
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: June 17, 2015
Time of Meeting: 6:30 pm
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The Regular Meeting of the Governing Body was called to order by Mayor Bettina Bieri.

Adequate Notice Statement

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Workshop meeting was advertised in the Herald News in its issue of December 21, 2014 and January 4, 2015; copies were provided to the Suburban Trends, the Record, Star Ledger, and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Pledge of Allegiance

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

Roll Call

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

Agenda No. I

Reading of or Approval of Unapproved Minutes

Councilwoman Erik moved to adopt the March 18, 2015 Regular Meeting and March 18, 2015 Executive Session Minutes as presented.

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

Agenda No. II

Proclamation

Day of Remembrance for Women and Girls Killed in the Name of Honor – Mayor Bieri said this proclamation is to raise awareness of human rights violations. She noted it would be mailed out.

Agenda No. III

Presentations

Eagle Scout Eric Hanson – Mayor Bieri invited Eric to join her at the podium where he introduced himself and explained that he has been in scouting since he was six years old. His Eagle Scout project was to build shelves for the high school hockey team. He said he received help from his parents, the hockey team and fellow scouts. His Dad joined them and Mayor Bieri acknowledged that he is a scout leader. Mr. Hanson said he has been involved for years and believes that scouting is great for all the children. The eagle projects in West Milford are numerous. It teaches community service at a young age. He thanked Mayor Bieri for her support. Mayor Bieri said it is an honor and privilege to recognize our youth especially those who excel. All projects give back to the community. West Milford is fortunate that so many young men achieve the rank of Eagle Scout. She extended her best wishes to Eric for his future.

Senior Olympians – Mayor Bieri announced that the West Milford Senior Olympians won this year's Senior Olympics. The Channel 77 TV committee made a slide presentation depicting images from the event. Councilwoman Lichtenberg and many of the Senior Olympians joined Mayor Bieri at the podium. Councilwoman Lichtenberg said they have won a total of 4 times in the past 8 years with two of those wins being ties. Mayor Bieri acknowledged the staff in the CS&R department. Marlene Terhune, a CS&R staff member who works with the seniors said this is a terrific bunch of young hearted people to work with. They take the Olympics seriously. She said points accumulate to bring home the win. She thanked all the

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participants. She listed some of the events. She invited the medal winners to step forward and she thanked the volunteers.

Agenda No. IV

Executive Session

~ Resolution No. 2015 – 208 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 17th day of June 2015 that:

1. Prior to the conclusion of this **Regular Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () b. (4) A collective bargaining agreement including negotiations.
 - () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - () b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
 - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - Contract – Verizon
 - Contract – PAL/Community Services & Recreation Agreement
 - Litigation – Newark Watershed
 - Contract – B & B Disposal LLC
 - (X) b. (8) Personnel matters.
 - Chief Financial Officer
 - () 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 17, 2015

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

The Governing Body went into Executive session at 6:50 pm.
The Governing Body returned to the public meeting at 8:07 pm with all present as before.

Agenda No. V

Presentations

- Person-to-Person Transfer of Plenary Retail Consumption License No. 1615-33-027-010 from Bennett, Tracy A. to Breda LLC – Mayor Bieri directed the Council to the Clerk’s memo. There were no questions and the meeting was opened to the public.

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

- EDC – West Milford Economy – Chairman Steve Drew made a PowerPoint presentation to the Council providing information about the economic status of the nation, the State of New Jersey,

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Passaic County and West Milford. The presentation contained statistics and data gathered from various sources. The Governing Body thanked Mr. Drew for the presentation and suggested he do likewise at the Board of Education.

Agenda No. VI

Unfinished Business, Final Passage of Ordinances

Agenda No. VI 1

~ Ordinance 2015 – 006 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY VACATING THE UNIMPROVED PORTION OF A “PAPER STREET” KNOWN AS QUINTY PLACE

This ordinance was introduced on May 20, 2015 and the Notice of Public Hearing was published in the Herald News on May 24, 2015.

The Mayor opened the meeting to the public to speak on this ordinance only.

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

Due to inconsistencies in the deeds, the Attorney contacted the property owners to have deeds updated to prevent future title issues. The Attorney asked for the Ordinance to be defeated.

Motion to adopt ordinance.

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

Agenda No. VI 2

~ Ordinance 2015 - 007 ~

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A NEW LIBRARY IN AND BY THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$4,200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,700,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATION

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 improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Township of West Milford, in the County of Passaic, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$4,200,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$1,500,000 as the down payment for said improvement or purpose required by law and now available therefor from funds received by the Township from the Board of Trustees of the library as a contribution-in-aid of financing said improvement.
- Section 2. For the financing of said improvement or purpose and to meet the part of said \$4,200,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$2,700,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$2,700,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.
- Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the construction of a new library and community center in

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and by the Township on lands located at 1470 Union Valley Road, said building being two-stories and approximately 17,000 square feet and being of not less than Class B construction (as such term is defined or referred to in Section 40A:2-22 of said Local Bond Law), including construction therein of library space, offices, public meeting rooms, electrical, heating, ventilation and air conditioning systems, together with all paving, landscaping, structures, equipment, furnishings, work and materials necessary, useful or convenient for said building, all as shown on and in accordance with the plans and specifications therefor prepared and filed or to be prepared and filed in the office of the Township Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$2,700,000.

(c) The estimated cost of said purpose is \$4,200,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$1,500,000 down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated: The said purpose described in Section 3 of this bond ordinance is not a current expense and 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 benefitted thereby. The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is thirty (30) years. 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 \$2,700,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law. An aggregate amount not exceeding \$400,000 for interest on said obligations, costs of issuing said obligations 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 cost of said improvement and is included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by 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 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.

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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.

Introduced: May 20, 2015
Adopted: June 17, 2015
Effective Date: July 7, 2015

This ordinance was introduced on May 20, 2015 and the Notice of Public Hearing was published in the Herald News on May 24, 2015.

The Mayor opened the meeting to the public to speak on this ordinance only.

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

Motion to adopt ordinance.

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

Mayor Bieri thanked the Council. Councilman Signorino thanked everyone for their involvement and patience. Councilwoman Dale asked the Library Board members to prepare a fact sheet for posting on the website & TV station about how this will not raise taxes. Mayor Bieri agreed and commended the library for years of frugality to fund this project.

Agenda No. VII

Public Comments

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

Bill Messmer, Goldfinch Lane, Hewitt said he has been a municipal employee for the past twenty years and a resident of West Milford for 37 years. He thanked the successive governing bodies for the opportunities he has had. Previously he worked for his father in his own business and he explained the stresses of owning a business. His job at town hall is the best he could have imagined. He thanked everyone and the Township. In past he has mentioned decaying conditions in the building. He has asked for funding for the municipal building because it seems we are always repairing when things are beyond repair.

Doris Aaronson, 19 Bearfort Road, West Milford asked if the town has maximized grant opportunities for the new library. She and Councilwoman Erik attended a drug program at Passaic County Community College. We need a multi-faceted approach to drug problems in town. It is the largest health problem in town. She thinks Council should form a multi-dimensional committee to address this problem. Matt Mullhall did a study on ground water over 20 years ago. That study should be updated. Ground water is critical in this town.

Bob Nicholson, 20 Hyde Road, Stockholm asked for sketches for the new library with the data requested by Councilwoman Dale. He said the cable TV committee will have equipment list completed next week and filed at town hall. Bears are out now. There was a resident in his neighborhood feeding a bear last week. That is a disservice to both humans and bears. Please do not feed the animals. It is dangerous.

Loren Coyle, 23 Bearfort Road, West Milford said he paid \$9,951 in taxes last year. To the west of his property, the fire lane is an issue. It has a catch basin on the north end. The catch basin near his house is non-functional causing water to run into the crawl space of his house. He called DPW three weeks ago. He was put on a list. The water is undermining the side of his house and he has just discovered the damage. It may lead to collapse. He has a working sump pump. His house will wash away if there is a hurricane. He asked Council to instruct staff to give him a definite date for repair.

Charlie DeKoning, 35C Salem Alley, West Milford said he is happy to see progress on the library and thanked everyone.

James Rogers, 56 Mountain Circle North, West Milford thanked the Governing Body and the administrator for their assistance in getting the adopt a sign program up and running.

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Will Cytowicz, 694 Lakeshore Drive, Hewitt said there was a public vote on a library asked what that was. Will the new library free the town from the Hillcrest lease? What will happen at Hillcrest? He thanked Ms. Aaronson for bringing up the drug issue and asked where he can get statistics on drug abuse in West Milford.

Tim Wagner, 835 Westbrook Road, West Milford said he is a Council candidate and thanked everyone who came out to vote. While campaigning many residents asked how to get taxes down. It is a tough question. He is in business and has common sense so he looks forward to budget season. He wants to talk about the negative impact of the Highlands Act. He said the Act is a land grab that crippled West Milford's economy and he listed the reasons. He said the Highlands Act violates our constitutional rights. Zero dollars have been given to property owners for devaluation of their property. The Highlands Act must fund West Milford because State funding will reduce our taxes. All other Highlands towns must be funded. There is a mechanism for unfunded mandates. The Township can file a claim with the council on local mandates. He distributed information about their website. He would like to see Mr. Semrau educate the council on the process with a mind to having a complaint filed. There is reward but little risk. We should take a shot at this. He called them and they were surprised this has not been done before. It is another avenue to find funding for West Milford. He asked Council to give Mr. Semrau direction to start the process and he would like to see this started now.

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

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

Agenda No. VIII

Council Comments

Councilman Hensley thanked Mr. Wagner for broaching the subject of the mandates council. He had never heard of this council before. He knows that unfunded mandates are unconstitutional. He favors the Highlands Act as long as it is funded as promised in the law. If this can be looked into he favors that. He would like to see this move forward to seek just compensation for residents. Councilman Signorino agreed and asked Mr. Semrau to comment. Mr. Semrau said the mandates council was established in 1995 to review issues related to the principal of state mandate, state pay. Laws that impose financial obligations are required to contain a source of funding. Mr. Semrau said he successfully filed before the council in 2010. Laws required funded sources. The procedure is unique. Cases are heard and decisions rendered with no right of appeal. The legislature would be bound by the council's decision. Preliminary review is necessary and there have already been some decisions rendered in the courts about the Highlands Act. He was involved with one that addressed the mandate issue. Would have to look to determine if the funding source has been provided and if a restriction has been placed on the municipality without the funding. The only funding that has come to fruition is through the Highlands Council and it is limited to planning. In the beginning there was a property tax reimbursement. Since then there has been no available funding. If the Council has an interest he would do a preliminary review of case law and the Highlands Act. Then we could look to see what type of funding could be given. In Roxbury Mr. Semrau had a case before the council. It was about DEP regulations requiring adoption of ordinances one of which was to cover dumpsters. Roxbury questioned who would pay for the costs to cover the dumpsters. The DEP said pay through fines but Roxbury filed at the council. He got a decision saying that it was an unfunded mandate. The legislature had to find a funding source. In 2010 that was effective. It is better than the courts because it focuses on that sole issue. The Council gave consensus to have Mr. Semrau pursue this. Councilwoman Dale said it is important to put all our information together. Mr. Semrau noted that this has nothing to do with the Newark watershed issues. This is separate and apart. West Milford is 100% in the most restrictive area of the Highlands.

Councilwoman Dale asked Administrator Gabbert to look into Mr. Coyle's issue and the Council agreed.

Councilwoman Lichtenberg thanked Mr. Messmer for his comments and wished him well. The Council echoed those sentiments.

Councilman Hensley said Mr. Cytowicz should be able to obtain statistics from the police department about drug use in town.

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Mayor Bieri said feeding bears is against the law in addition to the other risks. She said that when applying for grants an entity needs cost estimates. Now that those estimates are in for the library, the library director will now research the feasibility of grant applications. She said the referendum on library was about 20 years ago and it was defeated. She agreed at the time because it asked for public funding through increased taxes. This project does not warrant a referendum because it does not need additional public funding. She has gotten feedback of approval. The payments will be made within existing funding which is based on a state formula. The governing body is researching all options about municipal facilities and no decision has been made at this time about Hillcrest or any other public building. All resources must be looked at.

Councilwoman Erik said she witnessed the bear feeding last Saturday morning. She gave details. The bear was huge and there was a lady feeding it bread. We had the unfortunate incident where a black bear killed someone. This was a resident feeding this bear. If you want to kill the bears feed them. If the bear is taking bread from the hands of one person, it will try to take from someone who is not feeding them.

Agenda No. IX

New Business, Introduction of Ordinances, Resolutions

FINANCE MATTERS:

Agenda No IX 1

~ Ordinance 2015 - 008 ~

BOND ORDINANCE APPROPRIATING \$3,557,200, AND AUTHORIZING THE ISSUANCE OF \$3,201,200 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 \$3,557,200 including the aggregate sum of \$161,000 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 and including also, in the case of the improvement or purpose described in paragraph (c) of said Section 3, the sum of \$195,000 received or expected to be received by the Township from the New Jersey Department of Transportation, as a grant-in-aid of financing said improvement or purpose.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$3,557,200 appropriations not provided for by application hereunder of said down payments and grant, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$3,201,200 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 \$3,201,200 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 & NOTES
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(a) Acquisition by purchase of new and additional vehicular equipment, including one (1) utility vehicle for use by the Buildings Department of the Township, one (1) utility vehicle for use by the Fire Department of the Township, one (1) backhoe, one (1) street sweeper, three (3) dump trucks with plows, one (1) tractor, and one (1) utility vehicle for use by the Department of Public Works of the Township, 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	\$1,166,900	\$1,111,000
(b) Improvement of various streets and locations in and by the Township by the construction or reconstruction therein of roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2-22 of said Local Bond Law), including without limitation, Clinton Road, Cahill Cross Road, Aspen Lane, Davenport Road, Wayside Road, Bayonne Drive, Carteret Street, Green Terrace Way, Morris Avenue, Mercer Place, Wallisch Avenue and Melrose Avenue, 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	1,031,000	981,900
(c) Improvement of Clinton Road in and by the Township by the construction or reconstruction therein of roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2-22 of said Local Bond Law), 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, the \$360,700 appropriation hereby made therefor being inclusive of the amount of \$195,000 received or expected to be received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement	360,700	157,500
(d) Improvement of various streets as part of the Township's road assessment program, by the construction or reconstruction therein of roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2-22 of said Local Bond Law), 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	200,000	190,400
(e) Improvement of municipally-owned properties and facilities in and by the Township, including the Bubbling Spring Dam by the rehabilitation thereof, and the removal of underground storage tanks at the Municipal Building and the Township Museum, together with for all the aforesaid all structures, 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	123,600	117,700
(f) Acquisition by purchase of new and additional equipment	108,200	103,000

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for use by the Fire Departments of the Township and an asphalt recycler for use by the Department of Public Works of the Township, together with all, 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		
(g) Acquisition by purchase of new and additional firefighting equipment for the preservation of life and property in the Township, consisting of one (1) tanker truck, 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	515,300	490,700
(h) Improvement of storm water drainage systems along Upper Greenwood Lake in and by the Township so as to control sediment flow, together with all landscaping, structures, 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	51,500	49,000
Totals	\$3,557,200	\$3,201,200

Except as otherwise stated in paragraph (c) above with respect to the said grant-in-aid of financing the purpose described in said paragraph, 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 and grant 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 9.06 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 \$3,201,200, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
- (d) Amounts not exceeding \$150,000 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.

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- Section 5. The funds from time to time received by the Township on account of the \$195,000 grant referred to in Section 1 of this bond ordinance shall be used for financing the improvements or purposes described in paragraph (c) of Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Township authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of said improvements or purposes shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this bond ordinance.
- Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by 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 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 7. 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 8. 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 9. 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: June 17, 2015

Second reading and public hearing for this ordinance is set for the Special Meeting of the Township Council scheduled for June 30, 2015. Notice of this public hearing shall be published in the Herald News on or about June 21, 2015.

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

Agenda No IX 2

~ Resolution 2015 - 209 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY TO AMEND THE 2015 MUNICIPAL BUDGET AS INTRODUCED

WHEREAS, the local municipal budget for the year 2015 was approved on March 18, 2015; and

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

WHEREAS, it is desired to amend said approved budget,

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NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of West Milford, Passaic County, that the following amendments to the introduced budget of 2015 be made:

	(Erik		
	(Hensley	((
	(Erk	((
RECORDED VOTE	AYES (Dale	NAYS (ABSTAIN (
	(Signorino	((
	(Lichtenberg	((

CURRENT FUND BUDGET		From	To
ANTICIPATED REVENUES			
1.	Surplus Anticipated	2,600,000.00	2,500,000.00
	TOTAL SURPLUS ANTICIPATED	2,600,000.00	2,500,000.00
3.	Miscellaneous Revenues - Section A: Local Revenues		
	Interest and Costs on Taxes	280,000.00	300,001.93
	Total Section A: Local Revenues	1,251,000.00	1,271,001.93
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		
	Body Armor Grant	0.00	4,211.46
	Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues	610,240.80	614,452.26
3.	Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items		
	Reserve for Sale of Property	0.00	400,000.00
	Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items	497,173.58	897,173.58
	TOTAL MISCELLANEOUS REVENUES	5,871,350.06	6,295,563.45
		<u>From</u>	<u>To</u>
5.	SUBTOTAL GENERAL REVENUES (Items 1, 2, 3 and 4)	9,671,350.06	9,995,563.45
6.	Amount to be Raised by Taxes for Support of Municipal Budget:		
	(A) Local Tax for Municipal Purpose Including Res. for Uncollected Taxes	22,740,012.01	22,240,000.00
	TOTAL AMOUNT TO BE RAISED BY TAXES FOR SUPPORT OF MUNICIPAL BUDGET	23,707,983.01	23,207,971.00
7.	TOTAL GENERAL REVENUES (Items 5 and 6)	33,379,333.07	33,203,534.45
APPROPRIATIONS		From	To
8.	(A) Operations Within "CAPS"		
	Office of Township Manager		
	Salaries and Wages	389,805.00	392,805.00
	Division of General Services		
	Other Expenses	159,500.00	167,550.00
	Board of Adjustment		
	Other Expenses	25,750.00	29,250.00
	Division of Patrol		
	Salaries and Wages	4,382,995.00	4,418,995.00
	Other Expenses	155,825.00	153,025.00
	Purchase of Police Vehicles	190,000.00	152,000.00
	Division of Administration		
	Salaries and Wages	409,405.00	531,695.20
	First Aid Organization		
	Contributions	119,875.00	125,375.00

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Municipal Prosecutor		
Salaries and Wages	23,515.00	26,135.00
Division of Streets and Roads		
Salaries and Wages	1,708,535.00	1,655,235.00
Other Expenses	455,900.00	555,900.00
Division of Public Property		
Salaries and Wages	99,760.00	101,760.00
Division of Snow Removal		
Salaries and Wages	300,000.00	350,000.00
Division of Health		
Salaries and Wages	228,665.00	193,665.00
Department of Recreation		
Other Expenses	16,500.00	61,000.00
Senior Services		
Other Expenses	15,625.00	21,625.00
Insurance:		
Group Insurance	3,325,890.00	3,260,890.00
Unclassified:		
Celebration of Public Events		
Other Expenses	10,000.00	20,500.00
	From	To
Reserve for Salary Adjustment	368,511.73	137,141.45
Other Insurance		
TOTAL OPERATIONS (Item 8(A) Within "CAPS")	22,528,255.42	22,496,745.34
TOTAL OPERATIONS INCLUDING CONTINGENT WITHIN "CAPS"	22,528,255.42	22,496,745.34
Detail:		
Salaries and Wages	13,022,434.12	12,918,674.04
Other Expenses (Including Contingent)	9,505,821.30	9,616,071.10
(H-1) TOTAL GENERAL APPROPRIATIONS FOR MUNICIPAL PURPOSES WITHIN "CAPS"	25,268,682.42	25,237,172.34
8.(A) Operations - Excluded from "CAPS"		
Reserve for Tax appeal Judgments	400,000.00	100,000.00
Emergency Services Volunteer LOSAP	180,000.00	130,000.00
Total Other Operations Excluded from "CAPS"	1,547,971.00	1,197,971.00
Inter local Municipal Service Agreements		
Township of Bloomfield		
Division of Health		
Other Expenses	85,306.00	87,806.00
Total Inter local Municipal Service Agreements	136,526.68	139,026.68
Public and Private Programs Offset by Revenues		
Passaic County Cultural Heritage - Local Share	2,000.00	1,000.00
Body Armor Grant	0.00	4,211.46
Total Public and Private Programs Offset by Revenues	680,440.80	683,652.26
TOTAL OPERATIONS - EXCLUDED FROM "CAPS"	2,364,938.48	2,020,649.94
Detail:		
Other Expenses	2,313,717.80	1,969,429.26
8.(C) Capital Improvements - Excluded from "CAPS"		
Capital Improvement Fund	175,000.00	100,000.00
Various Capital Improvements	0.00	400,000.00
TOTAL CAPITAL IMPROVEMENTS EXCLUDED FROM "CAPS"	175,000.00	500,000.00
8.(D) Municipal Debt Service - Excluded from "CAPS"		
Payment of Bond Anticipation Notes	171,750.00	86,750.00
TOTAL MUNICIPAL DEBT SERVICE EXCLUDED FROM "CAPS"	3,186,712.17	3,101,712.17
	From	To
(F) Judgments (N.J.S.A. 40A:4-45.3cc)	40,000.00	0.00

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(H-2) TOTAL GENERAL APPROPRIATIONS FOR MUNICIPAL PURPOSES EXCLUDED FROM "CAPS"	6,085,650.65	5,941,362.11
(O) TOTAL GENERAL APPROPRIATIONS - EXCLUDED FROM "CAPS"	6,085,650.65	5,941,362.11
(L) SUBTOTAL GENERAL APPROPRIATIONS (Items (H-1) and (O))	31,354,333.07	31,178,523.45
9. TOTAL GENERAL APPROPRIATIONS	33,379,333.07	33,203,534.45

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 2015 Local Municipal Budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A:4-9, be published in the Herald News, in the issue of June 21, 2015, and that said publication contain notification of public hearing on said amendment to be held at the Municipal Building on June 30, 2015, at 6:30 o'clock p.m.

IT IS HEREBY CERTIFIED that the Amended Budget hereto and hereby made a part hereof is a true copy of the Amended Budget approved by resolution of the Governing Body on the 17th day of June 2015.

Adopted: June 17, 2015

The public hearing for this resolution is set for the Special Meeting of the Township Council scheduled for June 30, 2015. Notice of this public hearing shall be published in the Herald News on or about June 21, 2015.

Councilman Signorino said he has concerns about the grit cleanup on roads. Last year we supplemented this effort by renting equipment. Administrator Gabbert said the cleanup is about 2 weeks ahead of last year's schedule and DPW is modifying schedules and equipment. If Council rents additional machines like last year, he will get price information. Councilman Signorino said the recent torrential downpours are causing problems. Administrator Gabbert said the DPW supervisor anticipates completion at the end of August and Councilman Signorino said he would like to expedite the process. Councilwoman Dale asked if we will face same situation next year with the allocation for new equipment adding that the road sweeping should be completed by July next year. Discussion ensued about efforts being made to achieve efficiencies in the process.

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

OTHER MATTERS:

Agenda No. IX 3

~ Ordinance 2015 - 009 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING §135 "FEES AND COSTS" OF THE REVISED GENERAL ORDINANCES

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

135-2 Department of Community Services and Recreation

The Department of Community Services & Recreation is authorized to charge the following fees:

- M. Use of teen center/coffee house.
 - (3) After school program at Teen Center
 - \$35.00 per week registration fee
 - \$125.00 per month registration fee
 - This program is for Middle School students only - Grades 7 and 8

This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

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Introduced: June 17, 2015

Second reading and public hearing for this ordinance is set for the Regular Meeting of the Township Council scheduled for July 15, 2015. Notice of this public hearing shall be published in the Herald News on or about June 21, 2015.

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

Mayor Bieri asked to move all resolutions as one including the consent agenda.

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

Agenda No. IX 4

~ Resolution 2015 - 210 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY CANCELING THE SHARED SERVICES AGREEMENT WITH THE BOROUGH OF OGDENSBURG FOR CHIEF FINANCIAL OFFICER

WHEREAS, on April 20, 2011 by virtue of resolution 2011-147 the Township Council of the Township of West Milford did authorize the execution of a shared services agreement with the Borough of Ogdensburg for Chief Financial Officer services; and

WHEREAS, the Township Administrator has been engaged in negotiations with the Mayor of Ogdensburg with the intent to enter into a new agreement whereby the costs associated with the provision of services would be borne equitably by each party; and

WHEREAS, said negotiations have not been successful and the Township Administrator has advised that the Borough of Ogdensburg is not willing to enter into a new agreement wherein they would assume an equal but prorated share of the costs for the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford, County of Passaic, State of New Jersey hereby authorizes the Township Administrator to terminate the shared services agreement with the Borough of Ogdensburg for Chief Financial Officer services in accordance with any civil service or department of personnel regulations that may govern or affect this agreement.

Adopted: June 17, 2015

Agenda No. IX 5

~ Resolution 2015 - 211 ~

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 2015 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 \$100 per year and is provided for in the Township 2015 budget for health services.

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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 Municipal Clerk are authorized to execute the contract on behalf of the Township.

Adopted: June 17, 2015
Agenda No. IX 6

~ Resolution 2015 - 212 ~

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. 1615-33-027-011 FROM BENNETT TRACEY A. TO BREDA LLC FOR A POCKET LICENSE

WHEREAS, an application has been received for a person to person transfer of Plenary Retail Consumption License No, 1615-33-027-011 presently Bennett, Tracey A. to Breda LLC with no sited premises (pocket license); and

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

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

- 1 The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.

WHEREAS, the Police Department has recommended that the license be transferred to the new owner as a pocket (inactive) license with conditions.

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

LICENSE/LICENSEE/T/A	Condition	LICENSE STATUS
BREDA LLC 7 Manchester Way Pine Brook, NJ 07058	1. Licensee must submit and complete a 12 page application to transfer ownership and/or site this license in the Clerk's office. 2. Fire Department, Health Department, Building, Zoning, and Police Department inspections must be made and satisfactory recommendations received in the Clerk's office prior to transfer, activation or opening this license. 3. A Health Department Retail Food Establishment license must be acquired prior to opening 4. Certificate of Occupancy must be issued prior to opening if applicable.	Inactive / Pocket

Adopted: June 17, 2015
Agenda No. IX 7

≈ Resolution 2015 - 213 ≈

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING FOR THE ASSIGNMENT OF TAX SALE CERTIFICATES AT PRIVATE SALE BLOCK 2004, LOT 11

WHEREAS, the Collector of Taxes has reported to the Township Council the offer of Gary and Kathy Van Orden to acquire by assignment the following tax lien certificate held by the Township of West Milford.

Lien Certificate	Date of Sale	Block/ Lot	Amount Due
11-018	4-19-11	2004 / 11	\$2,410.52

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WHEREAS, the said Gary and Kathy Van Orden has paid to the Collector of Taxes the sum of \$2,410.52 representing the amount due on said Certificates, together with subsequent liens thereon;

BE IT RESOLVED that June 17, 2015, at 6:30 P.M. prevailing time at the West Milford Town Hall, be set as the date, time and place when and where the Township Council shall take action on the said offers of Gary and Kathy Van Orden and

BE IT FURTHER RESOLVED, that the Collector of Taxes be and hereby is directed, pursuant to N.J.S.A. 54:5-112 and 5-113, to publish such notice in the Herald News, mail such notice and post such notices as shall be required by law prior to any action as shall be taken by the Township Council on said offer.

Adopted June 17, 2015

Agenda No. IX 8

~ Resolution 2015 – 214 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE SETTLEMENT OF CERTAIN TAX APPEALS

WHEREAS, appeals of the real property tax assessments of the following properties have been filed in the Tax Court of New Jersey:

PROPERTY OWNER	BLOCK	LOT	ADDRESS
Slabaugh	2702	17	54 Landing Rd.
Kardanow	2802	2	343 Warwick Tpk.
Kardanow	6404	13	104 Lincoln Ave.
Munoz	13809	16	22 Walker Ave.
Bosland Bosland & McCahill	4103	3	90 Long Pond Rd.
Badaan	13102	35	18 Pawnee Terrace
Magee & Welfel	1807	2	64 Cedarbrook Rd.

; 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 appeals.

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:

- The settlement of the following tax appeals filed at the Tax Court of New Jersey is hereby authorized as follows:

PROPERTY OWNER	YEAR	ORIGINAL ASSESSMENT	COUNTY BOARD OF TAXATION SETTLEMENT	PROPOSED SETTLEMENT
Slabaugh	2012	\$243,900	\$233,900	\$156,700
	2013	\$233,900	\$233,900	\$156,700
	2014	\$178,500	\$178,500	\$113,800
Kardanow – 343 Warwick	2012	\$222,700	\$222,700	\$208,600
	2013	\$222,700	\$222,700	\$208,600
	2014	\$222,700	\$222,700	\$208,600
Kardanow – 104 Lincoln	2012	\$473,600	\$473,600	\$424,200
	2013	\$473,600	\$473,600	\$424,200
	2014	\$473,600	\$473,600	\$424,200
Munoz	2011	\$164,100	\$164,100	\$120,400
Bosland Bosland & McCahill	2012	\$331,000	\$331,000	\$291,900
	2013	\$331,000	\$331,000	\$291,900
	2014	\$331,000	\$331,000	\$291,900
Badaan	2012	\$491,100	\$491,100	\$491,100
	2013	\$491,100	\$491,100	\$470,000
Magee & Welfel	2013	\$108,400	\$85,000	\$57,000

- 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

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- 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 17, 2015

Agenda No. IX 9

~ Resolution 2015 – 215 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE 2015 TEMPORARY BUDGET

WHEREAS, NJSA 40A:4-19 provides that where contracts, commitments or payments are to be made prior to the final adoption of the 2015 budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

WHEREAS, Resolution 2015-026 for the initial temporary appropriations budget needs to be amended; and

WHEREAS, effective July 1, 2015 said temporary appropriations are extended and now limited to 58.84% of the total appropriation in the 2014 budget, exclusive of any appropriations made for debt service, public assistance, and capital improvement fund in said 2014 budget,

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

APPROPRIATION	ACCOUNT NUMBER	2014 BUDGET AS ADOPTED	2015 TEMPORARY BUDGET
Administrator S&W	01-201-20-100-100	\$314,552	\$185,082
Administrator O.E.	01-201-20-100-200	\$104,450	\$61,458
TOTAL		\$419,002	\$246,541
Township Mayor & Council S&W	01-201-20-105-100	\$34,000	\$20,006
Township Mayor & Council O.E.	01-201-20-105-200	\$2,350	\$1,383
TOTAL		\$36,350	\$21,388
Information Technology S&W	01-201-20-140-100	\$106,299	\$62,546
Information Technology O.E.	01-201-20-140-200	\$47,325	\$27,846
TOTAL		\$153,624	\$90,392
Legal O.E.	01-201-20-155-200	\$260,000	\$260,000
General Services S&W	01-201-20-161-100	\$22,120	\$13,015
General Services O.E.	01-201-20-161-200	\$155,500	\$105,000
TOTAL		\$177,620	\$118,015
Engineering S&W	01-201-20-165-100	\$255,937	\$150,594
Engineering O.E.	01-201-20-165-200	\$81,250	\$47,808
TOTAL		\$337,187	\$198,401
Insurance, Other	01-201-23-210-200	\$998,854	\$779,837
Insurance, Group	01-201-23-220-200	\$3,272,800	\$1,925,716
Health Benefit Waiver	01-201-23-230-200	\$50,000	\$35,000
TOTAL		\$4,321,654	\$2,740,553
Heritage O.E.		\$0	
Clerk S&W	01-201-20-120-100	\$246,428	\$144,998
Clerk O.E.	01-201-20-120-200	\$21,480	\$12,639

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APPROPRIATION	ACCOUNT NUMBER	2014 BUDGET AS ADOPTED	2015 TEMPORARY BUDGET
TOTAL		\$267,908	\$157,637
Elections S&W	01-201-20-146-100	\$1,500	\$883
Elections O.E.	01-201-20-146-200	\$13,400	\$7,885
TOTAL		\$14,900	\$8,767
Treasurer S&W	01-201-20-130-100	\$168,455	\$99,119
Treasurer O.E.	01-201-20-130-200	\$10,758	\$8,000
TOTAL		\$179,213	\$107,119
Annual Audit	01-201-20-135-200	\$40,000	\$ -
Annual Audit Additional Services	01-201-20-135-200	\$20,000	\$10,000
TOTAL		\$60,000	\$10,000
Tax Collector S&W	01-201-20-145-100	\$184,730	\$108,695
Tax Collector O.E.	01-201-20-145-200	\$47,215	\$18,000
TOTAL		\$231,945	\$126,695
Tax Assessor S&W	01-201-20-150-100	\$293,445	\$172,663
Tax Assessor O.E.	01-201-20-150-200	\$17,984	\$10,582
TOTAL		\$311,429	\$183,245
PLANNING BOARD O.E.	01-201-21-180-200	\$34,850	\$34,850
Planning, Comp. S&W	01-201-21-181-100	\$129,351	\$76,110
Planning, Comp. O.E.	01-201-21-181-200	\$20,800	\$12,239
TOTAL		\$150,151	\$88,349
ZONING ADMINISTRATION S&W	01-201-21-185-100	\$80,461	\$47,343
BOARD OF ADJUSTMENT O.E.	01-201-21-186-200	\$30,200	\$30,200
Historic Preservation S&W	01-201-20-175-100	\$1,200	\$706
Historic Preservation O.E.	01-201-20-175-200	\$200	\$118
TOTAL		\$1,400	\$824
Autumn Lights Festival	01-201-20-171-471	\$3,000	\$ -
Building S&W	01-201-22-195-100	\$362,474	\$213,279
Building O.E.	01-201-22-195-200	\$6,530	\$6,530
TOTAL		\$369,004	\$219,809
Environmental Commission S&W	01-201-22-196-100	\$1,600	\$941
Environmental Commission O.E.	01-201-22-196-200	\$880	\$518
TOTAL		\$2,480	\$1,459
Police Patrol S&W	01-201-25-240-100	\$4,388,683	\$2,582,301
Police Patrol O.E.	01-201-25-240-200	\$156,802	\$92,262
Police Patrol-Purchase of Police Vehicles	01-201-25-240-900	\$147,533	\$ -
Police Detective S&W	01-201-25-241-100	\$654,831	\$385,302
Police Administration S&W	01-201-25-242-100	\$530,072	\$297,687
Police Communication S&W	01-201-25-243-100	\$352,849	\$207,616
Police Comm. O.E.	01-201-25-243-200	\$10,000	\$5,884
Police Specials S&W	01-201-25-244-100	\$35,000	\$20,594
Police Specials O.E.	01-201-25-244-200	\$8,500	\$5,001
TOTAL		\$6,284,270	\$3,596,648
Emergency Management S&W	01-201-25-252-100	\$5,000	\$2,942
Emergency Management O.E.	01-201-25-252-200	\$31,000	\$18,240

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APPROPRIATION	ACCOUNT NUMBER	2014 BUDGET AS ADOPTED	2015 TEMPORARY BUDGET
TOTAL		\$36,000	\$21,182
First Aid - WMFAS Contributions	01-201-25-260-200	\$83,625	\$49,205
First Aid - UGL 1st Aid Squad Contributions	01-201-25-260-200	\$41,500	\$24,419
TOTAL		\$125,125	\$73,624
Aid To Vol. Fire Co.	01-201-25-255-200	\$90,000	\$52,956
Fire Prevention Bureau S&W	01-201-25-265-100	\$207,494	\$122,090
Fire Prevention Bureau O.E.	01-201-25-265-200	\$13,450	\$7,914
Fire Co. Admin. S&W	01-201-25-266-100	\$9,090	\$5,349
Fire Co. Admin. O.E.	01-201-25-266-200	\$265,650	\$156,308
LOSAP	01-201-25-267-200	\$125,000	\$0.00
TOTAL		\$710,684	\$344,617
DPW Streets & Roads S&W	01-201-26-290-100	\$1,658,869	\$976,078
DPW Streets & Roads O.E.	01-201-26-290-200	\$406,900	\$239,420
DPW Buildings & Grounds S&W	01-201-26-291-100	\$98,549	\$57,986
DPW Buildings & Grounds O.E.	01-201-26-291-200	\$38,600	\$28,500
DPW Snow Removal S&W	01-201-26-294-100	\$250,000	\$250,000
DPW Snow Removal O.E.	01-201-26-294-200	\$838,570	\$838,570
DPW Vehicle Maintenance S&W	01-201-26-315-100	\$279,960	\$164,728
DPW Vehicle Maintenance O.E.	01-201-26-315-200	\$320,500	\$210,000
TOTAL		\$3,891,948	\$2,765,283
Public Health S&W	01-201-27-330-100	\$231,571	\$136,256
Public Health O.E.	01-201-27-330-200	\$39,138	\$23,029
Vital Statistics S&W	01-201-27-331-100	\$8,360	\$4,919
Vital Statistics O.E.	01-201-27-331-200	\$19,350	\$11,386
Housing Standard Bureau O.E.	01-201-27-332-441	\$25,000	\$14,710
Environmental Health S&W	01-201-27-335-100	\$211,015	\$124,161
Environmental Health O.E.	01-201-27-335-200	\$77,380	\$45,530
Animal Control S&W	01-201-27-340-100	\$98,428	\$57,915
TOTAL		\$710,242	\$417,906
Recreation Programs S&W	01-201-28-370-100	\$344,702	\$202,823
Recreation Programs O.E.	01-201-28-370-200	\$129,000	\$75,904
Recreation-Bubbling Springs S&W	01-201-28-371-100	\$175,000	\$102,970
Recreation-Bubbling Springs O.E.	01-201-28-370-200	\$70,000	\$70,000
Recreation-Admin. S&W	01-201-28-372-100	\$137,179	\$80,716
Recreation-Admin. O.E.	01-201-28-372-200	\$18,600	\$10,944
Recreation-Hillcrest S&W	01-201-28-374-100	\$97,432	\$57,329
Recreation-Hillcrest O.E.	01-201-28-374-200	\$38,750	\$22,801
Recreation-Parks Maintenance S&W	01-201-28-375-100	\$241,341	\$142,005
Recreation-Parks Maintenance O.E.	01-201-28-375-200	\$115,550	\$67,990
Senior Citizen Services S&W	01-201-28-376-100	\$74,181	\$43,648
Senior Citizen Services O.E.	01-201-28-376-200	\$15,225	\$12,000
TOTAL		\$1,456,959	\$889,128
Veteran's Bureau S&W	01-201-20-172-100	\$1,250	\$736
Veteran's Bureau O.E.	01-201-20-172-200	\$150	\$88
TOTAL		\$1,400	\$824

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APPROPRIATION	ACCOUNT NUMBER	2014 BUDGET AS ADOPTED	2015 TEMPORARY BUDGET
Celebration of Public Events O.E.	01-201-30-420-200	\$11,500	\$6,000
Mass Transportation	01-201-30-432-200	\$42,500	\$25,007
Library S&W	01-201-29-390-100	\$540,600	\$318,089
Library O.E.	01-201-29-390-200	\$459,018	\$301,000
TOTAL		\$999,618	\$619,089
Municipal Court S&W	01-201-43-490-100	\$276,139	\$162,480
Municipal Court O.E.	01-201-43-490-200	\$20,050	\$11,797
Municipal Court Prosecutor S&W	01-201-43-491-100	\$23,512	\$13,834
Municipal Court Prosecutor O.E.	01-201-43-491-200	\$2,500	\$1,471
TOTAL		\$322,201	\$189,583
Utilities-Electricity	01-201-31-430-200	\$165,765	\$123,711
Utilities-Street Lights	01-201-31-435-200	\$56,000	\$31,280
Utilities-Telephone	01-201-31-440-200	\$142,500	\$95,963
Utilities-Natural Gas	01-201-31-446-200	\$44,200	\$26,007
Utilities-Fuel	01-201-31-460-200	\$455,000	\$267,722
TOTAL		\$863,465	\$544,683
MISCELLANEOUS & STATUTORY EXPENDITURES PENSION & FICA			
PERS	01-201-36-471-532	\$768,908	\$866,749
Social Security	01-201-36-472-533	\$668,009	\$393,056
Defined Contributions Retirement Prog	01-201-36-475-536	\$4,000	\$3,500
PFRS	01-201-36-473-534	\$1,177,842	1,054,633.00
TOTAL		\$2,618,759	\$2,317,938
Salaries & Wages Adjustment Account	01-201-37-480-501	\$0	\$ -
Retirement Contingent	01-201-38-485-110	\$50,000	\$135,000
Interlocal agreement - Finance	01-201-47-400-130	\$50,216	\$29,547
Interlocal agreement - Health	01-201-47-500-201	\$81,244	\$47,804
DEFERRED CHARGES & RESERVE FOR UNCOLLECTED TAXES			
Judgments		\$40,000	
Deficit in 2004 Assessment Bonds	01-201-46-886-596	\$34,810	
Emergency Authorization	01-201-46-887-528	\$268,506	
Reserve for Tax Appeals	01-201-46-886-667	\$40,000	
Def Charges - Ord 92-14 Impr to Mun Prop	01-201-46-886-510	\$25,494	
Reserve for Uncollected Taxes	01-201-50-899-200	\$2,015,000	
TOTAL		\$2,423,810	\$ -
GRANTS	G-02-41	\$285,997	\$ -
SUBTOTAL		\$28,408,314	\$16,715,452
CAPITAL BUDGET - CURRENT YEAR CAPITAL			
Capital Improvements Fund	01-201-44-900-200	\$150,000	\$ -
Cap Improvements Fund Down Payments			\$ -
Cap. Improv. Fund-Fire Emer Equip.	01-201-44-900-230	\$0	
TOTAL		\$150,000	\$ -
Debt Service Total		\$2,682,135	\$2,622,429.00
TOTAL OPERATING BUDGET		\$31,240,449	\$19,337,881

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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APPROPRIATION	ACCOUNT NUMBER	2014 BUDGET AS ADOPTED	2015 TEMPORARY BUDGET
SOLID WASTE DISTRICT BUDGET			
Solid Waste S&W	26-201-55-500-100	\$95,024	\$55,912
Solid Waste O.E. All Other	26-201-55-500-200	\$60,000	\$35,304
Contractual Services	26-201-55-500-514	\$1,148,805	\$675,957
Disposal Fees	26-201-55-500-548	\$680,000	\$400,112
Grants - Recycling County of Passaic		\$0	\$ -
Prior Year's Bills		\$0	\$ -
Commercial Pick Up		\$0	\$ -
TOTAL		\$1,983,829	\$1,167,285

Adopted: June 17, 2015

Agenda No. IX 10

~ Resolution 2015 - 221 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE DISCHARGE OF A CERTAIN MORTGAGE HELD BY THE TOWNSHIP OF WEST MILFORD AGAINST PROPERTY KNOWN AS 31 SETTING SUN TRAIL, WEST MILFORD, NEW JERSEY

WHEREAS, in accordance with its Small Cities CDBG program and Emergency Housing Repair Program issued a Note and Mortgage in the amount of \$2,681.00 to Rose M. Van Wolde, 31 Setting Sun Trail, West Milford, NJ; and

WHEREAS, in accordance with the terms of the loan, at the conclusion of a five year period the loan will be forgiven and the corresponding Mortgage will be discharged; and

WHEREAS, the Township Planning Department advises that Ms. Van Wolde has complied with the terms of the loan and therefore a Discharge of Mortgage should be issued.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of West Milford, in the County of Passaic, and State of New Jersey that the Township Attorney is hereby authorized to execute and record with the Passaic County Clerk a Discharge of Mortgage in connection with the Emergency Housing Repair Program loan issued to Rose Van Wolde in the amount of \$2,681.00.

BE IT FURTHER RESOLVED, that all municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.

This Resolution shall take effect immediately.

Adopted: June 17, 2015

Agenda No. X

Consent Agenda

~ Resolution 2015 – 216 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PASSAGE OF A CONSENT AGENDA

WHEREAS, the Mayor and Township Council of the Township of West Milford has reviewed the Consent Agenda consisting of various proposed Resolutions and Applications.

NOW, THEREFORE, BE IT RESOLVED, that the following Resolutions and Applications on the Consent Agenda are hereby approved:

Resolutions:

- a. **2015-217** – Refund Other Liens
- b. **2015-218** – Refund Recreation Fees
- c. **2015-219** – Reinstate Taxes

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Applications:

1. Application for Off Premise Raffle License #2015-20 by West Milford Midget Football Association for August 28, 2015
2. Application for Social Affair Permit Application by Project U.S.E (Wildcat Mountain Wilderness Center) for August 22, 2015 from 5:00 pm to 10:00 pm

Adopted: June 17, 2015

Agenda X a

~ Resolution 2015 – 217 ~

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:

Certificate No.	Certificate Date	Block/Lot/Qual	Reimburse Amount	Pay to the Lien Holder
12-0048	03/27/2012	03503-044	\$31,193.81	TOWER FUND SER.AS CUST. FOR EBURY FUND 1NJ LLC PO BOX 37695 BALTIMORE, MD 21297-3695
13-0117	03/19/2013	16906-006	\$92,671.60	KENAT INC 184 S. LIVINGSTON AVE., STE 9-152 LIVINGSTON, NJ 07039
14-0027	10/14/2014	03602-001	\$2,664.99	PC5 LLC USB CUST FOR PC5 STER. NAT. 50 SOUTH 16TH STREET, SUSITE 2050 PHILADELPHIA, PA 19102
Grand Total			\$126,530.40	

Adopted: June 17, 2015

Agenda X b

~ Resolution 2015 – 218 ~

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:

Lacrosse travel		
Destiny	105.00	Donna Giannantonio 45 Belford Drive Hewitt, NJ 07421
Out of town fees charged		
Alexandra VonKaszner	30.00	Galina VonKaszner 123 Rockburn Pass West Milford, NJ 07480
Girl's Fun / Full day to ½ day		
Caroline	\$45.00	Karen Gabel 1372 Macopin Road West Milford, NJ 07480
Day Camp 1 & 2 and trips		
Hayley & Hunter Harz	\$200.00	Judy Kehr 65 Alpine Ridge Road West Milford, NJ 07480
Day Camp		
Daniel and Dylan	\$845.00	Dana Preziosi 371 High Crest Drive West Milford, NJ 07480

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Day Camp		
Alexis & Alyssa Kral	\$2259.00	Angela Kral 702 Otterhole Road West Milford, NJ 07480

Adopted: June 17, 2015

Agenda X c

~ Resolution 2015 – 219 ~

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

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

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

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

REASON: 1. INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR
14112-3	Anthony Pietranico	\$864.89	2015
2303-10	Michael & Joanna Reilly	\$1,927.00	2015
5001-3	Charles Gravatt	\$599.13	2015
5001-3 QFarm	Charles Gravatt	\$11.00	2015
5304-7	Martin Perricone	\$4,790.00	2015
8901-40	Mariusz Moryl	\$2,605.00	2015
2014-15	Carol & Thomas Schaefer	\$999.00	2015
TOTAL		\$11,796.02	

Adopted: June 17, 2015

Agenda No. XI

Approval of Expenditures

~ Resolution No. 2015 - 220~

RESOLUTION APPROVING THE PAYMENT OF BILLS

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

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

Acct #	Account Name	Amount
1	Current Account	462,166.03
3	Reserve Account	4,947.00
2	Grants	5,723.50
6	Refunds	130,014.40
1	General Ledger	0.00
26	Refuse	83,950.00
4	Capital	18,197.03
19	Animal Control	8,106.46
19	Heritage Trust	115.00
19	Open Space Trust	0.00
19	Trust	4,093.47
19	COAH	94.50
16	Development Escrow	9,783.23

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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food for thought and she hopes someone in the school system will consider it. Last Thursday she made presentations to the Passaic County Open Space Committee regarding grant applications and was well received. She listed the grants. The CS&R Director Tim Roetmann and David Epstein from the Land Conservancy also attended. The award comes in September. She has been working on MUA issues for years. The MUA has had ongoing issues throughout its history. She gave some details of the history. A new law passed in February has presented a new opportunity. She believes the answer to the MUA woes is privatization. It was not feasible when she first looked into it. However this new law presents a possibility that the MUA could be privatized. The end result may actually reduce rates and stabilize them because the cost would be spread through state wide users. There would be more oversight and compliance with more regulations. She asked Council for support of the concept of selling the MUA. Naturally, it needs more research. As a distressed system The Council can take that action. The town could put out an RFP which would not be binding but would indicate if there is interest from private entities in assuming ownership of the MUA. It could mean finally ending the MUA saga. She commended the MUA commissioners for all their hard work and the advances they have made. She asked for consensus to have Mr. Semrau look into this further. Councilwoman Dale asked if it is appropriate to have the MUA meet and review the concept. Mayor Bieri said if Council is supportive she would like to attend an MUA meeting to see if they are supportive. She would like to have their support. Councilwoman Dale asked if other utilities have successfully done this. Mayor Bieri said utilities have been privatized over the years but this law was signed in February for distressed systems. Councilwoman Dale said there is no harm in researching the option. She thinks the MUA would entertain the concept. Councilman Signorino said feedback from water companies has not been favorable in the past but he supports us looking into it. Discussion ensued about past interest and issues. Mr. Semrau said he will have to research the matter. One good thing is that the BPU regulates these private entities. Public utilities are not subject to BPU oversight. Further discussion ensued about a possible RFP. The Council gave consensus to have Mr. Semrau research the matter.

Administrator Gabbert said the HIF has moved along with the wellness program. West Milford is one of four towns in this year's pilot and the HIF will fund part of the costs. The town will contribute more in subsequent years. He said June 30th is the big day for the budget. He read the agenda for the special meeting. He said he received comments on the vehicle list and there is an updated more legible report in Council packets. He said rest assured that when residents report any drug complaint he passes it along to police. It is invariably on their radar screen and part of many of their investigations. The Mayor said Council recognizes all the diligence of the police. The PAL preschool lease is signed.

Fred Semrau said that he received inquiries about the lobbyist and he asked for and received consensus to invite the lobbyist, Mr. Pascrell to make a presentation at the July meeting. He urged the Council to convey any questions prior to the presentation. Discussion ensued about the legislation. Mr. Semrau updated Council on a tort claim that was filed but did not proceed to litigation due to the diligence of the administrative staff in the Township Administrator's office. He commended them on their efforts noting that they recognized that the complaint was filed after the requisite date.

Agenda No. XIII

Appointments and Resignations

None.

Agenda No. XV

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 10:28 p.m.

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

Approved: September 16, 2015

MAYOR BETTINA BIERI, PRESIDING OFFICER

ANTOINETTE BATTAGLIA, TOWNSHIP CLERK