
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: July 11, 2018
Time of Meeting: 6:30 pm
Minute Page No: Page 1 of 23

The Workshop and 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 and Regular meeting was advertised in the Herald News in its issue of February 11, 2018; copies were provided to the Suburban Trends, the Record and Star Ledger and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Agenda No. I

Pledge of Allegiance

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

Agenda No. II

Roll Call

Present: Councilmembers Andrena Pegel, Tim Wagner, Pete McGuinness, Luciano Signorino
Mayor Bettina Bieri
Absent: Mike Hensley, Patricia Gerst
Also Present: Township Administrator/Clerk Antoinette Battaglia, Township Attorney Fred Semrau

Agenda No. III

Reading of or Approval of Unapproved Minutes

June 13, 2018 Executive Session
June 13, 2018 Workshop and Regular Meeting

Moved: McGuinness Seconded: Pegel
Voted Aye: Pegel, Wagner, McGuinness
Voted Nay: None
Abstain: Signorino
Absent: Hensley, Gerst
Motion Carried:

Agenda No. IV

Meetings

Mayor Bieri noted the future meeting schedule:

August 15, 2018 Workshop and Regular Meeting
September 5, 2018 Workshop Meeting
September 19, 2018 Regular Meeting

Agenda No. V

Executive Session

~ Resolution 2018 – 181 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 11th day of July, 2018 that:

1. Prior to the conclusion of this **Workshop/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.

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- (X) b. (4) A collective bargaining agreement including negotiations
 - PBA and SOA
 - () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - () b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
 - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - Attorney Client Privilege – Code Amendments
 - Attorney Client Privilege – Tax Appeals
 - Attorney-Client Privilege – Council on Mandates
 - Contract – Director of Health/Health Officer
 - () b. (8) Personnel matters
 - () b. (9) Deliberations after a public hearing that may result in penalties.
2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: July 11, 2018

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

The Governing Body went into executive session at 6:39 p.m.
The Governing Body returned to the public meeting at 8:25 p.m. with all present as before.

Agenda No. VI

Proclamations

None

Agenda No. VII

Presentations

Wreaths Across America – Mr. Evan LeMay thanked the Governing Body for asking him and Mathew Hoffman to speak. He said they are seniors at West Milford High School, and they both have brothers in the U.S. Army. Mr. Hoffman noted that he and Evan participated in Wreaths Across America in Sparta, and they raised over \$6,000 in three weeks. He said that this year, they are bringing Wreaths Across America to West Milford cemeteries. He explained that Wreaths Across America is a national organization that takes place across the country on the third Saturday of every December to recognize the Veterans that have served our Country. The gentlemen asked the Governing Body for their support and assistance to make the event happen and become a memorable and unforgettable experience for the Township by honoring the Veterans.

Mr. LeMay said they are open to any suggestions, and will gladly sit down with the Governing Body to brainstorm anything additional. He provided a list of items that they will need assistance with, instruction sheets on how to donate and volunteer, and a list of what was explained tonight. Mayor Bieri asked if they could go over the list of items that they will need assistance with. Mr. Hoffman asked for assistance in securing a location for the opening ceremony at Veterans Park; they will provide refreshments. They would like to utilize the main meeting room at Town Hall so the volunteers can prepare everything, and they will clean up after the event. They will need additional garbage cans around Town Hall. They plan on having the West Milford High School band perform, and Mayor Bieri has agreed to speak; they have access to a speaker system but will need electricity. Mr. Hoffman said that they expect 100 volunteers but more are welcome. They would need to provide parking for the main ceremony, and transportation to travel to and from the cemeteries, and someone to direct traffic. Mr. LeMay said they will be hosting a luncheon for all the volunteers at Macopin Firehouse, and are seeking food, drinks and paper good donations. They will also hand out donation letters to the local businesses in the fall.

Councilman McGuinness thanked the gentlemen and commended them. He asked how they raise the money. Mr. Hoffman said last year at the High School they put cups in the classrooms for students to donate their spare change. They have sheets printed out for wreath donations, and the cost for a wreath is \$15.00. Mayor Bieri noted that the event would be Saturday, December 15th. Councilman Signorino said that Ms. Marilyn Lichtenberg can bring the information back to the Rotary Club. He noted that the Chamber of Commerce should have a meeting in a week and he will reach out to Mr. LeMay and Mr. Hoffman with the date.

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He said businesses attend the meetings, so if they are seeking donations, it would be a good idea for them to attend. Councilwoman Pegel thanked the gentlemen for sharing this mission because recognizing the Veterans is very important.

Agenda No. VIII

Discussion Items

1.	<p>Discussion: Veterans Park Request: Administrator Battaglia said the request was forwarded to Mr. Steines because many of the DPW personnel are very good with tree removal, and they would be able to handle that portion of the request with the Governing Body's consent. She said she reached out to the members of the Veterans Council recognizing that the Governing Body always instructs them to get approval from the Veterans Council before anything happens at Veterans Park, and they gave their consent. Councilman Signorino noted that there are volunteers that want to cut down the trees but we want to employ our DPW employees to cut down the trees. Mayor Bieri said the volunteers' volunteered to cut down the trees, and the DPW employees will remove the stumps. Councilman McGuinness said that the Beautification and Recycling Committee wants to know who is authorized to use the Veterans Park trust fund that was set up in the past; who is responsible for the overall maintenance of the park, and, is the Beautification and Recycling Committee allowed to use the trust funds to maintain Veterans Park. Administrator Battaglia said the trust funds are managed equally. She can take a look at the history, and if the Committee had a specific request and contacted administration, they would come forth to the Governing Body with the request. She noted that the Veterans Council requested that the park not be maintained by any Township Committee. Councilman McGuinness asked if the trust fund can be used to replace a flower pot or a tree. Councilman Signorino said yes, and the Veterans said that all those requests go through the Veterans Council. Administrator Battaglia explained that the Committee would make a request and it would need approval from the Veterans Council. Councilman McGuinness asked who is responsible for weeding and maintaining the park. Administrator Battaglia said much of the maintenance is done through the efforts of volunteers, and at certain times, with the approval of the Veterans Council, Township staff has been involved. She noted the grass is cut as part of the lawn maintenance, and the maintenance worker at Town Hall was dispatched this week to spray the weeds. Mayor Bieri asked the Governing Body for authorization. The Governing Body gave consensus to use DPW staff to remove the tree stumps. Councilman Signorino said if the volunteers want to absorb the cost of cutting the trees down, he is not against the volunteers doing the work. Mayor Bieri noted that the volunteers are requesting that the Township remove the tree stumps. Councilman Signorino asked if there is a reason why the volunteers can't remove the tree stump. Mayor Bieri noted that the request is to remove the trees and the stumps. Councilman McGuinness said the request is to replace the trees with headstones and he requested to see the design of the headstones before they get placed in Veterans Park. Administrator Battaglia confirmed that the Governing Body is giving consensus for DPW staff to remove the trees and the stumps, and review the headstones before being placed in Veterans Park. Mayor Bieri noted that the Council authorized the volunteers to cut down the trees, DPW staff to remove the stumps, and the Governing Body to preview the headstones prior to being placed in Veterans Park.</p>
2.	<p>Discussion: Road Assessment: Mayor Bieri said there is a detailed memo from Mr. Miller for the Governing Body, and the residents are strongly in support of the voluntary assessment program. Administrator Battaglia said the next part of the process, if the Governing Body is amenable, is for the Tax Assessor, Engineering Department and Administrator to meet with the residents to see if the sediment on the ground is the same as what came in with the petition. She said they will then refer back to the Governing Body and advise them to continue the process. The Governing Body gave consensus.</p>
3.	<p>Discussion: Salary Ordinance 2018-006: Mayor Bieri noted that she asked administration to add this back on the agenda because she is trying to get an understanding what the issue is since this is a standard process. Councilman Wagner said this was discussed, and the Council agreed to wait until the cost efficiency audit was completed. He does not understand the salary projected increase and asked if it was in the budget this year. Administrator Battaglia explained that during negotiations with the bargaining units, money was put aside each year in anticipation of ratification of those contracts and it applies to the salary ordinance. Councilman Wagner said it is always about performance, and he wants to know if all the employees were evaluated because it is possible that an employee might be worth more money than a 1% increase.</p>

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Agenda No. IX

Unfinished Business, Final Passage Of Ordinances

None

Agenda No. X

Public Comments

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

Mary Ann Terracino and Josephine Falzarano, 7110 Richmond Road, West Milford – Ms. Terracino noted that she watched last month’s meeting on TV, and there was something said about transportation that was misleading. She said they might have misled their Council Liaison at the meeting. She explained that when they had their meeting, they were not complaining about the bus. There are no complaints and the bus is running good. The seniors want paratransit from the County. A lot of seniors need rides to get to the doctors and taking a taxi is expensive and hard. She stated that they don’t have a problem with the transportation, and at the last meeting, there was a comment made that there are too many bus trips at different places; Bald Eagle Commons and Bald Eagle Village. She explained that people get up at different times and there are handicap people that can’t make the early bus. She said a person at the last meeting said that Bald Eagle Commons and Bald Eagle Village are being catered to. She said for that person’s information, there are 463 condos in Bald Eagle Commons, and 39 Town houses, and without their tax dollars, West Milford would be up the creek without a paddle. She said that they pay a lot of taxes, and they are happy with their bus. She said they have a terrific First Aid Squad, Police Department, and Fire Department and they are thankful for them. She said their garbage gets picked up from the Township and Richmond Road gets plowed; other than that, they are self-sufficient. They don’t feel that asking for a bus is too much. She said they are working with Councilwoman Pegel regarding the paratransit, and they have a great Senior Advisory Committee. She thanked the Governing Body for everything. She mentioned that there are mothers in the ShopRite parking lot talking on their cell phones and letting their kids wander around in the parking lot. She said please watch your children so there are no accidents.

Tom Napiorski, 45 Alpine Court, Hewitt – Thanked the Governing Body for allowing the road improvement and assessment program to continue. He noted that he submitted a petition.

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

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

Agenda No. XI

Council Comments

Councilman Signorino – Thanked the ladies for speaking about their concerns about the mothers talking on their phones and not watching their kids in the ShopRite parking lot.

Agenda No. XII

New Business, Introduction Of Ordinances, Resolutions

Agenda No. XII 1

~ Ordinance 2018 – 006 ~

~ TABLED ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY CONCERNING SALARIES AND COMPENSATION FOR ADMINISTRATIVE, CONFIDENTIAL AND UNAFFILIATED EMPLOYEES

Moved: McGuinness Seconded: Signorino
Voted Aye: Pegel, Wagner, McGuinness, Signorino
Voted Nay: None
Absent: Hensley, Gerst
Motion Carried:

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Agenda No. XII 2

~ Ordinance 2018 – 007 ~

BOND ORDINANCE APPROPRIATING \$2,401,250, AND AUTHORIZING THE ISSUANCE OF \$2,187,137 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 \$2,401,250 including the aggregate sum of \$115,113 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 \$99,000 received or expected to be received by the Township from the Passaic County Open Space Trust Fund, 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 \$2,401,250 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 \$2,187,137 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 \$2,187,137 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) Acquisition by purchase of new and additional vehicular equipment, including without limitation and one (1) dump truck 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	\$200,000	\$190,000
(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, Gould Road, Cahill Cross Road, Morsetown Road, Rockburn Pass, Mary Street, Rosemont Avenue, Monmouth Avenue, Duralee Court, Carriage Lane, Pawnee Terrace, Setting Sun Trail, High Street, High Crest Drive and MacGregor Road, 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	\$1,000,000	\$950,000
(c) Improvement of municipally-owned properties and facilities in and by the Township, including without limitation, Nosenzo	\$294,000	\$185,250

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IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES
Pond Park by the installation of lighting at the athletic fields and the Department of Public Works building by the upgrade of the heating, ventilation and air conditioning system, the upgrade of the roof and the installation of new flooring, 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, the \$294,000 appropriation hereby made therefor being inclusive of the amount of \$99,000 received or expected to be received by the Township from the County of Passaic Open Space Trust Fund as a grant-in-aid of financing said improvement to Nosenzo Pond Park		
(d) Acquisition by purchase of new and additional equipment, including without limitation, turnout gear for use by the Fire Department of the Township, bleachers for use by the Community Services and Recreation Department of the Township, one (1) loader and three (3) asphalt rollers for use by the Department of Public Works of the Township, and emergency response equipment for use by First Aid Squads of the Township, together with all appurtenances, 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	\$337,250	\$320,387
(e) Improvement of the communication system of the Fire Departments in and by the Township by the upgrade thereof, 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	\$70,000	\$66,500
(f) Acquisition by purchase of new and additional firefighting equipment for the preservation of life and property in the Township, including one (1) fire 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	\$500,000	\$475,000
Totals	<u>\$2,401,250</u>	<u>\$2,187,137</u>

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 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 10.72 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 \$2,187,137, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

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Councilman McGuinness asked for clarification on resolution 2018-195. Mr. Semrau explained that when the Township owns tax sale certificates; they are waiting for payment because of the non-payment. If a third party has no interest in the property, but wants to invest, then the Township can assign that certificate to them in exchange for payment in full. He explained by authorizing the resolution, the Township will get payment for the tax sale certificate, and it will be up to someone else if they want to move forward and either foreclose or collect the interest. The Township will be paid 18 percent interest since the date of sale. The Tax Collector takes all the necessary steps; posts notices and notifies the owner that the Township has an opportunity to collect.

Agenda No. XII 3

~ Resolution 2018 – 182 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE SUBMISSION AND ACCEPTANCE OF A GRANT TO THE PASSAIC COUNTY CULTURAL AND HERITAGE COUNCIL (PCCHC) FOR A 2019 LOCAL ARTS AND CULTURAL PROGRAM RE-GRANT FOR THE WEST MILFORD MUSEUM BY THE HERITAGE COMMITTEE

WHEREAS, the Passaic County Cultural and Heritage Council (PCCHC), through the 2019 Passaic County Local Arts Program Re-Grant, is offering grant funding for Special Projects or General Operating Support to Passaic County organizations that demonstrate a high degree of professionalism in sponsoring or producing arts activities in performing, visual and literary arts for the public which will take place with a public presentation between January 1, 2019 and December 31, 2019; and

WHEREAS, the West Milford Heritage Committee, an advisory body to the Mayor and Township Council of the Township of West Milford, reviewed the arts and cultural program proposal at their regular meeting held on June 12, 2018, and unanimously approved the application for a grant in an amount not to exceed \$1,500 for hosting musical performances at the West Milford Museum that will include 18th, 19th and 20th Century period music and dances with commentary on traditions and lifestyles, as outlined in the grant application; and

WHEREAS, the PCCHC, requires 50% in matching funds, made up of at least 50% in a cash match, which will be provided by the West Milford Heritage Committee through the Heritage Trust Account and donations; and

WHEREAS, the deadline for submission of the 2019 Local Arts Program Grant application under the PCCHC is July 12, 2018, with notification of grant awards projected for October 2018.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council of the Township of West Milford, County of Passaic, New Jersey hereby approves the submission of a 2019 Local Arts Program Grant application to the PCCHC in an amount not to exceed \$1500. by the West Milford Heritage Committee for hosting historic musical performances at the West Milford Museum which will include 18th, 19th and 20th Century period music and dances with commentary on traditions and lifestyles.

BE IT FURTHER RESOLVED, that the Mayor or Township Administrator be and are hereby authorized and directed to arrange for the acceptance of said grant.

Adopted: July 11, 2018

Agenda No. XII 4

~ Resolution 2018 – 183 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE SUBMISSION AND ACCEPTANCE OF A GRANT TO THE PASSAIC COUNTY CULTURAL AND HERITAGE COUNCIL (PCCHC) FOR A 2019 HISTORY GRANT FOR THE WEST MILFORD MUSEUM BY THE HERITAGE COMMITTEE

WHEREAS, the County Historic Partnership Program (CHPP), through the Passaic County Cultural and Heritage Council (PCCHC), is offering grant funding to Passaic County non-profit organizations or government entities for local or New Jersey history projects that demonstrate historic merit and public benefit which will take place in Passaic County between January 1, 2019 and December 31, 2019; and

WHEREAS, the West Milford Heritage Committee, an advisory body to the Mayor and Township Council of the Township of West Milford, reviewed the history grant program proposal at their regular meeting held on June 12, 2018, and unanimously approved the application for a grant in an amount not to exceed \$1,500 for the purchase of materials and other costs related to the design, development and installation of exhibits displaying West Milford's farming history, as outlined in the grant application; and

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WHEREAS, CHPP under the PCCHC, requires 50% in matching funds, made up of a minimum of 25% in a cash match and 25% of in-kind support, both of which will be provided by the Heritage Trust Account and the West Milford Heritage Committee; and

WHEREAS, the deadline for submission of the CHPP History Grant application under the PCCHC is July 19, 2018, with notification of grant awards projected for October 2018.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council of the Township of West Milford, County of Passaic, New Jersey hereby approves the submission of a 2019 History Grant application to the PCCHC under the CHPP in an amount not to exceed \$1500 by the West Milford Heritage Committee for the purchase of materials and other costs related to the design, development and installation of exhibits displaying West Milford's farming history.

BE IT FURTHER RESOLVED, that the Mayor or Township Administrator be and are hereby authorized and directed to arrange for the acceptance of said grant.

Adopted: July 11, 2018

Agenda No. XII 5

~ Resolution 2018 – 184 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUES AND APPROPRIATION – CLEAN COMMUNITIES GRANT

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget and,

WHEREAS, the Director may also approve the insertion of any item of appropriation for an equal amount,

WHEREAS, the Township of West Milford wishes to amend its 2018 Budget to include an amount as revenue,

NOW THEREFORE, BE IT RESOLVED that the Governing body of the Township of West Milford hereby requests the Director of the Division of Local Government Services to approve the insertion of an item in the budget of the year 2018 which is now available as a revenue from:

Special Items of General Revenue Anticipated with Prior Written
Consent of the Director of Local Government Services:
Public and Private Revenues Off-Set with Appropriations:
Clean Communities Grant; \$68,516.05

BE IT FURTHER RESOLVED that a like sum be and the same is hereby appropriated under the caption of:

General Appropriations
(A) Operations – Excluded from CAPS
Public and Private Programs Offset by Revenue
Clean Communities Grant; \$68,516.05

BE IT FURTHER RESOLVED, that the Township Finance Department will electronically file with the State of NJ in accordance with LFN 2014-11.

Adopted: July 11, 2018

Agenda No. XII 6

~ Resolution 2018 – 186 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PURCHASES FOR FIRE FIGHTER PHYSICALS IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICIES

WHEREAS, the Township Council of the Township of West Milford did adopt ordinance 2013-020 to create the position of Qualified Purchasing Agent in the municipality and they did subsequently adopt resolution 2013-330 appointing a Qualified Purchasing Agent (QPA) and increasing the bid threshold to \$36,000; and

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

WHEREAS, the Township Council has received a recommendation from the Department of Fire to contract for fire fighter physicals which expense shall exceed the aggregate quote threshold of \$17,500; and

WHEREAS, the Township has been doing physicals for members of the Fire Department since 2011 due to OSHA regulations and NIOSH recommendation; and

WHEREAS, Three (3) bids were obtained and Nassau NDI Diagnostics was the lowest bidder; and

WHEREAS, the Department of Fire recommends Nassau Diagnostics for Class A physicals examinations for \$150 each; and

WHEREAS, the Township's Qualified Purchasing Agent is aware of the recommendation, and confirms that Nassau NDI Diagnostics is the vendor for physicals and the purchase is in compliance with the New Jersey Local Public Contracts Law; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number 01-201-25-266-553.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, that the appropriate Township officials be and are hereby authorized to execute future purchases to Nassau NDI Diagnostics, P.O. Box 1206, Center Moriches, NY 11934, in an amount not to exceed \$30,000 for the 2018 calendar year.

Adopted: July 11, 2018

Agenda No. XII 7

~ Resolution 2018 – 187 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONTRACT TO ROHRER ENTERPRISES INC. FOR THE PURCHASE OF ONE (1) 2018 ELKHART COACH EC II PASSENGER BUS

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on May 25, 2018 at 10:00 a.m. for one (1) 2018 Elkhart Coach EC II Passenger Bus as per the bid specifications; and

WHEREAS, the Township of West Milford received two (2) bids for this contract; and

WHEREAS, the Director of Community Services and Recreation has provided a recommendation to award this contract to Rohrer Enterprises, Inc. dba Rohrer Bus Sales and said bids have been duly reviewed by the Township Attorney; and

WHEREAS, the bid received from the lowest bidder Rohrer Enterprises, Inc. is in compliance with the provisions of N.J.S.A. 40A:11-23.5 and is in proper form; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from the following account numbers: 02-213-41-748-000 in the amount of \$57,900.00 and 04-215-55-827-002 in the amount of \$2,598.00.

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

1. The Township Council hereby awards a contract to Rohrer Enterprises, Inc. dba Rohrer Bus Sales, 314 Dickinson Street, Trenton, NJ 08638 and authorizes the Director of Community Services and Recreation to execute a purchase order for one (1) 2018 Elkhart Coach EC II Passenger Bus in an amount not to exceed \$60,498.00 as per the bid specifications.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: July 11, 2018

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Agenda No. XII 8

~ Resolution 2018 – 188 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONSTRUCTION CONTRACT TO REGAL UTILITY SERVICES, INC. FOR THE RIDGE ROAD – SECTION 3, CONTRACT 5 PROJECT

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on June 29, 2018 at 10:00 am for the reconstruction of Ridge Road, between Vreeland Road and Baron Road, as per the bid specifications; and

WHEREAS, the Township of West Milford received two (2) bids for this contract; and

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

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

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from accounts numbered 04-215-55-827-006 and 04-215-55-828-001; and

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

1. The Township Council hereby awards a contract to Regal Utility Services, Inc., 731 Warwick Turnpike, Hewitt, NJ 07421 for the Ridge Road – Section 3, Contract 5 project subject to the review and approval of the New Jersey Department of Transportation in an amount not to exceed \$702,693.95.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Regal Utility Services, Inc., Inc. in accordance with its bid for said reconstruction of Ridge Road, between Vreeland Road and Baron Road, in the Township of West Milford.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: July 11, 2018

Agenda No. XII 9

~ Resolution 2018 – 189 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR TRAFFIC STRIPING OF TOWNSHIP ROADWAYS THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #36 TRAFFIC STRIPING ON ROADS TO DENVILLE LINE PAINTING, INC.

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Pricing Council (State ID # 6-MCCoOp); and

WHEREAS, the Morris County Cooperative Pricing Council has awarded Contract #36, Traffic Striping on Roadways to Denville Line Painting, Inc.

WHEREAS, said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40A:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township of West Milford anticipates a need for Traffic Striping in 2018; and

WHEREAS, the Director of Public Works has reviewed the Morris County Cooperative Pricing Council's contract and related specifications and has submitted a written recommendation for the Township of West Milford to purchase Traffic Striping on Roadways through the Morris County Cooperative Pricing Council, Contract #36 in an amount not to exceed \$120,000.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number 01-201-26-290-623;

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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1. The Township Council hereby authorizes the Department of Public Works to purchase Traffic Striping on Roadways, in an amount not to exceed \$120,000.00, through the Morris County Cooperative Pricing Council, contract #36, to Denville Line Painting, Inc. 2 Green Pond Road, Rockaway, NJ 07866.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: July 11, 2018

Agenda No. XII 10

~ Resolution 2018 – 190 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A SETTLEMENT OF THE MATTER STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION V. WEST MILFORD MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the voters of the Township of West Milford have authorized the sale of the assets of the West Milford Municipal Utilities Authority ("MUA"); and

WHEREAS, the MUA has been the recipient of a number of violations with respect to the New Jersey Department of Environmental Protection, the fines for which could exceed millions of dollars; and

WHEREAS, the MUA and the Township of West Milford have been negotiating with the New Jersey Department of Environmental Protection ("NJDEP") to reduce the outstanding fines to provide an opportunity for the Township and the MUA to sell the assets of the MUA system; and

WHEREAS, the NJDEP has proposed that the fines be reduced to a sum of \$800,000 plus any additional fines that would be issued to the MUA subsequent to this settlement; and

WHEREAS, this concession by the NJDEP is one which will provide the financial wherewithal to continue with the sale of the assets of the MUA and the fines will be paid from the proceeds of sale and not with any taxpayer funds; and

WHEREAS, the NJDEP has provided a Consent Order and Judgment for the Court's consideration so that the fines can be legally and justifiably reduced; and

WHEREAS, a copy of the Consent Order and Judgment is on file in the Township Clerk's Office; and

WHEREAS, the Township Attorney and the Administration are of the opinion that the execution of the Consent Order and Judgment is in the best interest of the Township with respect to the sale of the assets of the MUA to Suez.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, in the County of Passaic, and State of New Jersey that the Mayor is hereby authorized to execute the Consent Order and Judgment in the matter of State of New Jersey Department of Environmental Protection v. West Milford Municipal Utilities Authority.

BE IT FURTHER RESOLVED, that the Mayor and Administration are hereby authorized to make additional changes to the proposed Consent Order and Judgment as long as they do not materially change the context of the document.

This Resolution shall take effect immediately.

Adopted: July 11, 2018

Agenda No. XII 11

~ Resolution 2018 – 191 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE RELEASE OF PERFORMANCE BOND #SU1142097-0000 IN THE AMOUNT OF \$72,144.00 AND CASH BOND IN THE AMOUNT OF \$8,016.00 TO VIRGINIA LANE REALTY ASSOCIATES LLC FOR THE PUBLIC IMPROVEMENTS OF GREENE VALLEY ESTATES (VIRGINIA LANE) BLOCK 10001, LOTS 14, 19, 20 & 23

WHEREAS, Virginia Lane Realty Associates LLC posted performance bond #SU1142097-0000 from the Arch Insurance Company, dated January 23, 2017, in the amount of \$72,144.00 and the cash portion of the bond in the amount of \$8,016.00 for the Greene Valley Estates (Virginia Lane) final major subdivision public improvements, former Block 10001, Lots 14, 19, 20 & 23; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, the construction of the improvements for Virginia Lane Realty Associates LLC have been completed and inspected by the Township Engineer; and

WHEREAS, the request for release of said performance bond was recommended by the Township Attorney by correspondence dated June 11, 2018; and

WHEREAS, in accordance with N.J.S.A. 40:55D-53(2)(c) release of the above referenced performance bond is subject to the posting of a two-year maintenance bond in an amount equivalent to 15% of the original value of the improvements or \$71,089.50.

WHEREAS, Virginia Lane Realty Associates LLC has submitted to the Planning Department on July 5, 2018 a two-year maintenance bond #SU1142097-0000 in the amount of \$71,089.50 effective July 11, 2018; and

NOW, THEREFORE, BE IT RESOLVED, that upon the posting of a two-year/15% maintenance bond in the amount of \$71,089.50 from Virginia Lane Realty LLC, the performance bond #SU1142097-0000 from Arch Insurance Company, dated January 23, 2017 and the cash portion of the performance bond in the amount of \$8,016.00 may be released.

BE IT FURTHER RESOLVED, that the Finance Department is hereby authorized to release the cash portion of the performance bond and forward a check to Virginia Lane Realty LLC, PO Box 662, Newfoundland, NJ 07435 in the total amount of \$8,016.00; and.

BE IT FURTHER RESOLVED by the Mayor and Council of the Township of West Milford hereby authorizes the release of performance bond #SU1142097-000 and the refund of the cash portion of the performance bond in the amount of \$8, 016.00 to Virginia Lane Realty Associates LLC subject to the posting of a two-year / 15% maintenance bond in the amount of \$71,089.50 and that the appropriate Township officials be and are hereby authorized to execute such documents and take such steps necessary to effectuate the terms of this resolution.

Adopted: July 11, 2018

Agenda No. XII 12

~ Resolution No. 2018 – 192 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE EXTENSION OF THE DUE DATE FOR THIRD QUARTER TAXES

WHEREAS, the 2018 tax rate was certified to the Collector of Taxes late; and

WHEREAS, the Collector of Taxes recommends the extension of the due date for the 2018 third quarter to be twenty-five (25) days from the date of mailing plus a ten (10) calendar day grace period; and

WHEREAS, after the (ten) 10 calendar day grace period, third quarter due date interest will be charged at the rate of 8% on the first \$1,500.00 and 18% on any remaining balance above \$1,500.00 and interest will be retroactive back to the original due date; and

NOW, THEREFORE, BE IT RESOLVED, that the proper officers be and they are hereby authorized and directed to extend the 2018 third quarter tax due date with the provision stated above.

BE IT FURTHER RESOLVED, that the extension of the due date for the 2018 third quarter be twenty-five (25) days from the date of mailing plus the ten (10) calendar day extension is necessary to meet the State Statutes.

Adopted: July 11, 2018

Agenda No. XII 13

~ Resolution 2018 – 193 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING RESOLUTIONS 2013-354, 2014-337, 2015-228, 2015-360, 2016-227, 2018-368 AND 2018-162 TO INCREASE THE CONTRACT VALUE WITH ERIC L. HARRISON, ESQ. OF METHFESSEL & WERBEL IN THE MATTER KNOWN AS TRIPLE T CONSTRUCTION V. THE TOWNSHIP OF WEST MILFORD, ITS OFFICERS AND ASSIGNS

WHEREAS, by virtue of Resolutions 2013-354 adopted December 4, 2013, 2014-337 adopted October 22, 2014, 2015-228 adopted July 15, 2015, 2015-360 adopted November 11, 2015, 2016-227 adopted on June 22, 2016, 2017-368 adopted on December 6, 2017 and 2018-162 adopted June 13, 2018 the Township Council did authorize the engagement of Special Legal Counsel services to be provided by Eric Harrison, Esq. of Methfessel & Werbel; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, Resolutions 2013-354, 2014-337, 2015-228, 2015-360, 2016-227, 2017-368, 2018-162 and the related Professional Services Contract did authorize services in an amount not to exceed \$145,000; and

WHEREAS, the Township Administrator has been advised that the Township's needs, related to the matter known as Triple T Construction vs. the Township of West Milford and certain officers and government officials named in the said litigation, necessitates an amendment in an additional amount not to exceed \$20,000; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds and said funds to be encumbered from account 01-201-20-155-502 for \$20,000; and

WHEREAS, that a notice of this action shall be published in accordance with law, and said notice to provide that the originally awarded Professional Services Contract, and this resolution serving as the Addendum to the Contract are available for public inspection in the office of the Township Clerk and that the professional services offered by Eric Harrison, Esq. are extended by an additional twelve months or until the conclusion of the legal matter, whichever comes first.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that they do hereby authorize the Township Administrator to approve an amendment of \$20,000 to Eric Harrison, Esq. for Special Legal Services which amount is in excess of the approved contract amount of \$145,000 bringing the contract total to an amount not to exceed \$165,000 and re-engaging the services of Eric Harrison for an additional twelve months or until the conclusion of this legal matter, whichever comes first.

Adopted: July 11, 2018

Agenda No. XII 14

~ Resolution 2018 – 194 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RELEASE OF A PERFORMANCE BOND DEPOSIT IN THE AMOUNT OF \$40,050.00 TO AWOSTING ASSOCIATION INC. FOR THE CLUBHOUSE BLOCK 4105 LOT 1

WHEREAS, Awosting Association, Inc. posted a performance bond with check #1638 dated October 21, 2016 for \$36,045.00 and posted a cash bond with check #1698 dated October 13, 2016 for \$4,005.00 for a total performance bond deposit in the amount of \$40,050.00 for Long Pond Road, Block 4105 Lot 1; and

WHEREAS, the Township Planning Department has provided a recommendation by memo dated May 30, 2018 for the release of the above referenced project Performance Bond and the Township Finance Department be directed to prepare a check for the total performance bond deposit to be released to Awosting Association Inc.; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council of the Township of West Milford hereby authorizes the release of the Performance Bond deposit for the Clubhouse project Block 4105 Lot 1 in the amount of \$40,050.00 posted by Awosting Association Inc.; and

BE IT FURTHER RESOLVED, that the appropriate Township officials be and they are hereby authorized to execute such documents and take such steps necessary to effectuate the terms of this resolution and forward a check to Awosting Association, Inc., PO Box 660, Hewitt, NJ 07421 in the total amount of \$40,050.00.

Adopted: July 11, 2018

Agenda No. XII 15

~ Resolution 2018 - 195 ~

RESOLUTION OF THE TOWNSHIP OF THE TOWNSHIP COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING FOR THE ASSIGNMENT OF TAX SALE CERTIFICATE AT PRIVATE SALE BLOCK 8401, LOT 16

WHEREAS, the Collector of Taxes has reported to the Township Council the offer of Daniel & Debra Lombardo 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
09-097	2-25-2009	8401-16	\$7,984.71

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, the Collector of Taxes did mail such notices and did post such notices as is required by Title 54:5-112 and 5-113, including due publications in the Herald News: and

WHEREAS, a public hearing has been held with no one appearing to contest the above application.

NOW, THEREFORE, BE IT RESOLVED, that the assignment from the Township, to the said Daniel & Debra Lombardo, be and the same is hereby authorized and the proper Township officials are hereby authorized and directed to sign the required documentation on behalf of the Township.

Adopted: July 11, 2018

Agenda No. XII 16

~ Resolution 2018 – 196 ~

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 2018- 2019 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption License for the 2018- 2019 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 2018-2019 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 Township Clerk is directed to issue and hold the license certificates for the Mayor and Township Council of the Township of West Milford.

LICENSE/LICENSEE/T/A	CONDITIONS
FESTA A. FRANK JR. PO Box 97, Scotch Plains, NJ 07076 1615-33-013-009	Conditions stated above in resolution.
MERSIMI & MAHMUDI INC. 1 North Gate Park, Ringwood, NJ 07456 1615-33-032-011	Conditions stated above in resolution.

Adopted: July 11, 2018

Agenda No. XII 17

~ Resolution 2018 – 197 ~

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.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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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	Reimbursement Amount	Pay to Lien Holder
15-0011	10/13/2015	01504-004	\$30,069.78	US BANK CUST PFS FINANCIAL 1 LLC 50 SOUTH 16TH STREET SUITE 2050 PHILADELPHIA, PA 19102
15-0041	10/13/2015	04401-001	\$51,002.06	MTAG CUST/EMPIRE VII NJ PORTFOLIO PO BOX 2096 HICKSVILLE, NY 11802
16-0020	10/11/2016	01504-004	\$33,740.45	US BANK CUST FOR PC6; LLC STERLING 50 SOUTH 16TH.ST. SUITE 2 PHILADELPHIA, PA 19102
17-0060	10/10/2017	13102-012	\$62,457.92	TOWER DB VII TRUST 2017-1 50 SOUTH 16TH STREET SUITE 2050 PHILADELPHIA, PA 19102
Grand Total:			\$177,270.21	

Adopted: July 11, 2018

Agenda No. XII 18

~ Resolution 2018 – 198 ~

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

Block/Lot	Name	Amount	Year	Reason
15803-016	Brach Eichler LLC and Zorm 2009 LLC C/o Oritini Bank 101 Eisenhower Parkway Roseland, New Jersey 07068	\$3,721.52	2017	7
TOTAL		\$3,721.52		

Adopted: July 11, 2018

Agenda No. XII 19

~ Resolution 2018 – 199 ~

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:**
- | | |
|----------------------|-------------------------------|
| 1. Incorrect Payment | 6. Tax Appeal County Board |
| 2. Duplicate Payment | 7. Tax Appeal State Tax Court |
| 3. Senior Citizen | 8. 100% Disabled Veteran |
| 4. Veteran Deduction | 9. Replacement Check |
| 5. Homestead Rebate | |

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Block/Lot	Name	Amount	Year	Reason
1504-4	CoreLogic Att: Lee Mc Cleskey 3001 Hackleberry Road Irving, Texas 75064	\$23.00	2018	1
5204-22	Nationstar Mortgage, LLC dba Mr. Cooper 3001 Hackberry Road Irving, TX 75063-0156	\$1,646.00	2018	2
	TOTAL	\$1,669.00		

Adopted: July 11, 2018

Agenda No. XII 20

~ Resolution 2018 – 200 ~

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:

Day Camp		
Mackenna & Lucas	\$1,954.00	Donna Bush 55 High Crest Drive West Milford, NJ 07480
Day Camp		
Mason	\$73.00	Jill Birkhoff 470 Ridge Road West Milford, NJ 07480
Day Camp Before Care		
Joseph	\$35.00	Elizabeth Luino 19 Holiday Lane West Milford, NJ 07480
Day Camp		
Jacob & Tyler	\$2,296.00	Christine Price 3326 High Crest Drive West Milford, NJ 07480
Swim Lessons		
Nicholas & Emma	\$20.00	Daniela Blakesley 140 Vreeland Road West Milford, NJ 07480
Day Camp		
Eileen	\$1,000.00	Lauren Gass 15 Chickadee Lane Hewitt, NJ 07421
Day Camp		
Gavin	\$297.00	Jennifer Escolano 22 Hi-Lo Terrace Newfoundland, NJ 07435
Day Camp		
Liam	\$305.00	Talene Walz 110 Chestnut Ridge Road #249 Montvale, NJ 07645
Tennis Camp		
Erin	\$75.00	Susan Frey 72 Rolling Ridge Road West Milford, NJ 07480

Adopted: July 11, 2018

Agenda No. XII 21

~ Resolution 2018 – 201 ~

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

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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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	INTEREST
9703-4.01	Jane Zazopoulos	\$5,606.21	2018	\$153.44
2801-6	Donna Whitlinger for E. Bitten	\$2,681.85	2018	\$12.85
	TOTAL	\$8,288.06		

Adopted: July 11, 2018

Agenda No. XII 22

~ Resolution 2018 – 202 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE SYNOPSIS OF AUDIT FOR PUBLICATION FOR THE 2017 AUDIT IN ACCORDANCE WITH N.J.S.A. 40A:5-7

Attention is directed to the fact that a summary of the audit report, together with the recommendations, is the minimum required to be published pursuant to N.J.S.A 40:A:5-7. Summary of Synopsis of 2017 Audit Report of the Township of West Milford, County of Passaic, as required by N.J.S.A 40A:5-7.

Assets	December 31 Year 2017	December 31 Year 2016
Cash, Investments and Prepaid Debt Service	\$ 26,941,519.14	\$ 21,978,515.58
Taxes, Assessments, Liens and Utility Charges Receivable	\$ 4,141,577.62	\$ 4,438,366.24
Prospective Assessments Funded	\$ 1,000.00	\$ 1,000.00
Property Acquired for Taxes - Assessed Value	\$ 3,826,000.00	\$ 3,260,100.00
Accounts Receivable (and Inventory)	\$ 2,864,147.26	\$ 3,794,011.10
General Fixed Assets	\$ 45,065,388.25	\$ 45,065,388.25
Deferred Charges to Future Taxation – General Capital	\$ 33,694,926.43	\$ 34,228,776.43
Deferred Charges to Revenue of Succeeding Years	\$ 0.00	\$ 30,000.00
Total Assets	\$ 116,534,558.70	\$ 112,796,157.60
Liabilities, Reserves and Fund Balances		
Bond and Notes Payable	\$ 34,544,158.85	\$ 35,472,301.95
Improvement Authorizations	\$ 4,027,108.50	\$ 4,130,611.21
Other Liabilities and Special Funds	\$ 18,418,939.03	\$ 14,564,296.04
Net Assets Available for Benefits	\$ 2,327,754.35	\$ 2,010,006.32
Investment in General Fixed Assets	\$ 45,065,388.25	\$ 45,065,388.25
Reserve for Certain Assets Receivable	\$ 7,361,144.41	\$ 6,925,051.57
Fund Balance	\$ 4,790,065.31	\$ 4,628,502.26
Total Liabilities, Reserves and Surplus	\$ 116,534,558.70	\$ 112,796,157.60
Comparative Statement of Operations and Change in Surplus – Current Fund		
Revenue and Other Income Realized	2017	2016
Fund Balance Utilized	\$ 2,912,315.00	\$ 3,526,409.00
Miscellaneous - From Other Than Local Property Tax Levies	\$ 6,435,750.84	\$ 6,358,055.83
Collection of Delinquent Taxes and Tax Title Liens	\$ 1,368,776.50	\$ 1,406,827.50
Collection of Current Tax Levy	\$ 100,136,895.63	\$ 100,797,829.31
Other Credits to Income	\$ 1,702,988.91	\$ 1,617,196.37
Total Income	\$ 112,556,726.88	\$ 113,706,318.01
Budget Expenditures: Municipal Purpose	\$ 31,107,411.67	\$ 31,922,794.92

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Assets	December 31 Year 2017	December 31 Year 2016
Special District Taxes	\$ 1,792,375.95	\$ 1,792,903.63
Municipal Open Space Tax	\$ 148,442.60	\$ 150,622.08
County Taxes	\$ 22,163,734.67	\$ 22,820,508.39
Local and Regional School Taxes	\$ 54,062,395.00	\$ 54,074,067.00
Other Expenditures	\$ 43,043.08	\$ 69,958.14
Total Expenditures	\$ 109,317,402.97	\$ 110,830,854.16
Less: Expenditures to be Raised by Future Taxes		
Total Adjusted Expenditures	\$ 109,317,402.97	\$ 110,830,854.16
Excess in Revenue	\$ 3,239,323.91	\$ 2,875,463.85
Fund Balance January 1	\$ 4,143,372.46	\$ 4,794,317.61
	\$ 7,382,696.37	\$ 7,669,781.46
Less:		
Utilized as Anticipated Revenue	\$ 2,912,315.00	\$ 3,526,409.00
Fund Balance December 31	\$ 4,470,381.37	\$ 4,143,372.46

RECOMMENDATIONS

1. That the Police Department turns over receipts to the treasurer within 48 hours.
2. That all senior citizen and veteran applications contain proper documentation and authorized signature.
3. That a Fixed Asset Inventory report be available for audit and be updated for additions and deletions.
4. That the 2017 Uniform Construction Code annual report be available for audit.

* * * * *

A Corrective Action Plan, which outlines actions the Township of West Milford will take to correct the findings listed above, will be prepared in accordance with federal and state requirements. A copy of it will be placed on file and made available for public inspection in the Office of the Township Clerk of the Township of West Milford within 45 days of this notice.

The above Summary of Synopsis was prepared from the Report of Audit of the Township of West Milford, County of Passaic, for the calendar year 2017. This Report of Audit, submitted by Charles J. Ferraioli, Jr. of Ferraioli, Wielkotz, Cerullo & Cuva, P.A., is on file at the Township Clerk's Office and may be inspected by any interested person.

Adopted: July 11, 2018

Agenda No. XII 23

~ Resolution 2018 – 203 ~

RESOLUTION AND GROUP AFFIDAVIT OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AS CERTIFICATION OF THE 2017 ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Township Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Township Council; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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19	COAH	0.00
16	Development Escrow	2,174.00
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$1,779,707.28
Less Refund Resolution		-235,112.73
Actual Bills List		\$1,544,594.55
Other Payments		
Payroll		536,794.16
Payroll		547,136.65
Treasurer, NJ state Dog Report		180.60
DCRP		783.82
Passaic County Taxes		5,350,498.92
Passaic County, Open Space Taxes		75,206.72
Total Expenditures		\$8,055,195.42

Adopted: July 11, 2018

Moved: McGuinness Seconded: Wagner
 Voted Aye: Pegel, Wagner, McGuinness, Signorino
 Voted Nay: None
 Absent: Hensley, Gerst
 Motion Carried:

Agenda No. XV

Reports of Administrator, Mayor and Council Members

Councilman Wagner – Provided an update on the Recreation Advisory Committee, Bubbling Springs and the Annual Fireworks. He said after speaking with Mr. Voli, Community Services and Recreation Director, there are some changes that could be made with the fireworks. He said that they believe the cost of the fireworks can be reduced if they put the bid out earlier. He thanked the Board of Education, Mr. Voli, the Police Department, Fire Departments, volunteers, and the Knights of the Highlands, for making the event run smoothly. He expressed that Browns Point Park has been neglected for many years. He appreciates the efforts from Administrator Battaglia, Mr. Steines, and the DPW to get the park maintained. He said the boat races went on as planned, and he thanked the DPW for fixing the weed harvester. He noted that the circus hosted by the Highlands Economic and Development Tourism Corp was a huge success. He said that he reached out to the owner of the A&P Shopping Plaza in reference to Tractor Supply, and he was told that the lease is finally signed, and the work should commence shortly. He thanked Mr. Zarrillo for working with Senator Pennacchio for the Greenwood Lake funding.

Councilman McGuinness – Said that he feels they could have free fireworks for the Township if they do research and sharpen the pencil on the cost of the fireworks. They should discuss about what they can charge non-residents, and going out to bid to reduce the cost. He said the Beautification and Recycling Committee would like to see more of the recycling signs in the areas of the public and the center of town. He noted that there is a Township Ordinance for polluting, and the Committee would like to add the pollution fines to the recycling signs. He said that on Primary Election Day, the side entrance at Paradise Knoll School was used for the polling site, it is ADA accessible, and the school remained locked. He said hopefully the polling site will be changed next year. He suggested advertising on the Township website where residents can go to cool off during the heatwave.

Councilman Signorino – Noted that he appreciates the fireworks event went well. He congratulated the West Milford High School class of 2018. He asked Administrator Battaglia to send a copy of the Township map to Tonya Cubby for the Heritage Committee to place in the Township Museum. Mayor Bieri said she has one framed and she will give it to the museum. Councilman Signorino wished everyone a happy and safe summer. He said the Council is doing a great job putting in a lot of effort in everything that they do and he thanked the Governing Body.

Councilwoman Pegel – Expressed that residents are still concerned with the weed control and the pesticides being used. She said Union Valley Road looks terrible; it is brown and unattractive. She noted that the tiger lilies do not grow on Union Valley Road anymore. Administrator Battaglia said that the Governing Body had an extensive conversation on this last year; they sent letters to several environmental groups to provide possible side effects and the information on the products used. When all the information was retrieved, it was sent to the Passaic County Administrator.

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Councilman Signorino asked if they could do the same thing again this year. Councilwoman Pegel said the roads are not very inviting and the pesticides are harming the water. She thanked the DPW and Administrator Battaglia for removing the tree on Union Valley Road between Oxbow Lane and La Rue Road; it was a huge public safety concern. She wished everyone a safe and enjoyable summer.

Agenda No. XVI

Appointments and Resignations

~ Resolution 2018 – 205 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ACCEPTING RESIGNATIONS TENDERED

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby accept the following resignation tendered to the Township:

<u>Name</u>	<u>Position</u>	<u>Date Tendered</u>
Paul McGill	Municipal Utilities Authority Citizen Member Term expires 01/31/20	June 11, 2018

Adopted: July 11, 2018

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

Mayor Bieri noted that there is one alternate citizen vacancy on the Economic Development Commission. Councilwoman Pegel made a motion to appoint Claudia Logan to the EDC and it was seconded by Councilman McGuinness.

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

Agenda No. XVII

Adjournment

There being no further business to come before the Council, the Governing Body adjourned the meeting at 9:42 p.m.

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

Approved: August 15, 2018

Respectfully submitted:

Sherry Zbrzeski, Clerk Typist

MAYOR BETTINA BIERI, PRESIDING OFFICER

ANTOINETTE BATTAGLIA, TOWNSHIP CLERK