
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Special Meeting
Date of Meeting: August 2, 2017
Time of Meeting: 6:30 pm
Minute Page No: Page 1 of 2

The Special Meeting of the Governing Body was called to order by Mayor Bettina Bieri.

Adequate Notice Statement

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Special meeting was advertised in the Herald News in its issue of July 30, 2017; copies were provided to the Suburban Trends, the Record and Star Ledger and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Agenda No. I

Pledge of Allegiance

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

Agenda No. II

Roll Call

Present: Councilmembers Mike Hensley, Tim Wagner,
Peter McGuinness, Marilyn Lichtenberg, Mayor Bettina Bieri.
Absent: Ada Erik, Luciano Signorino
Also Present: Township Administrator/Clerk Antoinette Battaglia

Agenda No. III

Purpose

To consider adoption of Resolution 2017-245.

Agenda No. IV

Action Items

Mayor Bieri noted that this resolution is one of the steps the Governing Body has to take to effectuate the sale of the MUA. Administrator Battaglia mentioned that this resolution is required for Township officials and professionals to appear before the Local Finance Board next week.

Agenda No. IV 1

~ Resolution 2017 – 245 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, AND STATE OF NEW JERSEY AUTHORIZING AN APPLICATION TO THE LOCAL FINANCE BOARD FOR THE CONDITIONAL DISSOLUTION OF THE TOWNSHIP OF WEST MILFORD MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the Mayor and Council of the Township of West Milford did authorize by Resolution 2017-174 on May 3, 2017 the issuance of a Request for Proposal (“RFP”) for the sale of the assets of the Township of West Milford Municipal Utilities Authority (“Authority”) pursuant to N.J.S.A. 40:62.3, due to severe deterioration of the Authority’s infrastructure over time, resulting in the need for significant repairs, and the Authority’s resulting inability to continue operations as currently structured; and

WHEREAS, the Township issued the RFP in accordance with N.J.S.A. 40A:11-4.4, which was advertised for six (6) consecutive weeks as required by N.J.S.A. 40:62-4, with the proposals received no later than June 27, 2017; and

WHEREAS, a proposal was received from Suez Water New Jersey, Inc. (“Suez”) and the proposal was vetted by a subcommittee, which made a recommendation to the Mayor and Council to award a contract for the sale of the Authority’s assets to Suez; and

WHEREAS, the Township desires to enter into an Agreement of Sale (“Agreement”) with Suez, subject to the conditions set forth in the Agreement, approval by the legal voters of the Township pursuant to N.J.S.A. 40:62-5, approval by the New Jersey Department of Environmental Protection (“NJDEP”), the New Jersey Department of Community Affairs, and the New Jersey Board of Public Utilities; and the dissolution of the Authority pursuant to N.J.S.A. 40A:5A-20 to -21, which requires the review and approval of the Local Finance Board.

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, and State of New Jersey, that the making of an application to the Local Finance Board for the conditional dissolution of the Township of West Milford Municipal Utilities Authority is hereby approved and the Township Administrator, along with the Township Attorney and other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto; and

BE IT FURTHER RESOLVED that the Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statutes; and

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to publish notice of this Resolution as required by law.

This Resolution shall take effect immediately.

Adopted: August 2, 2017

Moved: Lichtenberg Seconded: Hensley
Voted Aye: Hensley, Wagner, McGuinness, Lichtenberg
Voted Nay: None
Motion carried.

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.

There being no one wishing to be heard, Councilman Hensley moved to close the public portion of the meeting.

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

Councilwoman Lichtenberg announced the date and time of the Passaic County mosquito spraying.

Agenda No. VI

Adjournment

There being no further business to come before the Council, the Governing Body adjourned the meeting at 6:38 p.m.

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

Approved: August 16, 2017

Respectfully submitted:

Sherry Zbrzeski, Clerk Typist

MAYOR BETTINA BIERI, PRESIDING OFFICER

ANTOINETTE BATTAGLIA, TOWNSHIP CLERK