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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: June 08, 2016  
Time of Meeting: 6:30 pm  
Minute Page No: Page 1 of 25

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The Workshop Meeting of the Governing Body was called to order by Council President Dale.

**Adequate Notice Statement**

Council President Dale read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Workshop meeting was advertised in the Herald News in its issue of 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**

Council President Dale 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  
Absent: Mayor Bettina Bieri  
Also Present: Township Administrator /Clerk Antoinette Battaglia, Township Attorney Frederick Semrau

Agenda No. II

**Reading of or Approval of Unapproved Minutes**

Councilwoman Erik moved to adopt the following Meeting Minutes as presented:

March 9, 2016 Special Meeting

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

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Agenda No. III

**Meetings**

Council President Dale noted the future meeting schedule:

June 22, 2016 Regular Meeting  
July 13, 2016 Workshop and Regular Meeting  
August 17, 2016 Workshop and Regular Meeting

Agenda No. IV

**Eagle Scout Presentations:**

Peter Osleador spoke at the podium. For his Eagle Scout project, he built benches and an outdoor fire pit for the meeting area by St. Joseph's School. It took about a month to complete and he raised \$1,400 in donations for the project.

Patrick William Walsh spoke at the podium. For his Eagle Scout project, he built 12 bat houses for Wawayanda State Park. It took about 110 hours to complete and raised \$900 for the project through donations.

Council President Dale thanked both of them for their time and everything that they do for the community. In addition, there was a request on the dais for an Eagle Scout to build an equipment storage shed at the Recreation Center for municipal use. She is looked for consensus from the governing body. Township Attorney suggested that the township engineer approve it. The council gave consensus.

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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Agenda No. V

**Budget Matters**

Agenda No. V 1

**~ Resolution 2016 - 204 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING READING OF THE MUNICIPAL BUDGET BY TITLE**

**WHEREAS**, pursuant to the Local Budget Law N.J.S.A. 40A:4-1 et seq., all provisions for the introduction and public hearing of the 2016 Municipal Budget for the Township of West Milford have been met; and

**WHEREAS**, the budget is available for inspection in the office of the Township Clerk, posted on the municipal website, and published in accordance with the law.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the 2016 Municipal Budget and Solid Waste Budget shall be read by title.

Adopted: June 8, 2016

Council President Dale made a motion to move resolution 204 and 205 as one.

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

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Agenda No. V 2

**~ Resolution 2016 – 205 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY FOR SELF-EXAMINATION OF THE 2016 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 2016 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.

**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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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.

Adopted: June 8, 2016

Agenda No. V 3

**~ Resolution 2016 – 206 -**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY TO ADOPT AMENDMENTS TO THE 2016 MUNICIPAL BUDGET AS INTRODUCED**

**WHEREAS**, the local municipal budget for the year 2016 was introduced 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 introduced budget, and

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

**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	( Signorino	(
AYES	( Wagner	NAYS	(
	( Dale		(
	( Lichtenberg		(
		ABSTAIN	( None

CURRENT FUND BUDGET		From	To
<b>ANTICIPATED REVENUES</b>			
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

**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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<b>APPROPRIATIONS</b>		<b>From</b>	<b>To</b>
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
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.

**IT IS HEREBY CERTIFIED** that the amendments to the 2016 municipal budget as introduced on April 6, 2016 are hereto and hereby made a part thereof and is a true copy of the amendments approved by resolution of the Governing Body on the 8<sup>th</sup> day of June 2016.

Adopted: June 8, 2016

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

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

**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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Agenda No. V 4

~ Resolution 2016 – 223 -

**FORM OF RESOLUTION REQUESTING CHANGE IN TITLE, TEXT, OR AMOUNT OF APPROPRIATION TO N.J.S.A. 40A:4-85 (CHAPTER 159, P.L.1948)**

**WHEREAS**, NJSA 40A:4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the Governing Body of any county or municipality, make such correction of the title, text or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any such county or municipality, and

**WHEREAS** starting July 1, 2016, the Township will be providing health administrative services through a full time employee and; therefore, no longer will use the services of the Township of Bloomfield and this change has no impact on the overall budget nor property tax rate of the Township.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the provision of N.J.S.A. 40A:4-85, the Governing Body of the Township of West Milford, County of Passaic, hereby requests the Director of the Division of Local Government Services to make the following corrections in the budget of the year 2016:

	FROM	TO
Health and Human Services – Division of Health: Salaries and Wages	\$183,120	\$201,420
Bureau of Vital Statistics- Salaries and Wages	\$ 8,090	\$ 8,790
Division of Environmental Health – Salaries and Wages	\$211,015	\$232,015
Interlocal Services Agreements - Township of Bloomfield – Division of Health – Other Services	\$ 85,306	\$ 45,306

**BE IT FURTHER RESOLVED** that the foregoing correction is, in the opinion of the Governing Body, warranted and authorized by the statute above referred to, and is necessary for the orderly operation of the municipality for the reasons hereinafter set forth.

Adopted: June 8, 2016

Budget consultant Bob Casey addressed the governing body. He said at this point in time, the auditor would like to discuss some minor changes in the budget. We have a resolution to adjust the budget for the employment of a full time health officer. Auditor Chuck Ferraioli addressed the council. He stated it's our goal is to get the budget adopted tonight. He explained that the changes that you wanted to make with the Board of Health would require another public hearing because one of the items is more than 10%. He recommended adopting the budget with a separate resolution. Once the budget is adopted, we will do a separate resolution called a "change in title and text". That resolution would happen after the adoption of the budget and would allow you to have the appropriations that you want and it would allow us to adopt the budget tonight.

Mr. Ferraioli said there is second item to amend the budget but it would be within the 10%. He explained at the last meeting that he was concerned about the surplus that we were using and the impact on our credit rating. He said he would like to reduce the surplus that we are using in the budget by \$100,000. Additionally, he would like to increase our revenue from receipts from delinquent taxes by \$100,000. He said the total budget stays the same and the tax rate stays the same but we are using \$100,000 less. He asked the council if they would like to move forward with the proposed changes.

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

**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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Agenda No. V 5

**~ Resolution No. 2016 - 208 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE ADOPTION OF THE 2016 MUNICIPAL BUDGET AS AMENDED**

**SECTION 2 - UPON ADOPTION FOR YEAR 2016**

(Only to be Included in the Budget as Finally Adopted)

**RESOLUTION**

Be It Resolved by the Township Council of the Township of West Milford of the County of Passaic that the budget heretofore 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 I 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) \$150,490.00 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy  
 (e) \$1,020,640.00 (Item 5 below) Minimum Library Tax

the following summary of general revenues and appropriations.

	{		{		{		{		{
	{	Erik	{	Wagner	{	None	{	None	{
RECORDED VOTE	{	Hensley	{	Nays	{	Signorino	{	Absent	{
(Insert last name)	{	Dale	{	Lichtenberg	{	Lichtenberg	{	Absent	{

**SUMMARY OF REVENUES**

<b>1. General Revenues</b>		
Surplus Anticipated	08-100	3,526,409.00
Miscellaneous Revenues Anticipated	40004-10	5,480,569.41
Receipts from Delinquent Taxes	15-499	1,200,000.00
<b>2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES</b> (Item 6(a), Sheet 11)	07-190	22,569,035.00
<b>3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:</b>		
Item 7, Sheet 42	07-195	
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only		
<b>4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:</b>		
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	
<b>5. AMOUNT TO BE RAISED BY TAXATION FOR MINIMUM LIBRARY LEVY</b>	07-192	1,020,640.00
<b>Total Revenues</b>	<b>40000-00</b>	<b>33,796,643.41</b>

Sheet 41

**SUMMARY OF APPROPRIATIONS**

<b>6. GENERAL APPROPRIATIONS:</b>		
Within "CAPS"	xxxxxxx	xxxxxxxxxxxxxxxx
(a&b) Operations Including Contingent	30001-00	22,471,804.53
(e) Deferred Charges and Statutory Expenditures - Municipal	30004-00	2,888,451.00
(g) Cash Deficit	46-885	
Excluded from "CAPS"	xxxxxxx	xxxxxxxxxxxxxxxx
(a) Operations - Total Operations Excluded from "CAPS"	60023-00	2,609,283.88
(c) Capital Improvements	60002-00	200,000.00
(d) Municipal Debt Service	60003-00	3,243,104.00
(e) Deferred Charges - Municipal	60024-00	309,000.00
(f) Judgements	37-480	
(n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40A:48-17.1 & 17.3)	29-405	
(g) Cash Deficit	46-885	
(k) For Local District School Purposes	60008-00	
(m) Reserve for Uncollected Taxes (Include Other Reserves if any)	50-899	2,075,000.00
<b>7. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S.A. 40A:4-13)</b>	<b>60010-00</b>	
<b>Total Appropriations</b>	<b>30000-00</b>	<b>33,796,643.41</b>

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 8th day of June, 2016. 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 2016 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 8th day of June 2016, \_\_\_\_\_, Clerk.

Signature

Sheet 42

Adopted: June 8, 2016

Moved: Erik                      Seconded: Hensley  
 Voted Aye: Erik, Hensley, Dale, Lichtenberg

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Voted Nay: Wagner, Signorino  
 Abstain:  
 Motion carried.

Agenda No. V 5

~ Resolution No. 2016 – 209 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY 1,977,069.00**

**SECTION 2 - UPON ADOPTION FOR YEAR 2016**  
 (Only to be included in the Budget as Finally Adopted)

**RESOLUTION**

Be It Resolved by the GOVERNING BODY of the TOWNSHIP of WEST MILFORD, County of PASSAIC that the budget herebefore 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) \$ 1,791,290.00 (Item 2 below) for amount to be raised by taxation for Solid Waste Collection District.

RECORDED VOTE (Insert last name)	(Erik	(	Abstained (	None
	(Hensley	(		
	Ayes (Wagner	Nays (	None	
	(Dale	(		
	(Signorino	(		
	(Lichtenberg	(	Absent (	None

**SUMMARY OF REVENUES and APPROPRIATIONS**

<b>1. General Revenues</b>		
Surplus Anticipated		55,779.00
Miscellaneous Revenues Anticipated		130,000.00
<b>2. AMOUNT TO BE RAISED BY TAXATION FOR SOLID WASTE COLLECTION DISTRICT</b>		
TOTAL REVENUES		1,791,290.00
<b>3. General Appropriations</b>		
Operations		1,877,069.00
Deferred Charges		
Statutory Expenditures		
Judgement		
Deficit in Operations in Prior Years		
Surplus (General Budget)		
TOTAL APPROPRIATIONS		1,877,069.00

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 8th day of June 2016. 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 2016 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 8th day of June 2016, \_\_\_\_\_, Clerk.

Adopted: June 8, 2016

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

Agenda No. X

**Discussion Items**

Township Administrator/Clerk Battaglia requested a change in the agenda. There is a representative here from Tilson for the discussion item regarding Verizon.

2.	Discussion: Verizon Request – Municipal Approval for Small Network Modes - Township Administrator/Clerk Battaglia requested a change in the agenda. We have a representative here from Tilson for the Verizon discussion item.  Township Administrator/Clerk Battaglia said she had put a memo out to the governing
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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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<p>body regarding this request. She spoke with the representative who is here on behalf of Verizon. They have not identified the exact locations for the antennas yet but they are asking for municipal approval for the project. She explained that the antennas will improve service for Verizon customers in town. Councilwoman Lichtenberg asked if the company will be paying for any fees associated with the project. Township Administrator/Clerk Battaglia said that the township doesn't incur any costs and all of the costs will be paid by Verizon. It is required by statute that Verizon gets municipal approval.</p> <p>Richard Komissar from Tilson on behalf of Verizon addressed the council. He said the company will reimburse for any costs. Councilman Hensley said he has Verizon and asked how this will help the consumer. Mr. Komissar said they are looking for 2017 bill plan and using customer complaints to level out the service. He does understand that there are some dead spots in town and the technology fills in the spots that may have an issue. Councilman Signorino asked about the size and how many they will be putting up. Mr. Komissar said between 1 and 4 and they are about 2ft high antennas. The council gave suggestions for places in the township that have a gap in the service. Township Administrator/Clerk Battaglia noted that the resolution will be on for the next meeting.</p>
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Agenda No. VI

**Proclamations**

None

Agenda No. VII

**Executive Session**

**~ Resolution No. 2016 – 210 ~**

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 8<sup>th</sup> day of June 2016 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.
  - (X) 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.
    - Public Safety – Motorized Vehicles on Public & Private Property
  - (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 – Ordinance 2016-010
  - ( ) 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 8, 2016

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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Councilman Wagner asked that ordinance 2016-010 to be added to executive session for discussion. Township Attorney Semrau stated that it can be added as long as it is limited to legal discussion.

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

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The Governing Body went into executive session at 7:03 pm.  
The Governing Body returned to the public meeting at 8:06 pm with all members present as before.

Agenda No. XI

**Action Items**

~ 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.

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

Introduced: May 18, 2016

Councilman Hensley made a motion to withdraw the ordinance 2016-010, seconded by Councilwoman Lichtenberg. Township Attorney Semrau clarified that the ordinance that the council is seeking to withdraw would in effect disband the EDC. It would take that organization and remove it from the township code. He explained if the motion is granted, it would no longer be an action item and there would be no change.

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

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Township Attorney Semrau said that the ordinance will not be heard any further tonight. The EDC exactly how it is in the township code. There is no change and there is no furtherer action.

Agenda No. VIII

**Public Comments**

Council President Dale opened the meeting to the public after advising that there was a five-minute limit for each speaker.

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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Will Cytowicz 694 Lakeshore Drive said he is glad that the governing body chose to keep the EDC. For the future, it would be a great idea to have an ordinance that specifically states bylaws for volunteers to be informed. He stated if the volunteer is informed and everything is clear, they can go forward and know what to expect.

Tom McNair 31 Crest Lake Drive noted that he is the co-chair of the EDC. He said he would like to thank the council for what they have done and looks forward to working with the township for the rest of the year.

Bob Nicholson, 20 Hyde Rd mentioned that he is speaking as a citizen. He noticed on the website that there is a flyer informing residents that they can't post signs on utility poles. He put the flyer on WM77 TV. He explained that he drove through town and every pole had signs on it. He asked if Newark was allowed to post on the poles because there seems to be many signs from them. He wanted to make the council aware of it.

Ruthanne Mekita, 5 Lee Ct stated that she is a member of the WM77TV Commission as the community outreach chair. She gave some background on WM77TV. If anyone would like to see a program that they missed, they can email [WM77TV@westmilford.org](mailto:WM77TV@westmilford.org). She listed the recent events that the commission has been involved in and the upcoming events. She invited the residents of West Milford get involved.

Frank Zitzman Dockerty Hollow Rd said he would like to bring to the council's attention that there are 5 properties around him that have a serious signs of illegal riding. There is still active riding and there are very unsafe conditions for people who want to hike. He requested that the township make the trails wider if they are not going to maintain them. He noted he has communicated with the Police and the Township Administrator about this issue and hopes that no one gets hurt like his wife did. Mr. Zitzman explained from an OPRA request he has learned that in the last year, there have been 116 ATV complaints by town residents and 15 individuals in a year were issued summonses. The kids need a legitimate place to ride, wherever that is. The answer is to not just turn a blind eye to illegal riding that takes place on private property.

Robert Miranda 20 Sussex Drive stated for informational purposes, he doesn't know if the council is aware of the problem going on. Crescent Park has been without water since Sunday morning. On behalf of his neighbors and the 200 houses that are in the community, we would like to express our frustration and acknowledge the terrible handling of this from the MUA. He has been in contact on a daily basis with several administrators from the NJ DEP. There are inconsistencies with what the MUA has been telling the DEP to what they have been relaying to him. Tonight is the first night that they have expressed the intent that they will be working all night on this situation as far as finding the leak. He spoke with several leak finders that the MUA hired on Monday and as of 3pm they have not found anything at all. It has been mismanagement and lack of regular maintenance. We are very unhappy of how it's being handled, the communication and the inconsistencies on the reality of the situation.

Kristina Zitzman Dockerty Hollow Rd said she has had a serious incident where she had been struck by two dirt bikes. She explained that she has never dealt with a police department or the township before and the way she has been treated has not been great. It has been very uncomfortable. She read an email response from a West Milford Police. Ms. Zitzman stated that she moved here and pays more than \$25,000 in property taxes. She said it's really disheartening.

Dave Ofshinsky 47 Morris Ave explained that he was here to talk about the EDC but he thanked the council for their consideration on that matter. He said he would like to make some comments regarding the MUA. He noted that he is a commissioner on the MUA and lives in Crescent Park. He explained that the entire development has not been without water, it is dependent on elevations. The crews have been out there working diligently to find this underground leak and it is extremely difficult to locate. Mr. Ofshinsky stated that they were unloading an excavator and finally found the leak today. He said he feels sorry for the people who don't have water but on the other hand, there are still resident washing their cars and sprinklers going when we are trying to conserve water. That is a problem as well. He invited everyone to attend the MUA meeting on June 21<sup>st</sup> at 7pm at Hillcrest. Residents can speak with the entire board and engineers.

Tom Wesdorp 38 Sussex Drive stated that he would like to speak about the water problem. He has been living on Sussex Drive on for 48 years and it's been a problem since the first year that he has moved in. This is not a new problem. He attended MUA meetings and has gotten nowhere. He said it is not a leak, it is a water pressure problem. The MUA approved people to continue to build houses up the hill and said there is plenty of water. If there is plenty of water, where is it. He stated 48 years is enough to wait.

Mellissa Redl 37 Sussex Drive noted she would like to address the communication issue with the MUA. She said there were a lot of residents that were not aware of the restriction on the water because the



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Township Administrator/Clerk Battaglia said they did find the leak as of today. She explained that yesterday, she got a phone call from a resident with a complaint and directed him to the MUA not knowing that this was an ongoing issue. She contacted the MUA administrator and had a lengthy conversation with her and to follow up. In addition, she contacted the OEM coordinator and he was ready to jump into action. Township Administrator/Clerk Battaglia said the MUA administrator contacted her and confirmed that the leak was found. It was a very large leak and they anticipate digging and repairing. She was informed that they working through the night on the leak and anticipating that everyone will have water by tomorrow morning.

Councilman Signorino said regarding the comments with Mr. Steele, he certainly regrets how things had happened and is very happy on how the EDC that they are remaining intact. Moving forward, he would like to rescind the removal. He asked if that is possible from a legal perspective. Township Attorney Semrau said the problem with that from a legal perspective is that there is no position presently available. If you rescind, the ordinance calls for a fixed number of members. He explained in effect, someone else would have to be removed and there would not be a legal justification to do that at this point in time. If at some time in the future a term expires or a position was open then the council has the right to appoint anyone they choose. Councilman Signorino thanked Attorney Semrau for the response but stated that he is not happy with it. Regarding the bylaws for volunteers, he does support it and hopes that the township moves forward with that. A citizen member can get that packet when appointed or it can be handed out. Councilman Hensley said he really likes the idea too and it can almost be like a welcoming packet. It gives you the outline as not only a commission member but the roles and responsibility as a liaison as well to that commission or committee. He expressed that it's important to have. Councilman Signorino said he would like to thank the volunteers for the information on WM77. He explained that it is a wonderful thing that everyone is doing and people in town appreciate it. He thanked the EDC and said it will be refreshing to know that they can still participate and help out the town.

A resident wished to speak from the public.

Mr. Steele North Glenwood Rd noted the last thing he would want to do is argue with the Township Attorney. He said the argument is that you can't undo what is already done but this situation is a little bit different. If the removal occurred an improper way, there is a provision in the laws when you remove someone without a hearing without due process and without the ability to be represented and that's not American. He said you can find that information in our legal documents like the state constitution. He said he spoke with Mr. Ronayne who was recently appointed and he stated that he would resign from his position. Mr. Steele said to whatever it takes to fix the problem. To have chilling effect on volunteers in this town would be bad.

Councilman Wagner asked Township Administrator/Clerk Battaglia if we have received a resignation from Mr. Ronayne. Township Administrator/Clerk Battaglia said no not at this time. Councilman Wagner thanked all of the EDC commissioners for coming today. It really weighed on this council to make the right decision and move forward. As far as the MUA, he asked how many houses are without water. Township Administrator/Clerk Battaglia said when she spoke with Ms. Love this morning and she indicated that the number of homes in that area are 206. Not all 206 homes were affected by the leak. Some of the houses with lower elevation continued to have greater psi than other properties. Councilman Wagner explained that it is clear that there is a communication problem and communication can always be improved. He stated it's the worst thing is to not have water and suggested that the liaison go back to the commissioners and try to improve communication. A resident spoke and informed the council that there is a reverse 911 system but because of no call rules, the customer has to sign up. If they are not signed up, they will not be notified. Councilman Wagner recommended that they liaison goes back to the commission, hear all of the complaints, and come back to the council. He stated that the MUA has been a problem for many years and it seems like we need another direction because this doesn't seem to be working. The fact that we don't even know how many houses are without water is concerning. Additionally, he is not even hearing from the MUA that they have any idea when it will be fixed and the township and the public found out about the leak second hand. There is a problem and it needs to be fixed.

Councilwoman Erik agreed that there is a lack of communication. She said we have five residents here that are complaining that we don't even know the number of people without water. She said that's a big failure. When the township can't even get the information, we need to know an answer too.

Council President Dale explained that she is the liaison to the MUA and she thanked everyone for their comments. She became aware of the problem this afternoon as well and would like to address everyone's concerns. She explained that the procedure for an event like this would be a report. With the outage, there should be a series of steps taken so when residents come with concerns, they can be addressed properly. She would like to see some chronological order of events and some anticipated timeframes on which to have the repairs done. Council President Dale said being the liaison to the MUA for the last couple of years, she does believe that the commissioners want to do the right thing and make sure that everyone has water. They are doing their best with a very old infrastructure. We need to work

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together with the MUA to make sure when there are issues, communication is clear and that everyone gets notification. She noted that she will follow up with the matter. She indicated that she spoke with the MUA administrator earlier and she will take a ride down this evening to check on the progress. Additionally, she will set up a meeting with the president of the MUA tomorrow to get more information. Councilman Wagner suggested that the residents should go to the MUA commissioners and attend their meeting. Maybe it will help the communication on both ends. Township Attorney Semrau noted that beyond this situation, in the past the MUA has had trouble finding volunteers because the system has so many issues. He has attended their meetings for the past few years with the present commissioners and they have really tried to come up with long term solutions. He stated they have been really trying to make the effort.

Councilwoman Lichtenberg thanked Ruthanne Mekita for giving the comments regarding WM77TV. She noted that she attended the JAG conference as one of the liaisons to the commission and there award given at the conference. The award was given from the state for excellence.

Township Administrator/Clerk Battaglia noted there was a question about signs on poles regarding the Newark Watershed property. She stated it was brought to her attention earlier this week and asked the zoning officer to follow up. He visited the area and found that there were a number of poles that had signs on them. He went to the offices of the Newark Watershed and advised them that the signs were on the poles and there was no approval obtained from Verizon. Newark said they will follow up. In addition, Mr. Lupo will be following up and pursuing this matter further.

Agenda No. X

**Discussion Items**

1.	<p>Discussion: Goldfinch Lane – Township Administrator/Clerk Battaglia said the council has a memo in their packets regarding the study for the voluntary assessment program at Goldfinch Lane. The results came in indicating that the majority of the residents were not in favor of having this as an assessment program. She asked the governing body for further direction. She noted that the governing body has it in their preview to make this a mandatory program and proceed with this project which would bring us to the design phase this year and construction next year or the governing body can direct us to move down the line to the next identified road. She stated it can be a mandatory program or a voluntary program. Councilwoman Lichtenberg asked how much money the township is putting into the upkeep of the road each year. Township Administrator/Clerk Battaglia said she recalls it was in the range of \$6,000 per year. Councilman Wagner suggested not paving Goldfinch Lane because a majority of the residents are not in favor. He recommended moving forward to another project this year. Council President Dale said she is okay moving forward. If they don't want it, she doesn't think we should make them. Councilwoman Lichtenberg and Councilman Signorino agreed. Councilman Signorino suggested moving forward to the next less costly road to pave. Township Administrator/Clerk Battaglia stated that the township will move on to the next road which is Fieldstone. The council gave consensus. Councilwoman Erik agreed with seeing how much the upkeep cost for the roads. Ms. Battaglia noted she will provide those numbers to the governing body for consideration. She asked if the council is in favor of having a mandatory or voluntary assessment. The council agreed on the assessment being voluntary.</p> <p>Township Administrator/Clerk Battaglia stated our next move is to have a meeting with the residents and determine the feedback. If it comes back all in favor, we will move forward. If it comes back as Goldfinch Lane did, then we will do a survey. Councilman Wagner suggested starting with the survey from the beginning. Ms. Battaglia explained that the recommendation came from the engineering staff and tax assessor, who have done these more often than anyone else, to have the meeting first because that is where you generate the question and get the feel for what the project may be. She said the meetings are often worth having to get a feel for what's going on in the neighborhood. Councilman Wagner said he believes that the residents feel that it's going to be mandatory and we are going to do it no matter what. If we send them a survey, including them in the process, then it can alleviate some of the concerns. Councilwoman Erik asked if the town have a policy of letting one or more home owners opt out. Township Administrator/Clerk Battaglia said they do not have the option of opting out. Township Administrator/Clerk Battaglia noted that we will proceed with the survey as the governing body instructed and she will report back. She clarified that the township wouldn't not be ready for construction on any of these projects this year. If we get positive feedback and we can go to design this year, we can get the project done next year.</p>
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Table with 1 row and 2 columns. Column 1: 3. Column 2: Discussion: Tabled Motion from May 4, 2016 Workshop Meeting Regarding Rescinding Resolution 2016-142 (Resolution of the Township of West Milford, County of Passaic, State of New Jersey to Create a Vacancy on the Township's Economic Development Commission) – Item not being discussed at this time.

Agenda No. XI

Action Items

Agenda No. XI 2

~ Resolution 2016 – 211 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO ADOPT THE THREE YEAR COOPERATION AGREEMENT BETWEEN PASSAIC COUNTY AND THE TOWNSHIP OF WEST MILFORD TO PARTICIPATE IN THE PASSAIC COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM: FEDERAL FISCAL YEARS 2017, 2018 and 2019

WHEREAS, Title I of the Housing and Community Development Act of 1974, as amended, provides federal funds to Passaic County to carry out eligible community development activities; and

WHEREAS, the Township of West Milford (hereinafter referred to as the "Municipality") agrees to participate in eligible activities to be carried out under the Passaic County Urban County Entitlement Community Development Block Grant Program; and

WHEREAS, the Mayor of the Municipality is authorized to execute this Cooperation Agreement, and

WHEREAS, Passaic County and the Municipality agree to cooperate to undertake, or assist in undertaking, community renewal and lower-income housing assistance activities, and

WHEREAS, All parties to this Cooperation Agreement will take all actions necessary to assure compliance with Passaic County's Urban County certification under section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. Further, all parties will comply with section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975 and with other applicable laws. The Urban County will not provide funding for activities in, or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the County's actions to comply with the County's fair housing certification. Noncompliance by a unit of general local government included in an Urban County may constitute noncompliance by the County that can, in turn, provide cause for funding sanctions or other remedial actions by the U.S. Department of Housing and Urban Development; and

WHEREAS, this agreement shall be in effect for the three year program period: Federal Fiscal Years 2017, 2018 and 2019, and remains in effect until the CDBG funds and program income received (with respect to activities carried out during the three-year qualification period) are expended and the funded activities completed, and that the County and Municipality cannot terminate or withdraw from the Cooperation Agreement while it remains in effect. The agreement shall remain in effect until expressly terminated by one of the parties hereto but said termination may only occur at the end of each three year Urban County requalification period; and

WHEREAS, the County has the authority to carry out activities which shall be funded from annual Community Development Block Grant funding appropriations: the County has final responsibility for selecting projects, preparing the Five Year Plan, as required by HUD, and preparing annual Action Plans; and

WHEREAS, by executing this Cooperation Agreement, the Municipality understands the following:

- 1. It may not apply for grants under the Small Cities New Jersey State CDBG Program for appropriations for fiscal years during the period in which it participates in the Passaic County Urban County CDBG Program;
2. This agreement shall remain in effect until the CDBG funds and income received with respect to the three year qualification period are expended and the funded activities completed;
3. The County and the Municipality may not terminate or withdraw from this agreement while this agreement remains in effect as above;

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4. The Municipality has adopted and is enforcing a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations;
5. The Municipality has a policy of enforcing applicable State and local laws against physically barring entrance to, or exit from, a facility or location that is the subject of nonviolent civil rights demonstrations within its jurisdiction.
6. The Municipality shall be prohibited from receiving Urban County funding for activities in, or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the County's actions to comply with its fair housing certification,
7. The Municipality, pursuant to 24 CFR 570.501(b), is subject to the same requirements applicable to sub-recipients, including the requirement of a written agreement as described in 24 CFR 570.503, and

**WHEREAS**, the Municipality shall comply with all applicable laws, ordinances, and codes of the State and Local governments, and shall commit no trespass on any private property in performing any of the work embraced by this Cooperation Agreement, and.

**WHEREAS**, the Municipality shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin, handicap or familiar status. The Municipality shall take affirmative action to ensure that applicant for employment are employed, and that employees are treated during employment without regard to their race, color, religion, sex, national origin, handicap or familiar status. Such action shall include, but not limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff/termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Municipality shall post in conspicuous places, available to employee and applicants for employment, notices to be provided by the Government setting forth the provisions of this nondiscrimination clause. The Municipality shall incorporate the foregoing requirements of this paragraph (a) in all its contractors for such work to incorporate such requirements in all of its contractors for such requirements in all subcontractors for program work, and

**WHEREAS**, the Municipality is subject to the requirements of Title VI of the Civil Rights Act of 1964, and Title VIII of the Civil Rights Act of 1968. (P.L. 88-352) and HUD regulations with respect thereto including the regulations under 24 CFR Part I. In the sale, or lease, or other transfer of land acquired, cleared, or improved with the assistance provided under this Agreement, the Municipality shall cause or require a covenant running with the land to be inserted in the deed or lease for such transfer, prohibiting discrimination upon the basis of race, color, religion, sex, or national origin in the sale, lease or rental, or in the use or occupancy of such land or any improvements erected thereon, and providing that the sub grantee and the United States are beneficiaries of and entitled to enforce such covenant. The Municipality in undertaking its obligation in carrying out the program assisted hereunder agrees to take such measures as are necessary to enforce such covenant and shall not itself so discriminate and

**WHEREAS**, the County and the Municipality agree to comply with the Consolidated and Further Continuing Appropriations Act, 2016, Pub. L 114-113 which states that a unit of local government may not sell, trade or otherwise transfer for all or any portion of such funds to a metropolitan city, urban county, unity of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974, as amended; and

**WHEREAS**, the aforesaid activities are in the best interest of the Township of West Milford.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Township of West Milford that the Mayor is authorized to execute the Urban County CDBG Cooperation Agreement with the County of Passaic to participate in the Passaic County Urban County Entitlement Community Development Block Grant Program for Federal Fiscal Years 2017, 2018 and 2019; and

**BE IT FUTHER RESOLVED**, that this resolution shall take effect immediately upon its enactment, as provided by law.

Adopted: June 8, 2016

Council President Dale made a motion to move Resolution 2016-211 through 2016-221.

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Moved: Erik                      Seconded: Hensley

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

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Agenda No. XI 3

~ Resolution 2016 – 212 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF PROPOSAL AND RETENTION OF SERVICES OF ENVIROTACTICS, INC.**

**WHEREAS**, the New Jersey Department of Environmental Protection has ordered the environmental clean-up of property located at the West Milford DPW Banker Road Depot, 29 Banker Road, West Milford (“Banker Road Site”); and

**WHEREAS**, there exists a need for the Township to retain the services of a firm specializing in environmental matters in order to provide project management for the clean-up of the Banker Road Site; and

**WHEREAS**, the Township wishes to retain the services of Envirotactics, Inc. to provide such environmental consulting services, as detailed in its March 25, 2016 proposal; and

**WHEREAS**, the cost of the services to be performed by Envirotactics, Inc. is not to exceed \$39,630.00 as detailed in its March 25, 2016 proposal; and

**WHEREAS**, the Township’ previous insurance carrier at the time of the contamination, Selective Insurance, has agreed to reimburse the Township for 70% of the Township’s clean-up costs for the Banker Road Site after the work is completed; and

**WHEREAS**, Selective Insurance has approved Envirotactics, Inc.’s proposal dated March 25, 2016, and

**WHEREAS**, funds are available for this purpose; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 *et seq.*) requires that the resolution authorizing the award of a contract for professional service without competitive bidding, and the contract itself, be available for public inspection.

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

1. The Township hereby accepts the proposal of Envirotactics, Inc. dated March 25, 2016 and retains Envirotactics, Inc. to perform environmental consulting services in accordance with the proposal.
2. The Township hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Envirotactics, Inc. for environmental consulting services for a fee not to exceed \$39,630.00 as per its proposal dated March 25, 2016.
3. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person licensed under law to practice a recognized profession.
4. The Township shall be reimbursed for 70% of the costs authorized for this contract by Selective Insurance, up to \$27,741.
5. Notice of this action shall be published once in the Township’s official newspaper as required by law.

This Resolution shall take effect immediately.

Adopted: June 8, 2016

Agenda No. XI 4

~ Resolution 2016 – 213 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO NEW HORIZONS FORESTRY, INC. FOR PROFESSIONAL TIMBER APPRAISAL SERVICES FOR THE NEWARK WATERSHED PROPERTIES**

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**WHEREAS**, there are certain properties located in West Milford Township and owned by the City of Newark (hereinafter, "Newark Watershed Properties"); and

**WHEREAS**, there exists a need for an appraisal of the timber values on the Newark Watershed Properties; and

**WHEREAS**, the Township of West Milford wishes to retain the services of New Horizons Forestry, Inc. to conduct the timber appraisals for the amount not to exceed \$4,800 for West Milford Township, as identified in its proposal dated April 20, 2016; and

**WHEREAS**, funds are available for this purpose; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of a contract for professional service without competitive bidding, and the contract itself, be available for public inspection.

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with New Horizons Forestry, Inc., for a timber appraisal of the Newark Watershed Properties, for a total fee not to exceed \$4,800, as per its proposal dated April 20, 2016.
2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person licensed under law to practice a recognized profession.
3. The total fee authorized for this contract shall not exceed \$4,800 without the prior written approval of the Township Council.
4. Notice of this action shall be published once in the Township's official newspaper as required by law.
5. A copy of this Resolution shall be provided to the Township Chief Financial Officer and to New Horizons Forestry, Inc., 319 Route 515, Stockholm, NJ 07460, for their information and guidance.

This Resolution shall take effect immediately.

Adopted: June 8, 2016

Agenda No. XI 5

~ Resolution 2016 – 214 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A CONTRACT FOR THE 2016 WEST MILFORD TOWNSHIP ROAD RESURFACING PROGRAM THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL - CONTRACT #6: ROAD RESURFACING, CATEGORY B: BITUMINOUS CONCRETE IN PLACE AND CATEGORY C: MILLING IN PLACE TO TILCON NEW YORK, INC.**

**WHEREAS**, the Township of West Milford is a member of the Morris County Cooperative Pricing Council (State Identifier Number 6MOCCP); and

**WHEREAS**, the Morris County Cooperative Pricing Council has awarded portions of Contract #6: Road Resurfacing to Tilcon New York, Inc. and said contract was awarded through the open and competitive bidding process in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

**WHEREAS**, the Township's Supervising Engineering Aide has reviewed the Morris County Cooperative Pricing Council's contract and related specifications and has submitted a written recommendation that the Township of West Milford award a contract for the 2016 West Milford Township Road Resurfacing Program project utilizing Category B: Bituminous Concrete in Place and Category C: Milling In Place to Tilcon New York, Inc. through the Morris County Cooperative Pricing Council - Contract #6: Road Resurfacing; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for these purchases, said funds are to be encumbered from account number 04-215-55-826-005; and

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

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1. The Township Council hereby authorizes the award of a contract through the Morris County Cooperative Pricing Council - Contract #6: Road Resurfacing, Category B: Bituminous Concrete in Place and Category C: Milling In Place to Tilcon New York, Inc., 9 Entin Road, Parsippany, NJ 07054 in an amount not to exceed \$800,000.00.
2. The Township's Acting Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: June 8, 2016

Agenda No. XI 6

~ Resolution ~ 2016- 215 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ONE (1) 2016 JOHN DEERE 60G COMPACT EXCAVATOR THROUGH MRESC CO-OP (MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION) 65MCECCPS BID # MRESC 15/16-08**

**WHEREAS**, the Township of West Milford became a member of the MRESC by virtue of Resolution 2015-311 adopted October 7, 2015; and

**WHEREAS**, effective March 2, 2016 MRESC's name change to "The Educational Services Commission of New Jersey" was unanimously approved by the New Jersey State Board of Education; and

**WHEREAS**, the Township wishes to purchase a 2016 John Deere 60G Compact Excavator; and

**WHEREAS**, the Director of Public Works and the Supervising Mechanic have provided a recommendation to award this contract through MRESC CO-OP Contract 65MCECCPS BID # MRESC 15/16-08 through John Deere Construction Industrial & Utility Equipment Retail Sales; 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 04-215-55-826-003 in the amount of \$78,221.91; and

**WHEREAS**, the total amount of the purchase shall not exceed \$78,221.91;

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

1. The Township Council hereby authorizes the Department of Public Works to purchase one (1) 2016 John Deere 60G Compact Excavator, in an amount not to exceed \$78,221.91, through MRESC CO-OP Contract 65MCECCPS BID # MRESC15/16-08 through John Deere Construction Industrial & Utility Equipment Retail Sales
2. The Township's Acting Chief Financial Officer has certified the availability of funds for same.

Adopted: June 8, 2016

Agenda No. XI 7

~ Resolution 2016 - 216 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING THE PURCHASE THROUGH THE MORRIS COUNTY CO-OP CONTRACT #15-A; ITEM #5 TO THREE (3) 2017 POLICE INTERCEPTOR UTILITY VEHICLES FROM BEYER FORD AND AUTHORIZE ONE (1) 2017 POLICE INTERCEPTOR SEDAN AWD VEHICLE THROUGH THE MORRIS COUNTY CO-OP CONTRACT #15-A; ITEM #1 FROM BEYER FORD**

**WHEREAS**, the Township of West Milford adopted Resolution 2016-194 on May 18, 2016 to purchase four (4) 2017 Police Interceptor Utility vehicles and one (1) Chevrolet Tahoe; and

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**WHEREAS**, Township Chief of Police wishes to eliminate (1) 2017 Police Interceptor Utility vehicle; and

**WHEREAS**, Township Chief of Police wishes to add and authorize the purchase of one (1) 2017 Police Interceptor Sedan AWD through the Morris County Co-op #15A, Item #1, base price \$24,511.00 with options of \$414.75 for a total of \$24,925.75 from Beyer Ford; and

**WHEREAS**, The Township Chief of Police has provided a recommendation to award this contract through the Morris County Co-op #15A; Item #1 to Beyer Ford and through the Morris County Co-op #15A for the Police Interceptor Sedan AWD; and

**WHEREAS**, the total amount of the contracts shall not exceed \$139,113.50.

**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:

1. The Township Council hereby authorizes the Township Chief of Police to amend purchase to three (3) 2017 Police Interceptor Utility vehicles, in an amount not to exceed \$78,012.75, through Morris County Co-op #15A; Item #5 from Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07960-4000; 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 and one (1) 2017 Police Interceptor Sedan AWD through Morris County CO-op #15A, Item #1 from Beyer Ford not to exceed \$24,925.75.
2. The Township's Acting Chief Financial Officer has certified the availability of funds for same.
3. The equipment and changeovers for three (3) 2017 Police Interceptor Utility Vehicles, one (1) 2016 Chevrolet Tahoe Police Pursuit Vehicle and one (1) 2017 Police Interceptor Sedan AWD will be submitted by future resolution.

Adopted: June 8, 2016

Agenda No. XI 8

~ Resolution 2016 – 217 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER NO. 4 – FINAL TO UNIMAK LLC FOR THE NEW LIBRARY CONSTRUCTION PROJECT FOR AN OVERALL INCREASE OF \$38,119.86**

**WHEREAS** the Board of Trustees of the West Milford Township Library and the Governing Body of the Township of West Milford have entered into a partnership to build a new \$4,845,000 library facility, and

**WHEREAS** the Mayor and Council of the Township of West Milford authorized the award of a construction contract for the New Library Construction Project to UniMak, LLC by Resolution 2015-287, and

**WHEREAS** a Network IT closet has become necessary to house the technology infrastructure hardware for the Township's and Library's separate computer networks, and

**WHEREAS** pursuant to the Change Order No. 4 – FINAL report prepared by the Library Director, the amount of increase for the project to build out said closet is \$38,119.86, or 0.00787%, and

**WHEREAS** based upon the aforementioned changes to the contract and Change Orders No. 1, No. 2, No. 3 and No. 4 is equal to \$44,140.22, which results in an adjusted contract amount of 4,889,140.22 that represents a 0.00911% increase, and

**WHEREAS** the Acting Chief Financial Officer has certified to the availability of funds for this change order, said funds to be paid from the remaining balance of the grant appropriation previously approved for this project in account number 04-215-55-824-001,

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

1. The Township Administrator is hereby authorized to exceed the original contract award of \$4,845,000.00 to UniMak LLC, by an amount not to exceed \$44,140.22 (0.00911%).
2. The Township's Acting Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the Office of the Township Clerk.

Adopted: June 8, 2016

Agenda No. XI 9

~ Resolution 2016 – 218 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE SETTLEMENT OF COUNTY BOARD OF TAXATION PETITIONS**

**WHEREAS**, petitions of the real property tax assessments of the following related properties have been filed in the Passaic County Board of Taxation:

PETITIONER	BLOCK	LOT	ADDRESS
Town Commons of West Milford, LLC	7601	5	1449 Union Valley Road
	7601	6	1441-1447 Union Valley Road
	7601	8	1435 Union Valley Road

; and

**WHEREAS**, the Tax Assessor and Township Attorney are of the opinion that it is in the best interest of the Township to settle these petitions.

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

1. The settlement of the following tax petitions filed at the Tax Court of New Jersey is hereby authorized as follows:

PETITIONER	YEAR	BLOCK	LOT	ORIGINAL ASSESSMENT	PROPOSED COUNTY BOARD OF TAXATION SETTLEMENT
Town Commons of West Milford, LLC	2016	7601	5	\$305,200	\$250,400
	2016	7601	6	\$563,600	\$465,000
	2016	7601	8	\$240,900	\$184,600

2. All refund checks are to be made payable to the attorneys for the taxpayer and the taxpayer. Refunds are to be made within 60 days from the date of the entry of Judgment and interest is waived on said refunds on the condition that the refund is paid within 60 days from the date of the entry of Judgment.
3. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.
4. The Tax Collector is hereby authorized to credit and/or refund the appropriate taxes in accordance with the terms of this Resolution.
5. This Resolution shall take effect immediately.

Adopted: June 8, 2016

Agenda No. XI 10

~ Resolution 2016 - 219 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING CONSENT TO A PROJECT AT BLOCK 3101, LOT 9 AND BLOCK 3107, LOTS**

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**1 AND 2, IN THE TOWNSHIP OF WEST MILFORD WHICH REQUIRES A TREATMENT WORKS APPROVAL (TWA) APPLICATION, STATEMENT OF CONSENT, FORWARDED TO THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WHEREAS, GREENWOOD LAKE SERVICES, LLC** is the owner of properties known as 322, 330 and 341 Lakeside Road, West Milford, NJ 07480 in the Township of West Milford, which is known as Block 3101 Lot 9 and Block 3107 Lots 1 and 2; and

**WHEREAS,** Greenwood Lake Services, LLC has made an application for 6 multiple residential individual lots and retail use with a combined wastewater flow of 6100 gallons per day; and

**WHEREAS,** the applicant has proposed a septic alteration with no expansion or change in use for a facility that exceeds 2,000 gallons per day; and

**WHEREAS,** for all design flows that exceed 2000 gallons per day, the New Jersey Department of Environmental Protection requires a Treatment Works Approval Permit; and

**WHEREAS,** the Township Health Officer has reviewed the Treatment Works Approval (TWA) application submitted to the Department of Environmental Protection on behalf of the aforementioned property; and

**WHEREAS,** the Township Health Officer has certified, as part of the Statement of Consent, that the application proposed conforms with the requirements of all municipal ordinances pertaining to the proposed disposal system; and

**WHEREAS,** the Township Health Officer, by way of memorandum dated May 31, 2016 by Gene Osias, R.E.H.S has advised that the application is in order from the standpoint of the Township's Health Department; and

**WHEREAS,** approval for a Treatment Works application requires the municipality to, by way of Resolution, consent to the project; and

**WHEREAS,** a copy of the application is on file in the West Milford Township Health Department; and

**WHEREAS,** the Township Health Officer recommends to the Mayor and Township Council that it in fact consent to this application.

**NOW, THEREFORE, BE IT RESOLVED** that the Township council of the Township of West Milford, County of Passaic, State of New Jersey hereby consents to the Treatment Works Application as submitted for the property known as Greenwood Lake Services, LLC in the Township of West Milford which is known as Block 3101 Lot 9 and Block 3107 Lots 1 and 2 with respect to septic alterations.

Adopted: June 8, 2016

Agenda No. XI 11

~ Resolution 2016 - 220 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF POLICE DEPARTMENT TRAFFIC FEES**

**BE IT RESOLVED,** by the Township Council of the Township of West Milford that, upon the report and request of the Chief of Police the following overpayment of traffic service fees be refunded:

<b>Name &amp; Address</b>	<b>From Account No.</b>	<b>Amount Refunded</b>
Mike Fitzpatrick Trucking Co. 18 Cozy Lake Road Oak Ridge, NJ 07438	19-295-56-120-335	\$462.17

Adopted: June 8, 2016

Agenda No. XI 12

~ Resolution 2016 - 221 ~



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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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

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Agenda No. XIII

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

Council President Dale stated that we will be going onto reports but the council will be going back into executive session this evening.

Councilman Signorino asked Township Attorney to clarify a policy. He said it came up regarding a committee previously and asked about the townships hiring policy and background checks. He stated that as a policy, it seems to have some provision for discretion and asked it that creates some liability to the township. He asked why background checks are done if there is discretion and asked if there are guidelines for the interpretation. Township Attorney Semrau said he can look into the information and report back to the council at the next meeting. Regarding background checks, it is a pass or fail type system. If the administration gets a notification that someone does or does not qualify, they are not aware of the reason and there is no discretion.

Councilman Signorino said it appears the area of discretion is in administration according to the code. He stated that it seems open ended and that is why he is seeking attorney advice. Township Administrator/Clerk Battaglia explained that the background checks are conducted with employees and or volunteers that interact with children and or seniors in the municipality. The background checks are conducted through an outside agency. The initial check is a fingerprint check and that is extensive which pulls up all possible violations or offenses. She explained if the background check comes back, we don't get an indication of why someone did not pass or fail the background check. If they do fail, they are allowed to file for an appeal process. Councilman Signorino said it's something that he came across and when you read it, it is obvious that there is discretion. Township Attorney Semrau said he will certainly take a look at what he is referring to. In addition, Councilman Signorino said there is the 24<sup>th</sup> Annual West Milford Museum Tennis Tournament. He provided some information on the event. He said the money that comes in from this tournament is used for the upkeep of the museum and different projects. If anyone would like to visit the Museum, it is open from 1pm – 4pm. He said if residents would like to share their stories as well, please come. He listed the 2016 sponsors for the event.

Councilwoman Lichtenberg noted on May 19<sup>th</sup>, they had a very successful presentation with the clinical psychologist that spoke about substance abuse. Two West Milford resident spoke about recovering from heroin addiction and spoke about their life experiences. She said the program will be televised on WM77TV. This Saturday, June 11<sup>th</sup> is Hazardous Waste Day at our West Milford Recycling Center. June 14<sup>th</sup> is Flag Day. June 18<sup>th</sup> is a Father's Day Celebration at Bubbling Springs at 5pm. June 18<sup>th</sup> at 7pm is our first kickoff concert.

Councilwoman Lichtenberg noted that everyone can see how the library is proceeding. Unfortunately we have been a little backlogged because of the weather but coming along fine. June 16<sup>th</sup>, Passaic County Para-Transit Services is having a public hearing at Passaic County Department of Senior Services. June 21<sup>st</sup>, Ringwood, Wanaque and West Milford Health Departments and Chilton Medical Center invites residents to join the Tri-Town Wellness Challenge. Participants will earn points for each activity attended for a chance to win prizes. June 22<sup>nd</sup>, there is an Alzheimer's Caregivers Support Group presentation here at Town Hall. Additionally on June 22<sup>nd</sup>, at Hillcrest, there is an AARP Smart Drivers Course. Upon completion, you can receive a multi-year discount on your car insurance. Councilwoman Lichtenberg noted there will be three more narcan training sessions sponsored by the West Milford Health Department for the public. The future dates are June 29<sup>th</sup>, July 20<sup>th</sup>, and August 10<sup>th</sup> at 7pm. June 27<sup>th</sup>, there is a disaster preparation and fireworks safety program here at Town Hall. She thanked the council members and the department heads who participated in the Board of Education versus Township Council softball game for the Relay for Life on Saturday. She also wanted to mention she participated today in the 6 town Senior Olympics and noted that West Milford won first place. At the next council meeting, we will have the Senior Olympians here to recognize them as well as have a presentation for the plaque.

Councilwoman Erik asked if the council got an update on Cottage Cove. She said she went over there and what they were saying in their email was nothing like what was going on. Township Administrator/Clerk Battaglia explained that we have had a number of calls and a lot of staff time invested in going to look into this matter. At this point in time, we have not been able to identify violations that have been reported but we continue to monitor the situation. She said at the building standards meeting this past Monday, we again discussed the abandoned house property. She gave some information about Hillsborough Township who has an ordinance regarding the issue. Councilwoman Erik thanked all of the volunteers who work very hard on WM77TV. In addition, this past weekend at Paramus Park Mall, our training center held a hands only CPR class. It was unbelievable how many people attended and took the

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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time out of their day to learn and the final count was 436 people. She encouraged everyone to call up the Highlands Family Success Center to take the free CPR class that she teaches. Everyone needs to know this skill.

Councilman Wagner provided information about the upcoming events. The fireworks celebration is on July 2<sup>nd</sup> and the circus is this Sunday, June 12<sup>th</sup>. Tickets can be purchased in advance through their website and other restaurants in town. He stated that he visited the boat races on Saturday and it seemed like there were quite a bit of people there. Councilman Wagner explained that everyone was out there campaigning this weekend. Unfortunately, somewhere along the line of communication, him and Councilman Signorino were not reminded that there was a softball game this past Saturday. He said he would have loved to attend and would have worked that into his schedule. Councilwoman Lichtenberg said she brought it up at 3 council meetings and asked everyone to put it on their calendar. A discussion ensued about contacting participants for township events.

Council President Dale noted that there was the CASA meeting on June 6<sup>th</sup>. Councilwoman Lichtenberg did attend in her absence and reported back. June 22<sup>nd</sup>, 4<sup>th</sup> and 5<sup>th</sup> graders will be having games and bonfire event at the teen center 7pm. June 23<sup>rd</sup> is the 6th grade beach party at Bubbling Springs. June 30<sup>th</sup> is the 7<sup>th</sup> and 8th grade beach party at Bubbling Springs. August 25<sup>th</sup> is the beach party for the incoming 7<sup>th</sup> and 8<sup>th</sup> grade Bubbling Springs. Beyond the bell, an after school program for 5-8<sup>th</sup> graders will start in September. She thanked Community Services and Recreation Department for opening up this program to many age groups. Thank you very much for making that happen.

Councilman Signorino said there was an issue that was raised during campaigning this weekend. Apparently there is no facility for us to get anti venom within a certain vicinity. Councilwoman Erik explained it can be obtained from Jacobi Hospital in New York City and they will fly it in on helicopter. Councilman Signorino stated that there are many different poisonous snakes and rattle snakes in West Milford and it is alarming that we have to get it from New York City if someone gets bit. Councilwoman Erik said anti venom is a specialty and Jacobi Hospital is 11 minutes by helicopter. Councilman Signorino said it should be looked into if it can be provided for the residents. He thanked the voters for their support and read a statement from his running mate.

Township Administrator/Clerk Battaglia noted on her administrators report, she had mentioned two meetings. She asked if the governing body would consider sending representation to attend these meetings if the council deems it worthy. The first is a meeting with representatives from Passaic County. As you know we had some issues last year with snow removal on county roads and we had another issue this year with a request to close down Macopin road. The Passaic County Administrator is coming with some members of his staff. She thought because this is such a compelling issue for West Milford that the governing body might want to have some representation there. If the council is amenable, perhaps someone would be willing to attend. The meeting is on June 28<sup>th</sup> at 10am. Councilwoman Erik volunteered. Township Administrator/Clerk Battaglia stated there is another meeting the same date and same time at another location with NJ Transit regarding the upcoming changes to the transit program. Since there were proposed changes in 2008, this became a very compelling matter in town and it affects the seniors greatly. Council President Dale mentioned this was brought up at budget time and she is very concerned that we have not addressed it. Township Administrator/Clerk Battaglia explained that it couldn't be addressed at budget time because we have been waiting for the Federal Government to give us information. Even at this point in time, we still don't have that information. Councilwoman Lichtenberg volunteered to attend the meeting. Township Administrator/Clerk Battaglia said it will be Councilwoman Erik with the meeting with the county and Councilwoman Lichtenberg on the meeting with NJ Transit. She thanked the council for the consideration.

Township Attorney Semrau reported on the affordable housing matter that the township is involved with. He said it continues on. It looks like many of the courts are waiting for a decision that is in the appellate division regarding what happens in the interim. For the past 14 years, should there be any retroactive affordable housing obligation that the municipality has to take part in. he noted he will persevere on and continue to keep everyone posted.

Agenda No. VII

**Executive Session**

~ Resolution No. 2016 – 210 ~

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 8<sup>th</sup> day of June 2016 that:

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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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.
  - (X) b. (4) A collective bargaining agreement including negotiations.
    - Teamsters 560 and AFSCME 2275
  - ( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
  - ( ) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
  - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
    - Attorney-client Privilege – Watershed Legislation
    - 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 8, 2016

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

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The Governing Body went into executive session at 9:59 pm.  
The Governing Body returned to the public meeting at 10:13 pm with all members present as before.

Agenda No. XV

**Adjournment**

There being no further business to come before the Council, the Township Council adjourned the meeting at 10:13 p.m.

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

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Approved: September 7, 2016

Respectfully submitted:

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Nichole Hanrahan Clerk Typist

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MAYOR BETTINA BIERI, PRESIDING OFFICER

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ANTOINETTE BATTAGLIA, TOWNSHIP CLERK