
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: May 1, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 1 of 13

The Workshop Meeting of the Governing Body was called to order by Mayor Michele Dale.

Adequate Notice Statement

Mayor Dale read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Workshop meeting was advertised in the Herald News in its issue of January 6, 2019 and January 27, 2019; copies were provided to the Suburban Trends, the Record and Star Ledger and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Agenda No. I

Pledge of Allegiance

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

Agenda No. II

Roll Call

Present: Councilmembers Ada Erik, Andrena Pegel, Marilyn Lichtenberg, Pete McGuinness
(arrived 7:26) Luciano Signorino, Patricia Gerst, Mayor Michele Dale
Absent: None
Also Present: Township Attorney Fred Semrau

Agenda No. III

Reading of or Approval of Unapproved Minutes

None

Agenda No. IV

Meetings

Mayor Dale noted the future meeting schedule:

May 13, 2019 Special Meeting / Budget
May 22, 2019 Regular Meeting
June 12, 2019 Workshop and Regular Meeting
July 10, 2019 Workshop and Regular Meeting

Agenda No. V

Executive Session

None

Agenda No. VI

Proclamations

Day of Prayer – Mayor Dale invited William Marchena from Living Word Church to the podium as she read the proclamation.

Mayor Dale noted that if anyone has information regarding the deceased puppy incident, they should contact Detective Eric Darnsteadt at the West Milford Police Department. She can't comment further on the matter because it is an active police investigation.

Agenda No. VII

Presentations

Grant Writer – Mayor Dale provided a power point presentation on Millennium Strategies; a company that provides grant writing services. Mayor Dale asked the Council if they would be interested in funding this possibly this year or next year.

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Discussion:

Councilwoman Pegel asked if there is a questionnaire that the Council fills out on what their needs and wants are as a municipality so the company can research what grants would fit the Township and its particular needs. Mayor Dale said they delineate on urban verses suburban and it is something that is related to a municipality. They don't get that specific. Councilman Signorino asked if the cost is an out of pocket expense for the municipality or part of their fee from the grant. Mayor Dale said they would need to identify four users at the \$4,500 annually. She said the grant writers do not get paid from the grant. There are some grants that reimburse the municipality for administrative costs after the grant is received. She noted that, most of the time, the cost of the grant writer is not a covered cost within the grant. She expressed that there are billions of dollars that are given out annually in grants and she feels this is something they should pursue. Councilman Signorino said one of his goals is to get a grant writer on the staff or outsource. He said he would like the information on the company. Mayor Dale said she will let the company know that the Council is interested.

Agenda No. VIII

Discussion Items

Table with 4 rows and 2 columns. Column 1: Item number (1-4). Column 2: Discussion text for each item. Item 1: Horses in West Milford. Item 2: County Developers Agreement regarding 165 Lakeside. Item 3: Labor Attorney. Item 4: Renaming Nosenzo Field.

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Mr. Semrau said based on the code and the State law, the vote at the last meeting does not adopt the ordinance. He wrote a memo to the Council stating that if they want, they can bring the ordinance back. He noted that they can consider changing the code if they wish. Councilman Signorino said he was surprised to see this on the agenda for discussion because the direction of the Council at the last meeting was to bring the ordinance back for introduction. Mayor Dale said that she listened to the recorder and confirmed that was not the direction of the Council. She noted that there was a motion; there was no second, so there was no roll call. She said if the Council wants to listen to the tape, to please come in. Councilwoman Gerst said they need to revisit the way the code is written. She expressed that it does allude to the fact that they do need four affirmative votes for resolutions and she feels ordinances and resolutions should be separated. She suggested four affirmative votes for ordinances but not a resolution. Mr. Semrau said that Councilwoman's Gerst recommendation is good because he sees a significant difference in the legislation of the resolutions verses the ordinances. Councilman Signorino asked if they can put this on the next workshop meeting agenda.

Mayor Dale asked the Council if they had any questions for the Department Heads because she would like to let them go home.

Discussion:

Councilman Signorino asked what they decided to do at Camden Place and Union Valley Road. Councilman Signorino said lowering the speed limit will create a speed trap. Mr. Miller said they decided on reducing the speed limit and increasing the signage with warnings to reduce speed ahead. He noted that the public expressed that they don't want Camden Place closed. Councilman Signorino said they should strongly consider making Camden Place a one way. Councilman McGuinness asked Mr. Miller how many years he has received complaints on this matter. Mr. Miller said just recently and he believes it is because of the rumble strips. Mayor Dale noted that the residents were opposed to making Camden Place a one way. Councilwoman Pegel expressed that they need flashing signage warning people to slow down because it is a residential area. Councilman Signorino feels that if they make the speed limit 35 mph people are still going to do 50 mph because of the nature of the road. Mr. Miller feels making the speed limit 35 will slow down drivers. The Council agreed to let the Department Heads leave the meeting.

Agenda No. X

Public Comments

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

Sandra Sloat, 21 Cahill Cross Road – Noted that she brought up the question about reviewing the horse ordinance and she is not the only one with a complaint. She said her neighbor behind her is deceased and he had an ongoing problem with runoff from the horses. She said there are three horses and one donkey on one acre of property and the barn is right on the property line. She expressed that she has had problems with rats, horse flies in her pool and odor problems. She said the horse ordinance needs to be addressed. She asked the Council to take a second look at it.

Ralph Sloat, 21 Cahill Cross Road – Mentioned that ordinances are updated all the time. He noted that it is 2019 and it is time to review and update the ordinance. West Milford has changed and it is not as rural as it used to be. He feels that you need acreage for horses. Next to him, there are too many animals grazing on a small piece of property. He said just because people don't come forward and complain is not a reason to not update the ordinance. He welcomed the Council to take a look at his house and what his neighborhood looks like.

Jill Nicol, 20 Central Avenue – Said that she and her husband are dealing with a neighbor who has adjoining property to theirs. She received a letter from him stating that he wants to get a zoning variance to get horses. She said he only has one acre of property and it is very upsetting because her neighbor does not have a full acre of usable property; there are wetlands on his property. He added a garage and another house on his property. She said there are four houses that adjoin that specific property. She noted that the ordinance needs to be updated and there is no room on the property for additional horses.

Kevin Goodsir, 1333 Macopin Road – Said he understands that Camden Place and where Councilwoman Erik live is a problem. He noted that he lives in the house that he grew up in and Macopin Road is nothing like it was back then. He said there is an accident in front of his house at least once a month. He expressed that they need to slow down traffic by the High School where all the children are.

Mark Lynch, 41 Shadowy Lane – Noted that he is a member of the Wallisch Committee. He expressed that they try to do things to raise funds and fix up the property. He asked the Council if they can provide the portable toilet service on the property.

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Richard Randazzo, 278 Wooley Road – Thanked Councilman Signorino and Councilman McGuinness for sponsoring the Easter Egg Hunt. He asked, in the contract for the Township Administrator, what the 90 day clause is about. He needs clarification and he does not want his answer via email. He said that he is still confused that the Council decided to spend \$65,000 on a cost efficiency audit and not make any of the recommended changes. That was a waste of taxpayers' dollars. He said not ordering five police cars last year jeopardizes the safety of the taxpayers and accumulating service bills for repairs. His solution is to hire a part-time Administrator, which has worked in the past, for \$38,000 and take the remaining \$82,000 plus the \$25,000 for the benefits and purchase new police cars.

Tamara Jordan, Bald Eagle – Asked why Councilman Signorino abstains from accepting the meeting minutes week after week. She said if he stands behind his words, why doesn't he accept what is being recorded and vote to accept the minutes? She asked why he felt the need to pick up his phone and point it at the audience at last week's Council meeting; she said it is disrespectful and it is politics. She said using the phone on the dais to settle a personal score is yet another bad judgement call on his part. The dais is not meant to work out their own personal agenda; it is not their company's dais, but the taxpayers of West Milford's dais. She does not understand why he would be intimidated by someone like her. She said he has to be aware that every meeting is being taped and put on social media. Everything they say and do is captured for all to see. She used her camera phone to expedite the wait of the meeting. They feel it is politics but it is called transparency and it is desperately needed in this town. She expressed that it is extremely frustrating to sit in the audience and witness Councilman Signorino and Councilman McGuinness constantly interrupt Councilwoman Erik and Councilwoman Lichtenberg. She said in theater, that is called upstaging and she feels that they do this because they do not view the ladies as their equals. She said in the corporate world they would be shown the door. She said they don't address Mayor Dale properly. Whether or not they support her, they have to treat her with dignity and respect. Ms. Jordan was out of time, so Mayor Dale asked the Council if they would allow her more time to speak. Councilman Signorino said he will not support political grandstanding. Councilwoman Erik noted that they have never stopped someone from speaking, no matter what they were saying. Mayor Dale asked for a roll call vote to allow a member from the public to continuing speaking.

Voted Aye: Erik, Lichtenberg
Voted Nay: Pegel, McGuinness, Signorino, Gerst

There being no more comments from the public, Councilwoman Erik moved to close the public portion of the meeting.

Moved: Erik Seconded: Lichtenberg
Voted Aye: Unanimous voice vote
Voted Nay: None
Motion carried.

Agenda No. XI

Council Comments

Councilwoman Erik – Said she would like to include the Wallisch property in resolution 2019-147 because the Township's people use the portable toilet.

Councilwoman Gerst – Mentioned that she agreed with Councilwoman Erik.

Councilman McGuinness – Noted that he will support the portable toilet at the Wallisch property, but it must be handicap accessible.

Mr. Semrau – Said the State law allows that an Administrator's position be removed with a 2/3 vote from the Governing Body with or without cause. If removed, the Administrator is entitled to 90 days pay or notice. He does not want to comment on a specific contract.

Councilwoman Pegel – Expressed that she is concerned with the speeding in front of the High School. She asked if there is a guide or police officer at dismissal time directing traffic. Mayor Dale said no. Councilwoman Pegel thinks it might help to have an officer or guard at the High School directing traffic during dismissal time.

Discussion:

Councilwoman Erik said they are not allowed to put anymore driveways on County roads. She said if the County roads are over congested, the speed limits should be lowered. Councilwoman Pegel expressed that her concern is that it gets very dangerous and crowded during dismissal time at the High School. She said at the exit, drivers can make a left or a right and that can be confusing and challenging.

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Councilwoman Erik said if they are considering Highlander Drive, they have to consider Maple Road and Westbrook Road because they leave from all three exits. Councilwoman Pegel said this needs to be discussed in the future.

Councilman McGuinness – Said several large animals on one acre of property needs to be looked in to. He asked Councilwoman Erik if one acre of property is enough for four or five animals.

Discussion:

Councilwoman Erik said the police horses in New York City live in a 12x12 stall except when they patrol the roads. She said there are all different theories. In the State of New Jersey, it takes eight acres to graze one horse for a year. She noted in New Jersey, we don't graze; we supply hay. Mr. Semrau said it is very important that the residents' voices be heard at the upcoming hearing at the Board of Adjustment meeting. He said the decision rests with the Board of Adjustment, so it is very important residents attend the upcoming hearings. He noted that if someone submitted a significant land use application, the Governing Body can rezone a property before a decision is made. He mentioned that when an application is submitted, it applies to the ordinance at that time. He said at the next meeting, they might want to have some suggestions from the Township Planner on recommended changes. Mayor Dale said originally she sent this to the Planner and Tonya Cubby replied to the Council, stating that they would need direction from the Council. Councilman McGuinness said the residents would best be served with a subcommittee. Mayor Dale said she can invite the Planner to a Council meeting. Mr. Semrau suggested that the Planner work with his office to put together a draft ordinance as a starting point for the next meeting. He noted that after hearing the comments, the ordinance needs to be revisited. The Council gave consensus. Mayor Dale expressed that they try to get everything on the agenda and if she can't, she will let the Council know.

Councilwoman Lichtenberg – Noted that if Mr. Randazzo watches the budget meeting that was on Monday, he will have answers to some of his comments.

Councilwoman Erik – Said that Councilman Signorino does tend to abstain from voting on the minutes and he is the one who wanted the Township to hire someone to make sure the minutes were updated all the time. Councilman Signorino said he only abstained from about six meeting minutes since he has been on the Council and he does not want to exaggerate the political grandstanding.

Councilman McGuinness asked the outcome of renaming Nosenzo Field discussion item. Mayor Dale noted that she would like to move forward with the Unfinished Business, Final Passage of Ordinances first, because both of the ordinances have a public hearing.

Agenda No. IX

Unfinished Business, Final Passage of Ordinances

Agenda No. IX 1

~ Ordinance 2019 – 007 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 63, "ALCOHOLIC BEVERAGES", SECTION 6 "HOURS OF SALE" OF THE TOWNSHIP CODE TO CHANGE THE HOURS OF SALE OF ALCOHOLIC BEVERAGES ON SUNDAY

WHEREAS, the Township of West Milford has reviewed and reassessed the Township Code with regard to the hours of sale on Sunday; and

WHEREAS, the Township Council of the Township of West Milford finds it to be in the best interest of the Township and its businesses and citizenry to amend the current ordinance to change the hours of sale on Sunday from 12:00 noon to 11:00 am.

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

SECTION 1. Sections A(2) and C(3) of 63-6 Hours of Sale is amended to change hours of sale on Sunday to read as follows:

63-6. Hours of sale.

- A. (2) On Sunday between the hours of 11:00 am and 3:00 a.m. the following day.
- C. (3) On Sunday between the hours of 11:00 am and 11:00 p.m.

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SECTION 2. All Ordinances and Codes 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, 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 4. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

Introduced: April 24, 2019
Adopted: May 1, 2019
Effective Date: May 21, 2019

This Ordinance was introduced April 24, 2019 and the Notice of Public Hearing was published in the Herald News on April 28, 2019. The Governing Body will open the meeting to the public to speak to this ordinance only.

There being no one wishing to be heard, Councilwoman Erik made a motion, seconded by Councilman McGuinness and carried by unanimous voice vote to close the public comment period.

Motion to adopt Ordinance 2019-007

Moved: Erik Seconded: Signorino
Voted Aye: Erik, Pegel, Lichtenberg, Signorino, Gerst
Voted Nay: McGuinness
Motion Carried:

Agenda No. IX 2

~ Ordinance 2019 – 008 ~

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER X, TRAFFIC, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY

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

SECTION 1. Chapter X, Traffic, Section 10-5, Speed Limits, "Schedule V", is hereby amended in regard to the speed limit along the following portion of street thereof as follows:

<u>NAME OF STREET</u>	<u>DIRECTION</u>	<u>SPEED</u>	<u>LOCATION</u>
Union Valley Road	Both	35 mph	Christine Court to Concord Road

SECTION 2. Chapter X, Traffic, of the Revised General Ordinances of the Township of West Milford, "Schedule V", Union Valley Road is hereby amended to read as follows:

<u>NAME OF STREET</u>	<u>SPEED LIMIT (MPH)</u>	<u>LOCATION</u>
Union Valley Road (in both directions)		
Zone 1	40	From Route 23 to 4,000 feet north of the center of Route 23; thence
Zone 2	50	To the center of Christine Court; thence
Zone 3	35	To the center of Concord Road; thence
Zone 4	45	To the center of Macopin Road; thence
Zone 5	35	To the center of Plymouth Avenue; thence
Zone 6	40	To 300 feet south of the center of White Road; thence
Zone 7	35	To Greenwood Lake Turnpike

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School Zone	25	In the Our Lady Queen of Peace School Zone, within Zone 6, during recess, when the presence of children is clearly visible from the roadway or while children are going to or leaving school; during opening and closing hours
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SECTION 2. Regulatory signs shall be erected to affect the above designated speed limits as authorized by the Department of Transportation.

SECTION 3. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other section or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION 4. 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 5. 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 6. This Ordinance shall take effect as required by law and upon the posting of appropriate signs.

Introduced: April 24, 2019
Adopted: May 1, 2019
Effective Date: May 21, 2019

This Ordinance was introduced April 24, 2019 and the Notice of Public Hearing was published in the Herald News on April 28, 2019. The Governing Body will open the meeting to the public to speak to this ordinance only.

There being no one wishing to be heard, Councilwoman Erik made a motion, seconded by Councilman Signorino and carried by unanimous voice vote to close the public comment period.

Motion to adopt Ordinance 2019-008

Moved: Erik Seconded: Lichtenberg
Voted Aye: Erik, Pegel, Lichtenberg, Gerst
Voted Nay: McGuinness, Signorino
Motion Carried:

Discussion:

Mayor Dale asked Councilman McGuinness if he would like to discuss reintroducing Ordinance 2019-006; Renaming Nosenzo Field. Councilman McGuinness made a motion to reintroduce Ordinance 2019-006, seconded by Councilwoman Gerst. Mr. Semrau said if the Council wants to introduce the same ordinance, it will be a different number. Mr. Semrau clarified that Councilman McGuinness wants to introduce an ordinance to rename the Nosenzo Field to the Paul Reilly Field. Councilwoman Erik noted that she was the one who changed her vote. She explained that she changed her vote because people were asking why they are naming a field after an employee and not for other employees. She expressed that a fireman and a police officer passed away and they named nothing after them or Mr. Rodda, who worked for the Township for 65 years. She said she and the public need to know what the criteria will be moving forward. Councilman McGuinness noted that there was something dedicated to the fireman. He said Paul worked at Parks and Recreation for 43 years and he put a lot of dedication into the Township. He does not like dismissing an employee with nothing after all that he has done for the Township. He said he was not here in the past and if he was, he probably would have done the same thing. He said there are a lot of streets, fields and areas named after people that served the public and deserved the recognition. Mayor Dale noted that she also received a lot of input regarding this and it had nothing to do with the specific person. It had to do with the fact that it is singling out a certain employee and there is no criteria; they are just randomly naming a field after this employee. Mayor Dale asked what they plan on doing for the next employee that retires. Councilman Signorino said recognizing employees is good and they could encourage other employees. He noted that new Council people are not beholden to previous Council people. Mayor Dale said she would like to see a fair and balanced approach to this. Councilwoman Gerst asked how many people in the municipality worked 40 plus years. She said this is not something that happens all the time so, when it does happen, it is a big deal. Mayor Dale noted several employees that retired after 40 plus years. Councilman McGuinness said that happened before his time and the Council should have a discussion about how to recognize those employees.

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Moved: McGuinness Seconded: Gerst
Voted Aye: Pegel, McGuinness, Signorino, Gerst
Voted Nay: Erik, Lichtenberg
Motion Carried:

Agenda No. XII

Mayor Dale noted that they are removing resolution 2019-143 and if the Council has questions, she advised them to speak to Mr. Semrau. Mayor Dale asked to move resolutions 2019-144 through 2019-150.

Discussion:

Councilman McGuinness asked why the Qualified Purchasing Agent (QPA) was increased to \$40,000 and why it can't be \$20,000. Mr. Semrau said the Council requested that any amount over \$17,500 has to come before them. He said anything less than \$40,000, they come forward with the certification of the QPA and it does not have to be put out for public bidding. Councilman McGuinness asked why they are not going out to public bid because he would like to. He asked why the amount can't be \$20,000. Mayor Dale explained that it is not an exact number and it depends on the usage. Councilman McGuinness made a motion to amend resolution 2019-147 to state the total expenditure will not exceed \$22,000, seconded by Councilwoman Gerst.

Councilman Signorino said he never voted to support the QPA because the QPA doubled the threshold of purchases that the Administration can make without it going to public bid. He is very concerned and this could be setting a trend. Mayor Dale noted that they always ask for three bids and if the Council needs that validated, they can visit Administration and she will provide the records. Councilwoman Lichtenberg asked if they are going to include the Wallisch property in resolution 2019-147. The Council gave consensus to include a handicap accessible portable toilet for the Wallisch property to resolution 2019-147. Mayor Dale asked Councilman McGuinness to amend his motion to include a handicap accessible unit at the Wallisch property, seconded by Councilwoman Gerst. The Council agreed to take one roll call vote on all the resolutions.

New Business, Introduction Of Ordinances, Resolutions

Agenda No. XII 1

~ Resolution 2019 – 144 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION PRIOR TO THE ADOPTION OF THE 2019 BUDGET PER N.J.S.A. 40A:4-20

WHEREAS, Local Budget Law N.J.S.A. 40A:4-1 states in part, in addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the Governing Body may, by resolution adopted by a 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year and,

WHEREAS, the Township of West Milford has obligatory expenses that exceed the temporary budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford by a 2/3 vote, that the following temporary budget appropriation be made and that a certified copy of the resolution be sent to Division of Local Government Services.

Appropriation	Account Number	2019 Temporary Budget
Body Armor Grant	02-213-41-706-000	\$4,685.94
Recycling Tonnage Grant	02-213-41-700-000	\$52,249.08
Total		\$56,935.02

Adopted: May 1, 2019

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Agenda No. XII 2

~ Resolution 2019 – 146 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT WITH JBA ARCHITECTURE AND CONSULTING LLC FOR PREPARATION OF TECHNICAL SPECIFICATIONS FOR THE ROOF REPLACEMENT AT THE RECREATION CENTER

WHEREAS, the Township of West Milford has a need to appoint JBA Architecture and Consulting LLC as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the Township Council has determined that JBA Architecture and Consulting, LLC services will provide a proposal for the roof replacement services, limited front end and technical specifications for the West Milford Recreation Center; and

WHEREAS, JBA Architecture and Consulting LLC has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of JBA Architecture Consulting LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1, et. seq. requires that the resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account 01-201-20-161-450.

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with JBA Architecture and Consulting, LLC 36 Broad Street, Flemington, NJ 08822 to prepare technical specifications for the roof replacement at the West Milford Recreation Center.
2. The total fee authorized for this contract shall not exceed \$2,250.00 without the prior written approval of the Township Council.
3. This contract is awarded without competitive bidding as a "Professional Services" pursuant to N.J.S.A. 19:44A-20 et seq. and the local public contracts law.
4. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: May 1, 2019

Agenda No. XII 3

~ Resolution 2019 – 147 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING FUTURE PURCHASES FOR PORTABLE TOILET/ SEPTIC SERVICES IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICIES

WHEREAS, the Township Council of the Township of West Milford did adopt ordinance 2013-020 to create the position of Qualified Purchasing Agent in the municipality and they did subsequently adopt Resolution 2013-330 appointing a Qualified Purchasing Agent (QPA) and increasing the bid threshold to \$22,000; and

WHEREAS, as a condition to the increase in the bid threshold, the Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase in excess of the former bid threshold of \$17,500 and that the purchase shall warrant a minimum of three quotations; and

WHEREAS, every year the rental of handicap accessible portable toilets are needed for locations around the Township including Brown's Point, Recycling Center, athletic fields and the Friends of Wallisch Homestead. In addition, septic pumping may be required at Township owned properties and the aggregate of all such services will exceed the \$17,500 threshold; and

WHEREAS, the Township's Qualified Purchasing Agent is aware of this and will require quotes to be obtained; and

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute future purchases in an amount not to exceed \$22,000.00 for the 2019 calendar year for the septic pumping and portable toilet services.

Adopted: May 1, 2019

Agenda No. XII 4

~ Resolution 2019 – 148 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE TAX COLLECTOR TO ISSUE ESTIMATED TAX BILLS FOR THE THIRD QUARTER INSTALLMENT OF 2019 TAXES

WHEREAS, N.J.S.A. 54:4-66.3 pursuant to Section 3 of P.L. 1994 c. 72 and 54:4:4-66.2, the Township Council of the Township of West Milford has determined that the Tax Collector will be unable to complete the mailing and delivery of the tax bills by June 15, 2019 due to the absence of a certified tax rate; and

WHEREAS, The Tax Collector, in consultation with the Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 and they have both signed a certification showing the tax levies for the previous year, and the range of permitted estimated tax levies; and

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Tax Collector requests the Council to approve the estimated tax levy of \$103,828,769 at a tax rate of \$3.788; which is between the mandated estimated range proposed by the Local Government Services. Approval will enable the Township to meet its financial obligations, maintain the tax collection rate, and provide uniformity for tax payments and save the unnecessary cost of interest expenses on borrowing.

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, hereby authorizes that:

1. The Tax Collector of the Township of West Milford is hereby authorized and directed to prepare and issue estimated tax bills for the Township of West Milford for the third quarter installment of 2019 taxes.
2. The entire estimated tax levy for 2019 is hereby set at \$103,828,769 and the estimated tax rate for 2019 is hereby set at \$3.788.
3. In accordance with the law, the third quarter installment of 2019 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.
4. A copy of this resolution shall be forwarded to the Tax Collector and Chief Financial Officer of the Township of West Milford for their records.

Adopted: May 1, 2019

Agenda No. XII 5

~ Resolution 2019 – 149 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC STATE OF NEW JERSEY AMENDING RESOLUTION 2019 – 058 ADOPTED JANUARY 23, 2019 CORRECTING THE REIMBURSEMENT AMOUNT

WHEREAS, the Collector of Taxes has been made aware of a glitch in the outside lien program; and

WHEREAS, upon the recommendation of the Collector of Taxes that Resolution 2019-058 "Authorizing the Refund of Other Liens" adopted on January 23, 2019 be amended to show the correct reimbursement amount.

NOW, THEREFORE, BE IT RESOLVED that the proper officers be and are hereby authorized and directed to correct the record to reflect the amount that was collected from the homeowner to pay off the certificate is shown below.

Certificate No.	Certificate Date	Block/Lot/Qual	Reimbursement Amount	Pay to Lien Holder
18-0042	10/09/2018	10202-001	\$10,929.71	CAZENOVIA CREEK FUNDING II; LLC PO BOX 54132 NEW ORLEANS, LA 70154

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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			Correct Reimbursement Amount	
18-0042	10/09/2018	10202-001	\$11,359.52	CAZENOVIA CREEK FUNDING II; LLC PO BOX 54132 NEW ORLEANS, LA 70154

This Resolution shall take effect immediately.

Adopted: May 1, 2019

Agenda No. XII 6

~ Resolution 2019 – 150 ~

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:

Me & My Parent Soccer Clinic		
Brady Mae	\$55.00	Kelly Hart 40 Forge Road Hewitt, NJ 07421
Gemma	\$55.00	Elizabeth DelloBuono 401 Otterhole Road West Milford, NJ 07480
Addison	\$55.00	Natasha Owen 138 Ridge Road West Milford, NJ 07480
Ashlyn	\$55.00	Colleen Douma 14 Allaire Road Hewitt, NJ 07421
Daniel	\$55.00	Alison Sullivan 10 Hazel Road West Milford, NJ 07480
Evan	\$55.00	Diana Matlosz 1 Wesley Drive West Milford, NJ 07480
Francisco Hernandez	\$55.00	Cathy Dohm 1375 Macopin Road West Milford, NJ 07480
Noah	\$55.00	Danielle Repola 88 Overlook Road West Milford, NJ 07480
Sophia	\$55.00	Michelle Murray 476 Ridge Road West Milford, NJ 07480
Spring Soccer		
Joseph	\$60.00	Patricia Montalbano 15 Evergreen Road Hewitt, NJ 07421

Adopted: May 1, 2019

 Moved: McGuinness Seconded: Gerst
 Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Signorino, Gerst
 Voted Nay: None
 Motion Carried:

Agenda No. XIII

Consent Agenda

None

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Agenda No. XIV

Discussion:

Councilman Signorino asked if any of the attorney bills that are in the bill list are relevant to the report that they did not receive regarding allegations by a disgruntled employee. Mayor Dale asked Councilman Signorino if he looked through the bills list and identified it. Councilman Signorino said there are multiple items but he does not know what is relevant to what because it is not descriptive. Mayor Dale noted that the attorney's names are listed in the bills list. Mayor Dale said if Councilman Signorino goes through the bills list and identifies the attorney, she will pull it from the list. Mayor Dale said he was provided with the previous information from the last meeting; it was placed on the cloud. Councilman Signorino asked if that was the only bill that is relevant to what he is speaking about. Mayor Dale said there are other matters that this particular attorney works on. She asked Councilman Signorino if she should ask the attorney to delineate his bill and remove any hours that he performed. Councilman Signorino said any attorney that worked on that particular issue that they have not seen the results of. If it is going to be withheld from the Council they should not pay the bill. Mr. Semrau urged Councilman Signorino not to discuss personnel matters. Mayor Dale said Councilman Signorino was given a legal opinion and he is asking for something that can't be provided to him. Councilman Signorino made a motion to pay the bills excluding the attorney that worked on the issue he spoke about, seconded by Councilman McGuinness. Mayor Dale asked Mr. Semrau if this would open the municipality to liability if the attorneys were to sue the Township because they did perform work at the direction of the Administration for protection of the Township regarding a Township matter and now there is a refusal to pay them for their work. Mr. Semrau said he can't give advice on the matter and the way the motion is framed, the Council has to vote on all the bills. Mr. Semrau said there was a motion and a second to move the bills. Then there was a request to amend that motion. If the mover of the motion wants to make that change, he or she may and if not, then the motion stands with the second. Mayor Dale noted that there is a motion and a second to pay the bill as is.

Approval of Expenditures

~ Resolution 2019 – 151 ~

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 this office in payment of amounts due by the Township.

NOW, THEREFORE, BE IT RESOLVED that the Township Treasurer's report of checks prepared by the Treasurer's Office be approved and issued as follows:

Acct #	Account Name	Amount
1	Current Account	\$47,153.23
3	Reserve Account	3,172.60
2	Grants	122.64
6	Refunds	545.00
1	General Ledger	275.00
26	Refuse	82,000.00
4	Capital	0.00
19	Animal Control	58.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	1,608.71
19	Scala Trust	0.00
16	Development Escrow	0.00
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	10,623.80
Total		\$145,568.98
Less Refund Resolution		-545.00
Actual Bills List		\$145,013.98
<i>Other Payments:</i>		
Dorsey & Semrau		10,933.90
Stephen Glatt, Esq.		250.00
Total Expenditures		\$156,197.88

Adopted: May 1, 2019

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Moved: Erik Seconded: Lichtenberg
Voted Aye: Erik, Pegel, Lichtenberg, Dale
Voted Nay: McGuinness, Signorino, Gerst
Motion Carried:

Mayor Dale broke the tie vote by voting yes to pay the bills as is.

Agenda No. XV

Reports of Administrator, Mayor and Council Members

Mayor Dale – Reminded the Council that she asked for their feedback on the new proposed website. The link was sent on April 8th. She said she, Councilwoman Pegel, and Councilwoman Lichtenberg met with the Board of Education regarding the Hillcrest building and some opportunities that might be coming up about utilization of the building. She spoke about an event she participated in called Rebuilding Together North Jersey. She said the water feature for the lake at Bubbling Springs that Councilman Signorino wanted might not be possible to purchase because there is a minimum water depth of eight feet and two inches. She said at the next budget meeting, they should have a discussion with Mr. Voli.

Councilman Signorino – Mentioned that Memorial Day is coming and soon the children will be out of school, so he urged everyone to be safe and mindful. He noted an event at the Museum.

Councilwoman Gerst – Congratulated Councilman McGuinness from retiring from the Girls Softball Association. She spoke about her meeting with the Girls Scouts at the Library and noted that she spoke to them about local government.

Councilwoman Erik – Expressed that they are still looking for volunteers to clean up the roads. She thanked Mayor Dale for the grant presentation.

Councilwoman Pegel – Asked if they can place the Blue Star Moms sign dedicated to Veterans on the side of Town Hall facing Veterans Park. The Council gave consensus.

Councilwoman Lichtenberg – Noted various events and the dates and times. She thanked everyone who volunteered on Beautification Day. She noted that she will not be in Town Hall on May 10th and 17th.

Councilman McGuinness – Thanked all the volunteers that helped out cleaning up the roads. He wished all the moms a Happy Mother's Day.

Agenda No. XVI

Appointments and Resignations

None

Agenda No. XVII

Adjournment

There being no further business to come before the Council, the Governing Body adjourned the meeting at 9:32 p.m.

Moved: McGuinness Seconded: Signorino
Voted Aye: Unanimous voice vote
Voted Nay: None
Motion carried.

Approved: May 22, 2019

Respectfully submitted:

Sherry Zbrzeski, Keyboarding Clerk I

MICHELE DALE, MAYOR

ANTOINETTE BATTAGLIA, TOWNSHIP CLERK