
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: July 21, 2010
Time of Meeting: 7:30 P.M.
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The 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 Regular meeting was advertised in the Herald News in its issue of December 20, 2009; and January 10, 2010 copies were provided to the Suburban Trends, the Record, Star Ledger, and Greenwood Lake News 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.

Pledge of Allegiance

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

Roll Call

Present: Councilmembers Philip Weisbecker, Joseph Smolinski, Michael Ramaglia, Robert Nolan, Marilyn Lichtenberg, Daniel Jurkovic, Mayor Bettina Bieri.
Absent: None.
Also Present: Township Administrator Kevin Boyle, Township Clerk Antoinette Battaglia, Township Attorney Frederick Semrau

Councilman Weisbecker asked for and received consensus for a moment of silence to remember Terri Benack who recently passed away. Terry served as CFO in West Milford for many years and during her tenure she also served as acting manager.

Agenda No. I

Reading of or Approval of Unapproved Minutes

The following meeting minutes were adopted as presented:

April 7, 2010 Workshop Meeting
April 7, 2010 Executive Session

Moved: Nolan Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Abstain: Jurkovic abstained from the executive session minutes only.
Motion carried.

Agenda No. II

Proclamations

20th Anniversary of the Americans with Disabilities Act - Mayor Bieri approached the podium and invited Jim Novack and Janice Sangle from the ADA Committee to join her. She read the proclamation in celebration of 20th anniversary of ADA legislation which was signed into law by George Bush.

Janice Sangle, medical representative to West Milford ADA and ADA representative to the facility assessment committee thanked the Mayor and addressed the audience. She stated that ADA is a vital and important part of the lives of millions of people. She thanked the Mayor & Council for reaffirming their commitment to working toward full ADA compliance. The Americans with Disabilities Act serves to protect the rights of persons with disabilities by providing equal rights. According to the 2000 census, one in every five Americans has a disability and she believes that number will increase in the current census. Disabilities do not discriminate against age, race, religion or gender. Under Title 2 of the Americans with Disabilities Act all state and local governments are required to provide a self evaluation which was supposed to be completed by 1993. Physical changes to buildings were supposed to be accomplished by 1995. ADA standards for design identify and correct policies that are inconsistent with right of access. She reviewed the measures that are required to allow access to programs and services and to prevent discrimination. She encouraged people to research online at the ADA website for additional information. She looks forward to working with the Mayor & Council on full implementation of ADA and thanked them again for that commitment.

Mayor Bieri thanked Ms. Sangle for all the work she does on behalf of the disabled saying that she is a great representative for West Milford. The Mayor & Council is here to listen and do whatever is possible to address concerns.

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Jim Novack asked people to report those who violate the law adding that if you see someone parking in a handicapped parking spot, call the police. He asked for the Township to make an effort to get local businesses into compliance by striping parking lots properly and being compliant during snow storms. He stated that Administrator Boyle promised that the Township parking lot would be paved and re-striped three months ago but it is still not done. He asked for compliance and education.

Janice Sangle stated handicapped parking spots often include a striped access isle between parking spaces for the disabled. Often there are impediments in these aisles such as shopping carts. One in every eight spaces is supposed to be van accessible but oftentimes cars with the appropriate handicap permits park in those spots. Those spots are supposed to be designated for vans and the people who need the space to deploy a ramp. She urged people not to park illegally in a handicapped space or the access isle.

Agenda No. III

Presentations

Public Hearing – Passaic County Open Space Grant Application – Potential Property Acquisition – 267 Wooley Road (Block 9901; Lot 27.01)

Mayor Bieri announced that the presentations tonight will be the public hearing for an application made to Passaic County for Open Space and Farmland Preservation Trust Fund grants monies. She advised that the public hearing was advertised in the Herald News and notices were sent by certified mail to property owners within two hundred feet of the property in question. She advised that the Township has made an application to garner funding for a potential property acquisition at 267 Wooley Road, Block 9901, Lot 27.01 in the Township. She opened the meeting to the public.

Robert Nicholson, 20 Hyde Road, West Milford stated that he favors this acquisition for recreation purposes. He believes that active recreation use should be required for all open space acquisitions. It would be a disservice to pass up on this opportunity. We should seek the County funding. He is familiar with the property which will be an asset and has capacity for active recreation. Our youth needs safe harbors for recreation and positive outlets. Visitors from out of town who seek to utilize this recreation property would bring revenue to local businesses and would see the beautiful resources in West Milford. This would also preserve a natural resource. The community needs this and he urged the Council to proceed.

Harry Clark, Risley Road, Upper Greenwood Lake echoed Mr. Nicholson's sentiments.

Richard Randazzo, 278 Wooley Road, West Milford lives next door to this property. He supports this acquisition. However, there are problems with the property. There are burned down shacks and a pavilion that should be removed. There are a number of areas that would warrant environmental testing due to the former uses and possible contamination. The well that serves the house on the property is dry and thus the property cannot be sold. The adjoining open space land is a swamp that cannot be utilized. He urged that the Council negotiate the price down and proceed vigorously to acquire this property.

There being no further comments from the public, Councilman Nolan made a motion to close this public portion of the meeting.

Moved: Nolan Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. IV

Unfinished Business, Final Passage of Ordinances

None.

Agenda No. V

Public Comments

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

Eric Hastings, Greenwood Lake Turnpike and Ella Filipone, 330 Speedwell Avenue, Morristown advised that they wish to jointly address to the Council regarding the proposed drawdown of Greenwood Lake. This project is being proposed for later this year and it would allow residents to clean their properties and

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repair docks. It would also allow mother nature to control the lake. Mr. Hastings stated that the Greenwood Lake Bi-State Commission is controlled by the DEP and he distributed a letter to Council from the DEP which he indicated clearly states that neither the Commission nor the Township is compelled to construct a bridge to do the drawdown. The plan is very involved and took multiple years to write at a significant cost and a copy was provided to the Township. The bridge to allow access to Storms Island is one of the hang-ups of this plan. He stated that during the last drawdown a bridge was provided at significant cost even though it is not a requirement. Councilman Weisbecker stated that the Council was asked to provide a letter supporting the drawdown and that led to questions about the bridge. Eric stated the dredging report says that the section between Storms Island and the mainland needs dredging and he listed the benefits of that work which will be evidenced afterward. Councilman Jurkovic asked Mr. Semrau if the Township has an obligation to provide access to properties. Mr Semrau recalled that at the last meeting the Council instructed that an extension of time be requested so that Princeton Hydro could research that matter and advise accordingly. This would provide guidance for the Council to address concerns expressed by residents. Mr Hastings expressed concern that setting a precedent by installing a bridge will compel the Commission to do so at other locations. Councilman Weisbecker stated that the association that represents Storms Island would be responsible for that bridge. Ms. Filipone stated that since the land under the lake is owned by the State of New Jersey they make the determination and they do not require the walkway. Mr Hastings stated that the Commission and the DEP have agreed that neither entity will install a bridge. Councilman Jurkovic asked Mr. Semrau to research this matter to ensure that the Township will not be held accountable. Mr. Hastings suggested an alternative noting that the County does not need a permit to dig a channel and install a bubbler which would resolve the problem. This would provide a clear waterway from the mainland to the island.

Joseph Petraca, West Milford stated that he bought land in West Milford in the 1980s. The land was the bottom of a lake. West Milford, he said is not a separate country. He served his country. He has been buying land for many years in a number of places. He recalled speaking with the Mayor when she first took office because he was trying to give those less fortunate than he thorough bred German Shepards. He has been very lucky in business and family. He wants a solution to his problem. He has common sense and has interacted with a number of great minds through the years. He asked Mayor Bieri to read a letter he gave her from a nun about a dog. The Mayor promised to call him and never did. He wants her to respect him because he bred great dogs. He asked the Council to come to conclusions. He owns land in West Milford. He was unable to obtain a variance in West Milford to sell a portion of his land. West Milford ruined his land by flooding it with pipes from the street pumping water into his land. This land could still be used for recreation. Right now it is flooded but he had a PERC test in the 1980s. He is now close to death and will sue the Township if he has to. If he does not hear from the Township within two months, the Township will hear from his lawyer. Councilman Weisbecker asked Mr. Petraca for details on the property and was advised that Mr. Boyle has all the information regarding his properties on Hickory Avenue and Shady Side. Mr. Petraca added that both properties were destroyed by the Township.

David Watson-Hallowell, 51 Wood Road, West Milford thanked the Council for their continued focus and efforts in bringing the green team resolution back to the table. Minutes from meetings have been sent out and everyone is invited to the next meeting which will be held on August 24th. He is also available to meet with Council members who wish to speak with him. He expressed concern about the resolution which says that all members will be appointed by the Environmental Commission because the team would rather see an open system that would support more public participation.

Renee Alessio, Upper Greenwood Lake, West Milford would also like to thank the Council for revamping the green team resolution so that it can be adopted. The MUA has modified water restrictions but she would like to know what is happening with the rest of the Township. She received the reverse 911 from the Sheriff's office regarding water restrictions. She expressed concern about the proposed installation of a synthetic turf field at the High School. She does not believe it healthy for children.

Harry Clark Grisley Road Upper Greenwood Lake has concerns about the green team and the sustainable program. This is a product of WalMart who is putting up grant monies and over 300 towns have applied for that money. They use a point system for determining who gets this money and the system gives preference to municipalities who adopt a water conservation ordinance. If the Township authorizes a green team, there are costs to the Township. The committees must have funding for between \$15,000 to \$20,000. He would rather see the Township apply for grants to update the heating and cooling system at Town Hall. He asked the Council to proceed cautiously with supporting the green team.

Jim Novack, Larchmont Drive, West Milford stated that there is a new bridge by the Elks Club that has just opened. The warning sign at the construction site has not worked for three weeks. He asked Mr. Boyle to contact the county to have that restored. The State of New Jersey has removed the bus stop

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and they plan to install a new one. The Township has not been notified to the best of his knowledge. They striped the park-and-ride parking lot with white paint including the handicapped spots. If the Township is responsible for maintenance, the State should have apprised us of these updates. He went to the recycling center today and the new contractor is doing a superb job. The property owner has not been paid yet for the lease. He is behind on his taxes and being charged 18% interest. We should pay him. Mr. Novack advised that he serves on the ADA committee and has been trying to get letters out to local businesses but the committee was told they are advisory and cannot do that. He asked for Council approval to send out a letter. There is no enforcement and a letter would help the local businesses.

Todd Maupai, 17 Carteret Street, West Milford supports the acquisition of the Wooley Road property for recreational purposes. He also supports the turf field. He thanked the Council in advance for their support of the resolution. He serves on the recreation advisory committee and believes that this turf will be of tremendous benefit to all sport organizations in town. He congratulated the Mayor & Council for the wisdom of including the Board of Education for the benefit of the Township. Phil Pirro, a West Milford resident can answer questions and concerns about turf fields. The information is available. The High School facility is the only property in town where this can be installed at this time.

Robert Nicholson, 20 Hyde Road, Stockholm stated that he recently read a newspaper article about police salaries in Bergen County. The average salary in West Milford police is over \$100,000. In Paterson the average salary is \$92,000. There is something wrong with this picture. The police do a great job but they are very highly compensated in West Milford. He does not like to see public employees lose jobs because one sector will not make concessions to benefit all employees. Council should consider and research if there is long-term savings in offering buyouts.

Lou Signorino, 3 Redbarn Lane, West Milford asked the Governing Body not to support green team committee. It appears that there are too many groups trying to dictate to others how to live their lives. It seems that this committee is comprised of people who are trying to impose their beliefs on others even though they are not elected officials. He does not agree with a point system that garners rewards from large corporations. These are tough times and West Milford should not be party to expanding government. He suggested that the Governing Body consider an ordinance reduction committee to review current ordinances with a focus on repealing those that are not necessary. Lets keep government simple and accountable.

Elaine Maxwell, Macopin Road, West Milford favors the synthetic field. She has two children who play sports and they need the field. She does not agree with imposing water restrictions on people who have wells. They will use common sense.

Luke Slott 10 Ponderosa Place, West Milford stated that he supports the resolution for the green team advisory committee. This town is lucky to have dedicated volunteers who seek to save the Township money. The green team tries to save money through increased efficiency. The green team takes initiatives to make West Milford better. He asked the Council to support the resolution and pass it tonight.

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

Moved: Weisbecker Seconded: Ramaglia
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. VI

Council Comments

Councilman Weisbecker asked Mr. Boyle if he has all the information relative to Mr. Petracca's properties. He has known Mr. Petracca for fifteen years and believes he has a tendency to purchase suspect properties. He had an issue with the Township some years ago which was addressed. The Open Space Committee has reviewed his requests and is not interested in his properties. Mr. Boyle stated that he has been in court on a number of occasions with Mr. Petracca in other municipalities and his modus operandi is consistent. Mayor Bieri did recall being contacted by Mr. Petracca and did not understand the reason for his call. She ultimately gleaned that he wants to sell his property to the Township. He has been denied by the boards and she ultimately referred him to various Township departments to assist him. Kevin will provide Fred Semrau with copies of the file. Councilman Weisbecker recalled that at the last meeting the Council asked that the Township issue an advisory for water restrictions. It is only an advisory. He has had several conversations with various officials about the bridge on Union Valley Road

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near the Elks Club. He spoke with Freeholder Morado who advised that the new company is doing an excellent job with an expected completion in September. He asked Mr. Boyle to check out the work done at the DOT bus stop and parking lot. He said that it was Council President Smolinski and former Councilman Schimmenti who pushed for the turf field. He stated that the Township recently re-codified and reviewed obsolete ordinances in that process. He stated that the young man who addressed the Council, Luke, owes the Council an apology for berating the Council on a number of occasions. The Council takes time to understand ordinances and resolutions before adopting them and he asked that Mr. Slott show due respect.

Councilman Nolan stated he is confused about the water restrictions. The Township's website has a water advisory that prohibits watering in accordance with the Township code. This is contradictory. Clarification is necessary because the advisory lists prohibitions. The MUA has posted a modification to the water ban to allow for the non-essential use of water and requiring watering on odd and even house numbers to water on odd and even days of the month. It is not clear what is restricted and what is not. A resident of Bald Eagle Commons expressed concern to the DEP and the Division of Water Supply advised that there are no statewide restrictions at this time. They said no letter was sent to the MUA telling them that they had to impose restrictions although the MUA letter stated otherwise. The MUA is or was having pressure problems at some of their sites. It is not clear what is going on at the MUA but he suggested inviting them to a meeting to ask what is going on. He favors supporting the green team. The New Jersey League of Municipalities supports the water conservation ordinance to address critical water shortages in the state and this ordinance curtails unnecessary water waste. The ordinance would not impose undue hardships; it would require that people do not water lawns during daylight hours. The NJLM workshop on water conservation is on Tuesday in Maplewood.

Councilman Jurkovic asked Mr. Semrau to review local ordinances to address ADA compliance and assign an officer for this purpose. Right now the police do not have jurisdiction. Mr. Semrau stated that he recalls looking at this at one point and recalls that there are constraints. He will revisit this matter and issue a memorandum. Councilman Jurkovic recalled that last week David Watson-Hallowell indicated that several Council members and the Mayor are members of the green team. He asked if these people should recuse on matters pertaining to green team issues so that they are not supporting an agenda. Councilman Nolan stated that he supports the goals but is not a member of the team. Councilman Jurkovic stated that the conflicts of interest laws require one to recuse if there is a conflict. Councilman Nolan stated that he is familiar with the ethics laws and gave it consideration and believes there is no conflict. Councilman Jurkovic stated that this goes to the integrity of Township business; if you belong to an organization you should not vote on matters relating to their issues. Mr. Semrau stated that if someone is a member of an organization and that organization serves to benefit from official action there should be a recusal. Making donations or supporting an organization would not warrant a recusal. It would appear that everything is in order in this instance.

Administrator Boyle stated that as soon as contracts were signed with Triple T Construction, purchase orders were processed for his payments. We are awaiting Mr. Ridings signature. Mr. Semrau added that the Mayor & Council acted expeditiously on moving these contracts forward. While there are benefits to the Township, the property owner is also realizing significant benefits.

Councilwoman Lichtenberg stated that she has checked out the location of the bus shelter by the Dunkin Donuts and has learned that it was approved by the state and meets all ADA requirements.

Mayor Bieri recognized the logic of not having the ADA committee draft a letter. However, she asked if they could provide a list of violators to Township officials for them to send out correspondence. Mr. Boyle stated that he would be willing to send out such correspondence under his signature. Councilman Jurkovic suggested that all businesses should get a letter outlining the requirements. Mayor Bieri stated that everybody is on board for the turf field and all concerns have been addressed. She, Councilman Jurkovic, Council President Smolinski and members of various committees met to address issues and iron out any problems. The Mayor & Council were all united in seeking this as a result of acquiring the Random Woods property. Over time multiple options were discussed to guarantee the Township a field and it was determined that a turf field at the High School would be of greatest benefit. She commended everyone for working together to make this a reality. This has been a cooperative effort on all parts and on all fronts. She envisions such cooperation in considering the Greene property. She stated that each person on the Council determines if he or she has a conflict of interest on any issue. She stated that Sustainable West Milford is an organization and the Green Team is an advisory committee; a subcommittee of the Environmental Commission. There is no conflict in showing support for either. There are no costs associated with the green team. If such costs should arise, they would have to be reviewed and funded by the Council. She reviewed the goals of the green team and sustainable organizations throughout the state and the nation. She objected to the obstacles being placed before this volunteer organization. Members of the public have the right to express opinions that differ from elected

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officials. Councilwoman Lichtenberg stated that she has attended meetings of a multitude of committees and organizations in town. She does so to obtain knowledge. Councilman Jurkovic stated that there is a difference between being a member of an organization and attending a meeting.

Agenda No. VII

New Business, Introduction of Ordinances, Resolutions

Agenda VII 1

~ Ordinance No. 2010-007 ~

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD,
COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A
SIDEWALK EASEMENT FOR A PORTION OF BLOCK 6303, LOT 18**

WHEREAS, Mr. Wonton, LLC is the record owner in fee simple of certain real property in the Township of West Milford, Passaic County, New Jersey, known and designated at Block 6303, Lot 18 on the Tax Map of West Milford Township, Passaic County, New Jersey (hereinafter the "Property"); and

WHEREAS, pursuant to an approved site plan memorialized on December 4, 2008, the owner of the premises was permitted to construct a sidewalk across the frontage of said property; and

WHEREAS, the Township desires to obtain a perpetual easement over that portion of the subject property upon which the sidewalk, or any portion thereof, is located to allow public use of the sidewalk for pedestrian and non-motorized vehicular traffic; and

WHEREAS, the Township Attorney has reviewed said Sidewalk Easement and finds same to be in acceptable form; and

WHEREAS, the Township Council of the Township of West Milford is desirous of formally obtaining said Sidewalk Easement; and

WHEREAS, the Township of West Milford does hereby determine to accept said dedication of Sidewalk Easement, as set forth herein, for the benefit of the Township of West Milford and the public in general.

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

1. The Sidewalk Easement set forth in the easement of dedication, being part of Block 6303 Lot 18, is hereby accepted as and for a permanent easement.
2. The Mayor and Township Clerk are hereby authorized to execute said easement and the Township Attorney is authorized and directed to accept the Easement and to record same for the benefit of the Township.
3. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.

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4. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.
5. This Ordinance shall take effect after publication and passage according to law.

INTRODUCED: July 21, 2010

Mayor Bieri advised that this ordinance is being introduced tonight. Second reading and public hearing for this ordinance is scheduled for August 18, 2010 and it shall be advertised as required by law.

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. VII 3

The Mayor stated that resolutions 2010-263 and 2010-266 have been removed and resolutions 2010-277 and 2010-278 have been added and asked to move all resolutions together and take action on the resolutions as one group

Councilman Jurkovic asked to move resolution 2010-213 separately and Councilman Nolan asked to move resolution 2010-262.

The Mayor and Council took action on the following resolutions together as one group, 2010-254, 2010-255, 2010-256, 2010-257, 2010-258, 2010-259, 2010-260, 2010-261, 2010-263, 2010-264, 2010-265, 2010-266, 2010-277, 2010-278.

Moved: Weisbecker Seconded: Ramaglia
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. VII 3

~ Resolution No. 2010-254 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EMPLOYMENT OF PAUL FERRIERO, PE AND FERRIERO ENGINEERING AS THE TEMPORARY INTERIM TOWNSHIP ENGINEER FOR A TERM TO EXPIRE ON AUGUST 31, 2010 OR UNTIL A PERMANENT ENGINEER IS APPOINTED

WHEREAS, the Township Engineer retired on June 30, 2010; and

WHEREAS, the Township Council did approve the Mayor's appointment of Paul Ferriero to serve as Township Engineer during the interim period for a term to expire on July 30, 2010; and

WHEREAS, the Township is desirous of reappointing a temporary interim Township Engineer without any rights of holdover to assist the Township while the Township conducts a thorough search for a Township Engineer; and

WHEREAS, the Mayor hereby reappoints Paul Ferriero, PE and Ferriero Engineering as the temporary interim engineer for the Township of West Milford for a term to expire on August 31, 2010 or until a permanent Engineer is appointed, whichever comes first, and without any rights of holdover; and

WHEREAS, Mr. Ferriero has submitted a proposal to provide such professional engineering services to the Township dated June 11, 2010 and for an amount not to exceed \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the Township hereby appoints Paul Ferriero, PE and Ferriero Engineering as the Township's temporary interim Engineer without any rights of holdover for a term to expire on August 31, 2010 or until a permanent Engineer is appointed, whichever comes first and in an amount not to exceed \$5,000.00 for work done in July and August 2010; and

BE IT FURTHER RESOLVED that notice of this action shall be published once in the Township's official newspaper as required by law.

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Agenda No. VII 4
~ Resolution No. 2010-255 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EMPLOYMENT OF PATRICIA DALE AS THE TEMPORARY INTERIM CHIEF FINANCIAL OFFICER FOR A TERM TO EXPIRE ON AUGUST 31, 2010 OR UNTIL A PERMANENT APPOINTMENT IS MADE

WHEREAS, the Township CFO retired on June 30, 2010; and

WHEREAS, the Township Council did approve the Mayor's appointment of Patricia Dale to serve as Township Chief Financial Officer during the interim period for a term to expire on July 31, 2010; and

WHEREAS, the Township is desirous of appointing a temporary interim Township Chief Financial Officer without any rights of holdover to assist the Township while the Township conducts a thorough search for a Township Chief Financial Officer; and

WHEREAS, the Mayor hereby appoints Patricia Dale as the temporary interim Chief Financial Officer for the Township of West Milford for a term to expire on August 31, 2010 or until a permanent appointment is made, whichever comes first, and without any rights of holdover; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the Township hereby appoints Patricia Dale as the Township's temporary interim Chief Financial Officer without any rights of holdover for a term to expire on August 31, 2010 or until a permanent appointment is made, whichever comes first, and in an amount not to exceed \$4,000.00; and

BE IT FURTHER RESOLVED that notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: July 21, 2010

Agenda No. VII 5

~ Resolution No. 2010-256 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO PRINCETON HYDRO LLC. FOR ENVIRONMENTAL SERVICES ASSOCIATED WITH THE 604(B) GRANT IN AN AMOUNT NOT TO EXCEED \$14,700.00

WHEREAS, there exists a need for the Township to retain the services of an experienced, qualified entity or agency to provide consulting services to assess the potential pollutant loading impact that the municipal building's existing septic system may have on existing water resources; and

WHEREAS, as a result, the Township received a proposal from Princeton Hydro LLC dated May 28, 2010; and

WHEREAS, the Township wishes to award a contract without competitive bidding to Princeton Hydro LLC for the performance of such services; and

WHEREAS, the total amount of the contract shall not exceed \$14,700.00; and

WHEREAS, funds are available for this purpose; and

WHEREAS, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; and

WHEREAS, Princeton Hydro LLC has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit Princeton Hydro LLC from making any reportable contributions through the term of the contract, and

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WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for “professional services” without competitive bid and the contract itself must be made available for public inspection.

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Princeton Hydro LLC with offices located at 1108 Old York Road, Suite 1, P.O. Box 720, Ringoes, New Jersey 08551 for consulting services to assess the potential pollutant loading impact that the municipal building’s existing septic system may have on existing water resources in an amount not to exceed \$14,700.00 and in accordance with his proposal dated May 28, 2010.
2. This contract is awarded without competitive bidding as the total price of the contract shall not exceed the \$17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3.
3. The total fee authorized for this contract shall not exceed \$14,700.00 without the prior written approval of the Township Council.
4. The Political Contribution Disclosure Form, Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
5. Notice of this action shall be published once in the Township’s official newspaper as required by law.
6. A copy of this resolution shall be provided to the Township Treasurer, and Princeton Hydro LLC, 1108 Old York Road, Suite 1, P.O. Box 720, Ringoes, New Jersey 08551 for their information and guidance.

Adopted: July 21, 2010

Agenda No. VII 6

~ Resolution No. 2010-257 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ALLOCATION OF FUNDS FROM THE TOWNSHIP’S OPEN SPACE ACCOUNT AS MATCHING FUNDS FOR A GRANT APPLICATION TO THE ASSOCIATION OF NEW JERSEY ENVIRONMENTAL COMMISSIONS (ANJEC) FOR THE CREATION OF A TRAILS MASTER PLAN

WHEREAS, the Township’s Environmental Commission is desirous of creating a trails master plan for the Township of West Milford; and

WHEREAS, on March 17, 2010 the Township Council did adopt resolution 2010-112 authorizing the submittal and acceptance of a grant application to ANJEC for the creation of a trails master plan; and

WHEREAS, said resolution did support a grant application for funds in the amount of \$20,000 for this work which requires a matching cash contribution from the Township of \$5,000 and in-kind services of \$5,000; and

WHEREAS, the Township Council has determined that the \$5,000 matching funds shall be allocated from the Township’s open space trust account.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the matching funds as outlined in resolution 2010-112 shall be encumbered from the Township’s open space trust account should the grant application to ANJEC be approved.

Adopted: July 21, 2010

Agenda No. VII 7

~ Resolution No. 2010-258 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AMENDED AGREEMENT WITH LINCOLN NATIONAL LIFE INSURANCE COMPANY AND LINCOLN FINANCIAL GROUP TO ENSURE THAT THE TOWNSHIP’S 457 DEFERRED COMPENSATION PLAN CONFORMS WITH CHANGES IN THE CODE AND TREASURY REGULATIONS

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, the Township of West Milford (hereinafter referred to as the “Employer”) by resolution previously adopted a Deferred Compensation Plan (hereinafter referred to as the “Plan”) for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Economic Growth and Tax Relief Reconciliation Act of 2001, the 2005 final regulations issued under the Uniformed Services Employment and Reemployment Rights Act of 1994, the Pension Protection Act of 2006, final Treasury Regulation §1.457-4, the Heroes Earnings Assistance and Relief Tax Act of 2008, and the Worker, Retiree and Employer Recovery Act of 2008 amended sections of the Internal Revenue Code (the “Code”) and the rules and/or regulations issued there under affecting Section 457 Deferred Compensation Plans (cumulatively referred to as the “Acts and Regulations”);

WHEREAS, the Employer desires its Plan to conform with the changes in the Code and Treasury regulations brought about by the Acts and Regulations;

WHEREAS, the Employer desires to adopt a restated Plan that conforms with the changes in the Code and Treasury regulations resulting from the Acts and Regulations;

WHEREAS, such revised Plan shall supersede the previously adopted Plan;

NOW, THEREFORE BE IT RESOLVED that the Employer hereby adopts a revised Plan 76-PD-Lincoln-120709.

BE IT FURTHER RESOLVED that The Lincoln National Life Insurance Company and Lincoln Financial Group, it’s agent, has agreed to continue to be the provider of the Deferred Compensation Program for employees and elected officials; and

BE IT FURTHER RESOLVED that the Lincoln National Life Insurance Company and Lincoln Financial Group it’s agent, will continue to provide, for the benefit of the participants the Multi-Fund Variable Annuity contract; and

BE IT FURTHER RESOLVED that there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of Lincoln National Life Insurance Company and Lincoln Financial Group, it’s agent, in the selection of a provider pursuant to N.J.A.C. 5:37 - 5.7.

BE IT FURTHER RESOLVED that the Township Administrator is authorized to execute an Administrative Services Agreement with the Lincoln National Life Insurance Company and Lincoln Financial Group, its agent, (12-SA-Lincoln-072595) and such other agreements as are necessary to implement the Deferred Compensation Program. It is implicitly understood that there is to be no cost or contribution by the Employer to the program; and;

BE IT FURTHER RESOLVED that the Township Administrator is authorized to serve as the “Administrator” of the plan, represent the **Employer**, and execute individual deferred compensation agreements with each said employee; and

BE IT FURTHER RESOLVED by the Employer that the Clerk forward a certified true copy of this resolution to the Finance Director and Township Administrator; and

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services at P.O. Box 803; Trenton, NJ 08625-0803; and

BE IT FURTHER RESOLVED that the Township Administrator shall file all original copies of said agreements in the Office of the Township Clerk.

Adopted: July 21, 2010

Agenda No. VII 8

~ Resolution No. 2010-259 ~

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF WEST MILFORD,
COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SETTLEMENT OF
CERTAIN TAX APPEALS**

WHEREAS, an appeal of the 2009 real property tax assessment of the following property has been filed in the Tax Court of New Jersey:

PROPERTY OWNER	BLOCK	LOT
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TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Joseph Moroz	13103	16.01
Joseph Moroz	13103	16.02

; and

WHEREAS, the Tax Assessor is of the opinion that it is in the best interest of the Township to settle these appeals.

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

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

PROPERTY OWNER	YEAR	ORIGINAL ASSESSMENT	PROPOSED SETTLEMENT
Joseph Moroz	2009	\$230,900.	\$183,500.
Joseph Moroz	2009	\$227,800.	\$177,400.

2. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.
3. The Tax Collector is hereby authorized to credit and/or refund the appropriate taxes in accordance with the terms of this resolution.
4. This Resolution shall take effect immediately.

This Resolution shall take effect immediately.

Adopted: July 21, 2010

Agenda No. VII 9

~ Resolution No. 2010-260 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CONTRACTS FOR 2010 CRACK SEALANT THROUGH THE MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL CONTRACT 6, CATEGORY E- TO MICRO PAVE SYSTEMS, INC. IN AN AMOUNT NOT TO EXCEED \$25,000

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

WHEREAS, the Morris County Cooperative Purchasing Council has awarded Contract #6, Category E, Crack Sealant to Micro Pave Systems, Inc., and 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 Engineer 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 award the contract for 2010 Crack Sealing to Micro Pave Systems, Inc. through the Morris County Cooperative Purchasing Council Contract No. 6, Category E; 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 C-04-09-943-624.

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

1. The Township Council hereby authorizes the 2010 Crack Sealing Contract, Category E, through the Morris County Cooperative Purchasing Council contract #6 Cat. E, to Micro Pave Systems, Inc. in an amount not to exceed \$25,000.00.
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 21, 2010

Agenda No. VII 10

~ Resolution No. 2010-261 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF A CONTRACT WITH THE LAND

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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CONSERVANCY OF NEW JERSEY REGARDING AN UPDATE FOR THE TOWNSHIP'S OPEN SPACE AND RECREATION PLAN

WHEREAS, the Council of the Township of West Milford pursuant to Resolution 2010-117 authorized The Land Conservancy of New Jersey to develop an update for the municipality's Open Space and Recreation Plan; and

WHEREAS, after further review and investigation, the Township Planner informed the Township that the New Jersey Department of Environmental Protection Green Acres does not require a municipality to update its Open Space and Recreation Plan at this time; and

WHEREAS, the Township continues to pursue open space endeavors in accordance with its existing Open Space and Recreation Plan as there is no need at this time for an update of same to be prepared by the New Jersey Land Conservancy.

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 Mayor is hereby authorized to cancel the Agreement between The Land Conservancy of New Jersey located at 19 Boonton Avenue, Boonton, NJ 07005 to develop an update to the Open Space and Recreation Plan.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to take any and all necessary action in order to effectuate such termination or cancellation of said Agreement.

Adopted: July 21, 2010

Agenda No. VII 13

~ Resolution No. 2010-264 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2010 - 2011 LICENSE YEAR WITH CONDITIONS

WHEREAS, applications for renewal of Plenary Retail Consumption Licenses for the 2010 - 2011 License year have been received and reviewed; and

WHEREAS, the Mayor and Township Council has conducted a public review of the applications as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control 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, 2009 - June 30, 2010).

WHEREAS, the Police Department has recommended that the licenses be renewed to the current owners with conditions as noted below.

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

LICENSE/LICENSEE/T/A	CONDITIONS
<p>BEARFORT PLAZA INC. t/a Valley View Pub 1612 Union Valley Road West Milford, NJ 07480 1615-33-007-003</p>	<ol style="list-style-type: none"> 1. The room in the basement to be used for storage only. 2. No alcoholic beverages shall be located behind the dry bar in the basement room. 3. Tables and chairs shall not be set up in the basement room. 4. No open alcohol containers permitted in downstairs hall. 5. All fire code violations must be abated in a time frame specified by the Fire Marshall. 6. Occupant loads must be adhered to.

Adopted: July 21, 2010

Agenda No. VII 14

~ Resolution No. 2010-265 ~

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 RENEWAL OF POCKET PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-015-009 - ANGELO JULIANO FOR THE 2010-2011 LICENSE YEAR

WHEREAS, an application has been received for the renewal of Plenary Retail Consumption License No. 1615-33-015-009, having no sited premise, held by Angelo Juliano; and

WHEREAS, the Township Council has conducted a public investigation of the applicant 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 investigation the Township Council has determined the following:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A. B.C. laws and regulations.
3. The applicant has disclosed to the issuing authority the source of all additional financing obtained in the previous license year (July 1, 2009 - June 30, 2010).
4. Licensee has received a Special Ruling from the Office of the Attorney General for the 2010-2011 license year.

WHEREAS, as a further result of the public investigation and upon the recommendation of the Police Department the license be renewed as a "Pocket" license with the following conditions:

1. Any proposed premises must be inspected and approved by the Police Department before opening.
2. Food Handlers License must be current before issuance of License Certificate.
3. Certificate of Occupancy must be issued prior to opening.
4. Licensee must file an amendment to the current license application, pages 1, 2 and 11 of the 12- page application, within ten days before or after the opening of the business to receive current license certificate.

NOW, THEREFORE, BE IT RESOLVED that the application is hereby approved and the Township Clerk is authorized to endorse the renewal and hold the license certificate until activated per conditions referenced above.

Adopted: July 21, 2010

Agenda No. VII 15

Agenda No. VII 16

~ Resolution No. 2010-277 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO JOSHUA D. MACKOFF, LLC FOR APPRAISAL SERVICES ASSOCIATED WITH THE PURCHASE OF BLOCK 9901 LOT 27.01/GREENE PROPERTY IN AN AMOUNT NOT TO EXCEED \$2,500.00

WHEREAS, there exists a need for the Township to retain the services of an experienced, qualified entity or agency to provide appraisal services for the purchase of Block 9901 Lot 27.01 – Kerry Greene property; and

WHEREAS, as a result, the Township received a proposal from Joshua D. Mackoff, LLC dated July 14, 2010; and

WHEREAS, the Township wishes to award a contract without competitive bidding Joshua D. Mackoff, LLC for the performance of such services; and

WHEREAS, the total amount of the contract shall not exceed \$2,500.00; and

WHEREAS, funds are available for this purpose; and

WHEREAS, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; and

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WHEREAS, Joshua D. Mackoff, LLC has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit Joshua D. Mackoff, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bid and the contract itself must be made available for public inspection.

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Joshua D. Mackoff, LLC with offices located at 22 Laura Lane, Morristown, NJ 07960 for appraisal services to perform a Complete Self Contained Appraisal of the aforementioned property, in compliance with Green Acres procedural guidelines, in an amount not to exceed \$2,500.00.
2. This contract is awarded without competitive bidding as the total price of the contract shall not exceed the \$17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3.
3. The total fee authorized for this contract shall not exceed \$2,500.00 without the prior written approval of the Township Council.
4. The Political Contribution Disclosure Form, Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
5. Notice of this action shall be published once in the Township's official newspaper as required by law.
6. A copy of this resolution shall be provided to the Township Treasurer, Joshua D. Mackoff, LLC with offices located at 22 Laura Lane, Morristown, NJ 07960 for their information and guidance.

Adopted: July 21, 2010

Agenda No. VII 17

~ Resolution No. 2010-278 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO LANDMARK I APPRAISAL, LLC FOR APPRAISAL SERVICES ASSOCIATED WITH THE PURCHASE OF BLOCK 9901 LOT 27.01/GREENE PROPERTY IN AN AMOUNT NOT TO EXCEED \$3,400.00

WHEREAS, there exists a need for the Township to retain the services of an experienced, qualified entity or agency to provide appraisal services for the purchase of Block 9901 Lot 27.01 – Kerry Greene property; and

WHEREAS, as a result, the Township received a proposal from Landmark I Appraisal, LLC dated July 19, 2010; and

WHEREAS, the Township wishes to award a contract without competitive bidding to Landmark I Appraisal, LLC for the performance of such services; and

WHEREAS, the total amount of the contract shall not exceed \$3,400.00; and

WHEREAS, funds are available for this purpose; and

WHEREAS, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; and

WHEREAS, Landmark I Appraisal, LLC has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit Landmark I Appraisal, LLC from making any reportable contributions through the term of the contract, and

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WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for “professional services” without competitive bid and the contract itself must be made available for public inspection.

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Landmark I Appraisal, LLC with offices located at 555 East Main Street, P.O. Box 121, Chester, NJ 07930 for appraisal services to perform a Complete Self Contained Appraisal of the aforementioned property, including the market value of the fee simple rights associated with the subject property utilizing the Zoning, State Law and DEP Regulations in effect as of the Date of Inspection and the Zoning, State Law and DEP Regulations in effect as of January 1, 2004 in compliance with Green Acres procedural guidelines, in an amount not to exceed \$3,400.00
2. This contract is awarded without competitive bidding as the total price of the contract shall not exceed the \$17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3.
3. The total fee authorized for this contract shall not exceed \$3,400.00 without the prior written approval of the Township Council.
4. The Political Contribution Disclosure Form, Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
5. Notice of this action shall be published once in the Township’s official newspaper as required by law.
6. A copy of this resolution shall be provided to the Township Treasurer, Landmark I Appraisal, LLC with offices located at 555 East Main Street, P.O. Box 121, Chester, NJ 07930 for their information and guidance.

Adopted: July 21, 2010

Agenda No. VII 2

~ Resolution No. 2010-213 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ENDORSING THE WEST MILFORD GREEN TEAM ADVISORY COMMITTEE AS A SUB-COMMITTEE OF THE WEST MILFORD ENVIRONMENTAL COMMISSION

WHEREAS, the Township of West Milford has established an Environmental Commission as outlined in Chapter §15-99 of the Township Code; and

WHEREAS, the powers and duties for such a commission are prescribed in N.J.S.A. 40:56A-1 et seq.; and

WHEREAS, in 2009, the West Milford Environmental Commission did advise the Township Council that participation in the Sustainable Jersey program provides access to grants, technical assistance, and identifies existing and new incentives for municipalities to make progress taking actions towards becoming a Sustainable Jersey Certified Community; and

WHEREAS, the Township Council has through Resolution 2009-094 directed the Environmental Commission to register West Milford in the Sustainable Jersey program to become a certified Sustainable Jersey Community, that being defined as *“A community in which the present needs of all of its citizens are met without compromising the ability of future generations to meet their needs”*; and

WHEREAS, the West Milford Environmental Commission has established a Green Team Advisory Committee to act as a sub-committee of the Environmental Commission in accordance with the requirements necessary to obtain Sustainable Jersey Certification; and

WHEREAS, the Green Team Advisory Committee shall be appointed by and comprised of members of the Township's Environmental Commission and citizens of the West Milford Community whose terms shall expire on December 31 of each calendar year.

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of West Milford does hereby endorse the Green Team Advisory Committee as a sub-committee of the West Milford Environmental Commission whose members shall be appointed by the West Milford Environmental Commission.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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BE IT FURTHER RESOLVED, by the Township Council of the Township of West Milford that the Vision, Mission, and Goals for the Green Team Advisory Committee through December 31, 2010 have been established by the West Milford Environmental Commission and are as follows:

Vision:

West Milford is a wholly and responsibly sustainable community.

Mission:

The West Milford Township Green Team Advisory Committee is:
Devoted to lead, inspire, and implement a sustainable community for Our Township

Goal:

Achieve Bronze Sustainable Community Certification through the Sustainable Jersey Program by December 31, 2010

BE IT FURTHER RESOLVED, that the Green Team Advisory Committee is created and established under the guidance of the West Milford Environmental Commission

Adopted: July 21, 2010

Discussion: Councilman Jurkovic stated that there is confusion here. This is not a government committee. This is a private organization. The action plan for Sustainable Jersey is over eight pages long. He listed some of the provisions. He is troubled that the goals of this team are invasive and that supporting this green team also mandates supporting the philosophies of a private organization. He supports many green initiatives especially green energy. However, he does not support the entire agenda of this organization. The Council should retain control of these issues. The water conservation issue came about in a troubling way. He came to a meeting. The Council had never been advised that any water ordinance being considered. The Council was subjected to condemnation from the public who had seen this ordinance before the Council. The Mayor & Council sets the agenda. The Boards and Committees are supposed to ask the Council to support initiatives and the Council then assigns to the boards and commissions as necessary. The tail is wagging the dog. The process would require that the Council be asked if they wish staff to work on an issue before that work is assigned. He does not support the agenda of an organization that will ultimately affect private property owners. He will not adopt an agenda that requires us changing our zoning ordinance to mandate green initiatives for our residents under force of law. There is a cost to education and enacting the recommendations. He cannot buy this agenda lock, stock & barrel.

Council President Smolinski acknowledged that the Green Team is a subcommittee of the Environmental Commission; a Commission he supports. He stated that he also supports the environment but this committee exceeds the bounds with goals that are too far-reaching. Councilman Weisbecker recalled that he requested that the Chairman of the Environmental Commission communicate his support to the Council. Such a communication has not been received neither has Council received notice that the Environmental Commission supports this resolution as written. Mayor Bieri took exception to the Council judging an entire group based on the actions of one individual. She stated that the Sustainable Jersey agenda is not a part of this resolution and the Council can determine what specific initiatives they would support. She stated that it is within the purview of the Environmental Commission to establish this Committee without Council approval. However, the resolution being proposed tonight simply seeks Council endorsement. Councilman Jurkovic stated that he takes exception to the manner in which the members of this team have addressed the Council to date.

Moved: Weisbecker Seconded: Nolan
Voted Aye: Nolan, Lichtenberg.
Voted Nay: Weisbecker, Smolinski, Ramaglia, Jurkovic.
Motion defeated.

Agenda No. VII 11

~ Resolution No. 2010-262 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING A JOINT AGREEMENT WITH THE WEST MILFORD BOARD OF EDUCATION FOR THE INSTALLATION OF A SYNTHETIC FIELD ON McCORMACK FIELD AT THE WEST MILFORD HIGH SCHOOL

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, the Township of West Milford and the West Milford Board of Education strive to serve the recreation and athletic needs of the children and residents of the Township of West Milford; and

WHEREAS, there is a continuing need for additional athletic fields throughout the Township; and

WHEREAS, an opportunity exists by way of the Township's acquisition of Open Space property from DTAK West Milford, LLC to install a synthetic field at no additional cost to the Township of West Milford or the West Milford Board of Education; and

WHEREAS, McCormack Field, which is located at West Milford High School, has existing infrastructure including lights, fencing, restrooms, bleachers and parking to accommodate a synthetic turf field to the benefit of the community of West Milford Township.

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 Township of West Milford hereby authorizes the Mayor to enter into a Joint Agreement to permit the construction of a synthetic turf field on McCormack Field which is owned by the West Milford Township Board of Education.

BE IT FURTHER RESOLVED, that the Mayor and Council agrees to direct DTAK West Milford, LLC to take the necessary steps for the installation of the infrastructure and synthetic turf surface at McCormack Field.

BE IT FURTHER RESOLVED, that upon the completion of the installation of said synthetic turf surface, the Township Council and the West Milford Board of Education agree to equally share the ongoing maintenance, repairs and future replacement costs associated with the synthetic field.

BE IT FURTHER RESOLVED, that the parties agree to share the use of said field as this Agreement is subject to the parties developing a Field Usage Agreement whereby the Township of West Milford and the West Milford Board of Education shall agree to a field use schedule.

Adopted: July 21, 2010

Discussion: The Council gave consensus to have Mr. Pirro try to answer any questions from Council. Mr. Pirro, 24 Carteret Street, West Milford addressed the Council. He stated that the proposed time frame for the installation of the turf field is realistic adding that it is possible to have the field up and running by the start of football season. He stated that it takes about 45 days from start to finish, weather permitting. He stated that the plan would be to have the West Milford High School football team schedule away games at the beginning of the season with home games at the end to allow for delays. The turf field is comprised of a synthetic rubber carpet and is ready for use the day after installation and testing. Mayor Bieri commended Mr. Pirro for assisting the Governing Body throughout this process adding that his expertise was critical. Councilman Nolan asked if the Township has recourse if there is any dissatisfaction with the work or the produce. Mr. Semrau advised that the contract contains a provision that the installation, including drainage work, must be completed to the satisfaction of the Township Engineer in addition to the manufacturer's warranty. He also advised that DT Allen will be striping the field for two sports at a cost of approximately \$15,000. Mr. Pirro stated that the company is also required to post a bond. Councilman Nolan stated that the Township negotiated the construction and installation of a free turf field as part of the Random Woods acquisition. He also expressed concern that this field will need to be maintained and will likely need to be replaced in the future. The current Council is committing future Councils and Boards of Education to such maintenance costs. He asked that the resolution reflect the future financial impact. Mr. Pirro stated that the Board of Education will recognize significant savings every year that is currently appropriated for field maintenance. He suggested that they escrow those funds for future replacement costs. Additionally, he recommended that the field be rented out to organizations and that the revenue generated be deposited in that escrow account also. Councilman Nolan cautioned that the municipality may have to budget annual appropriations to meet future needs. He asked that this be scheduled for a future workshop discussion along with discussion of potential uses for the redevelopment money. Mr. Semrau stated that he will contact the BOE attorney to clarify who will serve as the primary insured for the field. Mr. Pirro commended the Mayor & Council for negotiating a \$500,000 capital improvement for the municipality.

Councilman Weisbecker asked who will determine the use schedule for this field. Councilman Jurkovic replied that it will be a joint effort between the school business administrator and the Director of Community Services & Recreation. He commended Mr. Pirro for all his efforts and work on this project. Council President Smolinski advised that the Recreation Advisory Committee supports this and the only queries they had related to scheduling. There are no major conflicts and they will work together to get it right just as they have done for years. Mr. Pirro discussed practices in other municipalities for use of turf fields and the various reasons organizations may have need for such use. Funds collected to provide for such use are often escrowed for maintenance, repair, and replacement costs.

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Council President Smolinski asked Mr. Pirro to elaborate on the quality of the synthetic field being installed in West Milford. Mr. Pirro stated that the product is a high-end astro-turf that is used in college environments and in professional sporting environments. This product is endorsed by international sport organizations. The field represents more than one field because it can be utilized by multiple sport organizations for their respective needs. In addition to the diversity, it allows for better maintenance of existing fields because their use is drastically reduced. He estimates that one gains three fields for every one turf field installed. He stated that the coaches and sports organizations are very excited about this new field. Council President Smolinski added that the High School marching band is also very excited. He thanked everyone who worked on this project adding that it is a community asset.

Moved: Weisbecker Seconded: Lichtenberg
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Consent Agenda

Agenda No. VIII

~ Resolution No. 2010-267 ~

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. Resolution 2010- 268 - Cancel Taxes
b. Resolution 2010- 269 - Refund Overpayment Health Department
c. Resolution 2010- 270 - Refund Overpayments
d. Resolution 2010- 271 - Refund Other Liens
e. Resolution 2010- 272 - Refund Performance Guarantee
f. Resolution 2010- 273 - Refund from Police Department Trust
g. Resolution 2010- 274 - Refund Recreation Fees
h. Resolution 2010- 275 - Reinstate Taxes

Applications:

- a. Application for Raffle License RL 2010-31 – West Milford Elks Ladies Association - Off Premise Draw Raffle for December 11, 2010.
b. Application for Raffle License RL 2010-32 – West Milford Midget Football Association - On Premise 50/50 Raffle for September 3, 2010.
c. Application for Raffle License RL 2010-33 – St Joseph Church – Bingo Games for September 24, and November 19, 2010.

Adopted: July 21, 2010

Moved: Weisbecker Seconded: Ramaglia
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Abstain: Councilwoman Lichtenberg abstained on the Rotary application only.
Motion carried.

Agenda No. VIII a

~ Resolution No. 2010-268 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CANCELLATION OF TAX

WHEREAS, there appears on the tax records balances as listed below; and

WHEREAS, the Collector of Taxes recommends the cancellation of taxes due to reasons listed below.

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

REASON: 1. 100% DISABLED VETERAN

BLOCK/LOT	NAME	AMOUNT	YEAR
12208-19	John & Barbara Koch	\$1,691.28	2008 4 th Quarter
12208-19	John & Barbara Koch	\$7,452.65	2009 Full Year
Total		\$9,143.93	

Adopted: July 21, 2010

Agenda No. VIII b

~ Resolution No. 2010-269 ~

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 overpayments were 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 | |

Block/Lot	Name	Amount	Year	Reason
5603-2.01	West Milford Health Department 1480 Union Valley Road West Milford, NJ 07480	\$185.00	2010	1
TOTAL		\$185.00		

Adopted: July 21, 2010

Agenda No. VIII c

~ Resolution No. 2010-270 ~

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 overpayments were 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. 100% DISABLED VETERAN

BLOCK/LOT	NAME	AMOUNT	YEAR
12208-19	John & Barbara Koch	\$1,691.28	2008 4 th Quarter
12208-19	John & Barbara Koch	\$7,452.65	2009 Full Year
TOTAL		\$9,143.93	

Adopted: July 21, 2010

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TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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~ Resolution No. 2010-271 ~

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
09-053	03/25/2009	05011-005	\$78,576.11	PPTS LOCKBOX, P.O. BOX 5822 NEW YORK, NY 10087-5822
09-096	03/25/2009	08401-003.01	\$3,865.33	K.C.C. PROMISED LANDS LLC 2560 ROUTE 22 EAST #175 SCOTCH PLAINS, NJ 07076
10-018	03/23/2010	01811-005	\$26,110.03	LIEN TIMES LLC, 203 STEPHENS ROAD WEST MILFORD, NJ 07480
10-022	03/23/2010	02004-012	\$12,193.19	US BANK CUST/SASS MUNI VI DTR TAX LIEN 2 LIBERTY PLACE 50 SO. 16TH ST. STE 1950 PHILADELPHIA, PA 19102
10-056	03/23/2010	05301-048	\$8,549.03	LIEN TIMES LLC, 203 STEPHENS ROAD WEST MILFORD, NJ 07480
10-059	03/23/2010	05708-004	\$40,352.07	ROYAL TAX LIEN SERVICES LLC 179 WASHINGTON LANE JENKINTOWN, PA 19046
10-077	03/23/2010	07304-002	\$11,182.70	ROYAL TAX LIEN SERVICES LLC 179 WASHINGTON LANE JENKINTOWN, PA 19046
10-100	03/23/2010	09703-007	\$4,883.43	A & J HOME SOLUTIONS; LLC P.O. BOX 183, FAIRLAWN, NJ 07410
10-101	03/23/2010	09703-009	\$1,396.97	US BANK CUST FOR PRO CAPITAL I LLC US BANK TLSG, 50 S. 16TH ST. STE 1950 PHILADELPHIA, PA 19102
10-115	03/23/2010	12110-005.02	\$6,228.27	US BANK CUST FOR PRO CAPITAL I LLC US BANK TLSG, 50 S. 16TH ST. STE 1950 PHILADELPHIA, PA 19102
10-150	03/23/2010	16804-014	\$3,485.72	DAVID ZACCARIA, 33 JOHN STREET FAIRFIELD, NJ 07004
Grand Total			\$196,822.85	

Adopted: July 21, 2010

Agenda No. VIII e

~ Resolution No. 2010-272 ~

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

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:

<u>Name & Address</u>	<u>Block & Lot</u>	<u>Amount Refunded</u>	<u>Pg. No.</u>
Your Home Team LLC 37 Christine Ct West Milford, NJ 07480	2312/16	\$1,000.00	82

Adopted: July 21, 2010

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Agenda No. VIII f

~ Resolution No. 2010-273 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF POLICE TRUST ACCOUNT MONIES

BE IT RESOLVED, by the Township Council of the Township of West Milford that, based upon the report and request of the Township's Police Chief, the following Police Trust Account monies be refunded:

Vendor	Acct #	Amount Refunded
Upper Greenwood Lake POA PO Box 457 Hewitt, NJ 07421	T-15-56-240-002	\$571.90

Adopted: July 21, 2010

Agenda No. VIII g

~ Resolution No. 2010-274~

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:

Refund for Cancelled Program:		
PARTICIPANT	AMOUNT	MADE PAYABLE TO:
Joel (Myth 2)	\$24.00	Nancy Frueh 29 Tansboro Road Hewitt, NJ 07421
Nate (Tuneful)	\$95.00	Susan Hollandsworth 92 Broadway West Milford, NJ 07480
Allison (Muppet)	\$80.00	Brenda Stein 126 Lake Park Terrace Hewitt, NJ 07421
Erin (Pony Intro) Colleen	\$49.00 \$49.00 Total \$98.00	Mary Henaghan 1812 Clinton Road Hewitt, NJ 07421
Cassandra (Pony Intro)	\$49.00	Mary Ruegg 46 Algonquin Way West Milford, NJ 07480
No late fee for swim lessons:		
	\$15.00	Sandra Frank 776 Burnt Meadow Road Hewitt, NJ 07421

Adopted: July 21, 2010

Agenda No. VIII h

~ Resolution No. 2010-275~

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

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

WHEREAS, the Collector of Taxes recommends the cancellation of receipt and 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:

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REASON: 1. INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR
15701-37	Paradise Space Center	\$5,000.00	2010
3506-9	Kathryn Leto	\$147.30	2010
5505-3.10	Glamor Partners, LLC	\$77.00	2010
TOTAL		\$5,224.30	

Adopted: July 21, 2010

Agenda No. IX

Approval of Expenditures

~ Resolution No. 2010-276 ~

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.	\$299,302.10
2	Reserve Account	633.95
3	Animal Control Trust	200.00
6	Capital.	6,552.99
7	Grants.	519.95
8	Refuse.	283.21
9	Refunds.	206,151.78
12	General Ledger.	4,580.00
16	Heritage Trust.	0.00
14	Open Space Trust	1,965.00
17	Trust	3,871.90
18	Development Escrow.	1,410.00
19	LOSAP	0.00
20	Special Reserve	0.00
Total		\$525,470.88
\$Less Refund Resolution		206,151.78
Actual Bill List		\$319,319.10
Other Pyts,		
Total Expenditures		\$319,319.10

Approved: July 21, 2010

Discussion: Councilman Nolan noted that Mr. Glatt received \$800 for a Zoning Board meeting that lasted 55 minutes.

Moved: Weisbecker Seconded: Nolan
 Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
 Voted Nay: Councilman Nolan no Glatt only.
 Abstain: Councilman Nolan abstained on the Valley Health payment only.
 Councilman Jurkovic abstained on Mr. Glatt's bill only.
 Motion carried.

Agenda No. X

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

Councilman Nolan asked that the appraisers for the Green property understand the water issues at that site. He asked Mr. Boyle to speak with the Health Officer about the water restrictions for non-MUA

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customers. He has been periodically reading MUA minutes. The MUA came before Council about two years ago where Mr. Baum spoke as their attorney. He is no longer their attorney and the new attorney has been unable to get MUA files from Mr. Baum. He asked Mr. Semrau if the Township could help in some way to get these files returned.

Councilwoman Lichtenberg stated that she attended the recycling committee meeting last week where there was discussion about metal pickup. When residents place their metal on the curb for recycling pick up it is Township property. It has been reported that people are taking the metal so that the Township is not picking it up or getting the money. She has been told that the State allows for enforcement to prevent this scavenging and she asked Mr. Semrau to will look into what can be done and report back. She asked that the status of dams on the Greene property be researched before it is purchased. Thanked Mr. Pirro for all his volunteering. She announced that there are two concerts coming up at Bubbling Springs.

Councilman Weisbecker stated that Council received a letter from Mr. Cedrone about his septic system and his inability to get it reviewed. Mr. Boyle advised that the request was received on June 23rd and reviewed and approved on July 14th which is within the fifteen business day review time. Councilman Weisbecker noted that he saw that Mr. Semrau sent a letter to the State on the TNR program. The Council also received a letter from the Department of community Affairs advising that they are behind schedule on studies and the police department study is on hold. Passaic County is having a 9/11 ceremony on September 2nd at the police academy in Wayne. Councilman Weisbecker asked for a subcommittee of three Council members to discuss with the Administrator and Attorney budget matters for 2011. Councilman Jurkovic recalled that Kevin has often said that he is not aware of what Council wants regarding certain budget matters. He thinks it a good idea to have Council give observations and recommendations in advance of the Mayor and Administrator preparing the budget. Council President Smolinski stated that he would like this to be bipartisan committee. Councilman Nolan stated that we do not have a CFO right now but we should wait to have that person on board so that the or she can be involved. The Council gave consensus for Councilmembers Weisbecker, Jurkovic and Nolan to serve and meet when a CFO is appointed. The CFO and Administrator would participate and Mr. Semrau would be contacted if legal advice is needed. Councilman Nolan urged that the Township finalize negotiations with unions before this process begins and Mr. Boyle advised that he has scheduled a meeting in the first week of August.

Mayor Bieri advised that the Council received a letter commending Gerry Storms for his assistance with a drainage issue. Also, Paul Ferriero has been working on the wastewater management plan and continues to lobby for funding to complete this plan. The 2% cap will be in place for the 2011 budget and the legislators are working on the toolkit. She sent out letters in mid June to professionals seeking fee reductions. To date we have had five responses all of whom have made concessions. She thanked them and their firms. The DCA does have a six-month backlog on audits. She met with representatives of FBI-Leeda for a total of seven hours and noted that the exchanges were very good. They expect to have a report in approximately thirty days. Matt Giacobbe sent out a memo in April asking to reopen talks with the PBA and SOA about contracts. The PBA responded and indicated that they will not reopen negotiations but have asked to meet with Township officials. Mr. Semrau advised that such a meeting is possible as long as the Township's labor counsel advises their legal counsel.

Administrator Boyle advised that he had pre-construction meeting on the Cahill Crossroad project. David Stires looked at an estimate to replace the body of recycling truck and he will copy that out to Council before the next workshop. The Township offered Thomas R. Valenti of Butler conditional employment as a police officer and Mr. Boyle reviewed his qualifications. Rockland Electric has advised that they are relocating from Saddle River to Mahwah. Eric Miller has provided a memo about state grant applications with resolutions to be presented to Council for consideration at the next meeting. We have applied to have a gypsy moth survey this year. He stated that he met with Chuck Ferraioli, the Township Auditor, this morning and is planning on budget adoption on August 4th. There will be a \$90 increase to the average house. He will be starting the 2011 budget in September. He and the committee started interviews for a CFO last night. They will conduct second round interviews and will make a recommendation shortly. Four engineering firms have shown interest in serving as engineer for the Township. They will come in to meet with engineering staff and the Administrator and he will report back. He met with DPW staff yesterday to plan how to manage engineering and DPW going forward and they have scheduled a follow up meeting for August 30th. Work is underway on the soil conservation permit for the turf field. He will meet with staff on Friday to discuss local permit requirements. Pompton Lakes wishes to donate a vehicle to fire company #4 and he will have it as a discussion item on the next workshop agenda. He will meet with Environmental Commission members to establish a collaborative effort for open space matters. Council President Smolinski asked if he can participate in the discussions about open space and Mr. Boyle agreed.

Mr. Semrau advised that the Township finalized land sales today and collected over \$40,000.

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Appointments and Resignations Agenda No. XI
None.

Executive Session Agenda No. XII
None.

Agenda No. XIII

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting.

Moved: Nolan Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Approved: February 2, 2011

MAYOR BETTINA BIERI
PRESIDING OFFICER

ANTOINETTE BATTAGLIA
TOWNSHIP CLERK