
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: September 21, 2016
Time of Meeting: 6:30 pm
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The Regular Meeting of the Governing Body 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 December 20, 2015 and January 3, 2016; copies were provided to the Suburban Trends, the Record and Star Ledger and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Pledge of Allegiance

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

Roll Call

Present: Councilmembers Ada Erik, Tim Wagner, Michele Dale (arrived 6:42 pm),
Luciano Signorino, Marilyn Lichtenberg, Mayor Bettina Bieri.
Absent: Mike Hensley
Also Present: Township Administrator/Clerk Antoinette Battaglia, Township Attorney Fred Semrau

Agenda No. II

Reading of or Approval of Unapproved Minutes

June 8, 2016 Executive Session
June 8, 2016 Executive Session
June 22, 2016 Regular Meeting
July 13, 2016 Workshop and Regular Meeting

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

Agenda No. III

Presentations

None

Agenda No. IV

Executive Session

~ Resolution No. 2016 – 304 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 21st day of September 2016 that:

1. Prior to the conclusion of this **Regular 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.

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- () 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 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.
- (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - Contracts – B&B Organic Waste
 - Litigation – Newark Tax Appeals
 - Litigation - Affordable Housing Appeal
 - Attorney-Client Privilege – Unfunded Mandates
- () 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 21, 2016

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

The Governing Body went into executive session at 6:35 pm.
The Governing Body returned to the public meeting at 7:46 pm with all members present as before including Council-President Dale who arrived at 6:42 pm.

Agenda No. V

Unfinished Business, Final Passage of Ordinances

Township Administrator Battaglia announced that Ordinance 2016-013 will be rescheduled to the next meeting. Councilwoman Erik asked for numbers on that matter.

Agenda No. V 1

~ Ordinance 2016 - 012 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY VACATING THE UNIMPROVED PORTION OF A "PAPER STREET" KNOWN AS QUINTY PLACE

WHEREAS, there exists in the Township of West Milford, Passaic County, New Jersey a certain "paper street" which is partially unimproved, specifically Quinty Place; and

WHEREAS, Quinty Place is a partially paved, non-Township road created by Map No. 1112, as filed with the Passaic County Register on April 3, 1946; and

WHEREAS, the unimproved portion of Quinty Place at issue is comprised of woods and swamp land; and

WHEREAS, a request to vacate the unimproved portion of Quinty Place was made by property owners, Josephine and Oscar Beck also known as Josephine A. and Oscar R. Beck, owners of the following parcels: Block 3608 Lot 11, Block 3608 Lot 12, Block 3608 Lot 8, Block 3609 Lot 3, Block 3609 Lot 11 and Block 3609 Lot 4 of the official Tax Map of the Township of West Milford; and

WHEREAS, the aforementioned unimproved portion of the paper street is to be vacated subject to no requirements, obligations or restrictions by the Township; and

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WHEREAS, the Mayor and Township Council of the Township of West Milford do hereby determine that the unimproved portion of the aforementioned paper street was never needed for municipal purposes and will no longer be needed for municipal purposes; and

WHEREAS, the Mayor and Township Council of the Township of West Milford do hereby determine that vacation of the unimproved portion of the paper street known as Quinty Place will better serve the public interest; and

WHEREAS, N.J.S.A. §40:67-19 authorizes the Township to release and extinguish the public's rights in said paper street.

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

- SECTION 1.** The public rights and interests in the unimproved portion of the "paper street" known as Quinty Place, as more fully described in the metes and bounds description on file in the office of the Township Clerk is hereby vacated, abandoned and released.
- SECTION 2.** By virtue of such release of dedication, the land, as a matter of law, becomes the property of the respective contiguous land owners, owners of Block 3608 Lot 11, Block 3608 Lot 12, Block 3608 Lot 8, Block 3609 Lot 3, Block 3609 Lot 11 and Block 3609 Lot 4.
- SECTION 3.** The appropriate municipal officials are hereby authorized to execute any collateral documents necessary to effectuate the purposes of this vacation Ordinance.
- SECTION 4.** All rights and privileges possessed by public utilities, as defined by N.J.S.A. §48:2-13, and by any cable television company, as defined in the Cable Television Act, P.L. 1972, c. 186 (N.J.S.A. §48:5A-1 *et seq.*), to maintain, repair and replace facilities, in, adjacent to, over or under the aforementioned portions of said roadway, are hereby expressly reserved from vacation.
- SECTION 5.** At least seven (7) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be further considered for final passage, shall be given by the Township Clerk to the owners of all real property, as shown on the current tax map duplicates, to be located within 200 feet in all directions of the aforementioned Blocks and Lots. This is the notice required by N.J.S.A. §40:67-19 and §40:49-6.
- SECTION 6.** The Township Clerk shall within sixty (60) days after such Ordinance becomes effective, file a copy of said Ordinance together with a copy of proof of publication thereof with the Clerk of Passaic County so that same may be recorded and the County Clerk shall comply in all respects with the requirements of N.J.S.A. §40:67-21.
- SECTION 7.** 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 8.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
- SECTION 9.** This Ordinance may be renumbered for purposes of codification.
- SECTION 10.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

Introduced: August 17, 2016
Adopted: September 21, 2016
Effective Date: October 11, 2016

There being no one wishing to be heard, Councilwoman Erik made a motion, seconded by Councilman Signorino and carried by unanimous voice vote to close the public comment period.

Moved: Erik Seconded: Lichtenberg
Voted Aye: Erik, Wagner, Dale, Signorino, Lichtenberg

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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONTRACT TO V&K CONSTRUCTION, INC. FOR THE WESTBROOK PARK PROJECT

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on August 26, 2016 at 10:00 am for the Westbrook Park Project as per the bid specifications; and

WHEREAS, the Township of West Milford received three (3) sealed bids on August 26, 2016 in accordance with the advertised date for acceptance of bids for the project; and

WHEREAS, said three (3) bids have been duly reviewed and analyzed by the West Milford Township Attorney and Township Engineer; and

WHEREAS, the Township Engineer has submitted a recommendation for the award of this contract to V&K Construction, Inc.; and

WHEREAS, the bid received from the low bidder V&K Construction, Inc. in the amount of \$124,035.00 has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

WHEREAS, the Local Public Contracts Law requires that competitive bidding contracts be awarded to the lowest, responsible, responsive bidder; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this project.

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

1. The Township Council hereby awards a contract to V&K Construction, Inc., 37 Bartha Avenue, Edison, New Jersey 08817 for the Westbrook Park Project in accordance with the bid specifications in an amount not to exceed \$124,035.00.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with V&K Construction, Co., Inc., 37 Bartha Avenue, Edison, NJ 08817 in accordance with its bid for performance of the Westbrook Park Project.
3. The Township's acting Chief Financial Officer has certified the availability of funds for this contract.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: September 21, 2016

Agenda No. VIII 3

~ Resolution 2016 - 305~

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 BRIAN MURPHY ARCHITECT LLC FOR ARCHITECTURAL SERVICES FOR A NEW ELEVATOR LOCATED AT TEEN CENTER

WHEREAS, the Township is in need of professional architectural services for the design, construction documents and contract administration for a new elevator located in the Teen Center at Westbrook Park; and

WHEREAS, the Township wishes to retain the services of Brian Murphy Architectural LLC for architectural services for a new elevator to improve accessibility and implement ADA improvements to the two story recreational facility located in Westbrook Park; and

WHEREAS, the total amount of the contract shall not exceed \$6,000.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available for these services and shall come from the Account 02-213-41-762-000.

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WHEREAS, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; and

WHEREAS, Brian Murphy Architect LLC has received the Township's Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that the 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 Brian Murphy Architect LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of a contract for professional services without competitive bidding and the contract itself be available for public inspection.

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Brian Murphy Architect LLC, 35 Charcoal Road, Newfoundland, NJ 07435 for professional architectural services in an amount not to exceed \$6,000.00 as per proposal dated March 5, 2016
2. This contract is awarded without competitive bidding, as the total price of the contract shall not exceed the \$17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3.
3. The total fee authorized for this contract shall not exceed \$6,000.00 without the prior written approval of the Township Council.
4. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: September 21, 2016

Agenda No. VIII 4

~ Resolution 2016 – 306 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING RESOLUTION 2014-284 PROFESSIONAL SERVICES CONTRACT AWARDED TO FERRIERO ENGINEERING, INC. FOR THE WESTBROOK PARK – PHASE 2 PROJECT

WHEREAS, the Township adopted Resolution 2014-284 on September 3, 2014 awarding a professional services contract to Ferriero Engineering, Inc. for Westbrook Park – Phase 2 Project, which included five items: land surveying, permitting analysis, Highlands Applicability Determination, plan preparation and construction management in an amount not to exceed \$34,000.00; and

WHEREAS, the Township of West Milford received a grant from the Passaic County Open Space and Farmland Preservation Trust Fund for improvements to Westbrook Park – Phase 2; and

WHEREAS, the Township Council has previously matched the funding with a capital appropriation as required by the grant agreement; and

WHEREAS, Ferriero Engineering, Inc. has completed the land surveying, permitting analysis, Highlands Applicability Determination and plan preparation at a total confirmed cost of \$12,954.21 as of September 6, 2016; and

WHEREAS, the construction management phase of services provided by Ferriero Engineering Inc., shall not exceed the quoted amount of \$7,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that the Chief Financial Officer is hereby directed to take appropriate action and redirect the remaining balance of \$14,045.79 in accordance with the Passaic County Open Space & Farmland Preservation Trust Fund towards the construction management phase of the Westbrook Park – Phase 2 Project.

Adopted: September 21, 2016

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Agenda No. VIII 5

~ Resolution 2016 – 307 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER NO. 1 – FINAL TO TILCON NEW YORK INC. FOR THE 2016 WEST MILFORD TOWNSHIP ROAD RESURFACING PROGRAM PROJECT FOR AN OVERALL INCREASE NOT TO EXCEED \$150,000.00

WHEREAS, the Mayor and Council of the Township of West Milford authorized the award of a Morris County Cooperative Pricing Council construction contract for the 2016 Township Road Resurfacing Program project to Tilcon New York Inc. by Resolution 2016-214 on June 8, 2016; and

WHEREAS, with input from the Budget Consultant the original contract recommendation was scaled back due to funding as it pertains to the pending Municipal Aid road reconstruction project; and

WHEREAS, the current Transportation Trust Fund crisis has placed the Municipal Aid project on hold and will not be constructed in 2016; and

WHEREAS, quantities of materials constructed to date and favorable market forces result in a positive atmosphere to extend the 2016 Township Road Resurfacing Program Project; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these purchases, said funds are to be encumbered from account number 04-215-55-823-011; and

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 a change order to exceed the original contract award of \$800,000.00 to Tilcon New York, Inc., 9 Entin Road, Parsippany, NJ 07054 by an amount not to exceed \$150,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution change order and contract shall be available for public inspection in the Office of the Township Clerk.

Adopted: September 21, 2016

Agenda No. VIII 6

~ Resolution 2016 – 308 ~

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 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 to Micro-Pave Systems, Inc. through the Morris County Cooperative Pricing Council – Contract #6: Road Resurfacing, Category D: Crack Sealant; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this purpose, said funds are to be encumbered from account number 04-215-55-823-011; and

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:

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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., PO Box 207, Roseland, NJ 07068, 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 Clerk.

Adopted: September 21, 2016

Agenda No. VIII 7

~ Resolution 2016 – 309 ~

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 ROAD SAFETY SYSTEMS, LLC

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 Road Safety Systems, LLC 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 Road Safety Systems, LLC, 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 this purchase, said funds are to be encumbered from accounts numbered 04-215-55-821-004, 04-215-55-821-006, 04-215-55-822-005; and

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 Road Safety Systems, LLC in an amount not to exceed \$40,000.00.
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 Clerk.

Adopted: September 21, 2016

Agenda No. VIII 8

~ Resolution 2016 - 310 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AWARDED CONTRACTS FOR 2016-2017 SNOWPLOWING SERVICES

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on September 9, 2016 for 2016-2017 Snowplowing Services; and

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

WHEREAS, the Supervising Engineering Aide has submitted a written recommendation for the award of contracts to vendors whose bids have been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written, noting Special Rates for trucks and equipment to be used if and when needed per rates bid; and

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WHEREAS, the Township Attorney has rendered an opinion; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds, said funds to be encumbered from account number 01-201-26-294-364.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, that the Mayor and Township Clerk be and are hereby authorized to execute contracts for 2016-2017 Snow Plowing Services pursuant to the recommendation and in accordance with the following outline:

	CONTRACTOR	# TRKS	\$ Per Hr Class 1	\$ Per Hr Class 2		CONTRACTOR	# TRKS	\$ Per Hr Class 1	\$ Per Hr Class 2
1	Cowboys Landscaping	3	\$100.00	\$100.00	6	Longstaff Paving	9	\$109.50	\$109.50
2	Kershaw Construction	4	\$106.25	\$112.25	7	Lanzo Trucking Company	6	\$109.75	\$109.75
3	Bruce Corbett Excavating	3	\$106.65	\$113.14	8	Decker & Decker Construction	7	\$109.99	\$109.99
4	Utter Excavating	3	\$107.00	\$109.00	9	P&W Excavating	7	\$110.00	\$114.00
5	Tom Buske & Son Construction	13	\$108.75	\$112.50	10	J.D. Ragonese, Jr. Excavating	2	\$110.00	\$115.00
TOTAL TRUCKS							57		

BE IT FURTHER RESOLVED that this resolution and these contracts shall be available for public inspection in the office of the Township Clerk.

Adopted: September 21, 2016

Agenda No. VIII 9

~ Resolution 2016 - 311 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING THE PURCHASE OF THREE (3) LUCAS CPR DEVICES FOR DEPARTMENT OF PUBLIC SAFETY FOR MEDICAL EMERGENCIES WHICH EXCEEDS THE BID THRESHOLD

WHEREAS, the Township of West Milford Department of Public Safety has a need and made a purchase from Physio-Control, Inc. of three (3) Lucas CPR Devices for life-saving medical emergency equipment for cardiac arrest patients; and

WHEREAS, Physio-Control, Inc. is the only known source located in Redmond, Washington that can provided the Lucas CPR Device; and

WHEREAS, no attempt to obtain bids was made as Physio-Control Inc. is the only provider of the medical and life-saving equipment; and

WHEREAS, the aggregate of purchases for this vendor will exceed the bid threshold; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from an account #04-215-55-825-003.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, that authorization is provided for the purchase of three (3) Lucas CPR Devices from Physio-Control Inc. in an amount not to exceed \$42,686.70 which purchases are being approved without engaging in the competitive bidding process as required under the Local Public Contracts Law because Physio-Control, Inc., 11811 Willows Road NE, PO Box 97006, Redmond, Washington 98073 is the only provider of the subject equipment.

Adopted: September 21, 2016

Agenda No. VIII 10

~ Resolution 2016- 312 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ONE (1) 2017 HINO 195 CABOVER (UTILITY TRUCK) WITH 14.2' ALUMINUM PLATFORM BODY AND LIFTGATE THROUGH NEW JERSEY STATE CONTRACT NO. A83010 T-2080 THROUGH H.K. TRUCK SERVICES, INC.

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WHEREAS, the State of New Jersey has awarded Contract A83010 T-2080 Trucks, 26,000 lb. GVWR maximum Cabover/c&c, with various 18' bodies and liftgates to H.K. Truck Services, Inc.; 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 one (1) 2017 Hino 195 Cabover (utility truck) with 14.2' aluminum platform body and liftgate through State Contract A83010 T-2080 in an amount not to exceed \$85,966.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchases, said funds to be encumbered from account numbers 02-213-41-700-503, 02-213-41-700-504 and 02-213-41-700-505;

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) 2017 Hino 195 Cabover (utility truck) with 14.2' aluminum platform body and liftgate, in an amount not to exceed \$85,966.00, through New Jersey State Contract A83010 T-2080 from H.K. Truck Services, Inc. 2624-A Hamilton Boulevard, South Plainfield, NJ 07080.
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 21, 2016

Agenda No. VIII 11

~ Resolution 2016 – 313 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER NO. 5 – FINAL TO UNIMAK LLC FOR THE NEW LIBRARY CONSTRUCTION PROJECT FOR AN OVERALL INCREASE OF \$2,699.45

WHEREAS the Board of Trustees of the West Milford Township Library and the Governing Body of the Township of West Milford have entered into a partnership to build a new \$4,845,000 library facility, and

WHEREAS the Mayor and Council of the Township of West Milford authorized the award of a construction contract for the New Library Construction Project to UniMak, LLC by Resolution 2015-287, and

WHEREAS six (6) hand dryers were included in the original project drawings but the electrical wiring was not accounted for in the project specifications, and

WHEREAS pursuant to the Change Order No. 5 – FINAL report prepared by the Library Director, the amount of increase for the project to wire said hand dryers is \$2,699.45, or 0.00056%, and

WHEREAS based upon the aforementioned changes to the contract and Change Orders No. 1 - 5 is equal to \$46,839.67, which results in an adjusted contract amount of \$4,891,839.67 that represents a 0.00967% increase, and

WHEREAS the Chief Financial Officer has certified to the availability of funds for this change order, said funds to be paid from the remaining balance of the grant appropriation previously approved for this project in account number 04-215-55-824-001,

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

1. The Township Administrator is hereby authorized to exceed the original contract award of \$4,845,000.00 to UniMak LLC, by an amount not to exceed \$46,839.67 (0.00967%).

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- 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 21, 2016

Agenda No. VIII 12

~ Resolution 2016 – 314 ~

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: 1. INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR
510-1	M. & A. Saccoccio	\$2,796.97	2016
9501-36	H. & A. Chakarian	\$2,460.50	2016
16001-5	S. Riggio & N. Lasalandra	\$2,902.65	2016
10810-7	A.E. Toews	\$2,276.03	2016
12311-15	Arturo Marroquin	\$653.46	2016
6001-7	Raymond & Julie Spellman	\$4,300.00	2016
4404-6	John & Virginia Graham	\$2,003.42	2016
901-2	Christopher Verillo	\$1,870.75	2016
902-7	Christopher Verillo	\$52.75	2016
11001-34	D. & K. Blackwell	\$1,480.70	2016
3512-4	B. Fatal C&B Investment Group	\$5,000.00	2016
8702-5	Alecia Ann Barone	\$2,291.35	2016
TOTAL		\$28,088.58	

Adopted: September 21, 2016

Agenda No. VIII 13

~ Resolution 2016 – 315 ~

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

WHEREAS, there appears on the tax records balances as listed below; and

WHEREAS, the Collector of Taxes recommends the cancellation of taxes due to reasons listed below.

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

REASON: 1. 100% Disabled Veteran

BLOCK/LOT	NAME	AMOUNT	YEAR
1004-14	Frank & Kathleen Ourelio	\$2,693.35	2016 2 nd Qtr.
1004-14	Frank & Kathleen Ourelio	\$5,978.58	2016 2 nd Half
1004-14	Frank & Kathleen Ourelio	\$5,910.00	2017 1 st Half
TOTAL		14,581.93	

Adopted: September 21, 2016

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Agenda No. VIII 14

~ Resolution 2016 – 316 ~

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. Carlos Lupano 837 East Shore Road Hewitt, NJ 07421	4401 & 12	0	\$650.00

Adopted: September 21, 2016

Agenda No. VIII 15

~ Resolution 2016 – 317 ~

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

WHEREAS, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective lien.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of West Milford that the proper officers be and are hereby authorized and directed to pay the indicated amount to the holder of the lien certificate as hereinafter shown below:

Certificate No.	Certificate Date	Block/Lot/Qual	Reimbursement Amount	Pay to Lien Holder
15-0061	10/13/2015	07801-009.0	\$21,798.99	US BANK CUST FOR BV001 TRUST 50 SOUTH 16 TH STREET SUITE 2050 PHILADELPHIA, PA 19102
Grand Total:			\$21,798.99	

Adopted: September 21, 2016

Agenda No. VIII 16

~ Resolution 2016 – 318 ~

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 overpayment as shown below and the Collector of Taxes recommends the refund of such overpayment.

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

REASON: 100% Disabled Veteran

Block/Lot	Name	Amount	Year
1004-14	Frank & Kathleen Ourelio 2 Princeton Road Hewitt, NJ 07421	\$5,682.93	2016
TOTAL		\$5,682.93	

Adopted: September 21, 2016

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Agenda No. IX

Consent Agenda

None.

Agenda No. X

Approval Of Expenditures

~ Resolution No. 2016 – 319 ~

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	309,910.40
3	Reserve Account	10,986.19
2	Grants	2,045.46
6	Refunds	28,131.92
1	General Ledger	3,598.85
26	Refuse	136,505.87
4	Capital	1,255,732.34
19	Animal Control	26,701.50
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	8,182.37
19	COAH	0.00
16	Development Escrow	2,201.40
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		1,783,996.30
Less Refund Resolution		(28,131.92)
Actual Bills List		1,755,864.38
Other Payments		
Payroll/SS		508,869.90
Dog Trust		86.40
Total Expenditures		2,264,820.68

Adopted: September 21, 2016

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

Agenda No. XI

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Council President Dale reminded everyone that ALF is October 8th. They are still looking for volunteers if anyone is interested. CASA did not receive the grant that was applied for and it was hugely disappointing. They will be sending us information on how we can approach applying for the grant next year. She hopes that the future governing body does continue in that pursuit because it's a resource that the municipality can utilize. There was a very productive CASA meeting on September 19th about revamping programs and the upcoming community awareness dinner. We have not received any update on the RFP process regarding the MUA. Mayor Bieri explained that since the initial publishing of the RFP, it has been amended 3 or 4 times by the MUA and one of those amendments was to extend the deadline for the bids an additional month.

Councilman Signorino congratulated TJ Maxx noting that they are now open for business. He got a letter from a resident about going the wrong way on Route 23 near Echo Lake. He shared a story about his similar experience. He asked that a letter be drafted to DOT to request that "wrong way" signs be installed on Route 23. He suggested putting blinking wrong way signs. Council President Dale stated that she talked to the Police Chief about this previously and because it's a state highway, there would be a lot of hurdles to jump through. Councilman Signorino suggested putting up the signs because something needs to be done and asked that the state be contacted. Township Administrator/Clerk Battaglia noted that she will reach out to the DOT. Additionally, Councilman Signorino did not hear back about arranging a Board of Education and council subcommittee meeting. He reached out and got a response today so he will be working with Council President Dale to arrange a meeting. Councilman Signorino said he is looking forward to ALF.

Councilwoman Lichtenberg said on September 27th there is a free eye screening at Town Hall from 10am to 2pm. On September 26th, Milford Manor is presenting a demonstration on balance techniques for the home at Hillcrest Community Center at 10:30am. She attended the bear presentation and there was a great turnout. President Obama proclaimed September 18th to 24th as prescription opiate and heroin epidemic awareness week. On Monday, she attended a program in Toms River about Chasing the Dragon for the Partnership for Drug Free New Jersey. She gave some information about the program. On September 6th, a bill was passed to incorporate substance misuse information within the curriculum in our school systems. On September 28th at Hillcrest there is a How to Cope in Today's World seminar sponsored by the Atlantic Health System. It's a free program about substance abuse and the family. There is a trivia night at the Teen Center on October 7th at 8pm for all West Milford students. She provided information and listed the sponsors. Sadly, one of our members on the Senior Advisory Committee has passed away. There is now a vacancy on the committee.

Councilwoman Erik attended the Chasing the Dragon at William Paterson. There is an ALF meeting next week. At the last meeting, everything was on track and there is a possibility of more sponsors than last year.

Councilman Wagner stated that he is happy to hear about reaching out about the Board of Education Subcommittee meeting because it is long overdue. A few of the members on the RAC committee were concerned about what's going to happen with the Hillcrest field for midget football and little league. He suggested having some dialogue with the Board of Education to see if they can stay as well as send a letter to the Board of Education. He noted that Bubbling Springs did very well this year and averaged 192 kids this year. He attended the TJ Maxx Grand Opening this past Sunday and it went very well.

Mayor Bieri said she was shocked to see the line for TJ Maxx around the building at the Grand Opening. They were very pleased and it was more than expected. She was tagged in a discussion on Facebook on how some towns are showing their support of the Police Department by striking a blue line in the middle of the yellow lines on the roads. Others suggested blue ribbons and putting a blue light by your front door to show that you do support and value the Police Department. She thought it was a very good idea and it is completely voluntary. Township Administrator/Clerk Battaglia stated that she received an email with an article about Wayne striking blue lines. She scheduled that item for the next workshop discussion. She stated that the county did give approval to Wayne. Mayor Bieri suggested trying a small section in front of Town Hall.

Council President Dale requested in response to Councilman Wagner's comment, that the Recreation Advisory Committee start reporting on all of the recreation programs throughout the municipality. She has heard many improvements on other programs as well. Councilman Wagner stated he will certainly get those numbers. Council President Dale thanked Councilwoman Lichtenberg for donating towards the trivia night event. The council discussed other programs that recreation offers.

Township Administrator/Clerk Battaglia explained that the Health Department had made a request to see if the governing body is interested in providing free flu vaccines to employees this year. She provided information and feedback from last year. The cost would be \$12 per person and that would be a \$600 cost to the municipality. She asked for the councils' input. The council was not in favor of the request. She thanked the governing body for agreeing to a budget meeting on a work day. The department heads are very appreciative and it is scheduled for Friday September 30th at 10am.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Agenda No. XII

Appointments and Resignations

~ Resolution 2016 - 320 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RECOGNIZING A VACANCY ON THE SENIOR CITIZEN ADVISORY COMMITTEE

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby posthumously recognize the service and contributions made by Avonne Casella to the Township of West Milford by virtue of her service on the Senior Citizen Advisory Committee; and

BE IT FURTHER RESOLVED, that the Township Council hereby makes it known that a vacancy exists on this committee for the unexpired term of Avonne Casella, said term to expire on December 31, 2016.

Adopted: September 21, 2016

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

Agenda No. XIII

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 8:24 p.m.

Moved: Signorino 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