
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 18, 2016
Time of Meeting: 6:30 pm
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The Regular Meeting of the Governing Body was called to order by Mayor Bettina Bieri.

Adequate Notice Statement

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Regular meeting was advertised in the Herald News in its issue of December 20, 2015 and January 3, 2016; 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.

Pledge of Allegiance

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

Roll Call

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

Agenda No. II

Reading of or Approval of Unapproved Minutes

March 2, 2016 Workshop Meeting
March 2, 2016 Executive Session

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

Agenda No. III

Budget Matters

Municipal and Solid Waste Budgets - Public Hearing

**The Township Council introduced the 2016 municipal and solid waste budgets by virtue of resolution 2016-127 adopted on April 6, 2016 and the Notice of Public Hearing was published in the Herald News on May 1, 2016. The Governing Body will open the meeting to the public to speak to this Resolution only*

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

Agenda No. III 1

~ Resolution 2016 - 178

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY TO AMEND THE 2016 MUNICIPAL BUDGET AS INTRODUCED-REVISED

WHEREAS, the local municipal budget for the year 2016 was approved on April 6, 2016; and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

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NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of West Milford, Passaic County, that the following amendments to the introduced budget of 2016 be made:

RECORDED VOTE	(Erik	((
	(Hensley	((
	(Wagner	((
AYES	(Dale	NAYS	(None	ABSTAIN	(None	
	(Signorino	(((
	(Lichtenberg	(((

CURRENT FUND BUDGET		From	To
ANTICIPATED REVENUES			
3.	Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services – Public and Private Revenues Offset with Appropriations		
	NJ Dept of Agriculture Gypsy Moth Grant	0	35,654
	Click it or Ticket Grant	0	5,000
	Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues	262,425.88	303,079.88
3.	Miscellaneous Revenues - TOTAL Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items	262,425.88	303,079.88
5.	SUBTOTAL GENERAL REVENUES (Items 1, 2, 3 and 4)	10,166,314.41	10,206,968.41
6.	Amount to be Raised by Taxes for Support of Municipal Budget:		
	(A) Local Tax for Municipal Purpose Including Res. for Uncollected Taxes	22,620,540.00	22,569,035.00
	TOTAL AMOUNT TO BE RAISED BY TAXES FOR SUPPORT OF MUNICIPAL BUDGET	23,641,180.00	23,589,675.00
7.	TOTAL GENERAL REVENUES (Items 5 and 6)	33,807,494.41	33,796,643.41

APPROPRIATIONS		From	To
8.	(A) Operations Within "CAPS"		
	Office of Township Administrator		
	Other Expenses	78,770.00	92,965.00
	Division of General Services		
	Other Expenses	175,900.00	196,700.00
	Office of Township Attorney		
	Other Expenses	307,376.00	320,876.00
	Reserve for Salary Adjustment	140,000.00	40,000.00
	TOTAL OPERATIONS (Item 8(A) Within "CAPS")	22,523,309.53	22,471,804.53
	Detail:		
	Salaries & Wages	12,976,142.53	12,876,142.53
	Other Expenses (Including Contingent)	9,547,167.00	9,595,662.00
	(H-1) TOTAL GENERAL APPROPRIATIONS FOR MUNICIPAL	25,441,760.53	25,360,255.53
8.	(A) Operations - Excluded from "CAPS"		
	Public and Private Programs Offset by Revenues		
	Click it or Ticket Grant	0.00	5,000.00

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NJ Dept of Agriculture Gypsy Moth Grant	0.00	35,654.00
Total Public and Private Programs Offset by Revenues	314,425.88	355,079.88
TOTAL OPERATIONS - EXCLUDED FROM "CAPS"	2,568,629.88	2,609,283.88
Detail:		
Other Expenses	2,568,629.88	2,609,283.88
(H-2) TOTAL GENERAL APPROPRIATIONS FOR MUNICIPAL	6,320,733.88	6,361,387.88
(O) TOTAL GENERAL APPROPRIATIONS - EXCLUDED FROM "CAPS"	6,320,733.88	6,361,387.88
(L) SUBTOTAL GENERAL APPROPRIATIONS (Items (H-1) and (O))	31,732,494.41	31,721,643.41
9. TOTAL GENERAL APPROPRIATIONS	33,807,494.41	33,796,643.41

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the 2016 Local Municipal Budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A:4-9, be published in the Herald News, in the issue of May 29, 2016 and that said publication contain notification of public hearing on said amendment to be held at the Municipal Building on June 8, 2016, at 6:30 p.m.

IT IS HEREBY CERTIFIED that the Amended Budget hereto and hereby made a part hereof is a true copy of the Amended Budget approved by resolution of the Governing Body on the 18th day of May 2016.

Adopted: May 18, 2016

Councilwoman Erik noted that she is not in favor of taking money away from the salt. She stated that she went through and deciphered all of the data that was provided and the price went up but the weight stayed the same. She explained if \$100,000 is taken out, we are going to have to take \$100,000 from somewhere else and put it back in should we have a normal winter. Mayor Bieri thanked her for the comments. Council President Dale said this resolution would adjust the line item for those two topics that were discussed previously. Councilwoman Lichtenberg said it's better for the funds to be there then to not have them. Additionally, if by chance we have a wonderful winter and we don't have any storms, there is extra to go to surplus. She explained that the auditor has recommended that the surplus stays at a certain amount and therefore she would be in favor of keeping that money in there. Councilman Wagner added that Mr. Casey and the Administrator felt comfortable reducing that budget by \$100,000. In addition, by still adding to the reserve, there is a safety net. He would rather see the savings right now go to the taxpayers.

Councilwoman Erik asked Mr. Casey what the difference is if \$100,000 is kept in or taken out for the taxpayer. Mr. Casey noted that the difference per household would be half a cent or \$12. Councilwoman Erik asked if we were to have an above normal winter, how hard would it be to find another \$100,000. Mr. Casey explained that the issue is what type of storm you are going to have in November or December of 2016. He said the reason we were comfortable with this is because there has only been \$450,000 spent so far. If there was a bad winter, the cost would be about \$300,000 and the total spent would be \$750,000 out of the total \$950,000. Mr. Casey stated that he believes the township is covered for a couple of bad snow storms in November and December. Councilman Wagner said that the hard part of winter is already over. Mayor Bieri mentioned that we are far into the year already. Township Administrator/Clerk Battaglia stated that a large part of the budget is for the subcontractors and they have only been called out once in the beginning of the year. That was a savings on this year's budget as well. Councilman Signorino noted that he would certainly support removing both items from the budget. Councilwoman Lichtenberg asked if our auditor could speak regarding the surplus.

Auditor Chuck Ferraioli addressed the council about budget surplus. Mr. Ferraioli explained that he will eventually get the surplus but he is just going to take the long way to get there. He provided a handout to the council. He stated that the handout represents your tax rate the way it is now and shows the \$7 increase per the school levy. In addition, there are some final changes to the Passaic County tax levy which have brought down our numbers by a couple of dollars. He noted that the tax levy is based on the budget that was introduced and there is no amendment to those numbers. The township is looking at an overall levy increase of 1.21% or \$110 on the average assessed home of \$247,000. He stated that this is the lowest increase that he can remember.

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Mr. Ferraioli addressed the council about the school levy and surplus. Because of the increase in the school levy in 2015, it added \$270,000 to our surplus. This year because of the reduction in the school levy, it's actually going to go down \$6,500. He explained that our surplus at the end of 2016 is going to be at least \$276,000 less than 2015. Additionally, the township is going to have to pay \$800,000 for the Newark tax appeals. Mr. Ferraioli noted that without even looking at the revenue projection for 2016, surplus is going to be down \$1.1 million next year which is going to be dangerous. He said he appreciates the argument for the \$200,000 in cuts but to maintain our AA+ positive rating, less surplus needs to be used. He stated it's a very unusual opportunity we have to be this close to an AAA rating and the only way to get to AAA is to increase your rateables. Furthermore, interest rates are low right now. The rates are soon going to climb and the credit changes could mean anywhere between 1% and 1.5%. He explained that the importance of maintaining the credit rating will impact budgets in the future and the drop in the surplus is concerning. Council President Dale stated with the impending rate changes, bond ratings, and moving from the AA+ backwards, she asked what the estimated additional cost to the municipality would be if we were borrowing at the higher rates in the future. Mr. Ferraioli explained that we have \$30 million dollars in outstanding debt. If the rates move up one percent, that's \$300,000 a year every year additionally for the life of the bond. Council President Dale said that is eye opening. If \$300,000 is added to a budget in the future when you have non increasing revenues it is already starting a hole. Mr. Ferraioli agreed and said ultimately, the township would be paying \$300,000 more a year. Mayor Bieri noted that we would be going dangerously low on the surplus and we would have less available in future years for an emergency or under budgeting. Additionally, it would cost us more in our bonding costs. Mr. Ferraioli agreed. He mentioned that it's not just this year's budget; it's about the impact long term. Council President Dale agreed. Mayor Bieri noted it is also a greater impact on the residents year after year.

Mr. Ferraioli explained that as taxpayers, we all enjoy that the school levy came in level. As a municipality, the surplus takes a direct hit from it. Mayor Bieri stated that the good school budget hurts us from a municipal point of view and is a negative impact. Councilman Hensley asked if keeping the surplus at a consistent and stable level will help to get the AAA rating. Mr. Ferraioli said yes, a consistent level would help us maintain the rating. He noted that he doesn't see the rate increase unless there is some type of revenue change. Councilman Hensley said keeping the good rating that we have is a very noteworthy goal to try and maintain as well. The AA+ is nothing to make light of in terms of our financial stability and lessening the burden of the taxpayers in future years when the rates do increase. Mr. Ferraioli agreed and said he is very proud that West Milford is an AA+ rating. He went over the details of what makes West Milford's credit rating strong. Councilman Signorino said what he is hearing is that we should not make these changes. Mr. Ferraioli said if you were to use less surplus, it would definitely help the credit rating. Mayor Bieri stated that it would also help future years.

Mr. Ferraioli explained that since we were upgraded this year, it will be next year that they are going to do their rating. He said it's the trend of what we are doing that's important. Mayor Bieri asked if there is anything else that we can do plan accordingly to avoid any other major impacts for future years. Mr. Ferraioli suggested staying under the one percent and to issue less debt than we are paying off, but we do that in most years. In addition, having extra money in the snow budget will allow funds to be put in the other trust fund for future years. He noted that cutting it to the bone might not be the wisest thing and it will help in the future. Council President Dale said she thinks that we would be ok to leave the first line item in because it's going to work its way through the current negotiations. At the end of the day, the snow line item is something that warrants discussion amongst the governing body. Mr. Ferraioli noted his opinion is to use less surplus but however you get there is up to the council. He said if you are going to go forward with \$200,000 in cuts, instead of reducing the tax levy, he would strongly consider using less surplus. Councilman Signorino explained that in light of this information, it sounds like both items would be coming out of surplus. He said he is not sure what this council wants to do moving forward.

Mayor Bieri noted that the council is supposed to introduce the budget tonight and adopt on June 8th. She said that the council gave the directive to the administration at the last meeting to go to each department head and see if there are any cuts that can be made. All of the departments came back and said they are at bare bones and their budgets have been the same for six to eight years. They have not had increases, not even cost of living adjustments. Mayor Bieri explained that conservative budgeting doesn't mean that you are budgeting the least. Conservative budgeting means that you appropriate accordingly based on actual expenses and the revenues that you can anticipate. We can't budget the least possible expenses and the most possible revenues because those revenues might not be certain and it is possible to over spend. She stated this year, we had a septic system that we weren't expecting to repair and a boiler that needed replacing. The budget can't cut it so close that you have nothing left to save to use for those unexpected expenses. She noted that the later the budget is passes, the less we save and the more it will cost the township. Councilman Wagner said more of a concern is that at this point that no department head have come back with any savings. Councilwoman Lichtenberg explained that Councilman Wagner had mentioned that there was a department head that said that they could take 5% off of their budget. Councilman Wagner stated that it was the DPW department but we have already considered reducing the snow budget and that's off their department. Mayor Bieri said that the DPW pointed out that they have

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already reduced their budget by 4% compared to last year prior to the request. Mayor Bieri clarified for the public that the council gave direction at the last meeting to have Administration go to the department heads to seek cuts, subject to not effecting services and not effecting surplus. That's why they couldn't come up with any cuts because they have already gone to bare bones over the years. At some point, there is nothing else to cut. She noted that we all want to reduce taxes, but there is a point where there are fixed expenses and contractual obligations and things that are out of our control. Councilman Signorino stated he certainly appreciates the question being asked.

Mayor Bieri said we have an amendment before the council; we have an auditor suggesting that we don't reduce the surplus. Mr. Casey said the main reason we have the amendment was the reduction in the salary adjustment account because that was more than 10%. He explained if you want to keep considering the issue of the snow, we change the amendment and remove the \$100,000 for the snow but we still need to do the public hearing in June. At that public hearing we can still work within the snow budget and change it if the council wishes. Mr. Casey suggested amending the resolution, eliminate the change in the snow budget, adopt it as amended and schedule the hearing for the June 8th meeting. At which point in time the council can further discuss the snow budget. He stated that puts you in a position that you are on schedule. Mr. Casey said the bottom line is if the council wants to move this tonight, it can be amended to change the decision on the snow deduction or you can adopt the budget as currently presented. Mayor Bieri asked if the council is agreeable. If so we would need a motion to approve the resolution for the amendments to the budget. The amendment would be to remove the change to the snow removal. Councilman Signorino said we are talking about removing the snow amendment because of the hit to the surplus, but we are not going to remove the second item. Mr. Casey noted we are leaving the second one in there to split the difference. The snow item can be further discussed at the next meeting and the amendment can be made the same night. Councilman Signorino said he would certainly like to see no tax increase, but in light of the information that Mr. Ferraioli has brought to our attention, he doesn't want to see us saving a couple of pennies this year and spending a couple of dollars next year. Councilman Hensley noted he is in favor of making the motion that Mr. Casey has presented and specifically keeping the \$100,000 cut for the salary and wages. He explained that this will strengthen our position for future negotiations. Additionally, he is not in favor of cutting the \$100,000 out of the snow budget because residents that he spoke to did not feel comfortable with that idea.

Mayor Bieri said if we are going to approve the motion that Mr. Casey is recommending, it would be approving the budget as amended with the amendment of removing the snow adjustment. Understanding that on June 8th, before adopting the budget, it can still be put back in if the council so chooses. Councilwoman Erik stated that she would amend her original motion. Councilwoman Lichtenberg said that she would amend the second. Mayor Bieri asked if there was any further discussion.

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

Mayor Bieri thanked the council. She suggested that the council keep reviewing the budget and to ask any questions so we are ready on June 8th to finalize it and adopt.

Agenda No. III 2

~ Resolution 2016 – 179 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE 2016 TEMPORARY BUDGET

WHEREAS, NJSA 40A:4-19 provides that where contracts, commitments or payments are to be made prior to the final adoption of the 2016 budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

WHEREAS, Resolution 2016-024 for the initial temporary appropriations budget needs to be amended, and;

WHEREAS, effective June 1, 2016 said temporary appropriations are extended and now limited to 50.50% of the total appropriation in the 2015 budget, exclusive of any appropriations made for debt service, public assistance, and capital improvement fund in said 2015 budget,

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that the following temporary budget appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

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APPROPRIATION	ACCOUNT NUMBER	2015	2016
		BUDGET As Adopted	Temporary BUDGET
ADMINISTRATION			
ADMINISTRATOR			
Administrator S&W	01-201-20-100-100	\$ 392,805	\$ 198,367
Administrator O.E.	01-201-20-100-200	\$ 52,070	\$ 26,295
TOTAL		\$ 444,875	\$ 224,662
MAYOR & COUNCIL			
Township Mayor & Council S&W	01-201-20-105-100	\$ 34,000	\$ 17,170
Township Mayor & Council O.E.	01-201-20-105-200	\$ 2,350	\$ 1,187
TOTAL		\$ 36,350	\$ 18,357
INFORMATION TECHNOLOGY			
Information Technology S&W	01-201-20-140-100	\$ 111,855	\$ 56,487
Information Technology O.E.	01-201-20-140-200	\$ 81,425	\$ 41,120
TOTAL		\$ 193,280	\$ 97,606
Legal O.E.	01-201-20-155-200	\$ 244,000	\$ 200,000
GENERAL SERVICES			
General Services S&W	01-201-20-161-100	\$ 7,000	\$ 3,535
General Services O.E.	01-201-20-161-200	\$ 167,550	\$ 84,613
TOTAL		\$ 174,550	\$ 88,148
ENGINEERING			
Engineering S&W	01-201-20-165-100	\$ 270,170	\$ 136,436
Engineering O.E.	01-201-20-165-200	\$ 62,500	\$ 31,563
TOTAL		\$ 332,670	\$ 167,998
INSURANCE			
Insurance, Other	01-201-23-210-200	\$ 972,500	\$ 600,000
Insurance, Group	01-201-23-220-200	\$ 3,260,890	\$ 1,646,749
Health Benefit Waiver	01-201-23-230-200	\$ 67,000	\$ 33,835
TOTAL		\$ 4,300,390	\$ 2,280,584
Heritage O.E.		\$ 0	
CLERK'S OFFICE			
CLERK			
Clerk S&W	01-201-20-120-100	\$ 226,120	\$ 114,191
Clerk O.E.	01-201-20-120-200	\$ 19,430	\$ 9,812
TOTAL		\$ 245,550	\$ 124,003
ELECTIONS			
Elections S&W	01-201-20-146-100	\$ 1,500	\$ 758
Elections O.E.	01-201-20-146-200	\$ 12,100	\$ 6,111
TOTAL		\$ 13,600	\$ 6,868
FINANCE			
TREASURER			
Treasurer S&W	01-201-20-130-100	\$ 170,645	\$ 86,176
Treasurer O.E.	01-201-20-130-200	\$ 11,123	\$ 8,000
TOTAL		\$ 181,768	\$ 94,176
ANNUAL AUDIT			
Annual Audit	01-201-20-135-200	\$ 40,000	\$ -
Annual Audit Additional Services	01-201-20-135-200	\$ 20,000	\$ 20,000

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TOTAL		\$ 60,000	\$ 20,000
TAX COLLECTOR			
Tax Collector S&W	01-201-20-145-100	\$ 206,450	\$ 104,257
Tax Collector O.E	01-201-20-145-200	\$ 45,800	\$ 18,000
TOTAL		\$ 252,250	\$ 122,257
ASSESSOR			
Tax Assessor S&W	01-201-20-150-100	\$ 293,255	\$ 148,094
Tax Assessor O.E.	01-201-20-150-200	\$ 17,380	\$ 8,777
TOTAL		\$ 310,635	\$ 156,871
PLANNING AND BUILDING			
PLANNING BOARD O.E.	01-201-21-180-200	\$ 33,475	\$ 16,905
COMPREHENSIVE PLANNING			
Planning, Comp. S&W	01-201-21-181-100	\$ 129,320	\$ 65,307
Planning, Comp. O.E.	01-201-21-181-200	\$ 20,100	\$ 10,151
TOTAL		\$ 149,420	\$ 75,457
ZONING ADMINISTRATION S&W	01-201-21-185-100	\$ 80,540	\$ 40,673
BOARD OF ADJUSTMENT O.E.	01-201-21-186-200	\$ 29,250	\$ 14,771
HISTORIC PRESERVATION			
Historic Preservation S&W	01-201-20-175-100	\$ 1,200	\$ 606
Historic Preservation O.E.	01-201-20-175-200	\$ 150	\$ 76
TOTAL		\$ 1,350	\$ 682
Autumn Lights Festival	01-201-20-171-471	\$ 3,000	\$ -
BUILDING / CODE ENFORCEMENT			
Building S&W	01-201-22-195-100	\$ 336,855	\$ 170,112
Building O.E.	01-201-22-195-200	\$ 8,600	\$ 4,343
TOTAL		\$ 345,455	\$ 174,455
ENVIRONMENTAL COMMISSION			
Environmental Commission S&W	01-201-22-196-100	\$ 1,600	\$ 808
Environmental Commission O.E.	01-201-22-196-200	\$ 780	\$ 600
TOTAL		\$ 2,380	\$ 1,408
PUBLIC SAFETY			
POLICE DEPARTMENT			
Police Patrol S&W	01-201-25-240-100	\$ 4,418,995	\$ 2,231,592
Police Patrol O.E.	01-201-25-240-200	\$ 153,025	\$ 77,278
Police Patrol-Purchase of Police Vehicles	01-201-25-240-900	\$ 152,000	\$ 235,758
Police Detective S&W	01-201-25-241-100	\$ 658,400	\$ 332,492
Police Administration S&W	01-201-25-242-100	\$ 531,695	\$ 268,506
Police Communication S&W	01-201-25-243-100	\$ 346,120	\$ 174,791
Police Comm. O.E.	01-201-25-243-200	\$ 13,200	\$ 6,666
Police Specials S&W	01-201-25-244-100	\$ 26,000	\$ 13,130
Police Specials O.E.	01-201-25-244-200	\$ 9,075	\$ 4,583
TOTAL		\$ 6,308,510	\$ 3,344,796
OEM			
Emergency Management S&W	01-201-25-252-100	\$ 5,000	\$ 2,525
Emergency Management O.E.	01-201-25-252-200	\$ 32,500	\$ 16,413
TOTAL		\$ 37,500	\$ 18,938
FIRST AID SQUADS			

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First Aid - WMFAS Contributions	01-201-25-260-200	\$ 83,875	\$ 42,357
First Aid - UGL 1st Aid Squad Contributions	01-201-25-260-200	\$ 41,500	\$ 20,958
TOTAL		\$ 125,375	\$ 63,314
FIRE DEPARTMENT			
Aid To Vol. Fire Co.	01-201-25-255-200	\$ 90,000	\$ 45,450
Fire Prevention Bureau S&W	01-201-25-265-100	\$ 182,955	\$ 92,392
Fire Prevention Bureau O.E.	01-201-25-265-200	\$ 10,700	\$ 5,404
Fire Co. Admin. S&W	01-201-25-266-100	\$ 9,090	\$ 4,590
Fire Co. Admin. O.E.	01-201-25-266-200	\$ 265,650	\$ 134,153
LOSAP	01-201-25-267-200	\$ 130,000	\$ 0.00
TOTAL		\$ 688,395	\$ 281,989
PUBLIC WORKS			
DPW			
DPW Streets & Roads S&W	01-201-26-290-100	\$ 1,655,235	\$ 835,894
DPW Streets & Roads O.E.	01-201-26-290-200	\$ 555,900	\$ 280,730
DPW Buildings & Grounds S&W	01-201-26-291-100	\$ 101,760	\$ 51,389
DPW Buildings & Grounds O.E.	01-201-26-291-200	\$ 40,300	\$ 40,300
DPW Snow Removal S&W	01-201-26-294-100	\$ 350,000	\$ 134,374
DPW Snow Removal O.E.	01-201-26-294-200	\$ 1,130,000	\$ 716,365
DPW Vehicle Maintenance S&W	01-201-26-315-100	\$ 305,625	\$ 154,341
DPW Vehicle Maintenance O.E.	01-201-26-315-200	\$ 279,000	\$ 191,853
TOTAL		\$ 4,417,820	\$ 2,405,245
HEALTH DEPARTMENT			
HEALTH DEPARTMENT			
Public Health S&W	01-201-27-330-100	\$ 193,665	\$ 97,801
Public Health O.E.	01-201-27-330-200	\$ 40,088	\$ 20,244
Vital Statistics S&W	01-201-27-331-100	\$ 8,295	\$ 4,189
Vital Statistics O.E.	01-201-27-331-200	\$ 19,490	\$ 9,842
Housing Standard Bureau O.E.	01-201-27-332-441	\$ 20,000	\$ 10,100
Environmental Health S&W	01-201-27-335-100	\$ 211,230	\$ 106,671
Environmental Health O.E.	01-201-27-335-200	\$ 78,820	\$ 39,804
Animal Control S&W	01-201-27-340-100	\$ 99,600	\$ 50,298
TOTAL		\$ 671,188	\$ 338,950
PARKS AND RECREATION			
RECREATION			
Recreation Programs S&W	01-201-28-370-100	\$ 243,411	\$ 122,923
Recreation Programs O.E.	01-201-28-370-200	\$ 167,250	\$ 84,461
Recreation.-Bubbling Springs S&W	01-201-28-371-100	\$ 183,755	\$ 92,796
Recreation.-Bubbling Springs O.E.	01-201-28-370-200	\$ 70,000	\$ 70,000
Recreation.-Admin. S&W	01-201-28-372-100	\$ 139,697	\$ 70,547
Recreation.-Admin. O.E.	01-201-28-372-200	\$ 61,000	\$ 30,805
Recreation.-Hillcrest S&W	01-201-28-374-100	\$ 82,785	\$ 41,806
Recreation.-Hillcrest O.E.	01-201-28-374-200	\$ 36,600	\$ 18,483
Recreation.-Parks Maintenance S&W	01-201-28-375-100	\$ 268,835	\$ 135,762
Recreation.-Parks Maintenance O.E.	01-201-28-375-200	\$ 104,950	\$ 53,000
Senior Citizen Services S&W	01-201-28-376-100	\$ 76,385	\$ 38,574
Senior Citizen Services O.E.	01-201-28-376-200	\$ 21,625	\$ 12,000
TOTAL		\$ 1,456,293	\$ 771,157

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VETERAN'S BUREAU			
Veteran's Bureau S&W	01-201-20-172-100	\$ 1,250	\$ 631
Veteran's Bureau O.E.	01-201-20-172-200	\$ 150	\$ 76
TOTAL		\$ 1,400	\$ 707
Celebration of Public Events O.E.	01-201-30-420-200	\$ 20,500	\$ 10,353
Mass Transportation	01-201-30-432-200	\$ 42,500	\$ 21,463
LIBRARY			
LIBRARY			
Library S&W	01-201-29-390-100	\$ 500,000	\$ 252,500
Library O.E.	01-201-29-390-200	\$ 467,971	\$ 236,325
TOTAL		\$ 967,971	\$ 488,825
MUNICIPAL COURT			
MUNICIPAL COURT			
Municipal Court S&W	01-201-43-490-100	\$ 256,800	\$ 129,684
Municipal Court O.E.	01-201-43-490-200	\$ 21,450	\$ 10,832
Municipal Court Prosecutor S&W	01-201-43-491-100	\$ 26,135	\$ 13,198
Municipal Court Prosecutor O.E.	01-201-43-491-200	\$ 2,000	\$ 1,010
TOTAL		\$ 306,385	\$ 154,724
UTILITY EXPENSES & BULK PURCHASES			
UTILITIES & FUELS			
Utilities-Electricity	01-201-31-430-200	\$ 184,350	\$ 101,242
Utilities-Street Lights	01-201-31-435-200	\$ 56,000	\$ 40,000
Utilities-Telephone	01-201-31-440-200	\$ 143,000	\$ 80,000
Utilities-Natural Gas	01-201-31-446-200	\$ 40,100	\$ 30,000
Utilities-Fuel	01-201-31-460-200	\$ 420,000	\$ 202,169
TOTAL		\$ 843,450	\$ 453,411
MISCELLANEOUS AND STATUTORY EXPENDITURES			
PENSION & FICA			
PERS	01-201-36-471-532	\$ 861,552	\$ 854,397
Social Security	01-201-36-472-533	\$ 675,000	\$ 340,875
Defined Contributions Retirement Prog	01-201-36-475-536	\$ 5,500	\$ 2,778
PFRS	01-201-36-473-534	\$ 1,198,375	\$ 1,351,854.00
TOTAL		\$ 2,740,427	\$ 2,549,904
Salaries & Wages Adjustment Account	01-201-37-480-501	\$ 137,141	\$ -
Compensated Absences	01-201-38-485-110	\$ 135,500	
Interlocal agreement - Finance	01-201-47-400-130	\$ 51,221	\$ 25,867
Interlocal agreement - Health	01-201-47-500-201	\$ 87,806	\$ 44,342
DEFERRED CHARGES AND RESERVE FOR UNCOLLECTED TAXES			
Judgements		\$ 40,000	
Deficit in 2004 Assessment Bonds	01-201-46-886-596	\$ 10,000	
Emergency Authorization	01-201-46-887-528	\$ 268,506	
Reserve for Tax Appeals	01-201-46-886-667	\$ 100,000	
Def Charges - Ord 92-14 Impr to Mun Prop	01-201-46-886-510	\$ 25,494	
Amount to be raised foreclosed Assess.	01-201-46-886-596	\$ 15,000	

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Reserve for Uncollected Taxes	01-201-50-899-200	\$ 2,025,000	
TOTAL		\$ 2,484,000	\$ -
GRANTS	G-02-41	\$ 683,652	\$ -
SUBTOTAL		\$ 29,504,681	\$ 14,899,864
CAPITAL BUDGET			
CURRENT YEAR CAPITAL			
Capital Improvements Fund	01-201-44-900-200	\$ 150,000	\$ 155,000.00
Cap Improvements Fund Down Payments			\$ -
Cap. Improv. Fund-Fire Emer Equip.	01-201-44-900-230	\$0	
TOTAL		\$ 150,000	\$ 155,000.00
DEBT SERVICE			
Debt Service Total		\$ 2,682,135	\$ 2,622,429.00
TOTAL OPERATING BUDGET		\$ 32,336,816	\$ 17,677,293
SOLID WASTE DISTRICT BUDGET			
Solid Waste S&W	26-201-55-500-100	\$ 107,939	\$ 54,509
Solid Waste O.E. All Other	26-201-55-500-200	\$ 223,350	\$ 112,792
Contractual Services	26-201-55-500-514	\$ 960,000	\$ 484,800
Disposal Fees	26-201-55-500-548	\$ 680,000	\$ 343,400
Grants - Recycling County of Passaic		\$0	\$
Prior Year's Bills		\$0	\$
Commercial Pick Up		\$0	\$
TOTAL		\$ 1,971,289	\$ 995,501

Adopted: May 18, 2016

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

Budget Discussion

Mayor Bieri asked if Mr. Casey had any further discussion. Mr. Casey said he put that on in case the council wanted to have any other items, but at this point in time it's not necessary.

Agenda No. IV

Presentations

New Library Construction Update - Ron Casson, Clerk of the Works

Mayor Bieri said we have our Clerk of the Works, Ron Casson here as well as the Library Director Ricardo Pino.

Ricardo Pino, Library Director - 24 Oak Place Montclair thanked the governing body for allowing them to talk a little bit about the library project. He explained that the project started the last week of October and we are currently on schedule. Due to the weather this winter, they have been able to move some parts of the project ahead and other parts have been put toward the end. He noted that they are on schedule to finish the project by the beginning of November. Mr. Pino explained that they are aware of the financial realities of the building and making sure they are reacting to conditions on site as well as the long term expansion and flexibility. Mr. Pino addressed the council regarding credits for the library project. He stated that one of the things that it's going to help the township is the storm hardening project. The storm hardening project is allowing us to potentially reap a substantial amount of credits. In addition, the township is receiving credits for conduit and electrical cabling due to it being transferred over to Rockland Electric. It has allowed us to simplify a lot of the paths for getting power to the building and we are also

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looking to get credits for simplifying paths for telecommunication cable as well. Mr. Pino invited Mr. Casson to speak about specifics in terms of construction phases.

Ron Casson, Clerk of Works said the biggest thing is that we are on schedule. He explained it wasn't an easy winter and they got into situations where we had to stop because of the weather. It was a lot of work to get the floors poured and they are now framing the building and putting sheeting on. Mr. Casson stated as Mr. Pino said, there are some things that are ahead of schedule and some things that are behind. He listed the projects that are completed. He noted the building is really coming together as far as the site and building. Mr. Casson addressed the council about his role and supervisory role. He stated that there is an average of twelve to thirteen carpenters working on the building. The guys are doing a very good job and they want to do what is best for the township. He noted that he supervises the contractors so there is no delay and keeps daily records of who's on the job and what they are doing. He knows what is going on. Mayor Bieri asked if the council has any questions. She said she appreciates Mr. Casson because he has been on top of them and it saves the township and library money. Mr. Casson said he appreciates the opportunity because he is enjoying it. Councilwoman Lichtenberg noted that she has attended many construction meetings and she does feel that the Clerk of the Works is doing a very good job. Councilman Signorino thanked him as well. He said as far as the credits and being on top of them, he does appreciate it as a contractor himself.

Plenary Retail Consumption Person-to-Person License Transfer License No. 1615-33-011-004
Latitude 41 Lounge, LLC to Three Sheets, LLC

Mayor Bieri asked if there was anyone wishing to be heard on this license transfer. 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.

Proclamation - Emergency Medical Services Week.

Mayor Bieri asked if anyone is here to accept the proclamation. Councilwoman Erik suggested that Council President Dale accept the proclamation. Mayor Bieri stated that Council President Dale holds her license and is going back to renew it this year. Council President Dale said she was on the Upper Greenwood Lake Volunteer Ambulance Corp for five years. Mayor Bieri read the proclamation. She asked Council President Dale to speak about EMS and the training involved. She also noted that West Milford has 100% volunteer EMS and emergency care services, both fire and first aid and that should not go unnoted. We thank the volunteers. Council President Dale gave some background about EMS and the training involved. She noted that people don't realize the impact of being a volunteer until you actually do it. They are very dedicated service members. She thanked all of our volunteers. We are always in need of members so they can contact the Upper Greenwood Lake Ambulance Squad or West Milford Ambulance Squad. Please feel free to reach out.

Agenda No. V

Executive Session

~ Resolution No. 2016 – 180 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 18th day of May 2016 that:

1. Prior to the conclusion of this **Regular Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - (X) b. (4) A collective bargaining agreement including negotiations.
 - AFSCME 2275
 - Teamsters Local 560
 - () 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.

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- () 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.
 - Potential Litigation – Gary Steele
 - Litigation – Newark Tax Appeals
- () b. (8) Personnel matters.
- () b. (9) Deliberations after a public hearing that may result in penalties.

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

Adopted: May 18, 2016

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

The Governing Body went into executive session at 7:22 pm.
The Governing Body returned to the public meeting at 8:16 pm with all members present as before.

Agenda No. VI

Unfinished Business, Final Passage of Ordinances

None

Agenda No. VII

Public Comments

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

She said before we begin, she would like to make a statement only based on her experience over the last nine years at the last meeting before an election. She explained that it always ends up becoming a very politically hostile environment. She noted that the meetings are meant to conduct township business and she would ask that everyone respects the integrity of the intention of these meetings. While the public is certainly entitled to speak on any matter that they should so choose, she will call on everybody and everybody will have their opportunity. Mayor Bieri asked that everyone remains respectful. She reminded everybody that these meetings are recorded, become a part of our permanent record and are televised.

Renee Alessio 39 Hillcrest Drive Hewitt spoke as a concerned tax paying resident of West Milford. She stated that there is a gas fired power plant with plans for gas pipelines being constructed within 30 miles of West Milford in the town of Wawayanda, NY. She provided a handout to the council. She noted that they have already received many permits without the necessary health, safety, and environmental studies needed and the consent of the people. She explained that fracking gas is radioactive and contains toxins and there have been adverse health effects on residents near other stations. The emissions from this power plant will be so powerful that they will reach West Milford and impact the air we breathe. She explained that this has the potential to degrade the aquifer in our town and the Highlands of New Jersey. In addition, it will have adverse effects on produce that is harvested nearby. In addition, she noted that Governor Cuomo's political advisor Joseph Percoco is now under investigation for taking consulting payments from CPV, the company building this plant. Ms. Alessio stated she is asking the council to pass a resolution against the project. She has provided a draft resolution to the governing body.

Ms. Alessio addressed the council about the Pilgrim Pipeline. She said to date, 50 towns have passed resolutions or ordinances against the Pilgrim Pipeline which the Township of West Milford passed last year. She said she is very pleased that the township did that. In addition, 13 towns have committed funding to retain lawyers to help the township fight Pilgrim. She invited everyone to attend a public presentation outlining the plan to prevent Pilgrim from receiving approval for permits by the DEP on June 14th at 7pm at the Montvale Public Library. Furthermore, Ms. Alessio stated that she is concerned about the gypsy spraying of BTK. She explained that it is not known what's in 80% of BTK and the effect it will

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have on wildlife. The safety data clearly states that the product should not be used near water and we are a watershed town with 40 lakes and reservoirs.

Tom Denny 271 Gardnerville Rd New Hampton NY stated that he lives 2.8 miles from the Minisink Compressor Station. About eight months ago he started getting headaches, got an MRI, but the doctor couldn't find anything. He went home, did some research and found some information. There was a family who lived two miles away from him, and moved away, because the father was having headaches and his children were having nose bleeds. He explained that there was a lawsuit regarding the damaged water and the two families won \$4.3 million dollars. He noted that the gas industry has a lot of money stake here and they don't want to admit that the environment and our health is as important as their pocketbooks. Mr. Denny stated that the power plant that is 5 miles from his house and the compressor station is going to be half the size of Met Life Stadium. It has 275 ft. stacks and the omissions will affect residents living within 30 to 50 miles. He is asking for the council to sign the resolution to stop the power plant and to join the growing movement.

Permillia Mullisch from an Organization – Protect Orange County noted that she is also a member for Tri-states United for Safe Energy. She would like to give more information about this power plant project in support of the resolution that Ms. Alessio has presented. A 650 megawatt power plant and in Orange County poses a threat to everyone living within a 50 mile radius. West Milford is actually only 15 miles from the plant. When the project sponsor did an impact study, they only studied a 5 mile radius. In addition, there is now a criminal investigation of the company. She believes the West Milford citizens will be impacted through air pollution and water contamination. Had they done a proper air analysis, West Milford would have been officially informed about the project. She noted there is a town resolution movement going on. The Township of West Milford has signed the resolution regarding the Pilgrim Pipeline. Even though they are not legally binding documents, it's a way of making a public statement. Ms. Mullisch spoke regarding the compressor station. She explained she participated in a study with scientists from the Yale School of Public Health. They did research on air quality around the compressor station. They said the air quality is worse in Minisink than in a large city like New York City. They found out of 20 kids that participated, 8 had begun experiencing nose bleeds from the time the station became operational from formaldehyde exposure. The power plant is going to have 43 times the emissions as the compressor station. This plant does not belong in a protected agricultural district due to critical food resources and critical economic resources here.

Robbin Rose Bennett Hewitt NJ said she is here to speak in opposition to the BTK spraying and she is deeply distressed about it. She explained we all want the same thing, the health of our families, our land, and our wildlife. She would implore the township to reconsider spraying and asked if the township is open to another way. All people with allergies and asthma are all at heightened risk from this spray. She said she has been doing intensive research and out of all of the information she has looked at, she can't find the degree of effectiveness and nothing that shows it's not harmful. Ms. Bennett said that the Township and the Department of Agriculture is trying to approach this in the best way possible but the cost is higher than we have been led to believe. She understands that some residents were asked for a solution of the caterpillars but she believes that not enough people were asked. She expressed that 10 days was not a lot of time for notice to give any sort of comment or permission to have spraying over her land and house, over her organic gardens, and the wildlife. At the very least; don't spray over private lands or over water. We have to stop adding poison to poison. She said she has never seen any reports of systematic follow up of long term health problems and many short term health problems have been reported. She noted that we need to be more protective of ourselves, our land, and our animals as well as our quality of health and life. If this can't be stopped, at the very least we need to collect observations about what happens and our health and animals. Pesticides should not be innocent until proven guilty.

Peter Labate 35 Overlook Rd West Milford said he is here today to talk about his participation in the Insurance Committee and the council's decision to go against the committee's advice and dismiss PIA from the insurance program. He provided a handout to the council. He said he respects both PIA and Vozza. They are both professionals and both capable of doing a good job. Mr. Labate said as a business man himself, he suggests dealing with two vendors. He noted he is affordable care act certified and is probably one of the only people in the town who understands health insurance for the JIF and HIF. He explained that the insurance committee voted unanimously, comprised of all insurance professionals, to keep the two vendors. After the council decided to eliminate PIA, he decided to do more research on the history of the company. He noted that PIA has saved the township \$47,000 over the past six years as well as an additional \$10,000 to date. Mr. Labate stated all of the work that PIA has done for the township is exceptional and the committee made the recommendation, as well as the Township Administrator was to keep both providers. He looked over the chart which was the basis of dismissing PIA and addressed some discrepancies. He explained since this was the basis of the vote, it was wrong information and we are better off having two vendors than one. He thinks they are both very qualified and we can't just depend on one vendor.

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Charlie DeKoning 35 Salem Alley noticed that one of the topics was about the West Milford emergency volunteers. He just wanted to mention that he and his wife had taken a course on CPR administered by Councilwoman Erik. Because of that course he was able to use it successfully. Without knowing what to do, he would have had no clue how to react if it wasn't for the instruction. He can't stress enough how important it is for people to really get involved and to be informed.

Bob Nicholson, 20 Hyde Rd noted on WM77 there is a series that we run about fracking and the effect it had on the residents of Pennsylvania. He explained that there is an issue and people should be able to watch these videos. There is also a series called the River Keeper on WM77. The River Keeper is an organization that maintains the Delaware water basin and they talk about issues. Both are available for residents to watch to be informed and the ability to make a judgement. As far as the spraying, he has a lot of oak trees that shade his house. If he were to lose them, he would have to get air conditioning. Mr. Nicholson expressed that he understands there are issues about spraying but there are also issues about the fruit we buy that is imported from other countries. Furthermore, the township has a large drug problem and people are dying. No one is really talking about that. He explained we really need to look at everything in general and priorities. We have to look at that facts and it can't be disputed that people are dying. He would like to see people pay attention to reality and people living.

William Cytowicz 694 Lakeshore Drive said he is speaking as a member of the public and not the secretary of the EDC. However, in the five months that he has served on the EDC, he feels he has twice had to set precedent by writing out motions on removing and replacing members. He feels like the only resolution that we've had is to not to talk about it and it doesn't seem to be helping. He explained there are a lot of passionate members of the commission that want to see if there will be follow up and they would like him to address some items.

Mr. Cytowicz stated at the May 11, 2016 EDC meeting, a decision regarding the recommended removal of Gary Steele was held. The motion was made and the vote was held following the discussion which resulted in a recommendation that was approved by the majority of the commissioners. He said the three part recommendation is as follows. 1. The Economic Development Commission rescinds the previous recommendation made on March 23rd, 2016. The previous recommendation was: At the March 23rd Special Meeting, the attendance records of the commission were viewed and a vote was taken with consensus to the governing body. The EDC recommended to the governing body the removal and replacement of Gary Steele as an alternate to the commission. It is found that frequent absenteeism is unproductive to the commissions' mission statement and disruptive to proper working order. 2. A recommendation was made to express the following sentiment to the governing body. The EDC issued a vote of no confidence for council liaison and requests a replacement liaison. 3. The EDC requests Councilman Wagner as the liaison replacement because of his active role as Chairman of the HEAT Corporation and because of his experience as a local business man. He explained that the EDC has full understanding of the power of appointment being reserved in the governing body and fully observe this delegated power. He listed the members who voted and abstained. He noted that minutes of the meeting of May 11th, 2016 will be provided upon approval at the June 8th 2016 meeting.

Karl Stehle 23 Gifford Rd said he thinks the township means well but he was surprised on how quick the decision was made to spray many portions of the township. He was gone on vacation, came back and had no idea it was happening. He explained in the 60's there was a problem with pesticides and fish dying. They had no idea what was going on until after the fact and he would hate for that to be repeated. In addition, he read an article in the NY Times that talked about the link between pesticides and ALS. He would love to see the township revisit the safety of the pesticides being used as well as inform the residents that didn't have time to be aware of the decision. It might not be the best decision to rush into using this as the only way to address the problem. He asked for the town council to address this issue using some science to ease the concerns of the residents.

Judy Dejosia stated that she read in the May issue of the West Milford Messenger several residents requested the gypsy spraying in Oak Ridge last year and the township did not participate. At that time, it was 123 acres that were recommended for treatment. The article stated that much has changed and approximately 2,300 acres qualified for the state spraying program this year. She asked the governing body what has changed and why we are spraying this year when it was denied last year. Additionally, she asked if there was a field study or investigation conducted and where the data is showing the affected areas. Ms. Dejosia explained that we don't know what 80% of the pesticide contains and the threats that the spraying poses.

Gary Steele North Glenwood Rd noted that it's kind of scary stuff about the spraying and he has been exposed to toxins over his lifetime. He explained that its serious and very complicated. He wanted to thank Township Clerk Battaglia and her staff in the Clerk's Office. They have been incredibly helpful and forthcoming with information and they do a tremendous job. Mr. Steele stated it's not that much fun to be on the EDC, it's a lot of work. He explained that the governing body should think about how they want to

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approach volunteers moving forward. He suggested adjusting the ordinance to make sure it is in accordance with state law. In addition, he thanked Township Attorney Semrau for his help in the matter. He thanked everyone who has supported him and has all of the information if anyone would like to look at it.

Pat Restanio 108 Timber Lane Newfoundland said he is happy to see the Shoprite renovation starting. He said after this is done and the library, maybe other people will take pride in West Milford and clean up their properties to look as good as the center of town. Secondly, he would like to talk about brine. Other towns save money by using it and Boonton said their snow budget went down 20% using brine. Not one person that tried it said that it didn't work and that they are going back to grit. He hopes that the township will consider brine as a cost savings and come up with a plan. He suggested trying it on a part of the township to see how it is.

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

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

Mayor Bieri thanked the residents for hearing her words in the beginning and sticking to township business. It is much appreciated.

Agenda No. VIII

Council Comments

Councilwoman Erik said she would like to talk about the power plant. She looked at the information and explained that big companies know how to circumvent the law. She stated that the plant is using a 15,000 gallon ammonia tank with a 19% concentration and when at 20% many laws come into effect. The one thing the residents didn't say is about the black dirt region and onions. She expressed that she is an organic gardener and what goes on the ground goes in your vegetable. She explained in the 80's, 90's and 2000's, northern California chemical companies put out this product called MTBE. It was an additive to gas for better gas mileage and put less pollution into the air. She stated that she did the research because she got sick from it. The average in NJ for children with asthma is 2% and for people in Clifton being exposed to MTBE, the average was 97%. Thankfully, MTBE has been banned in many states. Additionally, West Milford also lines up with the trade winds which the 275ft stacks will be dispensing pollutants into. Moreover, our weather comes from that direction. Councilwoman Erik noted as far as fracking, there was an article last week that talked about earthquakes and fracking. She explained that the power plant will be over the fault. Mayor Bieri said she thinks Councilwoman Erik is saying that she supports renewable energy, and support protecting the health and safety of our residents and the environment. Therefore, she would like to request that the council place this resolution on the next agenda for consideration upon attorney review. Councilwoman Erik agreed. Councilwoman Erik said she would like to applaud the residents for their passion. Mayor Bieri said we are making a statement but unfortunately, we can't effectuate that change. We will hopefully influence it.

Councilman Signorino stated that he has supported the brine concept in the past and a trial was done around town. He certainly looks forward to having that continue and see if we can get some good results to know where we are at. He noted that he supports it. Mayor Bieri explained that is part of our directive to do another trial run because the information was inconclusive last year. Councilman Signorino said as far as the gypsy moth spraying, he asked the question if it's safe as far as the chemicals. He is not in favor of pesticides whatsoever. The state has indicated that they think it is safe and said that certainly didn't give him satisfaction. He mentioned that he tells his family to stay indoors while the spraying is going on to minimize exposure.

Councilman Wagner appreciated Mr. Labate coming up and talking about PIA. He stated that he agrees what was said and is still wondering why PIA was removed. He has asked the question to Council President Dale in the past with no response. Even after being terminated, they have been doing a great job. Councilman Wagner noted that he would also like to talk about volunteers in general. He explained that he has been volunteering for the town for many years prior to being on this dais. There is something that has to be said about volunteers. When they sacrifice their time to give back to the community and then have that feeling that they aren't being respected for their time, it's hurtful. Councilman Wagner expressed he is not in favor of disrespecting volunteers.

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Council President Dale said she will respond and will be responding for the third time. She will make it incredibly clear. 1. She did not make the recommendation to remove PIA as our provider until the liaison to that committee at two separate meetings, stating he did not agree with the committee's recommendation to retain two vendors. 2. It is not about the actual representation, it's about the fund that we were in. The same fund that Vozza recommended that in 2010 when the council ignored the Insurance Committees recommendation at that time to retain status quo, and made the decision to split it between the two. She noted that committees serve as a liaison or a recommendation to the council. The council is the ultimate decision maker of these particular contracts and who they go to. Council President Dale noted regarding the cost analysis sheet, the same savings will be effectuated to the municipality because the RFQ came in with the same 5%. If there is an issue with the fund that we are in, and that we are not saving enough money because of the particular fund, that is a completely different discussion. 3. She said what she meant by her sheet, the PIA representative has been in the industry for 19 years and the Vozza agency representative has been in the industry for 35 years. That is an accurate statement. Council President Dale stated she put together this information into a factual sheet which she still believes to be accurate. Councilman Wagner said her sheet is misleading because it doesn't state that those years are for the representatives, it only states the company. Council President Dale said Councilman Signorino continually brought up that he was not satisfied with the recommendation and that the council was not interested in saving money. She said that's what we are all here to do. A discussion ensued about the reasoning for the change in providers. Council President Dale said that the council voted and made a decision. Councilman Hensley stated that a decision was already decided and it is wasting valuable council time.

Councilman Signorino said to clarify; this has come up several times. The night that the motion to remove PIA was made he had not made any comments. At the previous meeting, he had made comments because he feels passionately about saving the township money. Councilman Signorino presented some history of the township providers and his reasoning for not being happy with the insurance committee's recommendation. He explained that he recommended that the council get as much information as possible to try and level the playing field. He stated that the council disagreed and said that we would keep status quo because the committee wanted to keep status quo as well and keep both companies. He disagreed because he wanted competition and the focus was not to have one company, the focus was to save money.

Mayor Bieri explained that the township is still doing trials areas with the brine and hope to get some definitive answers. To address the gypsy moths issue, she was getting comments from the public and she has been trying to get answers from the health officer regarding the concerns that were raised. She stated she is going to list the information that was provided. If residents would like to find out the areas that are going to be sprayed, there is a list of the streets in its entirety on the township website. She noted that we are not spraying during the entire timeframe. They are hitting an area, hitting it once; it's not an ongoing daily treatment. She provided some information about BTK. She explained that it is safe to use for humans, pets, and animals. Regarding the history of gypsy moth spray program, it was utilized last in 2004 in the State of New Jersey. No significant issues were found. She asked the state if there are any other alternatives that can be used. She stated that the Department of Agriculture for many years released millions of parasites and predators of the gypsy moths in order to establish means of natural control. By selectively spraying only residential and recreational areas, treating only a small portion of the infestation, we are allowing these natural predators and parasites to control the growth of the gypsy moth population. However, in heavy areas, the natural enemy's cannot prevent heavy defoliation in these areas and aerial spraying is recommended on a selective basis. In West Milford, we have heavy areas.

Mayor Bieri noted with regard to the insurance issue, a lot of what was said tonight is correct. The Insurance Committee is an advisory committee and made up of professionals that volunteer their time and expertise. They make recommendations that have not been followed in the past either. The council has the right to make their own decision. Mayor Bieri provided background on PIA and Vozza with the township. Both of the providers recommend staying in the fund and that is not the issue here. She said we have two professionals that both know what they are doing. She explained it's similar to having a broker for health insurance; it's going to be the same no matter where you go. Your choices are on plans. That's where you need to consult with the risk manager and health insurance consultant to work on your behalf to save money. Mayor Bieri stated at this point a majority had ruled and a decision has been made. We need to move forward. Councilman Signorino said he appreciates the Mayors comments. He explained if it was up to him, there would be a vote of no confidence in the health portion. He has not seen the effort that he would like to see as a professional and would like to see more competition to save more money. He said at the Insurance Committee meeting, we had an employee which stated that there was really no direction. He said we can do better. Mayor Bieri noted she has personally been in the Administrators Office when calls were made last minute to our health broker. He has not only always accessible and available but he has worked tremendously with the township, especially during contract negotiations. They have both performed their jobs and have done them well.

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Agenda No. IX

New Business, Introduction of Ordinances, Resolutions

Agenda No. IX 1

~ Ordinance 2016- 009 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING STOP SIGNS AT THE INTERSECTION OF TERRACE ROAD & CLIFF ROAD

WHEREAS, the Mayor and Township Council have received complaints regarding traffic flow at the corner of Terrace Road and Cliff Road; and

WHEREAS, the Mayor and Township Council received an investigatory memorandum from Township Engineering Aide, Eric Miller, on April 1, 2016 which indicated a need for stop signs at the intersection of Terrace Road and Cliff Road; and

WHEREAS, the Mayor and Township Council desire to ensure that all travelers on Cliff Road and Terrace Road are safe; and

WHEREAS, the Township Professional Engineers, Ferriero Engineering, Inc., have submitted their certification on file in the Clerk's Office that the safety of the traveling public is better protected by the installation of stop controls at the intersection. Since the greater volumes of traffic are on Cliff Road, the stop controls should be installed on Terrace Road approaching Cliff Road in both directions.

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

- SECTION 1.** The intersection formed by Cliff Road and Terrace Road is designated as a Stop Intersection and that STOP signs shall be placed facing traffic on Terrace Road approaching Cliff Road in both directions.
- SECTION 2.** All violations shall be punished in accordance with Township Ordinances for traffic violations.
- SECTION 3.** All ordinances of the Township of West Milford, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.
- SECTION 4.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
- SECTION 5.** This Ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Introduced: May 18, 2016
Adopted: June 22, 2016
Effective Date: July 12, 2016

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

Mayor Bieri made a motion to move all resolutions as one including resolution 2016-203

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

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Councilman Signorino mentioned that the council has been supporting for 4 years now Bill S569 Promoting the Fair Distribution of State Aid Among All Children In New Jersey Equally and Fairly. West Milford would get significantly more state aid toward our taxes. He estimated that it would be \$5,000 more per child that we would get back and that equates to \$2,000 per household in tax money. He stated he has always supported this and will continue to support this.

Agenda No. IX 2

~ Resolution 2016 – 181 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY SUPPORTING ASSEMBLY BILL A268 WHICH WOULD ESTABLISH A GRANT PROGRAM FOR SCHOOL DISTRICTS TO ESTABLISH SUBSTANCE ABUSE PREVENTION PROGRAMS FOR EIGHTH GRADE STUDENTS

WHEREAS, Assemblywoman Betty Lou DeCroce and Assemblyman Anthony M. Bucco have introduced legislation in the State Assembly that would direct the Commission of Education to establish a program to provide grants to school districts to implement a substance abuse prevention program for eighth grade students; and

WHEREAS, the West Milford Citizens Against Substance Abuse (CASA) committee works tirelessly to educate residents about substance abuse; and

WHEREAS, the West Milford Board of Education, school staff and faculty work hand in hand with various groups and organizations to raise awareness about substance abuse; and

WHEREAS, the West Milford police department strives to prevent drug abuse, educate residents about substance abuse and provide resources for prevention, rehabilitation and recovery; and

WHEREAS, despite the continued efforts of each of these groups individually and combined, substance abuse continues to escalate amongst the youth in our town and throughout this nation; and

WHEREAS, every resource that is made available to prevent substance abuse has the potential to save lives, reduce crime and provide hope for a bright future.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor & Township Council of the Township of West Milford, in the County of Passaic, hereby urge the New Jersey State Assembly to support Bill A268; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to all of the Township's Legislative Representatives, the Bills' Sponsors, CASA, the West Milford Board of Education and the remaining fifteen municipalities located in Passaic County.

Adopted: May 18, 2016

Agenda No. IX 3

~ Resolution 2016 – 182 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY SUPPORTING SENATE BILL S107 WHICH PROVIDES FOR REDUCED SALES TAX IMPOSITION ON CERTAIN SITES IN CERTAIN HIGHLANDS REGION PRESERVATION AREA MUNICIPALITIES

WHEREAS, Senator Joseph Pennacchio, Senator Kevin J. O'Toole and Senator Anthony R. Bucco have introduced legislation in the New Jersey State Senate that would amend P.L. 1966 c.30; and

WHEREAS, S107 would provide a 50% sales and use tax exemption in any municipality 99% or more of the area of which is located within the Highlands Region preservation area; and

WHEREAS, West Milford is located 100% in the Highlands Preservation Zone; and

WHEREAS, because of the State designation of the Highlands Region preservation area, the economic vitality of municipalities that are entirely or almost entirely slated for preservation is seriously undermined; and

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WHEREAS, this sales tax exemption should result in helping maintain the local economic base, preserve retail establishments and retain jobs in these municipalities

NOW, THEREFORE, BE IT RESOLVED, that the Mayor & Township Council of the Township of West Milford, in the County of Passaic, hereby urge the New Jersey State Senate to support Bill S107; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to all of the Township's Legislative Representatives and the municipalities located in the Highlands Region.

Adopted: May 18, 2016

Agenda No. IX 4

~ Resolution 2016 - 183 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY SUPPORTING SENATE BILL S688 AND ASSEMBLY BILL A292 WHICH PROVIDE AN EXEMPTION UNDER THE HIGHLANDS WATER PROTECTION AND PLANNING ACT FOR ARTIFICIAL TURF FIELD CONSTRUCTION BY LOCAL GOVERNMENT UNITS

WHEREAS, Senator Robert M. Gordon and Senator Joseph Pennacchio have introduced legislation in the New Jersey State Senate that would amend P.L. 2004 c.120; and

WHEREAS, Assemblywoman BettyLou DeCroce has introduced legislation in the New Jersey State Assembly that would amend P.L. 2004 c.120; and

WHEREAS, said amendments would provide an exemption from the requirements of the "Highlands Water Protection and Planning Act" (P.L. 2004 c.120) for the construction of artificial turf fields by a local government unit; and

WHEREAS, West Milford is located in the Highlands Preservation Zone; and

WHEREAS, under current law, the Highlands Water Protection and Planning Act provides an exemption to public or private schools for making improvements, such as the construction of artificial turf fields; and

WHEREAS, S688 and A292 would allow such fields to be constructed by local government units as well.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor & Township Council of the Township of West Milford, in the County of Passaic, hereby urge the New Jersey State Senate to support Bill S688 and the State Assembly to support Bill A292; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to all of the Township's Legislative Representatives, the Bills' Sponsors and the municipalities located in the Highlands Region.

Adopted: May 18, 2016

Agenda No. IX 5

~ Resolution 2016 - 184 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY SEEKING AMENDMENTS TO P.L. 2004 c.120 "HIGHLANDS WATER PROTECTION AND PLANNING ACT" TO ALLOW EXEMPTIONS FOR MUNICIPAL GOVERNMENTS

WHEREAS, the Highlands Water Protection and Planning Act was signed into law in 2004 and is known as P.L. 2004 c.120; and

WHEREAS, the Highlands Water Protection and Planning Act contains a number of exemptions for public or private schools existing at the time of the enactment of the Act for making improvements; and

WHEREAS, such exemptions are not currently provided to municipal governments whose municipalities are in the Highlands region; and

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WHEREAS, West Milford is located 100% in the Highlands Preservation Zone; and

WHEREAS, the failure of the Act to provide exemptions to municipal governments has created hardships in providing for public needs as well as increased costs for any proposed development or improvement to municipal properties located in the Highlands region.

WHEREAS, it is clear that the needs of an entire community are not solely satisfied by the schools but are in large part provided by the municipality, including recreational facilities, facilities for emergency responders such as first aid and fire, libraries, police departments, town hall, and the like.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor & Township Council of the Township of West Milford, in the County of Passaic, hereby urge the New Jersey State Senate to introduce legislation which would amend the Highlands Water Protection and Planning Act, P.L. 2004 c.120 to provide that all exemptions currently offered to public or private schools be also offered to municipal governments within the Highlands region.

Adopted: May 18, 2016

Agenda No. IX 6

~ Resolution 2016 - 185 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY SUPPORTING BILL S 569 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 "Establishes a formula for the distribution of State aid to school districts" 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: $TDSA = (TITR/TSE) \times TDE$; and

WHEREAS, utilizing the above referenced formula with data from the NJ Department of Treasury and NJ Department of Education for every \$1.00 sent to Trenton as income tax the Township of West Milford receives \$0.61 or (\$14,597,029) and \$1.51 or (\$36,229,598) under the Fair School Funding Plan; and

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 569; 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 Sponsor, Senator Michael Doherty and Co-Sponsors Senators Steven J. Oroho, Joseph Pennacchio, Christopher J. Connors, James W. Holzapfel and Anthony R. Bucco.

Adopted: May 18, 2016

Agenda No. IX 7

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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~ Resolution 2016 - 186 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY SUPPORTING THE CLICK IT OR TICKET MOBILIZATION OF MAY 23 – JUNE 5, 2016

WHEREAS, there were 560 motor vehicle fatalities in New Jersey in 2015; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 23 - June 5, 2016 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 91% to 93%; and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways.

NOW, THEREFORE, BE IT RESOLVED that West Milford Township declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 23 - June 5, 2016 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

Adopted: May 18, 2016

Agenda No. IX 8

~ Resolution 2016 - 187 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SALE OF A FIRE PUMPER TANKER TO THE HELMET PEAK FIRE DEPARTMENT OF ARIZONA

WHEREAS, according to N.J.S.A. 40A:11-36, *Sale or Other Disposition of Personal Property*, any contracting unit by resolution of its Governing Body may authorize by sealed bid public auction the sale of its personal property not needed for public use; and

WHEREAS, the contracting unit need not advertise for bids when it makes any such sale to the United States, the State of New Jersey, another contracting unit, any body politic to which it contributes tax raised funds, any foreign nation which has diplomatic relations with the United States, or any governmental unit in the United States; and

WHEREAS, a 1990 Mack Tanker VIN #XXXXXXXXXXXX08323, was taken out of service in 2012 that was assigned to Greenwood Forest Company #3 and

WHEREAS, the Township of West Milford Supervising Mechanic recommends selling this 1990 Mack Tanker VIN #XXXXXXXXXXXX08323 and accepting a purchase offer of \$5,000.00 from the Helmet Peak Fire Department of Sahuarita, Arizona;

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

1. In accordance with the provisions of N.J.S.A. 40A:11-36, the *Sale or Other Disposition of Personal Property* of a 1990 Mack Tanker to the Helmet Peak Fire Department of Arizona is hereby authorized.
2. Said sale shall be in the amount of \$5,000.00.
3. The Helmet Peak Fire Department shall execute an Agreement to hold the Township of West Milford harmless from the Helmet Peak Fire Department of Arizona, and any future owners or operators of the vehicle, and from any liability resulting from and out of the use or operation of said vehicle.

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4. The Township Clerk is hereby authorized to execute any and all documents which may be necessary to facilitate the transfer of this vehicle including a Bill of Sale, Certificate of Title or any related documents which may be necessary in order to facilitate this transfer.

BE IT FURTHER RESOLVED, that the Township Clerk be and is hereby authorized and directed to forward certified copies of this Resolution to the Helmet Peak Fire Department, PO Box 758, Sahuarita, Arizona 85629, the Township Administrator and the Fire Department.

Adopted: May 18, 2016

Agenda No. IX 9

~ Resolution 2016-188 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING COVERAGE ENHANCEMENTS TO THE ACCIDENT AND SICKNESS POLICY FOR THE TOWNSHIP OF WEST MILFORD EMERGENCY SERVICES VOLUNTEERS AND OEM PERSONNEL IN COORDINATION WITH THE POLICY RENEWAL OF MAY 1, 2016 THROUGH VFIS, INC.

WHEREAS, the Township of West Milford, hereinafter referred to as the Township, provides an Accident and Sickness Policy to all eligible Emergency Services Volunteers, which includes all six (6) West Milford Fire Companies, the West Milford Volunteer Ambulance Corps, the Upper Greenwood Lake Volunteer First Aid Squad, West Milford Search and Rescue Team and the Office of Emergency Management (OEM) should they incur a sickness or be injured in service to the citizens of West Milford; and

WHEREAS, the Policy, underwritten by the Volunteer Firefighters Insurance Services (VFIS) renews May 1, 2016 and as such, the Township's Risk Management Consultant was able to negotiate the 2016 renewal at a savings over the 2015 expiring premium and further, the cost of said policy has been reduced by over 12.5%, since 2010, while the Governing Body authorized an increase in the Weekly Income benefit during the same time period; and

WHEREAS, the 2016 negotiated renewal proposal was submitted by the Risk Management Consultant and contains an ability to increase the Accidental Death and Dismemberment Benefit from the existing \$50,000 to \$100,000, as detailed in the spreadsheet on file in the Clerks Office for consideration by the Mayor and Council.

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, hereby accepts the recommended coverage enhancements and specifically, supports the coverage enhancements to the Accident and Sickness Program currently underwritten by VFIS, Inc. which provides enhanced coverage for the Emergency Services Volunteers, while providing the Township with budget stability, as detailed in the spreadsheet prepared by the Risk Management Consultant and on file in the Clerk's Office; and

BE IT FURTHER RESOLVED, the Mayor and/or Township Administrator are hereby authorized and directed to execute the necessary documents to effectuate this change for the May 1, 2016 renewal or as soon thereafter, as is reasonably practical upon passage of this Resolution; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be forwarded to Professional Insurance Associates, Inc., 429 Hackensack Street, PO Box 818 Carlstadt NJ, Risk Management Consultant to the Township, the Township Chief Finance Officer and Municipal Auditor.

Adopted: May 18, 2016

Agenda No. IX 10

~ Resolution 2016- 189 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING A SPECIAL EVENT PERMIT APPLICATION TO UPPER GREENWOOD LAKE PROPERTY OWNER'S ASSOCIATION TO HOLD A FIREWORKS DISPLAY AT THE UPPER GREENWOOD LAKE LAUNCH AREA

WHEREAS, the Upper Greenwood Lake Property Owner's Association wishes to hold a display of fireworks on June 25, 2016 (rain date July 30, 2016) at the Upper Greenwood Lake launch area; and

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WHEREAS, Township Officials have reviewed the application and the report submitted by the Township Fire Marshall and Chief of Police; and

WHEREAS, the Upper Greenwood Lake Property Owner's Association has submitted an application to the Township of West Milford, along with a Certificate of Insurance and the required \$2,500.00 Bond in the form of a check.

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. Based upon the review of the application and report submitted by the Township Fire Marshal and Chief of Police, it does hereby approve the application submitted by the Upper Greenwood Lake Property Owner's Association and Garden State Fireworks to conduct a fireworks display on June 25, 2016 (rain date July 30, 2016) at the Upper Greenwood Lake launch area, between the hours of 8:30 p.m. and 9:30 p.m.
2. The Upper Greenwood Lake Property Owner's Association will arrange for police traffic and crowd control in advance with the Township's Police Department and said policing shall be determined by the Police Department.
3. Police Officers must be hired for security by the Upper Greenwood Lake Property Owner's Association, and the cost for Police Officers shall be paid by the Upper Greenwood Lake Property Owner's Association in advance.

Adopted: May 18, 2016

Agenda No. IX 11

~ Resolution 2016 – 190 ~

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

WHEREAS, proposals were solicited for The Marketing of Recyclable Scrap Metal for the Township of West Milford by the Solid Waste and Recycling Coordinator, West Milford Department of Public Works on April 4, 2016; and

WHEREAS, Teplitz has satisfactorily worked with the Township as the scrap metal vendor for over nine (9) years; and

WHEREAS, the Director of Public Works has thoroughly reviewed the proposals, and has recommended the award of a contract to TMP of New York, Inc. d/b/a Teplitz Metal Processing;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the Mayor and the Municipal Clerk are hereby authorized to execute an agreement with TMP of New York, Inc. d/b/a Teplitz Metal Processing for the marketing of recyclable scrap metal for the period of May 1, 2016 through April 30, 2017 for the Township of West Milford.

Adopted: May 18, 2016

Agenda No. IX 12

~ Resolution 2016 - 191 ~

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

WHEREAS, NJSA 54:5-19.1 authorize electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs, and

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WHEREAS, the Director of Local Government Services has approved NJ Tax Lien Investors/ Real Auction.com to conduct pilot programs, and

WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the municipality of Township of West Milford wishes to participate in the pilot program for an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the municipality of the Township of West Milford, New Jersey, that the Tax Collector is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.

Adopted: May 18, 2016

Agenda No. IX 13

~ Resolution 2016 - 192 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZE ELECTRONIC TAX SALES NOTICE FEE

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services, and

WHEREAS, the rules and regulations require a municipality to send three (3) notices of tax sale to all properties included in said sale; and

WHEREAS, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, the Township of West Milford wishes to charge \$25.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base.

BE IT RESOLVED by the Council of the Township of West Milford that a fee of \$25.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2014 electronic tax sale.

Adopted: May 18, 2016

Agenda No. IX 14

~ Resolution 2016 - 193 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE THROUGH THE MORRIS COUNTY CO-OP CONTRACT #15-A; ITEM #5, OF ONE (1) 2017 POLICE INTERCEPTOR UTILITY VEHICLE FROM BEYER FLEET FOR USE AS AN ANIMAL CONTROL VEHICLE

WHEREAS, the Township wishes to purchase one (1) 2017 Police Interceptor Utility vehicle for use as an animal control vehicle; and

WHEREAS, The Township Senior Mechanic has provided a recommendation to effectuate this purchase through the Morris County Co-op #15A; Item #5 to Beyer Fleet; and

WHEREAS, the total amount of the contract shall not exceed \$26,701.50.

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:

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1. The Township Council hereby authorizes the Township' Health Department to purchase one (1) 2017 Police Interceptor Utility vehicle, in an amount not to exceed \$26,701.50, through Morris County Co-op #15A; Item #5 from Beyer Fleet, 31 Williams Parkway, East Hanover, NJ 07960 for use as an animal control vehicle.
2. The Township Chief Financial Officer has certified the availability of funds shall be encumbered from the animal control trust, account number 19-295-56-110-999 for same.

Adopted: May 18, 2016

Agenda No. IX 15

~ Resolution 2016 - 194 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE THROUGH THE MORRIS COUNTY CO-OP CONTRACT #15-A; ITEM #5 OF FOUR (4) 2017 POLICE INTERCEPTOR UTILITY VEHICLES FROM BEYER FORD AND ONE (1) 2016 CHEVROLET TAHOE POLICE PURSUIT VEHICLE THROUGH THE MORRIS COUNTY CO-OP CONTRACT #15-A; ITEM #11 FROM DAY CHEVROLET

WHEREAS, the Township wishes to purchase four (4) 2017 Police Interceptor Utility vehicles and one (1) Chevrolet Tahoe; and

WHEREAS, The Township Chief of Police has provided a recommendation to award this contract through the Morris County Co-op #15A; Item #5 to Beyer Ford and through the Morris County Co-op #15A; Item #11 to Day Chevrolet; and

WHEREAS, the total amount of the contracts shall not exceed \$140,192.00.

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:

3. The Township Council hereby authorizes the Township Chief of Police to purchase four (4) 2017 Police Interceptor Utility vehicles, in an amount not to exceed \$104,017.00, through Morris County Co-op #15A; Item #5 from Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07960-4000 and one (1) 2016 Chevrolet Tahoe Police Pursuit Vehicle in an amount not to exceed \$36,175.00 through Morris County Co-op #15A; Item #11 to Day Chevrolet, 1600 Golden Mile Hwy, Monroeville, PA 15146.
4. The Township Chief Financial Officer has certified the availability of funds for same.
5. The equipment and changeovers for four (4) 2017 Police Interceptor Utility Vehicles and one (1) Chevrolet Tahoe Police Pursuit Vehicle will be submitted by future resolution.

Adopted: May 18, 2016

Agenda No. IX 16

~ Resolution 2016 - 195 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PERSON TO PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-011-004 FROM LATITUDE 41 LOUNGE, LLC TO THREE SHEETS, LLC FOR PREMISES AT THE SAME LOCATION

WHEREAS, an application has been received for a Person to Person transfer of Plenary Retail Consumption License No. 1615-33-011-004 presently held by Latitude 41 Lounge, LLC to Three Sheets, LLC for premises at the same location that has been reviewed; and

WHEREAS, the Mayor and Township Council has conducted a public review of the application as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control; and

WHEREAS, as a result of that review the Mayor and Township Council have determined as follows:

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.

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3. The applicant has disclosed to the issuing authority the source of all financing obtained.

WHEREAS, the Police Department has recommended that the license be transferred with all current conditions if applicable.

WHEREAS, the license may be transferred with the following conditions:

1.	Second floor licensed only for storage, use of the roof area is prohibited
2.	A Retail Food Establishment application, architectural drawings for proposed restaurant/bar renovations submitted and Retail Food license must be acquired and satisfactory recommendation received in the Health Department prior to opening business operations.
3.	Prior to activating the license inspections of premises must be made and satisfactory recommendation must be received at the Township Clerk's office from the Health Department.
4.	Licensee must change with Fire Bureau ownership information regarding Life Hazard Use and changes of occupancy load if applicable.
5.	Licensee must submit pages of 1, 2, and 11 of the 12-page application to the Township Clerk Office with date of activation prior to re-opening.

NOW, THEREFORE, BE IT RESOLVED that the transfer application is hereby approved and the Township Clerk is directed to endorse the transfer and deliver the license certificate for the Mayor and Township Council of the Township of West Milford upon receipt of satisfactory recommendations of premise inspections.

Adopted: May 18, 2016

Agenda No. IX 17

~ Resolution 2016 - 196 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RATIFYING A SIDEBAR AGREEMENT BETWEEN THE TOWNSHIP AND AFSCME 3301

WHEREAS, certain Township employees are members of a bargaining unit, AFSCME 3301; and

WHEREAS, the Township and AFSCME 3301 have negotiated a sidebar agreement to the current contract which agreement provides for the addition of the title of Assistant Treasurer at a pay grade of 27 to the agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor & Township Council of the Township of West Milford, in the County of Passaic, hereby ratify the sidebar agreement as described above; and

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk be and are hereby authorized to execute the sidebar agreement with AFSCME 3301 to provide for the addition of the title of Assistant Treasurer at a pay grade of 27 to the agreement.

Adopted: May 18, 2016

Agenda No. IX 18

~ Resolution 2016 – 197 ~

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 overpayment as shown below and the Collector of Taxes recommends the refund of such overpayment.

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

REASONS:

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

Block/Lot	Name	Amount	Year	Reason
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3602-1	Interstate 1 st Title Agency, LLC 279 Browrtown Rd, Woodland Park, NJ 07424	\$1,468.00	2016	2
4902-10	Refund Dept., Corelogic R.E. Tax Service PO Box 961250, Fort Worth, TX 76161-9858	\$2,509.00	2016	2
5311-3.16	Edward W. Martin, LLC 52 Skyline Drive, Ringwood, NJ 07456	\$1,164.00	2016	2
5505-2.24	Mr. Badolato c/o Lilia T. Lee 5224 Richmond Road, West Milford, NJ 07480	\$361.90	2016	2
7003-6	Masessa & Cluff Attorneys At Law 1524 Route 23 North, Butler, NJ 07405	\$1,837.00	2016	2
7101-16	Eileen Nowinski & Frank Pallette 14 Plymouth Ave. West Milford, NJ 07480	\$1,216.23	2016	1
8701-5	Refund Dept. Corelogic R.E. Tax Service PO Box 961250, Fort Worth, Texas 76161-9858	\$3,160.00	2016	2
14701-10	Main Street Title & Settlement 190 Main Street, Hackensack, NJ 07601	\$3,059.00	2016	2
16201-31	Max Title Agency LLC 70 South Orange Avenue Suite 225 Livingston, NJ 07039	\$2,145.00	2016	2
TOTAL		\$16,920.13		

Adopted: May 18, 2016

Agenda No. IX 19

~ Resolution 2016 – 198 ~

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

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

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

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

REASON: 1. INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR
10706-8	HO Property, LLC	\$1,879.00	2016
12307-3	HO Property, LLC	\$1,985.00	2016
6602-9	HO Property, LLC	\$1,366.00	2016
13701-50	Rosaline Sostre	\$1,648.00	2016
15501-6	Nancy Claire Pereira	\$1,090.07	2016
TOTAL		\$7,968.07	

Adopted: May 18, 2016

Agenda No. IX 20

~ Resolution 2016 – 199 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2016

WHEREAS, applications have been made for the new licenses and the renewal of various Licenses for the 2016 license year; and

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

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NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford does hereby approve the issuance of 2016 Licenses as listed below and;

License No.	2016 CLOTHING BINS LICENSES
2016-35	Textile Recovery Services, Inc. Michael Dutra (Jill Inc.) 2915 Route 23 Newfoundland, NJ

Adopted: May 18, 2016

Agenda No. IX 21

~ Resolution 2016 - 203 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING A DEED OF DRAINAGE EASEMENT FROM BRAEMAR AT WEST MILFORD, LLC TO THE TOWNSHIP OF WEST MILFORD

WHEREAS, Braemar at West Milford, LLC has an application for a residential development whereby as a condition of said approval, Braemar was required to provide the Township of West Milford with certain drainage easements; and

WHEREAS, said drainage easement is for a portion of Block 10001, Lot 19 and a portion of Block 10002, Lots 1, 3, 9 and 16;

WHEREAS, a Deed of Drainage Easement has been prepared and has been approved by the Planning Board Attorney, Planning Board Engineer and the Municipal Attorney, a copy of same being on file in the Township Clerk's office.

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 Mayor is hereby authorized to execute a Deed of Drainage Easement between Braemar at West Milford, LLC and the Township of West Milford relating to property known as a portion of Block 10001, Lot 19 and a portion of Block 10002, Lots 1, 3, 9 and 16.

This Resolution shall take effect immediately.

Adopted: May 18, 2016

Mayor Bieri stated that there is an added Ordinance 2016-010 which was discussed in executive session.

~ Ordinance 2016- 010 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY REPEALING SECTION 15-110 THROUGH 15-116 OF THE TOWNSHIP CODE

WHEREAS, §15-110 through §15-116 of the West Milford Township code provides for the establishment, purpose, membership, terms, powers and duties, appointments, membership and officers of a municipal Economic Development Commission (EDC); and

WHEREAS, the Township is currently involved in a number of economic development initiatives including possible revitalization initiatives and watershed equity legislation; and

WHEREAS, at this time, these initiatives are better handled directly by the elected officials of the Township; and

WHEREAS, the EDC was established with the specific and legislated charge that they seek to obtain non-profit status; and

WHEREAS, at the May 11, 2016 EDC meeting, the members discussed certain matters that were contrary to the specific advice of the Township's legal counsel.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of West Milford, County of Passaic that §15-110 through §15-116 be and is hereby repealed and all economic development initiatives will henceforth be within the jurisdiction of the West Milford Town Council.

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This Ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Introduced: May 18, 2016

Township Administrator/Clerk Battaglia read the ordinance. Mayor Bieri noted there will be a public hearing on June 8th regarding this ordinance.

Councilman Wagner said he is not supporting the ordinance. Councilman Signorino expressed that he will not support it and thinks it's being handled incorrectly. Council President Dale explained that she will be supporting this because the EDC discussed certain matters that were contrary to the specific advice of the township legal counsel. Councilman Hensley noted that he agrees with Council President Dale and stated he will vote in favor of the ordinance.

 Moved: Erik Seconded: Dale
 Voted Aye: Erik, Hensley, Dale, Lichtenberg
 Voted Nay: Wagner, Signorino
 Motion carried.

Agenda No. X

Consent Agenda

None

Agenda No. XI

Approval of Expenditures

~ Resolution No. 2016 - 200~

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	\$509,297.57
3	Reserve Account	13,651.79
2	Grants	3,851.57
6	Refunds	16,920.13
1	General Ledger	3,580.00
26	Refuse	129,415.94
4	Capital	98,559.37
19	Animal Control	0.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	3,930.34
19	COAH	0.00
16	Development Escrow	10,123.00
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$789,329.71
	Less Refund Resolution	-16,920.13
	Actual Bills List	\$772,409.58
	Other Payments	
BOE		4,506,715.00

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Total Expenditures

\$5,279,124.58

Adopted: May 18, 2016

Councilwoman Erik said anything in question has already been addressed before tonight's meeting.

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

Agenda No. XII

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

Council President Dale noted that Fire Company #2 is having a Beefsteak Dinner on Saturday night and its being advertised on channel 77. Our first Autumn Lights Festival meeting is going to be on May 26th and she will report back to the council after the meeting to give an update.

Councilwoman Lichtenberg stated that May 25th is National Senior Health and Fitness Day. May 19th, we are having a substance abuse counselor speaking here in Town Hall at 7pm. The High School had a DUI reenactment for students. The Fire Company, EMT, and local funeral director participated with the student actors. They are going to be providing the demonstration more frequently than in past years. She thanked all of the emergency medical groups that were involved and participating and for having this event. West Milford and Passaic County Health Department and NJ Commission for the Blind and Visually Impaired are sponsoring a free eye screening on Tuesday May 31st. The farmers market will be starting on June 1st at the Presbyterian Church. On June 4th at 3pm, the Board of Education versus the West Milford Council will have a softball fundraiser for Relay for Life. The event for Relay for Life is on June 11th but we couldn't utilize the field at that time so they will be providing some fundraisers for our event on June 4th. She is trusting that all of the council members will participate. Councilwoman Lichtenberg said she would like to thank the West Milford Lions Club for the Health Fair they sponsored this past Saturday. In addition, she would like to thank the six churches that participated in the Faith in Action this past weekend. She explained that they do events like cleaning up Veterans Park and planting flowers as well as helping seniors. She thanked them for participating in a number of events around town.

Councilwoman Lichtenberg said that she is looking for people to submit nominations for the 2016 House Beautiful Contest. If you know a neighbor who has a well-kept yard that you think should be nominated and maintain the yard themselves, please send it to erik@westmilford.org. In addition, she is here on Fridays from 10am-12pm for the public to hear their concerns, ideas, and suggestions. Councilwoman Lichtenberg said that they did have an Alzheimer's presentation at Town Hall this past week. It was very informative and many attended. We will be having an Alzheimer's support group in town and more meetings for people and families that have been affected by the disease.

Councilman Signorino noted that the 4th Annual West Milford Museum Tennis Tournament sponsored by the Heritage Committee is on June 11th and 12th at the Westbrook Tennis Courts. Anyone who is interested in going to the Museum which is directly across from Town Hall, we are open Saturday's from 1-4pm. He explained that the event is looking for sponsors and the idea is to raise money for the Museum. If you are looking to donate, please contact Town Hall or Tonya Cubby in the Planning Department. Councilman Signorino read the current sponsors for the event. Additionally, he would like to congratulate the Girls High School softball team. They didn't win the county tournament but they did a great job. He thanked everyone who came out to the Family Festival this past weekend. Even though it rained on Friday, people came and everyone had a great time. He said it's nice to see these types of events around town and to see people get out and mingle.

Councilwoman Erik explained that she has a couple of letters to read. She said the first one is a thank you to Freeholder Terry Duffy and the Passaic County Freeholders regarding ADA accessibility upgrades. This is for a \$6,000 grant toward ADA approved automatic doors at the West Milford Recreation Center. She also thanked our Recreation Department Tim Roetman for finding, applying, and getting this grant. Councilwoman Erik stated the Alzheimer's presentation was great. They are willing to come back again and there will be a support group in town. The Highlands Family Success Center provides CPR program free of charge. The more people that are certified, the better. She noted that the other letter is from the State Department of Health for EMS week. She read the thank you letter. In addition, she is very proud of Council President Dale for going to renew her EMT certification. Lastly, Councilwoman Erik had a call from a lady who would like to remain anonymous. She is a very upset lifelong volunteer. She asked why volunteers have to live in fear that any meeting could be their last if they did not vote the way that the

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council majority wanted. Councilwoman Erik read the letter that she made as a summary of the woman's concerns. This person said a lot of appointments are made on a political basis and that's not what a volunteer is all about. Councilwoman Erik stated that she agrees with this person and there has to be a better way. She said 90% of the work being done in this town is by volunteers.

Councilman Wagner said the Recreation Department Summer Concert Series starts June 18th at Bubbling Springs. The Recreation Advisory Subcommittee will be giving a presentation at the Board of Education on May 24th. The circus is coming to town on June 12th. The Fireworks Committee is getting close to the date of the Fourth of July Fireworks on July 2nd. He noted that they are still looking for sponsors, and if anyone is interested, they can contact the Recreation Department. He thanked the Knights of Columbus for volunteering to assist with the bouncy houses. The Knights of the Highlands have twenty members already that are going to be helping to park cars. He thanked Township Administrator/Clerk Battaglia for fixing the sign on Marshall Hill Rd and Lincoln Rd as well as removing the other sign. It looks much better. Councilman Wagner attended Our Lady Queen of Peace Festival and said it was great.

Mayor Bieri stated that she is a lifetime volunteer. She explained that she is very dedicated to doing that and giving back to the community. She said that she has seen in the 23 years of going to council meetings, whether you call it political or familiarity, it's not necessarily an unusual thing to do. Mayor Bieri suggested removing the names and addresses on the citizen leadership forms and instead provide a resume of how they are qualified and what they can bring to the committee or commission. That way it is based on a resume, what they can bring to the committee or commission, and what their goal might be. Similar to what was done for voting on the Volunteer of the Year Award. Councilman Wagner said that he likes going through references and knowing that they actually fulfill what they say on their resume. He noted that he likes the names on those citizen leadership forms. Mayor Bieri said she agrees with that point and that's why it's more of familiarity than being political.

Township Attorney Semrau explained that he understands both points and they are really good suggestions, but the appointments should not be called political. He noted when the council makes the appointments, you are asking the volunteers to effectuate your policy, goals, and to act as an extension of the Township. He explained that the names are important to make sure these goals and policies are implemented. Councilman Signorino stated when the people on these committees and commissions are reappointed, we should make sure to make clear the focus, direction and what our expectations are from the volunteer. Maybe we can make sure that it is brought up at the reorganization meeting. Township Administrator/Clerk Battaglia explained that at the reorganization meeting it would be a little late. She stated if the council wanted to put it as a workshop discussion item, we can outline the goals and expectations for each committee. Council President Dale suggested outlining the responsibilities and duties as well as informing the volunteers that they are serving as an extension of the council to give direction. Mayor Bieri explained if we give them the responsibilities and goals when they fill out a citizen leadership form, they know what they are getting into. It could be outlined in the resolution. Mayor Bieri noted it's something that we can certainly address.

Township Administrator/Clerk Battaglia stated she would like to make mention that Clinton Road is scheduled to reopen on Friday May 20th and they have gotten back on schedule. She would like to mention that Mr. Rodda turned 99 on Monday and we had a little gathering for him. She said he is always a pleasure to work with. On another good note, she would like to thank the number of municipal employees who volunteered on Beautification Day. Some employees are there on official duty and are getting compensated but many of our employees do volunteer. They often times they go unrecognized and do a tremendous job. Councilman Signorino thanked the volunteers as well.

Agenda No. XIII

Appointments and Resignations

Agenda No. XIII 1

~ Resolution 2016 - 201 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPOINTING ALLISON J. ZELTNER TO THE POSITION OF ACTING TREASURER/CFO

WHEREAS, Section 15-42(A)(2) of the Township Code provides "Each warrant-check shall bear the signature of the Mayor or Council President and the Treasurer or Acting Treasurer"; and

WHEREAS, effective March 29, 2016 the Chief Financial Officer/Treasurer position for the Township has become vacant and the Township is searching for a successor to fill such vacancy; and

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WHEREAS, the Township must continue to administer the day-to-day operations of the municipality which includes the expenditure and disbursement of funds and the designation of an acting CFO/Treasurer to execute budget documents and other financial papers for the Township; and

WHEREAS, the Township has sufficient safeguards to continue to process such expenditure of funds by requiring that in the absence of the Chief Financial Officer, the Assistant Treasurer shall serve in the capacity of Acting CFO/Treasurer and she shall authorize and execute payment of funds and such other documents that are necessary for the continued function of the finance department; and

WHEREAS, the Township Attorney and the Township Auditor are of the opinion that there are sufficient internal controls in place for the Township to continue to function and authorize the expenditure and disbursement of funds in the interim until such time that a permanent appointment is made to the Chief Financial Officer position.

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's Assistant Treasurer is hereby designated to serve as the acting CFO/Treasurer to oversee the finance department and execute all required documents on behalf of the municipality.

This Resolution shall take effect immediately.

Adopted: May 18, 2016

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

Agenda No. XIII 2

~ Resolution 2016 - 202 ~

MAYOR'S APPOINTMENT OF MICHAEL HODGES AS DIRECTOR OF THE DEPARTMENT OF HEALTH IN ACCORDANCE WITH §15-51 OF THE TOWNSHIP CODE

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advise and consent to the Mayor's appointment of Michael Hodges to the position of Director of the Department of Health (Health Officer) in accordance with section §15-51 of the Township Code.

Adopted: May 18, 2016

Mayor Bieri noted that the effective date is July 7th.

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

Mayor Bieri noted if the governing body wishes, they can make an appointment to the WM77TV Commission.

Councilwoman Lichtenberg nominated Matthew Romano to the WM77TV Commission. Councilman Wagner seconded the motion. Councilwoman Erik made a motion to close and confirm the nominations, seconded by Councilman Signorino. Councilwoman Erik said that she can speak about him. He is a high school student that attends Passaic County Tech. She explained that he won in the arts festival and he attended the commission meeting. He has already been put to work and he is an up and coming film maker.

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

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Agenda No. XIV

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 10:30 p.m.

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

Approved: September 7, 2016

Respectfully submitted:

Nichole Hanrahan Clerk Typist

MAYOR BETTINA BIERI, PRESIDING OFFICER

ANTOINETTE BATTAGLIA, TOWNSHIP CLERK