
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: June 7, 2017
Time of Meeting: 6:30 pm
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The Workshop Meeting of the Governing Body was called to order by Mayor Bettina Bieri.

Adequate Notice Statement

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Workshop meeting was advertised in the Herald News in its issue of December 25, 2016 and January 1, 2017; copies were provided to the Suburban Trends, the Record and Star Ledger and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Agenda No. I

Pledge of Allegiance

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

Agenda No. II

Roll Call

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

Agenda No. III

Reading of or Approval of Unapproved Minutes

April 21, 2017 DOT Special Meeting
May 17, 2017 Regular Meeting
May 17, 2017 Executive Session

Councilman McGuinness noted that the time was wrong on the April 21, 2017 DOT meeting minutes.

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

Agenda No. IV

Meetings

Mayor Bieri noted the future meeting schedule:

June 21, 2017 Regular Meeting
July 12, 2017 Workshop / Regular Meeting
August 16, 2017 Workshop / Regular Meeting

Agenda No. V

Executive Session

**~ Resolution No. 2017 – 198 ~
MOTION FOR EXECUTIVE SESSION**

BE IT RESOLVED by the Township Council of the Township of West Milford on the 7th day of June, 2017 that:

1. Prior to the conclusion of this **Workshop Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () b. (4) A collective bargaining agreement including negotiations.
 - () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.

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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.
 - Attorney – Client Privilege – MUA
 - Litigation – COAH
 - Litigation – Stelmach v. West Milford
 - 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: June 7, 2017

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

The Governing Body went into executive session at 6:35 p.m.
 The Governing Body returned to the public meeting at 7:41 p.m. with all present as before.

Agenda No. VI

Action Items

1.	<p>Discussion: 2017 Budget Matters: Mayor Bieri opened the meeting to the public to speak on the budget amendments only. There being no comments from the public Councilwoman Erik made a motion seconded by Councilwoman Lichtenberg to close the public portion of the meeting.</p> <p>-----</p> <p>Moved: Erik Seconded: Lichtenberg Voted Aye: Unanimous voice vote Voted Nay: None Motion carried.</p> <p>-----</p> <p>Councilman McGuinness asked if they were at a 0% tax increase. Mr. Casey said the tax rate for 2017 is the same as 2016. The individual homeowner's rate could vary depending on their assessment. Mayor Bieri noted the total amount to be collected is the same as last year. Councilman McGuinness asked if the assessments do not change will the homeowners have a 0% municipal tax increase for 2017. Mr. Casey said there will be a slight increase; the total assessed value dropped \$14 million dollars because of the appeals. There were no further discussions regarding the budget.</p>
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Agenda No. VI 1

~ Resolution 2017 – 145 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE ADOPTION OF THE 2017 MUNICIPAL BUDGET AS AMENDED

Section 2 – Upon Adoption for Year 2017 (Only to be included in the Budget as Finally Adopted)
 Be It Resolved by the Township Council of the Township of West Milford of the County of Passaic that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$22,569,035.00 (Item 2 below) for municipal purposes, and
- (b) _____ (Item 3 below) for school purposes in Type 1 School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,
- (c) _____ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18:9-3) and the certification to the County Board of taxation of
- (d) \$148,359.00 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) \$1,003,057.00 (Item 5 below) Minimum Library Tax

the following summary of general revenues and appropriations.

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SUMMARY OF REVENUES AND APPROPRIATIONS

1 General Revenues		101,360.00
Surplus Anticipated		130,000.00
Miscellaneous Revenues Anticipated		1,791,290.00
2 AMOUNT TO BE RAISED BY TAXATION FOR SOLID WASTE COLLECTION DISTRICT		2,022,650.00
TOTAL REVENUES		
3 General Appropriations		
Operations		2,022,650.00
Deferred Charges		
Statutory Expenditures		
Judgement		
Deficit in Operations in Prior Years		
Surplus (General Budget)		
TOTAL APPROPRIATIONS		2,022,650.00

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 7th day of June, 2017. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2017 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Adopted: June 7, 2017

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

Agenda No. VI 3

~ Resolution 2017 - 199 ~

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY FOR SELF-EXAMINATION OF THE 2017 BUDGET
 RESOLUTION (AS REQUIRED BY DCA)**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of West Milford has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2017 budget year.

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Township of West Milford that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the Governing Body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

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- 4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

- 5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

- 6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Approved: June 7, 2017

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

Agenda No. VII

Proclamations

None

Agenda No. VIII

Eagle Scout Presentations:

Lukas Graf – Spoke about how he has been in scouting since the first grade and joined Boy Scouts in 2010. He is a volunteer at Greenwood Lake Fire Company 3 and he created a 20x20 patio for them for his project. He thanked his family for their support. Mayor Bieri asked about his plans for the future, and Mr. Graf said he will be attending the local community college.

Nicholas McCormick – Mentioned he has been in scouting for 11 years and he joined Boy Scouts in 2010. His Eagle Scout project was a restoration project of the iron fence around the cemetery at St. Joseph’s church; restoring a vital piece of the church’s history. He will be attending Seton Hall University to study finance. He thanked all the volunteers that helped with his project, and his parents who have been his best support group. He also thanked the Governing Body for having him at the meeting.

Noah Rodums – Said he joined scouting 8 years ago and joined the Boy Scouts in 2010. For his project he built a 14x17 patio for Echo Lake Baptist Church. He thanked his parents for all their support, and all the members of the church for their help and donations. He will be attending Rowan University to study mechanical engineering. He thanked the Governing Body for having him at the meeting.

Mayor Bieri said the entire community is very proud of the Eagle Scouts. They have a high number of fine young men that make it through the ranks from scouting up to Eagle Scout. That is a big testament of the youth, their families and community that help support the Eagle Scouts. The community appreciates all of their hard work. She congratulated the Eagle Scouts and wished them good luck.

Agenda No. IX

Discussion Items

1.	Discussion: Administrator Battaglia spoke about how Passaic County sprayed the sides of the roads to kill the weeds. She contacted the County and they said they used the same substance as last year. Certain members of the Governing Body expressed their concern about the substance. Last year the county sprayed without giving the Township any notice. They sent an email this time notifying administration of the spraying. She asked the Governing Body if they wanted the spraying as a discussion item tonight or if they would like her to add it to a future meeting agenda. Councilman Signorino asked for the information first. Mayor Bieri suggested getting the information first and then having a discussion in the future. Last year they asked for advance notice of the spraying, and because the Township is in the Highlands preservation area, they asked if the county could use weed cutters instead of chemicals. They said it would be too costly and time consuming because the Township is so large. The Council gave consensus to have the discussion at a future meeting.
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Agenda No. X

Public Comments

Bob Nicholson - 20 High Road - Stockholm – He spoke about the weed spraying and how the DPW is doing an excellent job.

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

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

Agenda No. XI

Council Comments

Councilwoman Erik – Said the county should hire the Township’s DPW to get the work done.

Administrator Battaglia – Said the Governing Body made an investment in the DPW and the reach mowers. The reach mowers have been very effective, and they covered a substantial amount of the Township.

Councilman Signorino – Said regarding Councilwoman Erik’s comment if the county is not taking care of their obligations to the town, could the town have their DPW do the work and then back charge the county. Administrator Battaglia said they approached the county with a contract about having shared services. The problem would be the manpower and equipment, and she doesn’t foresee how they could accommodate the additional work.

Mayor Bieri – Said the DPW couldn’t do the work and back charge the county because they would have to negotiate the value of service in order to anticipate compensation for the work.

Agenda No. XII

Action Items

Mayor Bieri asked to move all Resolutions 2017-200 through 29017-209 as one.

Discussion:

Councilman McGuinness asked about Resolution 2017-200 and the use of the truck. Administrator Battaglia said the vehicle is for police use and she will provide the Governing Body with additional information. It’s a vehicle that came from the Passaic County Sheriff’s Office because they no longer have use for it. Councilman Signorino thanked the county for donating vehicles to the Township. Councilman McGuinness asked about Resolution 2017-203 and what HVAC system will be replaced. Administrator Battaglia said the money is to fix the air conditioning system in the Town Hall.

Councilman Signorino asked if the Farmcrest Acres Association was discussed at the last meeting, and Administrator Battaglia said it was approved by the Governing Body. When the loan documents came in the association referred back to Administration stating they used an incorrect name. Mayor Bieri clarified that it is just a name change and it’s not the Camp Vacamas loan request that was discussed at the last meeting. There were no further discussions.

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

Agenda No. XII 1

~ Resolution 2017- 200 ~

A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF A DONATION OF A VEHICLE FROM THE COUNTY OF PASSAIC FOR POLICE USE

WHEREAS, the County of Passaic is no longer in need of a particular police vehicle, and

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WHEREAS, the County of Passaic has offered to donate this vehicle to the Township of West Milford for police use; and

WHEREAS, the Township of West Milford Police Department has a need for such a vehicle for police purposes; and

WHEREAS the Township's Supervising Mechanic and the Chief of Police have recommended that the Township accept this donation and assume title to same.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the Chief of Police is authorized to accept the transfer of one (1) 1990 Ford Rescue Truck, VIN number ending in 47516 from the County of Passaic for the sum of One Dollar and No Cents (\$1.00); and

BE IT FURTHER RESOLVED that the Township Council of the Township of West Milford, County of Passaic and State of New Jersey further authorizes the Township Clerk to sign and process all requisite motor vehicle paperwork to transfer title from the County of Passaic to the Township of West Milford; and

BE IT FURTHER RESOLVED that the Director of Public Safety/Chief of Police is instructed to communicate the Township's appreciation to the County of Passaic for the donation of a used vehicle for police use.

This Resolution shall take effect immediately

Adopted: June 7, 2017

Agenda No. XII 2

~ Resolution 2017 - 201 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF A SUB GRANT AWARD FOR FISCAL YEAR 2017, HOMELAND SECURITY GRANT PROGRAM, EMERGENCY MANAGEMENT AGENCY ASSISTANCE FUNDING

WHEREAS, The Township of West Milford, Office of Emergency Management seeks to apply for a Homeland Security Grant Program Emergency Management Agency Assistance Sub Grant # FY17-EMPG-EMAA-1615 for the period 7/1/2017 – 6/30/2018 from the New Jersey State Police Office of Emergency Management; and

WHEREAS, the purpose of the Sub Grant is to enhance the Township of West Milford's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford does authorize the Office of Emergency Management to apply for the FY17 Homeland Security Grant Program, Emergency Management Agency Assistance Sub Grant from the New Jersey State Police, Office of Emergency Management; and

BE IT FURTHER RESOLVED that the following Township Officials be and are hereby authorized to sign the appropriate Sub Grant documents; the West Milford Township Administrator, the Chief Financial Officer, the Emergency Management Coordinator, and the Deputy Emergency Management Coordinator and

BE IT FURTHER RESOLVED that if the New Jersey State Police, Office of Emergency Management approves the grant application, the Township's Emergency Management Coordinator will so advise the Governing Body and seek their approval to accept the grant by virtue of a resolution of acceptance.

Adopted: June 7, 2017

Agenda No. XII 3

~ Resolution 2017 – 202 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONSTRUCTION CONTRACT TO REGAL UTILITY SERVICES, INC. FOR THE RIDGE ROAD – SECTION 3, CONTRACT 4 PROJECT

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WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on May 26, 2017 at 10:00 am for the reconstruction of Ridge Road, between Alpine Ridge Road and Vreeland Road, as per the bid specifications; and

WHEREAS, the Township of West Milford received eight (8) bids for this contract; and

WHEREAS, said bids have been duly reviewed and analyzed by the West Milford Township Engineering Division and the Township Attorney; and

WHEREAS, the bid received from the low bidder, Regal Utility Services, Inc., has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from accounts numbered 04-215-55-826-006 and 04-215-55-822-007 and 04-215-55-827-006; and

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

1. The Township Council hereby awards a contract to Regal Utility Services, Inc., 731 Warwick Turnpike, Hewitt, NJ 07421 for the Ridge Road – Section 3, Contract 4 project subject to the review and approval of the New Jersey Department of Transportation in an amount not to exceed \$736,706.01.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Regal Utility Services, Inc., in accordance with its bid for said reconstruction of Ridge Road, between Alpine Ridge Road and Vreeland Road, in the Township of West Milford.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: June 7, 2017

Agenda No. XII 4
~ Resolution 2017 - 203 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING A CONTRACT FOR ALL LABOR AND MATERIAL NECESSARY FOR REPAIR/REPLACEMENT TO A PORTION OF THE TOWN HALL HVAC SYSTEM IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICIES

WHEREAS, the Township Council of the Township of West Milford did adopt Ordinance 2013-020 to create the position of Qualified Purchasing Agent in the municipality and they did subsequently adopt Resolution 2013-330 appointing a Qualified Purchasing Agent (QPA) and increasing the bid threshold to \$40,000; and

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

WHEREAS, the Public Works Director has identified that \$26,375.00 is needed to complete necessary repairs/replacement to a portion of the Town Hall HVAC system; and

WHEREAS, the Director of Public Works has solicited three quotations for the repairs/ replacement and recommends a contract to the lowest responsive quote from Service & Maintenance Corp.; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number 04-215-55-809-000.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey that the appropriate Township officials be and are hereby authorized to execute a contract with Service & Maintenance Corp., 1045 Macopin Road, West Milford, NJ 07480 in an amount not to exceed \$26,375.00 for the necessary repairs/replacement to a portion of the Town Hall HVAC system.

Adopted: June 7, 2017

Agenda No. XII 5
~ Resolution 2017 - 204 ~

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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY RESCINDING RESOLUTION 2017-171 AND CORRECTING THE LEGAL NAME TO FARMCREST ACRES ASSOCIATION, INC. TO ENDORSE THE SUBMITTAL OF TWO LOAN APPLICATIONS TO BE MADE BY FARM CREST LAKE HOMEOWNER’S ASSOCIATION TO THE STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP), DAM SAFETY SECTION, DAM RESTORATION LOAN

WHEREAS, Resolution 2017-171 contained an error in that it used an incorrect name Farm Crest Lake Homeowner’s Association for the Farmcrest Acres Association, Inc; and

WHEREAS, Farmcrest Acres Association, Inc. is a private lake association in West Milford; and

WHEREAS, the dams on this property are in need of repair to comply with state standards governing same; and

WHEREAS, the State of New Jersey, Department of Environmental Protection, Dam Safety Section, Dam Restoration Loan offers loans to private entities to effectuate such dam repairs with the condition that the municipality within which the dams are located co-signs the loan; and

WHEREAS, Farmcrest Acres Association, Inc. wishes to make two applications to participate in the DEP loan program.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford does hereby endorse the applications only for DEP loans to effectuate dam repairs at the Farm Crest Lake Dam in the Township of West Milford; and

BE IT FURTHER RESOLVED that Farmcrest Acres Association, Inc. shall provide the Township with a complete copy of their loan application; and

BE IT FURTHER RESOLVED that, prior to seeking authorization from the Township Council for the proper Township officials to sign such loan agreements, Farmcrest Acres Association, Inc. shall provide complete copies of the loan agreements to the Township if the DEP approves the loan applications.

Adopted: June 7, 2017

Agenda No. XII 6

~ Resolution 2017 – 205 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF RECREATION FEES

BE IT RESOLVED that the following recreational fees upon the report of the Director of Community Services and Recreation be refunded:

Lifeguard Class		
Eric	\$290.00	Anita Lindstrom 32 Birchwood Pass West Milford, NJ 07480
Recreation Spring Soccer		
Samantha	\$75.00	Kimberly Jones 40 Circle Blvd. Newfoundland, NJ 07435
Derek Jeter Bus Trip		
Kim	\$180.00	Kim Morrell 29 Old Hoop Pole Road Oak Ridge, NJ 07438

Adopted: June 7, 2017

Agenda No. XII 7

~ Resolution 2017 – 206 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF INCORRECT PAYMENT

WHEREAS, there appears on the tax records overpayment as shown below and the Collector of Taxes recommends the refund of such overpayment.

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

- REASON:**
- | | |
|---------------------------|--------------------------|
| 1. Incorrect Payment | 2. Duplicate Payment |
| 3. Senior Citizen | 4. Veteran |
| 5. Homestead Rebate | 6. Tax Court CB |
| 7. State Court Tax Appeal | 8. 100% Disabled Veteran |

Block & Lot	Name and Address	Amount	Year	Reason
05602-004	Township of West Milford Municipal Court 1480 Union Valley Road West Milford, NJ 07480	\$100.00	2017	1
TOTAL		\$100.00		

Adopted: June 7, 2017

Agenda No. XII 8

~ Resolution 2017 - 207 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2017- 2018 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption Licenses for the 2017-2018 License year have been processed on the ABC POSSE website and reviewed; and

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

WHEREAS, as a result of that review the Township Council has determined as follows:

- The submitted applications are complete in all respects.
- The applicants are qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
- The applicants have disclosed to the issuing authority the source of all additional financing obtained in the previous license year.

WHEREAS, the Police Department has recommended that the licenses be renewed to the current owners.

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk is directed to issue and deliver the license certificate for the Mayor and Township Council of the Township of West Milford.

2017-2018 ACTIVE LICENSES	
FRANK M. SELL MEMORIAL POST NO. 289 t/a American Legion Post 289 177 Lincoln Avenue, West Milford, NJ 07480 1615-31-037-001	J&S INVESTMENTS LLC t/a J&S Road House 17 Wooley Road, West Milford, NJ 07480 1615-33-008-004
BRUCO CORPORATION t/a Town Tavern Country Inn 673 Macopin Road, West Milford NJ 07480 1615-33-002-002	PLAZA BAR & LIQUORS INC. t/a Plaza Bar & Liquors 1930 Union Valley Road, Hewitt, NJ 07421 1651-33-010-003
NEW VINELAND CORPORATION t/a Uncorked Wines & Spirits 9 Marshall Hill Road, West Milford, NJ 07480 1615-33-003-007	BLINI LLC t/a Blini Restaurant & Pizzeria 216 Cahill Cross Road, West Milford NJ 07480 1615-33-023-005
JAMES ANTHONY DELI RESTAURANT, INC. t/a Greenwood Lake Discount Liquors 2019 A Greenwood Lake Turnpike, Hewitt, NJ 07421 1615-33-021-005	THE 2236 CORPORATION t/a Elks Lodge 1860 Union Valley Road, West Milford NJ 07480 1615-33-031-001
NTI LLC t/a The New Jessie's Kettle 1555 Greenwood Lake Tpk, Hewitt, NJ 07421 1615-33-024-013	JOSEF LANG HOLDINGS LLC t/a The Lake Shore Inn Bar 399 Lake Shore Drive, Hewitt, NJ 07421 1615-33-035-008

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2017-2018 ACTIVE LICENSES	
<p style="text-align: center;">FRANK & SATINA LLC t/a Jimmy Geez North Sports Bar & Grill 3219 Route 23 South, Oak Ridge, NJ 07438 1615-33-034-009</p>	

Adopted: June 7, 2017

Agenda No. XII 9
 ~ Resolution 2017 - 208 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES WITH CONDITIONS FOR THE 2017-2018 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption Licenses for the 2017-2018 License year have been processed on the ABC POSSE website and reviewed; and

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

WHEREAS, as a result of that review the Township Council has determined as follows:

1. The submitted applications are complete in all respects.
2. The applicants are qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicants have disclosed to the issuing authority the source of all additional financing obtained in the previous license year.

WHEREAS, the Police Department has recommended that the licenses be renewed to the current owners as active licenses with conditions.

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk is directed to issue the license certificates for the Mayor and Township Council of the Township of West Milford.

LICENSEE	CONDITIONS
<p style="text-align: center;">OLD SCHOOL PUB LLC t/a Old School Pub 551 Warwick Turnpike, Hewitt, NJ 07421 1615-33-004-007</p>	<ol style="list-style-type: none"> 1. Premises outlined on the drawings submitted at transfer of license, which excludes the use of the basement as a storage area for alcoholic beverages to be continued. 2. Occupancy loads must be adhered to. 3. Exits are not to be blocked
<p style="text-align: center;">GRASSHOPPER IRISH PUB & RESTAURANT LLC t/a Grasshopper Irish Pub & Restaurant 2891 Route 23, Newfoundland, NJ 07435 1615-33-005-005</p>	<ol style="list-style-type: none"> 1. Persons are not to leave the property of the licensed premise or the extended premise with alcoholic beverages. 2. A written notice to advise patrons not to leave the extended premise with alcoholic beverages must be posted and the exit gate shall be alarmed. 3. Outdoor deck approved as a smoking area for existing customers not as an additional dining area. 4. A maximum occupancy for the outside deck area with tables and chairs is 42 patrons by NJAC 5:70-3.2(a)5, F-601.1 and the Township Building Construction Officials. 5. If noise becomes an issue additional restriction will be applied.
<p style="text-align: center;">SUNWOO TRADE LLC t/a Tuscany Brewhouse 3055 Route 23 N/S, Oak Ridge, NJ 07438 1615-33-016-006</p>	<ol style="list-style-type: none"> 1. Second floor occupancy load must be strictly adhered to.
<p style="text-align: center;">NONNA NINA LLC t/a Silvios 9 Lakeside Road, Hewitt, NJ 07421 1615-33-017-009</p>	<ol style="list-style-type: none"> 1. Notification to the Clerks Office of reopening date. Inspections to be completed after renovations are complete and prior to reopening.
<p style="text-align: center;">HPLAY WEST MILFORD LIQUORS LLC t/a Island of Spirits 3025 Route 23 Oak Ridge, NJ 07438 1615-33-019-002</p>	<ol style="list-style-type: none"> 1. The owner is to consider parking limitations when scheduling advertised special events. 2. Occupant loads must be adhered to.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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LICENSEE	CONDITIONS
SPIRITS OF VREELAND LLC t/a The Vreeland Store 1383 Macopin Road, West Milford, NJ 07480 1615-33-022-003	1. The front porch area is not licensed.
PIONEER BAR & GRILL, INC. t/a Pioneer Bar & Grill 350 Warwick Turnpike, Hewitt, NJ 07421 1615-33-028-007	1. Occupancy loads must be adhered to. 2. Exits are not to be blocked.
WEST MILFORD BAR & LIQUORS INC. t/a Westbrook Hootch Hut 717 Otterhole Road West Milford, NJ 07480 1615-33-033-002	1. License Certificate must be properly displayed. 2. Copy of most recent long form license application must be kept on licensed premises.

Adopted: June 7, 2017

Agenda No. XII 10
 ~ Resolution 2017 – 209 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF POCKET (INACTIVE) PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2017- 2018 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption License for the 2017- 2018 License year have been processed on the ABC POSSE website and reviewed; and

WHEREAS, these licenses have received a Tax Clearance Certificate and Special Ruling for the 2017-2018 year; and

WHEREAS, the 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 Township Council has 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.

WHEREAS, the Police Department has recommended that the license be renewed to the current owners as a pocket (inactive) license with conditions.

1. Pocket Licenses must submit a 12 page Place-to-Place Transfer application with detailed sketch of proposed site and a Police Investigation Request to the Township Clerk's Office and receive inspections of premises and satisfactory recommendations from the following departments: Health, Fire, Building, Zoning and Police Departments prior to siting this license.
2. In addition, all inactive licenses must be inspected by the Fire, Health, Building, Zoning and Police Departments and receive satisfactory recommendations from those departments and submit applicable pages (1, 2, and 11) of the 12 page application to the Township Clerk's Office with date of activation prior to activation or opening this license.
3. A Health Department Retail Food Establishment license must be acquired prior to opening.

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk is directed to issue and hold the license certificates for the Mayor and Township Council of the Township of West Milford.

LICENSE/LICENSEE/T/A	CONDITIONS
THREE SHEETS LLC 322 Lakeside Road, Hewitt, NJ 07421 1615-33-011-005	1. Second floor licensed only for storage, use of the roof area is prohibited. 2. Conditions stated above in resolution
STAMMY LLP 1745 Macopin Road, West Milford, NJ 07480 1615-33-015-010	Conditions stated above in resolution
SAGAR BEVERAGE LLC 28 Philip Drive, Parsippany, NJ 07054 1615-33-020-007	Conditions stated above in resolution
MERSIMI & MAHMUDI INC. 1 North Gate Park, Ringwood, NJ 07456 1615-33-032-011	Conditions stated above in resolution
SHARON A. MCKEAGE TAVERN INC. 10 Sycamore Circle, Hamburg, NJ 07419 1615-33-030-007	Conditions stated above in resolution

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Adopted: June 7, 2017

Agenda No. XIII

Consent Agenda

None

Agenda No. XIV

Approval of Expenditures

~ Resolution No. 2017 – 210 ~

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	\$226,397.96
3	Reserve Account	930.47
2	Grants	8,557.22
6	Refunds	645.00
1	General Ledger	0.00
26	Refuse	83,987.23
4	Capital	353.00
19	Animal Control	533.38
19	Heritage Trust	115.16
19	Open Space Trust	0.00
19	Trust	10,708.86
19	COAH	0.00
16	Development Escrow	1,340.00
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$333,568.28
	Less Refund Resolution	-645.00
	Actual Bills List	\$332,923.28
	Other Payments	
	P/R	518,917.01
	P/R	504,037.43
	BOE	4,505,630.00
	Total Expenditures	\$5,861,507.72

Adopted: June 7, 2017

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

Agenda No. XV

Reports of Administrator, Mayor and Council Members

Councilman McGuinness – He spoke about all the events happening in the Township and he wished Councilman Wagner good luck at the Air Show.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Councilman Signorino – He spoke about the Tennis Tournament. He congratulated the West Milford High School class of 2017. He had the honor of being at the Community Scholarship Award Ceremony and he congratulated the honorees.

Councilwoman Lichtenberg – She mentioned that she was at the scholarship presentations and presented four scholarships. She congratulated all the students and said she received the same award 51 years ago when she was in high school. She noted the dates for the upcoming events at Town Hall, Senior Advisory Committee and Camp Hope. The Nutrition Program at Hillcrest will end on June 21, 2017. The seniors can call the Passaic County Paratransit for rides to the Bloomingdale Senior Center. The West Milford Senior Olympians won first place at their annual competition. She noted the concert dates and times, and apologized for not being present on Thursdays due to her physical therapy. She welcomed residents to call her on her cell phone with their suggestions and concerns. She will return to Town Hall on Thursdays for the public between 10:00 a.m. – 12:00 p.m. starting July 6, 2017. She thanked all the residents that sent her cards.

Councilwoman Erik – Said they are losing New Life at Hillcrest. United for Prevention sent out information on Eva's Village partnership with St. Mary's hospital and that they expanding delivery of opioid overdose recovery program services to all Passaic County hospitals. She provided the information to Administrator Battaglia so she can forward it to the Police Department.

Councilman Hensley – He announced that the West Milford Economic Development Commission and Passaic County are having a lecture at Town Hall. If people have concerns about their property or environmental wellbeing they are encouraged to attend the lecture free of charge. He thanked the members of the EDC for putting together the lecture. He congratulated Mr. Castronova and Ms. Gerst for winning the Primary Election, and he encouraged everyone to vote.

Councilman Wagner – Said that Mr. Roetman went to the Passaic County Open Space Grant meeting to present two applications for Apple Acres and Bubbling Springs. He noted the Annual Fireworks date and time. The Recreation Department is accepting reservation applications for the 2nd floor space in the new library. The Recreation Department will be moving all meetings out of Hillcrest as of June 21, 2017, and all meetings will be transferred to the new library. He noted the ticket information, date and time of the circus. He congratulated Mr. Castronova and Ms. Gerst for winning the Primary Election and he wished them luck in November.

Mayor Bieri – She thanked Councilman Wagner for mentioning that Mr. Roetman was at the Open Space Grant meeting. She announced the Grand Opening of the new library, and encouraged everyone to come and look at what many years of planning and cooperation it took to make it happen. It will end up saving the Township money by providing better services in a nicer facility.

Councilman Signorino – Spoke about the swim lessons available at Bubbling Springs and encouraged families to enroll their children. He is working with Councilman McGuinness on their subcommittee regarding ongoing issues. Hillcrest was one of the topics they discussed. He mentioned that Fire Company 5 held their fund drive and it appeared to him that they weren't really collecting money. Councilman McGuinness said because other organizations were complaining that they would like to do road fund drives but because of the bridge construction the fund drive would have caused more traffic. Chief Storbeck presented an Ordinance stating they had no permit for the road fund drive. Administrator Battaglia said there are some issues with Title 39 and the manner in which the fundraising events could take place on roadways. Chief Storbeck took into consideration the roadwork and the request for similar drives that were rejected because of the Title 39 issues. They could still do the fundraiser but because of the local construction they had to move and stay off the roadways. There may be an Ordinance for the Governing Body's consideration that would allow the fund drives to be on the roads.

Administrator Battaglia – Updated the Governing Body on the County Salt Shed. They went out to bid and the last bid was rejected by the county because it was above the estimate. They asked the county officials if they could speak to their legal counsel and get an opinion to negotiate. Mr. Eric Miller reached out to a number of companies to try and determine what the cost would be. There were some concerns from residents regarding the weed harvesting. The weed harvester has been out as often as possible, and the path for the races is clean. The street sweeping program is about 95% complete thanks to the new equipment and the attention the Governing Body gave to the needs of the DPW. Nosenzo Park is moving forward, they have their approvals and the engineer is putting the specifications together. She spoke about the library and applauded Mr. Roetman on the transition from Hillcrest to the new library. They anticipate meeting the deadline date.

Agenda No. XVI

Appointments and Resignations

Mayor Bieri asked to move resolutions 2017-193 and 2017-194 as one.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Agenda No. XVI 1
~ Resolution 2017 - 193 ~

MAYOR'S APPOINTMENT OF EDWARD STEINES AS EMERGENCY MANAGEMENT COORDINATOR IN ACCORDANCE WITH CHAPTER §15-50 OF THE TOWNSHIP CODE

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advice and consent to the Mayor's appointment of Edward Steines to the position of Emergency Management Coordinator in accordance with the provisions of Article IX, Chapter §15-50, Section B(1) of the Township Code for a period of three years from June 1, 2017 through May 31, 2020.

Adopted: June 7, 2017

Agenda No. XVI 2
~ Resolution 2017 - 194 ~

EMERGENCY MANAGEMENT COORDINATOR'S APPOINTMENT OF MICHAEL MOSCATELLO AS DEPUTY EMERGENCY MANAGEMENT COORDINATOR IN ACCORDANCE WITH CHAPTER §15-50 OF THE TOWNSHIP CODE

WHEREAS, Article IX, Chapter §15-50, Section C of the Township Code allows the Emergency Management Coordinator (EMC) to appoint a Deputy Emergency Management Coordinator with the approval of the Mayor and the advice & consent of the Township Council; and

WHEREAS, EMC Edward Steines has recommended the appointment of Michael Moscatello to the position of Deputy Emergency Management Coordinator.

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advice and consent along with the Mayor's approval to the Emergency Management Coordinator's appointment of Michael Moscatello to the position of Deputy Emergency Management Coordinator in accordance with the provisions of Article IX, Chapter §15-50, Section C of the Township Code for a period of three years from June 1, 2017 through May 31, 2020.

Adopted: June 7, 2017

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

Agenda No. XVII

Adjournment

There being no further business to come before the Council, the Governing Body adjourned the meeting at 8:23 p.m.

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

Approved: June 21, 2017

Respectfully submitted:

Sherry Zbrzeski, Clerk Typist

MAYOR BETTINA BIERI, PRESIDING OFFICER

ANTOINETTE BATTAGLIA, TOWNSHIP CLERK