
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
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Liquor License Transfers

1615-33-023-003 – Person to Person Transfer – Wine in the Woods to Sal Falciglia Jr. as a Pocket License

1615-33-033-006 – Place to Place Transfer – New Vineland Corp., Uncorked Wine & Spirits

Mayor Bieri directed the Council to the memo from the Municipal Clerk pertaining to these transfers. There were no questions from the dais and no persons wishing to be heard. The Council, by unanimous roll call vote, closed these public hearings.

Passaic County Improvement Authority – Solar Energy

Mayor Bieri thanked the presenters from PCIA for their patience at the last meeting where she delayed their presentation for the benefit of residents who were heard first. They were very patient. She noted that they are back to answer questions from Council.

Nicole Fox, PCIA confirmed that they are here to answer questions. She introduced Brian Scorbo from DeCotis and Dan Swayze from Birdsall who will assist her. Councilman Ramaglia stated that he received a call about the WVRSA possibly participating in this program. Mr. Swayze stated that he does not have that information at hand but he recalls that the site was not ideal for the solar panels. Mayor Bieri asked if they considered locations based on comments made at the last meeting. Mr. Scorbo answered in the affirmative and added that if the Township feels that Johner will not be occupied it would not be a problem to remove that site from the roster. Hillcrest will require BOE approval but because the Township has a 25 year lease and pays the electric bills it is okay to proceed. They have reached out to the BOE and are still in discussions, hoping to hear from the board shortly. Mr. Semrau asked if another facility could be added in the future if the Township were to acquire such additional space. Mr. Scorbo stated that it would be more difficult to add a site after procurement but not impossible. Each request is reviewed on its own merit but they would rather to know the sites now. Mr. Boyle stated that they did review all municipal sites and chose Johner and Hillcrest. Councilman Weisbecker asked them to look at the museum and Mr. Boyle agreed to provide copies of the electric bills and the age of the roof. Mr. Scorbo stated that the nature of the program is to allow all projects consideration and because there are both small and large projects this approach allows the smaller projects to be considered.

Council President Smolinski asked how solar generation at Hillcrest compares to actual use. Mr. Swayze stated that it is 60% and he reviewed the process by which this is determined. Mr. Semrau noted that other public entities have agreed to join this program and he asked if West Milford will receive the same considerations as each of them. Mr. Scorbo answered in the affirmative advising that the terms are unilateral. Returns are the same for every participant. Discussion ensued about each of the six sites reviewed for consideration and the parameters of the standard they use to determine if a property should be considered for inclusion in the program. In response to Council President Smolinski, Mr. Scorbo advised that the program would not be allowed to mix the private and public entities. With regard to first aid and fire companies, there is no non-profit pool available at this time. Such programs may become available in the future.

Councilman Jurkovic asked what happens if the Township decides to sell a participating building. Mr. Scorbo said the sale price must be sufficient to fund the value of the system because you would be buying the system itself at fair market value. It would be valued at the time of sale and depreciation would be a factor. There are no upfront costs to the Township. Credit worthiness comes in when the energy is generated and the Township has to pay those energy bills. Mr. Swayze stated that there are ways of co-optioning certain repairs such as paving. This may not apply to roofs because the program selects buildings that have long life left on the existing roof.

Mayor Bieri asked about the options at end of the agreement. Mr. Scorbo stated that, at that time, either the developer removes the panels or the Township purchases them. Right now there no extension provisions but that may be an option at a future date. Mayor Bieri asked if the energy cost includes soft costs and Mr. Scorbo answered in the affirmative. He advised that the developer gets incentives but the provision of energy primarily covers his costs. There are operation and administrative costs which will be factored into extended rates.

Councilman Ramaglia asked about the weight load at Johner because West Milford generally has heavy snow events. Mr. Swayze advised that the developer must provide for that in his estimate. If the structural analysis determines that it is cost prohibitive, the building may be removed from the program. Mr. Scorbo stated that if the Township includes Johner it will be in the RFP.

Councilman Signorino asked about damages to the system and for an explanation about the specific type of system being considered. Mr. Scorbo advised that the developers will be fully insured. He stated that traditional panels are aligned in rows of about eleven. Discussion ensued about the differences between various solar panels including those installed on telephone polls, those installed on roofs, and those used for canopies. Mr. Scorbo advised that the developer will ultimately chose the panels based on economics

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and the developer is responsible for performance and operation because they are providing an energy generation guarantee. Councilman Signorino expressed concern that buildings may be closed down to accommodate installation or as a result of damage or failure. Mr. Scorbo stated that the contractor will have an agreement with the developer which will contain a response time for making repairs. They benefit by keeping the system operational. Mayor Bieri asked about the estimated savings presented for Hillcrest. Mr. Scorbo stated that the initial system was smaller than that being proposed in the newest proposal. Discussion ensued about possible generation for various facilities and information received about current electric usage.

Councilman Jurkovic stated that we should not be too quick to cross Johner off the list because the idea of selling Johner is related to the possible library project. He asked how much time we have before we have to pull it. Mr. Scorbo stated that the team would like to know that before the RFP goes out in mid to late September. Discussion ensued about costs in various years, tax incentives that impact the rates and the marketability of solar panels at facilities.

Mr. Semrau requested that the Council afford discretion to the administrator with regard to the Johner building and Mr. Scorbo asked that the resolution be approved with Hillcrest included subject to BOE approval.

MUA Audit Report — Paul Cuva

Agenda No. III

Proclamations
None.

Agenda No. IV

Unfinished Business, Final Passage of Ordinances

~ Ordinance No. 2011 – 015 ~

BOND ORDINANCE APPROPRIATING \$1,127,000, AND AUTHORIZING THE ISSUANCE OF \$1,073,000 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

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 \$1,127,000 including the aggregate sum of \$54,000, 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 excluding, in the case of the improvement or purpose described in paragraph (a) of said Section 3, the sum of \$77,000 available therefor under Ordinance #2007-18 of the Township.
- Section 2.** For the financing of said improvements or purposes and to meet the part of said \$1,127,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$1,073,000 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 \$1,073,000 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 & NOTES
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IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT OF BONDS & NOTES
(a) Acquisition by purchase of new and additional vehicular equipment, including one (1) front end loader and one (1) dump truck for use by the Department of Public Works of the Township, one (1) utility vehicle for use by the Police Department of the Township and one (1) ambulance for use by the Upper Greenwood Lake First Aid Squad, 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, the estimated cost thereof being exclusive of the amount of \$77,000 available for said dump truck under Ordinance #2007-18 of the Township.	\$486,000	\$462,700
(b) Acquisition by purchase and installation, as necessary, of new and additional equipment, including one (1) tire machine for use by the Department of Public Works of the Township, and fire hoses, tools, lights and emergency equipment for use by the Fire Companies of the Township, together with all appurtenances, apparatus 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.	104,000	99,000
(c) Acquisition by purchase and installation, as necessary, of new and additional computer and communications equipment for use by the Police Department and the Office of Emergency Services of the Township, together with all appurtenances, attachments, accessories and appurtenances 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.	25,000	23,800
(d) Improvement of municipally-owned facilities and grounds in and by the Township, including the Department of Public works garage by the renovation of the ceiling thereof and the construction of a roller hockey rink at the former tennis courts located off of Germantown Road, 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.	73,000	69,500
(e) Acquisition by purchase of new and additional fire fighting equipment for the preservation of life and property in the Township, consisting of one (1) tanker truck for use by the Upper Greenwood Lake Fire Company, 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.	<u>439,000</u>	<u>418,000</u>
Totals	<u>\$1,127,000</u>	<u>\$1,073,000</u>

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

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

- (a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life

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thereof computed from the date of the said bonds authorized by this bond ordinance, is 8.56 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 \$1,073,000, 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 \$150,000 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.

Section 5. 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 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 6. 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 7. 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 8. 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 6, 2011
Adopted: August 17, 2011
Effective Date: September 6, 2011

Mayor Bieri noted that this Ordinance was introduced on July 6, 2011 and adopted on July 20, 2011. A public hearing was held and Council adopted this ordinance on July 20, 2011. However a subsequent deficiency was found in the notice of publication which requires that the formalities be reenacted. Therefore we will provide for a public hearing and ask the Council to vote again. The Mayor opened the meeting to the public to speak on this matter only.

Robert Nolan, 1 Winding Way, West Milford stated that certain things are considered consumables and others are considered assets. There are things on this bond ordinance like the new tanker truck and an ambulance that are assets that require bonding. There are things that are questionable like a utility vehicle for the police department as well as fire department consumable supplies and computer equipment that should be expensed. With advances in technology they will be obsolete in no time. Renovating the DPW ceiling is not capital. He stated that it is poor fiscal policy to fund these items in this manner because we pay interest on bonded items.

Michael Gerst, Hillview Court, West Milford stated that he agrees with Mr. Nolan's comments. Some of the items included in this ordinance are not needed. The economy is not good. Gold prices are rising which is reducing the value of the dollar. We don't what will happen in Washington so this is not a good time to bond.

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Gary Steele, North Glenwood Road, West Milford agreed with comments made by Mr. Nolan. He stated that one can always make it appear that the budget is balanced if you charge expenses on your credit card. The budget may not be so balanced if we are purchasing on credit.

There being no more comments from the public, Councilman Weisbecker made a motion, seconded by Councilman Ramaglia, to close this public portion of the meeting. Approved by unanimous roll call vote.

Discussion: Administrator Boyle stated that, for the most part, everything included in this ordinance is a large ticket item. We must purchase these items. He advised that the Township cannot bond for police cars. This process is a way to get things purchased and the only way to effectuate some of these purchases is to bond. We are bonding under the \$2 million recommended by the auditor and every effort has been made to be conservative. It will take years to get to a pay as you go system. He stated that he made the best effort possible with the budget. He reviewed some of the specifics of this bond ordinance. There are no road improvements in this bond ordinance despite the fact that they are falling apart. This is stop-gap bonding and some items are being funded with old bond capital. He is hoping to level our debt and this is a necessary evil of a budget this size. Councilman Signorino asked when we will find out if we will get funding for the roller rink and Mr. Boyle stated that he does not know yet. The application is in but the presentation has not been scheduled. If we get the funds we will cancel this in the bond ordinance but the project itself is time sensitive. Mr. Boyle stated that the DPW ceiling is about a \$20,000 expenditure that would increase operating expenses if it were not bonded for. Councilman Jurkovic stated that this is a clear safety issue.

Councilman Jurkovic asked how this borrowing compares to other years. Mr. Boyle stated that since 2009 we have borrowed less than all the preceding years and it is well below the \$2 million limit the auditor asked us to stay within. Councilman Jurkovic stated that we are buying a new fire truck so we must buy the equipment that is needed to operate the truck. He told the audience that they need to think about these things before taking issue with the Council. To cherry pick a few things out of the list is not proper. This is what residents expect for their taxes. Mayor Bieri stated that she believes that the public is simply saying that we should not bond for things we should be buying. Councilman Jurkovic stated that they are cherry picking items. Councilman Signorino stated that his goal is to lessen debt service by ultimately getting to pay as you go system and Mr. Boyle reiterated that it takes time to get to that point. Mayor Bieri cautioned that if we don't repair our roads we will ultimately have to bond for infrastructure repair at a far greater cost. Councilman Jurkovic stated that he takes issue with such comments because we are doing road work but we are working toward a goal that doesn't happen overnight. What do you say to the person whose house burns down or the person who can't get an ambulance. Council President Smolinski stated that it is unacceptable for departments to make capital requests which are approved but the department head does not act swiftly. Anything approved on here is to be purchased post haste. We are going in the right direction. Councilman Jurkovic asked people to think about it in terms of how you finance in your personal life. Most people finance cars and the accessories that come with that. He lamented that the Council is being criticized by some people for doing what everyone does in their personal life. Like it or not this is how it is done. It takes time to get to a pay as you go system. There have been comments about different projects people have asked for but they complain when the bond ordinance comes up.

Motion to adopt Ordinance.

Moved: Weisbecker Seconded: Ramaglia
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. V

Public Comments

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

Carla Horton, 132 Bearfort Road, West Milford congratulated the Eagle Scouts. She recalled that at the last meeting one councilman said that he had accomplished more in one year than the Mayor did in her four years. She said that it is good to have that confidence but some of the Mayor's accomplishments have been overlooked. She is happy with the Mayor's record and she is particularly happy to call attention to some of those accomplishments which include restructuring of planning, health and finance departments, and renegotiating the rate with Lakeland bank. The Mayor instituted a new policy whereby incoming department heads do not automatically make as much as the person there before. She actively and successfully lobbied for the restoration of watershed aid. She stated that she is very grateful for those efforts and the combined savings and revenue because every penny counts. The Mayor was a leader in the proposed new library even finding the facility. She has been an open space advocate. Under her administration residents can now pay taxes online. She brought the MUA issues to light

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advocating for the users. She serves on planning and library boards rather than appointing designees as was past practice. Mayor Bieri has performed 77 unions and marriages and has personally attended innumerable eagle scout awards. She thanked Mayor Bieri on behalf of many residents who recognize these accomplishments. This is not to deflect from Council accomplishments. However, the residents appreciate what the Mayor does. Ms. Horton stated that before anyone else suggests that we should bring the EPA into West Milford they should do their homework on the potential cost and impact to residents. She listed some specifics about such involvement in other communities. To threaten that the entire town will be sewerred is unfair. As a Pinecliff Lake resident, she takes exception to such threats.

John Aiello, 828 East Shore Road, Hewitt stated that he has been away for about a month. During that time he heard about the August 3rd Council meeting where BOE members spoke about SROs. On July 19th the budget and finance committee of the BOE had a meeting at which he was present because he is a member of the Board. The president, Mr. Richards and Greg Bailey were also present. There was a discussion about drugs in the schools and he asked the Superintendent about SROs. He said we don't need them adding that the bases are covered. He mentioned that he was having a meeting the next day with the police chief. It appears that the SRO issue was settled before the Mayor's letter to the paper despite the fact that the BOE never discussed this matter. He does not know who was involved in this decision. Mr. Petrilli had mentioned improving surveillance at the high school and he knows that is a good idea because he suggested it several months ago. The credit does not belong to him. He spoke with the high school principal some months ago who said this was a means to fight the drug problem. She also mentioned that we need to change the policies on the BOE so that we could have a police presence and ability to conduct searches and a discipline procedure in the schools to prevent drugs being sold in the schools. He had conversations with several attorneys who agreed these policies are necessary. He mentions these things because, as a BOE member, he thinks that reinstating the SRO program seems like a good idea. He would like to have a serious discussion about this. SROs and policy changes and surveillance are all parts of the process.

Gary Oppenheimer, 24 Clover Road, West Milford stated that he is here to give an update on Ample Harvest and to make a request. He did a presentation in January 2010 and since that time Ample Harvest has become a stand-alone non profit organization. The EPA is now using the Ample Harvest concept as a tool to reduce food waste. The National Council of Churches has endorsed the program and there is now an android app for iphones as well as an ISP website. There have been radio promotions and first lady, Michele Obama has used it in her health programs. It is also on Jaime Oliver's food website and PBS was here last week for two days of filming at the community garden. Ampleharvest.org has now been posted on the White House website by the USDA and there are now up to 4,150 pantries throughout USA participating in the program whereby three million pounds of food got to pantries last summer. West Milford is getting known as a town that develops solutions. Ampleharvest.org was nominated for the Classy awards which is an awards program for charities for effectively raising awareness. If we win, it will help with funding. There is a national voting system for nominees and he is asking everyone to go to ampleharvest.com/vote and vote for Ample Harvest before the August 25th deadline. He stated that he owes gratitude to Sustainable West Milford for the success of this program. Ample harvest provides food regularly to food pantries. He asked to have a flier posted in the municipal building and thanked the Township for all their support.

Tony McSorley, Vreeland Road, Olde Milford Estates stated that in early summer 2009 he received an excessive MUA bill. He went to the MUA and spoke to Cathy. She said that rates went up and she said they got a lot of calls. He asked for a copy of the rates. The rates are not the problem. He recalled that in September the prior year there was a flat rate. There is a flat rate for first 12,000 gals. If you use above that you pay at a rate per 1,000 gallons. In September they couldn't read the meters because of a hurricane so they used an estimate. They put 5,000 into the computer. In December when they read the meters it caused excessively higher bills. They did this for Olde Milford Estates only. Anyone who used over 12,000 gals was charged that. His household is comprised of just himself and his wife. He estimates that most people paid these extra costs. He tried to explain this to Kelly & Cathy at the MUA but they could not understand. He went home and created a spreadsheet and gave it to the MUA Administration. When he went back to find out what happened he was told everyone was aware and it would be discussed at next meeting on September 23rd. The rate structure had changed so he created another spreadsheet and gave it to the MUA chairman, Mr. Scangarello who said he would get back to Mr. McSorley personally. It is in the minutes. He waited a couple of months, nothing. March came, and still no refunds. He sent an email to the Chairman, no response. Another email, no reply. He went to the MUA office and spoke to Cathy. The Council gave consensus to let Mr. McSorley continue beyond the five minute limit. He stated that Cathy told him that the new rates were never implemented. They were not aware that the rates were not updated. Nor did the board know. The commissioners did not know. No one had said that nine months of revenue was not realized in 2009. He received a call from Chairman who said it would be discussed at next workshop meeting. A number of residents of Olde Milford were overcharged and the MUA did not update rates for other users. At the April 13th meeting, he provided the board with a revised spreadsheet to show how many thousands of dollars were over charged for Olde Milford users and he asked what rates existed in the MUA system for 2009. As the discussion was

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evolving, Commissioner Pirro jumped up and said he is an engineer and doesn't understand the spreadsheet. He asked to see real numbers. Mr. McSorley interpreted that to mean the number on his bill but found out later that Mr. Pirro meant to use 2010 rates. They were installed in the computer in February 2010. He stated that he cannot understand why an MUA commissioner would want to review 2009 activity with 2010 rates. However he then took the rates given by to him by the MUA and compared them to his bill. January was good. In June he could not make sense of the bill and the rate was flat in September. That number never appeared in any information he received from the MUA. He looked in December and his billing including the overage. Somebody changed the rates in 2009 but they were not the posted rates voted on by the board. Councilman Weisbecker interrupted lamenting that Mr. McSorley has not been speaking for ten minutes and the Council has heard these comments before. Mr. McSorley stated that this started in 2009 and continued in 2010. Council President Smolinski stated that there were different people in charge in 2010. Mr. McSorely replied that both Scangarello & Love were there all this time. Councilman Jurkovic stated that this is a billing dispute that the Council cannot resolve. If you are entitled to a credit, it is deserved but the Council cannot help. Mr. McSorley stated that he turned this over to the state attorney general's office but they said MUA is beyond their jurisdiction. PBU said they cannot help and told him to go to the Mayor. The MUA Administrator, Kelly Love says the Mayor has no authority over the MUA and Councilman Jurkovic interjected that the DEP is the overseeing agency. Councilman Jurkovic asked Mr. McSorley how much he is owed and he answered \$48. Councilman Weisbecker stated that the Council has been listening and they take all comments into consideration even though they have no jurisdiction. He takes exception to comments that council won't listen. Councilman Jurkovic told Mr. McSorley that it is irresponsible of him to charge that these acts are criminal. This MUA issue is blown out of proportion. He said that he blames the Mayor because her letter to the governor was filled with innuendo. Mr. McSorley stated that the MUA has a computer in that building that contains all the rate and billing information. The Council has the authority to retrieve that information and learn the facts. Councilman Jurkovic stated that he will try to find out about Mr. McSorley's individual problem. Mr. McSorley thanked him adding this is about a possible \$30,000 problem because he was not the only resident who was billed improperly.

Louis Monaco, 53 A Beacon Hill Road, West Milford stated that he would like to respond to Council comments made at the August 3rd meeting. He commended the Council for adopting a resolution to deal with finding a long term solution to the MUA problems. He asked what happens next. Is there an actual plan, with objectives, tasks, dates, assignments? Will the public be allowed access and participation? He asked if the public will be kept informed. He stated that it is important that the public understand that something is being done. This long term plan may take years to realized any results. In the meantime something has to be done immediately. He is an MUA customer. He has experienced no water, dirty water, and sewage problems. There are bales of hay again at Bald Eagle Village because the sewerage manhole is overflowing yet again. There are sulfur smells again. Immediate action is necessary for the customers. Someone on Council said that commissioners cannot be removed but that is untrue. Prior commissioners have been asked to resign as has the former MUA administrator. He is asking the council to explain how commissioners are appointed. What qualifications are necessary to be considered for appointment. He has heard at other meetings that these people are volunteers. Why are you volunteering if you are not doing anything at these meetings? Many commissioners do nothing but vote yes on resolutions. He has also heard from commissioners that they are doing the best under the circumstances. When he was a project leader, he had established goals and objectives. If he said he was doing his best under the circumstances, he would be removed from the project. That is not good enough.

Charlie DeKoning, 35C Salem Aly, Bald Eagle Village, West Milford stated that he attended the last Council meeting where the Council said that they would look into the MUA issues further. It was said that a bus ride would be organized to allow residents to advocate for changes. He stated that he hopes the Council will follow through. He suggested that they should install solar panels on MUA properties.

Robert Nolan, 1 Winding Way, West Milford stated that he is an MUA customer. He stated that the comments he made at the last meeting about the bond ordinance were misconstrued. In that bond ordinance the Township is bonding for current expenses. He sees that as cooking the books. These fiscal practices equate to not having enough money to cover tax appeals. It is a dishonest budget. The public is skeptical because budget meetings were conducted behind closed doors. He stated that the Pequannock River Coalition sent a letter to the governing body and he read it into the record. The letter opposes the Council's resolution regarding the MUA and outlines the reasons therefor. The Pequannock River Coalition believes that without first addressing the immediate issues at the MUA the long term goals will not be successful. Their letter asks the Council to first ensure that the MUA can administratively and fiscally operate before seeking outside intervention. In the newspaper last week there was a letter from Mark Taylor that said he and everyone he knows supports Kelly Love's removal as MUA administrator. Mr. Nolan stated that *Friends of West Milford* the PAC headed by Mr. Scangarello contributed \$3,000 to the Jurkovic/Weisbecker campaign and another \$3,000 to the Smolinski campaign thus far this year. These contributions, he said, explains the Council's support of the MUA and disregard for the user's complaints.

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Councilman Rosone took exception to Mr. Nolan's comments stating that he never received the letter from the Pequannock River Coalition. Mr. Nolan, from the audience, stated that he is a member of the Coalition which is why he received the letter sent to Council.

Doug Trainer, Bald Eagle Village, West Milford stated that the speed limit on Union Valley Road creates a problem with swans getting killed on Union Valley Road. The speed limit is 45 mph which equates to Route 23. If Passaic County could increase the size of the road it would increase biking and jogging. He stated that the MUA issue is irking certain people and he plans on continuing the discourse. He stated that it is commendable for the Council to follow the Mayor's lead in reaching out to the DEP and the Governor. He is not sure if Congressman Garrett has responded but he is very hopeful that things will improve with MUA. He stated that Mr. Scangarello was fired from the PVSC which was rampant with nepotism. Certainly Governor Christie would not like to see Scangarello involved with a local utility. He is planning to get a petition from residents at Bald Eagle Village to have that looked at. He stated that somebody needs to look at the internal operations of the MUA and evaluate the documents to ensure accountability. When they pass these costs along to users there must be some knowledge by Council as to where that amount comes from.

Gary Steele, North Glenwood Road, West Milford stated that he had asked the Township Attorney about certain elements of Robert's Rules of Order. He stated that the resolution on the MUA passed at last meeting is missing a verb, was not reviewed by the attorney and is an embarrassment to the Township. Council President Smolinski should have had it reviewed before disseminating it because the language simply does not make sense. At that same meeting, Councilman Jurkovic asked if bus trips could be arranged with the Council as whole to circumvent the Open Public Meetings Act (OPMA). He said that the Council as a whole cannot make such trips without complying with the OPMA. Even if Council members took separate cars such a meeting would require adequate notice. He stated that the budget process was illegal. Councilman Jurkovic took issue with those comments saying Mr. Steele is attacking the Council and poisoning the record. Mr. Steele continued stating that the budget meetings were illegal because the committees were not established by resolution. He listed all the committees formed by resolution. But the budget committees were not formed by resolution. The Council cannot, he said, form subcommittees. There was no resolution and as such the Council acted improperly. It will never happen again in this town because if it does an injunction will be filed. The Council is not allowed to bypass the OPMA. Councilman Jurkovic stated that all Mr. Steele's legal advice has been rejected by the Township attorney. Mayor Bieri asked the Councilman to allow the public to speak noting that he will have an opportunity to reply during Council comments. Councilman Jurkovic shouted that this is not civility. Councilman Jurkovic called the Mayor a joke stating that she allows the circus. Mayor Bieri stated that members of the public are allowed to speak. Councilman Jurkovic shouted that the Mayor is not enforcing the rules.

James Foody, 2 Kshuqua Trail North, West Milford stated that he is here as a resident not a BOE member. He stated that five members of the BOE constitutes a quorum of that body. However the four BOE members that spoke at the August 3rd meeting were in attendance with another member thus constituting a quorum. One went into the foyer when the four approached the podium but that does not negate the quorum and it certainly does not negate the knowledge that a quorum existed. He stated that he read a response by BOE member Matthew Conlon from last year's debate in support of SROs. He agrees with that. He asked why Mr. Conlon spoke at last meeting opposing restoration of the SRO program. It was obvious that he was upset about the Mayor's letter to the paper. The Mayor's letter said that Council President Smolinski had insinuated at a public meeting that he discussed the SRO program at a meeting. During the BOE election Mr. Scangarello paid for Schultz, Gottlieb, & Conlon to host a meet & greet. On election night in April Matt Conlon told Harry Clark to thank Carmen for him getting elected. The school Superintendent, Mr. Petrilli and all these people are conspiring against the Mayor and children in West Milford. On July 26th the BOE went into executive session to discuss personnel and other matters. What was not on the agenda but what was also discussed during that executive session was that Petrilli asked if they can make Hillcrest an election issue. The BOE code of ethics requires that members do not use their positions to do things for friends. Carmen Scangarello's PAC spent \$447 to host a meet & greet for certain BOE members. This was all a conspiracy to make the Mayor look bad. It is sad that fellow board members would stoop to that.

Matthew Conlon 33 Orleans Lane, West Milford stated that he is speaking as an individual not a BOE member. He charged that the Mayor is running a spectacle here tonight and stated that he is disappointed at the disrespect she has shown to her colleagues. He stated that the Mayor has allowed members of the public to display disrespect for the Council. He said that the governing body should be working together as one unit. He stated that nowhere in any speech by any BOE member was there a vocalized opposition to SROs. It was never said that they were opposed to SROs. The three members who spoke on August 3rd did so about the manner in which it was politically orchestrated. There was no dissent to the SROs. There was no objection to having a dialogue. He actually invited the Mayor & Council to the August 23rd BOE meeting. He has yet to receive a phone call to begin that process. He

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acknowledges his statement but Mr. Foody did not direct the fact that he, Mr. Conlon, has not deviated on his opinion about SROs. People are making blatantly false statements in this room and that should be criminal. It is ridiculous that accusations are made. He wants to address comments made by the first speaker, Mr. Aiello. He said that the BOE would be receptive to hearing about SROs. If the Council has to pass a resolution to form a committee, then do it and stop wasting time.

Ashley Rosone, Vreeland Road, West Milford stated that she was laughed at by adults when speaking at a prior meeting. She questioned if she was treated rudely because she is young, or because she is a Councilman's daughter. When the Mayor's daughter was injured, her family showed concern. But at the last meeting the Mayor did not stop the laughter. The Mayor's supporters object to how Luke Slott was treated last year. A Council candidate in the audience made fun of her at last meeting. She asked why are these people less accountable. A woman spoke at last meeting and said that the Mayor is smart and she made a reference about the Council. She said that the Mayor's supporters should sit down with these men. These words hurt the families of these men. She took issue with these people attacking her father. They have accused him of abuse and she has defended her father. She is not discouraged by the political process. Residents approach the Council with legitimate concerns but they are overshadowed by the Mayor's supporters. One should not place opponents in a negative light. People, she said, have had enough. There is a reason the people in the back row are not sitting on the dais. Because she is eighteen, she does have a voice. She is the future of West Milford. People should think about where they will be in ten years and they should think about the future of West Milford.

Wayne Gottlieb, 20 South Ridgefield Road, West Milford stated that he is speaking as a private citizen and not a BOE member. He did intend to speak about solar panels but has found tonight's performance to be a doozy. This is a scripted performance with one purpose; to drag the BOE into town politics. If the Township has a formal proposal about anything, SROs, solar panels etc. come to the Board. There have been comments made that various members of the BOE are opposed to SROs. This is not true. Some were concerned about the removal of SROs in past and they want questions answered. He welcomes a discussion about SROs because there are questions to be answered. He also welcomes discussion about solar panels. There were accusations tonight about the behavior of certain BOE members. However, a member of the BOE talked about contents of executive session before those meeting minutes were released. That is against all the rules. Those members who spoke at the last Council meeting specifically had people step outside the room to ensure that they did not violate the OPMA. If the school wants solar panels in Hillcrest, with a 15 year agreement, he has concerns. What are the risks? Who is taking the risks? Whose return is not guaranteed? What are they at risk for? What about down time if something happens to support panels or roofs? Are there penalties for every day where power is not generated? Can the BOE buy insurance to protect against such losses? If we know the risks we can buy insurance. The cost has to be subtracted from the estimated savings. What happens if you want to sell the building or want out? There will be a price for that. That could happen at Hillcrest. There are many fascinating questions that he would like to raise about solar panels at Hillcrest. We should think about these things before rushing into anything.

Doris Aaronson, 19 Bearfort Road, West Milford reminded the Council that she and Mrs. Lichtenberg are waiting to be appointed to the board of health. She reviewed her resume and related experiences. She said that Marilyn Lichtenberg has an extensive background and she reviewed Mrs. Lichtenberg's qualifications and her volunteer efforts. She stated that she is disappointed that there has been no action or explanation. She read a letter from Carl Richko about the MUA stating that she is disappointed the Bald Eagle Village sewerage flowed into Pinecliff Lake again this past weekend. No cleanup was done. Bales of hay were laid out again. She explained the impact on the lake advising that there is a cost to residents and the environment.

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

Moved: Weisbecker Seconded: Ramaglia
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. VI

Council Comments

Councilman Ramaglia stated that he did request to lower the speed limit on Union Valley Road and there will be further discussions with the County Engineer.

Mr. Semrau stated that at the last few meetings a number of inquiries have been made about decorum. During the public portion of the meeting, members of the public have the floor. He stated that he is proud that West Milford has always handled this properly. The Governing Body does not have the floor during

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this time and they should not interrupt the public. At the beginning of each meeting, the Mayor asks for decorum. The Council does not have the right to ask people to stop speaking on subject matters that are of importance to them. He read from a court case which affirmed this protocol. During public comments, the public has right to say anything they wish to say. Over the years, there have been spirited meetings in West Milford. By the same token, it is fair that when the public is speaking, those speaking should please keep in mind that it is a public, permanent record. Sometimes the discussion is leveled against individuals. These people are also residents, with families who live in town. He knows many of the people who are mentioned individually. For example, Carmen Scangarello. When discussing a person's employment, he urged people to remember that these people also live in town. When he was sworn in 2008, former Councilmembers Warden & Scangarello held the bible. During their respective terms on Council, he enjoyed working with both of them. When you say certain things you can hurt the people being named and from where he sits he asked that people use caution.

Councilman Jurkovic gave kudos to the Eagle Scouts and he recalled his first Boy Scout camping trip with his son. He commended Gary Oppenheimer on his work with Ample Harvest noting that he took a small idea and ran with it. Urged people to vote as requested. Mr. Oppenheimer has done a fabulous job and deserves the kudos. There was a question about the \$20 million relative to the MUA and it is his understanding is that this figure emanates from a discussion with the auditor of the MUA about financing within the last 6 months when they were discussing the Awosting facility that cost \$5 million. They talked about how to finance other projects. The auditor threw out the \$20 million number. What he was getting at is that even at that number the MUA would not be able to bond alone. They would need the Township to guarantee that money. That's all he knows. He said he understands what Mr. Semrau is saying about decorum. However, it is over the top. It is one thing to attack someone for things done or said. But now people are being attacked on innuendo alone. One of those people is Carmen Scangarello. The man got laid off. We should feel sorry for someone like that. He has a family. He got slandered. The Mayor sent a letter to the Governor accusing him of everything under the sun. Councilman Jurkovic stated that he has a letter from PVSC dated August 16, 2011 confirming that Carmen Scangarello was terminated at will from the PVSC in accordance with the law. It said that he was terminated as a result of restructuring of the PVSC and not for cause or disciplinary action. Mr. Scangarello's termination was not related to allegations against other PVSC personnel. He had been employed at the PVSC for 15 years and 3 months. This man has been slandered for the past four months as a result of letter sent to the Governor. To accuse a man of corruption because he got laid off is disgraceful. People should be ashamed. Now everyone is on notice. There is now proof that the man was just laid off. He warned everyone to be careful of making accusations.

Councilman Weisbecker stated that he will be discussing what will be happening with EPA and federal officials in relation to the MUA and all the details will be in his report. He congratulated Gary Oppenheimer for a great job. He stated that it would seem as if this Council has suddenly become so powerful in West Milford that they control everything even the BOE. However, the Council only appropriates funding as necessary. It is up to the Mayor to discuss personnel issues with the BOE. The Council will support the BOE. The Council thinks SROs are a great idea if it can be afforded but it would require additional officers. When Council talked with BOE members in the past it was to discuss funding. He has a problem when non-MUA users attack the Council for the MUA. These people, he said, are not talking, they are attacking. The Council has no ability to address some of these issues. This Council, he said, always listens to residents concerns. He has heard it all. The Council is comprised of volunteers too. They work hard to make things right where they can. If Councilman Jurkovic says he will look into an issue, he will. Ashley Rosone is an amazing young woman to step forward and speak to the Mayor as she did tonight. He berated the public for their reaction. The Council has to endure that. It is not fair; it is not right. The Council works hard and should not be treated so. He thanked Ashley Rosone. He appreciates her words and her speaking in this environment.

Councilman Rosone thanked Mr. Weisbecker for those words. His daughter was extremely upset after the last meeting. She just spoke her mind. The Council members are here to do a job. The residents elect the Council. It is intelligent debate. That is what makes government great and allows us to move forward. This is not the forum for this type of rhetoric. The Council does not shirk their responsibilities. He wants civility and he never expected this type of reaction from the public. It is disheartening. It is about the town. We are all residents. Everyone is working to the best of their ability. He thanked the eagle scouts noting that it is a very enduring process and one that is worth the journey. He stated that he has not received the letter read by Mr. Nolan. He supports SROs and DARE officers if needed and if funding is available. Conversation with BOE is necessary. He is also a concerned parent. It must be debated in the proper forum if funding is available. The security officers in the schools are all retired police officers. They just don't wear a uniform. He urged everyone to get back to the task at hand and stick to the issues. We all have to work as a team.

Councilman Signorino thanked Ashley Rosone for her kind words stating that she is a testament to her upbringing. He is glad that she could speak her mind. Public speaking is a challenge for many and she is to be commended. He congratulated the eagle scouts and said that he attended their ceremonies.

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The videos shown on that evening were touching. West Milford has many eagle scouts who spend several hundred hours on their projects. He commended Gary Oppenheimer for the success of Ample Harvest. He thanked the Township Attorney. He agrees with Fred's comments and appreciates him bringing it up. Being able to speak one's mind makes the USA great.

Council President Smolinski stated that he attended the last MUA meeting with Councilman Ramaglia. At that time, he let the MUA know that communicating with their users is vital and he highly encouraged it. He will give regular reports and updates on how the MUA meetings proceed. He has a meeting set up with legislators and Councilman Weisbecker is working on getting the EPA on board. It is sad the way things progress at these meetings. We forget how the meetings start with our eagle scouts. These young people represent the assets of our Township. He always acknowledges the teams behind the individual scouts. Their parents, siblings, families, scout masters, churches, etc. It takes the entire team to produce these young men. We should take those memories home. He appreciates those who address the Council with respect. He commended Ashley Rosone for speaking as she did about how she feels. It is sad that the meetings have progressed to this level. Mr. Foody behaves at BOE meetings as he did here. From the audience Mr. Foody asked for a point of order. Councilman Smolinski said no. Council President Smolinski asked Mr. Steele where in Robert's Rules it is allowed for people to shout from the back of the room. Mr. Steele said he is happy to respond. Council President Smolinski said that the letter read by Councilman Jurkovic from the PVSC was written by Governor Christie's appointee to run the PVSC. He signed his name to the Carmen Scangarello issue. Freedom of speech is not freedom to slander. The Mayor should be the first one to stand up for that right. Her supporters spew the poison that contaminates these meetings. That is a disservice to the residents of this Township. He questioned how a resident can get official documents such as the one Bob Nolan got before the Council receives a copy. It is sad that the Pequannock River Coalition will not support the Council. His words are supporting Mayor Bieri's resolution. Because of this stance, they are now a political organization. He said that he does not believe that Mr. Kushner has gone to the MUA. It shows the lack of homework done prior to writing this letter. It is sad to have this letter come back that way. It is sad that the public got it before the Council did. Councilman Jurkovic said that there was a reference in that letter that there needs to be oversight. There is a man here in the audience who works for Birdsall Engineering, a firm that has a division that oversees utility operations. We are accepting their testimony as solar engineers. The Birdsall people will tell you about the amount of money that will be necessary and how much has been invested in the MUA. The letter from the Pequannock River shows disrespect. If that is the level of diligence, we should scrutinize them when they come here for something else. Council President Smolinski stated that when Mr. Kushner was here he stopped and talked with the Mayor's supporters in the back of the room.

Mayor Bieri stated that she is thrilled to hear that the BOE supports SROs. Funding is the issue. Nobody ever denied the benefits of SROs. She stated that she appreciates Councilman Weisbecker's comments that the Council is responsible for funding. She and Chief Chiosie have been trying to convey that point since November. It has been said that we should meet with the BOE. Acting Chief Chiosie sat with the Superintendent and offered the ability at some point to provide SROs in school advising him that this is not a funding issue for the BOE as the costs would be borne by the Township and funding would be allocated through the police department. Mr. Conlon said he would happily accept SROs. She stated that she cannot sit with the BOE until SROs are a viable option. She is trying to accomplish that. That was the intent of the discussion on restructuring of the police department. She is thrilled if progress is being made and suggests that Council looks at the proposed restructuring of the police department. Councilman Jurkovic stated that under the FBI-Leeda report there were about six options for structuring. She is gearing toward three of those. He asked that the Mayor let Council know what structure is her ultimate goal. She is not talking about assignment of staffing. She is talking about rank levels, not assignment of duties. That is where the department would be reduced by two officers. The assignment and duties is up to Chief of Police.

Mayor Bieri stated that users and non-users of MUA services are residents of the Township and all are affected by the MUA. There could be many reasons and she listed some. She spoke about statements she made regarding the MUA and noted that the entire town is affected by the MUA. The Pequannock River Coalition is acknowledging what has been stated by the MUA, their letter is not based on innuendo. They did not say it is a financial issue. Residents are asking the Council and MUA to deal with that. She supports the Coalition's right to lobby for that. If the Pequannock River Coalition took a vote to base their comments on documentation obtained from the DEP and if they feel that management is a starting point, that is not a political statement, it is an opinion. The Council invited them into the discussion as outlined in the resolution they adopted and the Coalition gave a response.

She stated that Somerset County went through a competitive process for the solar project. Birdsall applied and DeCotis did too. Both firms have contributed to political entities statewide. This is from a July 2011 newspaper article. She listed their contributions. Donations made by Birdsall Engineering totaling \$669,910 resulted \$70 million in public contracts. DeCotis made contributions of \$200,000 and got \$45.7 million in contracts.

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She stated that it saddens her that people think that they can suppress or negate what the public is saying by alleging that it is political. If you are doing your job, you have a good chance of being elected. Bringing issues to the fore to effectuate change is not political regardless of the heat you take. She commended Ashley Rosone for her courage and her comments. She deserves to be recognized. She thought it inappropriate when people laughed at a prior meeting. She cannot control such laughter. She cannot predict audience responses but she does her best to control it. To have had the inference made that she put on a circus at any meeting is hurtful. The Council has made many comments about hurtful behavior. She does not control what anyone says. She does not know their thought processes. When the BOE members spoke of their own free will it was free speech, when other people speak of their own free will it is said to be political. She appreciates the Attorney's comments. Elected officials need to be able to take the comments made by the public and they should not respond in kind. That needs improvement because they are held to a higher standard. Councilman Weisbecker, took issue stating that when Ashley Rosone spoke at the last meeting the Mayor did nothing when the audience laughed. The Council called her on it and she did nothing.

Councilman Ramaglia asked Mayor Bieri to clarify her comments that the SROs are a zero cost to the BOE. The cost comes out of taxpayer funds. He has a copy of a letter sent out encouraging people to come to the meeting about the MUA. It does get personal when he lives in a development in town and an individual puts his development in the paper. He doesn't need his address in the paper. The line has been crossed on several issues. There are consequences to actions. Councilman Weisbecker recalled that Mayor Bieri said that the MUA should use Kevin Boyle and Bill Wallace to oversee their operations. Where is compensation coming from, he asked. Taxpayers should not pay for MUA users. Mayor Bieri is saying there is no hit to the BOE budget but there is a hit to the municipal budget. Taxpayers pay. Those statements are false. Council President Smolinski stated that Mayor Bieri was reading audit reports about the MUA at the last meeting which were from 2009 when there was a different administrator. The Mayor, he said, did not accept Council's answer that we cannot afford to spend \$8 million to fund two additional officers so she preyed on peoples fears. The Council has a fiscal responsibility to residents. The Mayor sent her memos to the PTOs. Chief Chiosie publicly stated that he is looking for 46 officers with total disregard for taxpayers. From that comment, he takes that to mean that without SROs 44 is fully staffing the police department. His presentation was very confusing. The discussion starts with the Council. He urged everyone to pay attention to the spin that is put onto the issues. "No additional" cost. He urged honesty and sincerity. Council President Smolinski noted that the Mayor's former running mates were the ones who laughed at Ashley Rosone.

Mayor Bieri stated that she has every right to seek input from constituents on any and all matters, including SROs. She does not fill their heads and mouths with words. She takes pride in that. She wants to hear from residents. She stated that she spoke to a PTO person who had expressed concern about SROs. She stated that she had two year's of MUA audits before her at the last meeting ending January 1, 2010 and January 1, 2011 respectively. She stated that just as Joe continues to interrupt the Mayor when she speaks he continuously interrupted Chief Chiosie during his presentation. She agrees that funding for police officers is from the Township budget. In her opinion if having SROs is an integral part of law enforcement there should be no arguing about what pocket the funding comes from. She recalled that when Paul Costello was Chief the Council favored 48 officers. Members of this Council committed to supporting the findings of the FBI-Leeda report and now they will not abide by their word. We have a Chief of Police who is willing to work with 46 officers and put SROs in schools. She has been consistent in asking for a study to ensure that requests for staffing were warranted.

Council President Smolinski stated that there are issues to be faced in 2012 budget and he listed some of those issues. The Council is being responsible in holding off on hiring two new officers.

Gary Steele made a point of order. Mr. Semrau reviewed process. Mr. Steele advised that he wanted to address issues of decorum. Council President Smolinski interrupted and Councilman Weisbecker left the room. Mr. Steele stated that a yellow card was given to Councilman Jurkovic to show that he interrupted someone. Councilman Weisbecker returned.

Mayor Bieri asked for a roll call vote to determine if the Council wishes to hear from Mr. Steele. The Council unanimously voted in opposition to hearing from Mr. Steele at this time.

Agenda No. VII

New Business, Introduction of Ordinances, Resolutions

Agenda No. VII 1

~ Ordinance No. 2011-016 ~

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AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 110, CONSTRUCTION CODES, UNIFORM, SECTION 110-7, ADDITIONAL REQUIREMENTS FOR RESIDENTS OF LAKE COMMUNITIES, OF THE REVISED GENERAL ORDINANCES

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

SECTION 1. Chapter 110, Construction Codes, Uniform, Section 110-7, Additional Requirements for Residents of Lake Communities, of the Revised General Ordinances of the Township of West Milford, is hereby amended and supplemented to read as follows:

“§110-7 Additional Requirements for Properties Located in Lake Communities.

- A. Applicability. All applicants for zoning, building and/or construction permits for a property located within the boundaries of a lake community in the Township of West Milford shall, in addition to the requirements for obtaining zoning, building and/or construction permits through the Township Planning and Building Department (“Department”), and pursuant to the Uniform Construction Code and/or the Land Development Ordinances of the Township of West Milford, provide proof to the Department that they have provided notice to the respective Property Owners Association of the filing of an application for a zoning, building and/or construction permit. For purposes of this Section, “properties within the boundaries of a lake community” shall be defined as those properties (consisting of blocks and lots) contained on the Township’s “Lake Community Master List” which is on file with the Township’s Building Department.
- B. Proof of the notice required by paragraph A., above, shall be the submission of a Lake Communities Release Form signed and dated by the applicant and by an officer of the Property Owners Association for the respective lake community acknowledging receipt of a copy of the application. The applicant shall be responsible to obtain and return the signed Lake Communities Release Form to the Department.
- C. Applications for zoning, building and or construction permits in lake for properties located in lake communities which are not accompanied by the proof of notice required pursuant to paragraphs (A) and (B) of this section will be deemed incomplete and will not be considered until such proof of notice has been provided.
- D. The provisions of subsections (A) and (B) above shall include, but not be limited to, applications for a permit to construct a deck, wall, fence, shed or any other structure or improvement on a lot but shall not otherwise apply to those applications for zoning, building and/or construction permits which do not, in any manner, involve the construction or erection of a structure or improvement or increase the lot coverage or impervious coverage of a lot.
- E. Enforcement. The provisions of this Section shall be enforced by the Township Construction Code Official, the Zoning Official and/or his or her respective designee.
- F. Violations and penalties. Any person or persons, firm, association or corporation violating any of the provisions of this article shall, upon conviction thereof, be subject to the penalties imposed in Chapter 1, Article III, General Penalty, of the Township Code. For the purposes of this Ordinance, failure to provide the required proof of notice for each application for a zoning, building or construction permit for a property subject to the terms of this Ordinance shall be considered a separate offense.” *

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

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 4. This Ordinance may be renumbered for purposes of codification.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Introduced: August 17, 2011

This Ordinance was being introduced tonight. A second reading and public hearing for the Ordinance is set for the Regular Meeting of the Township Council scheduled for September 21, 2011.

Moved: Weisbecker Seconded: Rosone
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. VII 2

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: August 17, 2011
Time of Meeting: 7:30 P.M.
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AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 300, SEWERS, ARTICLE I, INDIVIDUAL SUBSURFACE SEWAGE DISPOSAL SYSTEMS, OF THE REVISED GENERAL ORDINANCES TO ADD ADDITIONAL REQUIREMENTS FOR PROPERTIES LOCATED IN LAKE COMMUNITIES

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

SECTION 1. Chapter 300, Sewers, Article I, Individual Subsurface Sewage Disposal Systems, of the Revised General Ordinances of the Township of West Milford, is hereby amended and supplemented by the addition of a new Section, 300-5A, Additional Requirements for Properties located in Lake Communities, to read as follows:

“§300-5A. Additional Requirements for Properties Located in Lake Communities.

- A. Applicability. All applicants for a permit to construct, alter, repair or replace an individual subsurface sewage disposal system on a property located within the boundaries of a lake community in the Township of West Milford shall, in addition to the requirements of N.J.A.C. 7:9A and the Ordinances of the Township of West Milford, provide proof to the Health Department that notice has been provided to the respective Property Owners Association of the filing of the application. For purposes of this Section, “properties within the boundaries of a lake community” shall be defined as those properties (consisting of blocks and lots) contained on the Township’s “Lake Community Master List” which is on file with the Township’s Building Department.
- B. Proof of the notice required by paragraph A., above, shall be the submission of a Lake Communities Release Form signed and dated by the applicant and by an officer of the Property Owners Association for the respective lake community acknowledging receipt of a copy of the application. The applicant shall be responsible to obtain and return the signed Lake Communities Release Form to the Health Department.
- C. Applications for permits to construct, repair, alter or replace an individual subsurface sewage disposal system for properties located in lake communities which are not accompanied by the proof of notice required pursuant to paragraphs (A) and (B) of this section will be deemed incomplete and will not be considered until such proof of notice has been provided.
- D. Enforcement. The provisions of this Section shall be enforced by the Director of the Health Department and/or his or her respective designee.
- E. Violations and penalties. Any person or persons, firm, association or corporation violating any of the provisions of this article shall, upon conviction thereof, be subject to the penalties imposed in Chapter 1, Article III, General Penalty, of the Township Code. For the purposes of this Ordinance, failure to provide the required proof of notice for each application for a permit for a property subject to the terms of this Ordinance shall be considered a separate offense.” *

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

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 4. This Ordinance may be renumbered for purposes of codification.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Introduced: August 17, 2011

This Ordinance was being introduced tonight. A second reading and public hearing for the Ordinance is set for the Regular Meeting of the Township Council scheduled for September 21, 2011.

Moved: Weisbecker Seconded: Rosone
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
Voted Nay: None.
Motion carried.

Mayor Bieri asked to move all Agenda items numbered VII 3) through VII 16). Councilman Weisbecker asked to have Agenda item VII 4) Resolution 2011-274 moved separately.

Moved: Ramaglia Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Voted Nay: None.
Recuse: Jurkovic recused from Resolution 2011-280 only.
Motion carried.

Agenda No. VII 3

~ Resolution No. 2011-273~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE SUBMITTAL AND ACCEPTANCE OF A GRANT APPLICATION BY THE MUNICIPAL ALLIANCE COMMITTEE FOR SCHOOL AND COMMUNITY BASED DRUG AND ALCOHOL PREVENTION PROGRAMS

WHEREAS, in March 1989, the Governor's Council on Alcoholism and Drug Abuse was established to coordinate all State Departments' efforts with regard to the planning and provision of prevention, education, treatment, research and evaluation serviced for, and public awareness of, alcoholism and drug abuse; and

WHEREAS, in addition, the legislation created an Alliance to Prevent Alcoholism and Drug Abuse, comprised of all the communities in New Jersey, which is dedicated to a comprehensive and coordinated effort against alcoholism and drug abuse by providing funds to member municipal communities to support appropriate county and municipal based alcohol and drug abuse education and public awareness activities.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford will contractually adhere to all conditions and obligations as sub-grantee to the State of New Jersey and the County of Passaic as set forth in the Letter of Agreement between the Governor's Council on Alcoholism and Drug Abuse and Passaic County, for the grant administration of the 2012 Alliance to Prevent Alcoholism and Drug Abuse, for a grant amount of \$40,000.00 from the Governor's Council on Alcoholism and Drug Abuse, with a cash amount of \$10,000.00 which is assumed by CASA, and an in-kind match of \$30,000.00; and

BE IT FURTHER RESOLVED that the Municipal Alliance Chairperson and the Mayor or Township Administrator be and are hereby authorized to execute the proposed application.

Adopted: August 17, 2011

Agenda No. VII 5

~ Resolution No. 2011- 275 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ENDORSING PLEAS TO THE GOVERNOR OF THE STATE OF NEW JERSEY FOR A FLOOD CONTROL MANAGEMENT PLAN FOR THE PASSAIC RIVER BASIN

WHEREAS, the Township of West Milford received a request from the Fairfield Citizens for Flood Control Reform seeking endorsement of their May 25, 2011 letter to Governor Chris Christie; and

WHEREAS, said letter provides a history of the flood issues that have plagued the Passaic River Basin and the escalation of those issues in recent years; and

WHEREAS, the residual effects of flooding in the Passaic River Basin has a direct impact on residents of the Township of West Milford financially, socially and with regard to quality of life.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, and State of New Jersey that they do hereby support the pleas and requests of the Fairfield Citizens for Flood Control Reform, the Little Falls Flood Board, the Pequannock Flood Control Advisory Committee, the residents of Passaic County and all citizens of the state to have the Governor of the State of New Jersey intercede to provide for and fund solutions to the ongoing flood issues that plague the areas in and around the Passaic River Basin.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Governor of the State of New Jersey, Senator Joseph Pennachio; NJ Assemblymen Alex DeCroce and Jay Webber.

Adopted: August 17, 2011

Agenda No. VII 6

~ Resolution No. 2011- 276 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: August 17, 2011
Time of Meeting: 7:30 P.M.
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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING THE 2010 CONTRACT WITH PAUL FERRIERO OF FERRIERO ENGINEERING, INC. FOR WORK ON OPEN SPACE MATTERS TO ALLOW FOR A PAYMENT OF \$900.00 IN EXCESS OF THE PRE-APPROVED NOT TO EXCEED AMOUNT

WHEREAS, by virtue of Resolution 2010-041 adopted on January 1, 2010 the Township Council did authorize the engagement of engineering review of any given property being considered for open space acquisition to be provided by Paul Ferriero of Ferriero Engineering; and

WHEREAS, resolution 2010-041 and the related contract did authorize services in an amount not to exceed \$3,000; and

WHEREAS, the Township Administrator has advised that the Township's needs related to this contract caused the provider to exceed the authorized contractual amount by \$900.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose said funds to be encumbered from Open Space Trust Fund.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that they do hereby authorize the Township Administrator to approve payment of \$900.00 to Paul Ferriero of Ferriero Engineering for Engineering services provided in the 2010 calendar year which amount is in excess of the initially approved contract amount; and

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

This Resolution shall take effect immediately.

Adopted: August 17, 2011

Agenda No. VII 7

~ Resolution No. 2011- 277 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING THE 2011 CONTRACT WITH MIKE BERRY OF MJB SITE DEVELOPMENT CONSULTANTS, INC. FOR WORK ON TAX MAP PROVISION TO INCREASE THE NOT TO EXCEED AMOUNT BY \$3,000

WHEREAS, by virtue of Resolution 2010-046 adopted on January 5, 2011 the Township Council did authorize the engagement of tax map revisions by Mike Berry of MJB Site Development Consultants, Inc.; and

WHEREAS, resolution 2010-046 and the related contract did authorize services in an amount not to exceed \$2,750; and

WHEREAS, the Township Administrator has advised that the Township's needs related to this contract require the provider to exceed the authorized contractual amount by an estimated amount of \$3,000.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose said funds to be encumbered from account number 1-01-20-165-450.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that they do hereby authorize an amendment to the contract awarded to Mike Berry of MJB Site Development Consultants, Inc whereby the not to exceed amount is increased by \$3,000 for the 2011 calendar year; and

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

This Resolution shall take effect immediately.

Adopted: August 17, 2011

Agenda No. VII 8

~ Resolution No. 2011- 278 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: August 17, 2011
Time of Meeting: 7:30 P.M.
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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING THE 2011 CONTRACT WITH FERRAIOLI, WIELKOTZ, CERULLO & CUVA FOR AUDITING AND FINANCIAL CONSULTING SERVICES TO ALLOW FOR ADDITIONAL SERVICES IN EXCESS OF THE PRE-APPROVED NOT TO EXCEED AMOUNT BY \$9,000.00

WHEREAS, by virtue of Resolution 2011-039 adopted on January 5, 2011 the Township Council did authorize the engagement of auditing and financial consulting services to be provided by Ferraioli, Wielkotz, Cerullo & Cuva; and

WHEREAS, resolution 2011-039 and the related contract did authorize services in an amount not to exceed \$50,000; and

WHEREAS, the Township Administrator has advised that the Township's needs related to this contract caused the provider to exceed the authorized contractual amount by \$9,000; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose said funds to be encumbered from various capital ordinances section 20 costs and 1-01-46-886-594 for revaluation.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that they do hereby authorize the Township Administrator to approve payment of \$9,000 to Ferraioli, Wielkotz, Cerullo & Cuva for auditing and financial consulting services provided in the 2011 calendar year which amount is in excess of the initially approved contract amount; and

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

This Resolution shall take effect immediately.

Adopted: August 17, 2011

Agenda No. VII 9

~ Resolution No. 2011- 279 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO FOX ARCHITECTURAL DESIGN FOR THE PERFORMANCE OF ARCHITECTURAL SERVICES – TOWNSHIP MUSEUM IN AN AMOUNT NOT TO EXCEED \$7,200.00

WHEREAS, there exists a need for professional services to be rendered for Architectural Services associated with the West Milford Museum; and

WHEREAS, the Township wishes to retain Fox Architectural Design to provide such professional services regarding the above referenced property and in accordance with its proposal for such services dated March 19, 2010, which has been placed on file with the Office of the Township Clerk; and

WHEREAS, the total amount of the contract shall not exceed \$7,200.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds said funds to be encumbered from account number H-18-56-850-450; and

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

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Fox Architectural Design with offices located at 546 Route 10, Ledgewood, New Jersey, 07852 to provide professional services regarding the performance of Architectural Services associated with the West Milford Museum in an amount not to exceed \$7,200.00, with such funds to be provided by the Heritage Trust Fund, and in accordance with its proposal dated March 19, 2010.
2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person authorized by law to practice a recognized profession.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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3. The total fee authorized for this contract shall not exceed \$7,200.00 without the prior written approval of the Township Council.
5. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: August 17, 2011

Agenda No. VII 10

~ Resolution No. 2011- 280 ~

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY PROVIDING FOR THE ASSIGNMENT OF TAX SALE CERTIFICATE AT PRIVATE SALE – BLOCK 10805, LOT 002

WHEREAS, the Collector of Taxes has reported to the Township Council the offer of Timothy & Lisa Curran to acquire by assignment the following tax lien certificate, held by the Township of West Milford:

Lien Certificate	Date of Sale	Block/Lot	Amount Due
08-088	4/08/08	10805-002	\$ 3,508.68

WHEREAS, the Collector of Taxes did mail such notices and did post such notices as is required by Title 54:5-114, including due publications in the Herald News; and

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

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

Adopted: August 17, 2011

Agenda No. VII 11

~ Resolution No. 2011- 281 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING A CONTRACT THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL CONTRACT #26 FOR BEAM GUIDE RAIL & SAFETY ENDS INSTALLED TO M.L. RUBERTON CONSTRUCTION COMPANY, INC.

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

WHEREAS, the Morris County Cooperative Purchasing Council has awarded Contract #26 Beam Guide Rail & Safety Ends Installed to M.L. Ruberton Construction Company, Inc. and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township Supervising Engineering Aide has reviewed the Morris County Cooperative Purchasing Council's contract and related specifications and has submitted a written recommendation that the Township of West Milford award the contract for Beam Guide Rail & Safety Ends Installed through the Morris County Cooperative Purchasing Council Contract No. 26; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account numbers C-04-11-950-315.

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 to M.L. Ruberton Construction Company, Inc. in a total amount not to exceed \$55,000 for Beam Guide Rail & Safety Ends Installed under the Morris County Cooperative Purchasing Council Contract #26.
2. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: August 17, 2011

Agenda No. VII 12

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
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~ Resolution No. 2011- 282 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CONTRACTS FOR 2011 CRACK SEALANT THROUGH THE MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL CONTRACT 6, CATEGORY E - TO MICRO PAVE SYSTEMS, INC.

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

WHEREAS, the Morris County Cooperative Purchasing Council has awarded Contract #6, Category E, Crack Sealant to Micro Pave Systems, Inc., and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township Supervising Engineering Aide has reviewed the Morris County Cooperative Purchasing Council's contract and related specifications and has submitted a written recommendation that the Township of West Milford award the contract for 2011 Crack Sealing to Micro Pave Systems, Inc. through the Morris County Cooperative Purchasing Council Contract No. 6, Category E; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number C-04-11-950-315.

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 2011 Crack Sealing Contract, Category E, through the Morris County Cooperative Purchasing Council contract #6 Cat. E, to Micro Pave Systems, Inc. in an amount not to exceed \$35,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Township Engineer.

Adopted: August 17, 2011

Agenda No. VII 13

~ Resolution No. 2011- 283 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CONTRACTS FOR 2011 ROAD RESURFACING THROUGH THE MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL CONTRACT 6 - ROAD RESURFACING, CAT. B BITUMINOUS CONCRETE IN PLACE TO TILCON NEW YORK, INC.

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

WHEREAS, the Morris County Cooperative Purchasing Council has awarded Contract #6 Road Resurfacing - Cat. B Bituminous Concrete In Place To Tilcon New York, and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township Supervising Engineering Aide has reviewed the Morris County Cooperative Purchasing Council's contract and related specifications and has submitted a written recommendation that the Township of West Milford award the contract for 2011 Road Resurfacing – for Cat. B bituminous concrete in place to Tilcon New York, Inc. through the Morris County Cooperative Purchasing Council Contract No. 6; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number C-04-07-943-624 - \$6,354.19, C-04-08-943-624 - \$36,452.69 & C-04-09-943-624 - \$392,193.12.

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 2011 Road Resurfacing Contract through the Morris County Cooperative Purchasing Council contract #6 Cat. B Bituminous Concrete in Place to Tilcon New York, Inc. in an amount not to exceed \$435,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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3. This resolution and contract shall be available for public inspection in the office of the Township Engineer.

Adopted: August 17, 2011

Agenda No. VII 14

~ Resolution No. 2011- 284 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF 2 POLICE VEHICLES THROUGH THE MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL, CONTRACT #15-A, TO WARNOCK FLEET

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

WHEREAS, the Morris County Cooperating Purchasing Council has awarded Contract #15A to Warnock Fleet & Leasing, 175 Route 10, East Hanover, NJ 07936, and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40A:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township of West Milford anticipates a need for two Police vehicles; and

WHEREAS, the West Milford Police Chief has reviewed the Morris County Cooperative Purchasing Council's contract and related specifications and has submitted a written recommendation to the Township Administrator that the Township of West Milford purchase two 2011 Ford Crown Victoria police cars in an amount of \$48,338.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number 1-01-25-240-900.

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 Township Police Chief to purchase two police vehicles in an amount not to exceed \$48,338.00 through the Morris County Cooperative Purchasing Council, Contract #15A.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the Office of the Township Engineer.

Adopted: August 17, 2011

Agenda No. VII 15

~ Resolution No. 2011- 285 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A PERSON TO PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-023-003 FROM WINE IN THE WOODS LLC TO SAL FALCIGLIA JR. AS A POCKET LICENSE / NO SITED PREMISES

WHEREAS, an application has been received for a Person to Person transfer of 2011 - 2012 Plenary Retail Consumption License No. 1615-33-023-003 presently held by Wine in the Woods LLC to Sal Falciglia Jr. as a pocket license with no sited premises; and

WHEREAS, the Township Council has conducted a public investigation of the applicant as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980, and

WHEREAS, as a result of that investigation the Township Council has determined the following:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicant has disclosed to the issuing authority the source of all financing obtained in the previous license year (July 1, 2010 - June 30, 2011).

WHEREAS, as a further result of the public investigation and upon the recommendation of the Police Department the Township Council authorizes the pocket license be transferred with conditions as follows:

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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 inspections of premises and satisfactory recommendations from the following departments: Health Department, Fire Department, Building Department and Police Department prior to siting and/or activating the license.

NOW, THEREFORE, BE IT RESOLVED that the application is hereby approved and the Township Clerk is authorized to issue and hold the license certificate for the Mayor and Township Council of the Township of West Milford.

Adopted: August 17, 2011

Agenda No. VII 16

~ Resolution No. 2011- 286 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A PLACE TO PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-003-006 NEW VINELAND CORP. t/a UNCORKED WINES & SPIRITS, 9 MARSHALL HILL ROAD TO 9 MARSHALL HILL ROAD , NO. 5

WHEREAS, an application was received for a Place to Place Transfer of 2011 - 2012 Plenary Retail Consumption License No. 1615-33-003-006 held by New Vineland Corp. located at 9 Marshall Hill Road, West Milford, NJ 07480; and

WHEREAS, the Township Council has conducted a public investigation of the applicant as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980, and

WHEREAS, as a result of that investigation the Township Council has determined the following:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A. B.C. laws and regulations.
3. The applicant has disclosed to the issuing authority the source of all financing obtained in the previous license year (July 1, 2010 - June 30, 2011).

WHEREAS, the recommendations of various Township Officials have been received in the Office of the Township Clerk.

NOW, THEREFORE, BE IT RESOLVED, that the place to place transfer application is hereby approved and the Township Clerk is authorized to endorse the license certificate to the new location at 9 Marshall Hill Road No. 5.

Adopted: August 17, 2011

Agenda No. VII 4

~ Resolution No. 2011- 274~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE MAYOR TO SIGN FOR THE PROJECT AT BLOCK 7903, LOT 13, 1470 UNION VALLEY ROAD IN THE TOWNSHIP OF WEST MILFORD WHICH REQUIRES A TREATMENT WORKS APPLICATION TO THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the Township of West Milford, on behalf of the Library Board of Trustees, is under contract to acquire the property described as Block 7903, Lot 13 and known as 1470 Union Valley Road in the Township of West Milford from the current owner of record, Edna Finn; and

WHEREAS, Ferriero Engineering has made application for the construction of a new septic system for use in a public library with a combined wastewater flow of 1875 gallons per day; and

WHEREAS, the applicant has proposed a reallocation of flows for a facility on Block 7903, Lots 13, 14, 15, & 16 with a combined wastewater flow that exceeds 2000 gallons per day; and

WHEREAS, for all design flows that exceed 2000 gallons per day, the New Jersey Department of Environmental Protection requires a Treatment Works Permit; and

WHEREAS, the applicant for the Treatment Works Approval is the Township of West Milford; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, the Mayor needs to sign the application to the NJDEP; and

WHEREAS, a copy of the application is on file in the West Milford Township Health Department;
and

NOW, THEREFORE, BE IT RESOLVED that the Township of West Milford, County of Passaic, State of New Jersey hereby authorizes the Mayor to sign the Treatment Works Application as submitted for the property known as 1470 Union Valley Road, in the Township of West Milford which is known as Block 7903, Lot 13 with respect to a septic alteration.

Adopted: August 17, 2011

Discussion: Councilman Weisbecker stated that he asked for a report from the Library Board about the new library. He does not remember it ever being provided. He has questions one of which is why are we doing this now and if there is a need. Mr. Boyle stated that there was a meeting a few weeks ago wherein the Township Engineer, Paul Ferriero, made it clear that application to the DEP for development of the site is nearing completion. With that in mind it is necessary to address septic issues to move forward. The process by which these issues are addressed is the submission of a TWA application. It is a procedural requirement at the DEP. If we go for a larger facility we would amend the application. There was not much for the library to report and the DEP has been reviewing this for quite a while. The DEP requires this resolution for every TWA application. Councilman Jurkovic stated that he wants to be confident that the plan can be amended for the building. Is there a specific design for the system or will there be another design required if we change at a later date? Mr. Boyle stated that this is a combined flow. Regardless of future plans, this approval would be for the site. Councilman Jurkovic asked to recognize Andrew Gargano, a Library Board Trustee. Councilman Weisbecker asked if this application will result in a small sewerage plant. Mr. Gargano answered in the negative stating that it is a small septic system on the Finn property. The Township cannot develop anything, a library or a municipal building without this septic on the Finn property. This has been at the DEP for eight months and Mr. Ferriero has been faithfully seeking DEP approval. This will allow us to do whatever we decide to do for this complex. We need the permits from the DEP before coming to update Council on the library project. This is a condition of the closing. Councilman Jurkovic wanted assurances that this will not close doors to development of a municipal building and Mr. Boyle stated that Mr. Ferriero Paul made it clear that this is necessary for any development.

Moved: Weisbecker Seconded: Smolinski
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
Voted Nay: None.
Motion carried.

Consent Agenda

Agenda No. VIII

~ Resolution No. 2011- 287 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PASSAGE OF CONSENT AGENDA

WHEREAS, the Mayor and Township Council of the Township of West Milford has reviewed the Consent Agenda consisting of various proposed Resolutions and Applications.

NOW, THEREFORE, BE IT RESOLVED, that the following Resolutions and Applications on the Consent Agenda are hereby approved:

Resolutions:

- a) **2011-288** – Cancel Taxes
- b) **2011-289** – Cancel Taxes Foreclosures
- c) **2011-290** – Cancel Taxes Unknown
- d) **2011-291** – Cancel Tax Lien Certificates
- e) **2011-292** – Performance Guarantee Partial Refund
- f) **2011-293** – Refund Other Liens
- g) **2011-294** – Refund Overpayments
- h) **2011-295** – Refund Recreation Fees
- i) **2011-296** – Refund Recreation Fees - 2
- j) **2011-297** – Reinstate Taxes

Applications:

- b. **Application** for Off Premise 50/50 Raffle License No. RL2011-27 by the West Milford High School Soccer Booster for November 8, 2011

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- c. **Application** for On Premise 50/50 Raffle License No. RL2011-28 by the West Milford Midget Football Association for September 2, 2011
- d. **Application** for a Petition to Extend Licensed Premises by Peter Anoll, Lakeside Pub for September 3 and 4, 2011.
- e. **Application** for a Petition to Extend Licensed Premises by Tracey Bennett, Big John's Pub for September 5, 2011.

Adopted: August 17, 2011

Moved: Weisbecker Seconded: Rosone
Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
Voted Nay: None.
Motion carried.

The following resolutions were included in the consent agenda:

Agenda No. VIII a

~ Resolution No. 2011- 288 ~

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

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

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

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

BLOCK/LOT	NAME	AMOUNT	YEAR
2410-6	Martin G. Oliver, Sr.	\$5,346.34	2011 Full Year
2410-6	Martin G. Oliver, Sr.	\$2,674.00	2012 First Half
5317-3.12	John & Miriam Miller	\$2,953.25	2011 Full Year
5317-3.12	John & Miriam Miller	\$1,476.00	2012 First Half
10803-1	C. Tremblay & A. Usinwicz	\$5,130.47	2011 Full Year
10803-1	C. Tremblay & A. Usinwicz	\$2,786.00	2012 First Half
11302-13	Margaret Menier	\$3,226.74	2011 Full Year
11302-13	Margaret Meiner	\$1,614.00	2012 First Half
TOTAL		\$25,206.80	

Adopted: August 17, 2011

Agenda No. VIII b

~ Resolution No. 2011- 289 ~

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

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

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

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

REASON: FORECLOSED PROPERTY

BLOCK/LOT	NAME	AMOUNT	YEAR
509-1	Township of West Milford	\$211.89	2011 Full Year
509-1	Township of West Milford	\$106.00	2012 First Half
509-2	Township of West Milford	\$324.06	2011 Full Year
509-2	Township of West Milford	\$162.00	2012 First Half
806-25	Township of West Milford	\$386.38	2011 Full Year
806-25	Township of West Milford	\$194.00	2012 First Half

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BLOCK/LOT	NAME	AMOUNT	YEAR
1612-9	Township of West Milford	\$934.80	2011 Full Year
1612-9	Township of West Milford	\$468.00	2012 First Half
1911-3	Township of West Milford	\$199.42	2011 Full Year
1911-3	Township of West Milford	\$100.00	2012 First Half
2405-15	Township of West Milford	\$155.80	2011 Full Year
2045-15	Township of West Milford	\$78.00	2012 First Half
3609-4	Township of West Milford	\$535.95	2011 Full Year
3609-4	Township of West Milford	\$268.00	2012 First Half
7616-9	Township of West Milford	\$174.50	2011 Full Year
7616-9	Township of West Milford	\$88.00	2012 First Half
12209-1	Township of West Milford	\$118.41	2011 Full Year
12209-1	Township of West Milford	\$60.00	2012 First Half
13805-2	Township of West Milford	\$205.66	2011 Full Year
13805-2	Township of West Milford	\$102.00	2012 First Half
13806-6	Township of West Milford	\$149.57	2011 Full Year
13806-6	Township of West Milford	\$74.00	2012 First Half
13808-14	Township of West Milford	\$99.71	2011 Full Year
13808-14	Township of West Milford	\$50.00	2012 First Half
13812-3	Township of West Milford	\$137.10	2011 Full Year
13812-3	Township of West Milford	\$68.00	2012 First Half
13812-6	Township of West Milford	\$137.10	2011 Full Year
13812-6	Township of West Milford	\$68.00	2012 First Half
14107-2	Township of West Milford	\$87.25	2011 Full Year
14107-2	Township of West Milford	\$44.00	2012 First Half
TOTAL		<u>\$5,787.60</u>	

Adopted: August 17, 2011

Agenda No. VIII c

~ Resolution No. 2011- 290 ~

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

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

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

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

REASON: INACTIVE ACCOUNTS (Unknown)

BLOCK/LOT	NAME	AMOUNT	YEAR
3902-1	Unknown	\$56.09	2011 Full Year
3902-1	Unknown	\$28.00	2012 First Half
6101-28	Unknown	\$243.05	2011 Full Year
6101-28	Unknown	\$122.00	2012 First Half
TOTAL		<u>\$449.14</u>	

Adopted: August 17, 2011

Agenda No. VIII d

~ Resolution No. 2011- 291 ~

A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF TAX LIEN CERTIFICATES

WHEREAS, the Township Tax Collector of the Township of West Milford sold liens to the municipality; and

WHEREAS, as a result of such tax sale, the Tax Collector has issued Tax Lien Certificates with respect to property formerly known as:

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BLOCK & LOT	CERTIFICATE NO.	LIEN AMOUNT
3902-1	98-75	\$683.52
6101-028	89-66	\$4,628.67

WHEREAS, the outstanding lien has been redeemed and the amount has been paid to the Tax Collector to satisfy the obligation; and

WHEREAS, the Tax Collector recommends that these Tax Lien Certificates be executed for cancellation of record and recorded with the Passaic County Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford in the County of Passaic, State of New Jersey that the Mayor is hereby authorized to execute the cancellation of West Milford Tax Lien Certificates and the Township Attorney may then forward same with the Passaic County Clerk for cancellation of record.

Adopted: August 17, 2011

Agenda No. VIII e

~ Resolution No. 2011- 292 ~

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

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

Name & Address	Block & Lot	Amount Refunded	Pg. No.
Vincent Lanza P.O. Box 746 Ringwood, NJ 07456	6002/3	\$250.00	<u>57</u>

Adopted: August 17, 2011

Agenda No. VIII f

~ Resolution No. 2011- 293 ~

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

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

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

Certificate No	Certificate Date	Block/Lot/Qual	Reimbursement Amt	Pay to the Lien Holder
08-090	04/08/2008	11501-028	\$28,925.29	LIEN TIMES LLC 203 STEPHENS ROAD WEST MILFORD, NJ 07480
09-107	03/25/2009	09711-011	\$42,304.10	US BANK CUST FOR CCTS CAPITAL LLC 2 LIBERTY PLACE 50 SOUTH 16 ST. STE 1950 PHILDELPHIA, PA 19102
09-117	03/25/2009	12110-005.01	\$24,832.66	LIEN TIMES LLC 203 STEPHENS ROAD WEST MILFORD, NJ 07480
11-101	04/19/2011	12110-005.02	\$21,782.48	US BANK CUST FOR TOWER DBW 50 SOUTH 16TH ST. STE 1950-TOW PHILADELPHIA, PA 19120

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11-114	04/19/2011	14202-001	\$26,428.83	US BANK CUST FOR TOWER DBW 50 SOUTH 16TH ST. STE 1950-TOW PHILADELPHIA, PA 19120
11-117	04/19/2011	15803-007	\$43,820.40	US BANK - CUST/SASS MUNI VI DTR 2 LIBERTY PLACE 50 SO. 16TH ST. STE 1950 PHILADELPHIA, PA 19102
Total			\$188,093.76	

Adopted: August 17, 2011

Agenda No. VIII g

~ Resolution No. 2011- 294 ~

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

WHEREAS, there appears on the tax records overpayments as shown below; and

WHEREAS, the overpayments were created by reasons stated below and the Collector of Taxes recommends the refund of such overpayments.

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

REASONS:

- | | |
|-------------------------------------|--------------------------|
| 1. Incorrect Payment | 2. Duplicate Payment |
| 3. Senior Citizen/Veteran Deduction | 4. Homestead Rebate |
| 5. Tax Appeal | 6. 100% Disabled Veteran |

Block/Lot	Name	Amount	Year	Reason
2410-6	Martin G. Oliver Sr. 48 Dunham Road Hewitt, NJ 07421	\$2,622.00	2011	6
5317-3.12	John & Miriam Miller 6312 Richmond Road West Milford, NJ 07480	\$724.00	2011	6
7303-2	Joanne J. Lauro 43 Cliff Road West Milford, NJ 07480	\$642.84	2011	1
8901-22	Scott & Joann Ayres 12 Old Hickory Road West Milford, NJ 07480	\$62.59	2011	1
10803-1	C. Tremblay & Usinwicz A. 81 Lindys Drive West Milford, NJ 07480	\$925.78	2011	6
11302-13	Margaret Menier 494 Otterhole Road West Milford, NJ 07480	\$919.18	2011	6
TOTAL		\$5,896.39		

Adopted: August 17, 2011

Agenda No. VIII h

~ Resolution No. 2011- 295 ~

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:

PARTICIPANT	AMOUNT	MADE PAYABLE TO
Swim Team - medical issue Chip	\$80.00	Karen Blumeling, 28 Poplar Grove Terrace West Milford, NJ 07480
Program cancelled-Sciensational Maddox	\$130.00	Justine Maiello 18 Dan Jennings Rd. Oak Ridge, NJ 07438

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Program cancelled-Sciensational Sean	\$130.00	Regan Fagen, 1 Lindy's Drive West Milford, NJ 07480
Conflict in schedule – Golf Camp Lucas	\$109.00	Luisa Mora 18 Lincoln Ave., West Milford, NJ 07480
Program cancelled – Aquasize Linda	\$50.00	Linda Wiggins, 35 Vine St. West Milford, NJ 07480
Parent request – Girl's Fun Camp Gianna	\$150.00	Melissa Hardison, 31 Renault Rd. West Milford, NJ 07480
Parent request – lacrosse camp Emily	\$150.00	Ellen Haid, 49 Bordeaux Terrace West Milford, NJ 07480
Parent request – gymnastics Cassandra	\$85.00	Mary Ruegg, 46 Algonquin Way West Milford, 07480
Office mistake – Tennis camp Benjamin Hajek	\$75.00	Eva Hajek, 41 Melrose Ave. Hewitt, NJ 07421
Medical – baseball camp Ryan	\$159.00	Aimee Thenell 24 Christine Ct., West Milford 07480
Moved to another camp-Tennis Kyle	\$65.00	Donna Bednarski, 573 Snake Den Rd. West Milford, NJ 07480
Gymnastics Camp Tela	\$95.00	Kerry Kunisch, 81 Bergen Drive West Milford, NJ 07480
Golf Marie Parkin	\$119.00	John Parkin, 241 Bearfort Rd West Milford, NJ 07480
Gymnastics camp Erica & Natalie Marzalik	\$46.00	Eileen Marzalik, 62 Lebanon Rd. Hewitt, NJ 07421
Gymnastics camp Riley White	\$85.00	Jenee White, 44 Lone Pine Lane West Milford, NJ 07480
Clay Camp Alix Kruta	\$95.00	Ken Kruta, 247 Bearfort Rd. West Milford, NJ 07480

Adopted: August 17, 2011

Agenda No. VIII I

~ Resolution No. 2011- 296 ~

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:

PARTICIPANT	AMOUNT	MAKE PAYABLE TO
Adeline Durant	38.50	Mary Durant
Shelby Durant	38.50	Mary Durant
Cody Eckhardt	22.50	Stacy Eckhardt
Christopher Elliott	38.50	Patricia Elliott
Matthew Evanchick	30.50	Laurie Evanchick
Victoria Evanchick	30.50	Laurie Evanchick
Gabrielle Farias	38.50	Carrie Farias
Nadia Felipe	30.50	Kathleen Larkin
Kyle Fernley	38.50	Karen Fernley
Rebecca Foody	38.50	Nancy Foody
James Gammon	22.50	Megan Gammon
Petra Gammon	22.50	Megan Gammon
Alexis Gittleman	38.50	David Gittleman
Giancarlo Gomez	38.50	Carolyn Gavett
Melissa Gray	30.50	Claire Gray
Benjamin Gray	30.50	Claire Gray
Mia Harrison	38.50	Mark Harrison
Michael Harrison	38.50	Mark Harrison
Erin Harvey	22.50	Christine Harvey
Jennifer Heisler	35.00	Paul Heisler
Joseph Heisler	30.50	Paul Heisler
Colleen Henaghen	22.50	Mary Henaghen
Erin Henaghen	22.50	Mary Henaghen
Rachel Horvath	30.50	Monica Horvath
Damien Innella	8.00	Elaine Bush
Tiffany Innella	8.00	Elaine Bush

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PARTICIPANT	AMOUNT	MAKE PAYABLE TO
Madison Jaisli	30.50	Jennifer Jaisli
Emma Jaworski	30.50	Helle Jaworski
Daniel Jenkins	38.50	Lisa Jenkins
Hunter Johnson	38.50	Tara Johnson
Catherine Jonas	30.50	Keri Jonas
Dylan Kane	30.50	Mark Kane
Morgan Kuss	30.50	Donna Benovitz
William Kuss	30.50	Donna Benovitz
Harley LaCardo	38.50	Christine LaCardo
Janea Kelty	30.50	Donna Kelty
Brenna Lakardis	38.50	Brid Lakardis
Melissa LaPointe	38.50	Sarah Petersen
Patrick LeBart	38.50	Anne LeBart
Lexie Lewandosky	30.50	Donna Lewandosky
Katie Lewandosky	30.50	Donna Lewandosky
Brian Macarell	38.50	Gailann Macarell
Ben Macarell	38.50	Gailann Macarell
Nathan Malka	35.00	Sue Malka
Benjamin Malka	30.50	Sue Malka
Patrick McCafferty	30.50	Art McCafferty
Madison McIlwrath	38.50	Deidre LaPlaca
Meadow Medina	38.50	Jessica Medina
Zachary Messler	43.00	Howard Messler
Annelise Mirabal	30.50	Anne Marie Mirabal
Jax Mirabal	30.50	Anne Marie Mirabal
Kelsie Murphy	38.50	Joyce Murphy
J. Hunter Muth	38.50	Marion Muth
Kayla Muth	38.50	Marion Muth
Ryann Muth	38.50	Marion Muth
Taylor Nadratowski	38.50	Tina Nadratowski
Alyssa Nadratowski	38.50	Tina Nadratowski
Ben Nager	43.00	Alicia Nager
Brian Nager	38.50	Alicia Nager
Colin Newbury	38.50	Betsy Newbury
Tyler Nicol	30.50	Jill Nicol
Justin Nichols	38.50	Christopher Nichols
Dayna Nichols	43.00	Christopher Nichols
Anatoly Niechwadowicz	22.50	Ann Niechwadowicz
Michael Niechwadowicz	22.50	Ann Niechwadowicz
Connor Partington	30.50	Don Partington
Sean Partington	30.50	Don Partington
Kristian Ricker	38.50	Birgit Schumann
Devon Ricker	38.50	Birgit Schumann
Skyler Ribitzki	38.50	Jessica Ribitzki
Spencer Ribitzki	38.50	Jessica Ribitzki
Rachel Rodrigues	38.50	Brenda Rodrigues
Stephen Rotella	27.00	Laura Rotella
Ariana Roveda	38.50	Monica Murray
Tyler Rubenacker	30.50	Annamarie Rubenacker
Norman Rubinsky	38.50	Deb Rubinsky
Samantha Saggio	38.50	Tricia Saggio
Sean Savona	38.50	Steve Savona
Emily Schwab	43.00	Christine Schwab
Jessica Sconfienza	38.50	Sandra Sconfienza
Jason Seclen	38.50	Alyssa Seclen
Ashley Seclen	38.50	Alyssa Seclen
Kevin Seclen	43.00	Alyssa Seclen
David Shapiro	43.00	David Shapiro
Halie Shuart	38.50	Kelly Shuart
Kaitlyn Shuart	38.50	Kelly Shuart
Alexandra Soare	38.50	Dana Soare
Frances Starace	30.50	Tracey Starace
Courtney Starce	30.50	Tracey Starace
Shayla Stillman	22.50	Jennifer Stillman
Kaden Stillman	30.50	Jennifer Stillman
Jose Suarez	22.50	Jose Suarez

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PARTICIPANT	AMOUNT	MAKE PAYABLE TO
Danny Sullivan	38.50	Jody Sullivan
Bryan Szolusha	30.50	Stephanie Szolusha
Jack Tolnai	38.50	Kimberly Tolnai
Martin Tranes	38.50	Kelly Tranes
Ed Usinowicz	38.50	Vera Usinowicz
Dillon Van Duyne	38.50	Ann Van Duyne
Eileen Van Kirk	22.50	Pat Van Kirk
Angela Vogt	38.50	Laura Vogt
Connor Vogt	38.50	Laura Vogt
Billy Vogt	38.50	Laura Vogt
Jeremy Voice	38.50	Adam Voice
Samantha Voice	38.50	Adam Voice
Sydney Voice	38.50	Adam Voice
Veronika Waltner	38.50	Erica Waltner
Drew Weaver	38.50	Erin Weaver
Emily Weis	22.50	Gary Weis
Camryn Whelan	43.00	Joseph Whelan
Andrew Whelan	38.50	Joseph Whelan
Nicole Willekes	30.50	Anna Willekes
Emily Willekes	35.00	Anna Willekes
Nash Appell	38.50	Kimberly Appell
Izabella Bachmann	30.50	Iris Bachmann
Megan Barnes	38.50	William Barnes
Emma Baumohl	38.50	Maryann Baumohl
Thomas Beninati	30.50	Tracy Benovitz
Rebecca Benowitz	22.50	Abbe Benowitz
Jessica Berlly	30.50	Christine Berlly
Taylor Bishop	30.50	Rita Bishop
Halley Brannigan	38.50	Nicol Ploenes
Paige Brannigan	38.50	Nicol Ploenes
Nicole Brothers	38.50	Doreen Brothers
Johnathan Bush	38.50	Dan Bush
Adam Bush	38.50	Dan Bush
Sidney Calcagno	30.50	Jamie Calcagno
Brianna Cassella	38.50	Cecilia Cassella
Kaitlin Chillemi	38.50	Joanne Chillemi
Jordan Chirichella	38.50	Joseph Chirichella
Dylan Connors	38.50	Jennifer Gormley
Alyssa Connors	43.00	Jennifer Gormley
Abigail Crane	22.50	Laura Crane
Paige Czerepak	38.50	Lisa Czerepak
Sierra Dages	22.50	Cari Dages
Julia Dan	30.50	Simona Dan
Lindsey Davis	30.50	Cynthia Taylor
Ryan Davis	30.50	Cynthia Taylor
Jonathan DeCesare	43.00	Tracy DeCesare
Dylan DeFreese	38.50	Cindy DeFreese
Rachel DeGraaf	22.50	Jennifer DeGraaf
Josh DeGraaf	22.50	Jennifer DeGraaf
Alyssa DeGraaf	22.50	Jennifer DeGraaf
Keith Carpenter	30.50	Mark Carpenter

Adopted: August 17, 2011

Agenda No. VIII j

~ Resolution No. 2011- 297 ~

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

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

WHEREAS, the Collector of Taxes recommends the cancellation of receipt of, and reinstatement of taxes due to reasons stated below.

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

REASON: 1. INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR
11501-1	Ramon & Lisa Gonzalez	\$1,000.00	2011
15401-56	Charles Miller Sr.	\$1998.09	2011
TOTAL		\$2,998.09	

Adopted: August 17, 2011

Agenda No. IX

Approval of Expenditures

~ Resolution No. 2011- 298~

RESOLUTION APPROVING THE PAYMENT OF BILLS

WHEREAS, the Township Treasurer has submitted to the members of the Township Council a report listing individual disbursement checks prepared by his office in payment of amounts due by the Township.

NOW, THEREFORE, BE IT RESOLVED that the Township Treasurer's report of checks prepared by him be approved and issued as follows:

Acct #	Account Name	Amount
1	Current Account	\$168,930.60
2	Reserve Account	6,730.00
3	Animal Control Trust	6,922.75
6	Capital.	4,842.39
7	Grants.	31,614.09
8	Refuse.	4,823.75
9	Refunds.	200,484.15
12	General Ledger.	0.00
16	Heritage Trust.	900.00
14	Open Space Trust	350.00
17	Trust	3,222.60
18	Development Escrow.	3,491.25
19	COAH	24.11
20	Special Reserve	0.00
Total		\$432,335.69
\$Less Refund Resolution		-200,484.15
Actual Bill List		\$231,851.54
Other Pyts		
Total Expenditures		\$231,851.54

Approved: August 17, 2011

Moved: Weisbecker Seconded: Ramaglia
 Voted Aye: Weisbecker, Smolinski, Ramaglia, Rosone, Signorino, Jurkovic.
 Voted Nay: None.
 Abstain: Jurkovic abstained from Mr. Glatt's invoice only.
 Motion carried.

 Agenda No. X

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

Councilman Rosone congratulated the Eagle Scouts again noting that they did a great job! The Greenwood Lake air show is scheduled for next week and volunteers are needed for this event. Volunteers are also needed for ALF which is scheduled for October 8th.

Councilman Signorino stated that most people see the craziness in the federal government especially in recent weeks when there has been a lot of drama. The federal government makes interest on the money they print. Seniors with social security are not getting an increase this year. That super congress,

