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

Minutes of: Township Council Workshop & Regular Meeting  
Date of Meeting: July 18, 2012  
Time of Meeting: 6:30 P.M.  
Minute Page No: Page 1 of 21

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The Workshop and Regular Meeting of the West Milford Township Council 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 issues of January 1, 2012 with an update of the change in time advertised April 1, 2012 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.

Agenda No. I

**Roll Call**

Present: Councilmembers Ada Erik, Joseph Smolinski, Michael Ramaglia (arrived at 7:50), Edward Rosone, Luciano Signorino, Carlla Horton, Mayor Bettina Bieri.  
Absent: None.  
Also Present: Township Administrator Nancy Gage, Township Clerk Antoinette Battaglia, Township Attorney Frederick Semrau.

Agenda No. II

**Reading of or Approval of Unapproved Minutes**

Councilwoman Erik moved to adopt the April 16, 2012 Special Meeting, April 18, 2012 Regular Meeting and April 19, 2012 Special Meeting Minutes as presented:

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Smolinski, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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Agenda No. III

**Meetings**

Mayor Bieri noted the future meeting schedule:

August 1, 2012 Workshop Meeting August 22, 2012 Regular Meeting  
September 5, 2012 Workshop Meeting

Agenda No. IV

**Executive Session**

~ Resolution No. 2012- 243 ~

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 18<sup>th</sup> day of July, 2012 that:

1. Prior to the conclusion of this Workshop and Regular Meeting, the Township Council 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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- ❖ Justin D. Cummings, Eagle Scout stated that his project involved creating a place of honor for a papal flag at Our Lady Queen of Peace. He made a prayer garden with benches and flowers which will bloom soon. He will attend County College of Morris to study liberal arts.
- ❖ Antonio Lombardo, Eagle Scout stated that he is a senior who just graduated. He installed a handicapped viewing stand at McCormack field to allow ADA access to events at the turf field. It was opened in October at a football game. This fall he will attend Seton Hall to study political science.

Mayor Bieri said that West Milford is very honored to have so many eagle scouts. Most have been in scouting for many years showing commitment and responsibility. We have more than most other communities and the impact is evidenced in their character. She said she has attended each ceremony. She congratulated their parents and troop leaders and commended them for all they have done. She wished each eagle scout the best of luck.

Agenda No. VI

**Proclamations**

None.

Agenda No. VII

**Unfinished Business, Final Passage of Ordinances**

Agenda No. VII 1

~ Ordinance No. 2012- 012 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 470, "SUBDIVISION OF LAND AND SITE PLAN REVIEW," SECTION 470-15.1, "WATER SUPPLY AND WATER QUALITY REQUIREMENTS," PARAGRAPH D, "AQUIFER TEST AND HYDROGEOLOGIC EVALUATION"**

**WHEREAS**, Township Ordinance Section 470-15.1, entitled "Water Supply and Water Quality Requirements," requires aquifer testing in connection with certain residential and non-residential development applications; and

**WHEREAS**, to avoid undue delay in processing those development applications to which the aforesaid Ordinance applies, the Township Council finds that the aquifer test plan should include an implementation schedule establishing the timeframe within which the required aquifer testing will be performed and completed.

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

- SECTION 1.** Ordinance Section 470-15.1, "Water Supply and Water Quality Requirements," Paragraph D, "Aquifer Test and Hydrogeologic Evaluations," shall be amended and supplemented by the addition of a new Subparagraph (4)(h), to read as follows:  
"(4)(h) The aquifer test plan shall include an implementation schedule, subject to the approval of the municipality's consulting hydrogeologist, which shall establish deadline dates for the completion of the aquifer test and submission of the preliminary hydrogeologic report. In the event that the aquifer test cannot be completed by the deadline date, the Applicant may request, and the Board may grant, an extension of up to sixty (60) days for good cause, and the implementation schedule will be revised accordingly. If the Applicant fails to complete the aquifer test in accordance with the implementation schedule, a revised aquifer test plan shall be re-submitted with a new implementation schedule, subject to the approval of the municipality's consulting hydrogeologist, and all owners of monitored offsite wells shall be notified of their option to have the monitoring equipment removed from their wells. Applicant will provide additional escrow funds as necessary for the municipality's consulting hydrogeologist to review the revised aquifer test plan."
- SECTION 2.** All ordinances of the Township of West Milford which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.
- SECTION 3.** If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.
- SECTION 4.** This ordinance shall take effect upon final passage and approval in accordance with law.

Introduced: June 27, 2012  
Adopted: July 18, 2012

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Effective Date: August 7, 2012

This Ordinance was introduced on June 27, 2012 and the Notice of Public Hearing was published in the Herald News on July 1, 2012. The Council will open the meetin gto the public to speak on this ordinance only.

There being no comments from the public, Councilwoman Erik moved to close the public portion, seconded by Council President Signorino and carried by unanimous voice vote.

Motion to adopt Ordinance 2012-012

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Moved: Ramaglia Seconded: Rosone  
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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Agenda No. VII 2

~ Ordinance No. 2012- 013 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE TRANSFER OF GORDON LAKE WEST AND DAM TO THE GORDON LAKES PROPERTY OWNERS' ASSOCIATION**

**WHEREAS**, in 2002 the Township of West Milford foreclosed on Gordon Lake West and the dam, which was in disrepair; and

**WHEREAS**, as part of the agreement between the Township of West Milford and the Gordon Lakes Property Owners' Association dated February 15, 2002 it states "Upon completion of the improvements to the Gordon Lakes West dam, the Association will accept transfer of title to Block 12307, Lot 49 and Block 12307, Lot 16"; and

**WHEREAS**, the Township Council of the Township of West Milford approved the agreement by resolution dated March 6, 2002; and

**WHEREAS**, improvements to the dam and individual property assessments have now been completed.

**NOW, THEREFORE, BE IT ORDAINED** by the Municipal Council of the Township of West Milford, County of Passaic and State of New Jersey, that the Township Attorney is hereby authorized to effectuate the transfer of title for Block 12307, Lot 49 and Block 12307, Lot 16 to the Gordon Lakes Property Owners' Association.

Introduced: June 27, 2012  
Adopted: July 18, 2012  
Effective Date: August 7, 2012

This Ordinance was introduced on June 27, 2012 and the Notice of Public Hearing was published in the Herald News on July 1, 2012. The Council will open the meetin gto the public to speak on this ordinance only.

There being no comments from the public, Councilman Ramaglia moved to close the public portion, seconded by Council President Signorino and carried by unanimous voice vote.

Motion to adopt Ordinance 2012-013

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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Agenda No. VIII

**Public Comments**

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Mayor Bieri opened the meeting to the public to speak on any subject advising that there is a five-minute time limit for each speaker.

Maryann Minikus, 87 Crest Lake Drive, Oak Ridge stated that she spoke at the last meeting about her new business in town. She hires people and contributes to the community but is now faced with double taxes. She just signed a loan and her house is up for collateral. She is here tonight for all business owners. She has all the new assessments and in her opinion, they are in a serious position. They cannot absorb what has been thrown at them as a result of the revaluation. Many will go under. Ultimately the burden will fall on the homeowners. She stated that nobody knew that their taxes were going to go up and people she has spoken to feel as though they have been blind-sided. They will take legal action and it will not be good for this community. There must be a fair way to settle this. They have proof that the appraisals are way off. People have hired appraisers and lawyers to prove that this company is incompetent. They are thinking they should not pay these increased taxes because there are too many errors.

Judy Zeigler, Towne Tavern, Macopin Road West Milford said that her taxes are going up to \$48,000 from \$30,000. She had a hearing with the appraiser and attorney at the tax board and it cost her over \$4,000. In her opinion, the hearing on Friday shows that ASI is incompetent. She asked how he hires his employees. She described how her valuation was done. She showed the comparisons ASI used. ASI comparisons came from Haledon and her appraiser used properties in West Milford. She said ASI staff never came into her building or left her a card. She questioned how they came to an \$18,000 increase. They described Macopin as a main thoroughfare which, in her opinion is not accurate. She can say that there is very little traffic on Macopin Road. People come to her restaurant because that is their destination. The town is getting \$30,000 now in taxes but she cannot afford \$48,000. Her business is for sale for \$760,000. She cannot do it any longer. These taxes are taking her life away from her. They give back to the community and are getting killed. Her appraiser said her value is between \$700,000 and \$800,000. She met the owner of ASI and she questioned his hiring practices. She said his employees are not knowledgeable.

Rich Castronova, Union Valley Road, West Milford said he is here on behalf of the Belcher Run Shopping center which is in flood zone and the Highlands. It has wetlands. The taxes were \$36,000 and are increasing to \$72,000. Most of his tenants are behind on rent because they are struggling. He cannot come up with this additional money on top of his mortgage. His neighbor owns Bearfort and has told him the taxes are going from \$92,000 to \$160,000. He has a large investment and he will lose his tenants too. The appraisal company assessed Belcher Run at \$2.2 million yet he currently has an offer for \$800,000 less. If he can't get tenants the shopping center will become vacant. He has worked hard for years.

John Ball and Karen Ball, Green Pond Road, Rockaway said they own 25 Paradise Road in West Milford. Their taxes went from \$15,000 to \$45,000. He and his sisters inherited this property from their Dad. They cannot come up with another \$30,000. They will lose this inheritance because the businesses cannot even cover the current taxes. The old town appraisal was \$900,000 and their own appraiser has valued the property at \$700,000. They are landscapers who employ local kids. They will lose their business. They cannot charge their customers to cover this. It is killing them.

Tom McCann, West Milford said he owns many businesses in town and has been here for close to 50 years. During that time he has improved many properties. His taxes are going from \$14,700 to \$33,800 per quarter or from \$60,000 to \$136,000 per year. He asked if any Council member can afford an additional \$20,000 per year. His house went up \$8,000 on the lake. Another house on the mountain went up \$8,000. There are problems with the assessments partly because there has been no assessment done in 24 years. He suggested that Brian Townsend should be fired because he has not done his job. If you reassess and increase the value three times, why do you have to increase the taxes that way. People cannot afford that. You have to file an appeal by May 1<sup>st</sup> but property owners did not get their new tax bill until July. He was increased by \$8,000. He does not understand how one third goes up and one third goes down and businesses take the brunt. Mr. Townsend has said that the new assessments are at 98%. Does that leave room for a reduction? What will happen when the businesses go under? These businesses donate everything they can to the town. He does not get any benefit from the town. He pays for refuse removal. How can you raise taxes by \$36,000? How is he supposed to pay that? This is not funny. He went to see the administrator last week but she was on vacation. He objected to that.

Scott Witherspoon, 70 Green Terrace Way, West Milford said he is here with the same drainage problem with the home across the street. He recently talked with Tim Ligus the construction official. He opened his pool this year which cost him \$4,000 to get ready because of the drainage problem. These issues have been languishing for over a year. He has communicated with the Council and administrator yet sees no action. He does not know where to turn. He appealed his property taxes last year and got a reduction. Then came the revaluation and he got a \$5,000 increase. His insurance bill increased because there is no fire hydrant in front of his home. He has been coming to the Township for 13 months and would like



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can be done because there is no silver bullet. The Council does empathize and wants to help. He thanked everyone for sharing the horror stories and opening his eyes. People found out about the actual numbers recently. Council said that people will not realize the impact until they receive the tax bill. Council encourages people to appeal if they feel that their valuation is wrong.

There were comments from the public and Mayor Bieri advised that elected officials are available by phone and email. Councilman Smolinski said there is a big concern about keeping business here.

Councilwoman Erik stated that while public is speaking the Council listens. That is the protocol. The Council is listening. She has taken copious notes but she does not have the answer. She heard one comment from a resident whose taxes went down and she knows many who stayed level. It is her job to find a balance for all her constituents.

Councilman Smolinski stated that the commercial revaluation is based on revenue. If revenue is down, a person could reasonably say that taxes should go down too. Some people have seen 200% increases. Mr. Semrau stated that for commercial properties there is a formula based on income & expenses. If a given property is owner occupied you take the market rent and use that to compute the values. If revenue went down and there were vacancies, the value would go down. Councilman Smolinski opined that is a good basis for an appeal. Newark, he said, appealed their taxes and won their appeal. Their taxes went down. He urged residents to write to Congressmen and Senators and tell them about that and the injustice.

Council President Signorino stated that we should draft a resolution and send that message ourselves to the Governor. He is a businessman. Today he looked for a job to work for someone else because the economy is so bad. He was concerned about the timing of the tax bills. Because of those concerns, he has had lengthy discussions with the Township attorney on this topic and potential options to spread payments over time. He asked Mr. Semrau to elaborate.

Mr. Semrau stated that he is explaining from the current structure of the law. He said that in his position he does not file tax appeals. He defends tax appeals. There have been two significant groups that have come forward from this revaluation. It is easier to understand and explain data used to determine the values of the lakefront property owners. Commercial properties are different because each is unique. They are estimated at the highest and best uses. He has not heard anything that says that the process is wrong. But when he heard the numbers for commercials he questioned the accuracy. He researched and has found the revaluation to be correct despite his surprise with the numbers. The focus has to be on the value of the properties. The process requires that introductory letters are sent out initially and ultimately property owners are notified of the values in November. Tax bills do not go out until this time of year. Preliminary numbers go out in November. There is an opportunity to meet with the revaluation firm and the tax assessor. Then there is another mailing advising people of the appeal deadline date of May 1<sup>st</sup>. Ultimately there is the appeal process. We understand what the Council is up against. The tax assessor sets the number. He works for State of New Jersey Division of Taxes. The Township pays his salary but he does not work for town. That is purposely set up that way by State statute because in situations like this there is concern. Once the values are accepted by the County tax board the numbers are locked in and sent to Trenton. Those values can only be changed by virtue of a judgment from the tax board or tax court. He has not heard anything that proves the revaluation is wrong. It is startling to see some of the commercial numbers but the tax board says officials must look at the values where they are now. The Council asked Mr. Townsend to come in and he did and made a presentation to say that he believes the values are right. This governing body cannot direct him to change any values. They cannot do that by law. The Council asked him to look at a potential phase-in. The problem is that would negatively affect every other property owner and could be viewed as arbitrary. He researched abatements. The only option would only apply to improvements to be made in the future. That does not solve the issues that you have today. He also looked to see if the appeal date could be extended. The date is established by State statute and late filings will be sent back by the county tax board. The law is set up so that the only real mechanism is the appeal process. The Tax Assessor, he said, is confident in the revaluation and the governing body's hands are tied. The process precludes the governing body from becoming involved. Mr. Semrau encouraged people to call the tax assessor. If you have a commercial property and you don't respond to the Chapter 91 request, the estimate is going to be high until either an appeal is filed or information filed. The process is about value. He has looked at every possible option. He cannot say that the assessor has uncertainty about the process. He encourages anyone to meet with assessor to go over value for next year because values are set in October. If businesses have not sent income and expense information, Mr. Townsend will be sending out the request again this year and he urged people to provide the date. If the assessor has that information it will help him set the value for next year. Without that, the commercial property owner may be precluded from filing an appeal. It is important to provide this information when requested. It is based on the revenue generated using the preceding year's numbers. The revenue is not based on the business revenue but on the property revenue.

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Council President Signorino asked for consensus to draft a resolution to send to the Governor about Newark Watershed. Mayor Bieri agreed and stated that the Council has done that before. Council President Signorino said we should do that every year. Mayor Bieri agreed and said that she wants the public to know that everyone on the dais has lobbied for this type of relief. The State legislators, even our own representatives, have not been supportive. They consider it another tax. They don't want to increase taxes and they refuse to see that it is not a tax put a payment for services provided. We are protecting water for millions of users. She reviewed her attempts at lobbying for a water surcharge.

Councilman Rosone stated that he has been on Council for over a year and a half. This is the most frustrating issue he has had to deal with. He was elected by West Milford residents and has tried to find ways to deal with this. The Council is told that there are roadblocks at every turn. It is frustrating and Council feels the pain. It is disheartening. They have done everything they possibly could and will keep trying. They contact the attorney and tax assessor almost daily. They hear the concerns. They patronize local businesses. It is frustrating to be told they cannot do anything. He asked the Administrator what can be done to resolve Mr. Witherspoon's issue. Ms. Gage replied that the court ordered Mr. Witherspoon's neighbor to go before the planning board. He went and submitted an application and it has been stalled. The building department was to issue a violation based on that. Mayor Bieri said the application has not gotten to the planning board yet. Mr. Witherspoon, from the audience, said there are two outstanding violations. One from the town and one from soil conservation. Neither has penalties. Ms. Gage said that if we issue that next summons there may be fines because he did not follow a court order. Ms. Gage said she will speak with the planning board. Councilman Ramaglia asked if the Township attorney can help. Mr. Semrau said he will speak with the Administrator. This matter may necessitate some form of litigation. Council President Signorino questioned if we can get involved because this may be a civil matter. Mr. Witherspoon said the core problem is with the original design approved by the Township. If there is litigation, he said, the Township will be involved and named. Councilman Ramaglia said that we just need to address this.

Councilwoman Horton echoed the sympathies expressed tonight. She wished everyone the best as they go through the process. She hopes we can get a water surcharge noting that she first worked on that in 2003.

Mayor Bieri noted that a minimum surcharge for each user would change the financial picture for West Milford. She said she also finds it frustrating. Every comment heard is heartfelt. Elected officials cannot interfere in the revaluation process but nonetheless they keep trying to find solutions. That is evident by the number of times the governing body has convened in executive session to discuss this. She rarely leaves town. She gets everything locally unless she is out of town lobbying for West Milford. It is disheartening to hear people saying that the governing body does not care. She got a 20% increase on her home as a result of the revaluation. The Township is not collecting more money in this process. The increase is due to the revaluation and the intent is to spread the tax burden in an equitable fashion. This is not a money making scheme for the Township and the municipality is not collecting more. It spreads the burden. The Township is responsible for sending out the tax bills. We collect the money. The municipal budget is only about 20% of the tax bill. A little over 60% of the bill goes to the schools and roughly 20% to Passaic County. The Township collects 100% and distributes 80%. She agrees it is a significant burden and the governing body is looking for solutions. They have been working on it and comments are not falling on deaf ears. She urged business owners to get the revenue numbers in and speak with the tax assessor.

Mr. Semrau noted that at this point all the data indicates that the valuations are correct. People are complaining about the taxes. The process is about the values and the data indicates that the values are correct. The process does not appear to be wrong. Every appeal must be viewed on a case by case basis. The assessor signs off on each property record card. Sometimes changes are made. He advised that those decisions are at the sole discretion of the tax assessor. By show of hands a number of attendees indicated that they had filed appeals. Mr. Semrau told them that if the values are wrong the valuations will be adjusted. This process is about market value and not taxes. If the tax board finds that the value is correct then the value will remain the same. Mr. McCann, from the audience, said that you cannot increase taxes like that. Mr. Semrau explained that there is an equalized ratio that adjusts the values between revaluations.

Council President Signorino asked if the notices sent are on standard post cards. Mr. Semrau advised that the final notice is a post card which also includes prior year taxes. There is a letter that goes out in November which is not a flier and which provides the preliminary value. He stated that the process is not based on what was but what is. Mayor Bieri said everyone just wants a fair number.

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A resident, from the audience stated that he has been here for 45 years. He said that Mr. Wallisch got money from the watershed. Mr. Semrau stated that the Township does get paid from Newark. They pay about half a million dollars per year in taxes. However, the rules governing the valuation of watershed are different. The Township has taken this issue to the supreme court to challenge that process and lost. The matter went to the appellate division and lost. The legislation needs to be changed. The State bought development rights and gave money to Newark. That gave Newark the right to claim the property is severely restricted and that affected the taxes. Mayor Bieri said that the Township's argument is that it is valuable, income-producing property for the City of Newark and as such they are not entitled to those breaks because the cost is falling on West Milford taxpayers. The legislation supports Newark's approach not ours. The fact that you can't put a building on the property does not mean it is not valuable. Councilman Smolinski stated that Trenton gets about a thousand resolutions a month. This subject is too vital. We need to make a trip. Council President Signorino said "let's go." Councilwoman Horton thanked everyone for their demeanor in the midst of their emotions. She noted that everyone behaved admirably and assured them that they were heard.

Agenda No. X

**Discussion Items**

1)	Wallisch Property – Repairs – The Council discussed the means by which they could pay for repairs to the Wallisch property. Councilman Ramaglia recalled that it had previously been determined that we should use the TGP money. Administrator Gage discussed possible future uses for the buildings and Councilwoman Erik asked if a structural engineer has looked at the buildings. Mayor Bieri asked if Council wants to expend money to repair the roofs and have the engineer look at the buildings. Council President Signorino stated that putting a new roof on the house is not logical because it needs so much work. Councilman Ramaglia asked Administrator Gage to have Steve Boshart, the HPC Chairman, come before Council along with Tim Ligus the construction official to discuss the conditions of these buildings. The Council gave consensus to have this matter broached at a future meeting.
2)	2013 Budget Committee - Administrator Gage recalled that there was discussion to set up an annual committee to work on issues toward the budget for the ensuing year. It is proactive rather than the reactive approach that has been the basis of the dialogue in the past. Mr. Semrau noted that these were subcommittees and would not be codified. There would be informal designation of two members to informally meet with the administrator to discuss these matters. He said 4 members constitutes a quorum. The problem with 3 is that if the budget is ultimately passed by 5 of the 6 Council members there would be a quorum problem. Councilwoman Horton said that she strongly favors these committee meetings. Councilman Ramaglia agreed that it is a good thing and he wants structure to ensure that the information flows to other Council members. Councilman Smolinski asked about finance committees in other towns and Mr. Semrau said that in other forms of government it is allowed because the budget becomes the purview of the finance committee. In this form the budget is prepared and monitored by the administration. Administrator Gage said that she would suggest monthly sessions to brainstorm. She would prepare an agenda and invite department heads. Councilman Ramaglia asked that these subcommittees address questions that came up in the budget process. Councilman Smolinski expressed concern that there would only be two people and Council President Signorino said that he shares that concern. Mr. Semrau advised that this would not be to put together a budget. In this form of government that is the administrator's role. Councilman Rosone asked for it to be a rotating committee. Administrator Gage said she have a topic each month and decide who wants to participate. Mayor Bieri suggested that each subcommittee be comprised of Council members based on availability.
3)	Memorial on Municipal Property – Administrator Gage advised that there is a memo from Eric Miller analyzing the proposal submitted by a resident and he recommends that Council not approve it. If Council directs she could contact the gentleman and advise him. Councilman Ramaglia said that we should see if there is another piece of municipal property which might be suitable for this purpose and Council President Signorino suggested Wallisch. Mayor Bieri said that she has received feedback saying it is not appropriate beside the 9/11 and Veteran's memorials. She has had people question the parameters to be established. Where are the guidelines being set? Councilman Smolinski agreed that it would diminish the other memorials. Councilman Ramaglia suggested that time & effort should be expended to keep the memorials looking better. Councilwoman Erik stated that everyone here knows someone who was killed in a motor vehicle accident. The Council expressed support for the memorial in general and asked Administrator Gage to research alternate locations.
4)	Grant: Federal Transportation Enhancement Grant for Bikeway Ridge Road (for ACTION as well) - the Council gave consensus to proceed.

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Table with 2 columns: Item number and Description. Row 5: Contract: Caretaker Agreement - the Council gave consensus to proceed. Row 6: Contract: Video Arcade Bid - the Council gave consensus to proceed.

Agenda No. XI

Action Items

Agenda No. XI 1

~ Ordinance No. 2012- 014 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO AMEND BUILDING STANDARDS BOARD ORDINANCE

WITHDRAWN - - NOT ACTED UPON

At the request of the Township Attorney, Councilwoman Erik made a motion to withdraw this ordinance to allow for additional review by the Building Standards Board.

Motion to withdraw Ordinance 2012-014 at this time.

Moved: Erik Seconded: Signorino
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

Mayor Bieri asked to move all Resolutions 2012-244 through 2012-253 as one.

Moved: Erik Seconded: Rosone
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

Agenda No. XI 2

~ Resolution No. 2012- 244 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, APPROVING SUBMISSION OF THE CORRECTIVE ACTION PLAN FOR THE YEAR ENDED DECEMBER 31, 2011 TO THE STATE OF NEW JERSEY, DIVISION OF LOCAL GOVERNMENT SERVICES

WHEREAS, all municipalities operating under the Local Fiscal Affairs Law must prepare and submit a Corrective Action Plan as part of their annual audit process, and

WHEREAS, the Township of West Milford has by Resolution accepted the 2011 audit as prepared and presented by the Township Auditors, and

WHEREAS, Monica Goscicki, the Chief Financial Officer for the Township of West Milford has prepared a Corrective Action Plan to address the findings and recommendations for the 2011 audit and presented copies of same to the Mayor, Council, and Administrator,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, in the County of Passaic, that the Corrective Action Plan, attached hereto and made a part hereof, be approved for submission to the Division of Local Government Services.

Adopted: July 18, 2012

Agenda No. XI 3

~ Resolution No. 2012- 245 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE FEDERAL AID TRANSPORTATION ENHANCEMENT PROGRAM FOR THE RECONSTRUCTION OF RIDGE ROAD BETWEEN ALPINE RIDGE ROAD AND BARON ROAD, INCLUDING MILLING, STORMWATER UPGRADES, WIDENING, GRANITE BLOCK CURB AND ROADWAY STRIPING

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

Minutes of: Township Council Workshop & Regular Meeting  
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**WHEREAS**, the NJDOT is accepting applications for the fiscal year 2012 Federal Aid Transportation Enhancement program; and

**WHEREAS**, the Township's Engineering Division has recommended that the following application be submitted for the reconstruction of Ridge Road between Alpine Ridge Road and Baron Road, including milling, storm water upgrades, widening, granite block curb and roadway striping; and

**WHEREAS**, the Township's Engineering Division submits the following application for consideration to the Township Council:

Project: West Milford Bikeway – REMAINDER	
Reconstruction of Ridge Road between Alpine Ridge Road and Baron Road (1.0 miles), Including Milling, Storm Water Upgrades, Widening, Granite Block Curb and Roadway Striping	
Grant Application:	\$800,000
Township Contribution:	\$300,000
Estimated Cost for Entire Project:	\$1,100,000
<b>Grant Application No. TE-2012-West Milford Township-00160</b>	

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Township Council of the Township of West Milford, formally approve the grant application nunc pro tunc effective July 17, 2012 for the above stated project; and

**BE IT FURTHER RESOLVED** that the Township Engineering Divisions' Agency Administrator is hereby authorized to submit the grant application as identified above to the New Jersey Department of Transportation through S.A.G.E. (System for Administering Grants Electronically) on behalf of the Township of West Milford; and

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk be and are hereby authorized to sign the grant agreement on behalf of the Township of West Milford and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Approved: July 17, 2012

Agenda No. XI 4

~ Resolution No. 2012- 246 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY, STATE OF NEW JERSEY AWARDING A CONTRACT TO H. BETTI INDUSTRIES INC. FOR THE TEEN CENTER COFFEE HOUSE VIDEO AND ARCADE GAMES**

**WHEREAS**, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on June 22, 2012 for the Teen Center Coffee House Video And Arcade Games as per the Bid Specifications; and

**WHEREAS**, the Township of West Milford received one (1) bid for this contract; and

**WHEREAS**, said bid has been duly reviewed and analyzed by the Director of Community Services and Recreation; and

**WHEREAS**, the bid received from H. Betti Industries 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 Director of Community Services and Recreation has submitted a written recommendation for the award of this contract to H. Betti Industries Inc.; and

**WHEREAS**, the Chief Financial Officer has certified that encumbrances for these services shall come from account number C-04-55-933-225;

**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 H. Betti Industries Inc., 303 Paterson Plank Road, Carlstadt, New Jersey 07072 in an amount not to exceed \$46,648.00 for Video And Arcade Games at the Teen Center Coffee House as per the Bid Specifications.

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

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2. The Mayor and Township Clerk be and are hereby authorized and directed to execute a contract with H. Betti Industries Inc. in accordance with its bid for said Video And Arcade Games at the Teen Center Coffee House as per the Bid Specifications.
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 18, 2012

Agenda No. XI 5

~ Resolution No. 2012- 247 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A CARETAKER AGREEMENT WITH BRIAN EZZO TO SERVE AS A CO-CARETAKER OF WESTBROOK PARK**

**WHEREAS**, the Township of West Milford previously authorized caretaker agreements for Westbrook Park with Richard Ashley and Nicholas Christian Lopes; and

**WHEREAS**, Richard Ashley has notified the Township that he will no longer be serving in this capacity; and

**WHEREAS**, the Director of Community Services & Recreation has interviewed and recommended Brian Ezzo to assume the joint responsibilities of caretaker with Nicholas Christian Lopes.

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

1. The Mayor and Municipal Clerk be and are hereby authorized to execute a caretaker agreement with Brian Ezzo to serve as a co-caretaker of Westbrook Park through December 31, 2012.
2. The Chief Financial Officer shall receive a copy of the aforementioned agreements and make appropriate adjustments with respect to any 1099 reporting to the IRS.
3. This Resolution shall take effect immediately.

Adopted: July 18, 2012

Agenda No. XI 6

~ Resolution No. 2012- 248 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF TRAFFIC STRIPING ON ROADWAYS THROUGH THE MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL, CONTRACT #36 TO DENVILLE LINE PAINTING, INC.**

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

**WHEREAS**, the Morris County Cooperative Purchasing 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 2012; and

**WHEREAS**, the Director of Public Works has reviewed the Morris County Cooperative Purchasing Council's contract and related specifications and has submitted a written recommendation that the Township of West Milford purchase traffic striping on roadways through the Morris County Cooperative Purchasing Council, Contract #36 in an amount not to exceed \$157,000; 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 1-01-26-290-623;

**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 Director of Public Works to purchase Traffic Striping on Roadways, in an amount not to exceed \$157,000, through the Morris County Cooperative Purchasing Council, contract #36, to Denville Line Painting, Inc.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Township Engineer.

Adopted: July 18, 2012

Agenda No. XI 7

**~ Resolution No. 2012- 249 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2012 - 2013 LICENSE YEAR**

**WHEREAS**, applications for renewal of Plenary Retail Consumption Licenses for the 2012 - 2013 License year have been received and reviewed; and

**WHEREAS**, the Mayor and Township Council has conducted a public review of the application as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980; and

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

1. The submitted applications are complete in all respects.
2. The applicants are qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicants have disclosed to the issuing authority the source of all additional financing obtained in the previous license year (July 1, 2011 - June 30, 2012).
4. Recommendations have been received in the Office of the Township Clerk from all applicable departments.

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

LICENSE/LICENSEE/T/A	
<b>NEW VINELAND CORPORATION</b> t/a Uncorked Wines & Spirits 9 Marshall Hill Road <b>1615-33-003-006</b>	<b>NTI LLC</b> t/a El Rusty Anchor 47 Olcott Road Hewitt, NJ 07421 <b>1615-33-024-012</b>
<b>MERSIMI &amp; MAHMUDI, INC.</b> t/a Cafe Amore P.O. Box 1093 Hewitt, NJ 07421 <b>1615-33-032-009</b>	

**BE IT FURTHER RESOLVED** that the Township Clerk is directed to issue the license certificate for the Mayor and Township Council of the Township of West Milford with conditions as follows:

<b>NORMTRA LLC</b> t/a Big John's Pub 49 Old Rt 23 N Newfoundland, NJ 07435 <b>1615-33-027-008</b>	<ol style="list-style-type: none"> <li>1. Patrons are not to leave the curtilage of the licensed premises with alcoholic beverages.</li> <li>2. The licensed portion of the deck must have a railing and gate which physically separates it from non-licensed areas.</li> <li>3. A written notice must also be posted instructing patrons that they cannot leave the licensed portion of the premises with alcoholic beverages.</li> <li>4. Amplified music should be restricted to the interior of the building only. This should include live bands and DJ's.</li> <li>5. Non-amplified musical entertainment outside the building should remain within the licensed area and cease by 9:00 P.M.</li> </ol>
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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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Adopted: July 18, 2012

Agenda No. XI 8

~ Resolution No. 2012- 250 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2012 - 2013 LICENSE YEAR**

**WHEREAS**, applications for renewal of Plenary Retail Consumption Licenses for the 2012 - 2013 License year have been received and reviewed; and

**WHEREAS**, the Mayor and Township Council has conducted a public review of the application as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980; and

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

1. The submitted applications are complete in all respects.
2. The applicants are qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicants have disclosed to the issuing authority the source of all additional financing obtained in the previous license year (July 1, 2011 - June 30, 2012).
4. Recommendations have been received in the Office of the Township Clerk from all applicable departments.

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

<b>LICENSE/LICENSEE/T/A</b>	
<b>NEW VINELAND CORPORATION</b> t/a Uncorked Wines & Spirits 9 Marshall Hill Road <b>1615-33-003-006</b>	<b>NTI LLC</b> t/a El Rusty Anchor 47 Olcott Road Hewitt, NJ 07421 <b>1615-33-024-012</b>
<b>MERSIMI &amp; MAHMUDI, INC.</b> t/a Cafe Amore P.O. Box 1093 Hewitt, NJ 07421 <b>1615-33-032-009</b>	

**BE IT FURTHER RESOLVED** that the Township Clerk is directed to issue the license certificate for the Mayor and Township Council of the Township of West Milford with conditions as follows:

<b>NORMTRA LLC</b> t/a Big John's Pub 49 Old Rt 23 N Newfoundland, NJ 07435 <b>1615-33-027-008</b>	<ol style="list-style-type: none"> <li>1. Patrons are not to leave the curtilage of the licensed premises with alcoholic beverages.</li> <li>2. The licensed portion of the deck must have a railing and gate which physically separates it from non-licensed areas.</li> <li>3. A written notice must also be posted instructing patrons that they cannot leave the licensed portion of the premises with alcoholic beverages.</li> <li>4. Amplified music should be restricted to the interior of the building only. This should include live bands and DJ's.</li> <li>5. Non-amplified musical entertainment outside the building should remain within the licensed area and cease by 9:00 P.M.</li> </ol>
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Adopted: July 18, 2012

Agenda No. XI 9

~ Resolution No. 2012- 251 ~

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

Minutes of: Township Council Workshop & Regular Meeting  
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**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 3401, LOT 23, BLOCK 3401, LOT 24, AND BLOCK 13001, LOT 28**

**WHEREAS**, the Collector of Taxes has reported to the Township Council the offer of Lean Man Retirement Plan c/o Alex Garcia TTEE to acquire by assignment the following tax lien certificates held by the Township of West Milford; and

Lien Certificate	Date of Sale	Block / Lot	Amount Due
12-0046	3-27-12	3401-23	\$835.26
12-0047	3-27-12	3401-24	\$818.84
11-109	4-19-11	13301-028	\$3,507.77

**WHEREAS**, the said Lean Man Retirement Plan c/o Alex Garcia TTEE has paid to the Collector of Taxes the sum of \$5,162.87 representing the amount due on said Certificate(s), together with subsequent liens thereon; and

**NOW, THEREFORE, BE IT RESOLVED** that August 22, 2012, at 7:30 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 Lean Man Retirement Plan c/o Alex Garcia TTEE; and

**BE IT FURTHER RESOLVED**, that the Collector of Taxes be and hereby is directed, pursuant to N.J.S.A. 54:5-114, 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: July 18, 2012

Agenda No. XI 10

~ Resolution No. 2012- 252 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING FOR THE ASSIGNMENT OF TAX SALE CERTIFICATE AT PRIVATE SALE BLOCK 2605, LOT 8**

**WHEREAS**, the Collector of Taxes has reported to the Township Council the offer of Anthony W. Lupino to acquire by assignment the following tax lien certificate held by the Township of West Milford; and

Lien Certificate	Date of Sale	Block / Lot	Amount Due
11-033	4-19-11	2605-8	\$3,953.58

**WHEREAS**, the said Anthony W. Lupino has paid to the Collector of Taxes the sum of \$3,953.58 representing the amount due on said Certificate(s), together with subsequent liens thereon; and

**NOW, THEREFORE, BE IT RESOLVED** that August 22, 2012, at 7:30 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 Anthony W. Lupino; and

**BE IT FURTHER RESOLVED**, that the Collector of Taxes be and hereby is directed, pursuant to N.J.S.A. 54:5-114, 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: July 18, 2012

Agenda No. XI 11

~ Resolution No. 2012- 253 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING FOR THE ASSIGNMENT OF TAX SALE CERTIFICATE AT PRIVATE SALE BLOCK 4403, LOT 3**

**WHEREAS**, the Collector of Taxes has reported to the Township Council the offer of John Mosca to acquire by assignment the following tax lien certificate held by the Township of West Milford; and

Lien Certificate	Date of Sale	Block / Lot	Amount Due
10-055	3-23-10	4403-3	\$15,125.51

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

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**WHEREAS**, the said John Mosca has paid to the Collector of Taxes the sum of \$15,125.51 representing the amount due on said Certificate(s), together with subsequent liens thereon; and

**NOW, THEREFORE, BE IT RESOLVED** that August 22, 2012, at 7:30 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 John Mosca; and

**BE IT FURTHER RESOLVED**, that the Collector of Taxes be and hereby is directed, pursuant to N.J.S.A. 54:5-114, 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: July 18, 2012

Agenda No. XII

**Consent Agenda**

~ Resolution No. 2012- 254 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PASSAGE OF 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. **2012-255** – Refund Overpayments
- b. **2012-256** – Refund Clerk’s Office Fees
- c. **2012-257** – Refund Other Liens
- d. **2012-258** – Refund Performance Guarantees
- e. **2012-259** – Refund Recreation Fees
- f. **2012-260** – Various 2012 Licenses

**Applications:**

None.

Adopted: July 18, 2012

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Moved: Erik Seconded: Ramaglia  
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.  
Voted Nay: None.  
Motion carried.  
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The following Resolutions were included in the consent agenda:

Agenda No. XII a

~ Resolution No. 2012- 255 ~

**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 overpayments as shown below; and

**WHEREAS**, the overpayment was created by reasons stated below and the Collector of Taxes recommends the refund of such overpayments;

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

**REASONS:**

- 1. Incorrect Payment
- 2. Duplicate Payment
- 3. Senior Citizen/Veteran Deduction
- 4. Homestead Rebate
- 5. Tax Appeal

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

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Block/Lot	Name	Amount	Year	Reason
12802-10	Linear Title & Closing 127 John Clarke Road 1 <sup>st</sup> Floor Middletown, RI 02842	\$1,019.14	2012	1
<b>TOTAL</b>		<b>\$1,019.14</b>		

Adopted: July 18, 2012

Agenda No. XII b

~ Resolution No. 2012- 256 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF CLERK'S OFFICE FEES**

**BE IT RESOLVED** that the following Clerk's Office fees upon the report of the Township Clerk be refunded:

Event	Amount	Payee
Garage Sale Permit 2012-168 + 2 extra signs	\$12.00	Edward Ward 44 Camelot Drive West Milford, NJ 07480
Fee for unused Limousine License	\$100.00	Douglas Townsend P.O. BOX 196 1873 Macopin Road West Milford, NJ 07480

Adopted: July 18, 2012

Agenda No. XII c

~ Resolution No. 2012- 257 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING 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	Reimbursement Amt	Pay to the Lien Holder
10-012	03/23/2010	01611-020	\$23,680.13	ROYAL TAX LIEN SERVICES LLC 115 WEST AVENUE STE. 300 JENKINTOWN, PA 19046
12-0009	03/27/2012	01001-024	\$12,354.33	US BANK CUST/CRESTAR CAPITAL LLC 2 LIBERTY PLACE 50 SO. 16 ST. STE 1950 PHILADELPHIA, PA 19102
12-0101	03/27/2012	10816-007	\$645.40	US BANK CUST FOR PRO CAPITAL I LLC US BANK TLSG 1000 HADDONFIELD BERLIN R VOORHEES, NJ 08043
12-0120	03/27/2012	13806-001	\$27,357.05	TOWER DBW II TRUST 2012-1 1345 AVE / AMERICAS 46 FL NEW YORK, NY 10105
<b>Grand Total</b>			<b>\$64,036.91</b>	

Adopted: July 18, 2012

Agenda No. XII d

~ Resolution No. 2012- 258 ~

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

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**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF PERFORMANCE GUARANTEES**

**BE IT RESOLVED**, by the Township Council of the Township of West Milford that, upon the report and request of the Township's Engineering Department, the following Performance Guarantees be refunded:

Name & Address	Block & Lot	Amount Refunded	Page No.
Jack Levkovitz 750 Westbrook Road West Milford, NJ 07480	4701/29	\$1,250.00	84
Zanado Enterprises P.O. Box 788 West Milford, NJ 07480	6504/5	\$850.00	74

Adopted: July 18, 2012

Agenda No. XII e

~ Resolution No. 2012- 259 ~

**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		
Ariana Pollard	\$713.50	Alicia Wendland, 1305 Macopin Road West Milford, NJ 07480
Alexis & Christian	\$900.00	Melissa Aiello, 20 Dehart Ave. Hewitt, NJ 07421
Jacklynn & Raymond	\$160.00	Joan Vecchiarella, 38 Navajo Trail West Milford, NJ 07480
Multi sport camp 7/9/12, sport squirts 7/9/12 & Ladies night out tennis 7/9/12		
Daniel	\$114.00	Colleen Benedetto, 392 Warwick Tpk. Hewitt, NJ 07421
Danny, Lynn, Kelly	\$437.00	Monique McCoy, 10 Commanche Lane Hewitt, NJ 07421
Mason	\$169.00	Debbie Fernbacher, 23 Mtn. Circle N West Milford, NJ 07480
Sarah	\$29.00	Jodie Comune, 155 Vreeland Road West Milford, NJ 07480
Maria, Alexander	\$141.00	Maria Eriksson, 1058 Union Valley Rd. West Milford, NJ 07480
Mason	\$109.00	Mary Moore, 44 McCormick Road West Milford, NJ 07480
Blake	\$109.00	Kim Stillman, 166 Lincoln Ave. West Milford, NJ 07480
Instrument camp		
John	\$10.00	John Sferra, 411 N. Riverside Drive Neptune, NJ 07753
Sciensational Camp		
Michael & Demetrios	\$264.00	Claudia Piteris, 90 Morris Ave. West Milford, NJ 07480
Jake	\$132.00	Debbie Fernbacher, 23 Mt. Circle North West Milford, NJ 07480
Jacob and Luke	\$264.00	Jennifer Gonzalez, 19 Land of Oaks Drive Oak Ridge, NJ 07438
Matthew	\$132.00	Carolyn Crosby, 40 Camden Place West Milford, NJ 07480

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

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Adopted: July 18, 2012

Agenda No. XII f

~ Resolution No. 2012- 260 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2012**

**WHEREAS**, applications have been made for the renewal of various Licenses 2012; and

**WHEREAS**, reports of recommendation have been received from applicable Township Departments recommending the issuance of said licenses as listed below.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford does hereby approve the issuance of 2012 Licenses as listed below:

2012 POOL TABLE LICENSE	
2012 – 07	Old School Pub LLC 551 Warwick Turnpike Hewitt, NJ 07421

Adopted: July 18, 2012

**Approval of Expenditures**

Agenda No. XIII

~ Resolution No. 2012- 261 ~

**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. . . . .	\$545,414.20
2	Reserve Account . . . . .	351.27
3	Animal Control Trust . . . . .	2,454.24
6	Capital. . . . .	15,610.96
7	Grants. . . . .	347.10
8	Refuse. . . . .	99,862.93
9	Refunds. . . . .	68,890.55
12	General Ledger. . . . .	38,836.00
16	Heritage Trust. . . . .	1,606.12
14	Open Space Trust	137.50
17	Trust . . . . .	3,100.00
18	Development Escrow. . . . .	6,528.50
19	COAH . . . . .	1,298.00
20	Special Reserves	
11	Assessment Trust . . . . .	
Total		\$784,437.37
Less Refund Resolution		68,890.55
<b>Actual Bill List</b>		<b>\$715,546.82</b>
Other Payments - Ck.#. 49546 Copperas Mtn. Chain Saw		1,551.95
Ck # 49547 Scott Ehrman		5,600.00
Ck# 49548 Finch Fuel Oil		1,873.58

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

Minutes of: Township Council Workshop & Regular Meeting  
 Date of Meeting: July 18, 2012  
 Time of Meeting: 6:30 P.M.  
 Minute Page No: Page 20 of 21

Ck# 49549 Thomas Gilmartin	727.98
Ck# 49550 JCP&L	1,008.87
Ck# 49551 Lakeland Bank	1090.64
Ck# 49552 Waste Mgmt.	95,316.00
Ck# 49553 Zoom Entertainment	325.00
<b>Total Expenditures</b>	<b>\$823,040.84</b>

Adopted: July 18, 2012

Moved: Erik Seconded: Smolinski  
 Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.  
 Voted Nay: None.  
 Motion carried.

Agenda No. XIV

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

Councilman Rosone congratulated the eagle scouts and field hockey team. He also congratulated the new Chief of Police, Tim Storbeck.

Council President Singorino echoed those congratulations. He expressed hope that everyone enjoyed Independence Day.

Councilwoman Horton also echoed the congratulations. She commended PAL for Thunder in the Highlands and those who supported that. She is dedicated to maintaining businesses in West Milford.

Councilwoman Erik read a quote about July 4<sup>th</sup> and quoted Harry Truman.

Mayor Bieri congratulated Tim Storbeck noting that there will be a formal swearing in at some point for him and the other officers. She noted that S1451 and S1452 have had minor amendments and Senator Weinberg is seeking comments by August 15<sup>th</sup>. She asked the Clerk & Attorney to review and provide comments.

Administrator Gage stated that labor negotiations have not really proceeded. The PERC proceedings are going forward. She would like to discuss these matters with Council in executive session at the next meeting. Council agreed to changing the meeting time to 6:30 p.m. to begin that executive session. Administrator Gage asked to reschedule the August 22 meeting to August 15<sup>th</sup> and the Council agreed by virtue of unanimous roll call vote. Administrator Gage stated that the Triple T lease expires at end of September. She has been gathering information from departments and will have that on August 1<sup>st</sup> agenda. She will also be proposing a salary ordinance for housekeeping. She said that she suggests a pull down screen and projector for the main meeting room and the Council agreed.

Agenda No. XV

**Appointments and Resignations**

~ Resolution No. 2012- 262 ~

**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 resignations tendered to the Township:

Name	Position	Date Tendered
John Waldo III Citizen Member	Heritage Committee (Advisory) Term expiring December 31, 2012	July 11, 2012

Adopted: July 18, 2012

Moved: Ramaglia Seconded: Signorino  
 Voted Aye: Unanimous voice vote.  
 Voted Nay: None.

