

Township of West Milford, New Jersey  
Township Council  
**REGULAR MEETING AGENDA**

August 26, 2009  
7:30 P.M.

**MEETING**

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 May 10, 2009; 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**

**ROLL CALL**

**I. MINUTES**

June 24, 2009 Executive Session  
July 22, 2009 Regular Meeting  
July 22, 2009 Executive Session  
August 12, 2009 Workshop Meeting  
August 12, 2009 Executive Session

**II. PRESENTATIONS**

Eagle Scout Kevin Ryan Tlusty  
Revaluation Process: Brian Townsend, Tax Assessor

**III. PROCLAMATIONS**

None.

**IV. UNFINISHED BUSINESS, FINAL PASSAGE OF ORDINANCES**

**1) *Ordinance 2009 – 013***

An Ordinance of the Township of West Milford, county of Passaic, State of New Jersey Amending and Supplementing Chapter 84, Bicycles, Skateboards and Scooters, of the Revised General Ordinances with the Addition of Article II, Mt. Laurel Skate Park

*\*\*This Ordinance was introduced on August 12, 2009 and the Notice of Public Hearing was published in the Herald News on August 16, 2009. The Council will open the meeting to the public to speak to this ordinance only\*\**

## REGULAR MEETING AGENDA

August 26, 2009

Page 2 of 7

### 2) **Ordinance 2009 – 017**

Bond Ordinance Appropriating \$3,322,778, And Authorizing The Issuance Of \$2,863,550 Bonds Or Notes Of The Township, For Various Improvements Or Purposes Authorized To Be Undertaken By The Township Of West Milford, In The County Of Passaic, New Jersey

*\*\*This Ordinance was introduced on July 22, 2009 and the Notice of Public Hearing was published in the Herald News on July 26, 2009. The Council will open the meeting to the public to speak to this ordinance only\*\**

### 3) **Ordinance 2009 – 018**

Ordinance Providing For Various Improvements Or Purposes To Be Undertaken In And By The Township Of West Milford, In The County Of Passaic, New Jersey, And Appropriating \$218,240 Therefor From The Capital Improvement Fund Of The Township

*\*\*This Ordinance was introduced on July 22, 2009 and the Notice of Public Hearing was published in the Herald News on July 26, 2009. The Council will open the meeting to the public to speak to this ordinance only\*\**

### 4) **Ordinance 2009 – 019**

An Ordinance of the Township of West Milford, County of Passaic, State of New Jersey Amending Chapter 300, "Sewers", Sections 300-40, License to Operate, and 300-41, Standards on the Use of Subsurface Sewage Disposal Systems, of the Revised General Ordinances

*\*\*This Ordinance was introduced on July 22, 2009 and the Notice of Public Hearing was published in the Herald News on July 26, 2009. The Council will open the meeting to the public to speak to this ordinance only\*\**

### 5) **Ordinance 2009 – 020**

An Ordinance of the Township of West Milford, County of Passaic, State of New Jersey Concerning Salaries and Compensation for Administrative, Confidential and Unaffiliated Employees in the Office of the Municipal Court

*\*\*This Ordinance was introduced on July 22, 2009 and the Notice of Public Hearing was published in the Herald News on July 26, 2009. The Council will open the meeting to the public to speak to this ordinance only\*\**

## **V. PUBLIC COMMENTS**

## **VI. COUNCIL COMMENTS**

## **VII. NEW BUSINESS, INTRODUCTION OF ORDINANCES, RESOLUTIONS**

## REGULAR MEETING AGENDA

August 26, 2009

Page 3 of 7

**1) Ordinance 2009 – 021**

An Ordinance of the Township of West Milford, County of Passaic, State of New Jersey Amending and Supplementing Chapter 90, Buildings, Numbering of, of the Revised General Ordinances

*\*\*Second reading and public hearing for the ordinance is set for the Regular Meeting of the township Council scheduled for September 23, 2009. Notice of this public hearing shall be published in the Herald News on or about August 30, 2009.\*\**

**2) Ordinance 2009 – 022**

An Ordinance of the Township of West Milford, County of Passaic, State of New Jersey Amending and Supplementing Certain Portions of Chapter 138, “Fertilizers, Application of” of the Revised General Ordinances

*\*\*Second reading and public hearing for the ordinance is set for the Regular Meeting of the township Council scheduled for September 23, 2009. Notice of this public hearing shall be published in the Herald News on or about August 30, 2009.\*\**

**3) Ordinance 2009 – 023**

An Ordinance of the Township of West Milford, County of Passaic, State of New Jersey Repealing Ordinance No. 2005-21 Codified as Chapter 305 in the Township Code of the Township of West Milford Establishing Residency Restrictions for Registered Sex Offenders Living within the Township

*\*\*Second reading and public hearing for the ordinance is set for the Regular Meeting of the township Council scheduled for September 23, 2009. Notice of this public hearing shall be published in the Herald News on or about August 30, 2009.\*\**

**4) Resolution 2009 – 305**

Resolution of the Township of West Milford, County of Passaic, State of New Jersey Supporting the “Over the Limit Under Arrest 2009 Statewide Crackdown”

**5) Resolution 2009 – 306**

Resolution of the Township of West Milford, County of Passaic, State of New Jersey Amending the Non-Fair & Open Professional Service Contract Awarded to Matthew Giacobbe, Esq., Such Amendment to Authorize a Change Order in the Amount to be Appropriated for Legal Services

**6) Resolution 2009 – 307**

Resolution of the Township of West Milford, County of Passaic, State of New Jersey Authorizing the Award of a Professional Services Contract without

## REGULAR MEETING AGENDA

August 26, 2009

Page 4 of 7

Competitive Bidding to Paul Ferriero of Ferriero Engineering, to Assist and Coordinate the Specifications and Requirements for the Preparation of the Township's Wastewater Management Plan

**7) Resolution 2009 – 308**

Resolution of the Township of West Milford, County of Passaic, State of New Jersey Authorizing the Award of a Professional Services Contract without Competitive Bidding to Paul Ferriero of Ferriero Engineering, to Work on Open Space Matters as Dictated by the Township Council

**8) Resolution 2009 – 309**

Resolution of the Township of West Milford, County of Passaic, State of New Jersey Authorizing the Award of a Professional Services Contract without Competitive Bidding to Paul Ferriero of Ferriero Engineering, to Work on Matters Relating to the Highlands Act as Dictated by the Township Council

**9) Resolution 2009 – 310**

Resolution of the Township of West Milford, County of Passaic, State of New Jersey Authorizing the Award of a Professional Services Contract without Competitive Bidding to Pennoni Associates, Inc. to Prepare an Emergency Action Plan and Conduct Regular Inspections for Bubbling Springs Lower Pond Dam and to Prepare an Operation and Maintenance Manual and Provide Regular Inspections for Westbrook Park Dam in the Amount of \$14,500

**10) Resolution 2009 – 311**

Resolution of the Township of West Milford, County of Passaic, State of New Jersey Providing for the Assignment of Tax Sale Certificate at Private Sale

*\*\*The Tax Collector shall publish notice of this assignment and mail such notices as are required by law. Said notices shall advise that the Township Council is scheduled to take action on this matter on September 23, 2009.\*\**

**11) Resolution 2009 – 312**

Resolution of the Township of West Milford, County of Passaic, State of New Jersey Requesting Approval of Special Item of Revenues and Appropriation

**12) Resolution 2009 – 313**

Resolution of the Township of West Milford, County of Passaic, State of New Jersey Authorizing the Award of a Five Year Contract for the Disposal of Type 10 and Type 13 Solid Waste to Waste Management of New Jersey, Inc.

**13) Resolution 2009 – 314**

Resolution of the Township of West Milford, County of Passaic, State of New Jersey Authorizing the Award of a Contract for Road Resurfacing Phase II

## REGULAR MEETING AGENDA

August 26, 2009

Page 5 of 7

through the Morris County Cooperative Purchasing Council, Contract #6, road Resurfacing – Cat. B Bituminous Concrete In Place, Cat. C – Milling in Place, and Cat. D – Resurfacing Preparations to Tilcon New York, Inc.

### **14) Resolution 2009 – 315**

Resolution of the Township of West Milford, County of Passaic, State of New Jersey Authorizing Contracts for 2009 Crack Sealant through the Morris County Cooperative Purchasing Council Contracts 6, Category E, to Micro Pave Systems, Inc.

### **15) Resolution 2009 – 316**

Resolution of the Township of West Milford, County of Passaic, State of New Jersey Authorizing the Renewal of Inactive Plenary Retail Consumption License for the 2009-2010 License Year with Conditions – Reflection Lakes Inn, Inc.

### **16) Resolution 2009 – 317**

Resolution of the Township of West Milford, County of Passaic, State of New Jersey Supporting and Endorsing Assembly Bill 641 of the State of New Jersey 213<sup>th</sup> Legislature

## **VIII. CONSENT AGENDA**

### **Resolution 2009 – 318**

#### **Resolution Authorizing Passage of the Consent Agenda**

#### **Resolutions Included in the Consent Agenda**

- a. Resolution 2009-319 – Refund Recreation Fees
- b. Resolution 2009-320 – Refund Escrow Monies
- c. Resolution 2009-321 – Refund Other Liens
- d. Resolution 2009-322 – Refund Performance Guarantee
- e. Resolution 2009-323 – Refund Police Trust Account Monies
- f. Resolution 2009-324 – Reinstate Taxes
- g. Resolution 2009-325 – Refund Overpayments

#### **Applications Included in the Consent Agenda**

- a. Application for Off Premise 50/50 Raffle Lic. No. 2009-31 – West Milford Heritage Quilters
- b. Application for Off Premise Draw Raffle Lic. No. 2009-32 – Our Lady Queen of Peace HSA
- c. Application for On Premise 50/50 Raffle Lic. No. 2009-33 – Our Lady Queen of Peace HSA
- d. Application for Tricky Tray Raffle Lic. No. 2009-34 – Our Lady Queen of Peace HSA
- e. Application for Bingo License No. 2009-35 – St Joseph Church
- f. Application for On Premise 50/50 Raffle License No. 2009-36 – St Joseph Church

## **IX. APPROVAL OF EXPENDITURES**

### **Resolution 2009 – 326**

Resolution Authorizing the Payment of Bills

## **X. REPORTS OF ADMINISTRATOR, MAYOR AND COUNCIL MEMBERS**

- a. Mayor \_\_\_\_\_

**REGULAR MEETING AGENDA**

August 26, 2009

Page 6 of 7

- b. **Administrator** \_\_\_\_\_
- c. **Council** \_\_\_\_\_
- d. **Clerk** \_\_\_\_\_
- e. **Attorney** \_\_\_\_\_

**XI. APPOINTMENTS AND RESIGNATIONS**

***Resolution 2009 – 327***

Resolution of the Township of West Milford, County of Passaic, State of New Jersey Accepting Resignations Tendered

**XII. EXECUTIVE SESSION**

***Resolution 2009 – 328***

Motion for Executive Session

- Potential Property Acquisitions – Block 7903, Lots 13, Union Valley Road
- Potential Property Acquisitions –Block 9302, Lot 6 CYO; Block 8001, Lot 1 Random Woods;
- Potential Property Acquisition – Block 9302, Lot 6 – CYO Property
- Contract Negotiations - Hillcrest Lease
- Update from Labor Counsel on Outstanding Personnel & Potential Litigation Matters including Contract Negotiations, Captain David Hardin, Robert Sparkes, Alison McManus, Thomas Steines, Eugene Taffera, Sue Muhaw

**XIII. ADJOURNMENT**

# REGULAR MEETING AGENDA

August 26, 2009

Page 7 of 7

## TOWNSHIP OF WEST MILFORD CORRESPONDENCE LIST

Week Ending: 08/21/09

Regular Council Meeting: 08/26/09

Item #	Date Rec'd	From	Topic
08/26/09-1	08/11/09	County of Morris, Department of Public Works, Division of Engineering	Bridge 1400-957/1600-037, Davenport Road/Cross Road, Jefferson Twp./W. Milford Township
08/26/09-2	08/10/09	Tennessee Gas Pipeline	300 Line Project, FERC Docket No. CP09- 444-000
08/26/09-3	08/14/09	Passaic County Open Space Trust Fund Advisory Committee	Application For a Grant From the Passaic County Open Space and Farmland Preservation Trust Fund
<u>Resolutions from other Government Agencies</u>			
<u>Ordinances from other Government Agencies</u>			