of the Township Council scheduled for May 18, 2011. She opened the meeting to the public to speak on this matter only.

There being no comments from the public, Councilman Weisbecker made a motion, seconded by Councilman Ramaglia, to close this public portion of the meeting. Approved by unanimous roll call vote.

Discussion: The Council discussed funding sources for this acquisition. Councilman Jurkovic made a motion to use redevelopment money to fund the acquisition of this property. Mayor Bieri asked Councilman Jurkovic to defer his motion to allow the Township Attorney an opportunity to research if it is possible to use open space funds for this purpose. Councilman Jurkovic withdrew his motion.

Moved: Weisbecker Seconded: Ramaglia
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
Voted Nay: None.
Absent: None.
Motion carried.

Mayor asked to move 2011-009, 2011-010 and 2011-011 as one. Mr. Semrau noted that it would be possible to do so as all three ordinances pertain to one subject.

Moved: Weisbecker Seconded: Rosone
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
Voted Nay: None.
Absent: None.
Motion carried.

Agenda No. VII 3

~ Ordinance No. 2011- 009 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 15-33 A., OF THE TOWNSHIP CODE

BE IT ORDAINED by the Township Council of the Township of West Milford that Chapter 15-33 A. of the Township Code shall be amended as follows:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 17 of 31

- A. Departments.
- (1) Department of Finance.
 - (2) Department of Health.
 - (3) Department of Land Use Administration
 - (4) Department of Public Safety.
 - (5) Department of Public Works.
 - (6) Department of Community Services & Recreation.
 - (7) Office of Administration which shall include the Division of Engineering.
 - (8) Office of the Township Clerk.
 - (9) Municipal Court

- SECTION 1.** All ordinances of the Township of West Milford which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.
- SECTION 2.** If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.
- SECTION 3.** This Ordinance may be renumbered for purposes of codification.
- SECTION 4.** This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

INTRODUCED: April 20, 2011

Agenda No. VII 4

~ Ordinance No. 2011- 010 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING ARTICLE VII, OFFICE OF ADMINISTRATION, CHAPTER 15-35 TO INSERT SUBSECTION "A." DIVISION OF ENGINEERING, WITHIN THE OFFICE OF THE TOWNSHIP ADMINISTRATOR

BE IT ORDAINED by the Township Council of the Township of West Milford that Chapter 15-35 of the Township Code shall be amended to insert subsection "A." Division of Engineering, within the Office of the Township Administrator as follows:

§15-35 -A Division of Engineering

- A. Within the Office of Administration there shall be a Division of Engineering, the head of which shall be the Township Administrator.
- B. Within the Division of Engineering there shall be a licensed Engineer who shall be retained annually in accordance with the local public contracts law specifically the provisions governing the engagement of one who provides professional services. He shall be a duly licensed professional engineer of the State of New Jersey.
- C. The Township Administrator shall have complete and full authority over the Division of Engineering, subject to approval of the Mayor. He shall ensure that the duly appointed Township Engineer and the staff in the Engineering Division perform such duties as are prescribed by general law, charter and ordinance, and, in addition, shall:
 - (1) Cause to be prepared plans, designs and specifications for public works and improvements undertaken by the Township, either on force account or by public contract.
 - (2) Maintain surveys, maps, plans and specifications and control records with respect to public works and facilities owned or operated by the Township.
 - (3) Supervise the provision of technical and engineering advice and assistance to other Township departments, divisions, boards or agencies, and specifically to ensure that the duly appointed Township Engineer or his designated staff furnish the necessary engineering services to the Planning Board and the Council in routine work covering subdivisions, site plans, and road improvement programs under state or federal aid or assessment programs.
- D. All papers, documents, memoranda, reports and other materials relating to the administration of engineering duties of the Township Administrator shall be and remain the property of the Township. Upon the termination of his services with the Township, the Township Administrator shall forthwith surrender to any successor all such property.

- SECTION 1.** All ordinances of the Township of West Milford which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.
- SECTION 2.** If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.
- SECTION 3.** This Ordinance may be renumbered for purposes of codification.
- SECTION 4.** This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 18 of 31

INTRODUCED: April 20, 2011
Agenda No. VII 5

~ Ordinance No. 2011- 011 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING ARTICLE XI, DEPARTMENT OF PUBLIC WORKS AND ENGINEERING, OF THE REVISED GENERAL ORDINANCES

BE IT ORDAINED by the Township Council of the Township of West Milford that Article XI, Department of Public Works and Engineering of the Township Code shall be amended as follows:

Article XI, Department of Public Works and Engineering shall be known as Department of Public Works (§15-56 - §15-61)

15-56 Director of Public Works

- A. There shall be a Department of Public Works headed by a Director of Public Works.
- B. The Director, subject to the direction and supervision of the Mayor, shall be responsible for the proper and efficient conduct of public works functions of the Township government and shall supervise and direct the work of the Public Works. He shall be appointed by the Mayor with the advice and consent of the Council for the term of the Mayor.
- C. The Department shall consist of road foremen, equipment operators, truck drivers, repairmen and laborers; considered as part of the road department; and of building maintenance workers. Their appointments shall be by the Mayor; their duties shall be as prescribed by general law, charter and ordinance; and they shall receive such compensation as shall be negotiated and provided by ordinance. The Department shall:
 - (1) Be responsible for all matters relating to the construction, management, maintenance and operation of the physical properties of the Township, other than office supplies, furniture and equipment.

15-58 Division of Public Property

Within the Department of Public Works there shall be a Division of Public Property. Under the direction and supervision of the Director of Public Works, the Division of Public Property shall:

- A. Operate, maintain and repair Township-owned buildings and properties and provide custodial and janitorial services therefore.
- B. Control the care, use and disposition of motor vehicles and automotive equipment, and shall:
 - (1) Operate or supervise the operation of a garage or garages, road depots, and other convenient places for the storage, servicing, repair and maintenance of Township-owned motor vehicles and equipment.
 - (2) Supervise any work done by contract for the storage, repair, servicing and maintenance of Township-owned motor vehicles or equipment.
 - (3) Control the maintenance of motor vehicles or equipment owned by the Township by maintaining individual vehicle records of mileage, costs of operation and maintenance and replacement schedules.

15-59 Division of Streets & Roads

Within the Department of Public Works there shall be a Division of Streets and Roads. Under the direction and supervision of the Director of Public Works, the Division shall:

- A. Maintain and repair all streets and roads under Township jurisdiction.
- B. Construct and reconstruct streets and roads, tract road surfaces and resurface streets and roads according to such standards and schedules as directed or approved by the Township Administrator in consultation with a licensed engineer appointed by the Township Council.
- C. Maintain all Township streets or roads in a clean and safe condition, free of obstruction and hazards, and remove snow and ice therefrom as required, including the sanding of such streets or roads.

15-60 Division of Storm Sewers and Drains

Within the Department of Public Works there shall be a Division of Storm Sewers and Drains. Under the direction and supervision of the Director of Public Works this Division shall operate, maintain and repair the storm sewers and drainages, on, off, or along the roads and streets in the Township.

15-61 Division of Recycling and Solid Waste

Within the Department of Public Works there shall be a Division of Recycling and Solid Waste. Under the direction and supervision of the Director of Public Works this Division shall oversee the collection of municipal garbage and recycled materials and ensure successful compliance with Township ordinances and state laws.

SECTION 1. All ordinances of the Township of West Milford which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 2. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 19 of 31

SECTION 3. This Ordinance may be renumbered for purposes of codification.
SECTION 4. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

INTRODUCED: April 20, 2011

Mayor asked to move all resolutions as one 2011-147, 2011-148, 2011-149, 2011-150, 2011-151, 2011-152, 2011-153, 2011-154 and 2011-155.

Moved: Jurkovic Seconded: Ramaglia
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
Voted Nay: None.
Absent: None.
Motion carried.

Agenda No. VII 6

~ Resolution No. 2011- 147 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE BOROUGH OF OGDENSBURG FOR CHIEF FINANCIAL OFFICER SERVICES

WHEREAS, on January 5, 2011 by virtue of Resolution 2011-023 the Mayor, with the advice and consent of the Township Council, did appoint Monica Goscicki to the position of Director of Finance for the Township of West Milford; and

WHEREAS, the Director of Finance serves as the Chief Financial Officer and the Treasurer for the Township; and

WHEREAS, said appointment was contingent upon the successful execution of an interlocal agreement with the Borough of Ogdensburg for Chief Financial Officer services to be provided to the Borough of Ogdensburg by the Township of West Milford; and

WHEREAS, the Borough of Ogdensburg has agreed to the terms of such an agreement which shall be executed and placed on file in the Office of the Township Clerk; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the Mayor and Township Clerk be and are hereby authorized to execute an inter-local agreement with the Borough of Ogdensburg for Chief Financial Officer services through December 31, 2011, said agreement to be available for public inspection in the office of the Township Clerk.

BE IT FURTHER RESOLVED that the Township Administrator shall monitor the satisfaction of both parties to the agreement and shall report to Council about such matters and shall seek to renegotiate a renewal of this contract with sufficient time to effectuate its renewal before January 1, 2012.

This Resolution shall take effect immediately.

Adopted: April 20, 2011

Agenda No. VII 7

~ Resolution No. 2011- 148 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE SUBMITTAL AND ACCEPTANCE OF A GRANT APPLICATION BY THE MUNICIPAL ALLIANCE COMMITTEE FOR SCHOOL AND COMMUNITY BASED DRUG AND ALCOHOL PREVENTION PROGRAMS

WHEREAS, in March 1989, the Governor's Council on Alcoholism and Drug Abuse was established to coordinate all State Departments' efforts with regard to the planning and provision of prevention, education, treatment, research and evaluation serviced for, and public awareness of, alcoholism and drug abuse; and

WHEREAS, in addition, the legislation created an Alliance to Prevent Alcoholism and Drug Abuse, comprised of all the communities in New Jersey, which is dedicated to a comprehensive and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 20 of 31

coordinated effort against alcoholism and drug abuse by providing funds to member municipal communities to support appropriate county and municipal based alcohol and drug abuse education and public awareness activities.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford will contractually adhere to all conditions and obligations as sub-grantee to the State of New Jersey and the County of Passaic as set forth in the Letter of Agreement between the Governor's Council on Alcoholism and Drug Abuse and Passaic County, for the grant administration of the 2011 Alliance to Prevent Alcoholism and Drug Abuse, for a grant amount of \$36,095.00 from the Governor's Council on Alcoholism and Drug Abuse, with a cash amount of \$9,023.75 which is assumed by CASA, and an in-kind match of \$27,071.25; and

BE IT FURTHER RESOLVED that the Municipal Alliance Chairperson and the Mayor or Township Administrator be and are hereby authorized to execute the proposed application.

Adopted: April 20, 2011

Agenda No. VII 8

~ Resolution No. 2011- 149 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE FILING AND ACCEPTANCE OF A 2011 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

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 20, 2011

Agenda No. VII 9

~ Resolution No. 2011- 150 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE FILING OF AN APPLICATION TO N.J. TRANSIT CORPORATION AND THE DEPARTMENT OF TRANSPORTATION UNITED STATES OF AMERICA, ON BEHALF OF THE TOWNSHIP OF WEST MILFORD FOR A GRANT UNDER THE FEDERAL TRANSIT ACT

WHEREAS, the Secretary of Transportation is authorized to make grants for a mass transportation program in other than urbanized areas under Section 5310 of the Federal Transit Act, as amended; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 21 of 31

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1965, that in connection with the filing of an application for assistance under the Federal Transit Act, as amended, the Recipient give an assurance that it will comply with Title VI and EEO requirements of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, the Recipient is required to adhere to the requirements as specified in the U.S. Department of Transportation's Minority Business Enterprise (MBE) regulation set forth in 49 C.F.R. Part 23, Subpart D.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford as follows:

- 1. That the Transportation Coordinator is authorized to execute and file an application on behalf of the Township of West Milford with the U.S. Department of Transportation for senior citizen/handicapped citizen equipped minibus(s) with an estimated price of \$177,000.00.
2. That the Transportation Coordinator is authorized to execute and file with such applications and assurance of any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI and EEO requirements of the Civil Rights Act of 1964.
3. That the Transportation Coordinator is authorized to set forth and execute affirmative minority business policies pursuant to 47 C.F.R. Part 23, Subpart D.
4. That the Transportation Coordinator is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application.
5. That the Mayor or the Township Administrator is authorized to execute grant agreements on behalf of the Township of West Milford Transportation for aid in the financing of the administration, capital and/ or operating assistance.

Adopted: April 20, 2011

Agenda No. VII 10

~ Resolution No. 2011- 151 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXCHANGE BY WAY OF TERMINATION OF A LEASE AGREEMENT WITH NEW JERSEY TRANSIT FOR VEHICLE #16-1141 AND AUTHORIZING A LEASE AGREEMENT WITH NEW JERSEY TRANSIT FOR VEHICLE # 9

WHEREAS, the Township of West Milford has operated and maintained Vehicle #16-1141, VIN #xxxxxxxxxxxx7740, 2006, Bluebird, AAFE, which vehicle was leased from New Jersey Transit; and

WHEREAS, the Township has determined that the trade-in and replacement of the vehicle would be in the best interest of the municipality; and

WHEREAS, New Jersey Transit has proposed to transfer Vehicle #9, VIN# xxxxxxxxxxxxxxx7559, a 2000GMC 12 Passenger with 1 wheelchair location to the Township of West Milford from the County of Passaic as part of an even exchange of the said vehicles.

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

- 1. The Mayor is hereby authorized to execute a Termination of Lease Agreement with respect to Vehicle #16-1141, VIN #xxxxxxxxxxxx7740, 2006, Bluebird, AAFE;
2. The Mayor is hereby authorized to execute a Lease Agreement with New Jersey Transit for Vehicle #. #9, VIN #xxxxxxxxxxxx7559, a 2000 GMC 12 Passenger with 1 wheelchair location.
3. The Mayor is authorized to take any other incidental actions to effectuate this transaction.

Adopted: April 20, 2011

Agenda No. VII 11

~ Resolution No. 2011- 152 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING CONSENT TO A PROJECT AT BLOCK 5701, LOT 6, 16-22 MARSHALL HILL

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 22 of 31

PLAZA IN THE TOWNSHIP OF WEST MILFORD WHICH REQUIRES A TREATMENT WORKS APPLICATION TO THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, Dave Licata, GDS Enterprises LLC is the owner of property known as 16-22 Marshall Hill Plaza, in the Township of West Milford which is known as Block 5701, Lot 6; and

WHEREAS, GDS Enterprises LLC has made application for a mixed residential and retail use with a combined wastewater flow of 2407 gallons per day; and

WHEREAS, the applicant has proposed a septic alteration with no expansion or change in use for a facility that exceeds 2000 gallons per day; and

WHEREAS, for all design flows that exceed 2000 gallons per day, the New Jersey Department of Environmental Protection requires a Treatment Works Permit; and

WHEREAS, the Township Health Officer has reviewed the Treatment Works application submitted to the Department of Environmental Protection on behalf of the aforementioned property; and

WHEREAS, the Township Health Officer has certified, as part of the Statement of Consent, that the application proposed conforms with the requirements of all municipal ordinances; and

WHEREAS, the Township Health Officer, by way of memorandum dated March 29, 2011, has advised that the application is in order from the standpoint of the Township's Health Department; and

WHEREAS, approval for a Treatment Works application requires the municipality to, by way of Resolution, consent to the project; and

WHEREAS, a copy of the application is on file in the West Milford Township Health Department; and

WHEREAS, the Township Health Officer recommends to the Mayor and Township Council that it in fact consent to this application.

NOW, THEREFORE, BE IT RESOLVED that the Township of West Milford, County of Passaic, State of New Jersey hereby consents to the Treatment Works Application as submitted for the property known as 16-22 Marshall Hill Plaza, in the Township of West Milford which is known as Block 5701, Lot 6 with respect to a septic alteration.

Adopted: April 20, 2011

Agenda No. VII 12

~ Resolution No. 2011- 153 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY, STATE OF NEW JERSEY AWARDING A CONTRACT TO TILCON NY INC. FOR ROAD MATERIALS

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on March 8, 2011 at 10:15 a.m. for road materials as per the Bid Specifications; and

WHEREAS, the Township of West Milford received two (2) bids for this contract; and

WHEREAS, said bids have been duly reviewed and analyzed by the Director of Public Works; and

WHEREAS, the bid received from Tilcon NY 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 Director of Public Works has submitted a written recommendation for the award of this contract to Tilcon NY Inc.; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from account number 1-01-26-290-360 - \$40,000.00 & C-04-08-943-624 - \$37,500.00.

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 23 of 31

1. The Township Council hereby awards a contract to Tilcon NY Inc., 625 Mt. Hope Road Wharton, New Jersey 07885 in an amount not to exceed \$77,500.00 for road materials as per the Bid Specifications
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Tilcon NY Inc., in accordance with its bid for said road materials.
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 20, 2011

Agenda No. VII 13

~ Resolution No. 2011- 154 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP AND TMP OF NEW YORK, INC. d/b/a TEPLITZ METAL PROCESSING FOR THE MARKETING OF RECYCLABLE SCRAP METAL

WHEREAS, proposals were solicited for The Marketing Of Recyclable Scrap Metal for the Township of West Milford by the Solid Waste and Recycling Coordinator, West Milford Department of Public Works on January 20, 2011; and

WHEREAS, seven proposals were received on February 14, 2011 in the Office of the Township Clerk and conveyed to the Solid Waste and Recycling Coordinator; and

WHEREAS, Teplitz has satisfactorily worked with the Township as the scrap metal vendor for almost two years; and

WHEREAS, the Director of Public Works and the Solid Waste & Recycling Coordinator have thoroughly reviewed each proposal, and has recommended the award of a contract to TMP of New York, Inc. d/b/a Teplitz Metal Processing;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the Mayor and the Municipal Clerk are hereby authorized to execute an agreement with TMP of New York, Inc. d/b/a Teplitz Metal Processing for the marketing of recyclable scrap metal for the period of March 1, 2011 through December 31, 2011 for the Township of West Milford.

Adopted: April 20, 2011

Agenda No. VII 14

~ Resolution No. 2011- 155 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RE-ESTABLISHING A TOWNSHIP STORMWATER POLLUTION PREVENTION TEAM

WHEREAS, the State of New Jersey requires the re-establishment of a Stormwater Pollution Prevention Team to assist in the development of regulations by the Township in conformance with requirements of the State's Stormwater pollution Prevention Program.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Council of the Township of West Milford that it does hereby re-establish a Stormwater Pollution Prevention Team (number of team members may vary) as follows:

Purpose: to prepare an assessment of the infrastructure improvements that would be necessary to the Township's Stormwater facilities and to also develop a plan to maintain these facilities in accordance with state regulations.

Membership: The Committee shall consist of seven (7) members including:

Program Coordinator	Director of Public Works
Public Notice Coordinator	Township Clerk
Post Construction Stormwater Management Coordinator & Ordinance Coordinator	Land Use Administrator
Local Public Education Coordinator	Environmental Commission Chairman
Public Works Coordinator	Director of Public Works

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 24 of 31

Illicit Connection Coordinator Health Officer
GIS Specialist Mapping Coordinator

Appointing Authority: The Mayor shall appoint all members with the advice and consent of the Township Council.

BE IF FURTHER RESOLVED, that the Township Council does hereby provide advice and consent to the appointments outlined herein.

Adopted: April 20, 2011

Consent Agenda

Agenda No. VIII

~ Resolution No. 2011- 156 ~

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. 2011 - 157 - Refund Overpayments
b. 2011 - 158 - Refund Overpayments - MUA
c. 2011 - 159 - Refund Cash Bond
d. 2011 - 160 - Refund Administration Fee
e. 2011 - 161 - Refund Other Liens
f. 2011 - 162 - Refund Performance Guarantee
g. 2011 - 163 - Refund Personnel Department Fees
h. 2011 - 164 - Refund Recreation Fees
i. 2011 - 165 - Approve Various Licenses

Applications:

- a. Application for Calendar Raffle License No. RL2011-11 by Saint Joseph's Church for various dates.
b. Application for Tricky Tray License No. RL2011-12 by Maple Road School PTO for May 14, 2011.
c. Application for On Premise 50/50 Raffle License No. RL2011-13 by Maple Road School PTO for May 14, 2011.
d. Application for On Premise 50/50 Raffle License No. RL2011-14 by Our Lady Queen of Peace Church for various dates.
e. Application for Off Premise Draw Raffle License No. RL2011-15 by Our Lady Queen of Peace Church for June 18, 2011.
f. Application for Carnival Games License No. RL2011-16 by Our Lady Queen of Peace Church for various dates.
g. Application for ON Premise 50/50 Raffle License No. RL2011-17 by Apshawa PTA for April 29, 2011.
h. Application for ON Premise 50/50 Raffle License No. RL2011-18 by WM High School for October 20, 2011.
i. Application for Tricky Tray Raffle License No. RL2011-19 by WM High School for October 20, 2011.
j. Application for Tricky Tray Raffle License No. RL2011-20 by Pompton Lakes Rotary Foundation Inc. for June 12, 2011.
k. Application for Social Affair Permit by Our Lady Queen of Peace Church for May 14, 2011.
l. Application for Extension of Licensed Premises by Normtra LLC, t/a Big John's Pub for May 1, 2011, rain date May 8, 2011.

Adopted: April 20, 2011

Moved: Weisbecker Seconded: Ramaglia
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
Voted Nay: None.
Motion carried.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
 Date of Meeting: April 20, 2011
 Time of Meeting: 7:30 P.M.
 Minute Page No: Page 25 of 31

The following resolutions were included in the consent agenda:

Agenda No. VIII a

~ Resolution No. 2011- 157 ~

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

WHEREAS, the overpayments were created by reasons stated 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 overpayments as shown below:

REASONS:

- | | |
|-------------------------------------|---------------------|
| 1. Incorrect Payment | 4. Homestead Rebate |
| 2. Duplicate Payment | 5. Tax Appeal |
| 3. Senior Citizen/Veteran Deduction | |

Block/Lot	Name	Amount	Year	Reason
3610 -3	Albert & Carol Alfieri 44 Tintle Avenue West Milford, NJ 07480	\$209.24	2011	4
5306-3	Aurora Loan Service P.O. Box 1706 Scottsbluff, NE 69363-1706	\$3,646.00	2011	2
8706-4	John & Lynn Gleeson 6 Rolling Ridge Road West Milford, NJ 07480	\$15.00	2011	2
9101-36	Walter Jessup & Marie Doherty 73 Ridge Road West Milford, NJ 07480	\$2,759.00	2011	2
10204-1	69 Maple Avenue C/O WMF/H/P/Associates P.O. Box 2915 Edison, NJ 08818	\$25,897.15	2008	5
10204-1	69 Maple Avenue C/O WMF/H/P/Associates P.O. Box 2915 Edison, NJ 08818	\$40,216.18	2009	5
TOTAL		\$72,742.57		

Adopted: April 20, 2011

Agenda No. VIII b

~ Resolution No. 2011- 158 ~

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

WHEREAS, the overpayments were created by reasons stated 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 overpayments as shown below:

REASONS: MUA Money Collected Prior to Tax Sale

BLOCK/LOT	NAME	AMOUNT
7801-15.08	West Milford MUA 179 Cahill Cross Road Ste. 202	\$778.50

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
 Date of Meeting: April 20, 2011
 Time of Meeting: 7:30 P.M.
 Minute Page No: Page 26 of 31

	West Milford, NJ 07480	
7801-47.05	West Milford MUA	\$290.68
7801-51.08	West Milford MUA	\$9.17
9402-1	West Milford MUA	\$7.39
8706-4	West Milford MUA	\$5.34
8802-29	West Milford MUA	\$5.23
8803-17	West Milford MUA	\$5.07
6201-9	West Milford MUA	\$162.05
8706-2	West Milford MUA	\$5.47
7801-44.04	West Milford MUA	\$6.10
5502-8	West Milford MUA	\$82.86
9101-22	West Milford MUA	\$10.69
9101-31	West Milford MUA	\$5.69
9404-3	West Milford MUA	\$330.87
9101-32	West Milford MUA	\$1,381.55
8301-12	West Milford MUA	\$5.71
7801-26.05	West Milford MUA	\$6.10
8601-24	West Milford MUA	\$5.76
9406-9	West Milford MUA	\$336.60
4106-1	West Milford MUA	\$5.07
4201-26	West Milford MUA	\$293.29
7801-23.02	West Milford MUA	\$296.40
8901-26	West Milford MUA	\$5.35
TOTAL		\$4,040.94

Adopted: April 20, 2011

Agenda No. VIII c

~ Resolution No. 2011- 159 ~

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

BE IT RESOLVED, by the Township Council of the Township of West Milford that, upon the report and request of the Township's Engineering Department, the following Performance Guarantees be refunded:

<u>Name & Address</u>	<u>Block & Lot</u>	<u>Amount Refunded</u>	<u>Pg. No.</u>
M. Casella 47 Hickory Avenue West Milford, NJ 07480	5622/7	\$ 300.00	14

Adopted: April 20, 2011

Agenda No. VIII d

~ Resolution No. 2011- 160 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE REFUND OF AN AUTO INSURANCE CLAIM CHECK TO APSHAWA FIRE COMPANY

WHEREAS, the Township Administrator has reported that the Township did receive a check in the amount of \$201.16 from the Morris County Municipal Joint Insurance Fund as reimbursement to Apschawa Fire Company Auto Insurance claim; and

WHEREAS, the Township Administrator also reports that the check was made to the Township of West Milford although the Apschawa Fire Company remits payment to the Township for its insurance coverage under the Township's Insurance provider and should receive this refund.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that, upon the report and request of the Township Administrator, the following amount indicating a refund from the Morris County Municipal Joint Insurance Fund to be paid to Apschawa Fire Company be made as follows:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
 Date of Meeting: April 20, 2011
 Time of Meeting: 7:30 P.M.
 Minute Page No: Page 27 of 31

Name/Address	Amount of Insurance Refund
Apshawa Fire Company 666 Macopin Road West Milford, NJ 07480	\$201.16

Adopted: April 20, 2011

Agenda No. VIII e

~ Resolution No. 2011- 161 ~

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 Amt	Pay to the Lien Holder
09-129	03/25/2009	15001-004	\$2,351.43	Lien Times LLC 203 Stephens Road West Milford, NJ 07480
10-064	03/23/2010	06001-003	\$17,496.39	Royal Tax Lien Services LLC 179 Washington Lane Jenkintown, PA 19046
10-081	03/23/2010	07601-002	\$12,351.39	David Zaccaria 33 John Street Fairfield, NJ 07004
10-109	03/23/2010	10816-006	\$18,731.43	Royal Tax Lien Services LLC 179 Washington Lane Jenkintown, PA 19046
Grand Total			\$50,930.64	

Adopted: April 20, 2011

Agenda No. VIII f

~ Resolution No. 2011- 162 ~

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

BE IT RESOLVED, by the Township Council of the Township of West Milford that, upon the report and request of the Township's Engineering Department, the following Performance Guarantees be refunded:

<u>Name & Address</u>	<u>Block & Lot</u>	<u>Amount Refunded</u>	<u>Pg. No.</u>
Vincent Lanza 4 Countryside Lane Ringwood, NJ 07456	12108/1	\$ 3,525.00	78
Vincent Lanza P.O. Box 746 Ringwood, NJ 07456	1811/5	\$ 2,400.00	79

Adopted: April 20, 2011

Agenda No. VIII g

~ Resolution No. 2011- 163 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
 Date of Meeting: April 20, 2011
 Time of Meeting: 7:30 P.M.
 Minute Page No: Page 28 of 31

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PARTIAL REFUND OF PERSONNEL HEALTH INSURANCE PREMIUM

BE IT RESOLVED, that the following Health Insurance Premium fee be partially refunded upon the report of the Personnel Administrator:

REASON: Former employee passed away March 14, 2011

PARTICIPANT	AMOUNT PAID FOR YEAR	AMOUNT TO BE REFUNDED
Christina Raimondo Daniel Raimondo 350 Green Creek Bay Circle Murrells Inlet, SC 29576-7111	\$1,284.00	\$963.00

Adopted: April 20, 2011

Agenda No. VIII h

~ Resolution No. 2011- 164 ~

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:

PARTICIPANT	AMOUNT	MADE PAYABLE TO:
Conflict-Paint & Ceramics sessions 2 & 3		
Dave & George	\$62.00	Julie Barounis 685 Lakeshore Drive Hewitt, NJ 07421
Cancelled Field Hockey clinic		
Laura Freedman	\$90.00	Diane Freedman 7 Osage Drive West Milford, NJ 07480
Andrea Hilario	\$90.00	Rufino Hilario 49 Wesley Drive West Milford, NJ 07480
Mollie Brawley	\$90.00	Carol Brawley 144 Pinecliff Lake Drive West Milford, NJ 07480
Alison Cosgrove	\$90.00	Kim Cosgrove 784 Macopin Road West Milford, NJ 07480
Loss of job camp before and after care Refund		
Gabrielle Farias	\$40.00	Carrie Farias 30 Crest Hill Drive Oak Ridge, NJ 07438
Preschool Overpayment Refund		
Taliah	\$24.00	Michael Ringressy 13 Clermont Road Hewitt, NJ 07421

Adopted: April 20, 2011

Agenda No. VIII I

~ Resolution No. 2011- 165 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR LICENSE YEAR 2011

WHEREAS, applications have been made by licensees for the renewal of various Township Licenses and Permits for the year 2011; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
 Date of Meeting: April 20, 2011
 Time of Meeting: 7:30 P.M.
 Minute Page No: Page 29 of 31

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford does hereby approve the issuance of 2011 Licenses as listed below:

2011 CLOTHING BIN PERMIT		
Clothing Bin Permit	Applicant Name	BIN Site Premise Address
2011-01	Planet Aid C/o Roberto Cruz 3 Lincoln Drive Fairfield, NJ 07004	3051 Route 23 Oak Ridge, NJ 07438
2011 PEDDLER LICENSE		
2011-04	Anas M.A. Alolimat 351 Washington Avenue Elizabeth, NJ 07202	ANAS ICE CREAM

Adopted: April 20, 2011

Agenda No. IX

Approval of Expenditures

~ Resolution No. 2011- 166~

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.	\$177,066.70
2	Reserve Account	64,220.25
3	Animal Control Trust	352.00
6	Capital.	14,213.28
7	Grants.	36,836.34
8	Refuse.	756.00
9	Refunds.	129,364.31
12	General Ledger.	54,465.13
16	Heritage Trust.	703.25
14	Open Space Trust	4,095.00
17	Trust	8,341.19
18	Development Escrow.	6,818.95
19	LOSAP	0.00
20	Special Reserve	0.00
Total		\$497,232.40
\$Less Refund Resolution		-129,364.31
Actual Bill List		\$367,868.09
Other Pyts, Ck# 45354 Finch Fuel		17,323.36
Ck# 45355 North Jersey Media Group		<u>126.79</u>
Total Expenditures		\$385,318.24

Approved: April 20, 2011

Moved: Weisbecker Seconded: Ramaglia
 Voted Aye: Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
 Voted Nay: None.
 Motion carried.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 20, 2011
Time of Meeting: 7:30 P.M.
Minute Page No: Page 30 of 31

Agenda No. X

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

Council President Smolinski congratulated Messrs. Richko & Lynch stating that through this process he has learned a lot about each of them. He thanked them for their many contributions to this Township adding that we are lucky with our many volunteers for all they do. He thanked all volunteers.

Councilman Ramaglia asked Administrator to schedule a workshop discussion about solar panels on utility poles. He stated that there were three major events in the Township this past Thursday and stated that we should do a better job of scheduling and maintaining a calendar of events. The Council, he said cannot be at all three. In the NJLM magazine there is an article about going paperless whereby they estimate savings of about \$20,000. He asked for a workshop discussion.

Councilman Rosone congratulated the volunteer recipients and thanked all volunteers. Beautification day was this past Saturday and it was a great success until the rain came. He thanked Dave Stires and Jim Novack saying that they worked hard and are very impressive. Volunteers filled almost 700 blue bags and collected 8 tons of scrap metal in addition to filling one dumpster with garbage and collected tires. The event drew 725 volunteers throughout town and many are still engaging in clean up efforts.

Councilman Signorino reminded everyone that the tennis tournament is May 14th & 15th. The books promulgated by the museum are great and very educational and the museum itself is a great learning experience for your kids. He stated that he met with Administrator Boyle and the insurance committee today and discussed health benefits. This matter will come before the full Council anon.

Councilman Jurkovic gave a thumbs up to the CASA semi formal tomorrow night. There is a long waiting list and many kids that wanted to go could not sign up. He followed up with Administrator Boyle questioning why kids who want to cannot attend. Municipal employees were very responsive to questions and the fire marshal's department went to the site to determine the capacity of the building. The number given to CASA was not accurate and so it was properly changed to allow greater attendance. People in Community Services & Recreation immediately followed up and now all kids can attend. He stated that this was great work for a great event. He gave a thumbs up to Dave Stires. In addition to the beautification day work a resident commended him for resolving garbage problems at McDonalds.

Councilman Weisbecker stated that beautification day was great. He was impressed to see Jim Novack working alongside Sue Pappas. Great work. Everyone who participated deserves accolades. He congratulated Messrs. Lynch & Richko. They got him involved in West Milford issues in 1989. The Wallisch property is going to be transferred to Township. There are buildings on that property. The Building Standards Board has determined that these buildings are in a state of disrepair. He asked Administrator Boyle to have the building department issue a report on the condition of these buildings. He asked if someone on staff can research grant opportunities to restore these buildings. He has heard from several business owners that they are being lured to Jefferson and Hardyston because of the Highlands Council hampering their ability to expand. He asked if we can reach out to the Highlands Council to determine what they consider commercial. He believes that commercial properties are partly exempt from some highlands provisions and we need to support our business community because we cannot afford to lose ratables. Mr. Semrau suggested that the Township could possibly seek to have the Township notified when our business community makes application for extensions to see if we can do anything to help. He is hopeful that he will have some answers for next meeting. Councilman Weisbecker asked for a workshop discussion to brainstorm on this matter and helping businesses. In the past, he said, he was chastised for supporting bats. He is glad to be known as batman. We have a Girl Scout resident seeking to get her gold star and as her project is installing bat stations.

Council President Smolinski stated that the community cars program will take a resident to the Willowbrook Mall for under \$10. Newark airport will cost \$12. If we don't use this program we will lose it. Eligible residents must sign up.

Councilman Weisbecker advised that April 27th is the BOE election.

Mayor Bieri stated that the proposed Highlands discussion is worthwhile. Many residents confuse the Highlands Council with the DEP. Oftentimes DEP stalls projects that have been approved by the Highlands Council. A local business in Oak Ridge attained Highlands Council approval and now in the second year of this process is awaiting DEP approval. She stated that she received a commendation by email for Denise Loeffel of the Municipal Clerk's office for going beyond the call of duty. Macopin Middle School staff, students & community is inviting residents to participate in pay it forward kindness program. This will produce caring citizens. She gave an overview of how the program works, encouraged everyone to participate and commended this worthy effort.

