
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 15, 2018
Time of Meeting: 6:30 pm
Minute Page No: Page 1 of 28

The Workshop and Regular Meeting of the Governing Body was called to order by Mayor Bettina Bieri.

Adequate Notice Statement

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Workshop and Regular meeting was advertised in the Herald News in its issue of February 11, 2018; copies were provided to the Suburban Trends, the Record and Star Ledger and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Agenda No. I

Pledge of Allegiance

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

Agenda No. II

Roll Call

Present: Councilmembers Andrena Pegel (arrived 6:43), Mike Hensley, Tim Wagner
Pete McGuinness, Luciano Signorino, Patricia Gerst, Mayor Bettina Bieri
Absent: None
Also Present: Township Administrator/Clerk Antoinette Battaglia, Township Attorney Fred Semrau

Agenda No. III

Reading of or Approval of Unapproved Minutes

July 11, 2018 Executive Session
July 11, 2018 Workshop and Regular Meeting

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

Agenda No. IV

Meetings

Mayor Bieri noted the future meeting schedule:

September 5, 2018 Workshop Meeting
September 19, 2018 Regular Meeting
October 3, 2018 Workshop Meeting

Mayor Bieri announced that this will be her last official Council meeting. She will not be resigning yet because she promised her constituents that she would remain in office until the last possible moment. She noted that she anticipates submitting her resignation on August 27th. She thanked everyone for the support that they have shown her over the past eleven years. She thanked the staff for working together as a team efficiently and effectively to provide cost savings to the residents while providing additional services with fewer resources. She said it has been a privilege to work with an outstanding administrative and legal team.

She thanked all the volunteers that served on the boards, commissions and committees. She particularly thanked the Library Board of Trustees because together they built a new library. She thanked the MUA Commissioners because they have been keeping the MUA afloat and assisting them in effectuating the sale. She said that she has done her best to represent the Township honestly, fairly and with integrity throughout her eleven years as Mayor. She mentioned that she always focused on policy not politics, and she is very proud of the accomplishments that they have effectuated together. She noted that she will continue to volunteer in South Carolina. She said it has been an honor and privilege to serve as Mayor, and God Bless West Milford and all the residents.

She mentioned that the Council had two memos in their packets regarding options to fill her vacancy. She asked the Council if they would like to discuss the options. Councilman Signorino said since there are so many presentations they should move on and refer back to the memo. The Governing Body agreed.

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Agenda No. V

Proclamations

None

Agenda No. VI

Presentations

Veterans Park Statues – Administrator Battaglia said at the Council’s direction they reached out to the Veterans Council and they provided what they would like to see in the park in lieu of the trees that have been removed. Councilman McGuinness said he does not like seeing gravestones in front of Town Hall because there is a beautiful monument there. He said if they need money to improve the monument he is in favor of that. Mr. Loughman, VFW Post 7198, West Milford, said the project started because of the confusion with the meaning of Memorial Day. He said it is an issue with a lot of people especially young people. It should not be a celebration; it is for the men and women who died. There is no area in West Milford that represents that thought, which is why they are suggesting a military configuration for Veterans Park. He feels that the stones will bring remembrance in a subtle way. Councilman Signorino said that he likes the pieces and he appreciates them. Councilwoman Pegel said she thinks it is a beautiful idea; there should be lighting next to stones because it will make a lovely addition and it will highlight the wording. The Governing Body gave their approval for the Veterans to proceed with the project.

Matrix Efficiency Audit Consultants – Ms. Jocelyn Mathiasen noted that she worked in local government for twenty years. She mentioned that her area of specialty is Land Use, Back-office Functions, IT, Human Resources and Administration. She noted that they will hold off on questions until the end of the presentation. Mr. Semrau mentioned that whatever was being discussed is not about specific employees or their performance. Ms. Mathiasen expressed that they look for findings on what they can do to make the organization operate more efficiently and effectively in the future. They bring their experience working in New Jersey and all over the country saying they have seen something done a certain way elsewhere and the Township can benefit from that experience and knowledge. She said the last element of the project is to develop a detailed work plan for the Township. She then provided a preliminary PowerPoint presentation of the report on the departments that she specializes in. Mr. Robin Haley continued the presentation on the departments that he specializes in, and spoke about the recommendations for Public Works, Engineering, Community Services and Recreation, and Municipal Court. Ms. Mathiasen summarized the findings for the Police Department because the Consultant for that department was not able to attend the meeting. She noted that they are still receiving feedback from staff, managers and the Governing Body. Based on that feedback and additional data collection, they will complete the final report.

Mayor Bieri opened the meeting to the public to speak to the Cost Efficiency Audit presentation only.

Chief Storbeck, Butternut Road, Vernon – Said he understands the purpose of the study, and it was hard to hear negativity and deficiencies about his department. He wished that his department could have been more involved during the process before this presentation. He said that he had a discussion with the Matrix consultant that interviewed the Police Department regarding minimum manpower and time frame in the department. He did provide a number that does not include a supervisor, and his fear is that the Governing Body could prematurely look at this and think that they are way overstaffed. He wanted to caution everyone that this is a draft study, and the numbers could be skewed. He expressed that he does not want anyone to make any decisions without reviewing the final study first. He said the minimum manpower revolves around saving overtime and allocating resources. He does not want to give anyone the wrong impression about the department.

Michele Dale, Belmont Road, Hewitt – Mentioned that when she served as a Councilwoman the cost efficiency study and a historic budget was something that she championed for. She explained that at the end of the day, they were asking departments to do their work with equipment that was not available or efficient. She wanted to develop a strategic plan for the Township without wasting taxpayers dollars. She expressed that the taxpayers want to know that their tax dollars were spent wisely and not being wasted. She suggested that when Matrix makes recommendations to the Governing Body, they inform them what will be the overall cost savings in the end, and the overall analysis if they invest money in certain departments.

Bob Nicholson, 20 Hyde Road, Stockholm – Noted that he thought the report was good, well-presented and there were no surprises. He believes that the IT area will be very costly to the Township, and they should implement a lot of the programs over a 5 -10 year period. The taxpayers can’t bear the load of additional training expenses. He mentioned that the DPW staff is limited because of staff taking vacation during the summer months while the work gets done. He said every tree on Reservoir Road was killed by the gypsy moths, and it caused hazardous road and health conditions. He thinks another detective should be hired to reduce crime because residents will be concerned about the safety of the Township, and not enough officers patrolling the Township. He explained that it takes a long time to travel across town, and there are parts of town with bad radio service. He feels that consolidating the DPW and Recreation Departments for maintenance will be a cost savings for everyone.

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

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

Debt Management Plan – Administrator Battaglia explained that Mrs. Mageean is making a presentation which is the first of multiple steps. The auditor will be at the meeting to discuss bonds in light of the fact that they are proceeding with the sale of the MUA, and they may have considerations that warrant discussion. She said the next part of Mrs. Mageean's discussion will continue at the next meeting with the auditor. Mrs. Mageean noted that she will not be discussing what will happen after the sale of the MUA in her presentation. She explained the three components of the debt management plan; bans, bonds and deferred charges.

Direct Deposit – Mrs. Mageean said in 2015, the Division of Local Government Services said that municipalities have the ability to make direct deposit mandatory for all employees except the seasonal employees. She would like to make direct deposit available to all employees. There are 43 employees that are still receiving checks, and everyone else has direct deposit. She thinks it is a positive step for every employee to be on direct deposit. She noted that she has ten outstanding checks, and they create a lot of leg work and follow up. She mentioned that she reached out to the Department Heads and asked them to speak to their staff to find out if there was a compelling reason that they still wanted a paper check. She said nobody had a reason that she would consider compelling. She noted that everyone will still receive a paper pay stub. She asked the Governing Body to consider a resolution to make direct deposit mandatory for all employees. Mayor Bieri noted that this is cost savings to the Township. The Governing Body gave consensus to put the resolution on the next agenda for action.

Dedication by Ryder – Mrs. Mageean said in October 2017, the Vacant and Abandoned Property Registration Ordinance 2017-013 was passed. Since then, the Clerk's Office has worked diligently to register 244 homes and collect fees. She said she reached out to the Division of Local Government Services and they said they would approve the dedication by Ryder if the Governing Body would want to take the registration fee money and put in into a trust fund for maintenance and upkeep of abandoned or vacant properties. Administrator Battaglia said the Governing Body appropriates \$25,000 out of the general funds every year to the Buildings Standard Board to manage the vacant, abandoned, foreclosed properties that are not maintained. She noted that all of the registered properties are bank owned and have been foreclosed upon. The funds come from the bank that owns the property. The fees are calculated based on the number of years the property is on the foreclosure list, and thus far the Township has collected \$60,750.00. Administrator Battaglia said they could use the funds if they establish a dedicated account. Mrs. Mageean confirmed that the first \$25,000 generated would be moved to the trust account, and then after that the funds would go into the general fund. The Governing Body gave consensus.

RFP for Banking Services – Mrs. Mageean said that their agreement with Lakeland Bank will end in December of 2018. She is working on an RFP to go out the beginning of September to explore the options of changing the banking services, and to see what is out there to optimize the banking services received. She would like to do this in September so there is enough time to change everything over. She will give the RFP to administration to be placed on the cloud for the Governing Body before it goes on the website for advertising. She said it would have to be a branch in town because she goes to the bank every day. Councilman McGuinness asked if there were fees associated with the account and Mrs. Mageean responded in the negative. Councilman McGuinness asked what she is looking to gain; Mrs. Mageean said a higher interest rate and lower fees for the payroll services. Mayor Bieri said the Township has a lot of money in the bank, and it would be nicer to get a higher interest rate and have all of their payroll costs offset.

Mrs. Mageean said they are about to begin the cycle of the 2018 budget season. She said typically they have had a full day budget meeting with the Governing Body and Department Heads the last Friday in September. She asked the Governing Body if they would like to do that again this year. Administrator Battaglia noted that they review the current year's budget at that meeting, and it is very preliminary for 2019. She said the meeting is a status update for 2018, and to see if staff is available to answer questions for the Governing Body. Councilman Wagner said that he would like to wait for the cost efficiency audit before they schedule the meeting. Mayor Bieri noted that the cost efficiency audit might not be complete until the end of October, and that time frame is late to start the budget meetings. Mrs. Mageean said she would not want to wait until the end of October to have the meeting because she starts getting her work ready earlier. She mentioned that the middle of October would be okay. Councilman Wagner said he will try to get an update on the cost efficiency audit at the next meeting to see how far along they are. The Governing Body gave consensus to wait until they find out when they will receive the final cost efficiency audit.

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Mrs. Mageean said a benefit for having the meeting in the beginning of October is she will have the quarterly numbers, and that will provide budget numbers verses actual through the end of September. Administrator Battaglia said they will ask the Governing Body about a meeting date at the Workshop meeting in September depending on the cost efficiency audit timeline. The Governing Body gave consensus.

Evergreen Cultivation LLC – Dan Granatell, 723 Washington Street, Hoboken, NJ, said he was at the meeting on behalf of Evergreen Farms also known as Evergreen Cultivation LLC on Union Valley Road. He thanked the Governing Body for having him at the meeting, and said they are very excited about the project. He expressed that they are taking advantage of an opportunity. The State has recently put forth a request for applications for cultivation of medicinal marijuana in New Jersey. As part of the application the state requests that the application has support of the local Governing Body or approval from the municipality. He said he was at the meeting thankfully asking for a resolution in support of his application. He explained that there is a cultivation and dispensary aspect of the application; they can have the cultivation in town, and not have the dispensary and retail aspect of it. Mr. Granatell said he felt that since West Milford is their home field for the operation, they wanted to open it up to the Governing Body's consent to decide whether they want the dispensary location in the Township. Currently there are 30,000 registered patients in the state that are registered in the program. 200 people sign up weekly for the program, and there are currently six operational dispensaries in the state. He stated there could be 2,500 patients that could come to West Milford and create foot traffic in the Township. He believes this is a great opportunity for the Township to consider, and they could still operate the cultivation without the dispensary. They are willing to invest several million dollars into the cultivation site and it will be a great tax ratable. The project could create 25-50 jobs, and it will be more like a pharmaceutical operation.

Discussion:

Councilman McGuinness asked how many acres there are, and Mr. Granatell said 210. He explained that under the rules this would be a greenhouse type facility and everything has to be done indoors. He said that they will be building a 30,000 square foot hybrid greenhouse facility. They would be investing several million dollars, and it will be a tax ratable for the Township. Councilwoman Pegel asked about the irrigation system. Mr. Granatell said they would be willing to put an above ground septic system to accommodate the building and they will follow all rules and guidelines from the Township. He said if they are awarded the application, they will refer back to the site plan approval from the land boards and Highlands Commission. Councilman McGuinness asked if they feel comfortable presenting the application to the Highlands Commission. Mr. Granatell said they feel comfortable because the Highlands Commission Act states that any facility that is agriculture or horticulture based is exempt from the Highlands Commission. Mayor Bieri asked if the assessed value would add to the ratable base. Mr. Granatell said the property is assessed value for the improvement only. The property is assessed qualified farm property, and underneath the Farmland Assessment Act, the land is exempt, but the improvements are still assessed at full market value. Even though they would essentially be exempt, the improvements will be fully taxable. Mayor Bieri asked about security. Mr. Granatell said there will be 24 hour security and surveillance, and they also plan to hire an off duty police officer for the site. There has to be 24/7 surveillance for the interior and exterior so the Department of Health can view the operations 24/7. Mr. Granatell spoke about the history that his family has and the long standing ties in West Milford. Administrator Battaglia asked if the dispensary will be at a separate location. Mr. Granatell said underneath the regulations, it can be in a separate location. The property that they envisioned is the old Lakeland Bank building across from the former A&P supermarket. They purchased it last year by chance. Administrator Battaglia said the state regulations came in to place recently. Mr. Granatell said it was a very tight window; the request for operations came out in the middle of July and the actual application was not available until August 1st and August 31st is the deadline. Councilman McGuinness asked what happens when marijuana is legal. Mr. Granatell said from the cultivation aspect it will not change anything. He explained that because it's a medical operation, there is access to 30,000 patients; if it becomes legal recreational it goes from 30,000 to generally available. Councilman McGuinness asked if the state will allow more stores to appear everywhere. Mr. Granatell said they don't know what the plans are. He said no matter what, on a local level, someone will need local approval to operate whether it's medical or recreational. They will have to come before the Governing Body for approval. Mayor Bieri asked if the Governing Body approves the cultivation and the dispensary, can he limit it to medicinal even if marijuana becomes legalized recreational. Mr. Granatell said so far, the legislature has left that decision up to local governments to decide. Councilman Wagner asked if they are gambling on recreational marijuana. Mr. Granatell responded in the negative. He explained that they are very comfortable operating in this industry because of what they do now. They are a supplier for pharmaceutical companies, and in that respect they would never gamble on that or bring something like that to the community. Mr. Granatell said if it does become recreational, they would be back asking the Governing Body if they want recreational marijuana. Mayor Bieri asked if they plan on doing background checks. Mr. Granatell said there will be heavy background checks from the state and FBI for everyone. He explained that you can't just walk into a doctors office and ask for prescription. There is process that the doctors have to follow and it is highly regulated. Administrator Battaglia asked the process of the six licenses being issued by the state. Mr. Granatell said the request for application requires cultivation and the dispensary.

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Councilman Hensley said Mr. Granatell was very prepared to discuss this, and he has a great deal of confidence in him and his family. He feels that the old Lakeland Bank location is the ideal spot for a dispensary. He does understand peoples' concern about having a dispensary in town, but the added benefits is called economic activity, and West Milford needs that. He looks forward to what they could bring to the Township. Councilman Signorino said he appreciates the presentation, and he said Mr. Granatell was well educated on the topic.

Councilman McGuinness made a motion to move resolution 2018-226 seconded by Councilman Signorino. Councilman Hensley asked if this would include the dispensary as it is written. Mr. Granatell said the resolution that he prepared only says cultivation. Councilman Hensley said in order to have the fighting chance of getting this approved they have to add the dispensary. Mayor Bieri asked the Governing Body if they were agreeable to amending the resolution to include the dispensary. The Governing Body gave consensus. Councilman McGuinness amended his motion, and Councilman Signorino amended his second.

~ Resolution 2018 – 226 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY SUPPORTING EVERGREEN CULTIVATION, LLC'S APPLICATION TO OPERATE AN ALTERNATIVE TREATMENT CENTER MEDICAL CULTIVATION SITE AND A MEDICAL MARIJUANA DISTRIBUTION SITE IN WEST MILFORD, PURSUANT TO NEW JERSEY'S COMPASSIONATE USE MEDICAL MARIJUANA ACT, N.J.S.A. 24:6I-1 ET SEQ

WHEREAS, on January 11, 2010, New Jersey's State Legislature (the "State") enacted New Jersey's Compassionate Use Medical Marijuana Act, pursuant to N.J.S.A. 24:6I-1 et seq. (the "Compassionate Use Act"); and

WHEREAS, the State has declared that modern medical research has discovered a beneficial use for Marijuana in treating or alleviating the pain or other symptoms associated with certain debilitating medical conditions, as found by the National Academy of Sciences' Institute of Medicine in March 1999; and

WHEREAS, the State has joined this health and welfare initiative for its citizens along with thirty-three (33) other jurisdictions to permit the use of Medical Marijuana. The list includes Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Hawaii, Illinois, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, West Virginia, Washington D.C., Guam, and Puerto Rico; and

WHEREAS, compassion dictates that a distinction be made between Medical and Non-Medical uses of Marijuana. As such, the purpose of the Compassionate Use Act is to protect those patients who use Marijuana to alleviate suffering from debilitating medical conditions, as well as their physicians, primary care givers, and those who are authorized to produce marijuana for medical purposes; and

WHEREAS, the Mayor and Council of the Township of West Milford hereby join the Compassionate Use Act's initiative and they support Evergreen Cultivation, LLC's application to operate an Alternative Treatment Center Medical Cultivation Site and an Alternative Treatment Center Distribution Center in West Milford, pursuant to New Jersey's Compassionate Use Medical Marijuana Act, N.J.S.A. 24:6I-1 et seq; and

WHEREAS, the Mayor and Council of West Milford will hereby begin all necessary actions (if any) within ninety (90) days of Evergreen Cultivation, LLC's award of the licensure from the State of New Jersey, Department of Health, Division of Medicinal Marijuana.

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

1. The Township finds that compassion dictates that a distinction be made between Medical and Non-Medical uses of Marijuana.
2. The Township finds that it is important to provide for and protect the health and welfare of the citizens of West Milford and the State of New Jersey, consistent with the purpose behind New Jersey's Compassionate Use Medical Marijuana Act, N.J.S.A. 24:6I-1 et seq.
3. As such, the Township hereby supports Evergreen Cultivation, LLC's application to operate an Alternative Treatment Center medical cultivation site and a distribution center within the Township's boundaries and according to applicable local ordinances.
4. The Township will hereby begin all necessary actions (if any) within ninety (90) days of Evergreen Cultivation, LLC award of the licensure as may be required from the State of New Jersey, Department of Health, Division of Medicinal Marijuana.
5. Notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Township.

Adopted: August 15, 2018

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 Moved: McGuinness Seconded: Signorino
 Voted Aye: Hensley, Wagner, McGuinness, Signorino, Gerst
 Voted Nay: Pegel
 Motion Carried:

Agenda No. VII

Discussion Items

1.	Discussion: Art Displays and Community Group Displays at the Library: Administrator Battaglia said that she contacted the director of the Library, and they already had a discussion on this with the Library Board. They have a policy in place, and they are considering the art shows. She mentioned at the meeting that the Lions Club submitted a request for some type of recognition in public buildings. The Library Board felt that the decision would fall upon the municipality and the Township portion of the Library. She asked the Council how they would like to proceed. Mayor Bieri asked the Council if they would like to put a policy in place. Councilwoman Pegel suggested dedicating a certain time of the year for the displays. Administrator Battaglia asked if the Governing Body would like to consider a policy stating a group that has art to display meets certain standards. She noted that she could draft something for the Council to consider at a future workshop meeting. The Governing Body gave consensus. Councilman McGuinness asked if the Lions Club has a facility and Administrator Battaglia said no. Councilman Signorino said he does not want one group to monopolize the display area, and he wants the displays to be accessible to certain contests. Councilwoman Pegel suggested a temporary rotating basis.
2.	Discussion: Columbia Bank – Project: Administrator Battaglia said that she was contacted by the bank advising them of the new opportunity to engage in the process where they invest in the communities that they have a presence in. They identified West Milford as one of the groups that they would like to consider. They have a minimum of \$5,000 with no maximum, and they had projects in the amount of \$75,000. She said she came up with some ideas for the Governing Body’s consideration. She got estimates for a grant that would connect Town Hall and the old Library to the storm hardening out front, a roof at the Recreation Center because it is leaking, and a generator at the Recreation Center. Councilman Wagner suggested keeping the application as simple as possible because they don’t have a lot of time. He said the Recreation Center stands out because the community benefits from it, and they did invest a lot of money for a new floor. He noted that a backup generator is important as well in case of an emergency. Mayor Bieri mentioned that the Recreation Center would also fall more under the grant guidelines and it is likelier to succeed for the grant application. Councilman Signorino said the generator would probably be the better choice, and he wants to know more about the roof before they decide on replacing it. He said from a contractor’s point of view, even a new roof could leak. If there is leak in the roof, that does not mean the entire roof needs to be replaced; the leak could be fixed. Administrator Battaglia said the generator is a good project to identify because if there was one there it could be recognized as a shelter. The Governing Body gave consensus for the generator.
3.	Discussion: Court Appointed Special Advocates: Mayor Bieri noted that CASA is the abbreviation. Administrator Battaglia said she received information from Jessica Mickley, the Director of Training and Outreach in Passaic County, asking if the Governing Body would consider adopting a resolution encouraging people in the community to serve as a court appointed special advocate for children. She said the advocates have done a great job protecting the rights of children that find themselves in a situation where they need a voice. She noted that they are volunteers. Mayor Bieri asked the Council if they were agreeable moving this to an agenda item. The Governing Body gave consensus.
4.	Discussion: HEZ Program: Mayor Bieri said this request originated from Harry Shortway, Mayor of Vernon Township. She said he asked her to get support from the Council for a resolution to designate any municipality that has 26,000 acres or more in the Highlands Preservation area as an HEZ zone, which would cut the sales tax rate in half. Mayor Bieri suggested adding the specific impacts to the resolution under the fourth whereas. She would also like to add two more whereas; the Highlands supplies drinking water to about 6.2 million people or more than 70% of the state’s population.

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	The other whereas would state one of the Highlands Preservation Area goals is to prohibit or limit to the maximum extent possible construction or development which is incompatible with preservation of this unique area. The goal is commendable to project drinking water, but as prevented development leading to economic and property tax instability. She believes that is important to add to say that the Township is important as an area, and they caused that hardship to the Township. The Governing Body gave consensus to add the resolution on to the next agenda.
5.	Discussion: Request to Support Electric Vehicles: There was no interest from the Governing Body.

Agenda No. VIII

Unfinished Business, Final Passage Of Ordinances

~ Ordinance 2018 – 007~

BOND ORDINANCE APPROPRIATING \$2,401,250, AND AUTHORIZING THE ISSUANCE OF \$2,187,137 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Township of West Milford, in the County of Passaic, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$2,401,250 including the aggregate sum of \$115,113 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes and including also in the case of the improvement or purpose described in paragraph (c) of said Section 3, the sum of \$99,000 received or expected to be received by the Township from the Passaic County Open Space Trust Fund, as a grant-in-aid of financing said improvement or purpose.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$2,401,250 appropriations not provided for by application hereunder of said down payments and grant, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$2,187,137 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$2,187,137 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES
(a) Acquisition by purchase of new and additional vehicular equipment, including without limitation and one (1) dump truck for use by the Department of Public Works of the Township, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	\$200,000	\$190,000
(b) Improvement of various streets and locations in and by the Township by the construction or reconstruction therein of roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred	\$1,000,000	\$950,000

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IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES
to in Section 40A:2-22 of said Local Bond Law), including without limitation, Gould Road, Cahill Cross Road, Morsetown Road, Rockburn Pass, Mary Street, Rosemont Avenue, Monmouth Avenue, Duralee Court, Carriage Lane, Pawnee Terrace, Setting Sun Trail, High Street, High Crest Drive and MacGregor Road, together with all sidewalks, curbing, structures, appurtenances, milling, drainage improvements, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved		
(c) Improvement of municipally-owned properties and facilities in and by the Township, including without limitation, Nosenzo Pond Park by the installation of lighting at the athletic fields and the Department of Public Works building by the upgrade of the heating, ventilation and air conditioning system, the upgrade of the roof and the installation of new flooring, together with for all the aforesaid all structures, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the \$294,000 appropriation hereby made therefor being inclusive of the amount of \$99,000 received or expected to be received by the Township from the County of Passaic Open Space Trust Fund as a grant-in-aid of financing said improvement to Nosenzo Pond Park	\$294,000	\$185,250
(d) Acquisition by purchase of new and additional equipment, including without limitation, turnout gear for use by the Fire Department of the Township, bleachers for use by the Community Services and Recreation Department of the Township, one (1) loader and three (3) asphalt rollers for use by the Department of Public Works of the Township, and emergency response equipment for use by First Aid Squads of the Township, together with all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	\$337,250	\$320,387
(e) Improvement of the communication system of the Fire Departments in and by the Township by the upgrade thereof, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	\$70,000	\$66,500
(f) Acquisition by purchase of new and additional firefighting equipment for the preservation of life and property in the Township, including one (1) fire truck, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	\$500,000	\$475,000
Totals	<u>\$2,401,250</u>	<u>\$2,187,137</u>

Except as otherwise stated in paragraph (c) above with respect to the said grant-in-aid of financing the purpose described in said paragraph, the excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

- (a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

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- (b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 10.72 years.
- (c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$2,187,137, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
- (d) Amounts not exceeding \$50,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof (and, in particular, such costs have been included in the improvement described in Section 3(c) of this bond ordinance).

Section 5. The funds from time to time received by the Township on account of the \$99,000 grant referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in paragraph (c) of Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Township authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of said improvements or purposes shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this bond ordinance.

Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at no less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 8. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

Introduced: July 11, 2018
Adopted: August 15, 2018
Effective Date: September 4, 2018

This Ordinance was introduced July 11, 2018 and the Notice of Public Hearing was published in the Herald News on July 15, 2018. The Governing Body will open the meeting to the public to speak to this ordinance only.

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

Motion to adopt Ordinance 2018-007.

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

Agenda No. IX

Public Comments

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

Bob Nicholson, 20 Hyde Road, Stockholm – Congratulated Mayor Bieri and wished her all the best on her new life. He said he was glad the Council gave consensus on the Veterans Park project. He said it would be nice to have something telling the people the real purpose of Memorial Day. He said he was at the Freeholder meeting in Wanaque, and a lot of times people are complaining about the county and the mosquito spraying. He said if people don't reach out to the county with their issues, then the county can't do anything about it. He said if a resident has a mosquito issue to call the county and they will work with you. He asked the Council if they are considering moving forward with the salary ordinance because sooner or later they will have to approve the increases.

Marilyn Lichtenberg, 37 Hudson Drive, West Milford – Said she pushed for the Vacant & Abandoned Property Ordinance years ago, and she is happy that the Township is finally receiving money for those properties.

Michele Dale, Belmont Road, Hewitt – Spoke about the time she served with Mayor Bieri, and said they always worked together for the betterment of West Milford. She thanked Mayor Bieri for her eleven years of service and wished her the best of luck in South Carolina.

Doris Aaronson, 19 Bearfort Road – She thanked Mayor Bieri for being a great Mayor, friend and neighbor.

Gary Steele, North Glenwood Road – Said Mayor Bieri left the Township in such great shape and thanked her very much.

Richard Randazzo, Wooley Road – Expressed that he is disappointed for the Township but happy for Mayor Bieri. He is sorry that she got beaten up by other political parties, and he is concerned about who is going to come out of the woodwork to replace her. He noted that there is no replacement for her, and what she has done for the Township has been unbelievable. She always stuck up for the Township, and he said he will miss her as a friend and as a Mayor.

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

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

Agenda No. X

Council Comments

Mayor Bieri – Thanked everyone for all of the comments, and said it has been her pleasure to serve the Township. She said that there have been a lot of difficult times, but the support they have shown her over the years gave her the strength that she needed to show up and do the job, and stay focused on policy not politics. She appreciates that it has been recognized. She said many of you are huge advocates for the Township, and over the years you have volunteered a lot of your hours. She said that it is very important, and she asked all the volunteers to continue to work together for the better of the community. She said she will never forget West Milford because it has been her home for 32 years.

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Agenda No. XI

New Business, Introduction Of Ordinances, Resolutions

Agenda No. XI 1

~ Ordinance 2018 – 008 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 263 “PEDDLING AND SOLICITING” TO ADD A NEW ARTICLE IV ENTITLED “RESTRICTIONS”

WHEREAS, the Township Council has reviewed and assessed the Township Code section regarding peddlers, solicitors, hawkers, vendors and other individuals seeking to conduct business door-to-door within the Township; and

WHEREAS, the Township Council has determined that restrictions on such activity were not included in the Ordinance as originally enacted; and

WHEREAS, the Township Council has determined that these restrictions must be set forth in the Township Code.

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

SECTION 1. Chapter 263 “Peddling and Soliciting” is amended to add Article IV “Restrictions” to read as follows:

Article IV. Restrictions

§263-25 Entering on posted property prohibited.

No individual obtaining a license pursuant to this Chapter shall enter onto any property on which is located a sign or signs stating “no solicitors” or carrying a similar message forbidding the entry of any persons onto the property.

§263-26 Collection, preparation and maintenance of a nonsolicitation list.

- A. Collection, preparation and maintenance of a non-solicitation list. The Office of the Township Clerk shall collect, prepare and maintain a list of addresses of those premises where the owner and/or occupant has notified the Township Clerk that soliciting and canvassing is not permitted on the premises. With the adoption of this section, any resident who wishes to be placed on the non-solicitation list shall complete a form by obtaining same in the Municipal Building’s General Office during normal business hours, Mondays through Fridays from 8:30 a.m. to 4:30 p.m., except on weekends and legal holidays, or obtaining the form online on the Township’s web page. The form shall be filed in the Office of the Township Clerk either in person, by U.S. mail or electronically by email, as instructed on the form.
- B. The Township Clerk shall make the non-solicitation list available to all departments within the Township. This list shall be distributed to applicants seeking a license to solicit or canvass pursuant to the provisions of this Chapter. The licensee shall not solicit or canvass at any address on the non-solicitation list. The West Milford Police Department shall be responsible for enforcement of these provisions.
- C. Updating of non-solicitation list. The list shall be updated regularly and made available to all municipal departments.
- D. Any individual who receives a summons from the West Milford Police alleging violations of the provisions of §263-25 described above may be subject to judicial prosecution and/or fines as prescribed in §263-27.

§263-27 Violations and Penalties.

Any person who violates any provision of this Article may, upon conviction thereof, be punishable by a fine not exceeding \$2,000 or such other penalties consistent with N.J.S.A. §40:49-5. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

The remainder of this Chapter remains unchanged.

SECTION 2. All ordinances of the Township of West Milford, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

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SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

SECTION 5. This Ordinance may be renumbered for codification purposes.

Introduced: August 15, 2018
Adopted:
Effective Date:

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

Mayor Bieri asked to move resolutions 2018-206 through resolution 2018-223.

Agenda No. XI 2

~ Resolution 2018 – 206 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ACCEPTING THE BIDS FOR THE SALE OF CERTAIN MUNICIPAL LANDS AND PROPERTIES FROM THE TOWNSHIP AUCTION OF JULY 11, 2018

WHEREAS, on July 11, 2018, the Township of West Milford conducted the sale of municipal properties no longer needed by the Township in accordance with Resolution 2018-159; and

WHEREAS, the Township Clerk reports that the schedule below outlines the bidders and their respective proposals to purchase said lands and recommends that the Township Council accept these bids.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that the proposals set forth in the schedule below are hereby accepted and incorporated herein.

BE IT FURTHER RESOLVED, that the terms of such acceptance will be set forth in the Contracts of Sale to be prepared by the Township Attorney as set forth in Resolution 2018-159.

This Resolution shall be effective immediately.

Adopted: August 15, 2018

Adopted this 15th day of August, 2018
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Block	Lot	Name & Address	Bid Amount	Deposit	10% Fee	Amount Due
2311	25	Matthew Bojko 12 Hampton Road Hewitt, NJ 07421	\$850.00	\$100.00	\$85.00	\$835.00
2405	15	Jason C. Skorubski 149 Upper Greenwood Lake Road Hewitt, NJ 07421	\$700.00	\$70.00	\$70.00	\$700.00
2406	7	Janet Henry Cash 100 Upper Greenwood Lake Road Hewitt, NJ 07421	\$900.00	\$90.00	\$90.00	\$900.00
2410	10	Walter Karol 458 Riverside Avenue Rutherford, NJ 07070	\$1,500.00	\$1,500.00	\$150.00	\$150.00
2705	10	John Hughes 272 Germantown Road West Milford, NJ 07480	\$1,100.00	\$200.00	\$110.00	\$1,010.00
3012	4	Dale VanPamelen 47 Somerville Road Hewitt, NJ 07421	\$400.00	\$100.00	\$40.00	\$340.00
3203	1	William Link 263 Lakeside Road Hewitt, NJ 07421	\$1,000.00	\$300.00	\$100.00	\$800.00
3503	36	Baile Rubin 115 Wallabout St 4-R Brooklyn, NY 11206	\$10,000.00	\$1,000.00	\$1,000.00	\$10,000.00

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Block	Lot	Name & Address	Bid Amount	Deposit	10% Fee	Amount Due
3503	51	Spencer & Catherine Scott 32 Elm Street Hewitt, NJ 07421	\$6,000.00	\$600.00	\$600.00	\$6,000.00
13805	2	Iwona & Ryszard Kaczynski 1 Leonard Avenue West Milford, NJ 07480	\$2,400.00	\$240.00	\$240.00	\$2,400.00
13812	3	Jennifer Scates 37 Walker Avenue West Milford, NJ 07480	\$1,000.00	\$100.00	\$100.00	\$1,000.00
14901	34	Jorge Torres & Lauren Galesso 74 Oxbow Lane Newfoundland, NJ 074	\$6,500.00	\$650.00	\$650.00	\$6,500.00

Agenda No. XI 3

~ Resolution 2018 – 207 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE SUBMITTAL AND ACCEPTANCE OF A PASSAIC COUNTY CULTURAL HERITAGE COUNCIL RE-GRANT FOR THE DEVELOPMENT OF A SERIES OF CULTURAL EVENTS DURING 2019

WHEREAS, the Township Council of the Township of West Milford has determined that there is a need for cultural events for residents of all ages and abilities; and

WHEREAS, the Passaic County Cultural and Heritage Council has grant monies available that may be used to assist the Township in realizing this goal; and

WHEREAS, the West Milford Recreation Department has developed a series of cultural programs more commonly known as the “Summer Concert Series” that could benefit from these funds; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford hereby authorizes the submittal of a Passaic County Cultural and Heritage Grant in the amount of \$2,000.00 with a cash match of \$1,000.00 and an in-kind match of \$2,000.00 for the purpose of planning, scheduling and conducting several cultural events in the Township during 2019 and;

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

Adopted: August 15, 2018

Agenda No. XI 4

~ Resolution 2018 – 208 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION AND ACCEPTANCE OF A RECREATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES (ROID) GRANT

WHEREAS, the Township of West Milford, County of Passaic, State of New Jersey, desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for funding in the amount of \$20,000 State share, with \$4,000 local share, for a total contract of \$24,000 for 2019 to carry out Comprehensive Recreation Programs for Individuals With Disabilities.

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

1. The submittal of the grant application to the Department of Community Affairs is hereby authorized.
2. The Township Council recognizes and accepts that the Department of Community Affairs may offer a lesser or greater amount and, therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, they hereby authorize the execution of any such grant agreement.
3. Upon receipt of the fully executed agreement from the Department, the Township Council authorizes the expenditure of funds pursuant to the terms of the agreement between the Township of West Milford and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

Adopted: August 15, 2018

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Agenda No. XI 5

~ Resolution 2018 – 209 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A CONTRACT FOR THE 2018 WEST MILFORD TOWNSHIP ROAD RESURFACING PROGRAM THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL - CONTRACT #6: ROAD RESURFACING, CATEGORY A: HOT MIX ASPHALT (HMA) AND CATEGORY B: MILLING OF HOT MIX ASPHALT (IN PLACE) TO TILCON NEW YORK

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Pricing Council (State Identifier Number 6MOCCP); and

WHEREAS, the Morris County Cooperative Pricing Council has awarded portions of Contract #6: Road Resurfacing to Tilcon New York, Inc. and said contract was awarded through the open and competitive bidding process in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township's Supervising Engineering Aide has reviewed the Morris County Cooperative Pricing Council's contract and related specifications and has submitted a written recommendation that the Township of West Milford award a contract for the 2018 West Milford Township Road Resurfacing Program project utilizing Category A: Hot Mix Asphalt (HMA) and Category B: Milling of Hot Mix Asphalt (in place) to Tilcon New York, Inc. through the Morris County Cooperative Pricing Council - Contract #6: Road Resurfacing; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these purchases

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 award of a contract through the Morris County Cooperative Pricing Council - Contract #6: Road Resurfacing, Category A: Hot Mix Asphalt (HMA) and Category B: Milling of Hot Mix Asphalt (in place) to Tilcon New York, Inc., 9 Entin Road, Parsippany, NJ 07054 in an amount not to exceed \$1,000,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: August 15, 2018

Agenda No. XI 6

~ Resolution 2018 – 210 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO STORMWATER COMPLIANCE SOLUTIONS, LLC TO PROVIDE STORMWATER MANAGEMENT SERVICES

WHEREAS, the Township of West Milford has a need to appoint a stormwater management professional as a non-fair and open contract pursuant to the provision of N.J.S.A. 19:44A-20.4 et seq. or 20.5 as appropriate to comply with the Municipal Stormwater Permit under N.J.A.C. 7:14, Tier A Municipal Stormwater General Permit; and

WHEREAS, it is beneficial to retain assistance of appropriately registered experts in the field of stormwater management with knowledge and experience in these matters, to assist in assuring compliance with the NJPDES Permit for stormwater discharge; and

WHEREAS, Stormwater Management Solutions LLC of Chester, NJ will provide stormwater management services as sought by the Township of West Milford and outlined in a contract in an amount not to exceed \$10,500.00; 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 bids and the contract itself must be available for public inspection; and

WHEREAS, Stormwater Management Solutions LLC. has completed and submitted a Business Entity Disclosure Certification which certifies that the business 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 Stormwater Management Solutions, LLC from making any reportable contributions through the term of the contract; and

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WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from the 01-201-26-290-451 account; and

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

1. The Mayor and Township Clerk be and are hereby authorized to execute a contract for stormwater management services with Stormwater Compliance Solutions LLC, 180 Main Street, PO Box 572, Chester, NJ 07930 to assist the Township with compliance to the NJPDES Permit in an amount not to exceed \$10,500.00.
2. This contract is awarded without competitive bidding as a Professional Services pursuant to N.J.S.A. 19:44A-20 et seq and the Local Public Contracts Law.
3. The total fee authorized for this contract shall not exceed \$10,500.00 without the prior written approval of the Township Council.
4. Notice of this action shall be published once in the Township's official newspaper as required by law and said resolution, contract and all other pertinent documents are available for public inspection in the office of the Township Clerk.

Adopted: August 15, 2018

Agenda No. XI 7

~ Resolution 2018 – 211 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ENDORSING SUEZ WATER NEW JERSEY'S SUBMISSION OF A CAPITAL IMPROVEMENT PLAN TO BE INCLUDED IN THE HIGHLAND'S WASTEWATER MANAGEMENT PLAN

WHEREAS, Suez Water New Jersey ("Suez") is under contract to purchase the West Milford Municipal Utility's ("WMMUA") water and wastewater assets; and

WHEREAS, as part of the Agreement to purchase the WMMUA system, Suez made a commitment to commence certain capital improvements to the WMMUA system; and

WHEREAS, Suez has provided, by way of correspondence dated July 16, 2018, an overview of a Capital Improvement Plan to be implemented in certain stages which will upgrade and benefit the WMMUA systems; and

WHEREAS, a copy of the Capital Improvement Plan is on file in the Township Clerk's Office; and

WHEREAS, these improvements are for the benefit of the users of the WMMUA in order to provide efficient and safe utility services; and

WHEREAS, Suez has requested that the Township endorse this proposed Capital Improvement Plan so that Suez can obtain necessary governmental approvals and implement the said plan once the sale of the WMMUA's assets has been completed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, in the County of Passaic, and State of New Jersey that that it endorses the Capital Improvement Plan proposed by Suez for system improvements to the West Milford Municipal Utility's water and wastewater systems.

BE IT FURTHER RESOLVED, that the Township Administrator is hereby authorized to provide the requested Township endorsement of this Plan to respective governmental agencies including, but not limited to, the New Jersey Highlands Water Protection and Planning Council.

This Resolution shall take effect immediately.

Adopted: August 15, 2018

Agenda No. XI 8

~ Resolution 2018 – 212 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING SUBMISSION OF THE CORRECTIVE ACTION PLAN FOR THE YEAR ENDED DECEMBER 31, 2017 TO THE STATE OF NEW JERSEY, DIVISION OF LOCAL GOVERNMENT SERVICES

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

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WHEREAS, the Township of West Milford has by Resolution accepted the 2017 audit as prepared and presented by the Township Auditors, and

WHEREAS, Ellen Mageean, the Chief Financial Officer for the Township of West Milford has prepared a Corrective Action Plan to address the findings and recommendations for the 2017 audit and presented copies of same to the Mayor, Council, and Administrator,

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

Adopted: August 15, 2018

Agenda No. XI 9

~ Resolution 2018 – 213 ~

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$14,597,695 BOND ANTICIPATION NOTES OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, AS FOLLOWS:

- Section 1. Pursuant to a bond ordinance of The Township of West Milford, in the County of Passaic (the "Township") entitled: "Bond ordinance providing for the improvement of various roads in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$4,688,250 therefor and authorizing the issuance of \$4,465,000 bonds or notes of the Township for financing such appropriation", finally adopted on March 28, 2007 (#2007-06), bond anticipation notes of the Township in a principal amount not exceeding \$173,500 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 2. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$3,342,360, and authorizing the issuance of \$3,175,242 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on September 3, 2008 (#2008-40), bond anticipation notes of the Township in a principal amount not exceeding \$110,200 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 3. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$1,565,000, and authorizing the issuance of \$1,490,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on August 15, 2012 (#2012-15), bond anticipation notes of the Township in a principal amount not exceeding \$409,854 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 4. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$1,940,600, and authorizing the issuance of \$1,605,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on April 17, 2013 (#2013-10), bond anticipation notes of the Township in a principal amount not exceeding \$1,349,203 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 5. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$2,214,000, and authorizing the issuance of \$1,839,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on June 25, 2014 (#2014-005), bond anticipation notes of the Township in a principal amount not exceeding \$1,686,817 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

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- Section 6. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$3,557,200, and authorizing the issuance of \$3,201,200 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on June 30, 2015 (#2015-008), bond anticipation notes of the Township in a principal amount not exceeding \$3,014,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 7. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$3,250,000, and authorizing the issuance of \$2,850,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on May 4, 2016 (#2016-008), bond anticipation notes of the Township in a principal amount not exceeding \$2,850,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 8. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$2,837,121, and authorizing the issuance of \$2,375,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on April 5, 2017 (#2017-006), bond anticipation notes of the Township in a principal amount not exceeding \$2,127,712 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 9. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance providing for the improvement of Ridge Road and Reservoir Road in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$1,250,000 therefor and authorizing the issuance of \$689,272 bonds or notes of the Township for financing such appropriation", finally adopted on April 18, 2018 (#2018-04), bond anticipation notes of the Township in a principal amount not exceeding \$689,272 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 10. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$2,401,250, and authorizing the issuance of \$2,187,137 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on August 15, 2018 (#2018-07), bond anticipation notes of the Township in a principal amount not exceeding \$2,187,137 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 11. All bond anticipation notes (the "notes") issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Township (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer and shall be signed and sealed by officials and officers of the Township in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes hereunder is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.
- Section 12. Any note issued pursuant to this resolution shall be a general obligation of the Township, and the Township's faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

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Section 13. The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2 12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Township, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 14. All action heretofore taken by Township officials and professionals with regard to the sale and award of the notes is hereby ratified, confirmed, adopted and approved.

Section 15. This resolution shall take effect immediately.

Upon motion of Councilman Signorino, seconded by Councilman McGuinness, the foregoing resolution was adopted by the following vote:

AYES: Pegel, Hensley, Wagner, McGuinness, Signorino, Gerst
NOES: None
ABSENT: None

Adopted: August 15, 2018

Agenda No. XI 10

~ Resolution 2018 – 214 ~

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

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

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

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

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

Special Items of General Revenue Anticipated with Prior Written consent of the Director of Local Government Services:
Public and Private Revenues Off-Set with Appropriations:
Homeland Security Program Sub-Grant CFDA #97.042; \$10,000.00

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

General Appropriations
(A) Operations – Excluded from CAPS
Public and Private Programs Offset by Revenue
Homeland Security Program Sub-Grant CFDA #97.042; \$10,000.00
Local Match \$10,044.46

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

Adopted: August 15, 2018

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Agenda No. XI 11

~ Resolution 2018 – 215 ~

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

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

PROPERTY OWNER	BLOCK	LOT	ADDRESS
960 Burnt Meadow LLC	4601	17	960 Burnt Meadow Road

; and

WHEREAS, the Tax Assessor, Appraiser and Township Attorney are of the opinion that it is in the best interest of the Township to settle this appeal.

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

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

PROPERTY OWNER	YEAR	ORIGINAL ASSESSMENT	PROPOSED SETTLEMENT
960 Burnt Meadow LLC	2016	\$1,550,100	\$1,000,000
	2017	\$1,550,100	\$ 750,000

2. Refund check is to be made payable to the attorney for the taxpayer and the taxpayer. Refunds are to be made within 60 days from the date of the entry of Judgment and interest is waived on said refunds on the condition that the refund is paid within 60 days from the date of the entry of Judgment.

3. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.

4. The Tax Collector is hereby authorized to credit and/or refund the appropriate taxes in accordance with the terms of this Resolution.

5. This Resolution shall take effect immediately.

Adopted: August 15, 2018

Agenda No. XI 12

~ Resolution 2018 – 216 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF POCKET (INACTIVE) PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2018- 2019 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption License for the 2018- 2019 License year have been processed on the ABC POSSE website and reviewed; and

WHEREAS, these licenses have received a Tax Clearance Certificate and Special Ruling for the 2018-2019 year; and

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

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

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

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WHEREAS, the Police Department has recommended that the license be renewed to the current owners as a pocket (inactive) license with conditions.

1. Inactive/Pocket Licenses must submit a 12-page Place-to-Place Transfer application with detailed sketch of proposed site and a Police Investigation Request to the Township Clerk's Office and receive satisfactory recommendations from the Health, Fire, Building, Zoning and Police Departments prior to siting this license.
2. Prior to activating the license, inspections of premises must be made and satisfactory recommendations must be received by the Fire, Health, Building, Zoning and Police Departments.
3. Prior to activation or opening this license the licensee must submit applicable pages 1, 2, and 11 of the 12-page application to the Township Clerk's Office with date of activation.
4. A Health Department Retail Food Establishment license must be acquired with detailed floor plans and satisfactory recommendation received in the Clerk's Office prior to opening.

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

LICENSE/LICENSEE/T/A	CONDITIONS
BREDA LLC 7 Manchester Way, Pine Brook, NJ 07058 1615-33-027-012	Conditions stated above in resolution.

Adopted: August 15, 2018

Agenda No. XI 13

~ Resolution 2018 – 217 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF STREET OPENING BOND FEE

BE IT RESOLVED that the following street opening bond fee upon the recommendation of the Township Engineering Department be refunded:

Receipt No.	Refund Amount	Refund to	Street Excavation Project Permit No.
612807	\$100.00 Cash Bond	Emil M. Onufrow c/o EMO Excavating Inc. 6 Chestnut Ct. West Milford, NJ 07480	14 Eisenhower Drive 2018-25

Adopted: August 15, 2018

Agenda No. XI 14

~ Resolution 2018 – 218 ~

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

WHEREAS, there appears on the tax records overpayment as shown below and the Collector of Taxes recommends the refund of such overpayment.

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

- REASON:**
- | | |
|----------------------|-------------------------------|
| 1. Incorrect Payment | 6. Tax Appeal County Board |
| 2. Duplicate Payment | 7. Tax Appeal State Tax Court |
| 3. Senior Citizen | 8. 100% Disabled Veteran |
| 4. Veteran Deduction | 9. Replacement Check |
| 5. Homestead Rebate | 10. Reduced Assessment |

Block/Lot	Name	Amount	Year	Reason
5004-5	Ronald & Marie Striegel 73 Rockburn Pass West Milford, NJ 07480	\$2,008.11	2018	6
12108-1	NBSC Properties Inc. 250 Oak Ridge Road Oak Ridge, NJ 07438	\$1,729.56	2018	6

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13002-3	Henry & Marilyn Pellegrino 68 Hearthstone Drive West Milford, NJ 07480	\$373.76	2018	6
16102-4	Ryan & Renee Masterson 14 Scenic Drive Oak Ridge, NJ 07438	\$4,624.00	2018	8
1504-4	CoreLogic Centralized Refunds PO Box 9202 Coppell, TX 75019-9978	\$23.00	2018	2
2611-29	Robert Frank 218 N. Farview Avenue Paramus, NJ 07652	\$1,597.13	2018	2
202-4	Ken Leutgeb & Cathie Johnson 1828 Clinton Road Hewitt, NJ 07421	\$20.23	2018	10
4601-17	960 Burnt Meadow LLC 179 Ryerson Avenue Paterson, NJ 07502	\$9,940.00	2018	10
5005-4	Katherine M. Smith 15-01 Broadway Suite #4 Fairlawn, NJ 07410	\$2,801.49	2018	10
9001-16	Mordekhay Rimer 42 Somers Avenue Bergenfield, NJ 07621	\$1,217.37	2018	10
9407-6	Ross & Michele Burns 4 Glenda Drive West Milford, NJ 07480	\$939.62	2018	1
11101-27	Donna Ann Young 467 Snake Den Road West Milford, NJ 07480	\$121.74	2018	10
12001-16	Weaver Farms Road LLC 44 McCormick Road West Milford, NJ 07480	\$5,027.22	2018	10
12001-19	Weaver Farms Road LLC 44 McCormick Road West Milford, NJ 07480	\$1,686.23	2018	10
3503-41	Mary & Vincent Meyer 15 Cooley Lane Hewitt, NJ 07421	\$250.00	2017	3
	TOTAL	\$32,359.46		

Adopted: August 15, 2018

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~ Resolution 2018 – 219 ~

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:

Swim Lessons		
Brielle, Dean	\$20.00	Judy Kehr 65 Alpine Ridge Road West Milford, NJ 07480
Gavin	\$140.00	Jessica Sprague 95 Gould Road Newfoundland, NJ 07435
Day Camp		
Darcy	\$31.75	Jodi Dutches 25 Ashbrook Lane West Milford, NJ 07480
Ella	\$113.50	Laura Paget 91 Morris Ave. West Milford, NJ 07480
Field Hockey Camp		

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Jakki	\$160.00	Frank R. Galella 425 Beaverbrook Road Lincoln Park, NJ 07035
Summer Art-Family Paint Along		
Gianna	\$45.00	Kristine Buzzelli 29 Duralee Court West Milford, NJ 07480
Girls Fun ½ Day Camp		
Caroline	\$110.00	Karen Gabel 1372 Macopin Road West Milford, NJ 07480
Fall Soccer		
Brayden	\$70.00	Stephanie Primavera 11 Camden Place West Milford, NJ 07480
Matthew	\$70.00	Tori Carolan 20 Taft Road Hewitt, NJ 07421
Tennis Camp		
Brodie	\$85.00	Marc Loveland 73 Mountain Spring Road West Milford, NJ 07480
John	\$85.00	Irma Parkin 35 Weedon Drive West Milford, NJ 07480
Rebecca, Matthew	\$170.00	Olisia Sledge 15 Heritage Drive West Milford, NJ 07480
Alivia, Trace	\$170.00	Alissa Meyer 1134 Weldon Road Oak Ridge, NJ 07438
Tennis Camp		
Ian	\$85.00	Jessica Harris 571 Otterhole Road West Milford, NJ 07480
Wyatt, Laurel, Henry	\$255.00	Elizabeth Space 22 Relda Avenue West Milford, NJ 07480
Delaney Brown	\$85.00	Dana Swartz 24 Crest Hill Drive Oak Ridge, NJ 07438
Laura	\$85.00	Cathy Pasquale 65 Morris Ave West Milford, NJ 07480
Landon	\$85.00	Kevin MacKenzie 43 Northwood Drive West Milford, NJ 07480
Kristen	\$85.00	Dawn Nowacki 28 Deerbrook Lane West Milford, NJ 07480
Matthew	\$85.00	Donna Strianse 32 Old Milford Lane West Milford, NJ 07480
Joshua	\$85.00	Shelley Samuel 10 Alvin Road West Milford, NJ 07480
Althea, Arden	\$170.00	Kim Edelstein 48 Mountain Circle North West Milford, NJ 07480
Noah, Brenna	\$170.00	Trish Traverso 52 Allison Ave. Newfoundland, NJ 07435
Day Camp Field Trip		
Mason	\$35.00	Jill Birkhoff 470 Ridge Road West Milford, NJ 07480
Athan	\$35.00	Laura Burke 103 Lindy's Drive

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		West Milford, NJ 07480
Adam	\$35.00	Trish Bush 8 Harvey Road Hewitt, NJ 07421
Vincent	\$35.00	Lisa D'Andrea 23 Albertine Place Oak Ridge, NJ 07438
Jack Degnan	\$35.00	Jocelyn Jones 19 Newfield Road Hewitt, NJ 07421
Cassidy	\$35.00	Christine DiMaggio 70 Ridge Road West Milford, NJ 07480
Emily Ferring	\$35.00	Frances Struble 292 Germantown Road West Milford, NJ 07480
Jack	\$35.00	Jennifer Fleming 12 Mickens Road West Milford, NJ 07480
Day Camp Field Trip		
Matthew Garrick	\$35.00	Cheryl Garrick 15 Hampton Road Hewitt, NJ 07421
Tyler Genuardi	\$35.00	Sierra Harrison 2 Gifford Road Hewitt, NJ 07421
Aedan	\$35.00	Danna Hanley 30 Spring Ave. West Milford, NJ 07480
Mia	\$35.00	Mark Harrison 18 Ringwood Lane Hewitt, NJ 07421
Elyse Holtman	\$35.00	Jennifer Terhune 3 Glencross Road West Milford, NJ 07480
Madison	\$35.00	Irena Kent 28 Caro Drive Oak Ridge, NJ 07438
Katelyn	\$35.00	Sharyn Matthews 1680 Macopin Road West Milford, NJ 07480
Alexander	\$35.00	Samantha Molleda 123 Wesley Drive West Milford, NJ 07480
Daniel	\$35.00	Renee Moretti 5 Highland Ave. West Milford, NJ 07480
Christopher	\$35.00	Annette O'Mahoney 158 Ridge Road West Milford, NJ 07480
Timothy & Michael	\$70.00	Frances Paulison 1 Ashbrook Lane West Milford, NJ 07480
Ethan	\$35.00	Diego Romero 16 Rutgers Ave. West Milford, NJ 07480
Cassandra	\$35.00	Debra Rubinsky 102 Morris Ave West Milford, NJ 07480
Mark	\$35.00	Mark Schinasi 58 Melrose Ave. Hewitt, NJ 07421.
Jordan Suchocki	\$35.00	Katherine Giraldo 106 Starlight Rd. West Milford, NJ 07480
Kyle	\$35.00	Lisa Vogel 189 Clinton Road Newfoundland, NJ 07435

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James Wehnert	\$35.00	Lilian Noerling 106 Ridge Road West Milford, NJ 07480
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Adopted: August 15, 2018

Agenda No. XI 16

~ Resolution 2018 – 220 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE REFUND OF OTHER LIENS

WHEREAS, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective lien.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of West Milford that the proper officers be and are hereby authorized and directed to pay the indicated amount to the holder of the lien certificate as hereinafter shown below:

Certificate No.	Certificate Date	Block/Lot/Qual	Reimbursement Amount	Pay to Lien Holder
15-0026	10/13/2015	02608-005	\$19,510.14	US BANK CUST BV001 TRST & CRDTRS 50 SOUTH 16TH STREET SUITE 2050 PHILADELPHIA, PA 19102
Grand Total:			\$19,510.14	

Adopted: August 15, 2018

Agenda No. XI 17

~ Resolution 2018 – 221 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CANCELLATION OF TAXES – DELETED FROM TAX ROLLS

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.

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

REASON: DELETED FROM TAX ROLLS

Block & Lot	Name	Amount	Year
12210-1	Brian Killeen	\$1,992.00	2018 1st Half
TOTAL		\$1,992.00	

Adopted: August 15, 2018

Agenda No. XI 18

~ Resolution 2018 – 222 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CANCELLATION OF TAXES – DISABLED VETERAN

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.

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

REASON: 100% DISABLED VETERAN

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26	Refuse	141,414.96
4	Capital	25,945.84
19	Animal Control	2,346.00
19	Heritage Trust	0.00
19	Open Space Trust	148,431.55
19	Trust	13,625.01
19	COAH	0.00
16	Development Escrow	4,105.57
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$1,240,373.04
Less Refund Resolution		-55,339.85
Actual Bills List		\$1,185,033.19
Other Payments		
Payroll		568,273.92
Payroll		560,462.99
Jack's Petting Zoo		650.00
Corelogic		23.00
Nationstar		1,646.00
BOE		4,614,570.00
Payroll		560,018.22
Total Expenditures		\$7,490,677.32

Adopted: August 15, 2018

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

Agenda No. XIV

Reports of Administrator, Mayor and Council Members

Councilman McGuinness – Said he hopes everyone is enjoying their summer. He provided an update on Roadside Clean-up Day. He noted that there is a two week window so volunteers can start the clean-up anytime. He asked who manages the Beautification and Recycling fund. Administrator Battaglia said the fund was started many years ago and there has not been current funds put into the account. She is uncertain of the origination of the funds, and she believes they were donations back in the day.

Councilman Signorino – Provided an update on the museum and the Heritage Committee. He said WM77 TV is always looking for material, and if anyone wants a video displayed to submit it to the WM77 TV Commission. He mentioned that he and Councilman McGuinness met with the Board of Education as a subcommittee, and he likes how the subcommittee evolved over the years; there is good collaboration between the members. He noted that the West Milford Board of Education is set to lose \$7 million in state aid. He said that he and Councilman McGuinness have expressed a willingness to work with the Board of Education.

Councilwoman Gerst – Wished Mayor Bieri good luck in the next chapter of her life, and said it has been a privilege working with her. She thanked her for her service to the Township for so many years.

Councilwoman Pegel – Thanked JCP&L for their expeditious work restoring the residents' power. She provided an update on the EDC, and they encourage people to come to the next meeting on September 13th. She said it has been a pleasure working with Mayor Bieri, and she wished her well, good luck, and much success, health and happiness with her family.

Councilman Hensley – Spoke about the recent EDC meeting and the fireworks returning to West Milford. He said it would be a big benefit for the Township to take on and for Community Services and Recreation to oversee the event. He spoke about a venue that no longer takes place called the Taste of West Milford. He said the venue was a well-attended event, but it was not held in West Milford. He believes that the gymnasium in the Recreation Center could be a very good venue for the Taste of West Milford because it has the seating capacity and new beautiful gym floor. He said it is not something the EDC could handle, but the idea is to perhaps have this as a discussion item in the future.

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The idea is asking the Council have the Community Services and Recreation Department host the annual event. The purpose is to promote local restaurants to participate. He thanked Mayor Bieri for her service.

Councilman Wagner – Provided an update on the maintenance at Browns Point Park. He said he really appreciates the efforts from everyone who helped clean up the park. He provided an update on West Milford United, and he thanked administration for the prompt efforts addressing the Rockburn catch basin; he noted that there has been standing water that has been a consistent problem for many years. He provided an update on Community Services and Recreation. He wished Mayor Bieri all the best in her journey, and he thanked her for all her years of service.

Councilman Wagner made a motion, seconded by Councilman Signorino to approve the salary increases for the Tax Assessor, Chief Financial Officer, Tax Collector and Municipal Clerk.

Discussion:

Mayor Bieri noted that they are ignoring 7 employees out of the 152 that received increases, and she would like them to consider that before they make a motion. Councilman Wagner asked the proposed increases for the 7 employees. Mayor Bieri said the amount that would have been budgeted which is the same increase that the other employees received. Councilman Wagner said that he would be okay with that, but the amounts in the ordinance are vague. Councilman Signorino said his objection was the huge increase, and he voted no for the increases when they were presented to the Governing Body last year. Mayor Bieri noted that there are no expenditures that are not approved by the Governing Body, and there will be no impact on the budget because the increases were already budgeted for. Mayor Bieri asked if there was an amendment to vote on the ordinance as presented. Councilman Wagner said he does not like the way the ordinance was written. He thinks the increases should be spelled out and separated from the ones that are statutorily obligated. Mayor Bieri suggested adding the ordinance to the next agenda for introduction instead of voting on it at this time. Administrator Battaglia said that she will revise the ordinance to reflect everything that was negotiated with the bargaining units. The Governing Body gave consensus. Councilman Wagner withdrew his motion, and Councilman Signorino withdrew his second.

Mr. Semrau – Spoke about Mayor Bieri’s service and dedication to the Township, and he wished her and her family all the best. Councilman McGuinness asked what the next steps are for replacing Mayor Bieri from a legal perspective. Mr. Semrau said he sent a memorandum explaining the different courses that the Council could take upon Mayor Bieri’s vacancy. He noted that there will be an election in November to fill the Mayor’s unexpired term.

Agenda No. XV

Appointments and Resignations

Mayor Bieri noted that there is one vacancy on the Health Advisory Board that expires December 31, 2018. Councilman McGuinness made a motion to appoint Dr. Patricia Baran-McNair, seconded by Councilwoman Gerst.

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

Agenda No. XVI

Executive Session

~ Resolution 2018 – 225 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 15th day of August, 2018 that:

1. Prior to the conclusion of this **Workshop/Regular Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () b. (4) A collective bargaining agreement including negotiations

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

Adopted: August 15, 2018

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

The Governing Body went into executive session at 10:13 p.m.
The Governing Body returned to the public meeting at 11:27 p.m. with all present as before.

Agenda No. XVII

Adjournment

There being no further business to come before the Council, the Governing Body adjourned the meeting at 11:27 p.m.

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

Approved: September 5, 2018

Respectfully submitted:

Sherry Zbrzeski, Keyboarding Clerk I

TIM WAGNER, ACTING MAYOR

ANTOINETTE BATTAGLIA, TOWNSHIP CLERK