
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: September 07, 2016
Time of Meeting: 6:30 pm
Minute Page No: Page 2 of 13

BE IT RESOLVED by the Township Council of the Township of West Milford on the 7th day of September 2016 that:

1. Prior to the conclusion of this **Workshop Meeting**, the Governing Body 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.
 - AFSCME 2275 and AFSCME 3301
 - () 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 7, 2016

Moved: Erik Seconded: Dale
Voted Aye: Unanimous Voice Vote
Voted Nay: None.
Absent: Signorino
Motion carried.

The Governing Body went into executive session at 6:35 pm.
The Governing Body returned to the public meeting at 7:00 pm with all members present as before.

Agenda No. IV

Presentations

Eagle Scout Mathew Mekelburg – Mayor Bieri invited Matthew to join her at the podium. Matthew said that he has been scouting since 4th grade. He has been dealing with Asperger’s Syndrome since a young age and scouting has changed him for the better. He noted that he has earned 52 merit badges and attained the rank of Eagle Scout. For his Eagle Scout project, he built 68 bat boxes and placed them around Upper Greenwood Lake. He feels like he did something to better the community and scouting brings out the best in people. Mayor Bieri congratulated him and noted that he is going to become a Scout Master.

Agenda No. V

Proclamations

None.

Agenda No. IX

Discussion Items

None.

Agenda No. X

Action Items

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Mayor Bieri asked to move all agenda items as one and the Council agreed.

Moved: Erik Seconded: Dale
Voted Aye: Erik, Hensley, Wagner, Dale, Lichtenberg.
Voted Nay: None.
Absent: Signorino
Motion carried.

Agenda No. X 1

~ Resolution 2016 – 269 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY SUPPORTING EQUAL FUNDING FOR THE EDUCATION OF EACH STUDENT

WHEREAS, Governor Chris Christie is proposing a solution to New Jersey's two most pressing crisis that are hurting all New Jerseyans: the failure of urban education and property taxes; and

WHEREAS, predominantly caused by billions in tax dollars pouring into continually failing urban school districts, due to New Jersey's unaffordable and broken school funding formula created by NJ's Supreme Court; and

WHEREAS, West Milford Township supports an equal per-pupil funding plan what would provide tax fairness for all residents and better public education for every New Jersey student; and

WHEREAS, the statewide graduation rate is 90% with 27 of the 31 Abbott districts falling below that average despite significantly higher state funding; and

WHEREAS, the current formula crushes the majority of property taxpayers and has in the past several years chased millions of residents and employers to more affordable states with balanced tax structures; and

WHEREAS, on average, 52% of property taxes statewide are spent on the school tax and in many districts it is as high as two-thirds; and

WHEREAS, West Milford Township believes that all NJ children should be valued equally; and

WHEREAS, West Milford Township supports equal funding for all, with each public school district receiving \$6,599.00 per enrolled student, while continuing aid for special needs students; and

WHEREAS, a balanced tax structure and mandatory equal funding for all NJ students will bring fairness and overall tax savings without negatively impacting the educational level; and

WHEREAS, an equal per-pupil funding plan could generate an average property tax savings in the Township of West Milford of \$720.00 or more; and

NOW THEREFORE BE IT RESOLVED that the Township of West Milford does hereby support a mandatory, equal, per-pupil funding plan to be provided by the state for a balanced tax structure.

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to Governor Chris Christie, West Milford Board of Education, Township's Legislative Representatives and surrounding municipalities.

Adopted: September 7, 2016

Township Administrator/Clerk Battaglia stated that the DPW and Community Services and Recreation has worked hard in regard to the direction that the governing body gave during the budget and the appropriation to purchase mason dump trucks. Our DPW Director and Senior Mechanic reviewed the fleet and made a decision to use the vehicles for what they are intended. She gave some background on the department modifications. She noted the department did a great job and the governing body was eager to see this happen. Ms. Battaglia said that resolution 2016-299 has been removed from the agenda because staff is doing a review of the accounts due to old funding and it will be on the next agenda. Mayor Bieri welcomed back, even if sporadically for now, our Administrator and Clerk who has been out on a medical leave.

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~ Resolution 2016 - 291 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING RESOLUTION 2016-228 CERTIFICATION LIST OF VOLUNTEER MEMBERS OF THE TOWNSHIP OF WEST MILFORD FIRE DEPARTMENTS AND FIRST AID SQUADS

WHEREAS, the Township adopted Ordinance No. 1999-26 which created the Length of Service Awards Program (LOSAP); and

WHEREAS, N.J.S.A. 40A: 14-191 requires that the Emergency Service Organizations furnish the Township Council with an annual certification list of all volunteer members who have qualified for credit under the award program for the previous year; and

WHEREAS, the Township adopted Resolution 2016-228 on June 22, 2016 formally approving the certification list of all volunteer members of the Township fire departments and first aid squads; and

WHEREAS, in response to a OSC Report (Office of the State Comptroller) the Division of Local Government Services issued Local Finance Notice 2016-3 highlighting applicable rules and regulations regarding LOSAP; and

WHEREAS, N.J.A.C. 5:30-14.15 (1) states no individual shall receive more than the maximum annual benefit amount established in N.J.S.A. 40A:14-189(b), regardless of the number of sponsoring agencies served; and

WHEREAS, N.J.S.A. 40A:14-189(b) states LOSAP benefit levels are set in the law and the maximum contribution for each active volunteer member that can be awarded per year is \$1,150.00 per member; and

WHEREAS, Raymond Shattuck and Richard Poplaski Jr., were recorded incorrectly on the certification list in Resolution 2016-228 with \$700.00 amounts per member for Fire Company #4, Fire Company #1 respectively and West Milford First Aid Squad; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council of the Township of West Milford, approve amending the certified list with the above two volunteer members of the Township of West Milford fire departments and first aid squads revising the change of monetary contributions to Raymond Shattuck and Richard Poplaski Jr. who participate in more than one volunteer organization to receive a maximum amount of \$1,150.00 allowed by N.J.S.A. 40A:14-189(b).

BE IT FURTHER RESOLVED this resolution serves as the Amendment to the certification list in Resolution 2016-228 and a copy of this resolution will be forwarded to the respective fire houses, first aid squads and available for public inspection in the Municipal Clerk's Office.

Adopted: September 7, 2016

Agenda No. X 3

~ Resolution 2016 - 292 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO SCOTT HOLZHAUER, CTA, SCGREA, TO ASSIST THE TOWNSHIP OF WEST MILFORD WITH TAX APPEALS FILED IN THE TAX COURT OF NEW JERSEY

WHEREAS, the West Milford Tax Assessor has recommended that the Township of West Milford retain professional real estate appraisal and consulting services to assist the Township of West Milford with outstanding tax appeal matters in the Tax Court of New Jersey; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from account number 01-201-20-150-450.

WHEREAS, Scott Holzhauer, CTA, SCGREA has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Township of West Milford

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with the elected officials in the previous one year, and that the contract will prohibit Scott Holzhauser from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. The Township Mayor and Township Clerk be and are hereby authorized to execute a contract with Scott Holzhauser, CTA, SCGREa for professional services to assist the Township with Tax appeals filed in the Tax Court of New Jersey in an amount not to exceed \$8,000.00.
2. This contract is awarded without competitive bidding as "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
3. The term of this contract shall be through December 31, 2016.
4. The total fee authorized for this contract shall not exceed \$8,000.00 without the prior written approval of the Township Council.
5. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: September 7, 2016

Agenda No. X 4

~ Resolution 2016- 293 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT AWARDED TO G ENVIRONMENTAL GECP INC. FOR ENVIRONMENTAL REMEDIATION AT THE MUNICIPAL BUILDING

WHEREAS, by virtue of Resolution 2015-318 adopted on October 7, 2015 the Township Council did authorize the a contract with G Environmental GECP Inc. for environmental remediation at the Municipal Building; and a number of years ago gasoline storage tanks located at Town Hall, 1480 Union Valley Road in the Township of West Milford, leaked and were replaced. The Township had the spill area remediated; however the necessary closure documents were not filed with the NJ Department of Environmental Protection; and

WHEREAS, Resolution 2015-318 and the related contract did authorize the professional services for environmental remediation in an amount not to exceed \$32,122.00;

WHEREAS, the contaminated soil that was removed from Town Hall needs to be disposed of properly; and

WHEREAS, the Health Officer has submitted a written recommendation to increase the contract to G Environmental for the proper disposal of the contaminated soil in an amount not to exceed \$4,260.00,

WHEREAS, the Township Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from account number 01 203 27 335 450;

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

1. The Township Council hereby authorizes the Township Administrator to approve an amendment of \$4,260.00 to G Environmental, GECP Inc. 52 South Hillside Avenue, Succasunna, NJ 07876 to properly dispose of the contaminated soil which amount is in excess of the initially approved contract amount of \$32,122.00 bringing the contract total to an amount not to exceed \$36,382.00
2. The Township Chief Financial Officer has certified the availability of funds for the same.
3. This contract is awarded as a "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
4. The total fee authorized for this contract shall not exceed \$36,382.00 without the prior written approval of the Township Council.
5. That a notice of this action shall be published in accordance with law, and said notice to provide that the originally awarded contract and this resolution serves as the Addendum to the contract and are available for public inspection in the office of the Township Clerk.

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~ Resolution 2016- 294 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO ENVIROTACTICS, INC. FOR LSRP SOIL DELINEATION AND REMEDIATION OVERSIGHT IN THE AREA OF THE PROPOSED SEPTIC SYSTEM AT WEST MILFORD DPW, 30 MARHILL ROAD

WHEREAS, there exists a need for Licensed Site Remediation Professional (LSRP) services to be rendered to the Township of West Milford in connection with the cleanup and restoration of the septic system field site of the DPW building located at 30 Marhill Road aka 30 Lycosky Drive; and

WHEREAS, the Health Officer submitted a recommendation to retain the services of Envirotactics, Inc. from expertise and historical familiarity with the situation; and

WHEREAS, the CFO has certified to the availability of funds; said funds to be encumbered from account number 04-215-55-826-012; and

WHEREAS, Envirotactics, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that his firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of Envirotactics, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40AL11-1 et seq) requires that the resolution authorizing the award of contracts for “professional services” and the contract itself, must be made available for public inspection.

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, as follows:

1. The Mayor and Township Clerk be and are hereby authorized to execute an agreement with Envirotactics, Inc., of 1330 Laurel Avenue, Building 3, Sea Girt, NJ 08750 for environmental consulting services in connection with Licensed Site Remediation Professional (LSRP) services to be performed at the site known as the West Milford DPW 30 Marhill Road to remove contaminated soil, soil evaluation and delineation and removal.
2. This contract is awarded without competitive bidding as professional services pursuant to N.J.S.A. 19:44A-20 et seq. and the local public contracts law.
3. The total fee authorized for this contract shall not exceed \$35,325.00 without the prior written approval of the Township Council.
4. The Township Chief Financial Officer has certified the availability of funds for the same.
5. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: September 7, 2016

Agenda No. X 6

~ Resolution 2016-295 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ONE (1) 2016 FORD F-550 FOUR WHEEL DRIVE SUPER CAB MASON DUMP TRUCK WITH PLOW THROUGH THE MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL, CONTRACT #15F ITEM #4 FROM ROUTE 23 AUTOMALL LLC

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

WHEREAS, the Morris County Cooperative Purchasing Council has awarded Contract #15F, Cab/Chassis with Dump Bodies to Route 23 Automall LLC.; and

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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 Supervising Mechanic and the Director of Public Works have reviewed the Morris County Cooperative Purchasing Council's contract and related specifications and have submitted a written recommendation for the Township of West Milford to purchase one (1) 2016 Ford F-550 Four Wheel Drive Super Cab Mason Dump Truck with Plow through the Morris County Cooperative Purchasing Council, Contract #15F in an amount not to exceed \$90,906.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account numbers 01-201-23-210-415 and 04-215-55-826-002;

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 the Department of Public Works to generate a purchase order for one (1) 2016 Ford F-550 Four Wheel Drive Super Cab Mason Dump Truck with Plow, in an amount not to exceed \$90,906.00, through the Morris County Cooperative Purchasing Council, contract #15F, Item #4 from Route 23 Automall, LLC, 1301 Route 23, Butler, NJ 07405.
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 7, 2016

Agenda No. X 7

~ Resolution 2016-296 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF TWO (2) 2016 FORD F-550 FOUR WHEEL DRIVE MASON DUMP TRUCKS WITH PLOWS THROUGH THE MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL, CONTRACT #15F ITEM #4 FROM ROUTE 23 AUTOMALL LLC

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

WHEREAS, the Morris County Cooperative Purchasing Council has awarded Contract #15F, Cab/Chassis with Dump Bodies to Route 23 Automall LLC.; and

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 Supervising Mechanic and the Director of Public Works have reviewed the Morris County Cooperative Purchasing Council's contract and related specifications and have submitted a written recommendation for the Township of West Milford to purchase Two (2) 2016 Ford F-550 Four Wheel Drive Mason Dump Trucks with Plows through the Morris County Cooperative Purchasing Council, Contract #15F in an amount not to exceed \$168,010.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number 04-215-55-826-001 and 04-215-55-826-002;

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 the Department of Public Works to generate purchase orders for the purchase of two (2) Ford F-550 Four Wheel Drive Mason Dump Trucks with Plows (1 for the Department of Public Works and 1 for the Recreation Department), in an amount not to exceed \$168,010.00, through the Morris County Cooperative Purchasing Council, contract #15F, Item #4 from Route 23 Automall, LLC, 1301 Route 23, Butler, NJ 07405.
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 7, 2016

Agenda No. X 8

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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~ Resolution 2016- 297 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF THREE (3) 2016 FORD F-350 FOUR WHEEL DRIVE PICK-UP TRUCKS WITH PLOWS THROUGH NEW JERSEY STATE CONTRACT NUMBER 40321 T-2959 THROUGH ROUTE 23 AUTOMALL LLC

WHEREAS, the State of New Jersey has awarded Contract 40321 T-2959 Utility Truck, 10,600 lb. GVWR, Ext. Cab SRW, Gas Powered, 4WD, 9' Body and Acc. to Route 23 Automall LLC.; and

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 Supervising Mechanic and the Director of Public Works have reviewed the State Contract and related specifications and have submitted a written recommendation for the Township of West Milford to purchase three (3) 2016 Ford F-350 Four Wheel Drive Pick-Up Trucks with Plows through State Contract 40321 T-2959 in an amount not to exceed \$118,140.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number 04-215-55-826-002;

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 the Department of Public Works to generate a purchase order for three (3) Ford F-350 Four Wheel Drive Pick-Up Trucks with Plows, in an amount not to exceed \$118,140.00, through New Jersey State Contract 40321 T-2959 from Route 23 Automall, LLC, 1301 Route 23, Butler, NJ 07405.
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 7, 2016

Agenda No. X 9

~ Resolution 2016-298 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONTRACT TO EASTERN CONCRETE MATERIALS, INC. FOR THE PURCHASE OF ICE CONTROL AGGREGATES

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on July 22, 2016 for the purchase of Ice Control Aggregates as per the Bid Specifications; 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 Director of Public Works and the Township Attorney; and

WHEREAS, the bid received from the apparent low bidder 284 Aggregates in the amount of \$130,645.00 failed to comply with the bid specifications; and

WHEREAS, the bid received from the apparent second low bidder Stone Industries, Inc. in the amount of \$134,300.00 failed to comply with the provisions of the bid specifications; and

WHEREAS, the Township Attorney has recommended that the bids received from the apparent low bidder, 284 Aggregates and from the apparent second low bidder Stone Industries, Inc., be rejected because neither bidder provided the required sieve analysis and the Local Public Contracts law deems this to be a fatal defect in the bid submission; and

WHEREAS, the bid received from the apparent third low bidder, Eastern Concrete Materials, Inc., in the amount of \$140,695.00 does comply with and meet all minimum bid requirements as outlined in the bid specifications and thus Eastern Concrete Materials is deemed to be the lowest, responsive, responsible bidder in accordance with N.J.S.A 40A:11-2(27)

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WHEREAS, the Township Treasurer has certified as to the availability of funds for this expenditure said funds to be encumbered from account number 01-201-26-294-348

WHEREAS, it is the recommendation of the Public Works Department to reject the bids from the apparent low bidder 284 Aggregates and the apparent second low bidder, Stone Industries and award a contract to the apparent third low bidder Eastern Concrete Materials in the amount of \$140,695.00.

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

1. The Township Council hereby awards a contract to Eastern Concrete Materials, Inc., 250 Pehle Avenue Suite 503, Saddle Brook, NJ 07663 for Ice Control Aggregates in an amount not to exceed \$140,695.00.
2. The Mayor and Township Clerk be and are hereby authorized and directed to execute a contract with Eastern Concrete Materials, Inc. in accordance with its bid for Ice Control Aggregates.
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 7, 2016

Agenda No. X 11

~ Resolution 2016 – 300 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF ENGINEERING DEPARTMENT PERFORMANCE GUARANTEES

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 Guarantees be refunded as follows:

Name & Address	Block & Lot	Amount Remaining	Amount Refunded
Mr. Vincent Lanza Environmental Construction Co. PO Box 746 4 Countryside Lane Ringwood, NJ 07456	102 & 24	100.00	\$500.00
	102 & 25	0	\$700.00
	1811 & 6	0	\$1,925.00
	3508 & 3.01	\$500.00	\$2,050.00
	3508 & 3.02	0	\$1,350.00
	4302 & 15	0	\$300.00
	4303 & 19	\$200.00	\$50.00
	8501 & 12	\$300.00	\$600.00
Mr. Anthony Pisa Jr. 285 Awosting Road Hewitt, NJ 07421	12110 & 5.01	\$500.00	\$500.00
	3802 & 4.02	0	\$1,000.00

Adopted: September 7, 2016

Agenda No. X 12

~ Resolution 2016 – 301 ~

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:

Recreation Fall Soccer		
Kaden Stillman	\$80.00	Jennifer Stillman 9 Olcott Road Hewitt, NJ 07421
Emily Slater	\$75.00	Melissa Slater PO Box 295 Hewitt, NJ 07421

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Connor Dykstra	\$80.00	Holly Dykstra 2 Eagle Rock Road West Milford, NJ 07480
Alanna Contreras	\$80.00	Danielle Langlois 82 Center Street West Milford, NJ 07480
Celik Shaan	\$80.00	Gloria Vargas 7 Windbeam Avenue Hewitt, NJ 07421
Allison Anderson	\$80.00	Tracey Andersen 24 Hillcrest Drive Hewitt, NJ 07421
Max Carmean	\$65.00	Robert Carmean 7 Stanley Street West Milford, NJ 07480
Day Camp Trip		
Hailey Henkel	\$30.00	Diane Henkel 112 Point Breeze Drive Hewitt, NJ 07421
Day Camp Week 5		
Erin Gray	\$130.00	Claire Gray 572 Morsetown Road West Milford, NJ 07480
Beyond the Bell Program		
Athan Burke	\$80.00	Laura Burke 103 Lindys Drive West Milford, NJ 07480

Adopted: September 7, 2016

Agenda No. XI

Approval of Expenditures

~ Resolution No. 2016 – 302 ~

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	479,340.01
3	Reserve Account	729.65
2	Grants	6,506.43
6	Refunds	15,755.00
1	General Ledger	0.00
26	Refuse	3,950.00
4	Capital	955,639.42
19	Animal Control	245.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	6,951.67
19	COAH	0.00
16	Development Escrow	0.00
19	Tax Sale Trust	0.00

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21	Assessment Trust	0.00
	Special Reserve	0.00
Total		1,469,117.18
\$Less Refund Resolution		(15,755.00)
Actual Bills List		1,453,362.18
Other Payments		
Payroll/SS		561,485.00
Total Expenditures		2,014,847.18

Adopted: September 7, 2016

Moved: Erik Seconded: Lichtenberg
 Voted Aye: Erik, Hensley, Wagner, Dale, Lichtenberg.
 Voted Nay: None.
 Absent: Signorino
 Motion carried.

Agenda No. XII

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

Councilman Wagner reminded the residents that the 9/11 ceremony will be held in front of Town Hall at 8:45am this Sunday. The TJ Maxx Grand Opening is scheduled for September 18th. At the last council meeting, the council was invited to the Passaic County Fair at Garrett Mountain. He went this past weekend and it was a nice family event.

Council President Dale reminded everyone that the Annual Town-wide Garage Sale is September 16th, 17th and 18th. There is a blood drive on September 18th at the West Milford Ambulance Corp. She stated that ALF is on October 8th. If anyone would like to volunteer, they are in need of additional volunteers. She and Councilwoman Erik have been working with the ALF team to see if we can get to a net \$0 this year.

Councilwoman Lichtenberg announced that on September 19th, the Lakes Committee and Sustainable West Milford are sponsoring an educational program at Town Hall at 7pm about bears. September 24th is the Autumn Pride Roadside Cleanup. On September 26th, Milford Manor is presenting a demonstration on balance techniques for the home at Hillcrest Community Center at 10:30am. On the 28th of September, there will be a free program on substance abuse and the family from 6-8pm at Hillcrest, How to Cope in Today's World, sponsored by Atlantic Health System. On September 10th, the county is having their free tire collection in Wayne. She asked if Township Attorney Semrau had a chance to look at the policies and procedure paperwork that citizens prepared for volunteers and requested if it can be a discussion item on the next workshop agenda. Township Attorney Semrau stated that he did review it and will have information for the discussion.

Councilwoman Erik noted that there is a free CPR and first aid class at the Highlands Family Success Center next Friday and Saturday. On September 30th, the Living Word Church is having a free family movie night.

Councilman Hensley stated that the EDC requested that the governing body recommend altering the ordinance that created the EDC in regard to the section that talked about looking into becoming a 501(C)3. He said it has not been the direction that the EDC has been interested in going. By staying a commission, the EDC would be open to various grants that a 501(C)3 cannot receive. The council discussed the differences in grant funding for a commission and a 501(C)3 and the original wishes of the commission. Township Attorney Semrau suggested for the topic to be a discussion item on a future agenda.

Mayor Bieri explained that the guidelines for volunteers were previously mentioned and the Administration was asked to look into it. Since there have been issues in the past regarding the lack of understanding or their goals and objectives, she suggested having a cover sheet of objectives, duties, and responsibilities. It would help guide the volunteers and give them the knowledge of what is expected. Council President Dale suggested having a uniform attendance sheet that is issued by the municipality. Mayor Bieri added that the Board of Education approved a resolution which opposed the funding changes to the PCTI. The township has received three Open Space Passaic County Grants. She provided information about the funding and noted that these funds will help accomplish recreational goals. Nelson Tree Service will be spraying an herbicide from August 24th through September 15th on behalf of PSE&G. The township received a check for \$6,700 from the Township of Fairfield reimbursing the township for the 2010 March

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flood whereby we provided some mutual aid and assistance. We will be receiving another dividend check from the HIF in the amount of \$174,500. Hands In For Youth Camp, formerly Camp Vacamas, will no longer be operating at the end of this season. The property will be up for sale so they are looking for a buyer. The 9/11 ceremony will be Sunday September 11th at 8:45 am at Town Hall. Enrollment for the aftercare program at the Teen Center improved from 5 children to 21 children this year., She and county officials met with residents and it was positive and productive meeting regarding the county improvements at the end of Warwick Turnpike.

Township Attorney Semrau asked for discussion at a future executive session of the Newark Watershed litigation, affordable housing and unfunded mandates.

Agenda No. XIII

Appointments and Resignations

Councilwoman Erik made a motion to appoint Michael Siesta for the alternate position on the Planning Board, seconded by Councilwoman Lichtenberg.

Councilwoman Erik made a motion to close and confirm, seconded by Council President Dale.

Moved: Erik Seconded: Lichtenberg
Voted Aye: Erik, Wagner, Dale, Lichtenberg.
Voted Nay: None.
Abstain: Hensley
Absent: Signorino
Motion carried.

Agenda No. VII

Public Comments

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

Doris Aaronson 19 Bearfort Rd read a poem she wrote about WM77TV.

William Cytowicz 694 Lakeshore Drive asked if it was a joint request of the EDC to come up with a unified committee procedure with definitions, protocols and policies.

Margaret Wood 324 Germantown Road explained that she missed the part about the Governor's funding program. She opposes it because she believes it increases the gap between the rich and the poor. In this country we have agreed to provide an equal quality of education to all, not equal money. On another note, she is concerned about the garbage pickup in West Milford specifically Germantown Road and Wonder Lake. There has not been sufficient garbage pickup and the contractor has not complied with the township standards. She gave some examples of problems she and her neighbors have encountered. Additionally, the bears take the cans of garbage and dump them down the hill. She explained that living in a bear community, this is unacceptable and the pickup needs to be reliable.

Magdalena Zgiet 328 Germantown Road said it is unreal with what is happening with the bears. She agrees with what Ms. Wood mentioned and stated that it is true. She has two kids and they are terrified to get on the bus in the morning. She asked for the township to help the residents.

Steven McKinnon 22 Stainsby Road Hewitt stated that he is concerned about the new parking lot on Warwick Turnpike. The county placed rocks there to deter dirt bikes and quads. He noted if there is a fire or medical emergency up in the woods, it is not easily accessible. By preventing dirt bikes and quads, they are also preventing emergency personnel.

Elaine Young Duffy Warwick Turnpike Hewitt noted that at the last governing body meeting, she addressed the problems that have transpired due to the county installing a 10 car parking lot at the end of Warwick Turnpike. There was a meeting on August 30th at the site. She thanked Mayor Bieri, Freeholder Duffy, county officials and residents for attending. Furthermore, she thanked the editor of *The Messenger* for being on site and thoroughly reporting the event. The county officials did promise to try to right the wrongs to some extent. She listed the improvements and hopes they are implemented in a timely fashion. The county has also pledged to improve the communication with the taxpayers and the township. She explained that this past weekend, motorcycle groups discovered the parking lot and used it as a pit stop. She asked for support for the improvements and raised concerns.

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Frank Zitzman Dockerty Hollow Road mentioned that the Veteran’s Memorial has weeds covering the bricks and township residents have been volunteering their time to clean up the site. He stated that it’s disrespectful especially for the 9/11 Ceremony approaching. On another note, the township is buying \$400,000 in vehicles. The police force has one or no ATVs. The officers cannot enforce laws regarding illegal riding if they don’t have ATVs. He asked that the council consider purchasing ATVs for the police force.

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

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

Agenda No. VIII

Council Comments

Township Administrator/Clerk Battaglia said the intent of the conversation regarding the EDC was to provide clarification to the request to why they would like the 501(C)3 provision in the ordinance removed. If the EDC would like any other part of the ordinance changed or amended, she asked the commission to submit it in detail to Administration. Ms. Battaglia said she met with the owner of B&B Garbage Disposal about previous issues and it was productive meeting. Since that meeting, the township not been getting the level of complaints about garbage and recycling collection. She assured the residents that staff will reach out to the company and discuss the issues that were brought up tonight. She asked for the residents contact information.

Councilwoman Erik stated that she would like to address the bear problem. She suggested calling the police to have a record of the incidents so the report can be brought to the state. The state can come and remove the bear if it becoming an issue. Councilwoman Erik suggested coming to the bear seminar that will be held on September 19th. Councilwoman Lichtenberg noted that there will be a DEP representative to speak with residents.

Councilman Hensley thanked the Eagle Scout for doing the bat house project. With the concern about the Zika Virus with the mosquitos, it’s a timely project to have completed. He said he is proud and happy of what was done and wished him the best of luck in the future.

Agenda No. XIV

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 7:54 p.m.

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

Approved: October 5, 2016

Respectfully submitted:

Nichole Hanrahan Clerk Typist

MAYOR BETTINA BIERI, PRESIDING OFFICER

ANTOINETTE BATTAGLIA, TOWNSHIP CLERK