
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: September 4, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 1 of 16

The Workshop Meeting of the Governing Body was called to order by Mayor Michele Dale.

Adequate Notice Statement

Mayor Dale read the following statement:

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 issue of January 6, 2019 and January 27, 2019; 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.

Agenda No. I

Pledge of Allegiance

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

Agenda No. II

Roll Call

Present: Councilmembers Ada Erik, Andrena Pegel, Marilyn Lichtenberg, Pete McGuinness
Luciano Signorino, Patricia Gerst, Mayor Michele Dale
Absent: None
Also Present: Interim Township Administrator Bob Casey, Township Attorney Fred Semrau

Agenda No. III

Reading of or Approval of Unapproved Minutes

August 14, 2019 Executive Session
August 14, 2019 Workshop/Regular Meeting

Moved: Erik Seconded: Lichtenberg
Voted Aye: Erik, Lichtenberg, Signorino, Gerst
Voted Nay: None
Abstained: Pegel, McGuinness
Motion Carried:

Agenda No. IV

Meetings

Mayor Dale noted the future meeting schedule:

September 18, 2019 Regular Meeting
October 2, 2019 Workshop Meeting
October 16, 2019 Regular Meeting

Agenda No. V

Continued Business

2019 Municipal & Solid Waste Budget Public Hearing

Notice of this public hearing for the 2019 Municipal & 2019 Solid Waste budget was published in the Herald News on June 9, 2019. The Mayor will open the meeting to the public to speak to the budget only.

There being no comments from the public, Councilman McGuinness moved to close the public portion of the meeting.

Moved: McGuinness Seconded: Signorino
Voted Aye: Unanimous voice vote
Voted Nay: None
Motion carried.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: September 4, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 2 of 16

Discussion:

Councilman Signorino made a motion to amend the proposed budget to reflect a zero increase, seconded by Councilman McGuinness. Councilwoman Erik asked how they plan to do that. Mr. Casey explained the memo with the compromise that he provided to the Council. After his recommendations, there will be \$700,000 in surplus. Mr. Casey recommended removing the three DPW laborers and the IT employee. He expressed that they are not hiring any new employees this year. Councilman Signorino said he has been compromising for nine years to maintain a zero increase. Mr. Casey expressed that they have to get their best bond rating because they are looking at \$17 million in debt. He urged the Council to keep \$700,000 in surplus. He said there is no revenue in 2020 to support hiring additional employees. At this point in time, they are not adding additional employees to the payroll. He will not do anything that sets them up for a major tax increase next year and he will not balloon the 2019 budget to 2020. Councilman McGuinness expressed that they don't know how many employees are retiring next year, how much snow they will get, insurance costs; they have no numbers for next year. Mr. Casey explained that they will not have the reoccurring revenues to cover new employees. Mr. Casey said he made a recommendation to the Council that balances the budget with no tax increase keeping \$765,000 in surplus and the cuts that he outlined. Councilman Signorino amended his motion to include the recommendations from Mr. Casey to reflect \$700,000 in surplus and a reduction in taxes by \$65,000, seconded by Councilman McGuinness. Mr. Casey noted that \$65,000 is one tenth of one cent. He said that the CFO is preparing a detailed budget amendment and it will have to be considered at a special meeting next week to be adopted. They will amend the budget tonight and schedule a public hearing for next Wednesday, September 11, 2019 at 6:00 p.m.

Moved: Signorino Seconded: McGuinness
Voted Aye: Pegel, McGuinness, Signorino, Gerst
Voted Nay: Erik, Lichtenberg
Motion Carried:

Agenda No. VI

Presentations

None

Agenda No. VII

Executive Session

None

Agenda No. VIII

Discussion Items

1.	Discussion: West Milford EDC Recommendation: Councilwoman Erik said she attends the meetings and she feels it's a good idea. She said they should include other business people. Mr. Casey noted that they would be amending the current ordinance and allowing a non-chamber person to be appointed as a Business Representative. Councilwoman Pegel explained that they are requesting a person with a business background to fill the seat and to add a different perspective to the EDC to help revitalize the town. The Council gave consensus. Mr. Casey said that there will be an ordinance on the next agenda to accomplish that.
2.	Discussion: Amending Street Opening Permits: Mr. Casey explained that Mr. Miller noticed that there is a lot of activity and repair work that Suez is doing and they are tearing up the Township roads. He thinks Mr. Miller's suggestions are good but they need tweaking to make the application more suitable for the applicant. He will put together a well done ordinance and if the Council wants to introduce it, he will meet with Mr. Miller to revise it and finalize it. Mr. Casey said he will provide a revised draft at the next meeting. The Council gave consensus.

Official Communication

3.	Letter from Awosting Association regarding Closure of Beach: Mr. Semrau said the Township received an appeal from Awosting challenging the right to close the beaches. He noted that this was the directive of the State Department of Health. The only entity to overturn this decision is the State Department of Health. Mayor Dale said she asked Mr. Semrau to compose a letter with the backup showing where they were indicated to enforce the closure of the beaches and send it back to the State. Mr. Semrau said he will write back to Awosting confirming that the closure of the beaches was a directive from the State Department of Health.
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TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: September 4, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 4 of 16

WHEREAS, the Mayor and Township Council of the Township of West Milford does hereby determine that the lands and properties set forth in Schedule A are no longer needed for public use; and

WHEREAS, the Township of West Milford desires to make available for public sale said lands, with the right of prior refusal to be afforded to adjacent property owners pursuant to N.J.S.A. 40A:12-13.2.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford as follows:

1. The Township of West Milford hereby declares that the lands and premises set forth in Schedule A are no longer needed for public use and should be sold in accordance with appropriate statutes of the State of New Jersey.
2. The Township Council of the Township of West Milford hereby authorizes the Acting Township Clerk to offer for sale to the highest bidder by open public sale at auction the property set forth in Schedule A attached hereto and made a part hereof.
3. The public sale shall take place at the West Milford Township Municipal Building, 1480 Union Valley Road, West Milford, New Jersey, on **October 2, 2019 at 5:00 pm** or as soon thereafter as the matter can be heard and publicly announced, provided the sale is not cancelled.
4. The public sale, if not cancelled, shall take place by open public sale at auction to the highest bidder.
5. The successful bidder at the time of the sale must present cash or a check or money order, payable to the Township of West Milford, in an amount that equals 10% of the assessor's suggested minimum. This deposit shall be non-refundable. The balance of the purchase price shall be paid to the Township no later than sixty (60) days following the acceptance by the Township and the tender of marketable title to the purchaser and submitted to the Township. The purchaser shall be entitled to possession immediately following closing of title.
6. The Township makes no representation as to the title or any other aspects of the land to be sold.
7. At closing of title, purchaser shall also pay to the Township a buyer's premium in the amount of ten (10%) percent of the bid amount.
8. The Township reserves the right to accept or reject any and all bids at the public sale and not to award to the highest bidder. Such decision will be made by the Township Council at a Public Meeting within 30 days from the date of such sale. In the event the Township of West Milford is unable to convey clear and marketable title, insurable at regular rates by a title insurance company authorized to do business in the State of New Jersey, the Township shall forthwith return to the purchaser the deposit and neither party shall have any further rights against the other. The acceptance of a deed by the purchaser from the Township shall extinguish any claims the said purchaser may have against the Township of West Milford in connection with the quality of title conveyed.
9. All conveyances by the Township shall be made by way of a Quit Claim Deed, unless an adequate title binder prepared at the expense of the purchaser is forwarded to the Township prior to the conveyance and discloses that the Township holds marketable title in which case a Bargain and Sale Deed with Covenants Against Grantor's Acts will be the form of conveyance. The Township will include within its deed a metes and bounds description based upon a survey if a survey and metes and bounds description is obtained by the purchaser.
10. The Township Council of the Township of West Milford reserves the right to waive any and all defects and informalities in any proposal and to accept or reject the highest responsible and responsive bidder deemed to be in the best interests of the Township.
11. In those cases where the property being offered is an under-sized lot, adjoining property owners shall be given the first right to bid. If purchased by an adjoining property owner, the under-sized property shall merge into the purchaser's current lot. Furthermore, the property shall not be further subdivided as the conveyance is being made to accommodate the adjoining property owner as to his/her current residence, not for subdivision purposes.
12. If no adjoining property owners bid, the bidding will be opened to the public. The deed of conveyance for all under-sized lots that are sold to any party other than an adjoining property owner shall contain a restriction that the lot cannot be built upon. If it is a conforming lot, then no such deed restrictions shall be placed on the transfer of title. The Township will not represent, warrant, or guarantee the right to build on or improve any of the properties listed for sale. All properties will be subject to all Federal, State, Local Laws and Ordinances.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Workshop Meeting
 September 4, 2019
 6:30 pm
 Page 5 of 16

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13. A public notice of sale shall be published in the Township's official newspaper at least once a week for two consecutive weeks, the last publication being no earlier than seven (7) days prior to the date set forth for the public sale, which notice shall contain the conditions of this sale in accordance with N.J.S.A. 40A:12-13(a).
 14. In the event the successful bidder fails to close on the property, he shall forfeit ten percent (10%) of the purchase price.
 15. The resolution shall take effect immediately.

Adopted: September 4, 2019

Schedule A						
#	Block	Lot	Approximate Acreage	Zone	Location	Assessor's Suggested Minimum Bid
1	806	25	.172	LR	Wayside Road	\$1,100
2	811	2	.278	LR	Wayside Road	\$2,400
3	1806	4	.206	LR	Cedar Brook Road	\$2,200
4	2502	1	.75	LR	Island 2	\$8,200
5	2512	10	.173	LR	Lakeshore Drive	\$800
6	3503	31	.320	R-1	Cooley Lane	\$1,400
7	3605	9	.277	R-1	Eve Place	\$1,200
8	3605	10	.793	R-1	Eve Place	\$3,500
9	5802	1	.204	R-3	Morsetown Road	\$900
10	5802	2	.224	R-3	Morsetown Road	\$1,000
11	6714	1	.176	R-1	Aspen Lane	\$1,100
12	6714	10	.1927	R-1	Birch Avenue	\$800
13	8502	1	.052	SHD R-2	Richard Drive	\$250
14	8509	11	.018	SHD R-2	Pinecrest Trail	\$100
15	8509	13	.113	SHD R-2	Dockerty Hollow	\$750
16	8509	14	.146	SHD R-2	Dockerty Hollow	\$1,000
17	8601	5	.350	R-2	Macopin Road	\$3,800
18	8601	6	.110	R-2	Macopin Road	\$1,700
19	10817	12	.459	LR	Lakeview Avenue	\$5,000
20	11202	5	.288	LR	Larsen Road	\$1,900
21	14113	22	.459	LR	Peach Lane	\$5,000

Agenda No. XII 3

~ Resolution 2019 – 245 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING CONSENT TO FILE A TREATMENT WORKS APPROVAL (TWA) APPLICATION TO MODIFY AN EXISTING INDIVIDUAL SUBSURFACE DISPOSAL SYSTEM (ISSDS) ON LOT 1 IN BLOCK 2802 AT 355 WARWICK TURNPIKE, IN THE TOWNSHIP OF WEST MILFORD WHICH IS UNDER THE JURISDICTION OF THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION POLLUTANT DISCHARGE ELIMINATION SYSTEM, DISCHARGE TO GROUNDWATER (NJPDES-DWG) AUTHORIZATION NUMBER NJG0289167

WHEREAS, Moe's Plaza LLC is the owner of property known as 355 Warwick Turnpike, West Milford, NJ 07480 in the Township of West Milford, which is known as Block 2802 Lot 1; and

WHEREAS, Moe's Plaza, LLC made an application to alter the existing ISSDS on the property which was reviewed by the West Milford Health Department (WMHD) in October 2018; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: September 4, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 6 of 16

WHEREAS, the WMHD determined that aspects of the proposed ISSDS application did not conform to the design Standards outlined in N.J.A.C. 7:9A; and

WHEREAS, the application proposes to treat and dispose of wastewater based on a volume that was calculated using superseded standards and the actual wastewater volume based on the various uses on the site will exceed 2,000 gallons per day (gpd) according to the current effective standards in the NJDEP Standards for Individual Subsurface Sewage Disposal Systems, N.J.A.C. 7:9A; and

WHEREAS, the WMHD is not authorized under N.J.A.C. 7:9A to permit the repair, alteration, or construction of an ISSDS which treats and disposes of wastewater flows in excess of 2,000 gpd, and directed the owner/applicant to obtain a NJPDES-DGW permit from the NJDEP; and

WHEREAS, Moe's Plaza, LLC has obtained a NJPDES-DGW permit from the NJDEP, and has submitted a request to the Township of West Milford for Consent to File a TWA with the NJDEP to alter the existing ISSDS on the property; and

WHEREAS, the Township Engineer has reviewed the request and has determined that the ISSDS is regulated by the NJDEP and conforms with the requirements of all municipal ordinances pertaining to the proposed disposal system; and

WHEREAS, submittal of a TWA application to the NJDEP requires the municipality to, by way of resolution, consent to the project; and

WHEREAS, a copy of the application is on file in the WMHD; and

WHEREAS, the Township Engineer recommends to the Mayor and Township Council that it in fact consents to this application.

NOW, THEREFORE, BE IT RESOLVED that the Township council of 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 Moe's Plaza, LLC in the Township of West Milford which is known as Block 2802 Lot 1 with respect to septic alterations.

Adopted: September 4, 2019

Agenda No. XII 4

~ Resolution 2019 – 246 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING MEMBERSHIP RENEWAL IN THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Township of West Milford is a member of the Morris County Municipal Joint Insurance Fund, and;

WHEREAS said renewed membership terminates as of December 31, 2019 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW, THEREFORE, BE IT RESOLVED as follows:

- 1) The Township of West Milford hereby renews its membership in the Morris County Municipal Joint Insurance Fund for a three (3) year period, beginning January 1, 2020 and ending January 1, 2023 at 12:01 a.m.
- 2) The Township of West Milford agrees to renew its membership in the Morris County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
- 3) The Mayor and Acting Township Clerk shall be and hereby are authorized to execute the agreement to renew membership to be placed on file in the Office of the Township Clerk and to deliver same to the Morris County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

Adopted: September 4, 2019

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: September 4, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 7 of 16

Agenda No. XII 5

~ Resolution 2019 – 247 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONSTRUCTION CONTRACT TO REGAL UTILITY SERVICES, INC. FOR THE HARRISON, JEFFERSON, WALNUT & PAUL ROAD IMPROVEMENT PROJECT

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on August 23, 2019 at 10:00 am for the Harrison, Jefferson, Walnut and Paul Road Improvement Project; and

WHEREAS, the Township of West Milford received three (3) bids for this contract; and

WHEREAS, said bids have been duly reviewed and analyzed by the West Milford Township Engineering Division and Township Attorney; and

WHEREAS, the bid received from the lowest bidder, Regal Utility Services, 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 Chief Financial Officer has certified that encumbrances for these services shall come from accounts numbered 04-215-55-823-015, 04-215-55-826-007 and 04-215-55-832-000; 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 a contract to Regal Utility Services, Inc., 731 Warwick Turnpike, Hewitt NJ 07421 for the Harrison, Jefferson, Walnut and Paul Road Improvement Project in an amount not to exceed \$498,682.35.
2. The Mayor and Acting Township Clerk are hereby authorized and directed to execute a contract with Regal Utility Services, Inc., in accordance with its bid for said road improvements to Harrison Street, Jefferson Street, Walnut Street and Paul Street in the Township of West Milford.
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 4, 2019

Agenda No. XII 6

~ Resolution 2019 – 248 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ONE (1) 2015 KENWORTH T-370 4X4 CHASSIS THROUGH SOURCEWELL (FORMERLY NJPA) CONTRACT #081716-KTC FROM GABRIELLI TRUCK SALES

WHEREAS, the Township of West Milford became a member of Sourcewell (formerly the National Joint Powers Alliance-NJPA) by virtue of Resolution 2014-354 adopted November 12, 2014; and

WHEREAS, the Township wishes to purchase one (1) 2015 Kenworth T-370 4x4 Chassis; and

WHEREAS, the Township's Director of Public Works has provided a recommendation for this purchase through Sourcewell Contract No. 081716-KTC to Gabrielli Truck Sales; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from Account # C 04-215-55-831-003; and

WHEREAS, the total amount of the contract shall not exceed \$101,700.00.

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

1. The Township Council hereby authorizes the Township's Director of Public Works to purchase one (1) 2015 Kenworth T-370 4x4 Chassis, in an amount not to exceed \$101,700.00, through Sourcewell Contract No. 081716-KTC from Gabrielli Truck Sales, 880 South Oyster Bay Road, Hicksville, NY 11801.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: September 4, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 8 of 16

2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: September 4, 2019

Agenda No. XII 7

~ Resolution 2019 – 249 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING AN INCREASE FOR THE PURCHASE OF TRAFFIC STRIPING FOR TOWNSHIP ROADWAYS THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #36 (TRAFFIC STRIPING ON ROADS) TO DENVILLE LINE PAINTING, INC. IN AN AMOUNT NOT TO EXCEED AN ADDITIONAL \$3,445.41

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

WHEREAS, the Morris County Cooperative Pricing Council has awarded Contract #36, Traffic Striping on Roadways to Denville Line Painting, Inc.

WHEREAS, said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40A:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township of West Milford previously authorized purchases through Denville Line Painting Inc., in the amount of \$120,000 by virtue of Resolution 2019-160 and in order to meet State requirements for reflectivity, additional striping in the amount of \$3,445.41 was required; and

WHEREAS, the Director of Public Works has confirmed the need for the additional striping therefore increasing the services purchased through Denville Line Painting, Inc. for the additional line striping in the amount of \$3,445.41 which represents a 2.9% increase for these purposes; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this additional purchase, said funds to be encumbered from account number 01-201-26-290-200;

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

1. The Township Council hereby authorizes an additional \$3,445.41 to be expended through the Morris County Cooperative Pricing Council, contract #36, to Denville Line Painting, Inc. 2 Green Pond Road, Rockaway, NJ 07866 for the purchase of additional line striping thereby increasing the not to exceed amount for these purchases from \$120,000.00 to \$123,445.41
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: September 4, 2019

Agenda No. XII 8

~ Resolution 2019 – 250 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION PRIOR TO THE ADOPTION OF THE 2019 BUDGET PER N.J.S.A. 40A:4-20 (ANJEC GRANT)

WHEREAS, Local Budget Law N.J.S.A. 40A:4-1 states in part, in addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the Governing Body may by resolution adopted by a 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year; and

WHEREAS, the Township of West Milford has obligatory expenses that exceed the temporary budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford by a 2/3 vote, that the following temporary budget appropriation be made and that a certified copy of the resolution be sent to Division of Local Government Services:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
 Date of Meeting: September 4, 2019
 Time of Meeting: 6:30 pm
 Minute Page No: Page 9 of 16

Appropriation	Acct Number	2019 Temporary Budget
ANJEC Grant	02-213-41-867-000	\$487.33
TOTAL		\$487.33

Adopted: September 4, 2019

Agenda No. XII 9

~ Resolution 2019 – 251 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY FOR THE CANCELLATION OF UNEXPENDED UNFUNDED CAPITAL

WHEREAS, balances exist in Ordinance 2017-006 for the improvement of various streets, the purchase of a brine truck and the purchase of a para transit bus and

WHEREAS, the money was appropriated from other sources; and

WHEREAS, the CFO wishes to cancel said unexpended unfunded capital balance.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that the following balance in the capital ordinance be hereby cancelled:

Ordinance	Project Description	Unexpended Balance to be Cancelled
2017-006	Improvements of Various Roads	\$162,739
2017-006	Brine Truck	\$69,000
2017-006	Para Transit Bus	\$29,902

Adopted September 4, 2019

Agenda No. XII 10

~ Resolution 2019 – 252 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF OUTSTANDING CHECKS OVER SIX MONTHS OLD TO MUNICIPAL CASH BALANCES

WHEREAS, the Chief Financial Officer has determined that the following Township of West Milford claims account checks have been outstanding for a period in excess of six months.

DATE	CHECK #	AMOUNT
12/31/18	19191	\$120.00
TOTAL		\$120.00

NOW, THEREFORE, BE IT RESOLVED that the above outstanding check be restored to the Township cash balance.

Adopted: September 4, 2019

Agenda No. XII 11

~ Resolution 2019 – 253 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE 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 Amount	Pay to Lien Holder
96-36	05/23/1996	02606-005	\$2,751.80	ELIZABETH A. WALDRON 216 LONG POND ROAD HEWITT, NJ 07421
TOTAL			\$2,751.80	

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
 Date of Meeting: September 4, 2019
 Time of Meeting: 6:30 pm
 Minute Page No: Page 10 of 16

Adopted: September 4, 2019

Agenda No. XII 12

~ Resolution 2019 – 254 ~

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

WHEREAS, there appears on the tax records overpayment as shown below and the Collector of Taxes recommends the refund of such overpayment.

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

- REASON:**
- | | |
|----------------------|-------------------------------|
| 1. Incorrect Payment | 6. Tax Appeal County Board |
| 2. Duplicate Payment | 7. Tax Appeal State Tax Court |
| 3. Senior Citizen | 8. 100% Disabled Veteran |
| 4. Veteran Deduction | 9. Replacement Check |
| 5. Homestead Rebate | 10. Reduced Assessment |

Block/Lot	Name	Amount	Year	Reason
7801-54.05	Katherine Gaviria 54E Beacon Hill Road West Milford, NJ 07480	\$531.15	2019	1
TOTAL		\$531.15		

Adopted: September 4, 2019

Agenda No. XII 13

~ Resolution 2019 – 255 ~

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:

Travel field hockey		
Aubrey	\$150.00	Nicole Fritz 18 Cherbourg Drive West Milford, NJ 07480
Liberty Science trip		
Kenny	\$35.00	Lisa Johnson 8 Forge Road Hewitt, NJ 07421

Adopted: September 4, 2019

Agenda No. XII 14

~ Resolution 2019 – 256 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF TAX LIEN PREMIUM

WHEREAS, there appears on the tax records as shown below and the Collector of Taxes recommends the refund of such payment.

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

REASON: 1. Refund Tax Lien Premium

CERTIFICATE NO.	BLOCK/LOT	NAME	AMOUNT
16-0055	6803-7	Christiana Trust as Custodian 2020 Howell Mill Road NW Suite C-513 Atlanta, GA 30318	\$25,800.00
TOTAL			\$25,800.00

Adopted: September 4, 2019

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: September 4, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 11 of 16

Agenda No. XII 15

~ Resolution 2019 – 257 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF STREET OPENING BOND FEE

BE IT RESOLVED, that the following street opening bond fee upon the recommendation of the Township Engineering Department be refunded:

Receipt No.	Refund Amount	Refund to	Street Excavation Project Permit No.
706337	\$450.00	Lawrence & Amy Weed 114 Mountain Circle South West Milford, NJ 07480	114 Mountain Circle South 2019-10

Adopted: September 4, 2019

Agenda No. XII 16

~ Resolution 2019 – 258 ~

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: Cancel taxes by consensus of the Governing Body at the August 14, 2019 Workshop/Regular Meeting

Block & Lot	Name	Amount	Year
06803-004	Board Of Chosen Freeholders 401 Grand Street Paterson, NJ 07505	\$4,940.14	2018
Total		\$4,940.14	

Adopted: September 4, 2019

Agenda No. XII 17

~ Resolution 2019 – 259 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF POCKET (INACTIVE) PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2019- 2020 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption License for the 2019- 2020 License year have been processed on the ABC POSSE website and reviewed; and

WHEREAS, these licenses have received a Tax Clearance Certificate and Special Ruling for the 2019-2020 year; 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; 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.

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Workshop Meeting
 September 4, 2019
 6:30 pm
 Page 13 of 16

	Computerized Data Processing Salaries and Wages	195,540.00	150,540.00
	Office of Township Attorney Other Expenses	329,000.00	269,000.00
	Division of General Services Other Expenses	214,500.00	164,500.00
	Division of Patrol Purchase of Police Vehicles	288,497.00	208,497.00
	Division of Streets & Roads Salaries and Wages	1,971,475.00	1,869,475.00
	Division of Snow Removal Other Expenses	1,165,000.00	1,117,000.00
	Insurance Group Insurance for Employees	3,099,850.00	3,069,850.00
	Total Operations within "CAPS"	23,756,089.00	23,295,729.00
	Detail: Salaries & Wages	13,932,324.00	13,769,964.00
	Other Expenses (including Contingent)	9,823,765.00	9,525,765.00
(E)(2)	Statutory Expenditures Social Security System (O.A.S.I.)	660,000.00	650,000.00
	Total Deferred Charged and Statutory Expenditures- Municipal within "CAPS"	3,169,000.00	3,159,000.00
(H-1)	Total General Appropriations for Municipal Purposes within "CAPS"	26,925,089.00	26,454,729.00
(L)	Subtotal General Appropriations	33,009,763.00	32,539,403.00
	Total General Appropriations	35,259,763.00	34,789,403.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the 2019 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, be published in the Herald News, in the issue of September 8, 2019, and that said publication contain notification of public hearing on said amendment to be held at the Municipal Building on September 11, 2019, at 6:00 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 4th day of September, 2019.

Adopted: September 4, 2019

 Moved: McGuinness Seconded: Signorino
 Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Signorino, Gerst
 Voted Nay: Erik, Lichtenberg (resolution 2019-261)
 Motion Carried:

Agenda No. XIII

Consent Agenda

None

Agenda No. XIV

Approval of Expenditures

~ Resolution 2019 – 260 ~

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 this office in payment of amounts due by the Township.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
 Date of Meeting: September 4, 2019
 Time of Meeting: 6:30 pm
 Minute Page No: Page 14 of 16

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

Acct #	Account Name	Amount
1	Current Account	\$450,024.06
3	Reserve Account	0.00
2	Grants	9,278.02
6	Refunds	4,358.60
1	General Ledger	0.00
26	Refuse	145,793.94
4	Capital	164,512.07
19	Animal Control	5,853.55
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	3,692.22
19	Scala Trust	219.00
16	Development Escrow	2,072.75
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$785,804.21
	Less Refund Resolution	-4,358.60
	Actual Bills List	\$781,445.61
	Other Payments	
	Payroll	\$668,266.18
	WMBOE	4,698,607.00
	Eric Bunk	900.00
	Total Expenditures	\$6,149,218.79

Adopted: September 4, 2019

 Moved: Erik Seconded: Lichtenberg
 Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Signorino, Gerst
 Voted Nay: None
 Motion Carried:

Agenda No. XV

Reports of Administrator, Mayor and Council Members

Mayor Dale – Said they were sent information to the Township about the energy assistance days. They posted the flyers and she will ask WM77 TV to publish the flyers. If someone is in need of energy cost assistance, the County has resources and they will hold open forums. She would like to invite Fire Company 6 to a Council meeting to officially congratulate and recognize them for their 75 years of service to the Township. Councilman McGuinness suggested a proclamation and the Council gave consensus. She noted that the Township is going to have a public open forum with Suez for the residents in the main meeting room on Wednesday, September 25th at 6:00 p.m. They will put together a formal flyer and submit it to WM77 TV. She wished all the families and children a successful school year. She noted various events and the dates and times. She reminded everyone that on September 7th between 7:00 a.m. – 3:00 p.m., Canistear Road will be closed because the DPW will be doing drainage work to prepare for the paving.

Mr. Casey – Noted that the lights are up in Nosenzo Pond Park and they are going to turn them on September 18th at 5:00. Following the lighting will be the first soccer game at 6:00 p.m. He said that concludes the first phase of the park. Councilman McGuinness said they should invite Paul Reilly.

Councilman Signorino – Wished all the students a safe and wonderful new school year.

Councilwoman Gerst – Asked when the telephone polls on Ridge Road are going to be fixed and when the old ones will be removed. Mr. Casey said that Orange and Rockland claims they will get to their polls this fall. He said that one or two are going to be removed shortly by Verizon. Mayor Dale said this has been a safety issue for a long time and Mr. Miller has been on top of it. Councilwoman Gerst wished everyone a safe and fun school year.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: September 4, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 15 of 16

Councilwoman Erik – Mentioned that she has been getting a lot of calls and emails about the Airbnb's. She asked if it moved forward from the last presentation. She expressed that if they want to regulate it or not they need to work on it. Mr. Casey said the Council has the right to allow it under certain conditions with an ordinance.

Councilwoman Pegel – Thanked the Library Committee for allowing the parking signs for the Veterans from the Blue Star Moms. She thanked the DPW for putting up the signs. She noted that she has four more signs from the Blue Star Moms and she suggested placing them around the Township. She said she is trying to work with the County to spread this around. She received numerous phone calls about the noise level at the 911 Ceremony. She asked if the traffic can be controlled to keep the area quiet. She provided an update on the EDC. She announced that there will be changes to the senior citizen bus route.

Councilwoman Lichtenberg – Noted various events and the dates and times.

Mayor Dale – Said they have been highly engaged with the YMCA and they have a presence off Germantown Road. One of the ideas they are working on is seeing if they will have a larger presence in West Milford. This is the beginning of understanding what the community wants and demands. It is really important that people attend the meeting because it will show whether or not the Township will support this. The YMCA is a very honorable entity that she would love to see have a larger presence in the Township. The meeting is September 9th from 6:00 p.m. – 8:00 p.m.

Councilman McGuinness – Mentioned that he received phone calls from seniors and they are worried about flu shots. Mr. Casey said he is working on that and he will present something to the Governing Body to show how the Township is going to provide the services. Councilman McGuinness wished everyone a happy and healthy school year. He would like to move forward with the three distribution licenses and put them out to bid again.

Councilman Signorino – Asked to discuss Council on Mandates in the next executive session.

Mr. Semrau – Provided an update on the few matters that are pending litigation.

Agenda No. X

Public Comments

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

Mike Hensley, Maple Road – Said it was nice to see everyone in attendance tonight. He expressed his insight about how the Council is not working for the residents.

Richard Randazzo, Wooley Road – Expressed his concerns about various issues in the Township. He asked if the Airbnb's are contributing to the taxes because it is a business. He said they have enough problems with water, whether it's with the wells or Suez and there is not enough water to support all the Airbnb's. He wants the tax money from the Airbnb's to help with the budget. He said during public comments, it's not right that the residents can't have a conversation with the Council. He said the next Primary Election will be another purge.

There being no more comments from the public, Councilwoman Erik moved to close the public portion of the meeting.

Moved: Erik Seconded: Signorino
Voted Aye: Unanimous voice vote
Voted Nay: None
Motion carried.

Agenda No. XI

Council Comments

Mr. Semrau – Explained that the assessment and taxes on the property on Wooley Road were fair and the settlement was unacceptable.

Agenda No. XVI

Appointments and Resignations

None

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: September 4, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 16 of 16

Agenda No. XVII

Adjournment

There being no further business to come before the Council, the Governing Body adjourned the meeting at 7:56 p.m.

Moved: McGuinness Seconded: Gerst
Voted Aye: Unanimous voice vote
Voted Nay: None
Motion carried.

Approved: September 18, 2019

Respectfully submitted:

Sherry Zbrzeski, Keyboarding Clerk I

MICHELE DALE, MAYOR

DIANE CURCIO, ACTING TOWNSHIP CLERK