
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: August 18, 2010
Time of Meeting: 7:30 P.M.
Minute Page No: Page 1 of 27

The Regular Meeting of the West Milford Township Council was called to order by Mayor Bettina Bieri.

Adequate Notice Statement

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Regular meeting was advertised in the Herald News in its issue of December 20, 2009; and January 10, 2010 copies were provided to the Suburban Trends, the Record, Star Ledger, and Greenwood Lake News and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

Pledge of Allegiance

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

Roll Call

Present: Councilmembers Joseph Smolinski, Michael Ramaglia,
Robert Nolan, Marilyn Lichtenberg, Daniel Jurkovic, Mayor Bettina Bieri.
Absent: Philip Weisbecker.
Also Present: Township Administrator Kevin Boyle, Township Clerk Antoinette Battaglia,
Township Attorney Frederick Semrau

Agenda No. I

Reading of or Approval of Unapproved Minutes

None.

Agenda No. II

Presentations

None.

Proclamations

None.

Agenda No. IV

Unfinished Business, Final Passage of Ordinances

~ Ordinance No. 2010-007 ~

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

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

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

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

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

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

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

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

1. The Sidewalk Easement set forth in the easement of dedication, being part of Block 6303 Lot 18, is hereby accepted as and for a permanent easement.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: August 18, 2010
Time of Meeting: 7:30 P.M.
Minute Page No: Page 2 of 27

2. The Mayor and Township Clerk are hereby authorized to execute said easement and the Township Attorney is authorized and directed to accept the Easement and to record same for the benefit of the Township.
3. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.
4. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.
5. This Ordinance shall take effect after publication and passage according to law.

Introduced: July 21, 2010
Adopted: August 18, 2010
Effective Date: September 7, 2010

Mayor Bieri opened the meeting to the public to speak to this ordinance only.

Jim Novack, Larchmont Drive, West Milford stated that the Township has been working on an ordinance to regulate snow removal from sidewalks for some time now. He stated that there is a bus stop on this sidewalk and he asked who will be responsible to remove the snow from that sidewalk. He stated that most bus shelters are not ADA compliant and he suggested that the Township seek federal grant funding to correct those deficiencies.

There being no further comments from the public, Councilman Ramaglia made a motion, seconded by Councilwoman Lichtenberg, to close the public portion. Motion passed on unanimous roll call vote.

Councilman Ramaglia made a motion to adopt the ordinance.

Moved: Ramaglia Seconded: Nolan
Voted Aye: Smolinski, Ramaglia, Nolan, Lichtenberg, 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.

Walter Garner, Hawthorne stated that he is the Republican candidate for Freeholder and is here tonight to introduce himself to West Milford residents. He was born and raised in Passaic County and knows West Milford to be the jewel of the County. He is familiar with the Highlands Act and wants to work with West Milford officials to exert positive change and control spending. He has promised to work with other Freeholders to control County spending. He is also committed to transparency in government and will work to improve transparency in County matters.

Mark Taylor, 58 D Bunker Hill Road, West Milford stated that the Township will be paying out about a half million dollars for recent retirements in the police department including the chief of police. Many residents object to these payouts for vacation and sick time. Many people question the accuracy of the records used to substantiate such exorbitant payouts. A recent Bergen Record article says that many police chiefs kept their own records. He asked Mr. Boyle to answer these questions and advised that he has tried to elicit responses from the Administrator by email to no avail.

Stephen McCannon, 22 Stainsby Road, West Milford stated that he has noticed that in the back of DPW yard there are many broken down police vehicles. He stated that they could be broken down and sold as scrap metal. This would generate income for the Township and halt the leaking of oil and other fluids from leaking into the ground. He said part of the roof on the salt shed is missing and the money generated from selling the scrap metal could be used to repair that roof. He stated that he saw three Township employees riding today in a pick-up truck. He stated that the law only allows two persons in such vehicles. These employees were painting the word "stop" at various intersections in town and he questioned the need to assign three people to this task.

Ed Rosone, 192 Vreeland Road, West Milford stated that he has been researching ways that the Township could save money on office supplies. He asked why the Township does not use Staples who has the State contract. He has been in touch with the account representative for this district who believes that the Township could realize a cost savings. He asked that the Township Administrator meet with them. Staples is willing to do a cost-free analysis for the municipality of one quarter's expenditures line by line to see where savings can be realized. He listed a number of local agencies who use Staples and he stated that it may be possible to realize savings in the aggregate even though some individual items may be more expensive.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: August 18, 2010
Time of Meeting: 7:30 P.M.
Minute Page No: Page 3 of 27

John Ippoliti, 67 Ridge Road, West Milford expressed concern that the salting and sanding of Township roads often results in the salt being deposited more on lawns than on the actual roadway. He described the process by which three trucks combined plow Ridge Road resulting in gravel being deposited on lawns instead of the road. He suggested that salting and sanding should be handled by one truck spreading it on both sides of the road from the center thus saving time and money. He stated that this would just require a little diligence.

Lou Signorino, 3 Redbarn Lane, West Milford stated that he read in the newspaper last week that Councilman Ramaglia mentioned the possibility of sidewalks on Union Valley Road in the vicinity of Pinecliff Lake. He would like to hear more details about this because it is an example of responsible government. It provides for the safety of residents.

Doris Aaronson, 19 Bearfort Road, West Milford read a letter from Pinecliff Lake trustees to the Council about the sidewalk. Inquiries made at the County would imply that there are plans afoot to install a sidewalk on property that is privately owned by Pinecliff Lake, namely block 7214, lot 4 with frontage on Union Valley Road. The letter indicates that the trustees object to such a sidewalk and they enumerated four reasons in their letter which state their objections. Ms. Aaronson stated that she now wishes to make some personal comments which have not been approved by the Pinecliff Lake trustees. She objected to West Milford Council members initiating such action with the County of Passaic without showing any deference to the Pinecliff Lake Association as is evidenced by the fact that they were not consulted. She objected to comments made by Councilman Ramaglia to the press indicating that the lack of a sidewalk in that area is creating a safety risk for West Milford residents. She questioned the validity of certain statements made to the press. She took issue with Councilman Ramaglia confirming that this matter was broached by Mr. Castranova who serves on the Planning Board. She stated that the matter has not been addressed by the Planning Board. She stated that it is not appropriate for a West Milford Council person to have meetings, conversations and dialogue with all manner of residents and County officials about constructing a sidewalk on Pinecliff Lake Association property without ever consulting the property owners.

Geoffrey Syme, 365 Union Valley Road, West Milford stated that he lives near the intersection of Sussex and Union Valley Road. This is a dangerous intersection and it has been discussed by Council in the past. He asked that this be looked at and that measures be taken to improve safety at this location.

Jim Novack, Larchmont Drive, West Milford suggested that Council review past tapes of Council meetings. After such review he envisions that the Council may want to adopt an ordinance mandating that Council and those running for office attend anger management classes. He asked that the Freeholder candidate visit the bridge on Union Valley Road by the Elks lodge that is a County project that has not been completed and where the work site is a hazard. He stated that the sidewalk by Pinecliff Lake is not going on private property. It is going on a County easement.

Felix Garcia, Wayne stated that he is seeking election to the office of Passaic County Sheriff. He is looking forward to working with West Milford officials.

Gary Steele, North Glenwood Road, West Milford stated that he is here to remind Council about the resolution passed in January seeking no tax increase as a result of the budget process. No budget was ever presented to Council with a zero increase. He suggested having two budgets next year; one with zero increase and one without. That will give residents knowledge about impact of zero increase. He is also here to talk about the artificial turf field. He questioned if the Council researched the product being proposed for installation to ensure that it is lead free. He believes the proposed product is not lead free. He asked that the Council let the public know the research that has been done and the studies reviewed. He urged them to take the time to do the research before proceeding with this project. He is concerned that the Council is protecting a deal rather than doing due diligence. The manufacturer for that product just settled a lawsuit and has agreed to modify their product. It does not appear logical to install a football field during football season. If these questions are not answered, the project most definitely should not be rushed. Each Council person should ask if they would install this project on their own property on top of their private wells. Council should ask why it is illegal to sell this product in California. He reiterated his plea to do due diligence and not rush the project.

Andrew Gargano, 45 Apshawa Crossroad, West Milford stated that on Thursday August 26th there will be a full presentation at the planning board meeting about the proposed artificial turf field. He encouraged everyone with questions and interest to attend. The public will have opportunity to speak at that meeting.

James Foody, 2 Kushaqua Trail North, West Milford Stated that he is speaking as a citizen not as a Board of Education (BOE) member. He voted against the artificial turf field primarily because he does not know what the maintenance costs are. He questioned why we are rushing this project. He stated that there are chemicals and carcinogens in this product. These chemicals will leach out and could leach into the nearby well that serves this and other schools. There should be a stormwater management plan from

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: August 18, 2010
Time of Meeting: 7:30 P.M.
Minute Page No: Page 4 of 27

the DEP with this project. He urged prudence and patience and asked all elected officials to take the time to gather all the information before proceeding. He got a letter from the Environmental Commission that expresses concerns about the product and he urged caution.

Wayne Gotlieb, 20 South Ridgefield Road, West Milford is also speaking as a private citizen. He attended an engineering school but does not have an engineering degree. There is no study that shows that stormwater runoff from artificial fields causes health hazards to water supplies. The proposed site for this field is not located near a stream which is the only type of water supply that could be affected by runoff. He has seen presentations from the contractor hired to install this artificial turf who has committed that their products are lead free. The top of the line products are certified lead free. He applauded Council for picking the best company and asked them to choose the top of the line products.

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

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

Agenda No. VI

Council Comments

Councilman Nolan asked Administrator Boyle to address questions about retirement payouts. He stated that the State is seeking to enact legislation to cap payouts to all public employees. This resulted in increased retirement in police and teacher professions. He has read the information received about the turf field and understands that DT Allen is choosing the product. He will be interested in the presentation being made to the Planning Board. He also questioned the logic of installing the field during football season adding that it is already nearing the end of August and work has not begun. In his opinion, it would be prudent to wait until after football season. To achieve the October 2nd deadline we would have to have everything to fall into place without incident. This requires state permits and our experience working with the state has not created a history of expediency. It would not be good to have seniors on the High School football team and the High School band playing out of town for their last season. It may be best to wait until April.

Council President Smolinski advised that the turf field cannot be installed in springtime. There was a meeting with school officials, Township officials and the project managers and everyone involved in school athletics programs were consulted. It was unanimously agreed that it is best to proceed now. The concerns expressed by the Environmental Commission have been addressed and about 500 towns across the State have installed synthetic fields. The completion date is expected to be October 4, 2010. We can play on the field the next day. There will not be geese on the synthetic field which will have a positive impact on runoff. The High School band is ecstatic about this field. The athletic director is concerned about all the users of the field including the High School band and all uses have been considered. This is an exciting project that will benefit the entire community. On August 26th at the Planning Board there will be a courtesy hearing and he encouraged everyone to attend.

Councilman Nolan stated nobody is opposed to the artificial turf. However, it appears that the project is being rushed. Without permits and all provisions in place, there are concerns about the seniors playing out of town.

Council President Smolinski stated that revisions to legislation authorizing payouts to public officials at retirement is long overdue. He commended Governor Christie for being proactive on this. He stated that he has seen a lot of anger from the dais. The proposed sidewalk project on Union Valley Road was suggested in good faith because it would benefit the community.

Councilman Jurkovic asked Administrator Boyle to pursue the free Staples analysis. He stated that he favors the dual budget suggestion from Mr. Steele because it would be beneficial for the public to see what impact a zero increase budget would have on services. People may favor increased taxes if they knew what the alternative would be. He asked Mr. Semrau if the contract for the artificial field specified the exact product to be used. Mr. Semrau replied that the contract in accordance with the negotiations identified a certain astro-turf product to ensure that that particular product or an equivalent would be used. There was a subsequent meeting as conveyed by Council President Smolinski and ultimately DT Allen selected the field turf and they conveyed the details to the Administrator. All involved parties weighed in and all agreed there was no objection to the product. This was up to the contractor who has to guarantee the project. The township's input is that the work will be reviewed and approved by the Township Engineer, Paul Ferraro who

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: August 18, 2010
Time of Meeting: 7:30 P.M.
Minute Page No: Page 5 of 27

has experience in the area. He will review the plans and he is addressing the lead issue and thus far is satisfied. The zinc issue can be addressed through appropriate stormwater management. Mr. Ferriero will ensure there is proper stormwater management on this project; he will approve this before plans go before the planning board and then he will oversee and approve the project. If he does not approve the project, the funds held in escrow will not be released. Councilman Jurkovic agreed with the Council President and commended the Governor for addressing the practice of allowing payouts upon retirement. These, he said, are longstanding practices and contractual obligations and going forward the state will limit that.

Administrator Boyle stated that the process surrounding the turf field has been handled diligently. He listed all the staff involved in the project both at the school and within the Township. He noted that permits have been applied for and in New Jersey schools are exempt from stormwater permitting requirements. The company will provide certifications that their product is lead free and ultimately the field will be lined for three sports. If the project is delayed until spring there is greater chance of problems and so it was agreed by all involved that it is best to proceed now rather than later. This serves the best interests of the children. Mr. Semrau added that the Township Engineer was not dismissive about concerns expressed but he is confident that these can be addressed in the process. The contract calls for stormwater management despite the fact that schools are exempt.

Mr. Semrau asked that the Freeholder candidate take note of the County's position on the wastewater management plan. He advised that Mayor Bieri has instructed that all employee payouts be reviewed for accuracy before being processed with all those entitled to receive their payouts only after the numbers are confirmed. He and other professionals are researching ADA compliance issues. Councilman Nolan asked who is paying Paul Ferriero for working on the artificial turf field project. Mr. Boyle replied that Township is paying for that as part of the contract for Engineer and he has not requested a contribution from the Board of Education. Councilman Nolan suggested that DT Allen be requested to pay for these services. Mr. Semrau replied that the autonomy may be best and in-house engineering staff will conduct the inspections.

Councilman Ramaglia stated that safety appears to be the theme tonight. He advised that he did not talk speak with Mr. La Place from the County. He went through the West Milford administration who met with County officials as is proper protocol. He did speak to Freeholder Duffy about the sidewalk.

Administrator Boyle advised that the Township is working with the County to replace the salt shed. He does not have any knowledge of the police vehicles questioned during public comments but he is aware that there are five police cars being worked on at the moment. Four of the five will be transitioned into the municipal fleet; one will be disposed of because it is not usable; and there is one that has been totaled and it will be used for parts. He stated that all payouts are based on contractual relationships, ordinances and agreements. He stated that if the Chief of Police retires with over \$200,000 in payouts, it is because he is entitled. He, the Mayor, the department heads sign off on all payouts. At this time, there are few caps on police payouts. All other employees have caps. Councilman Nolan stated that everyone agrees that this needs reform. Sick days are supposed to be used if one is sick. Change is coming but we are stuck with the existing standards.

Agenda No. VII

New Business, Introduction of Ordinances, Resolutions

Agenda VII 1
~ Resolution No. 2010-292 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING MUNICIPAL BUDGET

WHEREAS, the local municipal budget for the year 2010 was approved on May 19, 2010; and,

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of West Milford, Passaic County that the following amendments to the approved budget of 2010 be made:

RECORDED VOTE (Insert Last Names) AYES (Smolinski (Ramaglia (Nolan (Lichtenberg (Jurkovic (NAYES (NONE ABSTAIN (NONE

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of:
 Date of Meeting:
 Time of Meeting:
 Minute Page No:

Township Council Regular
 August 18, 2010
 7:30 P.M.
 Page 6 of 27

	CURRENT FUND BUDGET	FROM	TO
3.	Miscellaneous Revenues - Section A: Local Revenues		
	Licenses:		
	Alcoholic Beverages	16,000.00	16,200.00
	Other	47,000.00	49,200.00
	Fines and Costs - Municipal Court	319,000.00	328,000.00
	Interest and Costs on Taxes	300,000.00	305,380.00
	Interest and Costs on Assessments	35,000.00	37,500.00
	Interest on Investments and Deposits	360,000.00	377,000.00
	Bus Fares	8,000.00	0.00
	Sequential Multiple Analysis Fees	34,000.00	45,500.00
	Total Section A: Local Revenues	1,847,000.00	1,886,780.00
3.	Miscellaneous Revenues - Section B: State Aid Without Offsetting Appropriations Watershed Moratorium Aid	0.00	757,687.00
	Total Section B: State Aid Without Offsetting Appropriations	2,444,572.00	3,202,259.00
3.	Miscellaneous Revenues - Section C: Dedicated Uniform Construction Code Fees Offset with Appropriations		
	Uniform Construction Code Fees	360,000.00	365,000.00
	Total Section C: Dedicated Uniform Construction Code Fees Offset with Appropriations	360,000.00	365,000.00
3.	Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations		
	Public Health Priority Funding / Unappropriated	11,954.00	9,889.00
	Recycling Tonnage Grant	0.00	65,907.95
	Drunk Driving Enforcement Fund – Unappropriated	15,616.00	16,142.49
	Clean Communities Program	43,015.00	57,145.32
	Clean Communities Program – Unappropriated	0.00	20,513.81
	Alcohol Education and Rehabilitation Fund	0.00	789.25
	Small Cities – Unappropriated	0.00	2,380.00
	Domestic Violence Grant	0.00	11,070.61
	Comprehensive Tobacco Control Grant	1,080.00	0.00
	Tobacco Age of Sale Enforcement Grant	0.00	18,436.52
	Pandemic Influenza Preparedness Grant	10,072.00	0.00
	Paris Grant	0.00	9,250.00
	Passaic County – Cultural Heritage Grant	1,550.00	1,000.00
	Urban Mass Transportation Act of 1964		
	State Share	37,667.00	32,014.50
	Federal Share	75,334.00	64,029.00
	Body Armor Grant – Unappropriated	4,652.00	4,748.00
	Recreation Program Trails Grant	15,000.00	5,000.00
	Polling Place Accessibility Grant	34,167.00	0.00
	Obey the Signs or Pay the Fines	4,000.00	0.00
	Stormwater Management Grant	20,619.00	0.00
	Highland Council 2009 Planned Conformance	50,000.00	0.00
	Anjec Water Study Grant	0.00	11,200.00
	Bullet Proof Vest Grant	0.00	28,477.88
	Municipal Alliance Grant	0.00	1,243.00
	NJ Health Officers Grant	0.00	2,488.48
	Click It or Ticket	0.00	2,679.20
	Over the Limit Under Arrest	0.00	8,082.10
	Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services – Public and Private Revenues	420,577.00	468,338.11
3.	Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items		
	Cable TV Franchise Fees	99,000.00	94,000.00
	Interfund – Animal Control	0.00	2,547.50
	Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services – Other Special Items	1,179,017.00	1,176,564.50

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of:
 Date of Meeting:
 Time of Meeting:
 Minute Page No:

Township Council Regular
 August 18, 2010
 7:30 P.M.
 Page 7 of 27

	TOTAL MISCELLANEOUS REVENUES	6,251,166.00	7,098,941.61
4.	Receipts from Delinquent Taxes	1,280,404.00	1,339,000.00
5.	SUBTOTAL GENERAL REVENUES (Items 1, 2, 3 and 4)	9,541,570.00	10,447,941.61
6.	Amount to be Raised by Taxes for Support of Municipal Budget:		
	(A) Local Tax for Municipal Purpose Including Res. for Uncollected Taxes	21,349,124.00	20,103,839.00
	TOTAL AMOUNT TO BE RAISED BY TAXES FOR SUPPORT OF MUNICIPAL BUDGET	21,349,124.00	20,103,839.00
7.	TOTAL GENERAL REVENUES (Items 5 and 6)	30,890,694.00	30,551,780.61
	APPROPRIATIONS		
8.	(A) Operations Within "CAPS"		
	Office of Township Manager Salaries and Wages	344,000.00	338,000.00
	Office of Township Clerk Salaries and Wages	236,000.00	231,000.00
	Division of Treasury Salaries and Wages	210,000.00	153,565.00
	Computerized Data Processing Salaries and Wages	79,000.00	77,500.00
	Division of Tax Collection Salaries and Wages	215,000.00	211,043.00
	Division of Assessment Salaries and Wages	281,000.00	275,606.00
	Division of Engineering Salaries and Wages	496,000.00	456,022.00
	Veterans Bureau Salaries and Wages	750.00	1,500.00
	Historical Preservation Commission Salaries and Wages	800.00	1,600.00
	Other Expenses	300.00	800.00
	Division of Comprehensive Planning Salaries and Wages	253,000.00	173,859.00
	Other Expenses	21,000.00	38,400.00
	Division of Zoning Administration Salaries and Wages	76,000.00	74,543.00
	Division of Administration Police Salaries and Wages	626,650.00	623,294.00
	Fire Prevention Bureau Salaries and Wages	183,000.00	179,584.00
	Division of Streets and Roads Salaries and Wages	1,656,506.00	1,605,630.00
	Division of Public Property Salaries and Wages	97,000.00	95,274.00
	Fleet Maintenance Salaries and Wages	254,000.00	249,251.00
	Division of Health Salaries and Wages	282,000.00	276,359.00
	Division of Environmental Health Salaries and Wages	231,500.00	227,055.00
	Environmental Commission Salaries and Wages	800.00	1,600.00
	Other Expenses	0.00	880.00
	Division of Pound Keeper Salaries and Wages	82,000.00	80,602.00
	Recreation Programs Salaries and Wages	414,000.00	407,035.00
	Department of Recreation Salaries and Wages	180,000.00	176,684.00
	Hillcrest Community Center Salaries and Wages	141,000.00	138,741.00
	Senior Services Salaries and Wages	116,000.00	113,304.00
	Division of Parks Maintenance Salaries and Wages	280,000.00	275,073.00
	Municipal Court Salaries and Wages	318,000.00	312,723.00
	Division of Inspections Salaries and Wages	372,000.00	365,007.00
	Mass Transportations		
	Other Expenses	48,277.00	87,088.00
	TOTAL OPERATIONS (Item 8(A) Within "CAPS")	21,860,977.00	21,614,016.00
	TOTAL OPERATIONS INCLUDING CONTINGENT WITHIN "CAPS"	21,860,977.00	21,614,016.00
	Detail:		
	Salaries and Wages	13,152,340.00	12,847,788.00
	Other Expenses (Including Contingent)	8,708,637.00	8,766,228.00
	(E) Deferred Charges and Statutory Expenditures – Municipal Within "CAPS"		
	Social Security (O.A.S.I.)	731,664.00	658,316.00
	Police and Firemen's Retirement System of NJ		0.00
	TOTAL DEFERRED CHARGES AND STATUTORY EXPENDITURES - MUNICIPAL WITHIN "CAPS"	1,759,806.40	1,686,458.40
	(H-1) TOTAL GENERAL APPROPRIATIONS FOR MUNICIPAL PURPOSES WITHIN "CAPS"	23,620,783.40	23,300,474.40

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of:
 Date of Meeting:
 Time of Meeting:
 Minute Page No:

Township Council Regular
 August 18, 2010
 7:30 P.M.
 Page 8 of 27

8.	(A)	Operations - Excluded from "CAPS"		
		Group Insurance for Employees	171,470.00	121,470.00
		Reserve for Tax Appeal Judgments	20,000.00	9.00
		Total Other Operations Excluded from "CAPS"	2,222,288.60	2,152,297.60
		Public and Private Programs Offset by Revenues		
		Public Health Priority Funding / Unappropriated	11,954.00	9,889.00
		Recycling Tonnage Grant	0.00	65,907.95
		Drunk Driving Enforcement Fund – Unappropriated	15,616.00	16,142.49
		Clean Communities Program	43,015.00	57,145.32
		Clean Communities Program – Unappropriated	0.00	20,513.81
		Alcohol Education and Rehabilitation Fund	0.00	789.25
		Small Cities – Unappropriated	0.00	2,380.00
		Domestic Violence Grant	0.00	11,070.61
		Comprehensive Tobacco Control Grant	1,080.00	0.00
		Tobacco Age of Sale Enforcement Grant	0.00	18,436.52
		Pandemic Influenza Preparedness Grant	10,072.00	0.00
		Paris Grant	0.00	9,250.00
		Passaic County – Cultural Heritage Grant		
		County Share	1,550.00	1,000.00
		Local Share	1,800.00	1,000.00
		Urban Mass Transportation Act of 1964		
		State Share	37,667.00	32,014.50
		Federal Share	75,334.00	64,029.00
		Local Share	37,667.00	32,014.50
		Body Armor Grant – Unappropriated	4,652.00	4,748.00
		Recreation Program Trails Grant		
		State Share	15,000.00	5,000.00
		Local Share	5,000.00	10,000.00
		Polling Place Accessibility Grant	34,167.00	0.00
		Obey the Signs or Pay the Fines	4,000.00	0.00
		Stormwater Management Grant	20,619.00	0.00
		Highland Council 2009 Planned Conformance	50,000.00	0.00
		Anjec Water Study Grant	0.00	11,200.00
		Bullet Proof Vest Grant	0.00	28,477.88
		Municipal Alliance Grant	0.00	1,243.00
		NJ Health Officers Grant	0.00	2,488.48
		Click It or Ticket	0.00	2,679.20
		Over the Limit Under Arrest	0.00	8,082.10
		Matching Funds for Grants		
		Total Public and Private Programs Offset by Revenues	480,494.00	526,802.61
		TOTAL OPERATIONS - EXCLUDED FROM "CAPS"	2,702,782.60	2,679,100.21
		Detail:		
		Other Expenses	2,690,828.60	2,667,146.21
	(H-2)	TOTAL GENERAL APPROPRIATIONS FOR MUNICIPAL PURPOSES EXCLUDED FROM "CAPS"	5,387,065.60	5,363,383.21
	(O)	TOTAL GENERAL APPROPRIATIONS - EXCLUDED FROM "CAPS"	5,387,065.60	5,363,386.21
	(L)	SUBTOTAL GENERAL APPROPRIATIONS (Items (H-1) and (O))	29,007,849.00	28,663,857.61
	(M)	Reserve for Uncollected Taxes	1,882,845.00	1,887,923.00
9.		TOTAL GENERAL APPROPRIATIONS	30,890,694.00	30,551,780.61

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the 2010 Local Municipal Budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A:4-9, was published in the Herald News, in the issue of August 15, 2010 and that said publication contained notification of public hearing on said amendment to be held at the Municipal Building on August 18, 2010 at 7:30 o'clock p.m.

IT IS HEREBY CERTIFIED that the Amended Budget hereto and hereby made a part hereof is a true copy of the Amended Budget approved by resolution of the Governing Body on the 18th day of August, 2010.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
 Date of Meeting: August 18, 2010
 Time of Meeting: 7:30 P.M.
 Minute Page No: Page 9 of 27

Adopted: August 18, 2010

Mayor Bieri opened the meeting to the public to speak on the budget amendments only. There being no comments from the public, Councilman Nolan made a motion, seconded by Councilwoman Lichtenberg, and carried by unanimous roll call vote to close the public portion.

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

Agenda No. VII 2
 ~ Resolution No. 2010-293A~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD AUTHORIZING THE ADOPTION OF THE 2010 MUNICIPAL BUDGET AS AMENDED

SECTION 2 - UPON ADOPTION FOR YEAR 2010
 (Only to be included in the Budget as Finally Adopted)

Be It Resolved by the Township Council of the Township of West Milford of the County of Passaic that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$20,103,839.00 (Item 2 below) for municipal purposes; and
- (b) \$0.00 (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation; and
- (c) _____ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18:9-3) and the certification to the County Board of Taxation of the following summary of general revenues and appropriations.

RECORDED VOTE (Insert Last name)	Ayes	{ { { Smolinski { Ramaglia { Nolan { Lichtenberg {	Nays	{ { { Jurkovic { { Absent {	Abstained	{ { { { { {	None	{ { { { { Weisbecker
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SUMMARY OF REVENUES

1.	General Revenues		
	Surplus Anticipated	08-100	2,010,000.00
	Miscellaneous Revenues Anticipated	40004-10	7,098,941.61
	Receipts from Delinquent Taxes	15-499	1,339,000.00
2.	AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	07-190	20,103,839.00
3.	AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:		
	Item 6, Sheet 42	07-195	
	Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	
	Total Amount to be Raised by Taxation for Schools in Type I School Districts Only		20,103,839.00
4.	To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:		
	Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	
	Total Revenues	40000-00	30,551,780.61

Sheet 41

SUMMARY OF APPROPRIATIONS

5.	GENERAL APPROPRIATIONS:	xxxxxx	xxxxxxxxxxxxxx
	Within "CAPS"	xxxxxxx	xxxxxxxxxxxxxx
	(a&b) Operations Including Contingent	30001-00	21,614,016.00
	(e) Deferred Charges and Statutory Expenditures – Municipal	30004-00	1,686,458.40
	(g) Cash Deficit	46-885	

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of:
 Date of Meeting:
 Time of Meeting:
 Minute Page No:

Township Council Regular
 August 18, 2010
 7:30 P.M.
 Page 10 of 27

Excluded from "CAPS"		xxxxxxx	xxxxxxxxxxxxxxxxxxx
(a)	Operations - Total Operations Excluded from "CAPS"	60023-00	2,679,100.21
(c)	Capital Improvements	60002-00	189,495.00
(d)	Municipal Debt Service	60003-00	2,427,243.00
(e)	Deferred Charges – Municipal	60024-00	43,185.00
(f)	Judgements	37-480	
(n)	Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40A:48-17.1 & 17.3)	29-405	
(g)	Cash Deficit	46-885	
(k)	For Local District School Purposes	60008-00	
(m)	Reserve for Uncollected Taxes (Include Other Reserves if any)	50-899	1,887,923.00
6.	SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S.A. 40A:4-13)	60010-00	
Total Appropriations		30000-00	30,527,420.61

Sheet 42

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 18th day of August 2010. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2010 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Adopted: August 18, 2010

Discussion: Councilman Nolan stated that the cost for retirements in this budget is over \$5 million or 16% of the total budget. He asked Mr. Boyle about the recycling tonnage grant on page 9 and Mr. Boyle reviewed the process by which this grant is monitored and overseen by the State. He stated that in this budget cycle the Township is receiving payment for tonnage documented in 2008. Councilman Nolan encouraged residents to recycle so that the Township can continue to receive these funds. Discussion ensued about payments for public defenders and funding LOSAP. Mr. Boyle advised that the monies appropriated in the capital budget for fire equipment is intended for the purchase of a fire tanker. Mayor Bieri stated that there is currently a hiring freeze in the Township and all non-safety employees are subject to a four-day furlough. At this time, the Township does not anticipate laying any employee off. In response to Councilman Ramaglia’s query, Administrator Boyle advised that the Township is funding three persons in the Engineering Department. He is currently interviewing engineering firms and is confident that the cost will remain low. He stated that he has authorized the hiring of a new police officer in the Police Department and that new person will begin employment in September. He stated that the reserve accounts for payouts along with remaining payroll balances in the Police Department budget is covering the cost of the payouts associated with the recent spate of retirements in that department. He reviewed the current structure in the department and stated that further changes may be warranted after review of the FBI-Leeda study. Councilman Ramaglia stated that he is concerned about communications especially when he learns that decisions are being made without any notification to the Council. Council President Smolinski stated that he received an email about meeting with the PBA. In an effort to ease the transition in the police department, he made several attempts to be in attendance regarding promotional and staffing issues. His requests for this level of participation were ignored which was upsetting because he thought it would be good to work together on these matters as a team. He believes that no one person should have as much power as the Mayor is given in these matters. He believes that the Mayor should have displayed common courtesy and included him in the process as Council President. He stated that he understands that the Police Department is in a shambles and he referred to an email received by the Council commenting on the selection process and indicating that the Mayor’s actions are improper. He was hoping to avoid such a situation. The promotions made include salary increases and the Council is being asked to provide that funding without receiving the pertinent information.

Mayor Bieri stated that she has not made any changes in the Police Department that will affect appropriations made in the 2010 budget. She followed the existing rank structure as recommended by both the outgoing Chief and the outgoing Captain. All persons who retired did so voluntarily. Council President Smolinski stated that the changes made have cost the Township approximately \$175,000 in his opinion. He asked when the Council will be reviewing the FBI-Leeda report. Mayor Bieri stated that the report was received after the last Council meeting and she expressed confidence that the Administrator plans to schedule it for an upcoming workshop meeting in accordance wit protocol. Councilman Ramaglia stated that he would like to see this matter discussed at a special meeting dedicated to reviewing the report. Council President Smolinski stated that it would have been courteous of the Mayor to communicate with the Council.

Council President Smolinski stated that in interviewing for a new CFO he learned that one municipality is applying their watershed aid to the 2011 budget rather than appropriating it in 2010. Mr. Boyle advised

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
 Date of Meeting: August 18, 2010
 Time of Meeting: 7:30 P.M.
 Minute Page No: Page 11 of 27

that the municipality in question is receiving significantly less aid than West Milford. Councilman Nolan stated that the budget reflects a \$90 increase to the average household when one combines the municipal and solid waste budgets. He stated that the municipal budget generated an increase while there was a decrease in the solid waste budget. He stated that he was not happy with the budget process especially meetings that were particularly and unnecessarily contentious. It often appeared that the intent was to hit a number rather than focusing on services versus costs. Council President Smolinski stated that the Council put a lot of work into the budget and he asked Mr. Boyle to advise as to the services being cut this year. Mr. Boyle stated that the annual fireworks display will now be taken over by the PAL and certain recreation programs have been cut. Otherwise, no other services have been reduced. He expressed concern for next year anticipating that services may be affected in the next budget cycle. He thanked Art Magnotti, the CFO, and his staff for their hard work on this budget. He stated that surplus has been depleted in this process which will make it more difficult in the future.

Mayor Bieri stated that initially this budget funded 48 people in the police department. Two weeks ago we had 39 officers, no chief and one captain. The FBI-Leeda report was received two weeks ago. Recognizing the need for structure and a proper chain of command in the police department she has appointed an acting chief and an acting captain. These appointments are based on the recommendation of the exiting chief and the acting captain. Acting Chief Chiose, appointed because he is the highest ranking officer in the department has agreed to serve initially at a captains rate of pay. She stated that these appointments are temporary based solely on the existing rank structure and DOP seniority guidelines. There is no increased cost to the municipality.

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

~ Resolution No. 2010-293B ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD AUTHORIZING THE ADOPTION OF THE 2010 MUNICIPAL SOLID WASTE BUDGET AS AMENDED

**SECTION 2 - UPON ADOPTION FOR YEAR 2010
 (Only to be included in the Budget as Finally Adopted)**

Be It Resolved by the Governing Body of the Township of West Milford, County of Passaic that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a) \$ 1,906,376.00 (Item 2 below) for amount to be raised by taxation for Solid Waste Collection District.

RECORDED VOTE (Insert Last name)	Ayes	{ Smolinski	Nays	{	Abstained	{		
		{ Ramaglia					{	None
		{ Nolan						
		{ Lichtenberg						
		{ Jurkovic						
{								
				{	Absent	{ Weisbecker		
				{				

SUMMARY OF REVENUES and APPROPRIATIONS

1.	General Revenues		
	Surplus Anticipated		47,394.00
	Miscellaneous Revenues Anticipated		144,176.00
2.	AMOUNT TO BE RAISED BY TAXATION FOR SOLID WASTE COLLECTION DISTRICT		1,906,376.00
	TOTAL REVENUES		2,097,946.00
3.	General Appropriations		
	Operations		2,097,946.00
	Deferred Charges		
	Statutory Expenditures		
	Judgement		
	Deficit in Operations in Prior Years		
	Surplus (General Budget)		
	TOTAL APPROPRIATIONS		2,097,946.00

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: August 18, 2010
Time of Meeting: 7:30 P.M.
Minute Page No: Page 13 of 27

Voted Nay: Jurkovic.
Motion carried.

Agenda No. VII 5

~ Resolution No. 2010-295 ~

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, AUTHORIZING THE INTENT TO APPROPRIATE FUNDS OR BONDS TO SATISFY THE OBJECTIVES OF THE TOWNSHIP'S THIRD ROUND FAIR SHARE PLAN IN THE EVENT OF A FUNDING SHORTFALL

WHEREAS, the Township of West Milford, Passaic County has petitioned the Council on Affordable Housing (COAH) for substantive certification of its adopted Housing Element and Fair Share Plan; and

WHEREAS, the plan submitted to COAH allocates funds for: 1) Accessory apartment program; and 2) Municipally sponsored/100% affordable program; 3) Housing rehabilitation program

WHEREAS, the Township of West Milford anticipates that funding will come from the following sources to satisfy these obligations: 1) Developer Fee Ordinance; 2) New Jersey Balanced Housing funds; 3) HMFA bond financing; and 4) Federal Low Income Housing Tax Credits; 5) Passaic County Department of Community Development program; and

WHEREAS, in the event that the above funding sources prove inadequate to complete the affordable housing programs included in West Milford's COAH-certified Housing Element and Fair Share Plan, West Milford, at the insistence of COAH in order to have its petition for substantive certification deemed complete does agree to provide sufficient funding to address any shortfalls, notwithstanding the clear language set forth in the New Jersey Fair Housing Act at (N.J.S.A. 52:27d-311), "Provision of fair share by municipality" subsection 11.a (9), which reads as follows :

11.a (9) Nothing in P.L. 1985, c.222 (C.52:27D-301 et al.) shall require a municipality to raise or expend municipal revenues in order to provide low and moderate income housing.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Milford, Passaic County, State of New Jersey, that the Township Council does hereby agree to appropriate funds or authorize the issuance of debt to fund any shortfall in its affordable housing program that may arise whether due to inadequate funding from other sources or for any other reason; and

BE IT FURTHER RESOLVED that, upon written notification by COAH after a finding that inadequate funding exists to complete the affordable housing programs included in West Milford's COAH-certified Housing Element and Fair Share Plan, West Milford agrees to appropriate funds or authorize the issuance of debt within 90 days of written notification by COAH; and

BE IT FURTHER RESOLVED that West Milford may repay debt through future collections of development fees, as such funds become available.

Adopted: August 18, 2010

Discussion: Councilman Jurkovic stated that this resolution and the wording are ridiculous. West Milford, at the insistence of COAH, in order to have its petition for substantive certification complete a resolution must be adopted despite the fact that the legislation clearly states that nothing contained therein shall compel a municipality to expend municipal funds in order to provide low income and moderate housing. The statute clearly states that municipalities do not have to do this yet COAH is specifically imposing this obligation on a Township that has no ability to build or generate revenue by virtue of the Highlands Act. He questioned how the machine in Trenton can do this to the taxpayers. There must be a better way than to have West Milford taxpayers support the State's desire for affordable housing. They prohibit building in this town yet want our taxpayers to pay for affordable housing. This is government extortion. Mr. Semrau agreed adding that Mr. McGroarty deliberately did not include this resolution in his submission. However, COAH came back and said it is a mandatory part of the application. However, if there was a shortage of affordable housing the Governing Body is not compelled to actually fund this. This resolution does not bind future Councils to funding COAH obligations.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: August 18, 2010
Time of Meeting: 7:30 P.M.
Minute Page No: Page 14 of 27

Agenda No. VII 6
~ Resolution No. 2010-296 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE MUNICIPAL CLERK TO RELEASE EXECUTIVE SESSION MINUTES IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT

WHEREAS, the Open Public Meetings Act calls for the production of minutes from Executive Sessions and provides for said minutes to remain privileged communications - confidential until such time that same, pursuant to law, shall be released to the public; and

WHEREAS, the Mayor and Township Council periodically review and approve Executive Session minutes as to their completeness; and

WHEREAS, subsequent to said approval, minutes may become available to the public.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that the Municipal Clerk shall have the authority to release Executive Session minutes to the public upon request after consultation with the Municipal Attorney and it is determined that the specific Executive Session minutes in accordance with the law be released to the public.

BE IT FURTHER RESOLVED that this Resolution shall be considered on an annual basis at the reorganization meeting of the Mayor and Council.

Adopted: August 18, 2010

Agenda No. VII 7

~ Resolution No. 2010-297 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF A DONATION OF A VEHICLE FROM THE BOROUGH OF POMPTON LAKES

WHEREAS, the Borough of Pompton Lakes is in possession and no longer is in need of a 2004 Ford 4-door vehicle, VIN number ending in X1134 13; and

WHEREAS, the Borough of Pompton Lakes has offered to donate this vehicle to the Township of West Milford in exchange for the sum of \$1; and

WHEREAS, the Township of West Milford has a need for such a vehicle for use by Fire Company No. 4 who shall return the Township vehicle currently assigned them.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic and State of New Jersey that they hereby accept the donation of the used vehicle ending with VIN X1134 13 from the Borough of Pompton Lakes on behalf of the Township; and

BE IT FURTHER RESOLVED that the Township Council of the Township of West Milford, County of Passaic and State of New Jersey authorizes the Township Administrator to sign any necessary transfer of title documents from the Borough of Pompton Lakes to the Township of West Milford; and

BE IT FURTHER RESOLVED that the Township Administrator communicate to the Borough of Pompton Lakes of the Township's appreciation for the donation of used vehicle for fire department use.

This Resolution shall take effect immediately.

Adopted: August 18, 2010

Agenda No. VII 8

~ Resolution No. 2010-298 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY CALLING ON THE STATE LEGISLATURE AND THE GOVERNOR TO ENACT PROPERTY TAX REFORM WITH PASSAGE OF THE "MUNICIPAL TOOLKIT" AND MANDATES RELIEF

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: August 18, 2010
Time of Meeting: 7:30 P.M.
Minute Page No: Page 15 of 27

WHEREAS, difficult times demand difficult choices, and facing an unprecedented revenue gap this year, Governor Christie introduced, and the Legislature passed, a budget that cut municipal property tax relief funding by about \$450 million from last year's already reduced totals; and

WHEREAS, realizing that a 20% cut in revenue replacement funding, instead of the statutorily required increase, would present a serious challenge to local budget makers, Governor Christie intended to provide local officials with meaningful tools to limit the otherwise devastating impact of the cuts; and

WHEREAS, the Governor's "Tool Kit to Meet Today's Fiscal Challenges" was supposed to accomplish six objectives: collective bargaining reform; pension and benefits reform; civil service reform; management reform; a constitutional cap on increases in spending for direct State government services; and a constitutional cap on property tax increases; and

WHEREAS, Governor Christie and the State Legislature have agreed on and enacted a 2% statutory cap for annual property tax levy increases; and

WHEREAS, the Governor was correct when he said, "New caps without the toolkit are unworkable"; and

WHEREAS, with the cuts assured in the State's new budget and with bi-partisan agreement reached on new property tax caps, New Jersey Mayors, from municipalities large and small, from all around our Garden State, will wait for Trenton policy makers to enact meaningful local government cost containment reforms.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of West Milford, County of Passaic and State of New Jersey calls for immediate passage of the "Toolkit" reforms and mandates relief, including, but not limited to, interest arbitration reform, civil service reforms, public employee pension and benefits, disciplinary procedures, school and special district elections, reforms to the Fair Housing Act and the Council on Affordable Housing and mandates relief; and

BE IT FURTHER RESOLVED, that statutory arbitration reforms must limit the full economic impact of awards to conform to the 2% cap; and

BE IT FURTHER RESOLVED, that statutory health benefit reforms must conform future health benefit costs to the 2% cap; and

BE IT FURTHER RESOLVED, that municipal revenues, such as the Energy Tax, which are now collected by and diverted to the State, but which are legally intended for municipal property tax relief, must be constitutionally dedicated for their original purpose, or in the alternative, those taxes should be reformed to allow collection directly by municipalities; and

BE IT FURTHER RESOLVED, that the Administration and Legislature must advance immediate mandates relief initiatives to assist municipalities in managing within the 2% cap; and

BE IT FURTHER RESOLVED, that the Administration and Legislature must advance reforms to the Fair Housing Act and the Council on Affordable Housing (COAH); and

BE IT FURTHER RESOLVED, that a cap exception for the costs associated with tax appeals should be included, and costs mandated by the Administrative Office of the Courts (AOC) should be excepted from the 2% cap or the costs of new AOC mandates should be capped at 2%; and

BE IT FURTHER RESOLVED, that Watershed municipalities must have equity and therefore such Watershed communities shall continue to receive Watershed Aid to assist them in protecting such lands and sustain the goals of the Governor's Toolkit and such funding shall be from a dedicated fund; and

BE IT FURTHER RESOLVED, that Highlands communities shall be relieved from Affordable Housing obligations since the Highlands Act precludes high density development and such housing obligations are onerous to Highlands communities; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to Governor Christopher Christie, Senate President Stephen Sweeney, Assembly Speaker Sheila Oliver, our State Senator, both Representatives in the General Assembly and to the New Jersey League of Municipalities.

Adopted: August 18, 2010

Discussion: Council President Smolinski asked Mayor Bieri to express an opinion on the governor's toolkit. Mayor Bieri stated that she believes in the goals of the 2% CAP but she agrees with the New

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: August 18, 2010
Time of Meeting: 7:30 P.M.
Minute Page No: Page 16 of 27

Jersey League of Municipalities' position that it will be impossible to meet those goals without the proper toolkit in place. She supports the toolkit as amended by this Council.

Agenda No. VII 9

~ Resolution No. 2010-299 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ADOPTING THE PASSAIC COUNTY, NEW JERSEY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

WHEREAS the Township of West Milford is vulnerable to damages from hazard events which pose a threat to public health and safety and could result in property loss and economic hardship;

WHEREAS a Multi-Jurisdictional Hazard Mitigation Plan (the Plan) has been developed through the work of the Passaic County Office of Emergency Management and interested parties within the Township of West Milford;

WHEREAS the Plan recommends hazard mitigation actions that will: protect people and property within the Township of West Milford potentially affected by hazards; reduce future public, private, community, and personal costs of disaster response and recovery; and reinforce the Township of West Milford's leadership in emergency preparedness efforts;

WHEREAS the Disaster Mitigation Act of 2000 (P.L. 106-390) (DMA 2000) and associated Federal regulations published under 44 CFR Part 201 require the Township of West Milford to formally adopt a Hazard Mitigation Plan subject to the approval of the Federal Emergency Management Agency to be eligible for federal funds for hazard mitigation projects and activities;

WHEREAS public meetings were held at the Passaic County Safety Academy and hosted by the Passaic County Office of Emergency Management to receive comments on the Plan as required by the Federal Disaster Mitigation Act (FDMA) 2000;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of West Milford:

1. The Township of West Milford officials identified in the Mitigation Action Plan (Section 9) and appointed by the Township Council at the annual reorganization meeting of the Township Council are hereby directed to implement the recommended actions assigned to them. These officials will report annually on their activities, accomplishments, and progress to the Mayor & Council of the Township of West Milford.
2. The Township of West Milford Local Emergency Management Coordinator will provide annual progress reports on the status of implementation of the Plan to the Passaic County Office of Emergency Management.
3. The Township of West Milford will undertake periodic updates of the Plan as indicated in the Plan Maintenance Program (Section 10) but no less frequent than every five years.

BE IT FURTHER RESOLVED by Mayor and Council that Township of West Milford adopts the Passaic County, New Jersey Multi-Jurisdictional Hazard Mitigation Plan, dated July 23, 2010 as this jurisdiction's Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

Adopted: August 18, 2010

Agenda No. VII 10

~ Resolution No. 2010-300 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO HAROLD E. PELLOW & ASSOCIATES, INC. FOR ENGINEERING SERVICES FOR WESTBROOK PARK IN AN AMOUNT NOT TO EXCEED \$17,500.00

WHEREAS, the Township of West Milford solicited proposals on April 16, 2010 for the Rehabilitation of Westbrook Park; and

WHEREAS, in response to the "Request for Proposals" the Township received ten (10) proposals; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: August 18, 2010
Time of Meeting: 7:30 P.M.
Minute Page No: Page 17 of 27

WHEREAS, the Township Director of Community Services and Recreation has reviewed the ten proposals received and has submitted a written recommendation that the Township of West Milford award a contract for this project to the lowest bidder Harold E. Pellow & Associates Inc.; and

WHEREAS, the Township of West Milford wishes to award a contract to Harold E. Pellow & Associates, Inc., a Professional Consulting Engineering firm, for the rehabilitation of Westbrook Park improvements in accordance with the proposal for same; and

WHEREAS, the Township Director of Community Services and Recreation advises that funding is available for this project from a Passaic County Open Space grant and previously approved capital funds and recommends award of this project to the lowest bidder Harold E. Pellow & Associates for a total amount not to exceed \$17,500.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from account number T-14-56-850-000.

WHEREAS, Harold E. Pellow & Associates Inc. must complete and submit both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit Harold E. Pellow & Associates from making any reportable contributions through the term of the contract; and

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

1. The Township Council hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Harold E. Pellow & Associates Inc. with offices located at 17 Plains Road, Augusta, NJ 07822-2009 for engineering services to rehabilitate Westbrook Park in an amount not to exceed \$17,500.00 subject to the Township's Chief Financial Officer certification of the availability of funds for same.
2. This resolution and agreement shall be on file in the office of the Township Clerk.
3. The Political Contribution Disclosure Form, Business Entity Disclosure Certification and the Determination of Value shall be placed on file in the Clerk's Office.
4. Notice of this action shall be published once in the Township's official newspaper as required by law.
5. A copy of this resolution shall be provided to the Township Treasurer and Harold E. Pellow & Associates, Inc. for their information and guidance.

Adopted: August 18, 2010

Agenda No. VII 11

~ Resolution No. 2010-301 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING A FIREWORKS DISPLAY PERMIT TO THE WEST MILFORD P.A.L. TO HOLD A FIREWORKS DISPLAY AT THE "JUNGLE HABITAT" STATE PROPERTY

WHEREAS, the West Milford P.A.L. had received approval for a display of fireworks on July 2, 2010 at the "Jungle Habitat" State owned property, with a rain date of July 9, 2010; and

WHEREAS, said fireworks display had been postponed by the State of New Jersey due to unusually hot weather which created a possible fire hazard; and

WHEREAS, the West Milford P.A.L. wishes to hold a display of fireworks on September 4, 2010 at the "Jungle Habitat" State owned property, with a rain date of September 5, 2010; and

WHEREAS, the West Milford P.A.L. has submitted an application to the Township of West Milford, along with a Certificate of Insurance and the required \$2,500.00 Bond in the form of a check.

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

1. Based upon the review of the application and report submitted by the Township Fire Marshal and Chief of Police, and the letter of approval dated August 9, 2010 from Eric L. Pain of the State Park Service of rescheduled dates for the fireworks display to take place at the Jungle Habitat property, the Township Council it does hereby approve the application by the West Milford P.A.L. and International Fireworks Mfg Co. Inc. to conduct

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: August 18, 2010
Time of Meeting: 7:30 P.M.
Minute Page No: Page 18 of 27

- a fireworks display on September 4, 2010 (with a rain date of September 5, 2010) at the "Jungle Habitat" State owned property, between the hours of 9:30 p.m. and 10:45 p.m.
2. The approval of the application submitted by West Milford P.A.L. is contingent upon a copy of the blasting permit from the State of N.J. Division of Fire Safety allowing for the discharge of fireworks and a copy of the original Special Use Permit with re-scheduled dates being filed with the Township Clerk before the September 4, 2010 fireworks display.
 3. The West Milford P.A.L. will arrange for police traffic and crowd control in advance with the Township's Police Department and said policing shall be determined by the Police Department.
 4. Police Officers must be hired for security by the West Milford P.A.L., and the cost for Police Officers will be paid by the West Milford P.A.L.

Adopted: August 18, 2010

Agenda No. VII 12

~ Resolution No. 2010-302 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A TIME EXTENSION OF CONTRACT AWARD FOR WESTBROOK ROAD – SECTION 3, CONTRACT 3, FY 2009, N.J.D.O.T. LOCAL BIKEWAY PROGRAM (S.A.G.E. PROJECT DESIGNATION PRO-2009-WEST MILFORD TOWNSHIP-00413)

WHEREAS, the 2010 State aid cuts to municipalities created challenges that ultimately extended the local budget process; and

WHEREAS, the Township of West Milford is committed to this project as the balance of the construction funding is included in the proposed 2010 capital budget; and

WHEREAS, the Township of West Milford has demonstrated timely performance by constructing projects with more than four million dollars of municipal aid grants in the last ten years; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that the New Jersey Department of Transportation is hereby requested to extend the deadline for award of contract for Westbrook Road – Section 3, Contract 3, from September 11, 2010 to March 11, 2011.

Adopted: August 18, 2010

Agenda No. VII 13

~ Resolution No. 2010-303 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EMPLOYMENT OF PAUL FERRIERO, PE AND FERRIERO ENGINEERING AS THE TEMPORARY INTERIM TOWNSHIP ENGINEER FOR A TERM TO EXPIRE ON SEPTEMBER 30, 2010 OR UNTIL A PERMANENT ENGINEER IS APPOINTED

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

WHEREAS, the Township Council did approve the Mayor's appointment of Paul Ferriero to serve as Township Engineer during the interim period for a term to expire on August 31, 2010; and

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

WHEREAS, the Mayor hereby reappoints Paul Ferriero, PE and Ferriero Engineering as the temporary interim engineer for the Township of West Milford for a term to expire on September 30, 2010 or until a permanent Engineer is appointed, whichever comes first, and without any rights of holdover; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the Township hereby appoints Paul Ferriero, PE and Ferriero Engineering as the Township's temporary interim Engineer without any rights of holdover

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: August 18, 2010
Time of Meeting: 7:30 P.M.
Minute Page No: Page 19 of 27

for a term to expire on September 30, 2010 or until a permanent Engineer is appointed, whichever comes first and in an amount not to exceed \$5,000.00 for work done in July and August 2010; and

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

Adopted: August 18, 2010

Agenda No. VII 14

~ Resolution No. 2010-304 ~

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

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

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

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

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

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

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

Adopted: August 18, 2010

Agenda No. VII 15

~ Resolution No. 2010-263 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD FOR THE EXTENSION OF LICENSE NO. 1615-33-019-001 THE MURAPPAUL CORPORATION TO EXECUTOR

WHEREAS, an application for has been filed for the extension of Plenary Retail Consumption License 1615-33-019-001 to the Executor of the Estate of Hisae Cerbone, sole proprietor owner of the license; and

WHEREAS, the submitted application form is complete in all respects, including proof of appointment to act as Executor;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of West Milford does hereby approve, effective August 18, 2010, the extension of the aforesaid Plenary Retail Consumption License to Gary Corter to conduct business under the privileges, terms, and conditions of the license as Executor of the Estate of Hisae Cerbone for the benefit of the Estate until such time as the will is probated and the license may be transferred in compliance therewith and directs the Township Clerk to endorse the License Certificate as follows: "This license is hereby extended, subject to all its terms and conditions to Gary Corter, Executor, until October 31, 2010".

Adopted: August 18, 2010

Consent Agenda

Agenda No. VIII

~ Resolution No. 2010-305 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: August 18, 2010
Time of Meeting: 7:30 P.M.
Minute Page No: Page 20 of 27

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. **2010-306** – Cancel Taxes
- b. **2010-307** – Overpayment Refunds
- c. **2010-308** –Refund Health Department Fees
- d. **2010-309** –Refund Other Liens
- e. **2010-310** –Refund Recreation Fees
- f. **2010-311** –Reinstate Taxes

Applications:

- a. **Application to Amend Raffle License No. RL2010-30 - Change in Dates to September 4th and rain-date September 5th by the West Milford P.A.L.**
- b. **Application to Amend the Application for Permission to Conduct Fireworks Display – Change in Dates to September 4 and rain-date September 5th by the West Milford P.A.L.**

Adopted: August 18, 2010

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

Agenda No. VIII a

~ Resolution No. 2010-306 ~

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: 1. 100% DISABLED VETERAN

BLOCK/LOT	NAME	AMOUNT	YEAR
15701-28	Luis Tavarez	\$1,592.37	2009
TOTAL		\$1,592.37	

Adopted: August 18, 2010

Agenda No. VIII b

~ Resolution No. 2010-307 ~

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.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of:
 Date of Meeting:
 Time of Meeting:
 Minute Page No:

Township Council Regular
 August 18, 2010
 7:30 P.M.
 Page 21 of 27

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

Block/Lot	Name	Amount	Year	Reason
303-7	Mary Tuttle, Atty, Mahwah Business Park 65 Ramapo Valley Road Ste 106 Mahwah, NJ 07430	\$1,733.00	2010	2
401-25	Refund Department First American R/E Tax Service PO Box 961250 Fort Worth, Texas, 76161-9887	\$2,597.00	2010	2
902-4	Drew K. Murray, LLC 230 West Parkway Suite 3A Pompton Plains, NJ 07444	\$1,206.00	2010	2
2402-8	Charles Self 10 Silverton Walk Hewitt, NJ 07421	\$1,838.00	2010	2
2606-6	Michael & Donna Giannantonio 45 Belford Drive Hewitt, NJ 07421	\$2,231.00	2010	2
2611-34	Masessa & Cluff, Esq. 1524 Route 23 North Butler, NJ 07405	\$984.00	2010	2
3509-2	J. Gracin & S. Calixto 200 Rector Place apt. 19-B New York, NY 10280	\$2,106.00	2010	2
3604-8	Mikhail & Elena Onik 9 Ringwood Lane Hewitt, NJ 07421	\$3,069.00	2010	2
3704-18	Francis J. DeVito, P.A. Attorney at Law 661 Main Street Hackensack, NJ 07601	\$1,758.00	2010	2
5311-2.12	Karma Tadros 2 Richmond Road Ste 212 West Milford, NJ 07480	\$601.00	2010	2
6607-4	Mary Alice O'Mealy 15 Sophie Avenue West Milford, NJ 07480	\$1,836.00	2010	2
7801-45.01	Sara Della Fave 45A Manchester Lane West Milford, NJ 07480	\$1,908.00	2010	2
9501-24	Donohue & Nicosia 50 Leslie Drive West Milford, NJ 07480	\$3,142.00	2010	2
12404-3	Erin Weaver 120 Otterhole Road West Milford, NJ 07480	\$2,068.00	2010	2
15701-28	Luis & Alexandra Taverez 11 Community Place Newfoundland, NJ 07435	\$1,592.37	2010	6
TOTAL		\$28,669.37		

Adopted: August 18, 2010

Agenda No. VIII c

~ Resolution No. 2010-308 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF A HEALTH DEPARTMENT, DUPLICATE PLAN REVIEW FEE

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
 Date of Meeting: August 18, 2010
 Time of Meeting: 7:30 P.M.
 Minute Page No: Page 22 of 27

BE IT RESOLVED, by the Township Council of the Township of West Milford that, upon the report and request of the Township Health Official, the following fee be refunded:

Name & Address	Reason	Amount Refunded
Mr. Joseph A. Lobosco 564 McBride Avenue West Paterson, NJ 07424	Duplicate Plan Review Fee	\$185.00

Adopted: August 18, 2010

Agenda No. VIII d

~ Resolution No. 2010-309 ~

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
08-113	04/08/2008	15803-009	\$21,409.11	PPTS Lockbox P.O. Box 5822 New York, NY 10087-5822
09-030	03/25/2009	03401-023	\$1,028.63	Anthony Lambiase 55 Mountain Glen Road Ringwood, NJ 07456
09-031	03/25/2009	03401-024	\$1,004.86	Anthony Lambiase 55 Mountain Glen Road Ringwood, NJ 07456
10-020	03/23/2010	01907-005	\$1,521.89	Pam Investors C/o Patrick Carabellese 127 South Washington Ave Bergenfield, NJ 07621
10-057	03/23/2010	05317-002.18	\$4,398.03	US Bank Cust for Pro Capital I LLC US Bank TLGS 50 S. 16 th St. Ste 1950 Philadelphia, PA 19102
10-097	03/23/2010	09404-008	\$1,895.89	US Bank Cust for Pro Capital I LLC Us Bank TLGS 50 S. 16 th St. Ste 1950 Philadelphia, PA 19102
10-118	03/23/2010	12206-002	\$6,331.88	US Bank Cust/SASS Muni VI Dtr Tax Lien 2 Liberty Place 50 So.16 th St. Ste 1950 Philadelphia, PA 19102
10-127	03/23/2010	13704-006	\$10,927.88	Robert Rothman 411 Grand Avenue Englewood, NJ 07631
Grand Total			\$48,518.17	

Adopted: August 18, 2010

Agenda No. VIII e

~ Resolution No. 2010-310 ~

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:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of:
 Date of Meeting:
 Time of Meeting:
 Minute Page No:

Township Council Regular
 August 18, 2010
 7:30 P.M.
 Page 23 of 27

PARTICIPANT	AMOUNT	MADE PAYABLE TO:
<i><u>Refund due to medical:</u></i>		
Alyssa (Ceramics)	\$75.00	Laura Milne, 20 Ridge Road West Milford, NJ 07480
Lisa Durling	\$275.00	Lisa Durling, 321 Ringwood Ave. Pompton Lakes, NJ 07442
<i><u>Refund due to family emergency:</u></i>		
Sean (Lifeguard)	\$250.00	Michele Hartigan, 25 Tintle Ave. Butler, NJ 07405
<i><u>Refund for Teen/Day Camp:</u></i>		
James	\$700.00	Terri Barnable, 54 Maple Road West Milford, NJ 07480
Lauren & Joseph	\$470.00	Joseph Caruso, 20 Quarry Ave. West Milford, NJ 07480
Giancarlo	\$280.00	Carolyn Gavett, 46 Reidy Place Hewitt, NJ 07421
<i><u>Refund for Day Camp:</u></i>		
John	\$280.00	John Setford, 6 Longview Road West Milford, NJ 07480
<i><u>Customer moved:</u></i>		
Elise (swim lessons)	\$95.00	Gretchen Uitdenhoben, 52H Beacon Hill Rd. West Milford, NJ 07480
<i><u>Refund for cancelled program:</u></i>		
Jennifer and Gina (MultiSport)	\$228.00	Melissa Gianetti, 20 Pawnee Ter West Milford, NJ 07480
Casey (Multi Sport)	\$159.00	Regan Fagan, 1 Lindys Drive West Milford, NJ 07480
Demetrios (Tuneful tots)	\$10.00	Claudia Piteris, 90 Morris Ave. West Milford, NJ 07480
Russell (Pony)	\$175.00	Jennifer Fleming, 640 Macopin Road West Milford, NJ 07480
Anthony (Pony)	\$175.00	Laura Conklin 813 East Shore Road Hewitt, NJ 07421
Grace (Pony)	\$175.00	Lauren Fiorilla, 1432 Macopin Rd. West Milford, NJ 07480
Hai-Yan (Pony)	\$175.00	Yunghye Koenig, 40 Alpine Ct. Hewitt, NJ 07421
Leah (Enchanting)	\$85.00	Luisa Mora, 18 Lincoln Ave. West Milford, NJ 07480
Carina (Enchanting)	\$85.00	Arielle Parsons 27 Monmouth Ave. West Milford, NJ 07480
Alexis (Multi Sport)	\$169.00	Alicia Featherstone 33 Eisenhower Drive West Milford, NJ 07480
Mason (Multi Sport)	\$169.00	Deborah Fernbacher 23 Mtn. Circle North West Milford, NJ 07480
Kyle (Multi Sport)	\$169.00	Donna Bednarski
Dylan (Mythbusters)	\$120.00	573 Snake Den Road
	Total	\$289.00
Sarah (gym-full)	\$100.00	Alison Gerlitz, 42 Osage Drive West Milford, NJ 07480
Jonathan (gym-half)	\$65.00	Jennifer Carlile, 48 Point Breeze Drive Hewitt, NJ 07421
Emma & Lauren (gym-half)	\$130.00	Angela LiVigne 5 Vanessa Court West Milford, NJ 07480
Marguerite Isabel (robotics)	\$130.00	Elizabeth Sutedjo 127 Lake Shore Drive

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
 Date of Meeting: August 18, 2010
 Time of Meeting: 7:30 P.M.
 Minute Page No: Page 24 of 27

PARTICIPANT	AMOUNT	MADE PAYABLE TO:
		Hewitt, NJ 07480
Rachel (mythbusters)	\$120.00	Jennifer DeGraaf 137 Wooley Rd. West Milford, NJ 07480
Jake & Theresa (mythbusters)	\$240.00	Deborah Fernbacher 23 Mtn. Circle North West Milford, NJ 07480
Julia (Lacrosse)	\$150.00	Judy Swajger 43 Cherbourg Drive West Milford, NJ 07480
Mikayla (lacrosse)	\$150.00	Robyn Kildune 24 Old Dockerty Hollow Road West Milford, NJ 07480
Eric (Instrument)	\$135.00	Gina Karnisovas 79 Hearthstone Drive West Milford, NJ 07480
Ryan (Pirate camp)	\$85.00	Tracey Lombardi 11 Meadowview Ct. Newfoundland, NJ 07435
Eric (ceramic camp)	\$85.00	Marcy Fincken 175 Kitchell Lake Drive West Milford, NJ 07480

Adopted: August 18, 2010

Agenda No. VIII f

~ Resolution No. 2010-311 ~

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

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

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

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

REASON: 1. INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR
5311- 3.06	Pamela Davison	\$3,646.91	2010
12306-1	R. & L Solleder	\$1,672.00	2010
10102-32	D. Lamothe	\$3,004.00	2010
TOTAL		\$8,322.91	

Adopted: August 18, 2010

Agenda No. IX

Approval of Expenditures

~ Resolution No. 2010-312 ~

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.	\$535,483.06
2	Reserve Account	

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of:
 Date of Meeting:
 Time of Meeting:
 Minute Page No:

Township Council Regular
 August 18, 2010
 7:30 P.M.
 Page 25 of 27

		20.00
3	Animal Control Trust	165.10
6	Capital	79,256.60
7	Grants	7,494.80
8	Refuse	589.58
9	Refunds	82,920.54
12	General Ledger	0.00
16	Heritage Trust	0.00
14	Open Space Trust	762.50
17	Trust	2,704.09
18	Development Escrow	360.00
19	LOSAP	0.00
20	Special Reserve	0.00
Total		\$709,756.27
\$Less Refund Resolution		-82,920.54
Actual Bill List		\$626,835.73
Other Pyts, Ck#43074 8/12/10		1,200.00
Total Expenditures		\$628,035.73

Approved: August 18, 2010

Discussion: Mayor Bieri stated that it has always been the policy to obtain three quotes for purchases over \$1,000. She asked Administrator Boyle to ensure that all staff adheres to that policy.

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

Agenda No. X

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

Councilman Nolan – stated that Tennessee Gas Pipeline has obtained Federal approvals to make updates to the pipelines that run through West Milford and surrounding communities. The process does not afford much control to local entities and thus there is little input from West Milford. However, anyone interested in finding out about this project should attend the meeting being held in Ringwood on September 14th. He asked Mr. Boyle to schedule an insurance committee meeting for September and to schedule a workshop discussion about resolutions to be considered at the annual New Jersey League of Municipalities convention. Mr. Boyle advised that he has received a response about potential League resolutions from one Council person and he stated that he will send the list out again for comments. Councilman Nolan stated that there is \$1.3 million sitting in municipal coffers from the sale of the redevelopment property. The DCA considers these funds to be surplus and he asked for workshop discussion of where these monies should be spent before the State takes action that is adverse to the municipality. He asked for Council consensus to establish a subcommittee to meet with the Passaic County consultant hired to review the potential of shared services. The Council gave consensus and Council members Nolan, Smolinski and Jurkovic agreed to form the committee. Mr. Boyle will facilitate a meeting with County participation.

Councilwoman Lichtenberg – agreed that there is a need to discuss the redevelopment money. She announced that the PAL will be hosting the fireworks display at Jungle Habitat on September 4th with a rain date of September 5th. The 9/11 ceremony will be held this year on September 10th at the memorial site. She advised that residents can now recycle a greater number of items and she urged them to do so.

Councilman Jurkovic – stated that the Facilities Assessment Committee has received a report on the Johner building with an estimated cost of \$2.2 million to rehabilitate that building. The membership agrees that the estimate is overkill and he listed some items that would not be needed. He stated that the Committee will discuss this further and consult with staff to determine where the potential project could be

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: August 18, 2010
Time of Meeting: 7:30 P.M.
Minute Page No: Page 26 of 27

scaled back. He stated that Town Hall is no longer suitable to provide services to the public and the Johner building appears to be the most viable alternative. If this project were scaled back to an affordable amount it may be the perfect solution and proper use of the redevelopment money. He asked Administrator Boyle to schedule a workshop discussion at the September workshop meeting of the cable TV franchise renewal in accordance with the letter from Gary Shaw. He advised that the fire companies have brought to his attention the need to engage in maintenance and repair of fire lanes especially in lake communities. He asked Mr. Boyle to research the feasibility of having this work done in conjunction with the SLAP program run by the Passaic County Sheriff's office. He added that he is aware that oftentimes there are issues with participants in SLAP using tools so he suggested that perhaps the Parks & Recreation could coordinate and oversee the work. He commended and thanked Keith Hanson of the DPW garage relaying a story of how Keith repaired a fire truck recently.

Councilwoman Lichtenberg left the meeting at 9:50 p.m.

Council President Smolinski – stated that he participated in a meeting with members of the Environmental Commission regarding the Green Team. The meeting which included himself, Mayor Bieri and Councilman Ramaglia was very productive and the team will make a presentation to Council at the next workshop meeting. He feels very positive moving forward with their request. He thanked local media for keeping residents informed about the cable franchise renewal. He stated that the Council did not receive information from Councilman Jurkovic or any other source but he feels fortunate to have read about it in the paper. Councilman Jurkovic stated that he is just a phone call away and the Council President advised that he did not need to make that call because the local media did a great job of keeping him informed. Councilman Jurkovic stated that the Township never formally received anything in writing and the press gleaned the specifics by attending meetings and taking copious notes. Council President Smolinski reviewed some specifics of the benefits the municipality will realize from this agreement.

Councilman Ramaglia – asked Mayor Bieri why the Council had not been informed of the personnel changes she made in the police department. He lamented that he read about these changes in the newspaper and asked for better communications.

Mayor Bieri – stated that many of the professionals hired by the Township have positively responded to her plea for fee concessions. She listed all those who have reduced their fees. She stated that she attended a Facilities Assessment Committee meeting earlier this year where she suggested the option of utilizing the current library building to expand the municipal complex when the new library is built. By doing so, the needs of the public could be met in one municipal complex and she requested that this option be explored. She stated that HUD has notified the Township that West Milford has been approved for CDBG grant funding which will allow us to move forward with the Lincoln Hill sidewalk. She congratulated Ample Harvest and Gary Oppenheimer who were nationally recognized for their work. While on vacation she submitted comments to the State regarding the Highlands Council and the Highlands Act focusing on issues discussed and agreed upon by this Council. Also while on vacation she asked Administrator Boyle to contact Bloomingdale about a possible shared services agreement for a Chief Financial Officer. She congratulated the Township's recycling coordinator, David Stires, for obtaining \$26,000 grant money toward the purchase of a recycling truck. She advised that earlier today she attended a DEP stakeholder meeting about trap-neuter-return programs for feral cats and advised that the DEP is simply trying to accumulate data and information. She advised that the DEP is asking State residents to voluntarily conserve water in light of the current drought conditions.

She stated that the police department is currently functioning with forty officers and she has been repeatedly assured that operations are normal for the time being. Some adjustments have been made which is usual in light of recent retirements. She stated that the former Chief's retirement was very sudden with the Township receiving only one day's notice. In response, she spent much of her vacation researching and seeking assistance from the Administrator, labor counsel and the State Department of Personnel to ensure that proper protocol was followed to ensure continued and effective operation of the department. After conducting due diligence and becoming apprised of all options and possible ramifications, she made decisions on Monday afternoon which became effective on Tuesday. She requested that the Administrator advise the Council and staff immediately and he did so on Tuesday. She stated that the requests from the Council President to participate were not ignored, they were denied. These are administrative decisions and she was dutifully fulfilling her obligations in accordance with her oath of office. She reviewed the options that were available to her, the recommendations made by the former Chief, and the decisions she made. Ultimately she made interim appointments and has called for a chief's exam for which she believes three people are eligible. She stated that in the past, without objection from the Council, promotions have been made by the Mayor as is in accord with our form of government. She has indeed made interim appointments in the past at the behest of the former Chief and she quoted the former Chief regarding this practice. The structure in the police department has not been modified as a result of these actions, savings are being realized and her intent is to meet the needs of this community. Councilman Ramaglia requested that in the future the Mayor keep Council informed throughout the process.

