
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: June 12, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 1 of 24

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

Adequate Notice Statement

Mayor Dale read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Workshop and Regular meeting was advertised in the Herald News in its issue of March 17, 2019; copies were provided to the Suburban Trends, the Record and Star Ledger and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Agenda No. I

Pledge of Allegiance

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

Agenda No. II

Roll Call

Present: Councilmembers Ada Erik, Andrena Pegel, Marilyn Lichtenberg, Peter McGuinness (arrived 6:34), Luciano Signorino (arrived 6:34), Patricia Gerst, Mayor Michele Dale
Absent: None
Also Present: Attorney Dawn Sullivan for Township Attorney Fred Semrau

Agenda No. III

Reading of or Approval of Unapproved Minutes

May 22, 2019 Executive Session
May 22, 2019 Regular Meeting

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

Agenda No. IV

Meetings

Mayor Dale noted the future meeting schedule:

June 24, 2019 Special Meeting / Budget
July 10, 2019 Workshop and Regular Meeting
August 14, 2019 Workshop and Regular Meeting
September 4, 2019 Workshop Meeting

Agenda No. V

Executive Session

None

Agenda No. VI

Proclamations

TS Awareness – Mayor Dale invited the family receiving the proclamation to the podium while she read the proclamation.

Agenda No. VII

Presentations

Eagle Scout, Michael Saporito – Said for his project he refurbished the back steps of St. Joseph's Church that lead to the preschool playground and redid the deck. He mentioned that it took him 188 man hours.

Eagle Scout, Jared E. Rodums – Explained that he built a large scale patio at the Elks Lodge on Union Valley Road. He said he got help from other troops and his father and it took 178 man hours.

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EDC Award, Tractor Supply – JoAnn Blom, EDC Chair, invited the Assistant Store Manager to the podium to accept the award. She provided a back ground on Tractor Supply and thanked them for coming to West Milford.

Agenda No. VIII

Table with 1 column and 1 row containing a detailed discussion of the 2019 Budget, including council members' comments and a motion to pass the budget.

Agenda No. IX

Unfinished Business, Final Passage of Ordinances

None

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Agenda No. X

Public Comments

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

Inga Koeppe, 55 Van Orden Road – Mentioned that the school numbers are not ready until the third week in June. It is not a delay on the school's side. She expressed that for years there has been a drainage issue on Van Orden Road. Her husband wrote a letter to the Township in March requesting that the problem be addressed. They were all relieved last week when the crane was delivered and the work was about to begin. She explained the beauty of the 32 red maple trees planted 25 years ago that were donated by the owner of the farm. She said a total of six trees have been cut down so far because of the work that is being done to correct the drainage issue. She said after communicating with the neighbors there is a plan to remove ten more trees. They have to find a solution to the damage that has been done. She expressed that the residents were not notified until after the cutting of the trees began. The residents are asking the Township to replace the six trees that have been destroyed once the drainage work has been completed and save the remaining trees along the road.

Tom Napiorski, 45 Alpine Court – Thanked the residents for showing up tonight for the reading of the ordinance.

Alfred V. Acquaviva, Acquaviva Law Offices – Noted that he represents several residents in the Greenwood Lake section of town regarding short term rentals and Airbnb's. He expressed that the Township does not have an ordinance in place that addresses Airbnb's. He said some of the concerns that the Council should consider is issuing background checks on the people renting these homes. He expressed that there are no limitations on the number of guests allowed to stay in these homes. He urged the Council to review the restrictions he provided and for the Council to make a motion to enforce these restrictions. He noted that these businesses are new and unregulated. He submitted an email to the Township Clerk with a letter that he prepared and a copy of a bill that is currently being circulated in the state legislator. He urged the Council to expedite interim restrictions until an ordinance is passed.

Patricia Sherry, 31 Forest Lake Drive – Read a letter to the Council regarding the Airbnb's that are affecting her neighborhood. She noted that the rental registration form in the Clerk's Office needs to be changed to state that it is not an Airbnb rental form. She said the renters rent boats in New York and drive the boat back to New Jersey and dock it. She said the houses in her neighborhood are decreasing in value. She explained how it is a diminished quality of life for her. She asked if Airbnb's are legal or not. She is very confused. She urged the Council to change the rental registration form in the Clerk's Office to state that the form is not for an Airbnb. She asked if residents can do anything they want in and on their property to make money. Not according to zoning laws. She said the Township Officials did not make the rental of Airbnb's clear to her. She asked the Council if they would like an Airbnb next door to them.

Patricia Dedula Romano, 49 Forest Lake Drive – Asked who is taking charge and observing what is happening with the Airbnb's? She said every time an Airbnb is rented, it should be reported to the Township. She said the State of New Jersey taxes the Airbnb's and she would like to know if the Township is collecting that tax money. She said the Airbnb's are businesses, not residences.

Richard Randazzo, 278 Wooley Road – Said some members of the Council are still unprofessional. He thought the Mayor was supposed to be running the meetings. He congratulated the Mayor for bringing in 76% of the votes. He said the residents are now talking and they know what is going on. He spoke about his Airbnb experience.

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

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

Agenda No. XI

Council Comments

Councilwoman Pegel – Thanked the residents for voicing their opinion. She agrees that there is an issue on Van Orden that needs to be resolved. She said there is another issue below on Union Valley Road that floods and that needs to be addressed. She would like to see the trees replaced on Van Orden. She would like Van Orden restored back to what it was before. She expressed that there has to be strict rules and regulations in place for the Airbnb's. She said the residents made a lot of valid points and hopefully they can adopt an ordinance that makes everyone happy.

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Councilwoman Erik – Said the Planning Board draft regarding the Airbnb’s was better than the first one. It is in its’ second form and under attorney review. She said the second draft is not good enough for her now. She noted that when the draft is finished with attorney review it will be presented to the Council. She said they don’t want to expedite the second draft that is under attorney review. She mentioned that there are over 188 Airbnb’s in West Milford that are illegal. There has to be some place where there is a happy medium.

Mayor Dale – Noted that if someone has an address that they feel is in violation of the current laws in reference to the Airbnb’s, to please reach out to her and Administration. They will ask the Zoning Officer to go to the property and investigate.

Councilwoman Lichtenberg – Asked if the rental registration form in the Clerk’s Office can be changed to reflect that it is not an Airbnb registration form. Mayor Dale said since there is no ordinance in place right now she will look into it with the attorney. If they can change the form and the Council gives consensus she will be more than happy to do so. The Council agreed to see how the form reads first and bring it back for discussion. Mayor Dale said she will have the information at the next meeting.

Councilman Signorino – Said he would like to get input from the lake homeowners associations. Councilwoman Lichtenberg asked Councilman Signorino if Airbnb was mentioned at a Lake Committee meeting. Councilman Signorino said there has been interest in the discussion but he has not heard about any discussion taking place.

Agenda No. XII

New Business, Introduction of Ordinance, Resolutions

Agenda No. XII 1a

~ Ordinance 2019 – 009 ~

BOND ORDINANCE APPROPRIATING \$2,425,000 AND AUTHORIZING THE ISSUANCE OF \$2,309,000 BONDS OR NOTES OF THE TOWNSHIP FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

- Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Township of West Milford, in the County of Passaic, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$2,425,000 including the aggregate sum of \$116,000 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.
- Section 2. For the financing of said improvements or purposes and to meet the part of said \$2,425,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$2,309,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$2,309,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.
- Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES
(a) Improvement of various roads in and by the Township by the construction or reconstruction therein of a roadway pavement at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in	1,000,000	952,300

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Section 40A:2-22 of said Local Bond Law), including, without limitation, Wooley Road, Clinton Road, Morsetown Road, Germantown Road, Winding Way, Renault Road, Doe Run, Evergreen Road, Deal Road, Allendale Road, Harvey Road, Melinda Lane, Newark Road, Maine Road, Pierce Avenue, Plumridge Road, Brady Street and Elm Street, together with all sidewalks, curbing, structures, appurtenances, milling, drainage improvements, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved		
(b) Acquisition by purchase of new and additional vehicular equipment, including and one (1) ambulance for use by the West Milford First Aid Squad, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	100,000	94,900
(c) Acquisition by purchase and installation, as necessary, of new and additional equipment, including without limitation, one (1) loader, one (1) rock hammer, one (1) stump grinder and two (2) truck chassis for use by the Department of Public Works of the Township and one (1) generator for use at the Recreation Center of the Township, together with all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	520,000	495,200
(d) Improvement of the communication system at the Municipal Building in and by the Township, including the installation of new telephone and 911 systems, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	280,000	266,600
(e) Acquisition by purchase of new and additional firefighting equipment for the preservation of life and property in the Township, including one (1) fire truck for use by the Upper Greenwood Lake Volunteer Fire Company #5, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	<u>525,000</u>	<u>500,000</u>
Totals	<u><u>\$2,425,000</u></u>	<u><u>\$2,309,000</u></u>

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

- Section 4. The following additional matters are hereby determined, declared, recited and stated:
- (a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement, which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
 - (b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 10.86 years.
 - (c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$2,309,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

Amounts not exceeding \$250,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof (and, in particular, such costs have been included in the improvement described in Section 3(c) of this bond ordinance).

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Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, acting chief financial officer or treasurer of the Township (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

Introduced: May 22, 2019
Adopted: June 12, 2019
Effective Date: July 2, 2019

This Ordinance was introduced May 22, 2019 and the Notice of Public Hearing was published in the Herald News on May 26, 2019. The Governing Body will open the meeting to the public to speak to this ordinance only.

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

Motion to adopt Ordinance 2019-009

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

Agenda No. XII 1b

~ Ordinance 2019 – 010 ~

TOWNSHIP OF WEST MILFORD CALENDAR YEAR 2019 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of West Milford in the County of Passaic finds it advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$253,323.35 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of West Milford, in the County of Passaic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Township of West Milford shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$886,631.73, and that the CY 2019 municipal budget for the Township of West Milford be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced: May 22, 2019
Adopted: June 12, 2019
Effective Date: July 2, 2019

This Ordinance was introduced May 22, 2019 and the Notice of Public Hearing was published in the Herald News on May 26, 2019. The Governing Body will open the meeting to the public to speak to this ordinance only.

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

Motion to adopt Ordinance 2019-010

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

Agenda No. XII 1

Discussion:

Councilwoman Erik read an email from Bob Moshman who could not make it to the meeting. She asked if they got Paul's permission to name the field after him. She expressed that there were no open nominations and they did not set up criteria. She noted that there have been a lot of people who worked for the Township for over 40 years and they have not done anything for those employees. She agrees with what Mr. Moshman said. Councilwoman Lichtenberg said they are setting a poor precedent because they are not doing it with a procedure and backup.

Councilman Signorino said this is not something that has been going on behind closed doors. This has been going on for four months and they had five meetings already. He said they are not talking about changing the name of a park. They are changing the name of a field inside of the park. He thinks it's a great thing and he will certainly support it. Councilwoman Erik expressed that she understands that this has been going on for months but Paul's name is the only name that has been brought up. She noted that they never asked the public who they would like to name the field after. She said they ask the public every year to nominate people for the volunteer of the year award and the lifetime volunteer award.

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

1. The Township of West Milford formally accepts the entire 40' and 50' right-of-way of Hanover Road, lying west of and intersecting Warwick Turnpike for a distance of 1,910 feet more or less, for use as a Township road.
2. The Township of West Milford formally accepts the entire 50' wide right-of-way of Alpine Court, lying south of and intersecting Banker Road for a distance of 1,200 feet more or less, for use as a Township road.
3. The Township of West Milford formally accepts the entire 50' wide right-of-way of Beverly Court, lying south of and intersecting Princeton Road for a distance of 230 feet more or less, for use as a Township road.
4. The Township of West Milford formally accepts a portion of the 50' wide right-of-way of Princeton Road, lying east of Alpine Court for a distance of 1,575 feet more or less, for use as a Township road.
5. The Township of West Milford formally accepts a portion of the 50' wide right-of-way of Lyons Road, lying north of Hanover Road for a distance of 475 feet more or less, for use as a Township road.
6. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.
7. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.
8. This Ordinance shall take effect after publication and passage according to law.

Introduced: June 12, 2019
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular/Workshop Meeting of the Township Council scheduled for July 10, 2019. Notice of this public hearing shall be published in the Herald News on or about June 16, 2019.

Motion to adopt Ordinance 2019-012

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

Mayor Dale asked to move resolutions 2019-175 through 2019-192.

Agenda No. XII 3

~ Resolution 2019 – 175 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION AND ACCEPTANCE OF A SUBGRANT AWARD FOR FISCAL YEAR 2019 HOMELAND SECURITY GRANT PROGRAM EMERGENCY MANAGEMENT AGENCY ASSISTANCE FUNDING

WHEREAS, The Township of West Milford, Office of Emergency Management is applying for the Homeland Security Grant Program Emergency Management Agency Assistance Sub grant FY19-EMPG-EMAA-1615 period 7/1/2019 – 6/30/2020 from the New Jersey State Police Office of Emergency Management.

WHEREAS, The Sub Grant, consisting of a total amount of \$10,000.00, is for the purpose of enhancing 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; and

WHEREAS, the application for the Sub Grant Award calls for a match in the amount of \$0.

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 FY19 Homeland Security Grant Program Emergency Management Agency Assistance Sub grant in the amount of \$10,000.00 Federal Funds from the New Jersey State Police Office of Emergency Management; and

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BE IT FURTHER RESOLVED that the West Milford Township Administrator, the Township Chief Fiscal Officer, the Township Emergency Management Coordinator, and the Township Deputy Emergency Management Coordinator are authorized to sign the appropriate Sub Grant award documents; and

BE IT FURTHER RESOLVED that copies of this resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management; the West Milford Township Administrator; the West Milford Chief Financial Officer; the West Milford Office of Emergency Management; and the West Milford Finance Office.

Adopted: June 12, 2019

Agenda No. XII 4

~ Resolution 2019 – 176 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING AN INTERLOCAL SERVICE AGREEMENT WITH THE CITY OF PATERSON FOR COMMUNICABLE DISEASE SERVICES

WHEREAS, the Township of West Milford provides health services for its residents through a locally funded and operated Health Department; and

WHEREAS, state regulations require that local Health Department provide certain communicable disease treatment and prevention services; and

WHEREAS, the Township Council wishes to approve the 2019 interlocal services contract with the City of Paterson to provide tuberculosis communicable disease prevention and treatment services since the provision of these required services through the joint service arrangement is a cost effective means of providing the required services; and

WHEREAS, the cost of these services is \$300 per year and is provided for in the Township 2019 budget for health services.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the Interlocal Service Agreement with the City of Paterson for health care services is hereby approved and the Mayor and Acting Municipal Clerk are authorized to execute the contract on behalf of the Township.

Adopted: June 12, 2019

Agenda No. XII 5

~ Resolution 2019 – 177 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO SPATIAL DATA FOR SERVICES RELATED TO THE SUPPORT, PORTAL ACCESS, MAINTENANCE AND LICENSE FEES

WHEREAS, the Township has a need for services related to the maintenance and support of certain proprietary multi-departmental municipal management software programs, specifically Spatial Data Logic for the calendar year June 2019-June 2020; and

WHEREAS, N.J.S.A. 40A:11-5(1) (dd) provides that the award of a contract for the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software is an exception to the bidding requirements of the Local Public Contracts Law; and

WHEREAS, Spatial Data Logic, 285 Davidson Ave, Suite 302, Somerset, NJ 08873 has agreed to perform these services on behalf of the Township; and

WHEREAS, this contract is being awarded as an Open-ended contract in accordance with N.J.A.C. 5:30-11.10 in the fixed amount of \$21,700 for the regular maintenance for the period from June 2019 to June 2020; and

WHEREAS, the Chief Financial Officer has certified the availability of the funds from various accounts contingent upon the funds being appropriated by the Governing body in the 2019 Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey approves the continuation of the maintenance, licenses, support and portal access with Spatial Data Logic as the owner of the software program.

Adopted: June 12, 2019

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Agenda No. XII 6

~ Resolution 2019 – 178 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY CONFIRMING THE APPOINTMENT OF DIANE CURCIO, ACTING TOWNSHIP CLERK

WHEREAS, when a vacancy occurs in the office of the Municipal Clerk, NJAC 5:32-5.3 permits the Governing Body to appoint an Acting Municipal Clerk from the date of the vacancy to serve as Acting Municipal Clerk for a period not to exceed one year; and

WHEREAS, effective June 3, 2019 the position of Township Clerk has become vacant; and

WHEREAS Diane Curcio, the Assistant Township Clerk has completed the necessary coursework for the Clerk's position and has the necessary experience to perform the required duties on an interim basis; and

WHEREAS the Mayor has nominated Diane Curcio for the position of Acting Township Clerk.

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

1. The Township Council does hereby provide advise and consent to the appointment of Diane Curcio to the position of Acting Township Clerk for the Township of West Milford as set forth in N.J.S.A. 40A:9-133 and Chapter 15 Article IV of the Revised General Code of the Township of West Milford.
2. Said appointment to the position of Acting Township Clerk of Township of West Milford for a term of one (1) year commencing on June 3, 2019 and terminating on June 11, 2020 unless at the option of the Mayor and consent of Council such person is either reappointed as set forth herein, or obtains a registered Municipal Clerk Certificate and is appointed as the Township Clerk or an alternate person is duly appointed.

Adopted: June 12, 2019

Agenda No. XII 7

~ Resolution 2019 – 179 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT WITH THE CANNING GROUP, LLC FOR AN INTERIM TOWNSHIP ADMINISTRATOR

WHEREAS, the Township Administrator has become vacant and there is a need for periodic general management assistance in the Township plus assistance in recruiting a replacement Administrator for the Township; and

WHEREAS, prior history and experience indicates that the recruitment search for this position can take months to accomplish; and

WHEREAS, to facilitate a comprehensive search, provide for stability in the municipality and to provide management assistance to the Mayor and department heads the Governing Body wishes to engage the services of an experienced public administrator to assume this position in the interim period; and

WHEREAS, The Canning Group, LLC is an agency whose principles have a combined resume of over 100 years of municipal government experience specializing in the executive branches of municipal government; and

WHEREAS, The Canning Group, LLC has submitted a proposal whereby Robert F. Casey will be assigned to serve as Interim Administrator in the Township of West Milford at a rate of \$100 per hour and will oversee the day-to-day operations in the Township investing 15 to 20 hours per week to that task; and

WHEREAS, The Canning Group, LLC will complete both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit The Canning Group, LLC from making any reportable contributions through the term of the contract. In addition the contract with The Canning Group provides for periodic reporting to the consultant's activities and can be cancelled at any time by either party; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

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

1. The Mayor and Acting Township Clerk be and are hereby authorized to execute a professional services contract with *The Canning Group, LLC* of 10 Garden Street, Lincoln Park, NJ 07035 for the assignment of Robert F. Casey to serve as Interim Township Administrator in the Township of West Milford at a rate of \$100 per hour for 15 to 20 hours per week until a successor is appointed to the permanent position of Township Administrator.
2. The Chief Financial Officer has certified the availability of funds for these services, said funds to be encumbered from 01-201-20-161-450 in an amount not to exceed \$25,000 without prior written consent from the Township Council.
3. That Mr. Casey shall begin serving in the capacity of Interim Administrator as soon as practicable after the execution of the professional services contract.
4. This contract is awarded without competitive bidding as "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
5. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolutions authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: June 12, 2019

Agenda No. XII 8

~ Resolution 2019 – 180 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY SUPPLEMENTING RESOLUTION 2018-268 WHICH RESOLUTION AUTHORIZES THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO THE CANNING GROUP LLC FOR 2019 BUDGET PREPARATION AND AMENDING CONTRACT TO AUTHORIZE ADDITIONAL MANAGEMENT SERVICES

WHEREAS, in October 2018, the Township Council authorized a contract for the provision of Management Assistance in the preparation of the 2019 Annual Budget for the Township at an hourly rate of \$85.00 in an amount not to exceed \$7,650.00; and

WHEREAS, on May 22 due to the deteriorating health of the Township Clerk preventing her from performing her official duties, the Mayor inquired if Robert Casey from the Canning Group was available to provide additional Management Services to the Township; and

WHEREAS, the Canning Group agreed to provide additional management related services in accordance with the terms and conditions of the existing Professional Services Contract on a temporary basis until the next meeting of the Governing Body on June 12, 2019, (no more than 50 hours); and

WHEREAS the Governing Body was advised via email of the need for this supplemental agreement on an emergent basis on May 23 and the process was initiated on May 24; and

WHEREAS the Chief Financial Officer has certified the availability of funds for these services, said funds to be encumbered from 01-201-20-161-450 in an amount not to exceed \$4,250.00, without prior written consent from the Township Council.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford that the contract for Professional Services with The Canning Group LLC, 10 Garden Street, Lincoln Park, NJ 07035 approved in October 2018, is hereby supplemented and amended for the period May 24 thru June 12 to include General Management Assistance in an amount not to exceed \$4,250.00 (50 hours).

Adopted: June 12, 2019

Agenda No. XII 9

~ Resolution 2019 – 181 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES (ACTIVE) FOR THE 2019- 2020 LICENSE YEAR

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, applications for renewal of Plenary Retail Consumption Licenses for the 2019-2020 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.

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

2019-2020 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	NEW VINELAND CORPORATION t/a Uncorked Wines & Spirits 9 Marshall Hill Road, West Milford, NJ 07480 1615-33-003-007
M&M DISCOUNT LIQUORS LLC t/a M&M Discount Liquors 574A Macopin Road, West Milford, NJ 07480 1615-33-009-007	PLAZA BAR & LIQUORS INC. t/a Plaza Bar & Liquors 1930 Union Valley Road, Hewitt, NJ 07421 1651-33-010-003
2 MOMENTO 2, INC. t/a Momento Restaurant 374 Morsetown Road, West Milford, NJ 07480 1615-33-012-005	STAMMY LLP t/a Country Cottage Restaurant & Bar 1745 Macopin Road, West Milford, NJ 07480 1615-33-015-010
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
FRANK & SATINA LLC t/a Jimmy Geez North Sports Bar & Grill 3219 Route 23 South, Oak Ridge, NJ 07438 1615-33-034-009	

Adopted: June 12, 2019

Agenda No. XII 10

~ Resolution 2019 – 182 ~

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 2019-2020 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption Licenses for the 2019-2020 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.

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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 Acting Township Clerk is directed to issue the license certificates for the Mayor and Township Council of the Township of West Milford.

LICENSEE	CONDITIONS
<p>OLD SCHOOL PUB LLC t/a Old School Pub 551 Warwick Turnpike, Hewitt, NJ 07421 1615-33-004-007</p>	<p>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. Occupancy loads must be adhered to. Exits are not to be blocked</p>
<p>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"> Persons are not to leave the property of the licensed premise or the extended premise with alcoholic beverages. 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. Outdoor deck approved as a smoking area for existing customers not as an additional dining area. A maximum occupancy for the outside deck area with tables and chairs is 42 patrons by NJAC 5:70-3.2(a)5, F-601.6 and the Township Building Construction Officials. If noise becomes an issue additional restriction will be applied.
<p>J&S INVESTMENTS LLC t/a J&S Road House 17 Wooley Road, West Milford, NJ 07480 1615-33-008-005</p>	<ol style="list-style-type: none"> "No Alcohol Beyond This Point" signs at ALL gates. Gates to remain CLOSED with no entry from outside the venue unless there is an employee at each open gate checking ID's. Persons are not to leave the property of the license premises or the extended premises with alcoholic beverages. The outdoor bar under the pavilion is approved as a service bar with no drink preparation.
<p>SUNWOO TRADE LLC t/a Tuscany Brewhouse 3055 Route 23 N/S, Oak Ridge, NJ 07438 1615-33-016-007</p>	<p>Second floor occupancy load must be strictly adhered to.</p>
<p>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"> The owner is to consider parking limitations when scheduling advertised special events. Occupant loads must be adhered to.
<p>SPIRITS OF VREELAND LLC t/a The Vreeland Store 1383 Macopin Road, West Milford, NJ 07480 1615-33-022-003</p>	<ol style="list-style-type: none"> The front porch area is not licensed.
<p>BLINI LLC t/a Blini Restaurant & Pizzeria 216 Cahill Cross Road, West Milford NJ 07480 1615-33-023-005</p>	<ol style="list-style-type: none"> No food, drinks or alcoholic beverages served on porch area or patio area prior to resolution of Township Zoning and Site Plan requirements. ADA parking to be in compliance with State requirements.
<p>PIONEER BAR & GRILL, INC. t/a Pioneer Bar & Grill 350 Warwick Turnpike, Hewitt, NJ 07421 1615-33-028-007</p>	<ol style="list-style-type: none"> Occupancy loads must be adhered to. Exits are not to be blocked.
<p>WEST MILFORD BAR & LIQUORS INC. t/a Westbrook Hootch Hut 717 Otterhole Road, West Milford, NJ 07480 1615-33-033-002</p>	<ol style="list-style-type: none"> License Certificate must be properly displayed. Copy of most recent long form license application must be kept on licensed premises.

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~ Resolution 2019 – 183 ~

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 2019- 2020 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption License for the 2019- 2020 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 2019-2020 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. Inactive/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 satisfactory recommendations from the Health, Fire, Building, Zoning and Police Departments prior to siting this license.
2. Prior to activating the license, inspections of premises must be made and satisfactory recommendations must be received by the Fire, Health, Building, Zoning and Police Departments.
3. Licensee must 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.
4. A Health Department Retail Food Establishment license must be acquired with detailed floor plans and satisfactory recommendation received in the Clerk’s Office prior to opening.

NOW, THEREFORE, BE IT RESOLVED that the Acting 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	ARTICLE II CONDITIONS
<p style="text-align: center;">THREE SHEETS LLC 322 Lakeside Road, Hewitt, NJ 07421 1615-33-011-005</p>	<ol style="list-style-type: none"> 1. Second floor licensed only for storage, use of the roof area is prohibited. 2. Conditions stated above in resolution. 3. The license may not be used at listed address. Must stay inactive until Zoning Board Appeals are granted. 4. Health Department stipulates that there is no current retail food operation at sited address.
<p style="text-align: center;">SAGAR BEVERAGE LLC 28 Philip Drive, Parsippany, NJ 07054 1615-33-020-008</p>	<p style="text-align: center;">Conditions stated above in resolution.</p>

Adopted: June 12, 2019

Agenda No. XII 12

~ Resolution 2019 – 184 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PERSON TO PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-030-008 FROM MICHAEL YAZGI (POCKET) TO SAHANA’S LIQUOR INC. AS AN INACTIVE POCKET LICENSE

WHEREAS, an application has been received for a Person to Person transfer of Plenary Retail Consumption License 1615-33-030-008 presently inactive and held by Michael Yazgi to Sahana’s Liquor Inc. as an inactive license that has been reviewed; and

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

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

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicant has disclosed to the issuing authority the source of all financing obtained.

WHEREAS, the pocket / inactive license may be transferred with the following 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 Form to the Township Clerk's Office and inspections of premises must be made and satisfactory recommendations received from the following departments: Police, Fire Prevention, Health, Building and Zoning Departments prior to activating, operating or siting the license.
2. A Health Department Retail Food Establishment license must be acquired prior to opening and satisfactory recommendations must be received in the Township Clerk's Office from the Health Department prior to opening business operations.
3. Licensee must change with Fire Bureau ownership information regarding Life Hazard Use and changes of occupancy load if applicable. If any Fire Prevention Office violations exist they must be remediated with the Fire Marshal prior to opening or occupying a building.
4. Licensee must apply for Building permits to bring all life safety issues to code, fire pump, alarms, sprinkler systems emergency exit lights, egress lights and electrical.
5. To activate or operate the pocket license the licensee must submit pages 1, 2, and 11 of the 12-page license application to the Township Clerk's Office with date of activation prior to opening.

NOW, THEREFORE, BE IT RESOLVED that the transfer application is hereby approved and the Acting Township Clerk is directed to endorse the transfer and deliver the license certificate for the Mayor and Township Council of the Township of West Milford upon receipt of satisfactory recommendations received from all departments when sited on all premise inspections noted above.

Adopted: June 12, 2019

Agenda No. XII 13

~ Resolution 2019 – 185 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE CHANGE IN MONETARY AMOUNT OF PETTY CASH FUND FOR POLICE DEPARTMENT

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash fund, and,

WHEREAS, it is the desire of the Council, of the Township of West Milford, County of Passaic that the petty cash fund for the Police department be increased from \$100.00 to \$200.00.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of Township of West Milford, County of Passaic hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Adopted: June 12, 2019

Agenda No. XII 14

~ Resolution 2019 – 186 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE EMERGENCY TEMPORARY AUTHORIZATIONS PRIOR TO THE ADOPTION OF THE 2019 BUDGET

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that the following:

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1. The Township Council hereby authorizes the emergency authorization to be included in the 2019 temporary budget until adoption of 2019 budget by a 2/3 vote of the Governing Body.
2. The Township's 2019 adopted budget shall include these appropriations.

APPROPRIATION	ACCOUNT NUMBER	2018 BUDGET AS ADOPTED	2019 TEMPORARY BUDGET
Administrator S&W	01-201-20-100-100	\$192,928	\$144,696
Administrator O.E.	01-201-20-100-200	\$92,965	\$69,724
TOTAL		\$285,893	\$214,420
Township Mayor & Council S&W	01-201-20-105-100	\$34,000	\$25,500
Township Mayor & Council O.E.	01-201-20-105-200	\$2,400	\$1,800
TOTAL		\$36,400	\$27,300
Information Technology S&W	01-201-20-140-100	\$136,630	\$102,473
Information Technology O.E.	01-201-20-140-200	\$49,750	\$37,313
TOTAL		\$186,380	\$139,786
Legal O.E.	01-201-20-155-200	\$329,000	\$246,750
General Services S&W	01-201-20-161-100	\$4,000	\$3,000
General Services O.E.	01-201-20-161-200	\$279,500	\$209,625
TOTAL		\$283,000	\$212,625
Engineering S&W	01-201-20-165-100	\$294,291	\$220,718
Engineering O.E.	01-201-20-165-200	\$66,800	\$50,100
TOTAL		\$361,091	\$270,818
Insurance, Other	01-201-23-210-200	\$1,018,000	\$763,500
Insurance, Group	01-201-23-220-200	\$3,239,725	\$2,429,794
Health Benefit Waiver	01-201-23-230-200	\$81,000	\$60,750
TOTAL		\$4,338,725	\$3,254,044
Clerk S&W	01-201-20-120-100	\$296,899	\$222,674
Clerk O.E.	01-201-20-120-200	\$19,350	\$14,513
TOTAL		\$316,249	\$237,187
Elections S&W	01-201-20-146-100	\$1,500	\$1,125
Elections O.E.	01-201-20-146-200	\$13,800	\$10,350
TOTAL		\$15,300	\$11,475
Treasurer S&W	01-201-20-130-100	\$268,073	\$201,055
Treasurer O.E.	01-201-20-130-200	\$34,683	\$26,012
TOTAL		\$302,756	\$227,067
Annual Audit	01-201-20-135-200	\$40,000	-
Annual Audit Additional Services	01-201-20-135-200	\$25,000	\$25,000
TOTAL		\$65,000	\$25,000
Tax Collector S&W	01-201-20-145-100	\$191,512	\$143,634
Tax Collector O.E.	01-201-20-145-200	\$58,282	\$43,712
TOTAL		\$249,794	\$187,346
Tax Assessor S&W	01-201-20-150-100	\$214,843	\$161,132
Tax Assessor O.E.	01-201-20-150-200	\$28,340	\$21,255
TOTAL		\$243,183	\$182,387
PLANNING BOARD O.E.	01-201-21-180-200	\$20,025	\$20,025
Planning, Comp. S&W	01-201-21-181-100	\$138,526	\$103,895
Planning, Comp. O.E.	01-201-21-181-200	\$21,175	\$21,175
TOTAL		\$159,701	\$125,070
Zoning Administration S&W	01-201-21-185-100	\$84,978	\$63,734
BOARD OF ADJUSTMENT O.E.	01-201-21-186-200	\$28,275	\$28,275
Historic Preservation S&W	01-201-20-175-100	\$1,560	\$1,170

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Historic Preservation O.E.	01-201-20-175-200	\$500	\$375
TOTAL		\$2,060	\$1,545
Building S&W	01-201-22-195-100	\$372,610	\$279,458
Building O.E.	01-201-22-195-200	\$27,100	\$27,100
TOTAL		\$399,710	\$306,558
Environmental Commission S&W	01-201-22-196-100	\$2,000	\$1,500
Environmental Commission O.E.	01-201-22-196-200	\$890	\$668
TOTAL		\$2,890	\$2,168
Police Patrol S&W	01-201-25-240-100	\$4,716,378	\$3,537,284
Police Patrol O.E.	01-201-25-240-200	\$158,349	\$118,762
Police Patrol-Purchase of Police Vehicles	01-201-25-240-900	-	-
Police Detective S&W	01-201-25-241-100	\$691,568	\$518,676
Police Administration S&W	01-201-25-242-100	\$509,145	\$381,859
Police Communication S&W	01-201-25-243-100	\$348,559	\$261,419
Police Comm. O.E.	01-201-25-243-400	\$12,500	\$9,375
Police Specials S&W	01-201-25-244-100	\$36,000	\$27,000
Police Specials O.E.	01-201-25-244-200	\$8,975	\$6,731
TOTAL		\$6,481,474	\$4,861,106
Emergency Management S&W	01-201-25-252-100	\$5,000	\$3,750
Emergency Management O.E.	01-201-25-252-200	\$32,500	\$24,375
TOTAL		\$37,500	\$28,125
First Aid - WMFAS Contributions	01-201-25-260-200	\$108,500	\$81,375
First Aid - UGLFAS Contributions	01-201-25-260-200	\$45,750	\$34,313
TOTAL		\$154,250	\$115,688
Aid To Vol. Fire Co.	01-201-25-255-200	\$90,000	\$67,500
Fire Prevention Bureau S&W	01-201-25-265-100	\$156,697	\$117,523
Fire Prevention Bureau O.E.	01-201-25-265-200	\$14,600	\$10,950
Fire Co. Admin. S&W	01-201-25-266-100	\$9,090	\$6,818
Fire Co. Admin. O.E.	01-201-25-266-200	\$294,150	\$220,613
LOSAP	01-201-25-267-200	\$130,000	-
TOTAL		\$694,537	\$423,404
DPW Streets & Roads S&W	01-201-26-290-100	\$1,833,412	\$1,375,059
DPW Streets & Roads O.E.	01-201-26-290-200	\$449,800	\$337,350
DPW Buildings & Grounds S&W	01-201-26-291-100	\$56,320	\$42,240
DPW Buildings & Grounds O.E.	01-201-26-291-200	\$87,450	\$74,588
DPW Snow Removal S&W	01-201-26-294-100	\$250,000	\$250,000
DPW Snow Removal O.E.	01-201-26-294-200	\$541,797	\$541,797
DPW Vehicle Maintenance S&W	01-201-26-315-100	\$359,449	\$269,587
DPW Vehicle Maintenance O.E.	01-201-26-315-200	\$277,000	\$207,750
TOTAL		\$3,855,228	\$3,098,371
Public Health S&W	01-201-27-330-100	\$229,511	\$172,133
Public Health O.E.	01-201-27-330-200	\$31,340	\$23,505
Vital Statistics S&W	01-201-27-331-100	\$8,790	\$6,593
Vital Statistics O.E.	01-201-27-331-200	\$11,250	\$8,438
Housing Standard Bureau O.E.	01-201-27-332-441	\$8,000	\$6,000
Environmental Health S&W	01-201-27-335-100	\$224,906	\$168,680
Environmental Health O.E.	01-201-27-335-200	\$56,896	\$56,896
Animal Control S&W	01-201-27-340-100	\$106,926	\$80,195

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TOTAL		\$677,619	\$522,440
Recreation Programs S&W	01-201-28-370-100	\$270,893	\$203,170
Recreation Programs O.E.	01-201-28-370-200	\$125,000	\$125,000
Recreation.-Bubbling Springs S&W	01-201-28-371-100	\$238,594	\$178,946
Recreation.-Bubbling Springs O.E.	01-201-28-371-200	\$66,000	\$66,000
Recreation.-Admin. S&W	01-201-28-372-100	\$162,236	\$121,677
Recreation.-Admin. O.E.	01-201-28-372-200	\$11,605	\$9,605
Recreation.-Community Center S&W	01-201-28-374-100	\$113,440	\$85,080
Recreation.-Community Center O.E.	01-201-28-374-200	\$28,250	\$28,250
Recreation.-Parks Maintenance S&W	01-201-28-375-100	\$300,283	\$225,212
Recreation.-Parks Maintenance O.E.	01-201-28-375-200	\$103,500	\$103,500
Senior Citizen Services S&W	01-201-28-376-100	\$42,876	\$32,157
Senior Citizen Services O.E.	01-201-28-376-200	\$9,750	\$7,313
TOTAL		\$1,472,427	\$1,185,910
Veteran's Bureau S&W	01-201-20-172-100	\$1,321	\$991
Veteran's Bureau O.E.	01-201-20-172-200	\$150	\$113
TOTAL		\$1,471	\$1,104
Celebration of Public Events O.E.	01-201-30-420-200	\$10,000	\$7,500
Mass Transportation S.W	01-201-30-432-100	\$48,324	\$36,243
Mass Transportation O.E.	01-201-30-432-200	\$12,600	\$9,450
TOTAL		\$60,924	\$45,693
Library S&W	01-201-29-390-100	\$500,000	\$375,000
Library O.E.	01-201-29-390-200	\$495,972	\$371,979
TOTAL		\$995,972	\$746,979
Municipal Court S&W	01-201-43-490-100	\$282,095	\$211,571
Municipal Court O.E.	01-201-43-490-200	\$21,150	\$15,863
Municipal Court Prosecutor S&W	01-201-43-491-101	\$38,000	\$28,500
Municipal Court Prosecutor O.E.	01-201-43-491-200	\$100	\$75
TOTAL		\$341,345	\$256,009
Utilities-Electricity	01-201-31-430-200	\$159,050	\$119,288
Utilities-Street Lights	01-201-31-435-200	\$63,500	\$47,625
Utilities-Telephone	01-201-31-440-200	\$142,500	\$106,875
Utilities-Natural Gas	01-201-31-446-200	\$50,500	\$40,000
Utilities-Fuel	01-201-31-460-200	\$420,000	\$315,000
TOTAL		\$835,500	\$628,788
MISCELLANEOUS & STATUTORY EXPENDITURES			
PERS	01-201-36-471-532	\$891,900	\$971,552
Social Security	01-201-36-472-533	\$650,000	487,500
Defined Contributions Retirement Prog	01-201-36-475-536	\$10,000	7,500
PFRS	01-201-36-473-534	\$1,467,200	\$1,583,660
TOTAL		\$3,019,100	\$3,050,212
Salaries & Wages Adjustment Account	01-201-37-480-501	-	-
Compensated Absences	01-201-38-485-110	\$110,000	\$50,000
Interlocal agreement - Registrar	01-201-47-600-200	-	-
DEFERRED CHARGES & RESERVE FOR UNCOLLECTED TAXES			

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Def. Charge – Ord. 00-09 Rec. Fac. Contr.	01-201-46-886-596	\$27,701	\$-
Reserve for Tax Appeals	01-201-46-886-667	\$330,000	\$-
Def. Charge - Ord. 07-06 Various Rd. Imp.	01-46-887-531	\$30,000	\$-
Reserve for Uncollected Taxes	01-201-50-899-200	\$2,225,000	\$-
TOTAL		\$2,612,701	\$-
GRANTS	G-02-41	\$88,266	\$-
SUBTOTAL		\$29,159,274	\$20,804,907
Capital Improvements Fund	01-201-44-900-200	\$150,000	\$175,000
Cap. Improv. Fund-Fire Emer Equip.	01-201-44-900-230	\$165,000	\$-
TOTAL		\$315,000	\$175,000
Debt Service Total		\$4,238,081	\$3,380,863
TOTAL OPERATING BUDGET		\$33,712,355	\$24,360,770
SOLID WASTE DISTRICT BUDGET			
Solid Waste S&W	26-201-55-500-100	\$113,719	\$85,289
Solid Waste O.E. All Other	26-201-55-500-200	\$223,350	\$167,513
Contractual Services	26-201-55-500-514	\$960,000	\$720,000
Disposal Fees	26-201-55-500-548	\$680,000	\$510,000
TOTAL		\$1,977,069	\$1,482,802

Adopted: June 12, 2019

Agenda No. XII 15

~ Resolution 2019 – 187 ~

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

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

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

REASON: Money belongs to 2018 delinquent water / sewer charges and not property taxes.

Block/Lot	Reimbursement Amount	Name
07801-038.05	\$202.70	Township of West Milford MUA 1480 Union Valley Road West Milford, NJ 07480

Adopted: June 12, 2019

Agenda No. XII 16

~ Resolution 2019 – 188 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE REFUND OF OTHER LIENS

WHEREAS, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective lien.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of West Milford that the proper officers be and are hereby authorized and directed to pay the indicated amount to the holder of the lien certificate as hereinafter shown below:

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Certificate No.	Certificate Date	Block/Lot/Qual	Reimbursement Amount	Pay to Lien Holder
18-0012	10/09/2018	02004-002	\$13,722.38	DGJ GROUP LLC 1253 SPRINGFIELD AVE SUITE 339 NEW PROVIDENCE, NJ 07974
16-0094A	04/08/2019	16101-004	\$64,553.13	ETFS SPECIAL NJ ASSETS LLC 57 WEST 38TH STREET 9TH FLOOR NEW YORK, NY 10018
Total			\$78,275.51	

Adopted: June 12, 2019

Agenda No. XII 17

~ Resolution 2019 – 189 ~

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:

Spring Soccer		
Michael	\$70.00	Michele Denistran 5 Dunham Road Hewitt, NJ 07421
Spring Soccer		
Jedrick	\$75.00	Joel Garzon 46 West Shore Road West Milford, NJ 07480
Day Camp & After Care Wk 1		
Ana	\$85.00	Maria Haggerty 376 Ridge Road West Milford, NJ 07480
Lifeguard Class # 1		
Matthew	\$290.00	Antonietta Dellapi 16 Land of Oaks Drive Oak Ridge, NJ 07438

Adopted: June 12, 2019

Agenda No. XII 18

~ Resolution 2019 – 190 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF STREET OPENING BOND FEE

BE IT RESOLVED, that the following street opening bond fee upon the recommendation of the Township Engineering Department be refunded:

Receipt No.	Refund Amount	Refund to	Street Excavation Project Permit No.
963563	\$100.00	Lena Roinila 16 Cliff Road West Milford, NJ 07480	16 Cliff Road 2019-06

Adopted: June 12, 2019

Agenda No. XII 19

~ Resolution 2019 – 191 ~

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

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

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

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

REASON: 1. INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR
5317-2.24	David & Jennifer Fleming	\$890.00	2019
9706-14	Annette Pechulonis	\$1,804.60	2019
10402-011	Jeff Wojtowicz	\$5,267.00	2019
01806-001	Catherine JD Schuler	\$2,709.41	2019
TOTAL		\$10,671.01	

Adopted: June 12, 2019

Agenda No. XII 20

~ Resolution 2019 – 192 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN EASEMENT AGREEMENT BETWEEN THE TOWNSHIP AND ORANGE & ROCKLAND UTILITIES, INC. REGARDING UTILITY SERVICE AT BLOCK 9302 LOT 16 NOSENZO POND ROAD

WHEREAS, the Orange & Rockland Utilities Inc. is making installation of a distribution line on property located within the Township; and

WHEREAS, the installation of facilities located at a portion of premises known as 44 Nosenzo Pond Road necessitates the Township to procure an Easement Agreement between the parties; and

WHEREAS, the parties to the agreement have negotiated the terms thereof and committed the same to writing in the form of an agreement.

WHEREAS, the installation of a distribution line to begin at the utility pole located on Westbrook Road extending 150 feet in length and 15 feet wide through the Nosenzo Pond Field and attachment at the end of the field.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that the Mayor and Acting Township Clerk be and are hereby authorized to enter into an Easement Grant with Rockland Electric Company for the use of the property commonly known as 44 Nosenzo Pond Road Block 9302 Lot 16 in accordance with the terms contained in said Easement Grant which is on file in the Clerks Office. Such approval is contingent upon approval of the Township Attorney as to language and the agreed to preservation of Township trees and if any Township parking lot paving by the Township Administration.

Adopted: June 12, 2019

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

Agenda No. XIII

Consent Agenda

None

Agenda No. XIV

Approval of Expenditures

~ Resolution 2019 – 193 ~

RESOLUTION APPROVING THE PAYMENT OF BILLS

WHEREAS, the Township Treasurer has submitted to the members of the Township Council a report listing individual disbursement checks prepared by this office in payment of amounts due by the Township.

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

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Acct #	Account Name	Amount
1	Current Account	\$519,669.76
3	Reserve Account	9,751.63
2	Grants	3,482.25
6	Refunds	78,808.21
1	General Ledger	0.00
26	Refuse	85,950.00
4	Capital	2,000.00
19	Animal Control	405.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	11,238.48
19	Scala Trust	0.00
16	Development Escrow	5,120.50
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$716,425.83
Less Refund Resolution		-78,808.21
Actual Bills List		\$637,617.62
Other Payments		
Payroll		547,220.16
State of NJ, Pesticide permit		150.00
Total Expenditures		\$1,184,987.78

Adopted: June 12, 2019

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

Agenda No. XV

Reports of Administrator, Mayor and Council Members

Mayor Dale – Noted that they put pictures of the water features that were located at Bubbling Springs on the cloud. They asked the DPW to add a tickler for next year to add the anchors for the water features prior to filling the lake. She asked Mr. Voli to write up a safety plan for the Health Department. She said the DPW did an excellent job removing the stairs by the Police Department. They are looking to replace the stairs in the future. She mentioned that the West Milford Township Seniors won the gold medal in the Senior Olympics and they will be recognized at the meeting in July. She noted that the Township has received an official notice of retirement from Chief of Police Tim Storbeck. She said the Library Board has accepted Councilwoman Pegel's proposal for the Veterans sign from the Blue Star Moms; there will be a parking space at the Library dedicated to the Veterans. She said there is a new gate being installed at the former Jungle Habitat property. They are still in the process of working on the camera and they are going to work on renaming the park. She noted various upcoming Library events and the dates and times.

Administrator Bob Casey – Provided an update on the drainage problem on Van Orden Road. He noted that Mr. Miller will provide a dissertation. He explained that in order to correct the drainage problem additional trees need to be cut down.

Discussion:

Councilwoman Pegel asked if there is another way to complete the work and save the rest of the trees. Councilman Signorino asked for pictures of the problem. Mayor Dale said pictures were sent via email. Eric Miller, Supervising Engineer Aid, explained the drainage problem and the plan to repair it. He expressed that the wrong type of trees were planted too close to the road. Councilman McGuinness asked what is causing the drainage problem. Mr. Miller explained that the water comes off the horse pasture and builds up and runs across the road. The low point of the road has to be addressed and reconstructing the road would be very expensive. Councilwoman Erik said the property has been a horse farm for years. She provided the history.

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She asked if the Township is going to cut the trees down and replace them how much will that cost. Mr. Miller mentioned that the red maple trees can cost \$300.00. Councilman Signorino said the correct fix would be to take the low point out of the road. Mr. Casey said they could possibly get permission from the property owner to replant the trees where they are supposed to be planted. Councilman Signorino said some of the property owners might have purchased their homes because of the beauty of the trees. Mr. Miller said he has to do what is most economical to correct the drainage problem. He said the piping is specifically to address the low point in the road. Mayor Dale said that Ms. Koeppel and other residents on Van Orden Road did reach out to the Township asking for this to be addressed for years but she is not in favor of removing the trees. She is directly affected by the water and her children can't walk to the school bus when the road is flooded. Mayor Dale asked if the Council is willing to approve funding to replace the trees that have already been cut down and for Mr. Miller to investigate the cost of removing the hump in the road and making the road even. Councilman McGuinness said they have to stop the problem; the water is coming off the horse farm and draining onto the road. He said it is the homeowner's problem and he needs to correct the problem. Mr. Miller expressed that one day the road will need to be paved and there is no way they can fit the proper machinery and equipment because the species of the trees can't be that close to the road. Mayor Dale noted that there is a different homeowner than the one who planted all the trees in 1999. Mr. Miller provided his plan of action to the Council. Mayor Dale said that the Council should set up a time to speak with Mr. Miller so he can explain his plan of action in detail. Mayor Dale noted that the project will be left on hold until the next meeting.

Councilwoman Erik – Provided an update on the Teen Summit. She spoke about the Highlands Council and how they are willing to help West Milford. She said the Highlands Council passed a resolution to support the Township in a water fee. She said that she and Councilman Signorino had a meeting with the PBA and they are figuring that this may go into next year. The officers asked if Councilman Signorino will give up his spot to Councilwoman Pegel since he is leaving December 31st. Councilman Signorino said he will give up his spot on the PBA negotiations Committee to Councilwoman Pegel.

Councilwoman Pegel – Said she will attend the meeting at the County regarding the paratransit for the seniors and she will voice the concerns from the local seniors. She welcomed the residents to contact her with their concerns.

Councilwoman Lichtenberg – Noted various events and the dates and times. She wished all the dads a happy Father's Day.

Councilman McGuinness – Asked if the Council on Mandates and the resolution for Belcher's Creek can be added to a future meeting agenda. He noted that some of the picnic tables at Browns Point are falling apart and asked if they can look into repairing or replacing them. He congratulated Chief Storbeck on his retirement. He mentioned that High School graduation is next week and he congratulated the class of 2019. He wished everyone a happy Father's Day.

Councilman Signorino – Congratulated the Class of 2019 and Chief Storbeck on his retirement.

Agenda No. XVI

Appointments and Resignations

None

Agenda No. XVII

Adjournment

There being no further business to come before the Council, the Governing Body adjourned the meeting at 9:21 p.m.

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

Approved: July 10, 2019

Respectfully submitted:

Sherry Zbrzeski, Keyboarding Clerk 1

MICHELE DALE, MAYOR

DIANE CURCIO, ACTING TOWNSHIP CLERK