

## **TOWNSHIP OF WEST MILFORD**

THE FOLLOWING COMPRISES THOSE DOCUMENTS  
SUBMITTED TO THE TOWNSHIP COUNCIL FOR  
CONSIDERATION AND ACTION AT THE SEPTEMBER 5, 2012  
REGULARLY SCHEDULED WORKSHOP MEETING.

THESE ACTION ITEMS ARE SUBJECT TO CHANGE AND  
ARE PROVIDED HERETO AS A COURTESY.

ORDINANCES AND RESOLUTIONS THAT HAVE BEEN  
ADOPTED BY THE TOWNSHIP COUNCIL ARE POSTED ON  
THE TOWNSHIP WEBSITE UNDER "LOCAL LAW" AS SOON  
AS PRACTICABLE AFTER THE MEETING AT WHICH  
ACTION WAS TAKEN.

IT IS STRONGLY RECOMMENDED THAT ONE SEEKING A  
COPY OF THAT WHICH WAS ADOPTED BY THE  
TOWNSHIP COUNCIL OBTAIN THAT COPY UNDER THE  
LINK TO "LOCAL LAW".

EACH OF THE FOLLOWING RECORDS IS SUBJECT TO  
CHANGE AND/OR AMENDMENT BY THE TOWNSHIP  
COUNCIL PRIOR TO ADOPTION.

# Township of West Milford, New Jersey

## Township Council **WORKSHOP AGENDA**

September 5, 2012  
6:30 P.M.

### **MEETING**

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Workshop meeting was advertised in the Herald News in its issues of January 21, 2012 with an update for the change of time on August 26, 2012; copies were provided to the Suburban Trends, the Record and Star Ledger and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

### **PLEDGE OF ALLEGIANCE**

#### **I. ROLL CALL**

#### **II. MINUTES**

May 29, 2012 Executive Session  
May 29, 2012 Special Meeting  
June 6, 2012 Executive Session

#### **III. MEETINGS**

September 19, 2012 Regular Meeting  
October 3, 2012 Workshop Meeting  
October 24, 2012 Regular Meeting

#### **IV. MOTION FOR EXECUTIVE SESSION**

##### ***Resolution 2012 - 294***

Motion for Executive Session

- Collective Bargaining Agreements – Labor Negotiations
- Contract – Recycling Center

#### **V. PRESENTATIONS**

Person-to-Person & Place-to-Place Transfer  
Liquor License #1615-33-016-005  
Milford Steakhouse, Inc. to Tuscany Brewhouse, LLC

# WORKSHOP AGENDA

September 5, 2012

## VI. PROCLAMATIONS

None.

## VII. DISCUSSION ITEMS

1) Municipal Facilities
2) Farmland Preservation Easement – West Milford Equestrian Center
3) Ordinance: Repeal §110-7 pertaining to Lake Communities
4) Resolution: 2012 NJLM Annual Conference Resolutions
5) Contract – Hydraulic Hammer Services
6) Contract – Rock Salt
7) Economic Development Committee

## VIII. UNFINISHED BUSINESS, FINAL PASSAGE OF ORDINANCES

## IX. PUBLIC COMMENTS

## X. COUNCIL COMMENTS

## XI. ACTION ITEMS

### 1. **Ordinance 2012 – 017**

Ordinance of the Township of West Milford, County of Passaic, State of New Jersey Amending Article VII, Chapter 15-37, “Pay to Play Policy; Awarding Contracts” of the Revised General Ordinances

*\*\*Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for September 19, 2012. Notice of this public hearing shall be published in the Herald News on or about September 9, 2012\*\**

### 2. **Resolution 2012 - 295**

Resolution of the Township of West Milford, County of Passaic, State of New Jersey Authorizing the Submittal and Acceptance of a Grant Application by the Municipal Alliance Committee for School & Community Based Drug & Alcohol Prevention Programs

### 3. **Resolution 2012 - 296**

Resolution of the Township of West Milford, County of Passaic, State of New Jersey Authorizing the Submittal and Acceptance of a Grant Application by the West Milford Historical Preservation Commission (HPC) for a Site Assessment of the Wallisch Homestead

## WORKSHOP AGENDA

September 5, 2012

- 4. Resolution 2012 - 297**  
Resolution of the Township of West Milford, County of Passaic, State of New Jersey Authorizing an Interlocal Agreement with the Borough of Bloomingdale for Registrar Services
- 5. Resolution 2012 - 298**  
Resolution of the Township of West Milford, County of Passaic, State of New Jersey Authorizing the Purchase of one Generator for Fire Company #6 through State Contract #A76607, Warshauer Generator, LLC
- 6. Resolution 2012 - 299**  
Resolution of the Township of West Milford, County of Passaic, State of New Jersey Requesting Change in Title, Text or Amount of Appropriations to N.J.S. 40A:4-85 (Chapter 159 P.L. 1948)
- 7. Resolution 2012 - 300**  
Resolution of the Township of West Milford, County of Passaic, State of New Jersey Authorizing an Interlocal Agreement with the Township of Bloomfield for Health Officer Services
- 8. Resolution 2012 - 301**  
Resolution of the Township of West Milford, County of Passaic, State of New Jersey Providing Consent to a Project at Block 5708, Lot 4, 54 Marshall Hill Road in the Township of West Milford which Requires a Treatment Works Application to the State of New Jersey Department of Environmental Protection
- 9. Resolution 2012 - 302**  
Resolution of the Township of West Milford, County of Passaic, State of New Jersey Awarding a Contract to John Joseph, Inc. for Hydraulic Hammer Services
- 10. Resolution 2012 - 303**  
Resolution of the Township of West Milford, County of Passaic, State of New Jersey Authorizing the Purchase of Rock Salt From Cargill, Inc.
- 11. Resolution 2012 - 304**  
Resolution of the Township of West Milford, County of Passaic, State of New Jersey Authorizing the Renewal of Pocket Plenary Retail Consumption Licenses for the 2012 – 2013 License Year with Conditions

# **WORKSHOP AGENDA**

September 5, 2012

## **12. Resolution 2012 - 306**

Resolution Of The Township Of West Milford, County Of Passaic And State Of New Jersey Requesting Approval Of Special Item Of Revenues And Appropriation

## **13. Resolution 2012 - 307**

Resolution Of The Township Of West Milford, County Of Passaic, State Of New Jersey Requesting Change In Title, Text, Or Amount Of Appropriation

## **XII. APPROVAL OF EXPENDITURES**

### ***Resolution 2012 - 305***

Resolution Approving The Payment Of Bills

## **XIII. REPORTS OF MAYOR, ADMINISTRATOR, COUNCIL MEMBERS, ATTORNEY AND CLERK**

- 1) Mayor Bieri
- 2) Township Administrator
- 3) Council Reports
- 4) Fred Semrau, Esq.
- 5) Township Clerk

## **XIV. APPOINTMENTS AND RESIGNATIONS**

None.

## **XV. EXECUTIVE SESSION**

None.

## **XVI. ADJOURNMENT**

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution No. 2012 – 294 ~

### MOTION FOR EXECUTIVE SESSION

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 5<sup>th</sup> day of September, 2012 that:

1. Prior to the conclusion of this **Workshop Meeting**, the Township Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
  - ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
  - ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
  - ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
  - (X) b. (4) A collective bargaining agreement including negotiations.
  - ( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
  - ( ) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
  - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
    - o Collective Bargaining Agreements – Labor Negotiations
    - o Contract – Recycling Center
  - ( ) b. (8) Personnel matters.
  - ( ) b. (9) Deliberations after a public hearing that may result in penalties.
2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: September 5, 2012

Adopted this 5<sup>th</sup> day of September, 2012  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk

# Township of West Milford

Passaic County, New Jersey

~ Ordinance 2012 - 017 ~

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 15, ADMINISTRATION OF GOVERNMENT, ARTICLE VII, OFFICE OF ADMINISTRATION, SECTION 15-37, "PAY TO PLAY POLICY; AWARDING CONTRACTS," OF THE CODE OF THE TOWNSHIP OF WEST MILFORD**

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

**SECTION 1.** Chapter 15, Administration of Government, Article VII, Office of Administration, Section 15-37, "Pay to Play Policy; Awarding Contracts," Subsection B, "Prohibition on awarding contracts for goods or services to certain campaign contributors," of the Code of the Township of West Milford is hereby amended and supplemented to exclude from its prohibitions Governmental Affairs Agents (commonly referred to as lobbyists) registered in the State of New Jersey, by establishing a new subsection 15-37B(2), to read as follows:

"B. Prohibition on awarding contracts for goods or services to certain campaign contributors.

(2) This section shall apply to all professional services contracts, with the exception of Subsection B(2)(d), (e), (h) and (i) below, and to all contracts for the purchase of goods and other services with the exception of the following items:

(a) Contracts that are awarded as a result of open public bidding as set forth under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.;

(b) Contracts that are offered to the lowest, responsible, qualified bidder after public advertising for bids and quotes, pursuant to the provisions of the competitive contracting requirement of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.;

(c) Contracts with an anticipated aggregate value less than \$17,500;

(d) Contracts that are awarded due to certain public exigencies pursuant to N.J.S.A. 19:44A-20.12;

(e) Contracts with any New Jersey government and/or federal government agencies;

(f) Contracts with banking institutions, insurance and public utility companies that are regulated by state restrictions on political contributions;

(g) Contracts the Township enters into for the purchase and acquisition of open space;

(h) Contracts for professional services, if such professional has already been appointed or retained by the Township and has provided such professional service to the Township continuously for a period of at least 10 years or greater. However, if any professional who has provided such service to the Township for a period of 10 consecutive years or greater has a break in his representation for any period of time, this exception shall not apply, and such individual shall be subject to the provisions of this section; and

(i) Contracts for professional services, if such professional is a Governmental Affairs Agent as defined in N.J.S.A. 52:13C-20(g) of the New Jersey Legislative and Governmental Process Activities Disclosure Act who is validly registered with the New Jersey Election Law Enforcement Commission ("NJELEC") and/or files with the NJELEC a notice of representation with respect to the services to be performed on behalf of the Township within thirty (30) days after the award of the said professional services contract as required by law."

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

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

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

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

**SECTION 6.** A copy of this Ordinance shall be immediately filed with the Secretary of State of the State of New Jersey.

INTRODUCED:

ADOPTED:

EFFECTIVE DATE:

ATTEST:

TOWNSHIP OF WEST MILFORD  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

By: \_\_\_\_\_  
Bettina Bieri, Mayor

Township of West Milford  
Passaic County, New Jersey

*Red-Lined*

~ Ordinance 2012 - ~

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 15, ADMINISTRATION OF GOVERNMENT, ARTICLE VII, OFFICE OF ADMINISTRATION, SECTION 15-37, "PAY TO PLAY POLICY; AWARDING CONTRACTS," OF THE CODE OF THE TOWNSHIP OF WEST MILFORD**

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

**SECTION 1.** Chapter 15, Administration of Government, Article VII, Office of Administration, Section 15-37, "Pay to Play Policy; Awarding Contracts," Subsection B, "Prohibition on awarding contracts for goods or services to certain campaign contributors," of the Code of the Township of West Milford is hereby amended and supplemented to exclude from its prohibitions Governmental Affairs Agents (commonly referred to as lobbyists) registered in the State of New Jersey, by establishing a new subsection 15-37B(2), to read as follows:

- "B. Prohibition on awarding contracts for goods or services to certain campaign contributors.
- (2) This section shall apply to all professional services contracts, with the exception of Subsection B(2)(d), (e), (h) and (i) below, and to all contracts for the purchase of goods and other services with the exception of the following items:
- (a) Contracts that are awarded as a result of open public bidding as set forth under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.;
  - (b) Contracts that are offered to the lowest, responsible, qualified bidder after public advertising for bids and quotes, pursuant to the provisions of the competitive contracting requirement of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.;
  - (c) Contracts with an anticipated aggregate value less than \$17,500;
  - (d) Contracts that are awarded due to certain public exigencies pursuant to N.J.S.A. 19:44A-20.12;
  - (e) Contracts with any New Jersey government and/or federal government agencies;
  - (f) Contracts with banking institutions, insurance and public utility companies that are regulated by state restrictions on political contributions;
  - (g) Contracts the Township enters into for the purchase and acquisition of open space;

(h) Contracts for professional services, if such professional has already been appointed or retained by the Township and has provided such professional service to the Township continuously for a period of at least 10 years or greater. However, if any professional who has provided such service to the Township for a period of 10 consecutive years or greater has a break in his representation for any period of time, this exception shall not apply, and such individual shall be subject to the provisions of this section; and

(i) Contracts for professional services, if such professional is a Governmental Affairs Agent as defined in N.J.S.A. 52:13C-20(g) of the New Jersey Legislative and Governmental Process Activities Disclosure Act who is validly registered with the New Jersey Election Law Enforcement Commission ("NJELEC") and/or files with the NJELEC a notice of representation with respect to the services to be performed on behalf of the Township within thirty (30) days after the award of the said professional services contract as required by law."

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

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

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

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

**SECTION 6.** A copy of this Ordinance shall be immediately filed with the Secretary of State of the State of New Jersey.

INTRODUCED:

ADOPTED:

EFFECTIVE DATE:

ATTEST:

TOWNSHIP OF WEST MILFORD  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

By: \_\_\_\_\_  
Bettina Bieri, Mayor

## Township of West Milford

Passaic County, New Jersey

~ Resolution 2012 - 295 ~

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford will contractually adhere to all conditions and obligations as sub-grantee to the State of New Jersey and the County of Passaic as set forth in the Letter of Agreement between the Governor's Council on Alcoholism and Drug Abuse and Passaic County, for the grant administration of the 2013 Alliance to Prevent Alcoholism and Drug Abuse, for a grant amount of \$38,552.00 from the Governor's Council on Alcoholism and Drug Abuse, with a cash amount of \$9,638.00 which is assumed by CASA, and an in-kind match of \$28,914.00; and

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

Adopted: September 5, 2012

Adopted this 5<sup>th</sup> day of September 2012  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk

## Township of West Milford

Passaic County, New Jersey

~ Resolution 2012 - 296 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE SUBMITTAL AND ACCEPTANCE OF A GRANT APPLICATION BY THE WEST MILFORD HISTORICAL PRESERVATION COMMISSION (HPC) FOR A SITE ASSESSMENT OF THE WALLISCH HOMESTEAD**

**WHEREAS**, the Garden State Historic Preservation Trust Fund is offering historic site management grants in 2012; and

**WHEREAS**, the West Milford HPC has recommended submittal & acceptance of a grant application to fund an assessment & evaluation of the Wallisch Homestead property & buildings; and

**WHEREAS**, if awarded & accepted, the grant requires a contribution from the Township; and

**WHEREAS**, the West Milford HPC recommends requesting a grant in the amount of \$20,000 with a \$5,000 match from the Township; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this grant application.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford supports the submittal & acceptance of a grant application to the Garden State Historic Preservation Trust Fund to be made by the West Milford Historic Preservation Commission in accordance with the guidelines for same; and

**BE IT FURTHER RESOLVED** that the members of the HPC be and are hereby authorized to designate one of their members to execute the proposed application.

Adopted: September 5, 2012

Adopted this 5<sup>th</sup> day of September 2012  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk

# Township of West Milford

Office of the Township Chief Financial Officer

## CHIEF FINANCIAL OFFICER/TREASURER'S CERTIFICATION OF FUNDS

The Governing Body of the Township of West Milford proposes a cash match for a grant application as follows:

Contractor: Garden State Historic Preservation Trust Fund

Amount of Proposal: Not to exceed \$5,000.00

Subject of Contract: Cash match

Account Numbers to be encumbered: 3-01-41-731-999

As the Chief Financial Officer/Treasurer of the Township of West Milford, responsible for the maintenance of the financial records of the municipality, I hereby certify that adequate funds are available for the aforementioned purpose and that payment of the contract price will be charged against and are not to exceed the amount appropriated in the 2013 Budget captioned under the title of "Reserve for Matching Grants." Contingent upon the approval by Council of the 2013 Budget.



Monica Goscicki

Chief Financial Officer, Township of West Milford

August 29, 2012

# Township of West Milford

Passaic County, New Jersey

~ Resolution 2012 - 297 ~

## RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE BOROUGH OF BLOOMINGDALE FOR REGISTRAR SERVICES

**WHEREAS**, the Township of West Milford has had an interlocal agreement with the Borough of Bloomingdale for Registrar services since 2009; and

**WHEREAS**, the Borough of Bloomingdale has continued to provide those services on a month-to-month basis thus far in 2012 for fourteen hours per week; and

**WHEREAS**, the Township of West Milford desires to continue with this agreement until such time as an internal review of the Health Department's needs can be conducted; and

**WHEREAS**, said agreement outlines the terms and conditions of the services to be provided; and

**WHEREAS**, the Chief Financial Officer certifies that funds are available for this purpose said funds to be encumbered from account #2-01-27-331-200.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the Mayor and Township Clerk be and are hereby authorized to execute an inter-local agreement with the Borough of Bloomingdale for Registrar of Vital Statistics services for the 2012 calendar year in an amount not to exceed \$17,637, said agreement to be available for public inspection in the office of the Township Clerk.

This Resolution shall take effect immediately.

Adopted: September 5, 2012

Adopted this 5<sup>th</sup> day of September 2012  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk

# Township of West Milford

Office of the Township Chief Financial Officer

## CHIEF FINANCIAL OFFICER/TREASURER'S CERTIFICATION OF FUNDS

The Governing Body of the Township of West Milford proposes  
the award of a contract as follows:

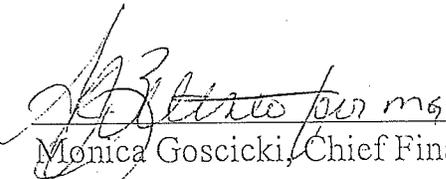
Contractor: Borough of Bloomingdale

Amount of Proposal: Not to exceed \$17,637.00

Subject of Contract: Interlocal Agreement for Registrar Services

Account Numbers to be encumbered: 2-01-27-331-450

As the Chief Financial Officer/Treasurer of the Township of West Milford, responsible for the maintenance of the financial records of the municipality, I hereby certify that adequate funds are available for the aforementioned purpose and that payment of the contract price will be charged against and are not to exceed the amount appropriated in the 2012 Budget captioned under the title of "Vital Statistics, O.E., Fees for Services."

  
\_\_\_\_\_  
Monica Goscicki, Chief Financial Officer, Township of West Milford

August 29, 2012

## **Township of West Milford**

Passaic County, New Jersey

### **~ Resolution 2012 - 298 ~**

#### **RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ONE GENERATOR FOR FIRE COMPANY #6 THROUGH STATE CONTRACT #a76607, WARSHAUER GENERATOR, LLC**

**WHEREAS**, the Township Council did authorize in the 2012 budget the purchase of one generator for Fire Company #6 and

**WHEREAS**, Warshauer Generator, LLC was awarded State Contract #A76607 which contract provides the goods & services needed; and

**WHEREAS**, Fire Company #6 has submitted a purchase order for one Baldor Generator in accordance with State Contract #A76607 in the amount of \$22,000; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number C-04-07-947-202 and C-04-12-956-260.

**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 appropriate Township officials be and are hereby authorized to execute the purchase order issued to Warshauer Generator for one Baldor Generator for Fire Company #6 at a cost of \$22,000:

Adopted: September 5, 2012

Adopted this 5<sup>th</sup> day of September 2012  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk

Township of West Milford  
Office of the Township Chief Financial Officer

CHIEF FINANCIAL OFFICER/TREASURER'S CERTIFICATION OF FUNDS

The Governing body of the Township of West Milford proposes to  
award a contract as follows:

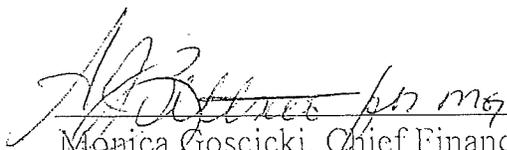
Contractor: Warshauer Generator LLC

Amount of Proposal: Not to exceed \$22,000.00

Subject of Contract: Generator for Fire Company #6

Account Numbers to be encumbered: C-04-07-947-202 - \$14,655.51  
C-04-12-956-260 - S 7,344.49

As the Chief Financial Officer/Treasurer of the Township of West Milford, responsible for the maintenance of the financial records of the municipality, I hereby certify that adequate funds have been appropriated, and are available for the aforementioned purpose and that payment of the contract price will be charged against and are not to exceed the amounts appropriated in the Capital fund.



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Monica Goscicki, Chief Financial Officer, Township of West Milford

August 29 2012

# Township of West Milford

Passaic County, New Jersey

~ Resolution 2012 - 299 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC  
AND STATE OF NEW JERSEY AUTHORIZING  
TOWNSHIP OF WEST MILFORD  
COUNTY OF PASSAIC, NJFORM OF RESOLUTION REQUESTING CHANGE IN  
TITLE, TEXT OR AMOUNT  
OF APPROPRIATION TO N.J.S. 40A:4-85  
(CHAPTER 159, P.L. 1948)**

**WHEREAS**, N.J.S. 40A:4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the Governing Body of any county or municipality, make such correction of the title, text or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any such county or municipality.

**NOW, THEREFORE, BE IT RESOLVED** that in accordance with the provisions of N.J.S. 40A:4-85, the Governing Body of the Township of West Milford, County of Passaic, hereby requests the Director of the Division of Local Government Services to make the following corrections in the budget of the year 2012:

	<u>From</u>	<u>To</u>
Division of Health:		
Salaries and Wages	\$32,000	
Interlocal Municipal Service Agreement		
Interlocal – Bloomfield Health Services		
Other Expenses		\$32,000

and

**BE IT FURTHER RESOLVED** that the foregoing correction is, in the opinion of the Governing Body, warranted and authorized by the statute above referred to, and is necessary for the orderly operation of the municipality for the reasons hereinafter set forth:

Director, Division of Local Government Services

Adopted: September 5, 2012

Adopted this 5<sup>th</sup> day of September 2012  
and certified as a true copy of an original.

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

# Township of West Milford

Passaic County, New Jersey

~ Resolution 2012 - 300 ~

## RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE TOWNSHIP OF BLOOMFIELD FOR HEALTH OFFICER SERVICES

**WHEREAS**, the Township of West Milford has conducted a comprehensive search and analysis to engage the services of a Health Officer; and

**WHEREAS**, the Township of Bloomfield has a full time Health Officer who has experience in the diverse range of services provided by a municipal health department; and

**WHEREAS**, the Township of West Milford desires engage the services of the Bloomfield Health Officer and his staff as warranted to oversee the West Milford Health Department in accordance with the terms outlined in the agreement; and

**WHEREAS**, the Chief Financial Officer certifies that funds are available for this purpose said funds to be encumbered from account #2-01-27-330-450.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the Mayor and Township Clerk be and are hereby authorized to execute an inter-local agreement with the Township of Bloomfield for Health Officer services through December 31, 2012, said agreement to be available for public inspection in the office of the Township Clerk.

This Resolution shall take effect immediately.

Adopted: September 5, 2012

Adopted this 5<sup>th</sup> day of September 2012  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk

# Township of West Milford

Office of the Township Chief Financial Officer

## CHIEF FINANCIAL OFFICER/TREASURER'S CERTIFICATION OF FUNDS

The Governing Body of the Township of West Milford proposes  
the award of a contract as follows:

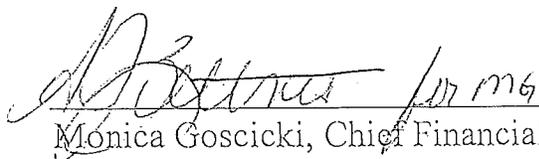
Contractor: Borough of Bloomfield

Amount of Proposal: Not to exceed \$32,000.00

Subject of Contract: Interlocal Agreement for Health Officer Services

Account Numbers to be encumbered: 2-01-27-330-450

As the Chief Financial Officer/Treasurer of the Township of West Milford, responsible for the maintenance of the financial records of the municipality, I hereby certify that adequate funds are available for the aforementioned purpose and that payment of the contract price will be charged against and are not to exceed the amount appropriated in the 2012 Budget captioned under the title of "Public Health, O.E., Fees for Services."



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Monica Goscicki, Chief Financial Officer, Township of West Milford

August 29, 2012

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2012 - 301 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING CONSENT TO A PROJECT AT BLOCK 5708, LOT 4, 54 MARSHALL HILL ROAD IN THE TOWNSHIP OF WEST MILFORD WHICH REQUIRES A TREATMENT WORKS APPLICATION TO THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WHEREAS**, the owner of 54 Marshall Hill Road, Block 5708, Lot 4 has made application for a permanent holding tank to serve the facility in lieu of a conventional septic system for an allowable sewage discharge rate of up to 1,995 gallons per day; and

**WHEREAS**, in accordance with N.J.A.C. 7:9A, a permanent holding tank can only be approved by the NJDEP under the TWA program; and

**WHEREAS**, as part of the application process, the NJDEP requires that the Township consent to the application; and

**WHEREAS**, the Township Engineer has reviewed the Treatment Works application submitted to the Department of Environmental Protection on behalf of the aforementioned property; and

**WHEREAS**, the Township Engineer, by way of letter dated August 24, 2010, has advised that the application is in order and his office has no objection to the township consenting to the application; and

**WHEREAS**, approval for a Treatment Works application requires the municipality to, by way of Resolution, consent to the project; and

**WHEREAS**, consent to this application does not preclude the property owner from obtaining any and all necessary local or State approvals for use of the property.

**NOW, THEREFORE, BE IT RESOLVED** that the Township of West Milford, County of Passaic, State of New Jersey hereby consents to the Treatment Works Application as submitted for the property known as 54 Marshall Hill Road, Block 5708, Lot 4 with respect to a permanent holding tank to serve the facility in lieu of a conventional septic system.

Adopted: September 5, 2012

Adopted this 5<sup>th</sup> day of September 2012  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk

# Township of West Milford

Passaic County, New Jersey

~ Resolution 2012 - 302 ~

## RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY, STATE OF NEW JERSEY AWARDING A CONTRACT TO JOHN JOSEPH, INC. FOR HYDRAULIC HAMMER SERVICES

**WHEREAS**, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on July 27, 2012 at 10:10 a.m. for Hydraulic Hammer Services as per the Bid Specifications; and

**WHEREAS**, the Township of West Milford received one bid for this contract; and

**WHEREAS**, said bids have been duly reviewed and analyzed by the Director of Public Works; and

**WHEREAS**, the bid received from the sole bidder John Joseph, Inc. has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

**WHEREAS**, the Director of Public Works has submitted a written recommendation for the award of this contract to John Joseph, Inc.; and

**WHEREAS**, the Chief Financial Officer has certified that encumbrances for these services shall come from account number C-04-11-950-315.

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

1. The Township Council hereby awards a contract to John Joseph, Inc., 695 Westbrook Road, Ringwood, NJ 07456 in an amount not to exceed \$20,000.00 for an estimated ten days of work for Hydraulic Hammer Services through December 31, 2012 as per the Bid Specifications and the Director of Public Works recommendation.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with John Joseph, Inc., in accordance with its bid for said hydraulic hammer services.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: September 5, 2012

Adopted this 5<sup>th</sup> day of September, 2012  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk

## **Township of West Milford**

Passaic County, New Jersey

~ Resolution 2011 – 303 ~

### **RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ROCK SALT FROM CARGILL, INC.**

**WHEREAS**, the Township of West Milford solicited bids on July 27, 2012 for Rock Salt; and

**WHEREAS**, in response to the "Notice to Bidders" the Township received three (3) bids; and

**WHEREAS**, said bids have been duly reviewed and analyzed by the Director of Public Works;  
and

**WHEREAS**, the Director of Public Works has submitted a written recommendation for the award of this contract to Cargill, Inc., 24950 Country Club Blvd, Suite 450, North Olmsted, OH 44070; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds and encumbrances for this purchase shall come from account number 2-01-26-294-363; and

**WHEREAS**, after careful consideration the Governing Body has found it to be in the best interest of the Township to award a contract to Cargill, Inc.

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

1. The Township Council hereby awards a contract to Cargill, Inc. for Rock Salt in an amount not to exceed \$465,120.00.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Atlantic Salt, Inc. in accordance with its bid for Rock Salt.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Municipal Clerk.

Adopted: September 5, 2012

Adopted this 5<sup>th</sup> day of September, 2012  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2012 - 304 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF POCKET PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2012 - 2013 LICENSE YEAR WITH CONDITIONS

**WHEREAS**, an applications for renewal of two Pocket (unsited & inactive) Plenary Retail Consumption Licenses for the 2012 - 2013 License year have been received and reviewed; and

**WHEREAS**, the Mayor and Township Council have conducted a public review of the applications as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980; and

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

1. The submitted applications are complete in all respects.
2. The applicants are qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicants have disclosed to the issuing authority the source of all additional financing obtained in the previous license year (July 1, 2011 - June 30, 2012).
4. Recommendations have been received in the Office of the Township Clerk from all applicable departments, with conditions.
5. Licensees have received Special Ruling from the Director of A.B.C.

**NOW THEREFORE, BE IT RESOLVED** that the Township Clerk is directed to hold the pocket license certificate(s) for the Mayor and Township Council of the Township of West Milford with conditions as follows:

LICENSE/LICENSEE/T/A	1. CONDITIONS	LICENSE STATUS
<p><b>BROOKSIDE GOURMET CORPORATION</b> 1615-33-022-002 c/o Andrew Mate 18 Karen Road Highland Lakes, NJ 07422</p>	<ol style="list-style-type: none"> <li>1. Licensee must apply for a place-to-place transfer to site and activate this license.</li> <li>2. A Fire Department inspection must be made prior to opening.</li> <li>3. A Health Department inspection must be made and a Retail Food Establishment license must be acquired prior to reopening</li> <li>4. A Police Department inspection must be made and a satisfactory recommendation received in the Township Clerk's office prior to opening.</li> </ol>	<p>Pocket/ Inactive</p>
<p><b>LA ROCCA, INC.</b> c/o Candice Clark 27 Sterling Street Franklin, NJ 07416</p>	<ol style="list-style-type: none"> <li>1. Licensee must apply for a place-to-place transfer to site and activate this license.</li> <li>2. A Fire Department inspection must be made prior to opening.</li> <li>3. A Health Department inspection must be made and a Retail Food Establishment license must be acquired prior to reopening</li> <li>4. A Police Department inspection must be made and a satisfactory recommendation received in the Township Clerk's office prior to opening.</li> </ol>	<p>Pocket/ Inactive</p>

Adopted: September 5, 2012

Adopted this 5<sup>th</sup> day of September, 2012  
and certified as a true copy of an original.

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

# Township of West Milford

County of Passaic

Resolution No. 2012 - 306

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

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

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

**WHEREAS**, the Township of West Milford wishes to amend its 2011 Budget to include an amount as revenue,

**NOW THEREFORE, BE IT RESOLVED** that the Governing body of the Township of West Milford hereby requests the Director of the Division of Local Government Services to approve the insertion of an item in the budget of the year 2012 which is now available as a revenue from:

Special Items of General Revenue Anticipated with Prior Written consent of the Director of Local Government Services:

Public and Private Revenues Off-Set with Appropriations:	
State of New Jersey Recreational Opportunities for Individuals with Disabilities 2012	\$10,000.00

**BE IT FURTHER RESOLVED** that the following is hereby appropriated under the caption of:

General Appropriations

(A) Operations – Excluded from CAPS	
Public and Private Programs Offset by Revenue	
Recreational Opportunities for Individuals with Disabilities 2012 - State Share	\$10,000.00

**BE IT FURTHER RESOLVED**, that the Township Clerk forward two copies of this resolution to the Director of Local Government Services.

Adopted: September 5, 2012

Adopted this 5<sup>th</sup> day of September, 2012 and certified as a true copy of an original.

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

Approved \_\_\_\_\_, 2012  
Director, Division of Local Government Services  
Trenton, New Jersey

**TOWNSHIP OF WEST MILFORD**

Passaic County, New Jersey

~Resolution 2012 - 307~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY  
REQUESTING CHANGE IN TITLE, TEXT, OR AMOUNT OF APPROPRIATION**

**WHEREAS**, N.J.S.A. 40A:4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of any county or municipality, make such correction of the title, text, or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any county or municipality.

**NOW, THEREFORE, BE IT RESOLVED** that in accordance with the provisions of N.J.S.A. 40a:4-85 THE Township of West Milford hereby requests the Director of the Division of Local Government Services to make the following correction in the 2012 budget:

From:

General Appropriation	
(A) Operations – Excluded from CAPS	
Public and Private Programs Offset by Revenue	
Matching Funds for Grants	\$2,000.00

To:

General Appropriations	
(A) Operations – Excluded from CAPS	
Public and Private Programs Offset by Revenue	
Individual with Disabilities Recreation Opportunities	
Act - Local Share	\$2,000.00

**BE IT FURTHER RESOLVED** that the foregoing correction is in the opinion of the governing body, warranted and authorized by the statute referred to above, and is necessary for the orderly operation of the Township of West Milford for the reasons set forth:

The change is being requested because the Township was awarded the 2012 ROID grant after the Township's 2012 budget was adopted therefore, appropriations need to be moved from the grants matching funds to the local share for the ROID grant.

**BE IT FURTHER RESOLVED**, that the Township Clerk forward two copies of this resolution to the Director of Local Government Services.

Adopted: September 5, 2012

Adopted this 5<sup>th</sup> day of September, 2012  
and certified as a true copy of an original.

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

# Township of West Milford

Passaic County, New Jersey

~ Resolution No. 2012 – 305 ~

## 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	\$477,255.63
2	Reserve Account	\$82,823.75
3	Animal Control Trust	88.00
6	Capital	23,785.64
7	Grants	8,806.64
8	Refuse	160,583.06
9	Refunds.	280.00
12	General Ledger	0.00
16	Heritage Trust	0.00
14	Open Space Trust	0.00
17	Trust	800.00
18	Development Escrow	1,107.00
19	COAH	177.50
20	Special Reserve	0.00
11	Assessment Trust	0.00
Total		\$755,707.22
	\$Less Refund Resolution	-280.00
	Actual Bill List	\$755,427.22
	Other Payments Ck# 49977 Allied Oil	34,810.71
	Ck# 49978 Finch Fuel Oil	16,627.80
	<b>Total Expenditures</b>	<b>\$806,865.73</b>

Adopted: August 15, 2012

Adopted this 5<sup>th</sup> day of September, 2012  
and certified as a true copy of an original.

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk