
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Workshop
Date of Meeting: September 1, 2010
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very positive facility for West Milford. He commended the Mayor & Council for proceeding with this project.

Jim Novack, Larchmont Drive, West Milford stated that this year marks the 20th anniversary of the enactment of the American's with Disabilities Act (ADA). He asked that enforcement officers check handicapped parking spots in town to ensure that they are not being misused. If an able-bodied person is using a space, even with a relative's handicapped decal, it is a violation of the law.

Doris Aaronson, 19 Bearfort Road, West Milford had an opportunity to read the ordinance for the cable vision franchise renewal. This bears no resemblance to what was agreed upon by the committee. She addressed specific portions of the ordinance that were not agreed to by the committee. Complaints about service from residents and from township officials fall on deaf ears and future grant opportunities are endangered by this agreement, she said. Every item in the agreement comes with a disclaimer to benefit the cable company. There are many problems with the proposed agreement. She has heard there will be fixed cameras in this room which will require that a person be retained to service and maintain them incurring personnel costs. We may also need outside, hand-held cameras for outdoor municipal events. This is an outrageous agreement that is not in accord with the committee that was formed to make recommendations.

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

Moved: Nolan Seconded: Ramaglia
Voted Aye: Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
Voted Nay:
Motion carried.

Agenda No. VII

Council Comments

Councilwoman Lichtenberg asked Mr. Semrau if he has reviewed the cable vision ordinance. Mr. Semrau answered in the affirmative advising that the function of tonight's discussion later in the meeting is to review the material terms of the agreement. Subsequently, the ordinance can be addressed.

Agenda No. VIII

Discussion Items

1)	FBI LEEDA Report – Administrator Boyle asked Mr. Semrau if this is a public record. Mr. Semrau stated that there is a court case involving the Borough of Paramus wherein the courts maintained that a very similar report be considered exempt from disclosure. The Council can discuss funding portions of the report but the details and personnel-related matters are confidential. Until the Township fully determines the direction to be taken, he recommends that it's confidentiality be protected. Council President Smolinski stated that because the report does not specifically identify officers who spoke, the comments remain confidential. Mr. Semrau stated that the report contains references to structure and other potentially confidential matters. He stated that the potential of releasing the report could be broached again at a later date. Mr. Boyle stated that he is seeking Council direction as to how much funding they will devote to manpower in the police department. Council President Smolinski stated that the PBA has sent a letter expressing concerns about staffing levels in the department. Mr. Boyle stated that tonight's discussion is limited to the funding the Council will allocate to staffing the department. Councilman Jurkovic stated that the Administrator is asking for approval to hire a second officer for the remainder of this year. However, as far as he is concerned, it is premature to seek Council direction for funding in 2011. He stated that the Council cannot commit to funding in 2011 without reviewing the budget that will be impacted. The FBI-Leeda report, he said, contains recommendations that must be digested and discussed. Councilman Nolan welcomed Officer Valente to the department. He noted that the Council had discussed and agreed that there was a need to hire another officer even before the Chief abruptly retired. He said that if it were urgent then, it is even more important now in light of the Chief's retirement. Administrator Boyle stated that he has reviewed the current budget and believes that there is sufficient funding to effectuate the hiring of another officer in the police department. He has also reviewed current staffing levels, has been advised of another unexpected resignation, and recommends hiring more police officers. He stated that with the impending resignation there will be 34 officers, 3 detectives, and 3 administrative personnel for a total of 40 staff members going up to 41 with Officer Valente on board. He recommends hiring two more officers based on recent retirements. He recommended maintaining staffing of 36 to 37 officers in the patrol division. Council President Smolinski stated that the FBI-Leeda report recommends a staffing level of 46 in the police
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	<p>department and he agrees adding that the PBA's letter expresses concerns about safety if staffing remains low. Councilman Jurkovic stated that he is okay with hiring two additional officers at this time. Council President Smolinski stated that he has no problem with hiring three more officers. Councilman Nolan stated that he would like to see West Milford hire officers who have been laid off from other towns rather than sending candidates to the academy. Councilman Ramaglia agreed, adding that the Council gave that direction at budget meetings. Mayor Bieri thanked the Council for their consideration of the needs of the police department. She stated that she has reviewed the FBI-Leeda report, she has the recommendations made by the former chief, and she has met with Acting Chief Chiosie and Acting Captain Coscia. Everyone agrees that the police department is understaffed and she expressed appreciation for the direction given tonight which will bring staffing levels up to 42 persons in the police department. She stated that the Administrator is hoping to discuss 2011 funding now because the budget process is lengthy and the Administration cannot proceed without understanding what the budget can sustain. Administrator Boyle stated that he understands that the Council is desirous of attaining a staffing level of 46 in the police department, in accordance with the FBI-Leeda report and he sees that as his goal. Councilman Jurkovic stated that he would first like to revisit comments made by Mayor Bieri at budget meetings and to review the FBI-Leeda report in more detail. He stated that he would have no problem with completing that work and having direction for the Administrator before the end of the calendar year. He stated that there are many changes taking place in Trenton with the 2% CAP and the Governor's toolkit. He expects that, as the next few months evolve, the Council will have a better understanding of how these issues will affect the municipality's ability to hire and he hopes those matters will be clear before the end of the year. Mayor Bieri stated that the FBI-Leeda report suggests retaining the current structure but reducing staffing from 48 to 46. She stated that the Administrator must know the amount of funding before they can make changes and effectuate hires. Councilman Jurkovic stated that he would like to see more officers on the street rather than in administration. This, he said, would affect lieutenants and sergeants. Council President Smolinski stated that the FBI-Leeda report recommends one captain in West Milford and he asked why the Mayor would not open the Chief's test to lower-ranking officers. He stated that he would like to provide every opportunity to those people to advance. He stated that he does not believe it's logical to have only three eligible candidates for the chief's exam. He apologized to the members of the police department for comments made at the last meeting. His comments pertained to the process and not the staff in the police department. He stated that he respects the work they do more than most because he has seen it first hand during the many years he has served with the first aid squad. He stated that he respects the police department and is frustrated that his request to participate in this process was denied. He was simply requesting that the Mayor include him in the discussion because it would have been beneficial to have him involved. He stated that the Mayor is censoring the Council. Councilman Nolan disagreed stating that this is a Mayor decision and stated that he can see no benefit to Council President Smolinski's involvement. Mayor Bieri thanked the Council for funding an additional two officers and stated that the Administration is prepared to proceed. Council President Smolinski expressed hope that the FBI-Leeda report will be released at some point and Councilman Nolan echoed that sentiment. Mr. Semrau stated that it is important to address the content of the report as a first step and then, after that, it can be released to the public. It is important to protect the information contained in the report until determinations are made. Council President Smolinski stated that the Council believes there is a need for more personnel in the police department. He continues to question the selection process for chief of police and he does not agree with having people serve for lengthy periods in acting capacities.</p>
2)	<p>Tennessee Gas Line Easements – Mr. Boyle advised that Tennessee Gas Pipeline is seeking to expand the Right of Way (ROW) at the Wallisch property to allow them to install a parallel gas line on that site. The Township has sought additional information and the Tax Assessor has provided a market value for the property. At this time, Mr. Boyle stated that he is seeking Council consensus to start processing the paperwork that will result in an agreement to the extension. Mr. Semrau cautioned the Council not to feel pressured into moving too swiftly. He stated that this is a significant project and Tennessee Gas Pipeline has made a proposal. However, West Milford is an environmentally-sensitive community. He urged the Council to take whatever time is necessary to understand the environmental impact of this project and noted that all the requested information needed to make these decisions has yet to be received. Council President Smolinski asked about the parameters of the proposed project and Mr. Boyle advised that he will obtain the specifics and report back to Council.</p>
3)	<p>Memo of Agreement with Greenwood Lake Commission – Mr. Boyle advised that, after their August 5th meeting, the Greenwood Lake Bi-State Commission has made a request that the Mayor sign a memorandum of understanding supporting the proposed drawdown in 2011-2012. He stated that he is seeking Council consensus to support this request. Councilman Nolan asked if signing the MOU would have any legal repercussions. Mr. Semrau advised that if the Council agreed to this, one could hold the Township to a legal agreement. Councilman Nolan stated that if such be the case he has concerns about the last paragraph</p>

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~ Resolution No. 2010-313 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF A PLENARY RETAIL CONSUMPTION LICENSE FOR THE 2010- 2011 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption Licenses for the 2010- 2011 License year have been received and reviewed; and

WHEREAS, the Township Council has 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, 2009- June 30, 2010).

WHEREAS, the Police Department has recommended that the license be renewed to the current owners.

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

<p>MERSIMI & MAHMUDI, INC. t/a Cafe Amore P.O. Box 1093 Hewitt, NJ 07421 1615-33-032-009</p>
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Adopted: September 1, 2010

Agenda No. IX 2

~ Resolution No. 2010-314 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF AN INACTIVE PLENARY RETAIL CONSUMPTION LICENSE FOR THE 2010- 2011 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption Licenses for the 2010- 2011 License year have been received and reviewed; and

WHEREAS, the Township Council has 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 application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicant has disclosed to the issuing authority the source of all additional financing obtained in the previous license year (July 1, 2009- June 30, 2010).

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

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

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LICENSEE	Conditions
WINE IN THE WOODS LLC t/a Wine in the Woods Attn: Sal Falciglia 179 Cahill Cross Road Suite 311 West Milford, NJ 07480 1615-33-023-003	Inactive licenses must be inspected, submit applicable pages of 12 page application, and receive satisfactory recommendations from the Health Department and Police Department prior to opening.

Adopted: September 1, 2010

Agenda No. IX 3

~ Resolution No. 2010-315 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL WITH CONDITIONS OF AN INACTIVE PLENARY RETAIL CONSUMPTION LICENSE FOR THE 2009- 2010 LICENSE YEAR

WHEREAS, an application for renewal of a Plenary Retail Consumption License for the 2009-2010 License year has been received and reviewed; and

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

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

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicant has disclosed to the issuing authority the source of all additional financing obtained in the previous license year (July 1, 2008- June 30, 2009).

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

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

2009-2010 LICENSEE	Conditions
MILFORD STEAKHOUSE INC. t/a Milford Steakhouse George Chrzanowski 38 Cherry Tree Terrace Kinnelon, NJ 07405 1615-33-016-005	<ol style="list-style-type: none"> 1. Inactive licenses must be inspected, submit applicable pages of 12 page application, and receive satisfactory recommendations from the Health Department and Police Department prior to opening. 2. A Manager must be designated by submission to the Township Clerk of the applicable application pages. 3. All fire code violations must be abated in the time specified by the Fire Prevention Bureau. 4. Any room layout changes must be reported to the Fire Prevention Bureau. 5. Posted occupant loads must be strictly adhered to. 6. Pool table and/or amusement game licenses must be applied for and received prior to opening.

Adopted: September 1, 2010

Agenda No. IX 4

~ Resolution No. 2010-266 ~

Removed from Agenda

Consent Agenda

Agenda No. IX 5

~ Resolution No. 2010-316 ~

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

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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. **2010-317** – Refund Performance Guarantee – Planning
- b. **2010-318** – Refund Police Trust Fund Monies
- c. **2010-319** – Refund Recreation Fees
- d. **2010-320** – Refund Health Department Fees
- e. **2010-321** – Refund Performance Guarantee – Engineering

Applications:

- a. **Application for Off Premise 50/50 Raffle License No. RL2010-34** by West Milford High School Soccer Booster Club, Inc. for November 11, 2010.
- b. **Application for Casino Night Raffle License No. RL2010-35** by St. Joseph Church for March 26, 2011.
- c. **Application for On Premise 50/50 Raffle License No. RL2010-36** by St. Joseph Church for March 26, 2011.
- d. **Application for Off Premise 50/50 Raffle License No. RL2010-37** by St. Joseph Church for December 12, 2010.

Adopted: August 18, 2010

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

Agenda No. IX 5a

~ Resolution No. 2010-317 ~

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

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

<u>Name & Address</u>	<u>Blk/Lt</u>	<u>Amount Refunded</u>	<u>Pg.</u>
John J. Panariello 607 Snake Den Road West Milford, NJ 07480	11103/5.02 Cash Bond Landscaping	\$2,000.00	78

Adopted: September 1, 2010

Agenda No. IX 5b

~ Resolution No. 2010-318 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF POLICE TRUST ACCOUNT MONIES

BE IT RESOLVED, by the Township Council of the Township of West Milford that, based upon the report and request of the Township's Police Chief, the following Police Trust Account monies be refunded:

Vendor	Acct #	Amount Refunded
UGL Property Owners Association P.O. Box 457 Hewitt, New Jersey 07421	T-15-56-240-002	\$1185.83

Adopted: September 1, 2010

Agenda No. IX 5c
~ Resolution No. 2010-319 ~

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

BE IT RESOLVED, that the following Recreational fees upon the report of the Director of Community Services and Recreation be refunded:

PARTICIPANT	AMOUNT	MADE PAYABLE TO:
<i>Refund due to illness:</i>		
Wyatt (Painting)	\$40.00	Elizabeth Space 22 Relda Avenue West Milford, NJ 07480
<i>Refund for cancelled program:</i>		
Colin (Pirate camp)	\$85.00	Jennifer Iwaszczuk 21 Delmont Rd. Hewitt, NJ 07421
Daria (Travel Hockey)	\$115.00	Rosemary Derin 31 Birchwood Pass West Milford, NJ 07480
<i>Refund for Camp:</i>		
Robert (Day Camp)	\$280.00	Karen Markson 4 Somerset Place West Milford, NJ 07480

Adopted: September 1, 2010

Agenda No. IX 5d

~ Resolution No. 2010-320 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF A HEALTH DEPARTMENT FLU CLINIC FEE

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

Name & Address	Receipt No(s)	Amount Refunded
Mr. and Mrs. Raymond Santelli 154 High Crest Drive West Milford, NJ 07480	8583 and 8584 (\$12.00 each)	\$24.00

Adopted: September 1, 2010

Agenda No. IX 5e

~ Resolution No. 2010-321 ~

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

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

<u>Name & Address</u>	<u>Blk/Lt</u>	<u>Amount Refunded</u>	<u>Pg.</u>
Jeff & Elizabeth Waitze 40 Melinda Lane Hewitt, NJ 07421	2203/1	\$2,500.00	76

Adopted: September 1, 2010

Agenda No. X

Approval of Expenditures

~ Resolution No. 2010-322 ~

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.

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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	\$354,965.35
2	Reserve Account	4,292.30
3	Animal Control Trust	150.00
6	Capital	63,479.87
7	Grants	10,700.39
8	Refuse	157,845.19
9	Refunds	705.00
12	General Ledger	0.00
16	Heritage Trust	0.00
14	Open Space Trust	2,500.00
17	Trust	8,207.12
18	Development Escrow	0.00
19	LOSAP	0.00
20	Special Reserve	0.00
Total		\$602,845.22
\$Less Refund Resolution		-705.00
Actual Bill List		\$602,140.22
Other Pyts,		
Ck#43255 Ascape Landscape pulled		-\$795.40
Total Expenditures		\$601,344.82

Adopted: September 1, 2010

Councilman Ramaglia made a motion to have this resolution placed on the floor for discussion, seconded by Councilman Nolan.

Discussion: Councilman Nolan stated that there is a payment on page 1 to a landscape company for \$795 for grass cutting. The Township has a contract with Scanlan for lawn cutting and he asked why this expense occurred. Mr. Boyle stated that he would obtain an answer. Councilman Nolan asked that this invoice be pulled from the bill list pending that response. Councilman Nolan noted that there is an invoice dating back to 2009 for Dewberry & Goodkind for the streetscape project. Mr. Boyle advised that this bill was held until detailed plans were received. Prior to Mr. McFadden retiring he gave this information to Mr. Boyle who is now satisfied and recommends that the bill be paid.

Councilman Ramaglia amended his motion to exclude the landscaping bill. Councilman Nolan amended his second.

Moved: Ramaglia Seconded: Nolan
 Voted Aye: Smolinski, Ramaglia, Nolan, Lichtenberg, Jurkovic.
 Voted Nay: None.
 Abstain: Nolan abstained from Valley Health only.
 Motion carried.

Agenda No. XI

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

Councilwoman Lichtenberg stated that Friday is a furlough day for Township employees so Town Hall will be closed. The 9/11 ceremony will be held on September 10th and there will be a second beautification day on September 25th. She stated that she is available to residents every Thursday at Town Hall from 10 a.m. to noon.

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Councilman Jurkovic stated that he was asked by the Facilities Assessment Committee about the construction estimate for the Johner building. He asked Mr. Boyle to have that consultant attend the next FAC meeting.

Council President Smolinski stated that he, Councilman Ramaglia, and Mayor Bieri will meet again with the Environmental Commission to draft a resolution for the establishment of a green team. He asked Mr. Boyle to be aware of the recreation department schedule in the future to better accommodate recreation programs. He stated that he is disappointed with discussions about the FBI-Leeda report. Through his experience on the first aid squad he knows how important it is to have police officers as first responders on the scene of an accident or in any emergency situation.

Councilman Nolan thanked the Environmental Commission for the research they did on the turf field and for the subsequent input they provided. He thanked the members of the Planning Board for their patience last week when they listened to people who spoke both in favor and opposition to the turf field. He stated that the meeting helped him understand many components and gave him a level of comfort to support proceeding with this project. He commended the professionals who provided information and answered questions. He stated that the Council formed a telecommunications committee four years ago. The committee concluded that the telephone system is outdated and needs replacement. There were delays in proceeding but the committee has performed the due diligence necessary to recommend that the Township engage the services of Optimum Lightpath to provide updated telephone and internet services to municipal facilities. He reviewed some of the specifics of their proposal advising that there is potential savings of up to \$3,000 per month. Mr. Boyle confirmed that this is indeed the case and advised that he has submitted the proposed contract to Mr. DiYanni of the firm Dorsey & Semrau for a legal opinion. Councilman Nolan suggested taking the annual savings and placing those funds in an escrow account to fund the replacement of the turf field years from now.

Mayor Bieri stated that the Township has been waiting for the police department study for some time. She thanked the staff in that department for meeting all the challenges placed before them during these unsettling times. They have met all those challenges and served the residents well. She thanked the Council for funding additional officers and she noted that with funding for staffing at the maximum level recommended by FBI-Leeda there will be cost savings because they have recommended staffing levels less than prior levels and less than the recommendation of the previous Chief of Police.

Administrator Boyle stated that he has received recommendations from Councilmembers Lichtenberg and Nolan for NJLM resolutions but none from other Council members. He advised that he, Mayor Bieri and the Director of Community Services & Recreation will attend the Passaic County Open Space Committee hearing on September 16th. He stated that the Township has received two rounds of CDBG funding for the Marhsall Hill sidewalks and he will authorize the survey work to begin. The engineering will be done in-house and he expects to go out to bid early in 2011. He stated that Freeholder Duffy will attend the October 20th meeting to present the check to the municipality. He stated that a notice has been sent out to all personnel that the weight limit on the High Crest bridge has been reduced to three tons. He has met with the Tax Assessor to begin reviewing properties that may be suitable for energy related projects and he anticipates having recommendations for the October workshop meeting. He stated that the recreation department continues to work on the 9/11 and Christmas tree lighting ceremonies. There will be action items for the next regular meeting from bond counsel as well as a resolution to accept grant monies and a resolution to amend the solid waste budget. He stated that he has interviewed five engineering firms to oversee the engineering department and has narrowed the search for a CFO to four candidates. The Committee may conduct second round interviews of these candidates. He stated that residents in Gordon Lakes and on Magnolia Road will be subject to assessments for their respective projects beginning in October.

Township Attorney Semrau stated that, over the years, Passaic County has contributed 20-25% of the cost of funding open space acquisitions in West Milford. He asked for and received Council consensus to commit \$150,000 from the open space trust account to the proposed acquisitions if the County awards the monies requested. Councilman Nolan stated that such a commitment could lead to additional funding in the future for recreation improvements. Mr. Semrau advised that the RFPs for the revaluation are going out tomorrow with a submittal date of September 15th. He cautioned that some of these firms are very aggressive and it is often difficult to compare proposals. He stated that he met with DEP officials to review various projects. He advised that he has received information from labor counsel regarding the former Chief of Police's payout and he will review that information with the Mayor and the Administrator and report back to Council. He does not anticipate that the Council will take action after executive session tonight.

Agenda No. XII

Appointments and Resignations

None.

Agenda No. XIII

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Executive Session

Council went into Executive Session at 9:44 p.m.

**~ Resolution No. 2010-323 ~
MOTION FOR EXECUTIVE SESSION**

BE IT RESOLVED by the Township Council of the Township of West Milford on the 1st day of September, 2010 that:

1. Prior to the conclusion of this **Regular 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.
 - () b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - () 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 1, 2010

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

Council return to meeting room at 10:13 p.m.

Agenda No. XIV

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 10:13 p.m.

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

Approved: March 16, 2011

MAYOR BETTINA BIERI
PRESIDING OFFICER

ANTOINETTE BATTAGLIA
TOWNSHIP CLERK