
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: April 21, 2010
Time of Meeting: 7:30 P.M.
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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 20, 2009; and January 10, 2010 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.

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, Robert Nolan, Marilyn Lichtenberg, Daniel Jurkovic, Mayor Bettina Bieri.
Absent: None.
Also Present: Township Administrator Kevin Boyle, Township Clerk Antoinette Battaglia, Township Attorney Frederick Semrau

Agenda No. I

Reading of or Approval of Unapproved Minutes

The following meeting minutes were adopted as presented:

February 16, 2010 Regular Meeting February 17, 2010 Executive Session

Moved: Weisbecker Seconded: Lichtenberg
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. II

Proclamations

Silver Star Banner Day – Mayor Bieri read the proclamation into the record advising that there is no one here tonight to accept it. She advised that it will be mailed out from the Clerk’s office.

Agenda No. III

Presentations - Volunteer Appreciation Night

Mayor Bieri stated that she is honored tonight to make two very special presentations tonight. Bill Remia, she said, is scheduled to receive the 2009 Volunteer of the Year award but he may be somewhat delayed as he is on his way back from coaching a game in Hackensack. If need be, she said, she will rearrange the agenda to accommodate him when he arrives.

Mary B. Haase Lifetime Volunteer Award – Mr. Douglas Ott

Mayor Bieri explained the process by which a person is chosen by former Mayors to receive the Mary B. Haase Lifetime Volunteer Award. This year the former Mayors have selected Mr. Douglas Ott. Mr. Ott was joined by his wife Carol, his daughter and son-in-law, Jennifer and Tim Metcalf, and his three grandchildren at the podium with Mayor Bieri. Mr. Ott stated that he has served on the Environmental Commission for many years. He had the honor of working with Mary Haase for some of those years and he commended her and all those who with whom he has worked and who have inspired him. He and his wife, Carol, worked today on the Friends of the Library book drive. He encouraged people to participate and become involved. He commended his wife for her volunteerism and listed some upcoming events. Mayor Bieri thanked Jennifer Metcalf, Mr. Ott’s daughter, for providing her with background information about Mr. Ott which she shared with those in attendance.

“When I learned that my father would be receiving the 2009 Mary Haase Lifetime Volunteer Award, I had multiple thoughts. The first was, “What an Honor”, as there are many candidates who volunteer hours of time to the community. The second was, “What a Great Selection”, as I know that my father has made a lifetime commitment to this town. The last reaction was, “What will HE think?” because if you know Doug, you know that he tends to keep a low profile and he rarely looks for the spotlight.

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Doug Ott is truly a Renaissance man, in both his personal life and his service to the town. As early as I can remember, he has served the West Milford Community. My mother recounts stories of late night meetings to gain support for the High School. The coaches at the High School can tell stories of Doug's advocacy of an all-weather track, dating back to 1982! I can recall days when my dad helped to coordinate the Wilderness Runs through the trails of West Milford. And his grandchildren can point to the trails that "Grandpa" helps maintain for the NJ Trail Conference. An active Renaissance man, Doug has consistently promoted running and hiking programs for years.

Doug's varied interests have placed him in various service capacities through the years. For many years, Doug has served on the Environmental Commission, often going the extra mile to investigate and report on environmental concerns. Doug made Beautification Day an "event" for his longtime neighbors. Additionally, he has reached out to students on various levels in this regard – working not only with the high school's Green Team, but also with the CAD classes as they designed a "Vision" for the town.

More recently, Doug has served as President of the Library Board and as a member of the Planning Board. Given the desperate need for a new library, Doug has done extensive research, traveled to various sites, and talked with people throughout the community to bring that project to fruition. Given that Renaissance desire to know more, Doug can be found perusing and sharing the hundreds of books that he and Carolyn store, as part of their service to the Friends of the Library. As a balanced diplomat, Doug's work on the Planning Board also reflects his community focus. Doug can hear opinions and input from varied sources, and make reasoned judgments, constantly keeping the health of the community as his compass.

There are many more capacities in which Doug has invested himself over the years, but to recapture them all seems impossible. From playing the piano for years at St. Joseph's masses to teaching children Chess through Parks and Recreation – From cheerleading new programs such as Sustainable West Milford, to supporting West Milford Museum programs – Doug has truly made West Milford, a "community for all seasons".

Mayor Bieri presented Mr. Ott with a plaque commemorating this award and advised that his name will be added to the plaque that hangs in the Council chambers at Town Hall.

2009 Volunteer of the Year Award – Mr. William Remia

Mayor Bieri recognized Bill Remia who arrived to applause and announced that he won his game. Mayor Bieri stated that Mr. Remia was selected by the Council from among the very worthy nominations submitted for the 2009 Volunteer of the Year award. Mr. Remia, his wife Sharon and his daughter Laura joined Mayor Bieri at the podium.

Mayor Bieri stated that Mr. Remia is being honored as our 2009 Volunteer of the Year for his efforts in many activities in our community. Bill served as President and Vice President of the West Milford Girls Softball Association and coached for over 20 years. He has also been the Travel Coach for softball, baseball, football and cheerleading. Presently he serves as a Volunteer High School softball coach. In July when the Township has the July 4th Thunder in the Highlands fireworks, Bill is a specialist at directing vehicles into the parking areas. He originally designed the logistical setup and coordinated the parking area as well as managed the intake and outtake of vehicles and secured volunteers for the parking operation. He has served on the Upper Greenwood Lake Volunteer Ambulance Corps as well as a Boy Scout Leader. Bill is also engaged with the Long Pond Iron Works and serves as Chair Person for the Recreation Advisory Committee, where he has served as a member for over 20 years. He also serves on the Township Fields committee, and was instrumental in construction of the softball field behind the Presbyterian Church. He worked with the Health Department in designing the logistical set up in the case of Township emergencies. Most of us know Bill for his efforts in the spearheading of the Bike Helmet Safety Program and obtaining the bikes as well as the trailer for this program. Our honoree is also a member of the Facility Assessment Committee and a former member of the Township Historic Commission for more than 10 years. Bill is the personification of a community volunteer that impacts various residents within the community of West Milford.

Mr. Remia thanked Councilwoman Lichtenberg for nominating him adding that she herself epitomizes this spirit of volunteerism. West Milford, he said, is blessed by the number of people who volunteer. He acknowledged the staff at Town Hall with whom he has worked over the years as well as the boy scouts, cub scouts, first aid members and fire department volunteers. Mayor Bieri presented Mr. Remia with a plaque.

Volunteer Group Presentations:

- 1) Association for Special Children and Families – there was nobody present to speak.
- 2) Rotary Club – A member of the West Milford Rotary approached the dais to address the Council. He said that he was pleased to be here to represent rotary. Rotary is recognized throughout the world as an organization whose members place service above self. The West Milford Rotary is

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- responsible for a number of service projects. While the organization has an international membership, it engages in vocational efforts at a grassroots level. Recently they sponsored career day at West Milford High School, they host an annual Christmas luncheon for children with special education needs and they host Christmas in July for seniors. They donated lights to the football field for night games and regularly Support the first aid and fire squads. As is well known in West Milford, the Rotary Club donated the mural to the Township that is housed in the Council chambers as well as the new benches around town. Those interested in joining can come to the regular meetings held on Tuesday afternoons at 12:15 at passport café. He extended congratulations to Mr. Remia and Mr. Ott on behalf of all the Rotary members.
- 3) Upper Greenwood Lake Volunteer Ambulance Corp. - Sue Evangelista Vice President of the Squad addressed the Council with Anthony, a junior member who represents younger members. She encouraged anyone who is interested everyone to join their squad which needs more volunteers. She thanked the Mayor & Council for their continued support. And she expressed appreciation for the donations from residents. Sue and Anthony taught a lifesaving technique to those in the audience in how to save a choking victim. She is a former teacher who taught her students the Heimlich maneuver and, as a result kids have saved kids.
 - 4) West Milford Animal Shelter Society - Jean Bremy President of Animal Shelter Society addressed the Council. The volunteers who serve the animal shelter cover the spectrum from teenagers to adults to seniors. She thanked all of them for their time and dedication. She thanked all the people and groups who have contributed through volunteering or making donations. She thanked businesses who donate to the animal shelter. She thanked Council for their unanimous vote on TNR ordinance. She relayed a story about Snowflake, a cat who came into the animal shelter, who adopted a little kitten thereby saving that kitten's life. Ms. Bremy showed the audience a young kitten and encouraged people to visit the shelter, adopt, and/or volunteer.
 - 5) West Milford Environmental Commission - David Watson-Hallowell and Gary Oppenheimer addressed the Council to speak on behalf of this volunteer organization appointed by Township. The Commission, they said, loves to hear comments from the public and they encouraged people to attend their monthly meetings. They recently formed a green team committee as a sub committee of the Commission and they encouraged people to join and participate in the Green Team whose goal it is to make West Milford a sustainable community.
 - 6) West Milford Heritage Commission – Mr. Bob Bailey addressed the Council. He advised that the museum operates across from Town Hall. It is run by volunteers and is open on Saturdays from 1-4 pm. They host a number of events including the annual tennis tournament in May which is their largest fundraiser. They also have speakers three times per year which is always interesting. Santa & Mrs. Claus appear at the museum every December. He commended all the members for their dedication and stated that they need more volunteers. Encouraged people to visit the museum, learn and volunteer. He commended Marilyn Lichtenberg who serves as Council Liaison.
 - 7) Women's Club of West Milford – there was nobody present to address the Council.
 - 8) Sustainable West Milford (SWM) - David Watson-Hallowell, president of SWM addressed the Council. He stated that this volunteer organization brings the farmers market and community garden at Apple Acres to West Milford. As a result of SWM and its members, West Milford is home to ample harvest which was founded by Gary Oppenheimer with over 1700 food pantries participating nationwide. This concept connects backyard gardeners with local food pantries to feed people in need and utilize excess crops rather than see them go to waste. Anyone interested is welcome to join and participate. SWM has sponsored an adopt-a-spot in town where they grow medicinal plants. They meet at Hillcrest monthly and he encouraged people to attend their meetings. They will host the 3rd annual Highlands Greenfest at Bubbling Springs to encourage people to live, protect and enjoy the green of West Milford. There will be lots of vendors many local, with local foods and organic products. Recently SWM got volunteers to contribute hours to restore the Terhune barn which was fabulous. Benjamin Moore is donating paint because the barns have never been painted with anything but Benjamin Moore paint. Anyone interested can help paint. Gary Oppenheimer stated that there are a few plots remaining at the community farm.
 - 9) West Milford Recycling - Dave Stires, Recycling Coordinator addressed the Council. He thanked all the volunteers who contributed so much this year. Beautification day is coming soon and many people have volunteered to make this a successful event. Many items will be recycled this year and the focus will be to educate people about the variety of household goods that can be recycled rather than placed in the trash. Dave reviewed the increased number of items that can now be recycled. If you're not sure, recycle anyway. Hazardous waste day is June 5th 7:30 a.m. to 2 p.m. He urged residents to call his office if they not sure if an item is recyclable. All recycling done in the Township generates revenue. Beautification Day is this Saturday and he urged everyone to come and join in.

Mayor Bieri thanked all the organizations for devoting time to speak tonight. She asked for a brief recess to allow those who wish to leave to do so. The Council broke for a five-minute recess.

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Wastewater Management Plan – Paul Ferriero –

Paul Ferriero, Consulting Engineer addressed Council regarding the Township’s wastewater management plan on which he has been working. He provided an overview of how the process evolved and how, as a result of Passaic County declining to do so, West Milford must now develop its own wastewater management plan. He advised that the preliminary plan was submitted to the DEP and they have made some corrections. He is here to review how the plan was put together. He advised that the plan being discussed tonight is interim and is being submitted with the intent of starting a dialogue. The actual plan is not due to the State of New Jersey for another year. The wastewater management plan is basically a zoning map for how sewers service properties. He advised that the information used to draft the plan originated from three sources, the DEP, the MUA and the Township Planner’s office. Final data will not be available until the Highlands conformance process has been completed. The information gathered was placed on the map to determine its accuracy and the result of the map he is showing the Council tonight.

Mr. Ferriero directed Council to the map he had on an easel and advised them that the areas shaded in purple represent existing service areas which has a correlating table at top which shows areas serviced. He discussed T1 permits, the process by which they are obtained by the state and the reasons a property may require a T1 permit. He advised that it is doubtful that the list of T1 properties is likely deficient and he will continue to work on expanding this list to accurately reflect those properties that got T1 permits. Councilman Nolan stated that the property reflected as number 20 Williamsburg at West Milford is the original name for Eagle Ridge which has lost its Highlands exemption. Mr. Ferriero thanked him for that clarification and advised that he will work with DEP to pull that out. He stated that he added in Brown’s Point Plaza, and some other individual lots because of failing septic, one property that is not highlighted which will be added is Bubbling Springs. He advised that he will seek Highlands Council endorsement of Bubbling Springs during the wastewater management plan and Highlands Conformance processes rather than go through the lengthy exemption process. He reviewed some of the difficulties encountered especially with property boundaries and current rules.

Mr. Ferriero advised that he met with officials from the MUA, the Board of Health, the Township Engineer, and the Township Planner. Properties can be added throughout the process until the final plan is adopted; thereafter, it is hard to modify the plan. The wastewater management plan must comply with the Highlands Conformance Plan. Councilman Nolan referred to a report that spoke about the condition of current facilities run by MUA. Mr. Ferriero advised that is not part of this process but will have to be dealt with as the full plan is being worked on. Mr. Ferriero explained that a 5-bedroom home equates to a requirement of 500 gallons per day (gpd), office use is 16,000 gpd, a church is 3 gallons per seat and a restaurant is 35 gallons per seat. He stated that he will work with the Health Department to educate restaurants about how to apply for a T1 and encourage them to do so to assist them to become part of the wastewater management plan. Councilman Weisbecker asked about club associations with club houses. Mr. Ferriero stated that they are very hard to calculate and are subject to peak flow. There is a design flow for beach facilities and if it is calculated that they use more than 2000 gallons per day they should apply for T1 permit. T1 permits are for existing facilities only; new construction or future facilities will require a new NJDEPS permit.

The Mayor & Council thanked Mr. Ferriero for his presentation.

Agenda No. IV

Unfinished Business, Final Passage of Ordinances

Agenda No. IV 1

~ Ordinance No. 2010-002 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 135 “FEES AND COSTS” 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.

§135-7 Finance.

- E. Request for redemption calculation; 3rd and subsequent request in a calendar year: \$50 per request
- F. Lien redemption calculation: \$50

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§135-10 Alcoholic beverage licenses.
Reference Chapter 63, Alcoholic Beverages, Article II, Licensing; Regulations.

- A. The annual fees for the sale or distribution of alcoholic beverages in the Township shall be as follows:
- (1) Plenary retail consumption license: \$550.00
 - (2) Club license; \$165.00
- B. Transfer of license fees. The fees to transfer a liquor license, per the Division of Alcoholic Beverage Control of the State of New Jersey, shall be as follows:
- (1) Transfer of plenary retail consumption license:
 - (a) Person to Person Transfer \$55.00
 - (b) Place to Place Transfer \$55.00
 - (2) Transfer of club license: \$16.50

§135-11 Amusements.
Reference Chapter 67, Amusements, Article I, Coin-Operated Amusements Devices.

- A. Coin-operated amusement devices. The annual license fee for each amusement game, device or machine shall be payable in advance for the calendar year in which issued, and shall be as follows:
- (1) One to seven machines: \$70.00 per machine
 - (2) Each machine between eight and 25 machines: \$50.00 per additional machine
 - (3) Each machine between 26 and 50 machines: \$25.00 per additional machine.
- B. Arcades. In addition to the foregoing license for the machines, there shall be an annual license fee for each arcade in the amount of \$200.00 payable in advance for the calendar year for which it is issued, which shall be required for any store, building or place wherein the public is invited or where the public may enter and wherein more than seven but less than 51 amusement games, devices, or machines are located.

§135-19 Garage sales.
The fee for a garage sale license issued pursuant to Chapter 174, Garage Sales, is \$10.00

The fee for additional Garage Sale Signs if \$1.00 each.

§135-21 Licensing, general.
The fee to transfer a license issued by the Township in accordance with Chapter 203, Licensing, General, from place to place shall be \$25.00.

§135-22 Municipal Building.
The fee for a permit to use the Municipal Building or the Municipal Building grounds as described in Chapter 220, Municipal Building and Grounds, Use of, is \$50.00

§135-27 Poolrooms and billiard rooms.
In accordance with Chapter 274, Poolrooms and Billiard Rooms, the annual license fee for each pool or billiard table located upon the premises to be licensed shall be \$75.00.

§135-36 Taxicabs.
In accordance with Chapter 353, Taxicabs, the following fees apply:

- A. Taxicab owner's license. The annual license fee per vehicle shall be \$100.00
- B. Taxicab driver's license.
- (1) The application for an initial taxicab driver's license shall be accompanied by a fee of \$50.00 for the initial license period.
 - (2) The fee for the renewal of a taxicab driver's license is \$50.00

§135-17 Fire Prevention.
Reference Chapter 152, Fire Prevention.

- C. Annual inspection fees. In addition to the registration fees required pursuant to the Uniform Fire Code, the following additional annual fees shall be required for annual inspections except that the fees established pursuant to this section shall not be assessed against life hazard uses:

Occupancy (square feet)	Fee
Up to 999	\$35.00
1,000 to 4,999	\$60.00
5,000 to 9,999	\$125.00
10,000 to 14,999	\$250.00
15,000 and over	\$350.00

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

INTRODUCED: March 17, 2010
ADOPTED: April 21, 2010
EFFECTIVE DATE: May 11, 2010

This Ordinance was introduced on March 17, 2010 and the Notice of Public Hearing was published in the Herald News on March 21, 2010. The Mayor opened 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 Nolan, to close this public portion of the meeting. Approved by unanimous roll call vote.

Motion to adopt Ordinance.

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
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.

Doris Aaronson 19 Bearfort Road, West Milford asked for May workshop discussion of an ordinance banning lawn watering during certain hours in summer months. This proposed has been approved by various environmental groups and she provided additional data. She urged the Council to schedule workshop discussion of this matter for May 5th.

Debbie Mann, licensed clinical social worker stated that she has been providing services to West Milford children for years with her husband and they also work with the State of New Jersey and various organizations. They listen to our youth talk about drug use and crimes being committed. She and her husband provide grief counseling. Our children, she said, are using heroin, having drug parties, and using liquid marijuana. The problems are significant. West Milford is specifically suited to such problems in part because many parents often commute out of town to work leaving their children unattended. About two years ago she started to offer counseling services in West Milford. She sought financial assistance and her group was awarded money to begin a mentoring program in West Milford geared toward our teenagers. It took a year to establish a non-profit called Neighborhood Services, they established a board, listed their membership and began to seek a place to house the program. She explained the difficulties they encountered which culminated in her coming before the Council last year to ask for help finding a home. Several Council members were very helpful ultimately offering the teen coffee house as an option. The coffee house has been under renovation and despite the interest in her services, they closed the program after three months because they could not utilize the coffee house premises as promised. She stated that she has been fighting for three years for West Milford youth and she asked the Council to lend their support to her efforts.

Ed Rosone, Vreeland Road, West Milford stated that during past few months he has read about drug related problems in the paper. Speaking with residents and as a former DARE officer he recognizes that drug use is becoming a significant problem in West Milford. He asked the Council to look into this in conjunction with Police Department and CASA for the benefit of West Milford youth.

Joe Messino, 2 Kingston Court, Oak Ridge stated that his wife is a social worker in the West Milford school district and she has eleven years of experience in education. He reviewed her qualifications and stated that she works with kids who, without her skills, would not be able to function and assimilate into the school environment. His wife is passionate about her work and her kids but she has no seniority in this district. She may lose her job to someone who has never worked in special education and does not have her qualifications. Seniority should not be the factor that eliminates a qualified person for one who does not have those qualifications. He asked the Council to consider this during the budget review process and to please consider the needs of the kids and preserve his wife's position.

Luke Slott, 10 Ponderosa Place, West Milford stated that he favors a water conservation ordinance. Such legislation will protect the water supply and leave water for future generations. He urged the Council to adopt such an ordinance.

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Lou Signorino, Red Barn Lane, West stated that he appreciates the effort and concerns about water supplies. His property is served by a well and these are tough times. This is not the environment for unnecessary legislation. Water conservation is an educational matter which requires common sense. He stated that Council should be fully aware of enforcement costs before adopting such legislation and in fact this should be considered for all ordinances. Before being adopted all ordinances should have a three-year projected cost analysis.

Jim Novack, Larchmont Drive, West Milford stated that three West Milford police officers attended the last ADA meeting. The renovations at the police department are taking much longer than was first advertised to public and he asked that, in the future, consideration should be given to ADA access when renovations are being done. He stated that the school budget was defeated at the recent Board of Education elections and three new members were elected to the board. He expressed hope that the BOE and Council will work together to cut this budget and suggested that they look at shared services. He stated that candidates for the BOE violated our sign ordinance during the election process and he asked that candidates remove their signs as prescribed by law. He stated that the Council and BOE members should sit down soon to cut the defeated school budget acknowledging that the Council can only make recommendations.

Gary Oppenheimer, 24 Clover Road, West Milford stated that West Milford is in a sole source aquifer which is a limited supply of water. He favors water conservation ordinance noting it limits lawn watering during the hottest times of day. The best time to water lawns and plants is in the morning for various reasons and daytime is not good during summer months. Property values are significantly affected if wells in the neighborhood run dry. It is common sense to nurture limited resources. He encouraged the Council to consider this ordinance.

David Watson-Hallowell 50 Linwood Road, West Milford advised that he is speaking tonight as a private citizen and as President of Sustainable West Milford. He stated that he agrees with prior speakers that lawn watering involves common sense and education is important. However, enforcement is part of the process. He urged the council to think about the future stating that it makes good sense to legislate protecting the water in West Milford. He asked the Council to use their leadership positions to preserve water in West Milford.

Tom Nelson, Osage Drive, West Milford stated that five years ago his road was paved and there were immediate drainage problems. He contacted the engineering department on a number of occasions and was told there was no problem. For years he documented the problem and continuously sent the information to the engineering department. Some times DPW came out but many times there was no relief provided. The engineering department made ineffective improvements. Last year he came before Council seeking their assistance and consequently the engineering department made improvements to one drain but it is not as good as before the road paving. He would like this problem resolved and does not understand why the work was done to begin with. By paving another road they elevated Osage above the level of his property. What used to be a flat road now has a large bank. It takes on water and sediment continuously fills the gutter which has a high crown. Curbs are sporadic. The engineering department continuously insists there is no problem, but he has years of experiencing the difficulties and thousands of photos. He said he is desperately seeking help from council to address this.

John Lauritano, 20 Brady Street, West Milford stated that he is here discontentment with the meeting for the Mt. Glen Lake Assessment. Rather than answer questions the meeting turned into a two hour long three ring circus and created confusion. The Township maintains that they don't want to be involved in day to day operations. However, they are cosigning the loan and called for the meeting and as such are in the middle. He stated he wants answers.

Andy Gargano, 45 Apshawa Crossroad, West Milford stated that he serves on the planning board. Recently there has been a flurry of emails regarding the Land Conservancy doing an open space plan. The Council hired the Land Conservancy to do an update to the open space plan which is an element of Township master plan. Chuck McGroarty, the Township planner was not aware of this and he stated that if any action is being taken regarding the master plan, we should speak with the planner. He advised that the planning board has not received a large number of applications of late and they continue to work on updating and revamping ordinances. The Environmental Commission has requested that the planning board research an ordinance to address wind systems. They have had a preliminary discussion of this subject and will discuss it again at tomorrow's planning board meeting. He expects that they will be sending an update to Council in the near future. The planning board has been working on a new sign ordinance for a couple of months and he urged residents to join in the discussions about this ordinance. The planning board will discuss the wastewater management plan at tomorrow's meeting. He stated that the planning board sent a request to Council to consider a water conservation ordinance.

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Gary Steele, North Glenwood Road, West Milford stated that he will send copy of school budget electronically to anyone who wants it and he will explain it to anyone who wishes such insight. This defeated budget is now in the Council's hands and he offered to provide any help possible as they review the budget and propose cuts. He stated that running for the BOE was a great experience.

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

Moved: Nolan Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. VI

Council Comments

Councilman Weisbecker stated that he is looking forward to dealing expeditiously with the defeated school budget. He asked Mr. Boyle about Osage Drive and was advised that staff is working on this matter. Councilman Weisbecker asked Mr. Boyle how he plans to proceed with the defeated school budget. Mr. Boyle replied that he believes that the Council does not wish to hire a professional this year and the Council agreed. Councilman Weisbecker asked Ms. Mann to consider Our Lady Queen of Peace as a site for her program. He urged those who ran for the Board of Education to remove their signs expeditiously.

Councilwoman Lichtenberg asked that the Administrator schedule a workshop discussion of a water conservation ordinance. She relayed an anecdote about how legislation has had a positive impact on acting as educational tool most specifically as it relates to smoking in public places. While water conservation is common sense, sometimes legislation helps.

Councilman Jurkovic congratulated Mr. Ott and Mr. Remia and commended all volunteers for their hard work. He stated that a lot of work is required at the coffee house and realistically, there is not sufficient funding to do all the work at this time. He agreed that Ms. Mann should look at Queen of Peace or Hillcrest when the lease is resolved as possible locations for her program. He asked Administrator Boyle to get him the organizational flow chart for the school district including job titles. He explained the process which allows the Council to make recommended cuts to the school budget but advised that the Board of Education is left with the discretion as to where these cuts will actually be made. Based on prior experience with consultants used to make recommended cuts, he believes that the Council can perform these tasks without such assistance. He stated that he has concerns about adopting the proposed water conservation ordinance because it infringes upon people's rights on personal property. He stated that the average household in West Milford uses 500 gallons of water per day. Before we start telling our residents to conserve that water, we have another prop owner who puts on their website that they use 10,000 gals per day. To be fair all around, if it's about water quality and maintaining water, every resident should be part of that. People should be educated and he commended Sustainable West Milford for engaging in such educational initiatives. But we are talking about using force of law. He discussed how invasive legislation can become. In the past, he said, Ms. Aaronson has cited a study done over 10 yrs ago. Last year, the health officer spoke about failing septic systems and high water tables are responsible for failing septic. He believes it's unfair to tell people they cannot water their lawns when there are no restrictions on a user who pumps out 10,000 gallons of water every day.

Councilman Nolan stated that the Council did pass a fertilizer ordinance to cut down on phosphorous going into lakes. While we cannot be sure that everyone is complying, we know that landscapers are. Education has worked and local stores carry the product. Ultimately, the adoption of that legislation has had an impact on water quality. The water conservation ordinance is a similar initiative. The purpose is not to generate revenue but rather to address the water deficit problem in West Milford. The Council gets a monthly magazine from NJLM and the most recent edition had an article by professional planners about water conservation. Other towns have instituted water conservation ordinances including Montville and Bloomfield. The Environmental Commission and Planning Board have approved this proposed ordinance which should compel the Council to at least discuss it. Councilman Nolan stated that the Council appropriated funding for repairs to the coffee house. A couple of years ago the Council majority was adamant that the coffee house was a necessity for our children. Now, those same Council people are stonewalling this project and he questioned the motives. Councilman Jurkovic took issue with those comments stating that the expenditure of these funds during these financially difficult times warrants consideration. Councilman Nolan suggested that the majority of school board members should tell the Council where cuts can be made to the defeated school budget adding that the three newly elected members ran on promises to cut the school budget. The Council agreed and gave consensus to have a committee of both entities meet to review the budget and make recommendations to the Council.

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Discussion ensued about potential dates and participants. The Council instructed Mr. Boyle to make arrangements for such a meeting with Board members and members-elect.

Mayor Bieri stated that it is clear from comments tonight that the Council must stick to facts and scientific data when considering the proposed water conservation ordinance. She recalled that two years ago it was a major episode that necessary repairs caused a temporary closure of coffee house. Now, there is objection to spending money we have already appropriated. She asked Council if they wish to open the coffee house. Councilman Jurkovic stated that the facilities assessment committee (FAC) has discussed this matter. The \$170,000 allocated to Westbrook is for interior work only and does not address outside work. The engineering costs for the outside work alone is \$150,000 and the Township has to contribute \$60,000 as matching grant funds. The FAC is not opposed to the teen center but they do question certain proposed expenditures including a \$10,000 appropriation for laptop computers. The Council should review what the money is being spent on. There is not enough money to comply with codes and funding is an issue; it is not a matter of stonewalling these renovations. Council President Smolinski agreed adding that Council is still waiting for a plan to move forward on Westbrook despite repeated requests for that information. A stop order was put in place because there is not proper supervision of this work. Prior programs were fantastic. The intent is to stop random spending. Just want a legitimate plan to move forward. He asked several times for information about the programs going into the coffee house and has been unable to get information from the Administrator or the Director of Community Services & Recreation.

Agenda No. VII

New Business, Introduction of Ordinances, Resolutions

The Council took action on the following resolutions as one group, 2010-140, 2010-141, 2010-142, 2010-143, 2010-144, 2010-145, 2010-146, 2010-147, 2010-149, 2010-150, 2010-163 and 2010-164 and 2010-148.

Moved: Weisbecker Seconded: Ramaglia
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. VII 1

~ Resolution No. 2010-140 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING AN AMENDMENT TO THE CARETAKER AGREEMENT WITH RICHARD ASHLEY AND THE ESTABLISHMENT OF A NEW CARETAKER AGREEMENT WITH NICHOLAS CHRISTIAN LOPES FOR CO-CARETAKERS OF WESTBROOK PARK

WHEREAS, the Township of West Milford previously authorized a caretaker agreement for Westbrook Park with Richard Ashley for the period January 1, 2010 through December 31, 2010; and

WHEREAS, Nicholas Christian Lopes has interviewed with the Administration and it is recommended that he serve as co-caretaker for Westbrook Park pursuant to the same conditions as set forth in the agreement between the Township and Richard Ashley; and

WHEREAS, it is recommended that the agreement between the Township and Richard Ashley be amended to reflect the co-caretaker of Nicholas Christian Lopes;

WHEREAS, the Township has prepared a new caretaker agreement between the Township and Nicholas Christian Lopes containing the same responsibilities as set forth in the companion agreement with Richard Ashley.

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

1. The Mayor is hereby authorized to execute a caretaker agreement between Nicholas Christian Lopes and the Township of West Milford for the period of May 1, 2010 through December 31, 2010.

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2. The Mayor is hereby authorized to execute an amended caretaker agreement between Richard Ashley and the Township of West Milford for the period of May 1, 2010 through December 31, 2010.

3. The Chief Financial Officer shall receive a copy of the aforementioned agreements and make appropriate adjustments with respect to any 1099 reporting to the IRS.

This Resolution shall take effect immediately.

Adopted: April 21, 2010

Agenda No. VII 2

~ Resolution No. 2010-141 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING AN AMENDMENT TO SENATE BILL #1833 ELIMINATING DOCKING FEES ASSESSED AGAINST OWNERS OF DOCKS ON GREENWOOD LAKE

WHEREAS, on November 11, 2009 the West Milford Township Council did adopt resolution 2009-409 which resolution unanimously supported authorizing the assessment of a boat or user fee for Greenwood Lake; and

WHEREAS, the Governing Body of the Township of West Milford supports the right for the Greenwood Lake Commission to assess a user fee for the use of Greenwood Lake; and

WHEREAS, the Governing Body of the Township of West Milford does not now and has never been in favor of a fee to be assessed to the owner of a dock, wharf or mooring on Greenwood Lake known as "docking fees"; and

WHEREAS, the legislation known as Senate Bill #1833 did in fact provide the right for the Greenwood Lake Commission to assess such a docking fee and accordingly, the Township of West Milford finds same to be highly objectionable and strongly opposes this provision in the legislation; and

WHEREAS, specifically the Township of West Milford is concerned about the viability of businesses and the additional fees that could be assessed, whether it be now or sometime in the future, against these critical businesses which are the foundation and the character of Greenwood Lake; and

WHEREAS, the Governing Body of the Township of West Milford opposes the imposition of such dock fees to West Milford residents who live on Greenwood Lake and who would, in effect, be subject to additional taxes as a result of a docking fee; and

WHEREAS, the Township of West Milford urges the New Jersey Legislature to take immediate action to repeal the portion of Senate Bill #1833 that relates to any authority whatsoever for the Greenwood Lake Commission or any other entity to assess a fee or charge against the owner of a dock, wharf or mooring on Greenwood Lake.

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

That the New Jersey Legislature amend Senate Bill #1833 which was approved January 18, 2010 and eliminate any and all references to the assessment or charge of a fee against an owner of a dock, wharf or mooring on Greenwood Lake.

BE IT FURTHER RESOLVED that if the New Jersey Legislature is of the opinion that such fees should not be eliminated or are in any way inconsistent with the rest of Senate Bill #1833 that the Township of West Milford hereby urges the Legislature to repeal both the fees assessed against docks and the use of Greenwood Lake thereby repealing the entire legislation.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be served upon the Greenwood Lake Commission, all sponsors of Senate Bill #1833 and Senate and Assembly Representatives for West Milford Township.

Adopted: April 21, 2010

Agenda No. VII 3

~ Resolution No. 2010-142 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY URGING LEGISLATORS TO ADOPT ASSEMBLY BILL NO. 2266 WHICH ESTABLISHES PROCEDURES TO NOTIFY MUNICIPALITIES OF POTENTIAL ACQUISITIONS OF OPEN SPACE BY THE STATE OF NEW JERSEY

WHEREAS, the Township of West Milford has been negatively impacted financially by the State's acquisition of lands owned by the Newark Watershed; and

WHEREAS, such acquisition took place without notification or an opportunity for the Township of West Milford to have any type of input or voice in connection with the acquisition of easements over the Newark Watershed property which consists of over 20 square miles; and

WHEREAS, the Township of West Milford in November of 2009 sponsored a Resolution endorsed by the New Jersey League of Municipalities that is consistent with this Legislation; and

WHEREAS, the Township of West Milford has reviewed Assembly Bill No. 2266 which would establish procedures and an opportunity for a municipality to evaluate and comment with respect to any proposed State funded land acquisitions.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, in the County of Passaic and State of New Jersey, that the Township hereby urges the Legislature to approve Assembly Bill No. 2266 and protect the interest of municipalities where the State of New Jersey seeks to acquire land in a manner so that municipalities are consulted and residents have the opportunity to comment and evaluate such acquisitions in order to protect the overall character and financial viability of a community.

Adopted: April 21, 2010

Agenda No. VII 4

~ Resolution No. 2010-143 ~

RESOLUTION OF THE GOVERNING BODY OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, RATIFYING AND CONFIRMING THE SALE OF AN OFFERING OF \$9,880,000 GENERAL BONDS OF 2010 OF THE TOWNSHIP.

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, AS FOLLOWS:

Section 1. The award by Arthur Magnotti, as the Chief Financial Officer of the Township of West Milford, in the County of Passaic, New Jersey (the "Township"), of the offering of \$9,880,000 General Bonds of 2010 (the "Bonds"), of the Township, dated the date of delivery, to Robert W. Baird & Co., Inc., as the low bidder therefore, at the net interest rate of 3.263908% per annum and at the price of \$9,982,748.25 is hereby approved, ratified and confirmed in every respect. The Bonds were awarded pursuant to authority of the resolution of the governing body of the Township adopted March 17, 2010 and entitled: "Resolution determining the form and other details of \$9,880,000 General Bonds of 2010 of the Township of West Milford, in the County of Passaic, New Jersey, and providing for their sale".

Section 2. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

AYES: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic

NAYS: None

Adopted: April 21, 2010

Agenda No. VII 5

~ Resolution No. 2010-144 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ACCEPTING THE BIDS FOR THE SALE OF CERTAIN MUNICIPAL LANDS AND PROPERTIES FROM THE TOWNSHIP AUCTION OF APRIL 7, 2010

WHEREAS, on April 7, 2010, the Township of West Milford conducted the sale of municipal properties no longer needed by the Township in accordance with Resolution #2010-084; and

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WHEREAS, the Township Clerk reports that the attached schedule outlines the bidders and their respective proposals to purchase said lands and recommends that the Township Council accept these bids.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that the proposals set forth in the attached schedule are hereby accepted and incorporated herein.

BE IT FURTHER RESOLVED, that the terms of such acceptance will be set forth in the Contracts of Sale to be prepared by the Township Attorney as set forth in Resolution #2010-084.

This Resolution shall be effective immediately.

Adopted: April 21, 2010

Agenda No. VII 6

~ Resolution No. 2010-145 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY,
STATE OF NEW JERSEY AWARDING A CONTRACT TO JOHN JOSEPH, INC. FOR HYDRAULIC
HAMMER SERVICES**

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on February 26, 2010 at 10:15 a.m. for Hydraulic Hammer Services as per the Bid Specifications; and

WHEREAS, the Township of West Milford declared a State of Emergency on Friday, February 26, 2010 due to a snow emergency and postponed the bid opening until Tuesday, March 2nd per NJAC 5:34-9.4(b) per email notice from egg@dca.state.nj.us;

WHEREAS, the Township of West Milford made a concerted effort to notify planholders of the postponement of receipt of bids;

WHEREAS, the Township of West Milford received three (3) bids for this contract; and

WHEREAS, said bids have been duly reviewed and analyzed by the Township Engineer; and

WHEREAS, the bid received from John Joseph, 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 Township Engineer has submitted a written recommendation for the award of this contract to John Joseph, Inc.; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from account number C-04-09-943-624

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

1. The Township Council hereby awards a contract to John Joseph, Inc., 695 Westbrook Road, Ringwood, NJ 07456 in an amount not to exceed \$37,980.00 for Hydraulic Hammer Services as per the Bid Specifications
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with John Joseph, 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 21, 2010

Agenda No. VII 7

~ Resolution No. 2010-146 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY,
STATE OF NEW JERSEY AWARDING A CONTRACT TO REIVAX CONSTRUCTION CORP. FOR
TIOGA DRIVE IMPROVEMENTS**

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on February 26, 2010 at 10:15 a.m. for Tioga Drive Improvements as per the Bid Specifications; and

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WHEREAS, the Township of West Milford declared a State of Emergency on Friday, February 26, 2010 due to a snow emergency and postponed the bid opening until Tuesday, March 2nd per NJAC 5:34-9.4(b) per email notice from egg@dca.state.nj.us;

WHEREAS, the Township of West Milford made a concerted effort to notify planholders of the postponement of receipt of bids;

WHEREAS, the Township of West Milford received four (4) bids for this contract; and

WHEREAS, said bids have been duly reviewed and analyzed by the Township Engineer; and

WHEREAS, the bid received from Reivax Construction Corp. 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 Township Engineer has submitted a written recommendation for the award of this contract to Reivax Construction Corp.; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from account number C-04-09-973-624

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

1. The Township Council hereby awards a contract to Reivax Construction Corp., 46 Washington Street, Harrison, NJ 07029 in an amount not to exceed \$59,731.05 for Tioga Road Improvements as per the Bid Specifications
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Reivax Construction Corp., in accordance with its bid Tioga Drive Improvements.
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 21, 2010

Agenda No. VII 8

~ Resolution No. 2010-147 ~

NUMBER NOT USED

Agenda No. VII 10

~ Resolution No. 2010-149 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING FOR THE ASSIGNMENT OF TAX SALE CERTIFICATE AT PRIVATE SALE

WHEREAS, the Collector of Taxes has reported to the Township Council the offer of Stephanie McClure to acquire by assignment the following tax lien certificate held by the Township of West Milford.

LIEN CERTIFICATE NO.	SALE DATE	BLOCK/LOT	AMOUNT DUE ON CERTIFICATE
99-044	4-12-99	2317-4	\$5,920.46

WHEREAS, the said Stephanie McClure has paid to the Collector of Taxes the sum of \$5,920.46 representing the amount due on said Certificate, together with subsequent liens thereon:

NOW, THEREFORE, BE IT RESOLVED that April 21, 2010, at 7:30 p.m. prevailing time at the West Milford Town Hall, be set as the date, time and place when and where the Township Council shall take action on the said offer of Stephanie McClure;

BE IT FURTHER RESOLVED, that the Collector of Taxes be and hereby is directed, pursuant to N.J.S.A. 54:5-114, to publish such notice in the Herald News, mail such notice and post such notices as shall be required by law prior to any action as shall be taken by the Township Council on said offer.

Adopted: April 21, 2010

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TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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~ Resolution No. 2010-150 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A 2009 TAX TITLE LIEN SALE

WHEREAS, the Collector of Taxes has requested that the Township conduct a 2009 Tax Title Lien Sale on WEDNESDAY, APRIL 28, 2010 at 10:00 a.m.

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 conduct a 2009 Tax Title Lien Sale in the Tax Collector's Office on Wednesday – April 28, 2010 at 10:00 a.m.

Adopted: April 21, 2010

Agenda No. VII 12

~ Resolution No. 2010-163 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RELEASE OF PERFORMANCE BOND NO. B200120 IN THE AMOUNT OF \$96,138.90 AND A CASH BOND IN THE AMOUNT OF \$10,682.10 TO BRAEMAR AT HIGH CREST, LLC FOR FIELDSTONE ESTATES, CHIMNEY RIDGE TRAIL, BLOCKK 13003 LOTS 1, 2, 4 & 5 AND BLOCKK 13002 LOTS 1, 10, 11, 12 & 13 AND AUTHORIZING THE POSTING OF A MAINTENANCE BOND IN THE AMOUNT OF \$16,023.15 FOR TWO YEARS

WHEREAS, based on recommendation of the Township Land Use Administrator, Performance Bond No. B200120 posted for the above referenced project and the Cash Bond in the amount of \$10,682.10 be released to Braemar at High Crest, LLC subject to the posting of a two year / 15% maintenance bond in the amount of \$16,023.15; and

WHEREAS, all required engineering items have been satisfied; and

WHEREAS, the Township Engineer provided a recommendation by memo dated January 11, 2010 for the release of the above referenced bonds subject to the posting of a Maintenance Bond for two years in the amount of \$16,023.15;

WHEREAS, the Maintenance Bond has been received in the Office of the Township Clerk in the amount of \$16,023.15; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council of the Township of West Milford hereby authorizes the release of Performance Bond No. B200120 posted for the above referenced project and the Cash Bond in the amount of \$10,682.10 posted by Braemar at High Crest, LLC, 50 Route 46, Suite 100, Parsippany, NJ 07054 for Chimney Ridge Trail Block 13003 Lots 1, 2, 4 & 5 and Block 13002 Lots 1, 10, 11, 12 & 13; and

BE IT FURTHER RESOLVED, that per the Township Engineer recommendation dated January 11, 2010, the Township Attorney be directed to prepare an ordinance of acceptance of Chimney Ridge Trail by the Township for consideration and adoption by the Township Council;

BE IT FURTHER RESOLVED, that the appropriate Township officials be and they are hereby authorized to execute such documents and take such steps necessary to effectuate the terms of this resolution.

Adopted: April 21, 2010

Agenda No. VII 13

~ Resolution No. 2010-164 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RELEASE OF A PERFORMANCE BOND POSTED BY CERTIFIED CHECK NUMBER 1125 IN THE AMOUNT OF \$16,362.00 AND CASH BOND IN THE AMOUNT OF \$4,800.00 TO RONN KIDD FOR LONG HOUSE ESTATES, CASTLE ROCK ROAD BLOCK 2201 LOT 1 AND AUTHORIZING THE POSTING OF A MAINTENANCE BOND FOR TWO YEARS

WHEREAS, based on recommendation of the Township Land Use Administrator, the performance bond posted for the above referenced project in the form of Certified Check # 1125 in the amount of \$16,362.00 and Cash Bond in the amount of \$4,800.00 be released to Ronn Kidd subject to the posting of a two year / 15% maintenance bond in the amount of \$2,454.30; and

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WHEREAS, the Maintenance Bond was posted and received on March 12, 2010 in the Finance Office as a cash bond in the amount of \$2,454.30; and

WHEREAS, all required engineering items have been satisfied; and

WHEREAS, the Township Engineer provided a recommendation for the release of the above referenced bonds subject to the posting of a Maintenance Bond for two years in the amount of \$2,454.30;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council of the Township of West Milford hereby authorizes the release of Certified Check #1125 in the amount of \$16,362.00 and a Cash Bond in the amount of \$4,800.00 posted by Ronn Kidd, 41 Stetson Road, Ringwood, NJ 07456 for Long House Estates, Castle Rock Road Block 2201 Lot 1 roadway requirements and installation of monuments, subject to the posting of a Maintenance Bond for two years in the amount of \$2,454.30; and

BE IT FURTHER RESOLVED, that the appropriate Township officials be and they are hereby authorized to execute such documents and take such steps necessary to effectuate the terms of this resolution.

Adopted: April 21, 2010

Agenda No. VII 9

~ Resolution No. 2010-148 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY DENYING A PLACE TO PLACE TRANSFER (EXPANSION OF PREMISES) OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-035-007 FILIPPO ENTERPRISES L.L.C. t/a LAKE SHORE INN

WHEREAS, on July 28, 2009 an application was received for a Place to Place Transfer (Expansion of Premises) of 2009 - 2010 Plenary Retail Consumption License No. 1615-33-035-007 held by Filippo Enterprises L.L.C. T/A Lake Shore Inn located at 399 Lakeshore Drive, Hewitt, NJ 07421; and

WHEREAS, the Township Council has conducted a public investigation of the applicant as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980, and

WHEREAS, as a result of that investigation the Township Council has determined the following:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A. B.C. laws and regulations.
3. The applicant has disclosed to the issuing authority the source of all financing obtained in the previous license year (July 1, 2008 - June 30, 2009).

WHEREAS, the recommendations of various Township Officials have been received in the Office of the Township Clerk.

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Police Department the Township Council hereby authorizes the denial of the Expansion of Premise Transfer of license No. 1615-33-035-007.

Adopted: April 21, 2010

Consent Agenda

Agenda No. VIII

~ Resolution No. 2010-151 ~

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. **Resolution 2010-152** – Cancel Taxes

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- b. **Resolution 2010-153** – Cancel Tax Lien Premiums
- c. **Resolution 2010-154** – Refund Overpayments
- d. **Resolution 2010-155** – Refund Overpayments - MUA
- e. **Resolution 2010-156** – Refund Recreation Fees
- f. **Resolution 2010-157** – Refund Escrow Funds
- g. **Resolution 2010-158** – Refund Other Liens
- h. **Resolution 2010-159** – Refund Street Opening Performance Guarantee
- i. **Resolution 2010-160** – Reinstate Taxes
- j. **Resolution 2010-161** – Rescind Refund of Performance Bond Guarantee
- k. **Resolution 2010-162** – Various 2010 Licenses

Applications:

- a. **Application for Raffle License RL 2010-21** – Maple Road School PTO On Premise 50/50 for May 8, 2010.
- b. **Application for Raffle License RL 2010-22** – Maple Road School PTO Tricky Tray for May 8, 2010.
- c. **Application for Raffle License RL 2010-23** – Our Lady Queen of Peace Church for Carnival Games, June 8 through June 12, 2010.
- d. **Application for Raffle License RL 2010-24** – Our Lady Queen of Peace Church for On Premise 50/50, June 8 through June 12, 2010.
- e. **Application for Raffle License RL 2010-25** – Our Lady Queen of Peace Church for Off Premise Draw Raffle June 12, 2010.
- f. **Application for Raffle License RL 2010-26** – Apshawa Volunteer Fire Co. Inc. for Off Premise Draw Raffle September 4, 2010.
- g. **Application/Petition to Extend Licensed Premises** – with conditions and restrictions – Normtra LLC t/a Big Johns Pub for June 5, 2010 and June 6, 2010.
- h. **Application/Petition to Extend Licensed Premises** – with conditions and restrictions – Normtra LLC t/a Big Johns Pub for May 31, 2010.
- i. **Application/Petition to Extend Licensed Premises** – with conditions and restrictions – Normtra LLC t/a Big Johns Pub for September 6, 2010.

Adopted: April 21, 2010

Moved: Weisbecker Seconded: Nolan
 Voted Aye: Weisbecker, Smolinski, Ramaglia Nolan, Lichtenberg, Jurkovic.
 Voted Nay: None.
 Motion carried.

Agenda No. VIII a

~ Resolution No. 2010-152 ~

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

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

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

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

REASON: 1. Tax Exempt

BLOCK/LOT	NAME	AMOUNT	YEAR
6404-10	Holy Institution P. Soumela Inc.	\$ 3,984.00	2010 - 1 st Half
	TOTAL	\$3,984.00	

Adopted: April 21, 2010

Agenda No. VIII b

~ Resolution No. 2010-153 ~

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

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, the Collector of Taxes recommends the cancellation of tax lien premiums;

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

BLOCK / LOT	CERTIFICATE NO.	DOLLAR AMOUNT
102-17	05-001	\$8,000.00
901-4	05-008	\$1,000.00
TOTAL		\$9,000.00

Adopted: April 21, 2010

Agenda No. VIII c

~ Resolution No. 2010-154 ~

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 Deduction | |

Block/Lot	Name	Amount	Year	Reason
3611-14	Michael I. Schneck, Esq. Schneck, Holtzman, LLC 301 Livingston Ave. Ste 105 Livingston, NJ 07039	\$6,294.08	2007	5
7801-17.01	Angelo Valletta & Judy Busch 17- A Quincy Lane West Milford, NJ 07480	\$8,027.00	2010	2
8501-7.02	Dean & Lisa Pezza 1833 Trotter Court Wellington, FL 33414	\$178.00	2010	1
9102-8	Karl & Ann De Manss 32 Red Barn Lane West Milford, NJ 07480	\$309.74	2010	1
15701-034	US Bank Cust. for CCTS Capital LLC 2 Liberty Place 50 So. 16 th St. Ste. 1950 Philadelphia, PA 19102	\$1,012.24	2010	2
TOTAL		\$17,137.95		

Adopted: April 21, 2010

Agenda No. VIII d

~ Resolution No. 2010-155 ~

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.

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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 Payments Collected Prior to Tax Sale on March 23, 2010

Block/Lot	Name	Amount	Year
8901-27	West Milford MUA 1810 Macopin Road West Milford, NJ 07480	\$6.59	2009
8305-10	West Milford MUA	\$5.22	2009
9409-9	West Milford MUA	\$335.76	2009
9401-17	West Milford MUA	\$407.59	2009
9501-18	West Milford MUA	\$1,009.80	2009
7801-31.06	West Milford MUA	\$4.16	2009
7801-13.04	West Milford MUA	\$1,017.86	2009
7801-24.01	West Milford MUA	\$649.66	2009
8603-5	West Milford MUA	\$1,784.64	2009
7801-34.02	West Milford MUA	\$1,017.21	2009
9405-6	West Milford MUA	\$1,105.81	2009
4107-7	West Milford MUA	\$1,361.19	2009
6201-13	West Milford MUA	\$328.48	2009
7801-15.05	West Milford MUA	\$9.27	2009
7801-41.05	West Milford MUA	\$1,390.07	2009
7801-47.05	West Milford MUA	\$321.63	2009
6715-7	West Milford MUA	\$670.56	2009
9501-24	West Milford MUA	\$22.10	2009
9706-13	West Milford MUA	\$1,175.05	2009
8702-4	West Milford MUA	\$282.40	2009
9101-32	West Milford MUA	\$977.41	2009
7801-33.01	West Milford MUA	\$1,332.93	2009
7801-53.06	West Milford MUA	\$695.04	2009
8501-10	West Milford MUA	\$1,738.93	2009
9409-13	West Milford MUA	\$2,258.21	2009
9703-002	West Milford MUA	\$547.62	2009
9705-11	West Milford MUA	\$908.30	2009
3602-1	West Milford MUA	\$312.59	2009
4102-8	West Milford MUA	\$9.67	2009
4103-2	West Milford MUA	\$33.33	2009
15701-34	**West Milford MUA	\$308.61	2009
9711-11	**West Milford MUA	\$336.80	2009
6707-8	West Milford MUA	\$307.53	2009
9406-14	West Milford MUA	\$1,357.19	2009
3603-6	West Milford MUA	\$529.54	2009
4008-4	West Milford MUA	\$1,398.62	2009
4104-5	West Milford MUA	\$1,536.62	2009
4107-2	West Milford MUA	\$1,319.16	2009
4201-26	West Milford MUA	\$282.57	2009
7801-23.02	West Milford MUA	\$1,290.45	2009
7801-24.05	West Milford MUA	\$316.26	2009
7801-43.03	West Milford MUA	\$1,312.75	2009
8601-24	West Milford MUA	\$782.74	2009
8803-5	West Milford MUA	\$1,538.44	2009
9703-1	West Milford MUA	\$1,738.65	2009
9707-9	West Milford MUA	\$321.01	2009
9710-18	West Milford MUA	\$1,330.19	2009
7801-30.07	West Milford MUA	\$1,280.10	2009
TOTAL		\$39,006.31	
** Paid by Lien Holder			

Block/Lot	Name	Amount	Year
3602-9	West Milford MUA 1810 Macopin Road West Milford, NJ 07480	\$83.56	2009
3602-10	West Milford MUA	\$176.24	2009
4010-5	West Milford MUA	\$187.86	2009
4011-6	West Milford MUA	\$1,423.77	2009

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Block/Lot	Name	Amount	Year
5501-8	West Milford MUA	\$254.85	2009
6710-4	West Milford MUA	\$409.74	2009
7801-1.06	West Milford MUA	\$166.48	2009
7801-15.01	West Milford MUA	\$4.72	2009
7801-27.06	West Milford MUA	\$4.90	2009
7801-43.02	West Milford MUA	\$4.67	2009
7801-49.04	West Milford MUA	\$4.68	2009
7801-49.05	West Milford MUA	\$974.23	2009
7801-52.02	West Milford MUA	\$1,177.52	2009
8601-1	West Milford MUA	\$235.34	2009
8802-11	West Milford MUA	\$1,692.53	2009
9101-1	West Milford MUA	\$1,379.19	2009
9401-24	West Milford MUA	\$1,291.07	2009
9404-3	West Milford MUA	\$1,306.81	2009
9404-8	West Milford MUA	\$1,577.18	2009
9703-5.03	West Milford MUA	\$1,316.61	2009
9703-7	West Milford MUA	\$318.14	2009
9703-9	West Milford MUA	\$1,001.51	2009
TOTAL		\$14,991.60	

Adopted: April 21, 2010

Agenda No. VIII e

~ Resolution No. 2010-156 ~

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:

Refund for Lacrosse Travel Team-not enough for this age:		
PARTICIPANT	AMOUNT	MADE PAYABLE TO:
Jacqueline	\$75.00	Susan Hansen 360 Highcrest Drive West Milford, NJ 07480
Courtney	\$75.00	Thomas Cassels 10 Winding Way West Milford, NJ 07480

Adopted: April 21, 2010

Agenda No. VIII f

~ Resolution No. 2010-157 ~

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

BE IT RESOLVED, by the Township Council of the Township of West Milford that, based upon the report and request of the Township's Land Use Administrator, the following Escrow monies be refunded:

Name & Address	Application No.	Amount of Escrow	Amount Refunded
Michael & Kerry Goceljak 7 Lancaster Lane West Milford, NJ 07480	0030-0438	\$250.00	\$70.72

Adopted: April 21, 2010

Agenda No. VIII g

~ Resolution No. 2010-158 ~

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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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:

Cert. No	Cert. Date	Block/Lot/Qual	Amount	Pay to the Lien Holder
07-047	04/03/2007	<u>06902-028</u>	\$21,174.96	LIEN TIMES LLC 203 STEPHENS ROAD WEST MILFORD, NJ 07480
08-071	04/08/2008	<u>07213-001</u>	\$82,838.38	ATF; LLC BMO CAPITAL MKTS CORP AS P.O. BOX 862658 ORLANDO, FL 32886-2658
08-111	04/08/2008	<u>15001-004</u>	\$654.82	CRAIG S. KOJAC 29 D SISCO ROAD NEWFOUNDLAND, NJ 07435
09-050	03/25/2009	<u>04201-039</u>	\$59,375.57	EDISON TAX SERVICE LLC 1290 WALL ST. STE 301 LYNDHURST, NJ 07071
10-014	03/23/2010	<u>01701-067</u>	\$1,487.91	US BANK CUST FOR EMPIRE TAX FUND LL 2 LIBERTY PLACE 50 SO 16TH ST. STE 1950 PHILADELPHIA, PA 19102-2513
10-021	03/23/2010	<u>02003-007</u>	\$10,699.42	LAWRENCE & HELEN EARL FAMILY TR.LLC 933 MILLBROOK ROAD P.O. BOX 42 STILLWATER, NJ 07875
10-030	03/23/2010	<u>02801-001</u>	\$3,471.39	US BANK CUST FOR EMPIRE TAX FUND LL 2 LIBERTY PLACE 50 SO 16TH ST. STE 1950 PHILADELPHIA, PA 19102-2513
10-048	03/23/2010	<u>03705-045</u>	\$2,877.98	EDISON TAX SERVICE LLC 1290 WALL ST. STE 301 LYNDHURST, NJ 07071
10-087	03/23/2010	<u>07801-049.04</u>	\$774.68	MARCOS A. SUAREZ JR 28 WINSLOW TERRACE FAIRLAWN, NJ 07410
10-088	03/23/2010	<u>07801-049.05</u>	\$9,281.42	LAWRENCE & HELEN EARL FAMILY TR.LLC 933 MILLBROOK ROAD P.O. BOX 42 STILLWATER, NJ 07875
10-091	03/23/2010	<u>08509-005</u>	\$2,649.52	DAVID ZACCARIA 33 JOHN STREET FAIRFIELD, NJ 07004
10-093	03/23/2010	<u>08802-011</u>	\$1,819.94	US BANK CUST FOR CCTS CAPITAL LLC 2 LIBERTY PLACE 50 SOUTH 16 ST. STE 1950 PHILDELPHIA, PA 19102
10-149	03/23/2010	<u>16602-006</u>	\$4,888.51	US BANK CUST FOR CCTS CAPITAL LLC 2 LIBERTY PLACE 50 SOUTH 16 ST. STE 1950 PHILDELPHIA, PA 19102
Grand Total			\$201,994.50	

Adopted: April 21, 2010

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TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF STREET OPENING PERFORMANCE GUARANTEE

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 Street Opening Performance Guarantee be refunded:

Name & Address	Block & Lot	Amount Refunded	Pg. No.
Your Home Team 37 Christine Court West Milford, NJ 07480	Block 2312/Lot 16	\$ 1000.00	81

Adopted: April 21, 2010

Agenda No. VIII I

~ Resolution No. 2010-160 ~

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

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

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

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

REASON: 1. INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR
3004-19	Ellen Faulkner	\$536.97	2010
1907-4	Krassimir Tassev	\$1005.56	1010
TOTAL		\$1,542.53	

Adopted: April 21, 2010

Agenda No. VIII j

~ Resolution No. 2010-161 ~

RESOLUTION RESCINDING A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RESCINDING RESOLUTION 2010-129 - REFUND OF PERFORMANCE GUARANTEE

WHEREAS, the Clerk's office received a form for a partial release of a performance guarantee in error, and subsequently prepared Resolution No. 2010-129 adopted March 17, 2010 releasing the amount of \$500.00 to Perry Ricci, 548 Knickerbocker Rd, Tenafly, NJ; and

WHEREAS, the Township Engineer has requested that Resolution No. 2010-129 be rescinded and the amount of \$500.00 in the Performance Bond Trust Account, and entered on Performance Bond Book Page 82, be retained for incomplete issues related to a site improvement plan for Block 3009, Lot 4 until the items are completed, and until further notice;

NOW, THEREFORE, 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, Resolution No. 2010-129 adopted March 17, 2010 is hereby rescinded.

Adopted: April 21, 2010

Agenda No. VIII k

~ Resolution No. 2010-162 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR LICENSE YEAR 2010

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, applications have been made by licensees for the renewal of Peddler Licenses, Limousine Driver Licenses, Limousine Owner Licenses, Amusement Game Licenses and Pool Table Licenses for the year 2010; and

WHEREAS, reports of recommendation have been received from various 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 2010 Licenses as listed below:

2010 TAXI/LIMO OWNER & DRIVER LICENSES			
Limousine Owner License No.	Applicant Name- Address		T/A
2010 – 8	Michael Hale 9 Gladstone Road Hewitt, NJ		Fortress Limo
Limousine Driver License No.	Applicant Name - Address		T/A
2010 - 7	Michael Hale 9 Gladstone Road Hewitt, NJ		Fortress Limo
2010 - 8	John Townsend 1873 Macopin Road West Milford, NJ		Douglas Business Services, Inc.
2010 POOL TABLE LICENSES			
2010 - 6	Bruno Walczak 551 Warwick Tpk. Hewitt, NJ 07421	Old School Pub	
2010-7	Hisae Cerbone 3025 Rte 23 Oak Ridge, NJ 07438	Island of Spirits	Conditions: All Fire Code violations must be abated as specified by Fire Marshall. Occupant loads must be adhered to.
2010 AMUSEMENT GAME LICENSES			
2010-5	Hisae Cerbone 3025 Rte 23 Oak Ridge, NJ 07438	Island of Spirits	Conditions: All Fire Code violations must be abated as specified by Fire Marshall. Occupant loads must be adhered to.

Adopted: April 21, 2010

Agenda No. IX

Approval of Expenditures

~ Resolution No. 2010-165 ~

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.	\$ 69,528.20
2	Reserve Account	4,738.45
3	Animal Control Trust	174.00
6	Capital.	204,692.00
7	Grants.	5,924.55
8	Refuse.	94,120.75
9	Refunds.	273,280.36
12	General Ledger.	2,666.00
16	Heritage Trust.	0.00
14	Open Space Trust	1,245.00

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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17	Trust	32,920.60
18	Development Escrow	662.22
19	LOSAP	700.00
20	Special Reserve	0.00
Total		\$690,652.13
\$Less Refund Resolution		-273,280.36
Actual Bill List		\$417,371.77
Other Payments Ck # 42014 Glatt		800.00
Less Refund Resolution		
Total Expenditures		\$418,171.77

Approved: April 21, 2010

Discussion: Councilman Nolan questioned billing from the Township Attorney for work done on the library. Mayor Bieri replied that the Library Board refunds the costs for such services.

Moved: Weisbecker Seconded: Nolan
 Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
 Voted Nay: None.
 Motion carried.

Agenda No. X

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

Council President Smolinski advised that Barbara Davis from the Land Conservancy came to a recent RAC meeting to get handle on West Milford open space needs. She learned a lot especially about need for active recreational facilities in West Milford. Ms. Davis suggested that Township change the scope of Land Conservancy contract to have them review and identify possible recreation opportunities. The Highlands Act impacts recreation facilities for the Township and this legislation should be changed before expending funds.

Councilman Ramaglia stated that he met with EDC members from Passaic County last week. Questions arose that Administrator Boyle will be addressing with the Township Attorney. He stated that the West Milford EDC is seeking new members and asked people to submit request to clerk.

Councilman Nolan congratulated Councilwoman Lichtenberg on becoming a grandparent. He stated that the temporary budget must be on the agenda for Wednesday night and he asked Administrator Boyle to ensure that related documents be provided to Council in advance of the meeting. He also asked Mr. Boyle to get the telecommunications committee up and running. He asked that Council discuss the cell phone policy at a budget meeting. He noted that Tennessee Gas pipeline is installing a new pipeline and the Township now got notice that they want even larger expansion. Because of the magnitude of this project they want greater easements at Wallisch and he asked for Council to discuss this matter and seek have public input.

Councilwoman Lichtenberg stated that the Library book sale ends this Saturday. She announced that the Treps marketplace will be held at the High School on 4/28 at 6:30 p.m. The Taste of the Highlands is scheduled for May 6th. She advised that volunteers are needed for the upcoming beautification day and interested parties should contact the recycling department. She asked for an update from the ad hoc committee which is working on a proposed satellite location for Chilton Hospital. She stated that Bernards NJ has a policy whereby they put conservation easements on properties bought with open space funding and she asked Mr. Semrau to review this concept for small lots in West Milford to prevent construction and keep properties on the tax rolls.

Councilman Jurkovic stated that members of the police department attended the recent ADA committee meeting and advised that there are procedures in place to allow for access to the police department and other departments during construction. Mr Boyle advised that he expects the work to be complete as early as Monday. He stated that he has given serious consideration to recent discussions about potentially changing the Township's form of government and while there are many positives he has some concerns. He reviewed the process that dictates such a change advising that ultimately, there will be a special election at a significant cost to the Township. The timing of this does not seem right and he is

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also concerned that there would be a loss of continuity. Councilman Weisbecker stated that he brought forth this idea to study this form of government in an effort to tie up loose ends. If the committee recommends a change so be it. He agreed that a special election is expensive but he would like to see this form of government refined. If it is put off, it should be a temporary delay and the matter should be dealt with at some time in the future.

Councilman Jurkovic made a motion to table discussion of a charter study commission to a future date.

Moved: Jurkovic Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Councilman Weisbecker congratulated Mr Ott and Mr. Remia stating that West Milford is extremely blessed with our volunteers. When he was hospitalized in January he contacted the CEO at Chilton and he met with her. They are interested in creating a satellite in West Milford and at the last Council meeting there was discussion about the type of facility they are looking at. He, Councilman Jurkovic, Rose Lewis of the West Milford First Aid, and Eileen Casbarro from Upper Greenwood Lake First Aid will meet again with Chilton representatives to further this concept and to put together a program of how to proceed. He will then arrange for a meeting with State representatives to seek funding. When all is in place, he will submit a full report to Council and have a presentation. He advised that the Township Administrator and Health Officer attended the last lakes committee meeting where several matters were discussed including educational initiatives related to the septic and fertilizer ordinances. He stated that the Health Officer indicated that all MUA problems have been addressed to his satisfaction. He asked about the bridge repair on Union Valley Road near the Elks Club stating that the situation is ridiculous. Mr. Boyle stated that he has a call into the Passaic County engineer and is awaiting a return call with an update. Councilman Weisbecker stated that in these tough economic times the Township should review sources of revenue generation. He asked that there be discussion with Tennessee Gas Pipeline to determine if there is a source of revenue for West Milford by virtue of potential sites for mitigation projects. He asked Mr. Semrau to send a letter to WVT Communications to ascertain if they plan to continue providing cable services in Upper Greenwood Lake in the future.

Administrator Boyle advised that the Township's fire marshal was at the County yesterday to discuss FEMA funding for reimbursement for flood related damage. He will meet with him and report back. He attended the insurance committee meeting this morning where there was discussion about goals including training. There will be a training session with staff tomorrow and Councilman Nolan and Mr. Covelli will meet with various fire departments to discuss changing insurance. He stated that he needs direction from Council on capital programs. He met with Mt Glen Lakes' residents earlier tonight. He commended Brian Townsend on a job well done and said there will be future meetings. He stated that properties will be assessed based on chain of title with residents living closest to the lake being assessed more than those who live further away. He stated that not all attendees were happy but the factual information was conveyed well. He advised that he and Mayor Bieri went to Trenton to present arguments for the restoration of State aid including watershed aid.

Attorney Fred Semrau stated that he will have a resolution for the Random Woods acquisition for the next Council meeting. He stated he will request a workshop discussion about selecting a revaluation firm.

Mayor Bieri stated that she and Mr. Boyle spent time in Trenton on Monday pleading for restoration of State aid. She expressed hope that those pleas were heard and stated that she plans to attend the Senate budget meeting on Wednesday next week in Atlantic City.

Agenda No. XII

Appointments and Resignations

Councilwoman Lichtenberg nominated Laura Calvetto to the Recycling Committee second by Councilman Nolan.

Moved: Nolan Seconded: Lichtenberg
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Councilwoman Lichtenberg nominated Jennifer Gilatz and Glenn Wenzel to the Beautification Committee second by Councilman Nolan.

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Moved: Nolan Seconded: Lichtenberg
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. XIII

Executive Session

None.

Adjournment

Agenda No. XIV

There being no further business to come before the Council, the Township Council adjourned the meeting.

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Approved: August 4, 2010

MAYOR BETTINA BIERI
PRESIDING OFFICER

ANTOINETTE BATTAGLIA
TOWNSHIP CLERK