
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: September 19, 2012
Time of Meeting: 6:30 P.M.
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The Regular Meeting of the West Milford Township Council was called to order by Mayor Bettina Bieri.

Adequate Notice Statement

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Regular meeting was advertised in the Herald News in its issue of January 21, 2012 with an update for the change of time on September 16, 2012; copies were provided to the Suburban Trends, the Record, Star Ledger, and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Pledge of Allegiance

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

Roll Call

Present: Councilmembers Ada Erik, Joseph Smolinski, Michael Ramaglia, Edward Rosone, Luciano Signorino, Carlla Horton, Mayor Bettina Bieri.
Absent: None.
Also Present: Township Clerk Antoinette Battaglia, Township Attorney Jane Coviello, Township Attorney Frederick Semrau.

Councilman Smolinski arrived 6:45 pm.

Councilman Ramaglia arrived 6:35 pm.

Agenda No. I

Reading of or Approval of Unapproved Minutes

Councilwoman Erik moved to adopt the June 6, 2012 Workshop Meeting Minutes and June 27, 2012 Executive Session Meeting Minutes as presented:

Moved: Erik Seconded: Horton
Voted Aye: Erik, Rosone, Signorino, Horton.
Voted Nay: None.
Absent: Smolinski, Ramaglia
Motion carried.

Mayor Bieri announced that there will be a presentation later.

Agenda No. II

Appointments and Resignations

~ Resolution No. 2012- 309 ~

MAYOR'S APPOINTMENT OF TIMOTHY STORBECK AS DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY IN ACCORDANCE WITH SECTION §15-11 OF THE TOWNSHIP CODE

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advice and consent to the Mayor's appointment of Timothy Storbeck to the position of Director of Public Safety in accordance with section §15-11 of the Township Code.

Adopted: September 19, 2012

Moved: Erik Seconded: Horton
Voted Aye: Erik, Ramaglia, Rosone, Signorino, Horton.
Voted Nay: None.
Absent: Smolinski
Motion carried.

Agenda No. III

Presentations

Swearing in:

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Director of Public Safety & Chief of Police Timothy Storbeck

Mayor Bieri invited members of the West Milford police department to join her at the podium where she introduced Chief Timothy Storbeck. She read the Chief's biography which provided a brief outline of his career in the military and law enforcement. Chief Storbeck invited his wife, daughter and mother to join him. His daughter held the bible as Mayor Bieri administered his oath of office. Mayor Bieri noted that this is the second Chief she has sworn in to office since she became Mayor in 2008 and she recognized all the former chiefs in attendance tonight. She commended former Chief Chiosie & the incoming Chief Storbeck for stepping up to assume control of the department in the past few years as it has undergone many changes. She described them as fine gentlemen and professionals welcoming Timothy Storbeck as Chief of Police and Director of Public Safety. Chief Storbeck thanked everyone for being here for him, Captain Congleton & Lieutenant Fiorillo. He welcomed all the honored guests stating that he is honored and privileged to receive these promotions. He mentioned a number of individuals who influenced him during his career including the former chiefs each of whom taught him along the way. Chief Storbeck stated that his family has always supported him and he thanked them each individually for that support over the years. Chief Storbeck noted that he has worked under the direction of four chiefs each of whom are here tonight. He recognized them and thanked them for the opportunities for advancement they gave him. He thanked the members of the West Milford police department who he described as being part of his extended family. He recognized all the emergency responders in West Milford saying that he will strive to fulfill his duties. He outlined his mission and the sectors of the community he hopes to reach during his tenure.

Captain Richard Fiorillo

Captain Fiorillo was joined at the podium by his wife & children. Mayor Bieri read a brief biography which outlined highlights of the Captain's career in law enforcement. Captain Fiorillo's family held the bible while Mayor Bieri administered his oath of office. Captain Fiorillo thanked the Mayor & Council for the opportunity to serve.

Lieutenant Robert Congleton

Lieutenant Congleton invited his wife & daughter to hold the bible as he was sworn into office by Mayor Bieri. Mayor Bieri read a brief biography which highlighted the Lieutenant's career in law enforcement.

Mayor Bieri asked the former chiefs and other law enforcement officials in attendance to stand. Amid loud applause for the honorees, Mayor Bieri thanked the Chief, Captain and Lieutenant for their continued service to West Milford noting their humble dispositions and dedicated careers.

The Council took a brief recess.

Liquor License Transfers (Public Hearings)

Retail Consumption License #1615-33-034-007
La Rocca, Inc. to Frank & Satina LLC t/a Jimmy Geez North Sports Bar & Grill

Retail Consumption License #1615-33-011-002
Peter W. Anoll to Latitude 41 Lounge, LLC

Mayor Bieri directed the Council to the memorandum from the Municipal Clerk. There were no questions from the Council and no person seeking to be heard from the public on these liquor license applications.

Agenda No. IV

Proclamations

None.

Agenda No. V

Unfinished Business Final Passage of Ordinances

Agenda No. V 1

~ Ordinance No. 2012- 016 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY CONCERNING SALARIES AND COMPENSATION FOR ADMINISTRATIVE, CONFIDENTIAL AND UNAFFILIATED EMPLOYEES

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BE IT ORDAINED, by the Township Council of the Township of West Milford, in the County of Passaic, New Jersey that pursuant to Chapter IV entitled Personnel of the Revised General Ordinances of the Township of West Milford, New Jersey, 1976, the following Officers and Employees here below stated shall be classified by job title with the corresponding pay ranges:

MAYOR AND COUNCIL

JOB TITLE	MINIMUM	MAXIMUM
Township Mayor	\$5,348.00	\$5,348.00
Township Council	\$4,754.00	\$4,754.00

DEPARTMENT AND OFFICE HEADS

JOB TITLE	MINIMUM	MAXIMUM
Township Administrator	\$70,000.00	\$144,000.00
Director of Finance	\$55,000.00	\$105,000.00
Director of Public Works	\$55,000.00	\$101,000.00
Health Officer	\$55,000.00	\$100,000.00
Township Clerk	\$55,000.00	\$95,000.00
Director of Community Services and Recreation	\$55,000.00	\$95,000.00
Court Administrator	\$45,000.00	\$85,000.00

DIVISION HEADS

JOB TITLE	MINIMUM	MAXIMUM
Police Chief	\$137,500.00	\$141,500.00
Tax Assessor	\$50,000.00	\$101,000.00
Tax Collector	\$50,000.00	\$93,500.00
Construction Official	\$45,000.00	\$91,000.00
Fire Marshall	\$50,000.00	\$70,000.00

CONFIDENTIAL AND UNAFFILIATED EMPLOYEES

JOB TITLE	MINIMUM	MAXIMUM
Data Processing Coordinator/Network Administrator	\$35,000.00	\$75,000.00
Chief Custodian	\$25,000.00	\$65,000.00
Judge \$15,000.00	\$35,000.00	
Prosecutor \$10,000.00	\$27,000.00	
Entry-Level Computer Technician	\$15 per hr.	\$20 per hr.

STIPENDS

JOB TITLE	MINIMUM	MAXIMUM
Fire Commissioner	\$3,000.00	\$6,500.00
Deputy Fire Commissioner	\$1,500.00	\$5,000.00
Emergency Management Coordinator	\$2,000.00	\$2,000.00
Deputy Emergency Management Coordinator	\$3,000.00	\$3,000.00
Telecommunications Systems Analyst	\$2,500.00	\$5,500.00
Veteran Officer	\$500.00	\$1,500.00
Secretary Bd./Comm P/T (A) – General	\$130 per mtg.	\$200 per mtg.
Secretary Bd./Comm P/T (B) – Zoning Bd.	\$250 per mtg.	\$500 per mtg.
Deputy Registrar	\$3,000.00	\$6,000.00
Alternate Deputy Registrar	\$1,000.00	\$3,000.00

1. The aforelisted Officers and Employees shall be compensated in accordance with the preceding Salary Range.
2. **BENEFITS:** Benefits relating to vacation, sick days, personal days, longevity, holidays, bereavement leave and medical insurance shall be those as contained in the contract between the West Milford Municipal Employees Guild (AFSCME 3301) and the Township of West Milford or any employment agreement consistent with applicable law.

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3. OVERTIME: If not otherwise eligible for overtime compensation by contract or law, each full-time department and division head in lieu of overtime compensation as provided in the Guild contract, shall receive three (3) vacation days and up to 35 compensatory hours annually, the latter earned hour for hour for hours worked above forty per week. All other full-time employees listed in this ordinance if not otherwise eligible for overtime compensation by contract or law, shall receive 21 compensatory hours annually, plus one half hour for each hour worked above thirty-five or forty hours per week depending on the applicable contract for the employee's department. Vacation and compensatory time may be used or accumulated as follows: vacation days may be carried for up to one year from January 1 following the year earned, and compensatory hours may be taken no later than April 1 of the year following the year earned.
4. Stipend Positions will not be subject to increases unless specifically authorized by Resolution of the governing body.
5. Any ordinance or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to such extent as they are in conflict or inconsistent. This ordinance shall take effect 20 days after its final passage by the Township Council.

Introduced: August 15, 2012
Adopted: September 19, 2012
Effective Date: October 9, 2012

This Ordinance was introduced on August 15, 2012 and the Notice of Public Hearing was published in the Herald News on August 19, 2012. The Council will open the meeting to the public to speak on this ordinance only.

There being no comments from the public, Councilwoman Erik made a motion, seconded by Council President Signorino and carried by unanimous voice vote to close the public portion of the meeting.

Motion to adopt ordinance.

Moved: Erik Seconded: Ramaglia
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

Agenda No. V 2

~ Ordinance No. 2012- 017 ~

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

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

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

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

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- (f) Contracts with banking institutions, insurance and public utility companies that are regulated by state restrictions on political contributions;
- (g) Contracts the Township enters into for the purchase and acquisition of open space;
- (h) Contracts for professional services, if such professional has already been appointed or retained by the Township and has provided such professional service to the Township continuously for a period of at least 10 years or greater. However, if any professional who has provided such service to the Township for a period of 10 consecutive years or greater has a break in his representation for any period of time, this exception shall not apply, and such individual shall be subject to the provisions of this section; and
- (i) Contracts for professional services, if such professional is a Governmental Affairs Agent as defined in N.J.S.A. 52:13C-20(g) of the New Jersey Legislative and Governmental Process Activities Disclosure Act who is validly registered with the New Jersey Election Law Enforcement Commission ("NJELEC") and/or files with the NJELEC a notice of representation with respect to the services to be performed on behalf of the Township within thirty (30) days after the award of the said professional services contract as required by law."

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

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

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

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

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

Introduced: September 5, 2012
Adopted: September 19, 2012
Effective Date: October 9, 2012

This Ordinance was introduced on September 5, 2012 and the Notice of Public Hearing was published in the Herald News on September 9, 2012. The Council will open the meeting to the public to speak on this ordinance only.

There being no comments from the public, Councilwoman Erik made a motion, seconded by Council President Signorino and carried by unanimous voice vote to close the public portion of the meeting.

Motion to adopt ordinance.

Moved: Erik Seconded: Rosone
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

Agenda No. VI

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 Road, West Milford said she met the new Health Officer today and is very impressed with him. She commended the Mayor & Administrator noting that he is experienced.

Maria Elena Grant, 1 Yearling Trail, Hewitt said that she is here about lake ordinances. She is disappointed that these ordinances were not repealed. They discriminate against certain property owners and create a special category of residents.

Scott Witherspoon, 70 Green Terrace Way, West Milford noted that at the last meeting Councilwoman Erik mentioned that monsoon season is coming. Councilwoman Horton has offered to visit his property

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and he will invite her during rainstorms. He received updates from the Construction Official and Township Attorney about the issues with his neighbor. He said it has been ongoing for about 15 months and he appreciates all efforts on his behalf. His neighbor is scheduled in municipal court tomorrow. There is a flurry of activity in the neighborhood with surveyors & engineers hired by his neighbor. They have been out and he is cautiously optimistic but will continue to attend meetings until the matter is finally resolved.

Barry McKinnon, Hewitt asked how the Council can justify giving former Chief Costello \$200,000. He was not entitled to this money. He said that he will be suing the Township because of the death of his mother two years ago and because West Milford loses all lawsuits.

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

Moved: Ramaglia Seconded: Rosone
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

Agenda No. VII

Council Comments

None.

Agenda No. VIII

New Business, Introduction of Ordinances, Resolutions

Mayor Bieri asked to move all Resolutions 2012-310, 2012-311, 2012-312, 2012-313, 2012-314, 2012-315, 2012-316, 2012-317, 2012-318, 2012-319, 2012-320, and 2012-322 as one and noted that resolution 2012-321 was removed from the agenda.

Moved: Ramaglia Seconded: Signorino
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

Agenda No. VIII 1

~ Resolution No. 2012- 310 ~

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$800,000 SPECIAL EMERGENCY NOTES OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1 Pursuant to an ordinance of The Township of West Milford, in the County of Passaic (the "Township") entitled: "Ordinance of the Township of West Milford, in the County of Passaic, State of New Jersey, authorizing a special emergency appropriation for municipal revaluation in accordance with N.J.S.A. 40A:4-34", finally adopted on March 16, 2011 (#2011-001), special emergency notes (the "Notes") of the Township are hereby authorized to be issued pursuant to the Local Budget Law of New Jersey (N.J.S.A. 40A:4-1 et seq. and, in particular, N.J.S.A. 40A:4-55) in a principal amount not exceeding \$800,000, including (to any extent necessary) the renewal of any special emergency notes heretofore issued therefore.

The following matters in connection with the Notes are hereby determined:

- (a) All Notes issued hereunder shall mature at such times as may be determined by the chief financial officer, interim chief financial officer or treasurer (the "Chief Financial Officer") of the Township, provided that no Note shall mature later than one year from the date of the first Note issued hereunder unless the Township shall have paid and retired amounts of such Notes sufficient to allow it, in accordance with provisions of Section 40A:4-55 of the Local Budget Law, to

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renew a portion thereof beyond the first anniversary date of the first of such Notes;

- (b) All Notes issued hereunder shall bear interest at such rate or rates as may be determined by the Chief Financial Officer; and
- (c) The Notes shall be in the form prescribed by resolution heretofore adopted by the governing body of the Township determining the form of special emergency notes issued pursuant to the Local Budget Law, and the Notes shall be signed or sealed by the Chief Financial Officer, the Mayor and the Township Clerk in any manner permitted by law notwithstanding that said form or resolution may otherwise provide.

- Section 2 The Chief Financial Officer is hereby authorized and directed to determine all matters in connection with the Notes not determined by this or a subsequent resolution, and the Chief Financial Officer's signature upon the Notes shall be conclusive as to such determinations.
- Section 3 The Chief Financial Officer is hereby authorized to sell the Notes from time to time at public or private sale in such amounts as the Chief Financial Officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefore.
- Section 4 Any instrument issued pursuant to this resolution shall be a general obligation of the Township, and the Township's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.
- Section 5 The Chief Financial Officer is hereby authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of Notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the Notes sold, the price obtained and the name of the purchaser.
- Section 6 The Chief Financial Officer is hereby further authorized and directed to file a copy of this resolution, as adopted, and all other resolutions or ordinances relating to the authorization of the aforementioned special emergency appropriation with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.
- Section 7 The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the Notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the Notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the Notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the Notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Township, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the Notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.
- Sectin 8 All action heretofore taken by Township officials with respect to the sale, issuance and delivery of the Notes is hereby ratified, confirmed, adopted and approved.
- Section 9 This resolution shall take effect immediately.

Adopted: September 19, 2012

Agenda No. VIII 2

~ Resolution No. 2012- 311 ~

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$3,062,000 BOND ANTICIPATION NOTES OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, AS FOLLOWS:

- Section 1 Pursuant to a bond ordinance of The Township of West Milford, in the County of Passaic (herein called "local unit") entitled: "Bond ordinance appropriating \$1,675,000, and authorizing the issuance of \$1,142,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on April 20, 2011 (#2011-004),

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- Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,142,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.
- Section 2 Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance providing for the improvement of Otterhole Road in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$565,000 therefor and authorizing the issuance of \$547,000 bonds or notes of the Township for financing such appropriation", finally adopted on May 18, 2011 (#2011-007), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$347,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.
- Section 3 Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$1,127,000, and authorizing the issuance of \$1,073,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on August 17, 2011 (#2011-015), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,073,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.
- Section 4 Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$1,565,000, and authorizing the issuance of \$1,490,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on August 15, 2012 (#2012-15), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$500,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.
- Section 5 Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit authorized pursuant to bond ordinances of the local unit hereinabove in Sections 1 to 4 described, shall be combined into a single and combined issue of bonds in the principal amount of \$3,062,000.
- Section 6 The following matters in connection with said Bond Anticipation Notes are hereby determined:
- (a) All notes issued hereunder shall mature at such times as may be determined by the treasurer or the chief financial officer of the local unit (the "chief financial officer"), provided that no note issued pursuant to Sections 1 to 4 hereof shall mature later than (i) one year from the date of the first such note issued pursuant to the respective ordinances referred to in said Sections, and (ii) three years from the date of the first note issued pursuant to each such respective ordinance unless the local unit shall have paid and retired amounts of such notes sufficient to allow it, in accordance with provisions of Section 40A:2-8 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first of such notes;
 - (b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer of the local unit; and
 - (c) The notes shall be in the form prescribed by resolution heretofore adopted by the governing body of this local unit determining the form of Bond Anticipation Notes issued pursuant to the Local Bond Law, and any such notes may be signed or sealed by officers of the local unit in any manner permitted by Section 40A:2-25 of said Local Bond Law notwithstanding that said form or resolution may otherwise provide.
- Section 7 The chief financial officer of the local unit is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution, and the chief financial officer's signature upon said notes shall be conclusive as to such determinations.
- Section 8 The chief financial officer of the local unit is hereby authorized to sell said Bond Anticipation Notes from time to time at public or private sale in such amounts as the chief financial officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.
- Section 9 Any instrument issued pursuant to this resolution shall be a general obligation of the local unit, and the local unit's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment

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- provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.
- Section 10 The chief financial officer of the local unit is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.
- Section 11 The chief financial officer of the local unit is hereby authorized to execute and deliver all documents and to do all matters useful, convenient or desirable in connection with the sale, issuance and delivery of said notes, including without limitation, if necessary, (a) the preparation, delivery, distribution and execution of a "deemed final" preliminary official statement and a final official statement of the local unit relating to said notes, (b) the execution and delivery of an arbitrage and use of proceeds certificate in a form approved by bond counsel, (c) the execution and delivery of a continuing disclosure undertaking in a form approved by bond counsel and (d) the preparation, distribution and publication, if desirable, of a notice of sale with respect to said notes.
- Section 12 This resolution shall take effect immediately.

Adopted: September 19, 2012

Agenda No. VIII 3

~ Resolution No. 2012- 312 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING AND SUPPORTING THE JOINT EFFORT OF THE PASSAIC COUNTY BOARD OF CHOSEN FREEHOLDER'S PLANNING & ECONOMIC DEVELOPMENT COMMITTEE ALONG WITH THE STATE AGRICULTURE DEVELOPMENT COMMITTEE'S PRESERVATION OF THE PROPERTY KNOWN AS THE WEST MILFORD EQUESTRIAN CENTER

WHEREAS, the New Jersey State Agriculture Development Committee (SADC) and the Passaic County Board of Chosen Freeholder's Planning & Economic Development Committee have participated in a County planning Incentive Grant Program since 2007; and

WHEREAS, this joint venture is a cost-sharing grant program that seeks to develop and engage in a comprehensive farmland preservation plan; and

WHEREAS, the participating entities have identified the West Milford Equestrian Center as a premier equine facility that should be preserved as a farm in perpetuity.

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 approves and supports the farmland preservation efforts of the SADC and the Passaic County Board of Chosen Freeholder's Planning & Economic Development Committee with regard to the property known as the West Milford Equestrian Center.
2. The Township recognizes that the two entities have valued the 44.6-acre easement at \$1,070,400 with SADC contributing \$642,240 and the Passaic County Board of Chosen Freeholder's Planning & Economic Development Committee contributing \$428,160.
3. The Township Council of the Township of West Milford has made a commitment to the taxpaying residents of this municipality that local open space funds will be used for recreational purposes that benefit the entire community and as such cannot dedicate those funds to this preservation measure as requested.

Adopted: September 19, 2012

Agenda No. VIII 4

~ Resolution No. 2012- 313 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE FILING AND ACCEPTANCE OF A HEPATITIS INOCULATION FUND GRANT APPLICATION

WHEREAS, the Township's Health Department wishes to apply for and receive a Hepatitis Inoculation Fund Grant in an amount up to \$5,000.00; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, these funds are available for the reimbursement costs of hepatitis B inoculations for certain emergency medical technicians, firefighters and police officers, and the cost of fees for professional medical services for administration of the vaccine; and

WHEREAS, a resolution authorizing this municipality to apply for such grant will memorialize the commitment of this municipality to all emergency services personnel within its jurisdiction, indicate the assent of the Township Council to the efforts undertaken by the municipal emergency services workers and certify that the reimbursement applied for represents actual costs incurred and have not been reimbursed through any other source in the past.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that it does hereby endorse the submission of a Hepatitis Inoculation Fund Grant Application to the New Jersey Department of Health, Division of Epidemiology, Environmental and Occupational Health, and acceptance of such grant if awarded.

Adopted: September 19, 2012

Agenda No. VIII 5

~ Resolution No. 2012- 314 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ENDORSING AN APPLICATION SUBMITTED BY THE UPPER GREENWOOD LAKE VOLUNTEER FIRE COMPANY NUMBER ONE FOR A \$340,000 LOAN TO FINANCE A NEW ROOF FOR THE FIREHOUSE

WHEREAS, the Upper Greenwood Lake Fire Company No. 1 has notified the municipality that they have applied for a loan in the amount of \$340,000 to replace the roof at the firehouse; and

WHEREAS, section 147(f) of the Internal Revenue Code of 1986 requires that the municipality acknowledges such notification and approves the application before the lender can approve the loan; and

WHEREAS, said acknowledgement and approval does not in any way constitute any financial involvement or obligation of the municipality; and

WHEREAS, the Upper Greenwood Lake Fire Company No. 1 has complied with the provisions of the application and as such held a public hearing at 7:00 pm on September 12, 2012

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that the Mayor be and is hereby authorized to sign on behalf of the Township the requisite form for submission with Upper Greenwood Lake Fire Company No. 1 loan application which form acknowledges the loan application of \$340,000 for a new roof.

BE IT FURTHER RESOLVED, that such acknowledgement does not constitute any financial involvement or obligation of the municipality to this debt.

Adopted: September 19, 2012

Agenda No. VIII 6

~ Resolution No. 2012- 315 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXCHANGE BY WAY OF TERMINATION OF A LEASE AGREEMENT WITH NEW JERSEY TRANSIT FOR VEHICLE #16-11261 AND ACCEPTANCE OF TITLE TO VEHICLE #16-11261 FOR THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Township of West Milford has operated and maintained Vehicle #16-11261, VIN XXXXXXXXXXXXX0972, 2008, Chev Startrans, which vehicle was leased from New Jersey Transit; and

WHEREAS, NJ TRANSIT has determined that the useful service life requirements of the vehicle as defined in NJ Transit's Section 5310 State Management plan for the service intended have been reached; and

WHEREAS, the Township and NJ TRANSIT mutually agree that the lease of the vehicle can be terminated, and the vehicle be removed from NJ Transit's Section 5310 program inventory; and

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WHEREAS, New Jersey Transit has proposed to transfer Vehicle #16-11261, VIN XXXXXXXXXXXXXXX0972, a 2008, Chev Startrans to the Township of West Milford from the County of Passaic; and

WHEREAS, the Township of West Milford has determined that upon termination of the lease of the vehicle it would be in the best interest of the municipality to accept title to the vehicle at no cost to the municipality other than maintenance and title/registration fees.

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

1. The Mayor is hereby authorized to execute a Termination of Lease Agreement with respect to Vehicle #16-11261, VIN XXXXXXXXXXXXXXX0972, 2008, Chev Startrans, and to accept title to said vehicle from the County of Passaic on behalf of the Township of West Milford;
2. The appropriate Township Officials are authorized to take any other incidental actions to effectuate this transaction.

Adopted: September 19, 2012

Agenda No. VIII 7

~ Resolution No. 2012- 316 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A CONTRACT FOR 2012 CATCH BASINS THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL - CONTRACT #14: CATCH BASINS & MANHOLE CASTINGS TO CAMPBELL FOUNDRY CO.

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Pricing Council (State Identifier Number 6MOCCP); and

WHEREAS, the Morris County Cooperative Pricing Council has awarded Contract #14: Catch Basins & Manhole Castings to Campbell Foundry Co. and said contract was awarded through the open and competitive bidding process in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township Director of Public Works has reviewed the Morris County Cooperative Pricing Council's contract and related specifications and recommends that the Township of West Milford award a contract for 2012 utilizing Catch Basins & Manhole Castings to Campbell Foundry Co. through the Morris County Cooperative Pricing Council - Contract #14: and

WHEREAS, the Chief Financial officer has certified the availability of funds for these purchases, said funds are to be encumbered from account number C-04-11-950-315.

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

1. The Township Council hereby authorizes the award of a contract through the Morris County Cooperative Pricing Council - Contract #14: Catch Basins & Manhole Castings to Campbell Foundry Co. in an amount not to exceed \$20,669.00
2. The Township's Chief Financial Officer has certified the availability of funds for same.

Adopted: September 19, 2012

Agenda No. VIII 8

~ Resolution No. 2012- 317 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A CONTRACT FOR ROADWAY CRACK SEALING THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL - CONTRACT #6: ROAD RESURFACING, CATEGORY D: CRACK SEALANT TO MICRO PAVE SYSTEMS, INC.

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Pricing Council (State Identifier Number 6MOCCP); and

WHEREAS, the Morris County Cooperative Pricing Council has awarded Contract #6: Road Resurfacing, Category D: Crack Sealant to Micro Pave Systems, Inc. and said contract was awarded

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

WHEREAS, the Township Supervising Engineering Aide has reviewed the Morris County Cooperative Pricing Council's contract and related specifications and has submitted a written recommendation that the Township of West Milford award a contract for Roadway Crack Sealing, utilizing Category D: Crack Sealant to Micro Pave Systems, Inc. through the Morris County Cooperative Pricing Council – Contract #6: Road Resurfacing; and

WHEREAS, the Chief Financial officer has certified the availability of funds for these purchases, said funds are to be encumbered from account number C-04-12-961-315.

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

1. The Township Council hereby authorizes the award of a contract through the Morris County Cooperative Pricing Council - Contract #6: Road Resurfacing, Category D: Crack Sealant to Micro Pave Systems, Inc. in an amount not to exceed \$35,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Township Engineering Division.

Adopted: September 19, 2012

Agenda No. VIII 9

~ Resolution No. 2012- 318 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A CONTRACT FOR GUIDE RAIL THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL - CONTRACT #26: BEAM GUIDE RAIL & SAFETY ENDS (INSTALLED) TO M.L. RUBERTON CONSTRUCTION COMPANY, INC.

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Pricing Council (State Identifier Number 6MOCCP); and

WHEREAS, the Morris County Cooperative Pricing Council has awarded Contract #26: Beam Guide Rail & Safety Ends (Installed) to M.L. Ruberton Construction Company, Inc. and said contract was awarded through the open and competitive bidding process in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township Supervising Engineering Aide has reviewed the Morris County Cooperative Pricing Council's contract and related specifications and has submitted a written recommendation that the Township of West Milford award a contract for Guide Rail to M.L. Ruberton Construction Company, Inc., utilizing the Morris County Cooperative Pricing Council - Contract #26: Beam Guide Rail & Safety Ends (Installed); and

WHEREAS, the Chief Financial officer has certified the availability of funds for these purchases, said funds are to be encumbered from account number C-04-12-961-315.

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

1. The Township Council hereby authorizes the award of a contract through the Morris County Cooperative Pricing Council - Contract #26: Beam Guide Rail & Safety Ends (Installed) to M.L. Ruberton Construction Company, Inc. in an amount not to exceed \$55,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Township Engineering Division.

Adopted: September 19, 2012

Agenda No. VIII 10

~ Resolution No. 2012- 319 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A CONTRACT FOR 2012 ROAD RESURFACING THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL - CONTRACT #6: ROAD RESURFACING, CATEGORY B: BITUMINOUS CONCRETE IN PLACE AND CATEGORY C: MILLING IN PLACE TO TILCON NEW YORK, INC.

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Pricing Council (State Identifier Number 6MOCCP); and

WHEREAS, the Morris County Cooperative Pricing Council has awarded Contract #6: Road Resurfacing to Tilcon New York, Inc. and said contract was awarded through the open and competitive bidding process in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township Supervising Engineering Aide has reviewed the Morris County Cooperative Pricing Council's contract and related specifications and has submitted a written recommendation that the Township of West Milford award a contract for 2012 Road Resurfacing utilizing Category B: Bituminous Concrete in Place and Category C: Milling in Place to Tilcon New York, Inc. through the Morris County Cooperative Pricing Council - Contract #6: Road Resurfacing; and

WHEREAS, the Chief Financial officer has certified the availability of funds for these purchases, said funds are to be encumbered from account number C-04-12-961-315.

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

1. The Township Council hereby authorizes the award of a contract through the Morris County Cooperative Pricing Council - Contract #6: Road Resurfacing, Category B: Bituminous Concrete in Place and Category C: Milling in Place to Tilcon New York, Inc. in an amount not to exceed \$375,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Township Engineering Division.

Adopted: September 19, 2012

Agenda No. VIII 11

~ Resolution No. 2012- 320 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PERSON TO PERSON AND PLACE TO PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-011-003 FROM ANOLL PETER W TO LATITUDE 41 LOUNGE LLC FOR PREMISES AT THE SAME LOCATION

WHEREAS, an application for the person to person transfer of Plenary Retail Consumption License 1615-33-011-003 – Anoll Peter W to Latitude 41 Lounge LLC for premises at the same location has been received and reviewed; and

WHEREAS, the Mayor and 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 Mayor and Township Council have 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, 2011 - June 30, 2012).

WHEREAS, the Police Department has recommended that the license be transferred with conditions;

NOW, THEREFORE, BE IT RESOLVED that the transfer application is hereby approved and the Township Clerk is authorized to endorse the transfer and deliver the license certificate for the Mayor and Township Council of the Township of West Milford.

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Table with 2 columns: LICENSE and Conditions. License: LATITUDE 41 LOUNGE LLC, 1615-33-011-004, 322 Lakeside Road, Hewitt, NJ 07421. Conditions: (1) Second floor licensed only for storage, use of the roof area is prohibited.

Adopted: September 19, 2012

Agenda No. VIII 12

Agenda No. VIII 13

~ Resolution No. 2012- 322 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A PERSON TO PERSON AND PLACE TO PLACE (EXPANSION) TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-034-007 FROM LA ROCCA, INC. TO FRANK & SATINA LLC FOR PREMISES AT 3219 ROUTE 23 SOUTH, OAK RIDGE, NEW JERSEY 07438

WHEREAS, an application has been received for a Person to Person and Place to Place (Expansion) transfer of 2012 - 2013 Plenary Retail Consumption License No. 1615-33-034-007 presently held by La Rocca Inc. to Frank & Satina LLC for premises at 3219 Route 23 South, Oak Ridge, New Jersey 07438; and

WHEREAS, the Township Council has conducted a public investigation of the applicant 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 investigation the Township Council has determined the following:

- 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 financing obtained in the previous license year (July 1, 2011 - June 30, 2012).

WHEREAS, as a further result of the public investigation and upon the recommendation of the Police Department the Township Council authorizes the pocket license be transferred with conditions as follows:

Prior to activating the license inspections of premises must be made and satisfactory recommendations must be received at the Township Clerk's office from the following departments: Health Department and Fire Prevention Department. Pocket and Inactive licenses must submit pages 1, 2 and 11 of the 12-page Application to the Township Clerk's office within ten days of opening premises.

NOW, THEREFORE, BE IT RESOLVED that the application is hereby approved and the Township Clerk is authorized to issue the license certificate for the Mayor and Township Council of the Township of West Milford.

Adopted: September 19, 2012

Agenda No. IX

Consent Agenda

~ Resolution No. 2012- 323 ~

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

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:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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- a. **2012-324** – Refund Overpayments
- b. **2012-325** – Refund Other Liens
- c. **2012-326** – Refund Recreation Fees
- d. **2012-327** – Reinstate Taxes

Applications:

- 1. Application for Off Premise Draw Raffle License No. 2012-36 by Our Lady Queen of Peace Church for November 18, 2012.
- 2. Application for Off Premise Draw Raffle License No. 2012-37 by West Milford Midget Football Association for November 24, 2012.
- 3. Application for Extension of Premises by Uncorked Wines and Spirits for October 6, 2012.

Adopted: September 19, 2012

Moved: Signorino Seconded: Ramaglia
 Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
 Voted Nay: None.
 Motion carried.

The following resolutions were included in the consent agenda:

Agenda No. IX a

~ Resolution No. 2012- 324 ~

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

WHEREAS, there appears on the tax records an overpayment as shown below; and

WHEREAS, the overpayment was created by reasons stated 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:

REASONS:

- 1. Incorrect Payment
- 2. Duplicate Payment
- 3. Senior Citizen/Veteran Deduction
- 4. Homestead Rebate
- 5. Tax Appeal

Block/Lot	Name	Amount	Year	Reason
206-3	Andrew Varriale 11 Paterson Road Hewitt, NJ 07421	\$429.48	2012	5
301-5.01	William A. Monaghan, III P.O. Box 266, 344 Lafayette Avenue Hawthorne, NJ 07507	\$1,528.00	2012	2
806-16	Refund Department CoreLogic R. E. Tax Service P.O. Box 961250 Fort Worth, TX 76161-9887	\$1,613.00	2012	2
1002-1	Refund Department CoreLogic R.E. Tax Service P.O. Box 961250 Fort Worth, TX 76161-9887	\$3,850.00	2012	1
1813-7	Refund Department CoreLogic R.E. Tax Service P.O. Box 961250 Fort Worth, TX 76161-9887	\$1,059.00	2012	1
2409-2	Susan Haas & Glenn Schweizer 12 Dunham Road Hewitt, NJ 07421	\$889.47	2012	5
3009-17	Stephen E. Connelly 465 Lakeside Road Hewitt, NJ 07421	\$263.14	2012	5
3512-5	John & Patricia Paulovich	\$4,599.00	2012	2

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Block/Lot	Name	Amount	Year	Reason
	10 Rocky Point Road Hewitt, NJ 07421			
4401-21	Richard & Laura Conkling 813 East Shore Road Hewitt, NJ 07421	\$770.75	2012	5
5009-2	Albert & Heidi Christmann P.O. Box 662 Newfoundland, NJ 07435	\$152.19	2012	5
5311-1.29	Dolores Cawley 2 Richmond Road Ste 129 West Milford, NJ 07480	\$ 636.00	2012	2
5312-1.03	Lena Saffioti 4 Richmond Road Ste 103 West Milford, NJ 07480	\$250.00	2012	1
5708-28	Refund Department CoreLogic R.E. Tax Service P.O. Box 961250 Fort Worth, TX 76161-9887	\$1,950.00	2012	2
6607-5	Koch, Koch, & Bennett, Esq. 70 Midland Avenue P.O. Box 495 Kearny, NJ 07032	\$1,901.00	2012	2
7005-1	Eric Bos 47-B Ridge Road West Milford, NJ 07480	\$22.54	2012	5
7005-7	Eric Bos 47-B Ridge Road West Milford, NJ 07480	\$28.83	2012	5
7005-10	Eric Bos 47-B Ridge Road West Milford, NJ 07480	\$26.83	2012	5
7005-17	Eric Bos 47-B Ridge Road West Milford, NJ 07480	\$5.24	2012	5
7211-6	Brian Hawkins 20 Bearfort Road West Milford, NJ 07480	\$1,321.00	2012	2
7303-10	Nancy-Jo McTamane 50 Terrace Road West Milford, NJ 07480	\$1,224.00	2012	2
7701-18	Refund Department CoreLogic R.E. Tax Service P.O. Box 961250 Fort Worth, TX 76161-9887	\$1,396.00	2012	2
9406-30	Robert & Natasha Woodier 29 Frederick Drive West Milford, NJ 07480	\$2,367.00	2012	2
9707-13	Lisa M. Michura, Esq. 257 East Ridgewood Ave. Ste 200 Ridgewood, NJ 07450	\$2,685.00	2012	2
10504-2	Pamela Barckett 8 Shore Drive West Milford, NJ 07480	\$2,784.00	2012	2
12301-4	John & Virginia Paliotta 11 East Park Drive West Milford, NJ 07480	\$288.68	2012	5
13002-9	High Crest Lake Lodge P.O. Box 210 Butler, NJ 07405	\$5,999.00	2012	2
6605-2	Florian & Janet Czaplinski 37 Louis Ave West Milford, NJ 07480	\$651.53	2012	1
8705-7	Singh Real Estate 555 Lincoln Drive West, Ste. 100 Marlton, NJ 08053	\$2,431.94	2012	2
6604-23	James & Robyn Van Clief	\$140.00	2012	1

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Block/Lot	Name	Amount	Year	Reason
	36 Louis Avenue West Milford, NJ 07480			
6604-23	Kenat Inc. 15 Crestwood Drive Northport, NY 11768	\$1,925.26	2012	5
TOTAL		\$43,187.88		

Adopted: September 19, 2012

Agenda No. IX b

~ Resolution No. 2012- 325 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING 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 the Lien Holder
08-051	04/08/2008	04301-009	\$49,257.36	PPTS LOCKBOX P.O. BOX 5822 NEW YORK, NY 10087-5822
10-050	03/23/2010	03907-001.01	\$13,220.60	ROYAL TAX LIEN SERVICES LLC 115 WEST AVENUE, SUITE. 300 JENKINTOWN, PA 19046
12-0021	03/27/2012	01816-012	\$14,681.18	ROSEHILL FUND 1 LLC, JOHN HANRATTY, P.O. BOX 503 RYE, NY 10580
12-0122	03/27/2012	13901-011.01	\$12,136.02	ROSEHILL FUND 1 LLC JOHN HANRATTY, P.O. BOX 503 RYE, NY 10580
12-0123	03/27/2012	13901-011.02	\$3,908.10	US BANK CUST / EMP IV CAP ONE 50 SOUTH 16TH STREET, SUITE 1950 PHILADELPHIA, PA 19102
Grand Total			\$93,203.26	

Adopted: September 19, 2012

Agenda No. VIII c

~ Resolution No. 2012- 326 ~

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:

Day camp session 4		
Dillon Van Duyne	\$280.00	John Van Duyne 116 Vreeland Road West Milford, NJ 07480
Pre-School		
Madison	\$155.00	Alan Villano 18 Pawnee Terrace West Milford, NJ 07480
Senior picnic		
Donald & Elsie	\$16.00	Donald Schweitzer 4110 Richmond Rd West Milford, NJ 07480
Senior picnic		

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Joseph & Elizabeth	\$16.00	Joseph Martinelli 7 Applegate Ct. West Milford, NJ 07480
Senior picnic		
Joseph & Charlotte	\$16.00	Joseph Nagy 6 Locust Ct. West Milford, NJ 07480
Senior picnic		
Barbara	\$8.00	Barbara Susan 6 Mt. Glen Lakes Drive West Milford, NJ 07480
Senior picnic		
Joseph & Theresa	\$16.00	Joseph Heisler 4114 Richmond Rd. West Milford, NJ 07480
Senior picnic		
John & Joan	\$16.00	John Dundorf 45 Lake Park Terrace Hewitt, NJ 07421

Adopted: September 19, 2012

Agenda No. VIII d

~ Resolution No. 2012- 327 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REINSTATEMENT OF TAXES

WHEREAS, there appears on the tax records receipt of payment of taxes; and

WHEREAS, the Collector of Taxes recommends the reinstatement of taxes due to reasons stated below.

NOW, THEREFORE BE IT RESOLVED, that the proper officers be and they are hereby authorized and directed to reinstate as listed below:

REASON: INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR
12001-15	Marian Klocek	\$3,792.00	2012
13402-3	Nancy Conlan	\$1,922.00	2012
2606-7	Suzanne Haller	\$1,017.00	2012
11501-26	Alfred Gallant	\$852.00	2012
5202-5	Danielle Sherfer	\$3,266.00	2012
15502-24	Walter Woznick	\$970.51	2012
2314-11	Irene Brady	\$2,170.00	2012
TOTAL		\$13,989.51	

Adopted: September 19, 2012

Agenda No. X

Approval of Expenditures

~ Resolution No. 2012- 328 ~

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	\$82,526.04

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2	Reserve Account	5,941.07
3	Animal Control Trust	2,336.24
6	Capital	0.00
7	Grants	894.50
8	Refuse	25.70
9	Refunds.	136,634.14
12	General Ledger	0.00
16	Heritage Trust	0.00
14	Open Space Trust	137.50
17	Trust	1,229.40
18	Development Escrow	720.00
19	COAH	1,000.00
20	Special Reserve	0.00
11	Assessment Trust	0.00
Total		\$231,444.59
Less Refund Resolution		-136,634.14
Actual Bill List		\$94,810.45
Other Payments Ck #50192 Illusion Maker		\$3,850.00
Total Expenditures		\$98,660.45

Adopted: August 15, 2012

Moved: Erik
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

Agenda No. XI

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

Councilwoman Horton congratulated the police department and those officials sworn into office tonight.

Councilwoman Erik said the health board working on some good stuff and she will keep Council updated.

Councilman Smolinski said we lost a business in town last week due to a fire at a local deli. He was on the scene that morning and he complemented the multi-town, multi-state team effort. The coordination and cooperation was impressive. Emergency responders came from many towns and West Milford responders did an admirable job.

Councilman Ramaglia congratulated the police department.

Councilman Rosone echoed the sentiments expressed for the police department and congratulated the officers sworn into new titles tonight. He expressed confidence that they will do a great job and wished them each the best of luck.

Council President Signorino echoed those sentiments and added his own congratulations. He said he hopes everyone has a safe school year.

Mayor Bieri congratulated all the officers especially those receiving promotions. She echoed the sentiments expressed by Councilman Smolinski about the response to the fire this past week. She said responders were on the scene within 10 minutes. It was a tremendous fire and many towns responded from NY & NJ and she advised that there were two minor injuries. These events highlight the importance of our emergency services. We recently had the 11th anniversary of 9/11 and, she said, it was a very moving ceremony. She received a proclamation from the governor which she read and which proclaims 9/11/2012 as Patriots Day. Mayor Bieri said the Township received a letter from Freeholder Duffy proposing construction of a sidewalk from Shop Rite to Bearfort and she asked if Council would send a resolution of support. The Freeholder indicated that the project may be eligible for CDBG money adding that they are researching that feasibility. The Council gave consensus to send a resolution. Mayor Bieri advised that a freeholder candidate is asking the Board of Chosen Freeholders to support an emergency notification for Skyline & Margaret King Drive to provide better advance notice when these roads are

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closed due to inclement weather. Councilman Ramaglia said that he asked for this last year and was working with Ringwood. He asked Administrator Gage to follow up with Ringwood. Mayor Bieri said that state & local officials have been trying to combat the West Nile virus adding that there has been one related death in New Jersey. She said people can avoid infection by increasing surveillance & control efforts. She encouraged people to protect themselves. The active most effective ingredient to deter the virus is DEET and people should be educated in the three "R"s; remove, repel & report. Mayor Bieri said that on September 8th she attended the Mayor's roundtable for Passaic County where all 16 mayors attended. They will have another meeting on 9/29. They talked about county services and discussed the potential of meeting with county officials to discuss possible improvements and equitable distribution of services. The plan is to invite some county officials to the next meeting.

Administrator Gage reminded Council that the deadline for submitting resolutions to league is October 19th. She asked them to contact her office with ideas. The best practices survey was in council packets for their review and she advised that the Township did not lose any aid this year based on our affirmative answers. Councilwoman Horton asked about item #12 and Ms. Gage advised that the new financial computer program will provide a general ledger system that will automatically address that issue. Ms. Gage recalled that an Upper Greenwood Lake resident broached many issues that were deemed housekeeping. She provided Council with an update on the corrective measures that were or are being taken to address each item. However, she said, the engineering department reported that a traffic study done for the Warwick Turnpike traffic light did not warrant a left turn signal. It is in compliance with national standards. The Macopin/Union Valley Road is also in full compliance with national standards. Councilman Ramaglia suggested updating the striping at that intersection. Ms. Gage asked for consensus to begin the next meeting at 6:30 p.m. because there is a need for executive discussion of a number of items and the Council agreed. Ms. Gage advised that the CS&R department was approached by a Teen Town Council that wants a cross race on November 4th at Bubbling Springs. Township resources, except for the first aid squad, will not be needed for the event and local vendors will be approached to sell food as will PRIDE. Ms. Gage advised that the income & expense chapter 91 forms will be sent out on 9/28 for commercial property owners. Answers & information provided will have an important effect on 2013 property valuations and she noted that any commercial property owner who would like to have their assessment revisited should ensure that they return their chapter 91 documents.

Attorney Semrau said that a member of the public questioned having executive session meetings at beginning of meetings quoting a prior court decision that prohibits such scheduling. He advised that the referenced opinion has been overturned so it is fine to have executive sessions at the beginning of meetings. Today, he said, the Township concluded the last day of tax board hearings. 700-plus appeals were filed and the Tax Assessor will be providing statistics. For each appeal the appraisal firm & Mr. Townsend submitted comparable sales in advance and he noted that they were prepared on each case. With respect to those matters, a number of residents did an excellent job talking about value. There were a number of adjustments made by the Assessor and a number of cases heard by the Board, the majority of which had Township assessments upheld. At one point there were concerns about record cards. When residents disputed items and had a basis for that the Township had the revaluation firm re-inspect the property and report back to the tax board. All bona fide concerns were addressed, hearings postponed to allow for re-inspections and subsequent adjustments or board hearings. He listed some of the issues that were encountered that were inadmissible. There was quite a bit of information about lakefront properties, he said, and the majority of the appeals heard were affirmed. The residents who stuck to value were impressive. He commended Ms. Gage for reminding everyone about the chapter 91 requests. These go out by certified mail, return receipt requested. They are mailed to the same address as tax bills. Residents who are not satisfied can appeal to the tax court or appeal next year. Some people withdrew cases and certainly residents understood the process better at the end of their individual appeals.

Mr. Semrau advised that the Wallisch environmental issues are being addressed. There will be coverage for cleanup to some extent. The BOE attorney has asked for a revised escrow agreement consistent with the lease and he requested an executive session discussion of this as well as the BOE's denial to use capital funds to replace the generator. He said work is ongoing on the Banker Road cleanup. He said that he received sufficient information from staff that demonstrated that years ago the Township did make a claim and we now have coverage for 70% from Selective Insurance. There will be a meeting soon with Birdsall Engineering & Selective Insurance to iron out remediation issues as well as coverage amounts. Mr. Semrau advised that last week he received a telephone call from Councilman Smolinski about coaches who had not received back background checks. The coaches are needed to supervise the youth. He felt it most important, based on the fact that the applications were submitted, to make sure the supervision was there on the field while the applications are pending. He & Ms. Gage instructed the CS&R Director that coaches can participate provided they prove to her that they did submit applications. He asked for a motion to have Council approval for this temporary amendment to the provisions of this ordinance. This will allow coaches to go out on the field to supervise while their applications are pending.

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He advised that the Rutgers training is separate noting that the coaches have qualified for training which is good for multiple years. Councilwoman Horton asked if these coaches are working alone and Mr. Semrau advised that this provision was only necessary to provide supervision for home games this weekend. It was a total of five or six individuals. Councilman Smolinski said that this was not for new background checks but it was for renewals. The State, he said, got backlogged with an overwhelming number of checks. There are multiple coaches on the field. Councilwoman Horton said she would agree to approval for 30 days and Councilman Rosone asked that it be limited to renewals only. Council President Signorino asked if there is more exposure if the application is already in. Mr. Semrau answered in the negative but added that he believes that the greater risk is if someone got hurt because of lack of supervision. This was not arbitrary. This motion ratifies what was done and protects the Township. There is no additional exposure. Councilman Smolinski said football is not represented on RAC so they may have experienced a delay because of not being aware of the requirement.

Moved: Ramaglia Seconded: Signorino
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

Mr. Semrau said that the Township was named as defendant in Hastings v. West Milford Township regarding a septic issue. The claim sought relief and the Superior Court has issued an order of dismissal with no responsibility to the Township. He said that we are still working on the Apple Acres acquisition because Green Acres is requiring certain surveying information to get grant money. There will be a request for professional services for surveying at a future meeting and he commended the Land Conservancy for being diligent. Mr. Semrau recalled that during the summer Council approved a potential developer agreement to protect affordable trust fund monies. He commended Council defining their decision as effective action. In anticipation of the upcoming presentation tonight, he asked that Council beware not to ask questions that may disclose strategy.

Agenda No. XII

Presenation

Bill Pascrell III a principal in State Contract Lobbying with the Firm Princeton Public Affairs Group

Mr. Pascrell introduced himself and commended Mr. Semrau on his professionalism and legal skills. Mr. Pascrell advised that he is a lifelong Passaic County resident, hailing from Paterson. He remembers in the late 90s coming here and meeting with elected officials when he was appointed county counsel to discuss watershed. Regardless of party affiliation these are tough times. He believes he can play a unique role with the members of his firm in putting forward an agenda to allow watershed towns to be properly & fairly compensated. His knowledge of Newark watershed is somewhat dated. West Milford represents over half of the watershed. He wants to raise the issue of prior representations because questions have been asked about his affiliations. In the mid 90s Sharpe James retained him personally and from there he represented Newark until 2005. His first job as city counsel was to help Newark with income tax. He explained his role and the work he did. Under his guidance Newark got a key piece of legislation passed on a bi-partisan basis within 18 months to enable Newark to continue a parking & payroll tax resulting in \$7 million in revenue. He described how he has since worked in Newark but not as city counsel. He works very well with Mayor Booker, his staff and the city counsel and city council. He has been an attorney since 1990 and believes it will be effective for West Milford to move forward based on his proposal under the leadership of Mr. Semrau. He asked that Mayor Bieri be actively involved adding that he will work with any combination of elected officials. Mr. Pascrell gave an overview of his career with Princeton Public Affairs Group which has been in business for 26 years. Government affairs is their specialty and it is a bi-partisan firm. They work with both parties in Trenton and nurture close relationships. He has good relationships on both sides of the aisle. West Milford, he said, has had enough bus rides to Trenton. This is not an easy task. He cannot represent that he can make this happen with a snap of the fingers. He believes it will be most effective to develop a strategy together. We are dealing with a large public entity and we should be careful about disclosing specific strategies. Among the options to consider are pursuing a legislative strategy and dealing directly with the Newark governing body. Mayor Booker is looking to implement changes with their water utility. They recently adopted a resolution to put this before the voters. Water is becoming a political issue in Newark and West Milford can be a solution to the objectives of the Newark Mayor & Council. There is an important opportunity to work with other watershed communities. There is a good fairness & equity argument to be made and, in his opinion, the legislation about compensating host communities is outdated and needs updating.

Councilman Ramaglia thanked Mr. Pascrell for coming to West Milford tonight. He agreed that it is a long road and we don't want to tip our hand. He hopes that the Council is unified in this. Councilman

