
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 3, 2018
Time of Meeting: 6:30 pm
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The Workshop Meeting of the Governing Body was called to order by Acting Mayor Wagner.

Adequate Notice Statement

Acting Mayor Wagner read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Workshop meeting was advertised in the Herald News in its issue of February 11, 2018; copies were provided to the Suburban Trends, the Record and Star Ledger and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk

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

Agenda No. I

Pledge of Allegiance

Acting Mayor Wagner led all in attendance in a salute to the flag.

Agenda No. II

Roll Call

Present: Councilmembers Andrena Pegel, Mike Hensley (arrived 6:40), Acting Mayor Tim Wagner
Pete McGuinness, Luciano Signorino
Absent: Patricia Gerst
Also Present: Township Administrator/Clerk Antoinette Battaglia, Township Attorney Fred Semrau

Agenda No. III

Reading of or Approval of Unapproved Minutes

September 5, 2018 Executive Session
September 19, 2018 Executive Session
September 19, 2018 Regular Meeting

Moved: McGuinness Seconded: Pegel
Voted Aye: Pegel, Wagner, McGuinness, Signorino
Voted Nay: None
Absent: Gerst
Motion carried.

Agenda No. IV

Meetings

Acting Mayor Wagner noted the future meeting schedule:

October 17, 2018 Regular Meeting
November 7, 2018 Workshop and Regular Meeting
December 5, 2018 Workshop Meeting

Agenda No. V

Proclamations

None

Acting Mayor Wagner said that Matrix will arrive late to the meeting, so he moved the meeting directly to action items.

Agenda No. VI

Action Items

Acting Mayor Wagner asked to move resolutions 2018-257 through 2018-278.

Discussion:

Councilwoman Pegel asked for a detailed explanation on resolution 2018-264; the agreement with Sourcewell. Administrator Battaglia said that the Township already had a co-op agreement with the NJPA, and they are just changing their name to Sourcewell. Councilman Signorino noted that in the past there have been questions regarding increases in the contractual agreements.

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He said resolution 2018-260 was a decision by the Council for additional work that they are seeking. It is not a matter of an overrun.

Agenda No. VI 1

~ Resolution 2018 – 257 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) FOR BIKEWAY IMPROVEMENTS TO CAHILL CROSS ROAD BETWEEN MORSETOWN ROAD AND PETER ROAD, INCLUDING WIDENING, RESURFACING AND STORMWATER COMPLIANCE

WHEREAS, the NJDOT is accepting applications for the fiscal year 2019 Bikeway Program; and

WHEREAS, the Township's Engineering Division has recommended that the following application be submitted for Bikeway Improvements to Cahill Cross Road between Morsetown Road and Peter Road, including widening, resurfacing and stormwater compliance; and

WHEREAS, the Township's Engineering Division submits the following application for consideration to the Township Council:

Project: Cahill Cross Road	
Bikeway Improvements to Cahill Cross Road between Morsetown Road and Peter Road (0.74 miles), including Widening, Resurfacing and Stormwater Compliance	
Grant Application:	\$325,000
Township Contribution:	\$100,000
Estimated Cost for Entire Project:	\$425,000
Grant Application No. BIKE-2019-Cahill Cross Road-00058	

NOW, THEREFORE, BE IT RESOLVED, that the Acting Mayor and Township Council of the Township of West Milford formally approve the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Township Engineering Division Agency Administrator is hereby authorized to submit the grant application as identified above to the New Jersey Department of Transportation through S.A.G.E. (System for Administering Grants Electronically) on behalf of the Township of West Milford; and

BE IT FURTHER RESOLVED that the Acting Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of West Milford and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Approved: October 3, 2018

Agenda No. VI 2

~ Resolution 2018 – 258 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) FOR THE MILLING AND RESURFACING OF RIDGE ROAD BETWEEN UNION VALLEY ROAD AND CAHILL CROSS ROAD

WHEREAS, the NJDOT is accepting applications for the fiscal year 2019 Municipal Aid Program; and

WHEREAS, the Township's Engineering Division has recommended that the following application be submitted for the milling and resurfacing of Ridge Road between Union Valley Road and Cahill Cross Road; and

WHEREAS, the Township's Engineering Division submits the following application for consideration to the Township Council:

Project: Ridge Road – Section 6	
Milling and resurfacing of Ridge Road between Union Valley Road and Cahill Cross Road (1.18 miles)	
Grant Application:	\$300,000
Township Contribution:	\$100,000
Estimated Cost for Entire Project:	\$400,000
Grant Application No. MA-2019-Ridge Road - Section 6-00506	

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NOW, THEREFORE, BE IT RESOLVED, that the Acting Mayor and Township Council of the Township of West Milford formally approve the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Township Engineering Division Agency Administrator is hereby authorized to submit the grant application as identified above to the New Jersey Department of Transportation through S.A.G.E. (System for Administering Grants Electronically) on behalf of the Township of West Milford; and

BE IT FURTHER RESOLVED that the Acting Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of West Milford and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Approved: October 3, 2018

Agenda No. VI 3

~ Resolution 2018 – 259 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) FOR THE MILLING AND RESURFACING OF CLINTON ROAD BETWEEN SCHOOLHOUSE COVE ROAD AND ONE MILE NORTH

WHEREAS, the NJDOT is accepting applications for the fiscal year 2019 Municipal Aid Program; and

WHEREAS, the Township's Engineering Division has recommended that the following application be submitted for the milling and resurfacing of Clinton Road between Schoolhouse Cove Road and one mile north; and

WHEREAS, the Township's Engineering Division submits the following application for consideration to the Township Council:

Project: Clinton Road – Section 3	
Milling and resurfacing of Clinton Road between Schoolhouse Cove Road and one mile north(1.0 miles)	
Grant Application:	\$300,000
Township Contribution:	\$75,000
Estimated Cost for Entire Project:	\$375,000
Grant Application No. MA-2019-Clinton Road - Section 3-00507	

NOW, THEREFORE, BE IT RESOLVED, that the Acting Mayor and Township Council of the Township of West Milford formally approve the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Township Engineering Division Agency Administrator is hereby authorized to submit the grant application as identified above to the New Jersey Department of Transportation through S.A.G.E. (System for Administering Grants Electronically) on behalf of the Township of West Milford; and

BE IT FURTHER RESOLVED that the Acting Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of West Milford and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Approved: October 3, 2018

Agenda No. VI 4

~ Resolution 2018 – 260 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING RESOLUTIONS 2013-354, 2014-337, 2015-228, 2015-360, 2016-227, 2017-368, 2018-162 AND 2018-193 TO INCREASE THE CONTRACT VALUE WITH ERIC L. HARRISON, ESQ. OF METHFESSEL & WERBEL IN THE MATTER KNOWN AS TRIPLE T CONSTRUCTION V. THE TOWNSHIP OF WEST MILFORD, ITS OFFICERS AND ASSIGNS

WHEREAS, by virtue of Resolutions 2013-354 adopted December 4, 2013, 2014-337 adopted October 22, 2014, 2015-228 adopted July 15, 2015, 2015-360 adopted November 11, 2015, 2016-227 adopted on June 22, 2016, 2017-368 adopted on December 6, 2017, 2018-162 adopted June 13, 2018 and 2018-193 adopted July 11, 2018 the Township Council did authorize the engagement of Special Legal Counsel services to be provided by Eric Harrison, Esq. of Methfessel & Werbel; and

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WHEREAS, Resolutions 2013-354, 2014-337, 2015-228, 2015-360, 2016-227, 2017-368, 2018-162, 2018-193 and the related Professional Services Contract did authorize services in an amount not to exceed \$165,000; and

WHEREAS, the Township Administrator has been advised that the Township's needs, related to the matter known as Triple T Construction vs. the Township of West Milford and certain officers and government officials named in the said litigation, necessitates an amendment in an additional amount not to exceed \$25,000; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds and said funds to be encumbered from account 01-201-20-155-502 for \$25,000; and

WHEREAS, that a notice of this action shall be published in accordance with law, and said notice to provide that the originally awarded Professional Services Contract, and this resolution serving as the Addendum to the Contract are available for public inspection in the office of the Township Clerk and that the professional services offered by Eric Harrison, Esq. are extended by an additional twelve months or until the conclusion of the legal matter, whichever comes first.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that they do hereby authorize the Township Administrator to approve an amendment of \$25,000 to Eric Harrison, Esq. for Special Legal Services which amount is in excess of the approved contract amount of \$165,000 bringing the contract total to an amount not to exceed \$190,000 and re-engaging the services of Eric Harrison for an additional twelve months or until the conclusion of this legal matter, whichever comes first.

Adopted: October 3, 2018

Agenda No. VI 5

~ Resolution 2018 – 261 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO ASSOCIATED APPRAISAL GROUP TO PROVIDE APPRAISAL SERVICES TO THE TOWNSHIP OF WEST MILFORD FOR LAKESIDE ROAD, BLOCK 3107 LOT 13 PROPERTY

WHEREAS, the Township of West Milford wishes to retain professional real estate appraisal services to assist the Township of West Milford in determining the value of the subject property Block 3107, Lot 13, Lakeside Road; and

WHEREAS, Associated Appraisal Group has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that it 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 Appraisal Consultants Corp. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from account number 01-201-20-161-450.

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

1. The Acting Mayor and Township Clerk be and are hereby authorized to execute a contract with Associated Appraisal Group, 6 Commerce Drive, Suite 303, Cranford, NJ 07016 for professional services to assist the Township with real estate appraisal in an amount not to exceed \$2,500.00.
2. This contract is awarded without competitive bidding as "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
3. The term of this contract shall be for a period of twelve (12) months or completion of the project, whichever is sooner.
4. The total fee authorized for this contract shall not exceed \$2,500.00 without the prior written approval of the Township Council.
5. A notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: October 3, 2018

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Agenda No. VI 6

~ Resolution 2018 – 262 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A LEASE / PURCHASE AGREEMENT TO SON-RISE DOCUMENT SOLUTIONS FOR ONE COPYSTAR CS-3252CI COLOR DIGITAL SYSTEM MACHINE B

WHEREAS, the Township of West Milford Community Service & Recreation needs to replace the existing copy machine; and

WHEREAS, the Township of West Milford will take ownership of said equipment after the expiration of the sixty (60) month lease period for no additional cost; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this Lease / Purchase agreement, said funds are to be encumbered from account number 01-201-28-372-431.

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

1. The Acting Mayor and Township Council hereby authorizes the Director of Community Services & Recreation to execute a Lease/Purchase Agreement not to exceed \$9,900.00 at a rate of \$165.00 per month for sixty months in an amount not to exceed \$1,980.00 annually with Son- Rise Document Solutions, 615 Westfield Avenue West, Roselle Park, NJ 07204.
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: October 3, 2018

Agenda No. VI 7

~ Resolution 2018 – 263 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONSTRUCTION CONTRACT TO MIKE FITZPATRICK & SON, INC. FOR THE RESERVOIR ROAD – SECTION 3 PROJECT

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on September 21, 2018 at 10:00 am for the resurfacing of Reservoir Road as per the bid specifications; and

WHEREAS, the Township of West Milford received two (2) bids for this contract; and

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

WHEREAS, the bid received from the low bidder, Mike Fitzpatrick & Son, Inc., has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from accounts numbered 04-215-55-823-011, 04-215-55-828-002, 04-215-55-827-005, 04-215-55-823-013 and 04-215-55-828-001; and

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

1. The Township Council hereby awards a contract to Mike Fitzpatrick & Son, Inc., 18 Cozy Lake Road, Oak Ridge NJ 07438 for the Reservoir Road – Section 3 project subject to the review and approval of the New Jersey Department of Transportation in an amount not to exceed \$547,543.50.
2. The Acting Mayor and Township Clerk are hereby authorized and directed to execute a contract with Mike Fitzpatrick & Son, Inc., in accordance with its bid for said resurfacing of Reservoir Road in the Township of West Milford.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: October 3, 2018

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Agenda No. VI 8

~ Resolution 2018 – 264 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE TOWNSHIP TO ENTER INTO A JOINT POWERS AGREEMENT WITH SOURCEWELL FORMERLY KNOWN AS NJPA THE NATIONAL JOINT POWERS ALLIANCE

WHEREAS, the Township of West Milford by Resolution 2014-354 adopted November 12, 2014 did authorize the Township to enter into a cooperative contracting agreement with NJPA National Joint Powers Alliance; and

WHEREAS, NJPA National Joint Power Alliance will be known as Sourcewell effective June 6, 2018; and

WHEREAS, N.J.S.A. 52:34-6.2(a)(3) provides that contracting units “may make purchases and contract for services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process”; and

WHEREAS, a guidance document from the NJ Division of Treasury indicates that “cooperative contracts” allow local and county agencies to purchase products and services without going out to bid” with nationally recognized cooperative purchasing organizations”; and

WHEREAS, Sourcewell is a service cooperative established by Minnesota Statutes §123A.21, as a local unit of government pursuant to the Minnesota Const. Article XII, Section 3; and

WHEREAS, Sourcewell is explicitly authorized to provide cooperative purchasing services to eligible members following a competitive contracting law process to solicit, evaluate and award cooperative purchasing contract for goods and services; and

WHEREAS, Sourcewell cooperative purchasing contracts are made available through the joint exercise of power law to member agencies through Minnesota Statutes §471.59; and

WHEREAS, Membership in Sourcewell is available for all eligible state and local governments, education, higher education and nonprofit entities across North America; and

WHEREAS, the Township of West Milford desires to be a Member in a “nationally recognized cooperative purchasing organization” known as Sourcewell; and

WHEREAS, the Governing Body of the Township of West Milford desires to effect substantial cooperative efforts to provide for contract and vendor relationship to purchase goods and services as a result of competitive bidding process exercised by a legal qualifying bidding agency on behalf of governmental agencies; and

NOW, THEREFORE, BE IT RESOLVED the Township Council pursuant to the provisions of N.J.S.A. 52:34-6.2(a)(3) hereby authorizes the Acting Mayor and Township Clerk to execute a Joint Powers Agreement with Sourcewell for goods and services on behalf of the Township of West Milford.

BE IT FURTHER RESOLVED, the Township of West Milford does hereby stipulate and agree that it desires to be a Member of Sourcewell with contract purchasing benefits in accordance with terms and conditions of the applicable agreement, and that Sourcewell hereby grants said Membership to the Township of West Milford.

This Resolution shall take effect immediately upon final passage.

Adopted: October 3, 2018

Agenda No. VI 9

~ Resolution 2018 – 265 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ONE (1) 2018 JOHN DEERE 544L WHEEL LOADER THROUGH NJPA CONTRACT #032515-JDC FROM JESCO, INC.

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

WHEREAS, the Township wishes to purchase one (1) 2018 John Deere 544L Wheel Loader; and

WHEREAS, the Township’s Director of Public Works has provided a recommendation to award this contract through NJPA Contract No. 032515-JDC to Jesco, Inc.; and

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WHEREAS, the following vehicle is being traded in, a 1997 Caterpillar Loader IT28G (VIN#8CR00198) (Township vehicle #710); and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from Account # C 04-215-55-829-008; and

WHEREAS, the total amount of the contract shall not exceed \$157,713.79

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

1. The Township Council hereby authorizes the Township's Director of Public Works to purchase One (1) 2018 John Deere 544L Wheel Loader, in an amount not to exceed \$157,713.79, through NJPA Contract No. 032515-JDC from Jesco, Inc., 118 St. Nicholas Avenue, 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: October 3, 2018

Agenda No. VI 10

~ Resolution 2018 – 266 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ONE (1) 2018 KENWORTH T370 SERIES 4X2 CAB & CHASSIS COMPLETE WITH PLOW & SANDER THROUGH NJPA CONTRACT #081716-KTC FROM GABRIELLI KENWORTH OF NJ, LLC

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

WHEREAS, the Township wishes to purchase One (1) 2018 Kenworth T370 Series 4x2 Cab & Chassis complete with plow and sander; and

WHEREAS, the Township's Director of Public Works has provided a recommendation to award this contract through NJPA Contract No. 081716-KTC to Gabrielli Kenworth of NJ, LLC.; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from Account #C 04-215-55-829-001 and;

WHEREAS, the total amount of the contract shall not exceed \$190,194.00

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

1. The Township Council hereby authorizes the Township's Director of Public Works to purchase One (1) 2018 Kenworth T370 Series 4x2 cab & chassis complete with plow and sander, in an amount not to exceed \$190,194.00 through NJPA Contract No. 081716-KTC from Gabrielli Kenworth of NJ, LLC, 2300 Route 130 North, Dayton, NJ 08810
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: October 3, 2018

Agenda No. VI 11

~ Resolution 2018 – 267 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF A 2018 4-TON FALCON RME ASPHALT HOT PATCHER DUMP TRAILER THROUGH SOURCEWELL (FORMALLY NJPA) CONTRACT NO. 052417-FRM FROM FALCON-MCGRATH MUNICIPAL EQUIPMENT, LLC

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

WHEREAS, the Township wishes to purchase a 2018 4-Ton Falcon RME Asphalt Hot Patcher Dump Trailer; and

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WHEREAS, the Township Director of Public Works has provided a recommendation to award this purchase through Sourcewell (Formally NJPA) Contract No. 052417-FRM to Falcon-McGrath Municipal Equipment, LLC; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from Accounts # C-04-215-55-829-008 (\$21,286.21), C-04-215-55-829-001 (\$9,806.00) and 01-201-26-315-341 (\$369.79) for a total amount of \$31,462.00.; and

WHEREAS, the total amount of the contract shall not exceed \$31,462.00;

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

1. The Township Council hereby authorizes the Township's Director of Public Works to purchase a 2018 4-Ton Falcon RME Asphalt Hot Patcher Dump Trailer, in an amount not to exceed \$31,462.00, through Sourcewell (Formally NJPA) Contract No. 052417-FRM from Falcon-McGrath Municipal Equipment, LLC, PO Box 422, Springfield, NJ 07081-0422
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: October 3, 2018

Agenda No. VI 12

~ Resolution 2018 – 268 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO THE CANNING GROUP LLC FOR 2019 BUDGET PREPARATION

WHEREAS, the Governing Body retained the services of Robert Casey through The Canning Group for assistance with the 2016, 2017 and 2018 municipal budgets; and

WHEREAS, The Canning Group LLC has submitted a proposal for the 2019 Budget preparation at \$85 per hour which is the same rate charged for the 2016, 2017 and 2018 budget preparation; and

WHEREAS, the Township Administrator recommends the award of a Professional Services Contract, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 to The Canning Group for the assignment of Mr. Robert Casey as budget consultant for the 2019 municipal and solid waste budgets; and

WHEREAS, The Canning Group, LLC will complete and submit a Business Entity Disclosure Certification which will certify 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 the firm of The Canning Group LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to N.J.A.C. 5:30-5.4.

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

1. The Acting Mayor and Township Clerk be and are hereby authorized to execute a contract with The Canning Group, LLC, 45 S. Park Place 183, Morristown, NJ 07960 for professional services for the 2019 budget process in an amount not to exceed \$7,650.00.
2. This contract is awarded without competitive bidding as "Professional Services" pursuant to N.J.S.A. 19:44A-20 et seq. and the local public contracts law.
3. The total fee authorized for this contract shall not exceed \$7,650.00 without the prior written approval of the Township Council.
4. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolutions authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: October 3, 2018

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Agenda No. VI 13

~ Resolution 2018 – 269 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE DISPOSAL OF INOPERABLE VEHICLES AND EQUIPMENT THAT ARE OWNED BY THE MUNICIPALITY

WHEREAS, the Township's Chief Mechanic has provided a list of Township owned vehicles which are not safe to operate and from which salvageable parts have been removed; and

WHEREAS, the vehicles and equipment listed below are no longer in use by the Township and are surplus to the needs of the Township; and

WHEREAS, the Public Works Department and Township Administrator recommend that these vehicles be disposed of for their scrap metal value.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that the Township Administration is authorized to dispose of the vehicles and equipment listed on Schedule A as scrap metal after having secured the most favorable disposal price via a competitive quote process.

Adopted: October 3, 2018

Schedule A				
YEAR	MAKE	MODEL	CONDITION	SERIAL OR VIN #
1988	FED	E-1 Pumper	Inoperable	1F9BBAA89J1037592
1991	SPA	KME Tanker	Inoperable	4S7ET9B07MC003652
1992	Woodchuck	Chipper	Inoperable	1W9CE89131S4D9136
1994	Ford	E350	Inoperable	1FDKE30M3RHB63864
1999	GMC	Jimmy	Inoperable	1GKDT13W6XK500407
1999	GMC	Jimmy	Inoperable	1GKDT13W9XK500420
1999	GMC	Jimmy	Inoperable	1GKDT13W1XK500461
1999	Ford	Expedition	Inoperable	1FMRU1866XLC29118
2000	GMC	Jimmy	Inoperable	1GKDT13W2Y2204866
2000	Ford	Expedition	Inoperable	1FMPU16L0YLB94691
2001	GMC	Savana	Inoperable	1GTGG25R011232526
2001	Wacker	Roller	Inoperable	5359027
2001	Ford	Expedition	Inoperable	1FMPU16L41LB74711
2002	International	7400	Inoperable	1HTSDAAR12H501454
2003	Ford	Expedition	Inoperable	1FMPU16L33LC52060
2003	Ford	Crown Vic	Inoperable	2FAFP71W33X112711
2003	International	7400	Inoperable	1HTWDAAR03J049427
2003	Ford	F 450	Inoperable	1FDXF47P03EB33089
2003	Ford	F 450	Inoperable	1FDXF47P63EB32318
2004	Ford	F 350	Inoperable	1FTSX31P14EC41740
2004	International	7400	Inoperable	1HTWDAAR24J027320
2005	Chevrolet	Impala	Inoperable	2G1WF52K559202410
2005	Ford	Crown Vic	Inoperable	2FAFP71W65X113774
2006	Ford	Crown Vic	Inoperable	2FAFP71W76X118628
2007	GMC	3500	Inoperable	1GDJK34DX7E150784
2007	Ford	Crown Vic	Inoperable	2FAFP71W27X138254
2007	Ford	Crown Vic	Inoperable	2FAFP71W47X138255
2007	Ford	Crown Vic	Inoperable	2FAFP71W67X138256
2008	Ford	Crown Vic	Inoperable	2FAFP71V98X132945
2008	Ford	Expedition	Inoperable	1FMFU16558LA76214
2008	Ford	Crown Vic	Inoperable	2FAFP71V58X132943
2008	Towmaster	Trailer	Inoperable	4KNFT24318L160066
2010	Ford	Crown Vic	Inoperable	2FABP7BV2AX131896
Unknown		Utility Body / Conveyor Deck	Inoperable	Unknown
Unknown		Conveyor frame / Lift Gate	Inoperable	Unknown
Unknown		Snow Blower / Old Exhaust Parts	Inoperable	Unknown

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Agenda No. VI 14

~ Resolution 2018 – 270 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND UPDATING THE PERSONNEL POLICIES AND PROCEDURES MANUAL WHICH INCORPORATES THE EMPLOYEE HANDBOOK THEREIN

WHEREAS, the Township of West Milford is a member of the New Jersey Municipal Excess Liabilities Fund; and

WHEREAS, every two years, the MEL distributes a model personnel policies and procedures manual and encourages its members to update their policies and procedures; and

WHEREAS, the Township of West Milford seeks to update its Personnel Policies and Procedures Manual to conform with the MEL's standards.

NOW, THEREFORE, BE IT RESOLVED, by the Acting Mayor and Township Council of the Township of West Milford, in the County of Passaic that the Township of West Milford Personnel Policies and Procedures Manual is updated as follows:

1. Modification to Anti-Discrimination Policy/American's with Disabilities Act Policy (Section One of the Manual) to comply with the New Jersey Pregnant Worker's fairness Act, which amended the law to prevent discrimination based upon pregnancy, childbirth, breastfeeding or pregnancy medical-related condition. It also requires employers to provide reasonable accommodations.
2. Modification to the Communication Media Policy/Social Media Policy to reflect changes in technology and practices of governing.
3. Modification to the Communication Media Policy/Social Media Policy to provide guidelines for employees in the use of personal social media outlets.
4. Modification to the Communication Media Policy/Social Media Policy add a section titled "Use of Internet."
5. Modification to Open Public Meetings Act Procedures concerning Personnel Matters.

BE IT FURTHER RESOLVED that a copy of the updated Township of West Milford Personnel Policies and Procedures Manual is on file with the Clerk's office; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Township Administrator for distribution to all Township employees.

This Resolution shall take effect immediately.

Adopted: October 3, 2018

Agenda No. VI 15

~ Resolution 2018 – 271 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO AFFIRM THE TOWNSHIP OF WEST MILFORD'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Township of West Milford to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Township of West Milford has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Township Council of the Township of West Milford that:

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- Section 1:** No official, employee, appointee or volunteer of the Township of West Milford by whatever title known, or any entity that is in any way a part of the Township of West Milford shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township of West Milford's business or using the facilities or property of the Township of West Milford.
- Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township of West Milford to provide services that otherwise could be performed by the Township of West Milford.
- Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights
- Section 4:** The Township Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.
- Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.
- Section 6:** The Township Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of West Milford as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.
- Section 7:** The Township Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.
- Section 8:** At least annually, the Township Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township of West Milford. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township of West Milford's web site.
- Section 9:** This resolution shall take effect immediately.
- Section 10:** A copy of this resolution shall be published in the official newspaper of the Township of West Milford in order for the public to be made aware of this policy and the Township of West Milford's commitment to the implementation and enforcement of this policy.

Adopted: October 3, 2018

Agenda No. VI 16

~ Resolution 2018 – 272 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING CONSENT TO A PROJECT AT BLOCK 3201, LOT 6, IN THE TOWNSHIP OF WEST MILFORD WHICH REQUIRES A TREATMENT WORKS APPROVAL (TWA) APPLICATION, STATEMENT OF CONSENT, FORWARDED TO THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS Moosehead Marine/GOGATS Holding Co., Inc. (applicant) is the owner of the property known as 263 Lakeside Road in the Township of West Milford, which is known as Block 3201 and Lot 6; and;

WHEREAS the applicant has made an application to alter an Individual Subsurface Sewage Disposal System and;

WHEREAS the Individual Subsurface Sewage Disposal System will serve more than one property, dwelling commercial unit or other realty improvement. The total number of realty improvements to be served is four (4);

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WHEREAS the Individual Subsurface Sewage Disposal System will receive a design flow greater than 2000 GPD, therefore, a New Jersey Pollutant Discharge Elimination System (NJPDES) permit will be required. The NJPDES Permit Number is NJG0130281;

WHEREAS a New Jersey Department of Environmental Protection (NJDEP) Treatment Works Approval (TWA) is required to construct a disposal area that deviates from the code; and

WHEREAS the Township Health Officer has reviewed the Treatment Works Approval (TWA) application submitted to the Department of Environmental Protection on behalf of the aforementioned property; and

WHEREAS the Township Health Officer has certified, as part of the Statement of Consent, that the application proposed conforms with the requirements of municipal ordinances pertaining to the proposed disposal system; and

WHEREAS approval for this Treatment Works application requires the municipality to, by way of a Resolution, consent to the project; and

WHEREAS a copy of the application is on file in the West Milford Township Health Department; and

WHEREAS the Township Health Officer recommends to the Acting Mayor and Council that it, in fact, consent to this application.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford hereby consents to the Treatment Works Application as submitted for the property known as 263 Lakeside Road in the Township of West Milford, which is known as Block 3201 and Lot 6, with respect to the septic system.

Adopted: October 3, 2018

Agenda No. VI 17

~ Resolution 2018 – 273 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SETTLEMENT OF CERTAIN TAX APPEALS

WHEREAS, appeals of the real property tax assessments of the following properties have been filed in the Tax Court of New Jersey:

PROPERTY OWNER	BLOCK	LOT		ADDRESS
Omnipoint % T-Mobile Prop Tax Dept	13602	7.01	Cell 2	1894 Route 23
Omnipoint % T-Mobile Prop Tax Dept	16605	24	Cell	3060 Route 23

; and

WHEREAS, the Tax Assessor, Appraiser and Township Attorney are of the opinion that it is in the best interest of the Township to settle these appeals.

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

1. The settlement of the following tax appeals filed at the Tax Court of New Jersey is hereby authorized as follows:

PROPERTY OWNER	BLOCK	LOT	YEAR	ORIGINAL ASSESSMENT	PROPOSED SETTLEMENT
Omnipoint % T-Mobile Prop Tax Dept	13602	7.01	2014)	\$955,500	\$955,500
			2016)		
			2017)		
			2019)		
Omnipoint % T-Mobile Prop Tax Dept	16605	24	2014)	\$724,900	\$724,900
			2016)		
			2017)		
			2019)		
				\$724,900	\$660,000

2. All refund checks are to be made payable to the attorneys for the taxpayer and the taxpayer. Refunds are to be made within 60 days from the date of the entry of Judgment and interest is waived on said refunds on the condition that the refund is paid within 60 days from the date of the entry of Judgment.

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3. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.
4. The Tax Collector is hereby authorized to credit and/or refund the appropriate taxes in accordance with the terms of this Resolution.
5. This Resolution shall take effect immediately.

Adopted: October 3, 2018

Agenda No. VI 18

~ Resolution 2018 – 274 ~

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

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

WHEREAS, the Collector of Taxes recommends the cancellation of this check 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: INCORRECT PAYEE

BLOCK/LOT	NAME	AMOUNT	YEAR
12108-1	NBSC Properties, LLC 250 Oak Ridge Road Oak Ridge, NJ 07438	\$1,729.56	2018
TOTAL		\$1,729.56	

Adopted: October 3, 2018

Agenda No. VI 19

~ Resolution 2018 – 275 ~

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

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: FORECLOSED PROPERTY

Block & Lot	Name	Amount	Year
1603-5	Township of West Milford	\$3,298.01	2018 Full Year
		\$1,650.00	2019 1 st Half
1701-12		\$1,542.07	2018 Full Year
		\$772.00	2019 1 st Half
1701-14		\$303.91	2018 Full Year
		\$152.00	2019 1 st Half
1806-4		\$296.41	2018 Full Year
		\$148.00	2019 1 st Half
1806-7		\$142.58	2018 Full Year
		\$72.00	2019 1 st Half
1811-10		\$292.66	2018 Full Year
		\$146.00	2019 1 st Half
1811-12		\$142.58	2018 Full Year
		\$72.00	2019 1 st Half
1811-13	\$296.41	2018 Full Year	
	\$148.00	2019 1 st Half	
2012-13	\$142.58	2018 Full Year	
	\$72.00	2019 1 st Half	

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Block & Lot	Name	Amount	Year
2015-18	Township of West Milford	\$142.58	2018 Full Year
		\$72.00	2019 1 st Half
2101-10		\$300.16	2018 Full Year
		\$150.00	2019 1 st Half
2305-7		\$142.58	2018 Full Year
		\$72.00	2019 1 st Half
2502-1		\$892.98	2018 Full Year
		\$446.00	2019 1 st Half
2512-10		\$296.41	2018 Full Year
		\$148.00	2019 1 st Half
2606-12		\$1,504.55	2018 Full Year
		\$752.00	2019 1 st Half
6502-9		\$303.91	2018 Full Year
		\$152.00	2019 1 st Half
6902-3		\$378.95	2018 Full Year
		\$190.00	2019 1 st Half
7303-12		\$1,512.06	2018 Full Year
		\$756.00	2019 1 st Half
7305-1		\$142.58	2018 Full Year
		\$72.00	2019 1 st Half
8509-36	\$2,577.62	2018 Full Year	
	\$1,288.00	2019 1 st Half	
8510-1	\$3,267.99	2018 Full Year	
	\$1,634.00	2019 1 st Half	
12801-10	\$2,667.67	2018 Full Year	
	\$1,334.00	2019 1 st Half	
13808-4	\$142.58	2018 Full Year	
	\$72.00	2019 1 st Half	
16001-1	\$142.58	2018 Full Year	
	\$72.00	2019 1st Half	
15903-4	\$3,290.50	2018 Full Year	
	\$1,646.00	2019 1st Half	
	TOTAL	\$36,250.91	

Adopted: October 3, 2018

Agenda No. VI 20

~ Resolution 2018 – 276 ~

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

Block/Lot	Name	Amount	Year	Reason
12108-1	Edward Fitzsimmons, III 1114 Walray Avenue North Haledon, NJ 07508	\$1,729.56	2018	9
	Total	\$1,729.56		

Adopted: October 3, 2018

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~ Resolution 2018 – 277 ~

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:

Fall Basketball Tournament		
Timothy & Michael	\$250.00 (\$125.00/person)	Frances Paulison 1 Ashbrook Lane West Milford, NJ 07480
Bob Ross Kids Art 9/23		
Kyra	\$60.00	Rachel Bohmann 43 Leonard Avenue West Milford, NJ 07480
Yoga 1 – Sept/Oct		
Doris	\$33.00	Doris Galvin 9304 Richmond Road West Milford, NJ 07480
Fall Soccer		
George	\$80.00	Jillian Gergely 104 Rolling Ridge Road West Milford, NJ 07480

Adopted: October 3, 2018

Agenda No. VI 22

~ Resolution 2018 – 278 ~

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

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

Receipt No.	Refund Amount	Refund to	Street Excavation Project Permit No.
215373	\$100.00	Thessen Services 870 F Warwick Turnpike Hewitt, NJ 07421	274 Point Breeze Drive 2018-35

Adopted: October 3, 2018

 Moved: McGuinness Seconded: Signorino
 Voted Aye: Pegel, Wagner, McGuinness, Signorino
 Voted Nay: None
 Absent: Gerst
 Motion Carried:

Agenda No. VII

Discussion Items

1.	Discussion: Host Fee Ordinance for Recycling and Brush: Mr. Semrau explained that if the facility meets certain criteria; more of a landfill type of recycling facility, a host fee could be applied. If it is a transfer facility, the statute permits an economic benefit of certain dollars for every ton on all solid waste. If there was that type of activity, the Township could attempt to collect a host fee by entering into an agreement subject to the DEP’s approval; or by petitioning the DEP saying based on the criteria, they think the site qualifies as a transfer station. The other alternative would be a landfill, and on either matter, they can take on local revenue from such action. He noted that it is potentially a revenue source if that type of activity was in the Township. He said he spoke with the Township Engineer, and the Township Engineer does not feel that there is a facility in the Township that qualifies for a host fee at this time. Mr. Semrau said it is worthwhile to keep this in mind for future endeavors if there is ever that type of activity.
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	<p>Councilman McGuinness said that he appreciates Mr. Semrau listening to him, because he has been speaking about this for almost one year. He is glad this was open for discussion, and it will be an opportunity to gain revenue for the Township. It is a way to generate income for the Township, and there are facilities that fit into the ramification. He recommended seeking outside engineering firms because this is uncharted territory. He mentioned that the Township is not going to get a Walmart and big buildings; they do have organic material, so if they have the capability on applying a host fee, it could generate millions for the Township. He asked the Council to read about it and look into it and he is open for discussion. He expressed that there are facilities in the Township now not operating by law. He said he appreciates everyone's willingness to keep moving forward on this. Councilwoman Pegel said that is a lot of money that would benefit our Township greatly, and it is something that they really need to look into. Councilman Signorino said he agrees, and he thinks it could benefit the Township in multiple ways. Acting Mayor Wagner asked Administration to look in to surrounding towns that are charging host fees. Councilman McGuinness expressed that the process is vegetation; weeds, grass and wood chips, it is not garbage; it is natural and organic. Mr. Semrau noted they spent quite a bit of time in court over the summer at the direction of Administration to get compliance with respect to two specific properties that were not compliant. Acting Mayor Wagner asked consensus from the Governing Body for Administration to look into other townships that are charging a host fee. The Governing Body gave consensus.</p>
2.	<p>Discussion: All-Day Budget Meeting: The Governing Body agreed to have the budget meeting on Monday, October 29th. Councilwoman Gerst was absent, so the Governing Body agreed to wait for confirmation from her with her availability.</p>

Agenda No. VIII

Presentations

Cost Efficiency Audit, Matrix – Ms. Jocelyn Mathiasen presented a PowerPoint presentation of the overall key findings. She noted that the presentation in August was really extensive, and she will not repeat all of it tonight. She said they interviewed staff in every department to learn more of the strengths and weaknesses. They identified improvement opportunities by comparing to what is considered best practices. In local government, there are not a lot of opportunities to look elsewhere to do different things. She mentioned that they did an employee survey, a review of other municipalities in the area, and best practices analysis.

She said one of the biggest focuses on the audit was to see if the staffing levels were appropriate. She explained that there are a few areas of excess staff or staff that could be deployed differently, and there are areas that are understaffed. She said that some of the recommendations they make will require additional resources. She expressed that every department they reviewed is in need of better technology. The Township has invested and paid for new technology that has not been implemented; the Township needs to eliminate all the paper work and move it to the computer. She explained that there were quite a few areas where they received positive feedback from the employee survey. It is important to understand what the mission is of the Township, and they did feel that the employees were positive in that area. Employees felt that they were overloaded and concerned about the staffing, and there were also some staff morale issues. She expressed when the morale is low it does affect productivity, and she recommended that there be regular measures of staff morale. There were also concerns about the quality of the facilities and the infrastructure.

She believes that there should be performance targets for each department as a collaborative process. They recommend that the pet licensing function move to the Clerk's Department, and the rest of the Animal Control move to the Police Department. They recommend that Engineering be transferred to Public Works. She expressed that the Township needs another IT Project Manager to make sure that the technology the Township paid for is doing what it should be doing. There needs to be a plan on how to implement the technology in time because it can't be done all at once. She said Administration and Department Heads should meet with IT once a month to discuss what they would like to get done in time. One of the top priorities is website redesigned and improvements. The website currently is confusing with a lot of information. The biggest challenge right now is when someone is trying to find out information about a property; they have to visit multiple departments. She recommends consolidating all the land records electronically, and looking for an RFP for scanning and indexing the files. The goals for Public Works and the community should be tied into the budget process. The Township needs to obtain Human Resources expertise, because there in one employee doing the entire payroll and human resource functions. The Land Use Departments should be one process instead of four different processes, and they need reports to track the process. The Township has an excellent software system that is not being used by all the departments. She recommended a simple guide on how to obtain a permit in the Township, and look at the process from an economic development standpoint; the transactions should be easy. She asked the Governing Body if they had any questions.

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Councilwoman Pegel expressed that our system is antiquated and the program in the Township is underutilized. She said going paperless is very important because it increases efficiencies within the departments and creates easy access and presentation for residents to obtain the information they need. She feels that they need to look into the IT Department, it will be a budget issue and maybe it is something that can be discussed at a budget meeting. Maybe they can invite the IT Department to the budget meeting because they have heard from all the other departments. She would like to meet with the IT Department. Councilman Signorino suggested having the IT Department at the all-day budget meeting. Councilwoman Pegel said one of the major issues that resulted from the audit report was the IT functions.

Councilman Hensley said the EDC tried to encourage the production of a new website for the Township two years ago; they were told that it is cost prohibitive. He believes the how-to-guide for the permits and septic information will be a game changer for the Township. The Township has a stigma of not being user friendly, and he hopes that future councils will address the IT situation and get all the records scanned. A lot of the new homeowners are millennials and they look for information on the website, and if they can't access information on the Township website it might discourage them from moving to West Milford.

Councilman McGuinness asked what the issues are with the staff morale. Ms. Mathiasen said that the staff felt either the public or the Governing Body did not understand what their job constituted. There was a feeling of antagonism. She said it is not uncommon in local government. It is something that they can address each year to see how they are doing as a Township with staff morale. She said a Human Resources expert can really help the Township with the morale. Councilman McGuinness expressed that now they have an audit that is neutral and was performed by an auditing company. He asked what is next. Councilwoman Pegel said the Council has to be proactive and think of an action plan.

Councilman Signorino said he appreciates the report and he thought some of the findings were misleading. He was not surprised by a lot of the findings and it helps to have the audit on paper because it removes a lot of the politics out of it. He intends to take part in to try and resolve the communication issues and morale within the departments. He hopes that they make the streamlining process of the land use departments a priority. He would rather not move in to a new building and implement the same old process. He would like to implement the changes within the land use departments first before they move the departments to the old library. Councilwoman Pegel said it will be the perfect time to implement a new system before they utilize the old library. She thanked Ms. Mathiasen for all the work she put into this study.

Acting Mayor Wagner said the audit is a great tool especially for the Department Heads and the Governing Body to make improvements. He expressed that the website is antiquated, and the website affects everyone's first impression of the Township. The audit reassured and confirmed that certain improvements need to be made. He mentioned that audits are performed every day in the corporate world. He said quarterly department reports should be shared with the Governing Body. He noted that he started meeting with Department Heads, and a lot of things recommended in the audit can be done that are not cost prohibitive. Ms. Mathiasen expressed that she did not encounter any resistance from the staff about making the recommended improvements.

Agenda No. IX

Unfinished Business, Final Passage of Ordinances

None

Agenda No. X

Public Comments

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

Bob Nicholson, 20 Hyde Road, Stockholm – Asked if the audit will be available to the public without being severely redacted. He said Ringwood, Sparta and Vernon supported an ordinance of not allowing sales of marijuana. He said the Township should not take any position until they know what the state law is. He said the TV Commission would like to support and film a mayoral debate. He mentioned that there are some people in town that do not know who the local government is. They would also like to support and film a debate with the Board of Education.

Karen Carman, 27 Cooley Lane – Expressed that she is unhappy that she had to speak at a council meeting to get recognized. She has been complaining about the condition of the property next to hers for several years. She has been passed off to several departments and has not received a response from anyone. She passed around pictures of the property next to her. She visited the Health, Tax and Zoning Departments and has not heard from anyone. She would like to know at the end of this meeting who she needs to speak to in order to get an answer. The conditions are pathetic.

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Gary Steele, North Glenwood Drive – Said the WM77 TV Commission discussed the possibility of sponsoring a candidates debate. The consensus was they should not do it. There is support to get the information out there.

Agenda No. XII

Consent Agenda

None

Agenda No. XIII

Approval of Expenditures

~ Resolution 2018 – 279 ~

RESOLUTION APPROVING THE PAYMENT OF BILLS

WHEREAS, the Township Treasurer has submitted to the members of the Township Council a report listing individual disbursement checks prepared by this office in payment of amounts due by the Township.

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

Acct #	Account Name	Amount
1	Current Account	\$158,764.46
3	Reserve Account	1,750.00
2	Grants	1,050.98
6	Refunds	523.00
1	General Ledger	1,672.35
26	Refuse	144,153.80
4	Capital	1,957.50
19	Animal Control	43.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	5,468.26
19	COAH	0.00
16	Development Escrow	3,867.70
19	Tax Sale Trust	0.00
21	Assessment Trust	19,395.40
	Special Reserve	0.00
Total		\$338,646.45
Less Refund Resolution		-523.00
Actual Bills List		\$338,123.45
Other Payments		
Payroll		532,542.06
DCRP		727.63
Interest on Notes		365,176.48
Total Expenditures		\$1,236,569.62

Adopted: October 3, 2018

Moved: McGuinness Seconded: Pegel
Voted Aye: Pegel, Hensley, Wagner, McGuinness, Signorino
Voted Nay: None
Absent: Gerst
Motion Carried:

Agenda No. XIV

Reports of Administrator, Mayor and Council Members

Councilwoman Pegel – Said she met with Deborah Hoffman, Director of Economic Development of Passaic County. They spoke about the ongoing economic development issues that have been haunting the Township. She spent the day with the West Milford seniors and attended a picnic with them.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 3, 2018
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She attended Governor Murphy's new economic plan for the state. He wants to offer a new tax credit to attract new big and small businesses. She wanted to attend the program to see how it was going to help West Milford. Most of his programs that he was gearing toward were for the inner cities. It was very informative and educational. She met with Administrator Battaglia and discussed incorporating and showcasing the residents with artistic abilities art in the library. They had an opportunity to walk around the upper part of the library and look at the Township wing. It would be nice to showcase the art of our local residents. She provided an update on Wreaths Across America and CASA. She noted various events and the dates and times.

Councilman Hensley – Thanked the residents for their patience driving through town during all the detours and road work. He said at the top of Echo Lake and Macopin Road there are very antiquated guardrails that are very dangerous. He thanked the staff that works very hard with the materials that they have.

Councilman McGuinness – Said he looks forward to working with the Governing Body on the host fees. He said the audit was professionally done and it gives the Governing Body something to work with. From a financial point of view, he sees more than \$65,000 worth of savings. He wants to see if live stream meetings are available so people are up to date with the meetings. Some of the seniors asked if a bench could be put inside the vestibule at ShopRite during the winter months so they can wait inside for the bus and keep warm. He noted various events and the dates and times. He mentioned that Tractor Supply is in the works and he heard that they only rented half of the old Sears building. He asked if there was an application on file for the other half of the store.

Councilman Signorino – Mentioned that the TV Commission is working on live feed for the meetings. He provided an update on the Museum and the Heritage Committee. He said there was a good crowd at the Planning Board meeting, and to his surprise, everybody except for two people seemed to be in support of the Airbnb's. He expressed that there are some concerns from residents about the negative effects on them.

Acting Mayor Wagner – Provided an update on the usage of the SLAP program and Nosenzo Field. He said they are interviewing a Health Officer and hopefully they will hire a new one shortly. He provided an update on the Senior Advisory Committee; work is being proposed for the elevator. He said the website is something that they could improve short term. Administration spoke to the website provider and there is a free upgrade available. He noted an event on October 23rd that will teach seniors to protect themselves from fraud and encouraged them to sign up by contacting Community Services and Recreation. He expressed that they need to be more festive in town. He asked that the Annual Christmas Tree Lighting be called the "Annual Christmas Tree Lighting", and not the Annual Tree Lighting. He spoke about how the Highlands Act imposed an unfunded mandate that crippled West Milford's community. He read a letter that was mailed to the Highlands Council Commissioner by the Governing Body. He asked Mr. Semrau to speak about the Council on Mandates, and Mr. Semrau explained why he can't share the information. The Governing Body stated in the letter that they are weighing their alternatives, and asking the Highlands Council for their thoughts or input. Acting Mayor Wagner said the Governing Body realizes the financial burden in the Township and they will explore all options.

Administrator Battaglia – Said she met with representatives from Columbia Bank, and they submitted an application for a generator at the Recreation Center. Columbia Bank said they will not be able to fund the cost of the generator. She explained to the representatives the level of significance that the generator has on the Township. When disaster strikes and people are in need of heat and water, the Recreation Center will serve as a shelter. The representative said she would explain to the President that the generator will not be used to facilitate recreational use; it is a generator to help the community in dire times of need. The representative asked if she could identify projects around \$25,000 or less, so she suggested a new lift in Town Hall, and possibly a renovation of the bathroom upstairs that would become ADA accessible. She will report back to the Governing Body when she hears from Columbia Bank.

Agenda No. XV

Appointments and Resignations

None

Agenda No. XVI

Executive Session

~ Resolution 2018 – 280 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 3rd day of October, 2018 that:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 3, 2018
Time of Meeting: 6:30 pm
Minute Page No: Page 21 of 21

1. Prior to the conclusion of this **Workshop Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () b. (4) A collective bargaining agreement including negotiations
 - () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - () b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
 - (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.
 - Litigation – New Vineland vs. West Milford
 - () 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: October 3, 2018

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

The Governing Body went into executive session at 9:00 p.m.
The Governing Body returned to the public meeting at 9:45 p.m. with all present as before.

Agenda No. XVII

Adjournment

There being no further business to come before the Council, the Governing Body adjourned the meeting at 9:46 p.m.

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

Approved: October 17, 2018

Respectfully submitted:

Sherry Zbrzeski, Keyboarding Clerk I

TIM WAGNER, ACTING MAYOR

ANTOINETTE BATTAGLIA, TOWNSHIP CLERK