
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: May 6, 2015
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 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 Workshop meeting was advertised in the Herald News in its issue of December 21, 2014 and January 4, 2015; copies were provided to the Suburban Trends, the Record, Star Ledger, and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Pledge of Allegiance

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

Roll Call

Present: Councilmembers Ada Erik, Mike Hensley, Vivienne Erk, Michele Dale, Luciano Signorino, Marilyn Lichtenberg, Mayor Bettina Bieri.
Absent: None.
Also Present: Township Administrator Kenneth Gabbert, Township Clerk Antoinette Battaglia, Township Attorney Frederick Semrau.

Agenda No. II

Reading of or Approval of Unapproved Minutes

Councilwoman Erik made a motion, seconded by Councilwoman Dale, to approve the February 18, 2015 Regular Meeting minutes as presented and the February 18, 2015 Executive Session (1) and (2) minutes as amended.

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

Agenda No. III

Meetings

Mayor Bieri noted the future meeting schedule:

May 20, 2015 Regular Meeting
June 3, 2015 Workshop Meeting
June 17, 2015 Regular Meeting

Agenda No. IV

Presentations

Highlands Council – Executive Director Margaret Nordstrom, James Hutzelmann and Mary Jude Haddock-Weiler of the Highlands Council addressed the Governing Body. Each introduced him or herself and provided an overview of their qualifications and credentials.

Mr. Hutzelmann commended the Township’s engineer and planner. He explained the Highlands implementation plan and said West Milford is very advanced in plan conformance. The Township has adopted several ordinances and is in conformance with the Highlands regional master plan. He noted that some priorities in the Township have changed over the past five years and he has had recent inquiries about funding for various items. He also recently met with the Township planner to discuss redevelopment potential. He said that West Milford is limited by some constraints for redevelopment because the town is within the preservation zone. Ringwood, he said, has faced similar issues. The primary impact is commercial development and he has been working with the planner specifically on commercial redevelopment zones. Councilman Hensley asked if there was any available grant money for such purposes and Mr. Hutzelmann replied that only previously developed areas in the preservation zone would qualify for such grant opportunities. Mr. Hutzelmann listed the five municipalities in the State that

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: May 6, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 2 of 13

are 100% in the preservation zone. They are West Milford, Ringwood, Califon, Glen Gardner and Bloomsbury and Mayor Bieri noted that West Milford is the largest. Mr. Hutzelmann said that the Highlands rules place significant constraints on development. The wastewater management alternative needs will affect redevelopment applications. A new facility is one of the strict prohibitions for the preservation zone. He said he met with the MUA last week to discuss areas that could possibly be considered for wastewater management. Without the updated wastewater management plan it is unlikely DEP will approve any site-specific plans.

Discussion ensued about grants West Milford received to assist with becoming compliant with the regulations. Councilman Signorino lamented that the Highlands Council is not compensating for lost revenue or hardships and Mr. Hutzelmann replied that the Highlands Act did reference to funds for lost revenue or hardship but that is not within the Highland Council's purview. Councilman Signorino asked what the Highlands Council could do to help West Milford and its residents get relief or compensation. Mr. Hutzelmann said the Highlands Council serves as a regulatory and planning advocate for municipalities and they have actively advocated many times at the DEP. Ms. Nordstrom said that funding for grants is appropriated to the Highlands Council but compensatory funding has not been allocated. Noting that funding for lost revenues is a legislative issue, Mayor Bieri asked if the Highlands Council members could advocate for legislative changes. Ms. Nordstrom said that the Council members are appointed by the Governor and are not staffed. She said such queries should be addressed with the Council members directly. She cannot speak for them but believes they would be supportive. She said she believes that the Highlands Council can assist West Milford in creating a viable economic development plan to fulfill the Township's vision. Councilman Hensley suggested that the results may be easier to accomplish if the Highlands Council recommended some relief or compensation for lost revenue for affected municipalities. He said that West Milford already has watershed properties for which the Township is not being fairly compensated even though the City of Newark sells that water for substantial profits. Mr. Nordstrom said the Highlands Council is in the process of regional master plan monitoring. As part of that process, municipalities will be asked for comments and suggestions and West Milford could propose such relief in those comments. Councilman Signorino asked that each municipality, especially West Milford, be allowed to participate in the regional process and be a collaborative partner rather than being allowed input after the results have been published. Ms. Nordstrom said the data will originate with the municipalities.

Councilwoman Erik noted that West Milford does not have large areas of impervious coverage. She asked if the 70% requirement could be reduced to allow for some development. Mr. Hutzelmann said the 70% comes from the Act and the Highlands Council does not have discretion over that, it would require a legislative change. Residential properties can apply to the DEP for a waiver but commercial properties cannot. He said that if a municipality was to take multiple lots and streets into consideration, there may be room to grow. Mayor Bieri said an example would be if the Shop Rite area combined with abutting properties and Mr. Hutzelmann said yes. He said that sustainable redevelopment may be the logical next step. Discussion ensued about various planning and implementation issues that have been dealt with as well as the Highland Council's lack of involvement with COAH.

Mary Jude Haddock-Weiler said she is sensitive to the constraints being faced by West Milford and the Highlands Council wants to work with the Township and be as helpful as possible. Ringwood got money to do an economic redevelopment study. These studies have been successful. It has led to defining both short-term and long-term goals. Three areas in West Milford have been identified as possibilities and there are existing exemptions that could help. She reviewed those exemptions. When looking at possible economic development, she would begin by looking at what was done in 2006 and then compare and analyze that with current conditions and visions. Then she would propose that the Township get professional advice and create an implementation action plan and begin to address the ratable and economic development picture for the town. The Highlands Council would help with that. Mr. Hutzelmann said the Highlands Council is in constant communication with the DEP and those communications have improved in the past year. The Township has adopted the exemption ordinance and most of the exemptions issued have been issued by West Milford. He said the Governing Body is to be commended for that and it makes it easier and beneficial to residents. The Council thanked the Highlands Council for attending tonight and answering the questions posed.

Beautification Day Signage Awards –Mayor Bieri invited David Stires to the podium and introduced him. She commended the Beautification & Recycling Committee (BRC) and the local art students in Ms. Monaco's art class as well as the 4H students who also participated. She said it was a collaborative effort and tonight the BRC wishes to recognize the West Milford school students who participated as the 4H students will be honored at an event later in the year. Mr. Stires commended all the students, parents & teachers saying that the participation was excellent. He said some students even came in on Spring break. The signs bring attention to keeping the town clean. He listed the items and quantities of garbage & recycling picked up at beautification day and he enumerated the amount of material recycled. Celeste Hampton explained the signs and origins. She introduced some of the young members of her club and what they do. She

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: May 6, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 3 of 13

commended the art students. Ms. Monaco introduced her students. Mayor Bieri presented a gift from 4H to the art students and presented certificates.

Agenda No. VI

Finance Matters

2015 Municipal & Solid Waste Budget Public Hearing

Chuck Ferraioli, the Township Auditor, addressed the Council. He said the public hearing for the introduced budget is tonight but the final budget is not ready as yet. He explained the appropriation and levy caps noting that West Milford is well within both caps. As introduced, the budgets represent \$109 increase to the average home, but it is the intent to hear from public and have more meetings to amend the budget before final adoption. That amendment may require another public hearing.

Notice of this public hearing for the 2015 Municipal & 2015 Solid Waste Budget was published in the Herald News on April 19, 2015. The Mayor will open the meeting to the public to speak to the budget only.

There being no public wishing to be heard, Councilwoman Erik made a motion to close public portion, seconded by Councilwoman Lichtenberg and carried by unanimous voice vote.

~ Resolution No. 2015 – 159 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO AMEND THE 2015 MUNICIPAL AND SOLID WASTE BUDGETS

Councilwoman Dale made a motion to table Resolution 2015-159 to amend the 2015 Municipal & Solid Waste Budgets to the June 3, 2015 Workshop meeting, seconded by Councilwoman Lichtenberg and carried by unanimous voice vote.

Agenda No. V

Executive Session

~ Resolution No. 2015 – 158 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 6th day of May 2015 that:

1. Prior to the conclusion of this **Workshop Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () b. (4) A collective bargaining agreement including negotiations.
 - () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - () b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
 - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - Attorney-Client Privilege - COAH
 - Attorney-Client Privilege – Camp Vacamas Dam Loan
 - Contracts – Ogdensburg Shared Services
 - Contracts – Cell Tower
 - Contracts – PAL Daycare
 - () b. (8) Personnel matters.
 - () b. (9) Deliberations after a public hearing that may result in penalties.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: May 6, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 4 of 13

2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: May 6, 2015

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

The Governing Body went into executive session at 7:34 p.m.
The Governing Body returned to the public meeting at 8:40 pm with all present as before.

Agenda No. VII

Presentations

- HEAT – Shop Local Campaign – Tim Wagner, Chairperson addressed the Council and make a PowerPoint presentation about a shop local campaign they plan to showcase at this year’s ALF festival in October. The premise of the campaign is to have local merchants participate in a discount card system for local residents. The presentation gave details and Mr. Wagner said that HEAT is optimistic this will promote economic development in the Township. They are excited about this program and have already received positive feedback from local merchants.

Agenda No. VIII

Discussion Items

None.

Agenda No. IX

Public Comments

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

John Sherwood, 50 Rabbit Run, Newfoundland said the Highlands Council representatives missed a couple of points. West Milford is the largest municipality in any zone in the Highlands region. The next two towns together equal about the size of West Milford. You cannot compare any other town to West Milford. HEAT focuses on how we live within the confines of the Highlands Act. Agriculture does not work. The Highlands Council only pays the Township back money we have already spent. However, a study would show the lost revenue. It is not bad that we cannot build out too much. That would create suburban sprawl. It would change this town’s unique character. The required infrastructure could create more costs. We must focus on continuing on who we are. He listed some local events and recreational resources and places of interest. He relayed an anecdote about how well he was treated by a resident when cycling on Clinton Road recently. He asked the Council to focus on cleaning up the grit on the roads and fix bad pavements. We need better roads. The Council should plan for who we can be. He listed a number of properties in town and said we should make the most of these. Don’t undo what has been done by innumerable volunteers in town. Every time someone comes to West Milford for recreation they spend money in town. The pump track is great and it, as well as Jungle Habitat, was developed by thousands of hours of volunteer labor.

Bob Nicholson, 20 Hyde Road, Stockholm said he was here at the last meeting but missed that the resolution for the ATV track was changed. He has concerns. It is a lot of money. He is not opposed to an ATV track. When looking for a place years ago for the pump track, JORBA sought to site it at Jungle Habitat but state officials objected because of staffing. So, how could you have an ATV track there? He has concerns about plans for KOA because the cost to rehabilitate KOA is prohibitive.

Jeff Simmers, 128 Mountain Circle South, West Milford said some years ago an ATV track was proposed for Jungle Habitat. Residents were concerned then and are concerned now and environmental groups are also concerned. The state, freeholders, and town council agreed back then that it was not an appropriate use. Now the residents have improved their properties and brought more tax dollars into town. Many bike trails have been installed there for quiet passive recreation. Hiking has increased. He is not opposed to an ATV park but Jungle Habitat is not the right area. When there are only a few ATVs there now, residents can hear them a lot. It is noisy. Now there is a proposal for an ATV park there. They are upset. This was opposed twelve years ago and deemed not appropriate. Residents are getting more vocal and are asking Council to consider eliminating Jungle Habitat as an option for an ATV park. Choose somewhere that will

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: May 6, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 5 of 13

be less invasive to residents. Noise is an issue for residents, those who enjoy passive recreation there will be negatively impacted, and West Milford ATV riders will be pushed out for out-of-towners. Please consider these concerns.

Doris Aaronson, 19 Bearfort Road, West Milford said that last night she went to a wonderful concert at the high school. The US Air force performed. There were over 200 people there. She asked how that was arranged. She was happy to hear New York style music and she would like to see more events like this. It was wonderful.

Don Weise, 81 Pinecliff Lake Drive, West Milford said he appreciates the desire to find safe and legal places for people to ride ATVs whether in town or not. He has found this is a great Council to work with. The Jungle Habitat location has established mountain bike trails with trails adjacent too. It is in a residential neighborhood. He is concerned that the chosen property is not large enough to satisfy the needs of the ATV community. If too small, riders will get bored but will start riding on other properties without proper approvals. We should create a large park with sufficient space.

Jonathon Durant, 27 Mountain Circle, West Milford protests against an ATV park at Jungle Habitat. He is an avid cyclist and rides there. It is the best place for mountain bike riding. There are over 16 miles of trails maintained by volunteers. They raise their own money. He is not adverse to ATV riders. To give this land to a select few who will disrupt a greater diverse group of people needs greater thought.

Peter Dolan, 118 Woods Road, Greenwood Lake said he takes advantage of recreational facilities in West Milford. He belongs to the NY NJ Trail conference. Jungle Habitat is too small for an ATV track and riders will not be engaged there. The trails that are already there will be negatively affected. Other parks have low turnout because of State restrictions. A small park will not have lasting appeal.

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: All in favor
Voted Nay: None.
Motion carried.

Agenda No. X

Council Comments

Council President Erk said the concert was arranged by CS&R to honor our Veterans. She said it was amazing and the Veterans were touched.

Councilwoman Erik said that the Air Force group is booked for two years in advance and CS&R is trying to get them back. Councilman Hensley said he was there too and they were amazing and he would like to see more of that in West Milford. He applauds CS&R. Councilwoman Lichtenberg said it was coordinated with CS&R and the high school. She would like to have seen greater turnout to support veterans.

Councilman Signorino said he could not attend and hopes veterans were not offended. He appreciates all the comments made tonight. There is an ATV committee comprised of people who have a lot of knowledge. Please attend those meetings. He will bear all concerns in mind. Councilman Hensley said that he has friends that live in close proximity to Jungle Habitat. The Council approved a feasibility study. It may show it is not feasible and any noise barriers will also be considered. There are many sensitive issues including noise & trails. He would like to see a map overlay of existing trails in our planning & engineering departments. He would like to see equestrian trails there too. That property has over 90 acres. It can provide for diverse interests. If we know where trails exist there can be an understanding of further potential uses.

Mayor Bieri conveyed apologies saying that she was out of town and missed a few events too. During the Highlands Council presentation she did point out that West Milford is larger than other communities in the Highlands region. They will be doing an economic impact study. We need to prove what the Highlands Act has done to this town. That is a step to align with lobbying efforts. When developments were proposed in the past there was always consideration to the negative ratables. The pump track is on the agenda tonight. Most issues have been resolved. DPW is working on Clinton Road right now. She agrees with doing a feasibility study for the ATV park to determine if it is even feasible. In communications with DEP she has been insistent over the years that there can be no negative impact on the neighborhood and existing uses. They have committed to that in multiple discussions. She discussed with a member of the committee electric parks which have less noise and less environmental issues. It is important to look at alternate sites. We have many properties but many restrictions because of the

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: May 6, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 6 of 13

Highlands Act. The feasibility study was a necessary step. She has doubts about Jungle Habitat too but we will find out what professionals say.

Councilwoman Erik said the entire paved area in Jungle Habitat and the trails are used to train young horses. Horses are the original all terrain vehicle. Mayor Bieri said she has tried to promote general uses at Jungle Habitat for years because it is under utilized. Years ago we had a lease and she would like to see us have a lease again where we can use that property for outdoor local events. The goal is to make more use of that property for the general public. Mr. Semrau said the Governing Body has tried but the State has been reluctant to enter into an agreement. At one point, there was tentative approval but it placed significant limitations on use.

Agenda No. XI

Action Items

Mayor Bieri asked to move Resolutions 2015-160, 2015-161, 2015-162, 2015-163, 2015-164, 2015-165, 2015-166 and 2015-172 as one. Resolution number 2015-171 was not used.

Moved: Erik Seconded: Signorino
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Lichtenberg.
Voted Nay: None.
Abstain: Hensley, Signorino (on 2015-162 only)
Recused: Lichtenberg (recused on application #2 on the consent agenda only)
Motion carried.

Agenda No. XI 1

~ Resolution 2015 - 160 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY SUPPORTING BILL S 641 PROMOTING THE FAIR DISTRIBUTION OF STATE AID AMONG ALL CHILDREN IN NEW JERSEY EQUALLY AND FAIRLY

WHEREAS, the current distribution of state aid is unfair to the children of this municipality; and

WHEREAS, West Milford residents are constantly challenged to maintain excellent education services amid increasing costs; and

WHEREAS, the Mayor and Council are constantly seeking measures to help protect the economic well-being of the Township and its residents; and

WHEREAS, recently proposed legislation, entitled "An Act concerning State school aid and supplementing Title 18A of the New Jersey Statutes" would fundamentally alter the distribution of state aid towards education; and

WHEREAS, the bill requires that the New Jersey Department of Education determine each public school district's projected resident enrollment (TDE) for the budget year and the total Statewide public school resident enrollment (TSE) of children between the ages of five and eighteen years of age; and

WHEREAS, the bill also requires that the State Treasurer determine the total projected revenue from the State income tax (TITR) for the budget year; and

WHEREAS, the bill sets forth that state aid for each school district (TDSA) for the budget year shall be determined pursuant to the following formula: $(TITR/TSE) \times TDE = TDSA$; and

WHEREAS, utilizing the above referenced formula it is anticipated that the Township of West Milford could realize significant savings of approximately \$723.00 per person or \$1,753.00 per household.

WHEREAS, if passed, the bill would provide equitable education funding and promote the Township's ability to provide education services and resources to the children of its residents.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor & Township Council of the Township of West Milford, in the County of Passaic, hereby urge the State Senate of the State of New Jersey to support Bill S 641; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to all of the Township's Legislature Representatives and the Bill's Sponsors, Senator Mike Doherty and Senator Linda Greenstein and Co-Sponsors Senators Oroho, Pennacchio, Connors, Holzapfel and A.R. Bucco.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: May 6, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 7 of 13

Adopted: May 6, 2015

Agenda No. XI 2

~ Resolution No. 2015 - 161 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE TERMS OF A MEMORANDUM OF UNDERSTANDING TO THE COLLECTIVE BARGAINING AGREEMENTS WITH THE PBA LOCAL 162 AND SOA LOCAL 162

WHEREAS, the Township of West Milford ("Township") and the PBA Local 162 and SOA Local 162 (the "PBA", "SOA", or "Associations") have been conducting negotiations for successor Collective Bargaining Agreements; and

WHEREAS, the parties have reached tentative agreement on the terms of a memorandum of understanding which shall cover a four-year period retroactive to January 1, 2015 and expiring on December 31, 2018; and

WHEREAS, the Associations have ratified the terms of the memorandum of understanding as recommended by all parties involved in the negotiation process; and

WHEREAS, the Mayor and Council desires to approve the terms of the memorandum of understanding as recommended by the Township's Labor Counsel and the Township Administrator.

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

1. The Parties have reached tentative agreements; and
2. The members of the PBA and SOA bargaining units have ratified the tentative terms of the memorandum of understanding which shall modify the terms of the existing bargaining unit agreements and extend the terms thereof to December 31, 2018; and
3. The Township desires to ratify the terms of the memorandum of understanding.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford, County of Passaic, ratifies the terms contained in the Memorandum of Understanding with the PBA & SOA bargaining units for inclusion in successor Collective Bargaining Agreements and authorizes the appropriate Township Officials to execute said Memorandum of Understanding.

Adopted: May 6, 2015

Agenda No. XI 3

~ Resolution 2015 - 162 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A LEASE FOR THE WEST MILFORD PAL PRESCHOOL

WHEREAS, the West Milford PAL Preschool was previously a tenant of the West Milford Police Athletic League at 1 PAL Drive, West Milford; and

WHEREAS, the Township has taken over the premises from the West Milford Police Athletic League effective December of 2014; and

WHEREAS, as a result of the takeover the Township of West Milford has become the landlord and owner of the premises located at 1 PAL Drive, West Milford, NJ; and

WHEREAS, the Parties wish to memorialize the terms of the business relationship and use of the portion of the premises into a written agreement; and

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, hereby authorizes the Mayor to execute a Lease Agreement between the Township of West Milford and the West Milford PAL Preschool for a term of thirty (30) months.

This Resolution shall take effect immediately.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: May 6, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 8 of 13

Adopted: May 6, 2015

Agenda No. XI 4

~ Resolution 2015 – 163 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO PHOENIX ADVISORS LLC FOR CONTINUING DISCLOSURE SERVICES

WHEREAS, the Township of West Milford, in the County of Passaic, New Jersey has previously issued its bonds, bond anticipation notes and/or other debt obligations (the "Bonds") and

WHEREAS, in connection with the issuance of certain Bonds and for purposes of assisting underwriters to comply with Rule 15c-12 under the Securities Exchange Act of 1934, the Township has covenanted and/or entered into one or more undertakings or agreements to provide Continuing Disclosure Agent Services agreement (the "CDA's") to the public marketplace; and

WHEREAS, it is beneficial to retain assistance of appropriately registered experts in the field of municipal bond finance, with knowledge and experience in these matters, to assist in assuring compliance with CDA's and to stand ready to provide advice as needed with the issuance of municipal debt as Municipal Advisor of Record; and

WHEREAS, Phoenix Advisors LLC provides such Continuing Disclosure Agent Services and is an independent registered municipal advisor under the SEC regulations; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these services, said funds to be encumbered from various accounts pursuant to "section 20" of the Local Bond Law in an amount not to exceed \$1,000.00 without prior written consent from the Township Council; and

WHEREAS, Phoenix Advisors 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 Phoenix Advisors from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has recommended that Phoenix Advisors LLC be retained to provide Continuing Disclosure Agent Services agreement services to the Township of West Milford.

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

1. The Mayor and Township Clerk be and are hereby authorized to execute a contract with Phoenix Advisors LLC for Continuing Disclosure Agent Services applicable to bonds and notes in an amount not to exceed \$1,000.00.
2. 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.
3. The term of this contract shall be until December 31, 2015.
4. The total fee authorized for this contract shall not exceed \$1,000.00 without the prior written approval of the Township Council.
5. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: May 6, 2015

Agenda No. XI 5

~ Resolution No. 2015 – 164 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING A CHANGE ORDER FOR THE CHANGEOVERS FOR FOUR (4) 2015 POLICE INTERCEPTOR UTILITY VEHICLES BY ATLANTIC COMMUNICATIONS

WHEREAS, with resolution 2014-341 approving \$42,559.20 authorizing the equipment and changeover for four (4) 2015 Police Interceptor Utility Vehicles by Atlantic Communications; and,

WHEREAS, the increased cost is \$1,661.00, which amount represents the extra parts used and removal/installation of ALPR (Automated License Plate Reader) from Vehicle #476; and,

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: May 6, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 9 of 13

WHEREAS, the total amount of the contract shall not exceed \$44,220.20.

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this change order, said funds to be encumbered from account #01-201-25-240-900.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that they do hereby authorize a change order to Atlantic Communications in an amount not to exceed \$1,661.00 representing an increase to the original purchase order amount not to exceed \$44,220.20, through State Contract #83927, #83917 and #81334

Adopted: May 6, 2015

Agenda No. XI 6

~ Resolution 2015 – 165 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN POLICE DEPARTMENT FIREARMS WHICH ARE NO LONGER OPERATIONAL OR FUNCTIONAL

WHEREAS, the West Milford police department has several firearms that are no longer functional and cannot be used for their intended purposes; and

WHEREAS, the New Jersey Administrative Code N.J.A.C. Title 13, "Law & Public Safety" Chapter 54, "Firearms and Weapons" and N.J.S.A. 2C:58 *et seq.*, "Licensing and Other Provisions Relating to Firearms, govern and control the process by which firearms may be sold, refurbished or purchased in the State of New Jersey; and

WHEREAS, in accordance with N.J.A.C. 13:54 and N.J.S.A. 2:58-2, guns and gun parts may be sold and or purchased through a duly licensed and registered "Retail Dealer" in the State; and

WHEREAS, the police department has prepared a list of the firearms as described in "Schedule A" attached hereto; and

WHEREAS, the firearms that are no longer of use are primarily Remingtons and, as such, the Police Department has recommended that they be sold to Eagle Point Gun/T.J. Morris & Son, 1707 Third Street, Thorofare, NJ 08086 because they are a duly licensed and registered "Retail Dealer" who specializes in Remington products.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of West Milford that the appropriate officials in the Police Department be and are hereby authorized to arrange for the sale of various firearms no longer functional or useful in accordance with the rules and regulations contained in N.J.A.C. 13:54 and N.J.S.A. cC:58-2, to Eagle Point Gun/T.J. Morris & Son and that the proceeds from the sale shall be credited to the West Milford Township Police Department for purchase of shotguns as they hold NJ State Contract #A81296 (expiration 4/30/16).

Adopted: May 6, 2015

Agenda No. XI 7

~ Resolution 2015 – 166 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PASSAGE OF A 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. **2015-167** – Refund Building Permit Fee
- b. **2015-168** – Refund Recreation Fees
- c. **2015-169** – Approve Various Licenses

Applications:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
 Date of Meeting: May 6, 2015
 Time of Meeting: 6:30 pm
 Minute Page No: Page 10 of 13

1. Application for Extension to Extend Licensed Premises (EP) by The Vreeland Store for June 7, 2015 from 12:00 pm to 10:00 pm, June 14, 2015 from 12:00 pm to 10:00 pm, July 30, 2015 from 5:00 pm to 11:00 pm, August 29, 2015 from 5:00 pm to 11:00 pm and October 18, 2015 from 12:00 pm to 10:00 pm.
2. Application for Off Premise 50/50 Raffle License #2015-19 by Rotary Club of West Milford for August 18, 2015.

Adopted: May 6, 2015

Agenda No. XI 7 a

~ Resolution 2015 - 167 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF BUILDING PERMIT FEE

BE IT RESOLVED, by the Township Council of the Township of West Milford that, based upon the report and request of the Construction Official the following Building Permit Fee be refunded:

Name & Address Refund To	Building Permit Number	Fee Type/Amount Paid	Plan Review Fee	Amount Refunded
Thomas Harraka 16 Weedon Drive West Milford, NJ 07480	14-1201	Building/ \$148.00	\$30.00	\$118.00

Adopted: May 6, 2015

Agenda No. XI 7 b

~ Resolution 2015 - 168 ~

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:

<i>Mt. Airy Trip</i>		
Joan Myer	\$45.00	Joan Myer 38 Allison Avenue Newfoundland, NJ 07435

Adopted: May 6, 2015

Agenda No. XI 7 c

~ Resolution 2015 - 169 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2015

WHEREAS, applications have been made for the new licenses and the renewal of various Licenses for the 2015 license year; and

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford does hereby approve the issuance of 2015 Licenses as listed below and;

2015 SOLICITOR LICENSES	
2015-04	Michael A. Verrier Power Home Remodeling Group 6 Commerce Drive Cranford, NJ 07016
2015-05	Matthew L. Flynn Power Home Remodeling Group 6 Commerce Drive Cranford, NJ 07016

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: May 6, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 12 of 13

Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Lichtenberg.
Voted Nay: None.
Motion carried.

Mr. Semrau said that resolution 2015-161 approves a collective bargaining unit agreement with the PBA and SOA. He commended all parties involved in this process outlining the benefits of the agreement.

Agenda No. XIII

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

Councilman Signorino announced the annual tennis tournament saying the museum needs players and sponsors. He urged people to visit the museum on Saturdays. He announced an upcoming family festival at Our Lady Queen of Peace. He noted that JCP&L will be flying a helicopter to inspect lines for about a week.

Councilwoman Lichtenberg said the health fair is this Saturday. Faith in Action volunteers will be doing projects throughout town in the coming weeks. This is older Americans month and she listed some upcoming events & programs. There will be free eye screening exams at the Health Department and the Relay for Life softball game is May 30th at 3 pm. She thanked girl scout troop 619 and gave a thumbs up to all who volunteered at beautification day. She wished everyone happy mothers' day this weekend. She would like to request that the administrator ask each department head how the Highlands Act has affected their department and provide that information for the impact study.

Councilwoman Erik said beautification day was a big success. The TV committee is moving forward and seeking more volunteers. She commended Bob Nicholson for his work. She has received a request to have a dangerous intersection sign placed in the area of Oak Ridge Road and Reservoir Road. Shop Rite was approved at the planning board and she mentioned to them the complaints from neighbors about garbage. They will address that issue. Mayor Bieri said the Shop Rite plan is to have the entire complex ready by Black Friday. Councilwoman Erik said the library had a used book sale which seemed to be a success. She is still getting complaints about the recycling center and asked the Administrator to ensure that the workers know the rules. There is a beefsteak fundraiser at Apshawa Firehouse this Saturday night.

Councilman Hensley said that at the last RAC meeting a member brought forth a concern that we are vacating Hillcrest any day now. That is not the case. There has not been discussion on this dais about imminent departure from Hillcrest. It may be inevitable but that is not certain and it is not imminent. We are not leaving any day soon. The lease has a fifteen month notice requirement and it is still a public property owned by the BOE. Soon we will have a new library that will have space for residents and to meet the needs of the community. Council is being careful & cautious with planning. The PRIDE rummage sale was a big success. The EDC is having its first car show on May 16th at Bubbling Springs. He thanked art students and volunteers who worked beautification day. He thanked the boy scout troop who invited him to a meeting recently. He will have a conflict with EDC & RAC meeting and asked if Councilwoman Erk would attend the RAC for him that day. She agreed.

Mayor Bieri said notice has not been given to vacate Hillcrest. If the Township does choose to vacate, it will only be when we have facilities to provide services to residents in better surroundings.

Administrator Gabbert said he has provided a policy for garbage at parks in town. There are cans and dumpsters at parks and we will be adding recycling cans at parks. Relay for Life has placed ribbons on trees. Ten days ago we had snow flurries which created a dilemma with street sweeping. There are 380 miles to be swept. The sweepers are working well and breakdowns have been minimal. There is a greater efficiency this year. There are potholes everywhere and DPW is trying to address the worst ones first. The plan for Ridge Road is to patch this year because we are hopeful to get funding in a future year but we did not get approved for next year. The brine report has been sent out. We will continue some tests next year because it is inconclusive at this time. Will test less grit and more salt next year. He recommends Council look at the safety report from the JIF because that not only lowers costs but saves lives.

Mr. Semrau said he is working on the cable TV commission guidelines. He may have a conflict that evening but Ms. Sullivan will be here. The Township is getting insurance coverage in place for the pump track to allow this to proceed. Gail Van Hook has been working diligently to coordinate & facilitate this in any way. There were issues that prohibited this being in place sooner. There is litigation against Newark Watershed and he may need professional assistance for this. He asked for consensus to allow him to retain the expert and bill through his invoice. He does not want to disclose anything further and will send a memo. Time does not afford the ability to get a proposal. It has not been determined if this will be heard at state or county board. He said there is legislation S412 that would provide for 50% sales tax reduction for municipalities 100% in preservation zone in Highlands. That is a savings to businesses & residents

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: May 6, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 13 of 13

and does not place burden on anyone. He will send information over. He thanked Councilwoman Lichtenberg but said he cannot make the softball game on May 30th.

Agenda No. XIV

Appointments and Resignations

None.

Agenda No. XV

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 10:23 p.m.

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

Approved: August 12, 2015

MAYOR BETTINA BIERI
PRESIDING OFFICER

ANTOINETTE BATTAGLIA
TOWNSHIP CLERK