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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: October 05, 2016  
Time of Meeting: 6:30 pm  
Minute Page No: Page 1 of 13

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The Workshop Meeting of the Governing Body was called to order by Mayor 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 Workshop 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, Mike Hensley, Tim Wagner, Michele Dale, Luciano Signorino (6:31pm), Marilyn Lichtenberg, Mayor Bettina Bieri.

Also Present: Township Administrator/Clerk Antoinette Battaglia, Attorney Dawn Sullivan

Agenda No. II

**Reading of or Approval of Unapproved Minutes**

Councilwoman Erik moved to adopt the following Meeting Minutes as presented:

August 17, 2016 Workshop and Regular Meeting  
September 7, 2016 Workshop Meeting  
September 7, 2016 Executive Session  
September 21, 2016 Regular Meeting

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

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Agenda No. III

**Meetings**

Mayor Bieri noted the future meeting schedule:

October 19, 2016 Regular Meeting  
November 9, 2016 Workshop and Regular Meeting  
December 7, 2016 Workshop Meeting  
December 21, 2016 Regular Meeting

Agenda No. IV

**Presentations**

**Update on Library Construction and Clerk of the Works**

Library Director Ricardo Pino and Clerk of the Works Ron Casson addressed the council about the library project. Mr. Pino explained that they have made good progress. The new date of completion will be November 22<sup>nd</sup> instead of October 29<sup>th</sup>. There will be a resolution for the governing body to allow the Clerk of the Works to continue until the end of November. Mr. Pino noted that most of the exterior of the building is complete and listed other projects for the building. Mr. Pino stated that he has been working with the municipality to set up a budget to fund the township portion of the building. Township Administrator/Clerk Battaglia explained that the governing body appropriated \$100,000 for furniture and to connect the hardwiring to the building. As per the meeting last week, we believe it will come in within the

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\$100,000. Mr. Pino said there have been some problems with the well project and they are going to have to find another location to drill. He stated that they will regroup, move forward, and will keep the administrator updated.

Ron Casson addressed the governing body about the library project. We are very close to being ahead of schedule and have been doing projects simultaneously to get the job done. The building looks complete on the outside but there are 35-40 craftsmen working inside on various projects. He listed the upcoming projects. Council President Dale added that she has heard the library will not be opening until after the New Year. She requested information on the total overrun changes from the library board in a memo to the council to understand the projected costs.

High Crest Lake Dam Loan Application

Richard Kluge 323 High Crest Lake Drive West Milford said this is a continuation of loan applications started several years ago from the DEP and State of New Jersey. The application is between High Crest Lake Lodge and the Township of West Milford as the co-borrower to perform a rehabilitation of our dam. He provided statistics about the community. The community passed a resolution last week approving the full processing of the loan which has been approved by the state. The community is calling on the Township of West Milford to complete the application as the co-borrower. He noted that the community is in support of this project.

Chris Adams, President of Civil Dynamics Engineering provided background on the dam. He noted that it's a high hazard dam and if it were to fail, there is a probability of a loss of life. He explained that the dam needs to be rehabilitated to bring it into compliance with dam safety standards. He described the process of rehabilitating the dam. Mr. Adams said he will be working with the township engineering department on the project. Design work would be in 2017 and construction would be in 2018 and 2019 and the loan amount obtained was \$575,000. Township Administrator/Clerk Battaglia said we did receive the loan application and it was sent to our legal counsel for review and vetted by the township attorney. She noted that it is required by the state that the municipality is the co-signer. Attorney Sullivan asked if all of the property owners will benefit from this project and if the association is aware that there will be a co-borrowers agreement in addition to the loan application. Mr. Adams said yes. Township Administrator/Clerk Battaglia stated this project will be done through the tax assessor.

Agenda No. V

Proclamations

None.

Agenda No. VI

Executive Session

~ Resolution No. 2016 – 328 ~

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 5<sup>th</sup> day of October 2016 that:

1. Prior to the conclusion of this Workshop Meeting, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
  - ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
  - ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
  - ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
  - (X) b. (4) A collective bargaining agreement including negotiations.
    - Collective Bargaining Unit Negotiations
      - AFSCME 2275
      - AFSCME 3301
  - ( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
  - ( ) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of

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- 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.
- Attorney-Client Privilege - MUA
- Contracts - CFO Positions
- Litigation - Newark Tax Appeals
( ) 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 5, 2016

Moved: Signorino Seconded: Lichtenberg
Voted Aye: Unanimous Voice Vote
Voted Nay: None.
Motion carried.

The Governing Body went into executive session at 6:50 pm.
The Governing Body returned to the public meeting at 7:26 pm with all members present as before.

Reverend Janet McGregor Williams 1452 Union Valley Road noted that she is the pastor of West Milford Presbyterian Church but is really here representing the Tri-county Clergy Association. She explained that for years, they have done service to the community with events and community service. She asked for permission from the governing body to explore a multicultural thanksgiving service at Town Hall. The council gave consensus.

Agenda No. VII

Public Comments

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

Gary Steele North Glenwood Road said as a reminder for ALF, it's important for vendors to prepare for the expected weather with tents. Because they are on the street they can't be staked down. He suggested using heavy items to keep the tents down because it is a safety hazard.

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

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

Agenda No. VIII

Council Comments

Councilman Signorino asked if Rocky Hazelman or anyone who handles the ALF event to post an advisory to use extra precaution with the expected weather. If there are going to be winds it could be an issue.

Agenda No. IX

Discussion Items

Table with 1 row and 2 columns. Column 1: 1. Column 2: Discussion: Boards/Committees/Commissions - Township Administrator/Clerk stated that this discussion is to prepare for the reorganization meeting. It was simplified to provide a list of all boards, committees and commissions and their mission statements to the council. She asked for direction from the governing body. Councilman Signorino requested that any citizen that joins a board, committee, or commission be provided with the entire ordinance that describes the mission statement. Ms. Battaglia clarified that it would be in the section of the code that established the committee, not the ordinance. Regarding the EDC, one of the commissioners came to the meeting

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	and asked for further amendments to the ordinance. She reached out to them and the EDC will bring them forth edits to the governing body when complete. Council President Dale suggested updating the ALF to include that minutes are required. Mayor Bieri suggested having a standardized document for committees, commissions, and boards that states the uniform purpose, duties and responsibilities. In addition, it would have meeting dates, times, and the basic volunteer code of conduct. Items pertinent to each committee can be substituted accordingly but everything else would be a standard template. Councilman Wagner suggested setting a timeline for the minutes to be submitted to the Clerk's Office for each board, committee, and commission. Township Administrator/Clerk Battaglia said if the governing body is agreeable, then the Clerk's Office can work on it. She explained that there is a sheet given out every time an application is given for a citizen leadership form. It can be modified to include specific duties of each member along with other pertinent information. The council agreed.
2.	Discussion: Support of Local Police – Councilwoman Erik suggested painting a blue stripe in town. Township Administrator/Clerk Battaglia said she was driving here today and noticed that Union Valley has the double lines. She asked if the council is agreeable to reach out to the county for approval to paint a blue line in front of Town Hall. The council agreed. She clarified that Union Valley is a county road but Ridge Road is a township road. Approval would have to come from the governing body if it were to extend out to Ridge Road. The governing body discussed locations for the striping. The council gave consensus for striping in front of Town Hall and Ridge Road.
3.	Maintenance on Non-Township Roads in the Township – Mayor Bieri stated that the revised letter was on the dais tonight. The council gave consensus. Township Administrator/Clerk Battaglia said she will give direction to the Engineering Department to get that out to the residents on these effected roads.

Agenda No. X

**Action Items**

Agenda No. X 1

~ Ordinance 2016 - 013 ~

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

**BE IT ORDAINED**, by the Township Council of the Township of West Milford, in the County of Passaic, New Jersey that pursuant to Chapter 33 entitled Personnel of the Revised General Ordinances of the Township of West Milford, New Jersey, 1976, the following Officers and Employees here below stated shall be classified by job title with the corresponding pay ranges:

*CONFIDENTIAL AND UNAFFILIATED EMPLOYEES*

<b>JOB TITLE</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Judge	\$25,000	\$50,000

1. The aforelisted Officers and Employees shall be compensated in accordance with the preceding Salary Range.
2. **BENEFITS:** Benefits relating to vacation, sick days, personal days, longevity, holidays, bereavement leave and medical insurance shall be those as contained in the contract between the West Milford Municipal Employees Guild (AFSCME 3301) and the Township of West Milford or any employment agreement consistent with applicable law.
3. **OVERTIME:** If not otherwise eligible for overtime compensation by contract or law, each full-time department and division head in lieu of overtime compensation as provided in the Guild contract, shall receive three (3) vacation days and up to 35 compensatory hours annually, the latter earned hour for hour for hours worked above forty per week. All other full-time employees listed in this ordinance if not otherwise eligible for overtime compensation by contract or law, shall receive 21 compensatory hours annually, plus one half hour for each hour worked above thirty-five or forty hours per week depending on the applicable contract for the employee's department. Vacation and compensatory time may be used or accumulated as follows: vacation days may be carried for up to one year from January 1 following the year earned, and compensatory hours may be taken no later than April 1 of the year following the year earned.
4. Stipend Positions will not be subject to increases unless specifically authorized by Resolution of the governing body.

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- 5. Any ordinance or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to such extent as they are in conflict or inconsistent. This ordinance shall take effect 20 days after its final passage by the Township Council.

Introduced: October 5, 2016

Councilwoman Erik made a motion to move the ordinance, seconded by Council President Dale. Councilman Signorino asked that the ordinances be separated for the judge, prosecutor, and QPA. Township Administrator/Clerk suggested introducing Ordinance 2016-013 for the judge, Ordinance 2016-015 for the prosecutor, and Ordinance 2016-016 for the QPA. All other language will remain the same. The council agreed to the proposed change. Mayor Bieri clarified that the motion would be to introduce Ordinance 2016-013, Ordinance 2016-015, and Ordinance 2016-016. Councilwoman Erik and Council President Dale amended their motion and second.

Ordinance 2016-013.

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

Agenda No. X 2

~ Ordinance 2016 - 015 ~

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

BE IT ORDAINED, by the Township Council of the Township of West Milford, in the County of Passaic, New Jersey that pursuant to Chapter 33 entitled Personnel of the Revised General Ordinances of the Township of West Milford, New Jersey, 1976, the following Officers and Employees here below stated shall be classified by job title with the corresponding pay ranges:

CONFIDENTIAL AND UNAFFILIATED EMPLOYEES

Table with 3 columns: JOB TITLE, MINIMUM, MAXIMUM. Row 1: Prosecutor, \$20,000, \$40,000

- 1. The aforelisted Officers and Employees shall be compensated in accordance with the preceding Salary Range.
2. BENEFITS: Benefits relating to vacation, sick days, personal days, longevity, holidays, bereavement leave and medical insurance shall be those as contained in the contract between the West Milford Municipal Employees Guild (AFSCME 3301) and the Township of West Milford or any employment agreement consistent with applicable law.
3. OVERTIME: If not otherwise eligible for overtime compensation by contract or law, each full-time department and division head in lieu of overtime compensation as provided in the Guild contract, shall receive three (3) vacation days and up to 35 compensatory hours annually, the latter earned hour for hour for hours worked above forty per week. All other full-time employees listed in this ordinance if not otherwise eligible for overtime compensation by contract or law, shall receive 21 compensatory hours annually, plus one half hour for each hour worked above thirty-five or forty hours per week depending on the applicable contract for the employee's department. Vacation and compensatory time may be used or accumulated as follows: vacation days may be carried for up to one year from January 1 following the year earned, and compensatory hours may be taken no later than April 1 of the year following the year earned.
6. Stipend Positions will not be subject to increases unless specifically authorized by Resolution of the governing body.
7. Any ordinance or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to such extent as they are in conflict or inconsistent. This ordinance shall take effect 20 days after its final passage by the Township Council.

Introduced: October 5, 2016

Ordinance 2016-015

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Moved: Erik Seconded: Dale  
 Voted Aye: Erik, Hensley, Wagner, Dale, Lichtenberg.  
 Voted Nay: Signorino  
 Motion carried.

Agenda No. X 3

~ Ordinance 2016 - 016 ~

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

**BE IT ORDAINED**, by the Township Council of the Township of West Milford, in the County of Passaic, New Jersey that pursuant to Chapter 33 entitled Personnel of the Revised General Ordinances of the Township of West Milford, New Jersey, 1976, the following Officers and Employees here below stated shall be classified by job title with the corresponding pay ranges:

*STIPENDS*

<b>JOB TITLE</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Qualified Purchasing Agent (QPA)	\$5,000	\$5,000

1. The aforelisted Officers and Employees shall be compensated in accordance with the preceding Salary Range.
2. **BENEFITS:** Benefits relating to vacation, sick days, personal days, longevity, holidays, bereavement leave and medical insurance shall be those as contained in the contract between the West Milford Municipal Employees Guild (AFSCME 3301) and the Township of West Milford or any employment agreement consistent with applicable law.
3. **OVERTIME:** If not otherwise eligible for overtime compensation by contract or law, each full-time department and division head in lieu of overtime compensation as provided in the Guild contract, shall receive three (3) vacation days and up to 35 compensatory hours annually, the latter earned hour for hour for hours worked above forty per week. All other full-time employees listed in this ordinance if not otherwise eligible for overtime compensation by contract or law, shall receive 21 compensatory hours annually, plus one half hour for each hour worked above thirty-five or forty hours per week depending on the applicable contract for the employee's department. Vacation and compensatory time may be used or accumulated as follows: vacation days may be carried for up to one year from January 1 following the year earned, and compensatory hours may be taken no later than April 1 of the year following the year earned.
8. Stipend Positions will not be subject to increases unless specifically authorized by Resolution of the governing body.
9. Any ordinance or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to such extent as they are in conflict or inconsistent. This ordinance shall take effect 20 days after its final passage by the Township Council.

Introduced: October 5, 2016

Ordinance 2016-016.

Moved: Erik Seconded: Dale  
 Voted Aye: Erik, Hensley, Wagner, Dale, Lichtenberg.  
 Voted Nay: Signorino  
 Motion carried.

Agenda No. X 4

~ Ordinance 2016 -014~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 15 "ADMINISTRATION OF GOVERNMENT", ARTICLE XVII, "MUNICIPAL UTILITIES AUTHORITY" SECTION §15-83 "POWERS AND DUTIES" OF THE REVISED GENERAL ORDINANCES**

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**BE IT ORDAINED** by the Municipal Council of the Township of West Milford, County of Passaic, State of New Jersey that §15-83 be and is hereby amended as follows:

**§15-83. Powers and duties.**

- C. The Authority shall have and exercise all of the duties provided for by the Municipal Utilities Authority Law, N.J.S.A. 40:14B-1 et. seq., and the amendments and supplements thereof, and any other statutes heretofore or hereafter enacted and applicable thereto. **The Municipal Utilities Authority and its officers shall file with the municipal clerk of the Township of West Milford copies of all approved minutes of the MUA upon approval of said minutes and shall provide quarterly reports of its operations with the municipal clerk.**

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

Introduced: October 5, 2016

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

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Mayor Bieri asked to move all resolutions as one. Councilman Signorino asked for a discussion on Resolution 2016-324. He stated that the Clerk of the Works has a not to exceed amount and now we are looking to appropriate more funds. Council President Dale clarified that this is for the additional several weeks for the completion of the library. The council discussed the delay.

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

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Agenda No. X 5

~ Resolution 2016 - 321 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF A DONATION OF A VEHICLE FROM THE GREENWOOD FOREST VOLUNTEER FIRE COMPANY**

**WHEREAS**, the Greenwood Forest Volunteer Fire Company is in possession and no longer is in need of a 1999 Ford Expedition vehicle, VIN number ending in 29118; and

**WHEREAS**, the Chief of Greenwood Forest Volunteer Fire Company has approved to donate this vehicle to the Township of West Milford; and

**WHEREAS**, The Township's Supervising Mechanic and the Director of Public Works have recommended that the Township accept this donation and assume title to same.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Council of the Township of West Milford, County of Passaic and State of New Jersey that they hereby accept the donation of the used vehicle ending with Vin number 29118 from the Greenwood Forest Volunteer Fire Company; and

**BE IT FURTHER RESOLVED**, that the Township Council of the Township of West Milford does hereby authorize the Township Administrator to process all requisite motor vehicle paperwork to transfer title of a 1999 Ford Expedition with VIN Number ending in 29118 and an odometer reading of 92,796 miles from the Greenwood Forest Volunteer Fire Company to the Township of West Milford; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Greenwood Forest Volunteer Fire Company by the Governing Body for their appreciation for the donation of the used vehicle to the Township.

Adopted: October 5, 2016

Agenda No. X 6

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**~ Resolution 2016 - 322~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ONE (1) 2016 FORD F-350 FOUR WHEEL DRIVE PICK-UP TRUCK WITH PLOW THROUGH NEW JERSEY STATE CONTRACT NUMBER 40321 T-2959 FROM ROUTE 23 AUTOMALL LLC**

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

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

**WHEREAS**, the Supervising Mechanic and the Director of Public Works have reviewed the State Contract and related specifications and have submitted a written recommendation for the Township of West Milford to purchase one (1) 2016 Ford F-350 Four Wheel Drive Pick-Up Truck with Plow through State Contract 40321 T-2959 in an amount not to exceed \$46,446.00; and

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

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

1. The Township Council hereby authorizes the Department of Public Works to expedite a purchase order for one (1) Ford F-350 Four Wheel Drive Pick-Up Truck with Plow, in an amount not to exceed \$46,446.00, through New Jersey State Contract 40321 T-2959 from Route 23 Automall, LLC
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: October 5, 2016

Agenda No. X 7

**~ Resolution 2016 – 323 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ONE (1) 2016 JOHN DEERE 544K 4WD LOADER THROUGH MRESC CO-OP (MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION) 65MCESCCPS BID # MRESC 15/16-08 FROM JESCO/JOHN DEERE CONSTRUCTION INDUSTRIAL & UTILITY EQUIPMENT RETAIL SALES**

**WHEREAS**, the Township of West Milford became a member of the MRESC by virtue of Resolution 2015-311, adopted October 7, 2015; and

**WHEREAS**, effective March 2, 2016 MRESC's name changed to "The Educational Services Commission of New Jersey" was unanimously approved by the New Jersey State Board of Education; and

**WHEREAS**, the Township wishes to purchase a 2016 John Deere 544K 4wd Loader; and

**WHEREAS**, the Director of Public Works and the Supervising Mechanic have provided a recommendation to award this contract through MRESC CO-OP Contract 65MCESCCPS BID # MRESC 15/16-08 through Jesco-John Deere Construction Industrial & Utility Equipment Retail Sales; and

**WHEREAS**, the following vehicle a 2005 John Deere 544J Loader with VIN # DW544JP599782 is being traded in; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number 04-215-55-826-002 in the amount of \$152,183.20; and

**WHEREAS**, the total amount of the contract shall not exceed \$152,183.20;

**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 Department of Public Works to expedite a purchase order for one (1) 2106 John Deere 544K 4wd Loader, in an amount not to exceed \$152,183.20, through MRESC CO-OP Contract 65MCESSCCPS BID # MRESC 15/16-08 through Jesco-John Deere Construction Industrial & Utility Equipment Retail Sales
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 5, 2016

Agenda No. X 8

~ Resolution 2016 – 324 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING RESOLUTION 2015-337 TO INCREASE THE CONTRACT VALUE WITH RONALD S. CASSON TO SERVE AS CLERK OF THE WORKS FOR THE NEW LIBRARY CONSTRUCTION PROJECT THEREBY INCREASING THE NOT TO EXCEED AMOUNT TO \$40,000.00**

**WHEREAS** by virtue of Resolution 2015-337 adopted November 11, 2015 the Township Council did authorize Ronald S. Casson to serve as Clerk of the Works (CoW) for the New Township Library Construction Project, and

**WHEREAS** Resolution 2015-337 and the related Professional Services Contract did authorize services in amount not to exceed \$35,000, and

**WHEREAS** the Township Administrator has been advised that the anticipated New Library Construction project completion date has been revised to November 22, 2016, necessitating an amendment in an additional amount not to exceed \$5,000.00, and

**WHEREAS** the Chief Financial Officer has certified that funds are available for this purpose said funds to be encumbered from account number 04-215-55-824-001, and

**WHEREAS** 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 Ronald S. Casson are extended by an additional twelve months or until the conclusion of the New Library Construction project, whichever comes first,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey that they do hereby authorize the Township Administrator to approve an amendment of \$5,000 to Ronald S. Casson to serve as CoW for the New Library Construction project which amount is in excess of the initially approved contract amount of \$35,000 bringing the contract total to an amount not to exceed \$40,000 and re-engaging the services of Ronald S. Casson for an additional twelve months or until the conclusion of the New Library Construction project whichever comes first.

Adopted: October 5, 2016

Agenda No. X 9

~ Resolution 2016 – 325 ~

**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:

<b>Beyond the Bell</b>		
Ariana Roveda	\$190.00	Monica Murray 20 Upper Mt. Glen Lake Drive West Milford, NJ 07480
<b>Fall Soccer</b>		

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Ethan Noss	\$90.00	Kathleen Noss 17 Sylvan Way West Milford, NJ 07480
<b>Fall Soccer</b>		
Arnav Mehta	\$90.00	Drupa Mehta 6 Hearthstone Drive West Milford, NJ 07480
<b>Fall Soccer</b>		
Cesar Morales	\$90.00	Karina Morales 5 Hearthstone Drive West Milford, NJ 07480
<b>Kickball</b>		
Lucas and Leah	\$70.00	Luisa Mora 18 Lincoln Ave. West Milford, NJ 07480
<b>Basketball Clinic</b>		
Elizer Orta	\$30.00	Tara Veselsky 397 Otterhole Road West Milford, NJ 07480

Adopted: October 5, 2016

Agenda No. X 10

**~ Resolution 2016 - 326 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF ESCROW MONIES**

**BE IT RESOLVED**, by the Township Council of the Township of West Milford that, based upon the report and request of the Planning Department the following Escrow monies be refunded:

<b>Name &amp; Address</b>	<b>Application No.</b>	<b>Amount of Escrow</b>	<b>Amount Refunded</b>
Jason Post 42 Eatontown Road Hewitt, NJ 07421	16-288-56-705-081	\$950.00	\$671.00

Adopted: October 5, 2016

Agenda No. XI

**Approval of Expenditures**

**~ Resolution No. 2016 - 327~**

**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:

<b>Acct #</b>	<b>Account Name</b>	<b>Amount</b>
1	Current Account	452,059.96
3	Reserve Account	204.87
2	Grants	5401.50
6	Refunds	1231.00
1	General Ledger	0.00
26	Refuse	3950.00
4	Capital	393,370.36
19	Animal Control	40.00
19	Heritage Trust	0.00

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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19	Open Space Trust	0.00
19	Trust	5612.53
19	COAH	0.00
16	Development Escrow	1845.00
19	Tax Sale Trust	0.00
21	Assessment Trust	18638.59
	Special Reserve	0.00
	TOTAL	882,353.81
	Less Refund Resolution	(1231.00)
	<b>Actual Bills List</b>	881,122.81
	Other Payments	
	Payroll/SS	522,809.54
	<b>Total Expenditures</b>	1,403,932.35

Adopted: October 5, 2016

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

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Agenda No. XII

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

Councilman Signorino said he has been to the Museum liaison for 6 years and there have been a lot of great volunteers. He invited people who are interested to visit the library from 1pm – 4 pm. He said they will be having a Jasper Francis Cropsey presentation on October 15<sup>th</sup> at 2pm, hosted by the Heritage Committee. He read some information about the event. In regard to the Planning Board, ShopRite has come to us with final site plan approvals and are doing the parking lot in phases. Councilman Signorino noted that there was a Board of Education Subcommittee meeting and it was good to finally meet. They went over several topics which included recreation issues. The question was raised in regard to what will happen with the fields when the township leaves Hillcrest and if the athletic groups will still be able to use the fields. We were told that there were no plans to discontinue the use as of right now. Councilwoman Dale suggested that Mr. Wagner as the Recreation Advisory Subcommittee liaison should go to administration and have a formal memo sent to the board to obtain a formal commitment. Township Administrator/Clerk Battaglia said the township works very well with the Board of Education and this is another facility that we have a shared agreement with.

Councilman Signorino explained that they had conversations regarding other recreation items at the meeting. A discussion ensued about the notice given to vacate the PAL daycare located in the PAL building. Township Administrator/Clerk Battaglia said the township attorney advised the township that a public building should not be rented to a for-profit entity. A discussion ensued about for-profit organizations renting a township owned building. Council President Dale suggested a bidding process to make it fair and to having it be awarded to the highest bidder if it was allowed. Township Administrator/Clerk Battaglia asked for consensus from the governing body to have Attorney Sullivan look into the matter. The council denied the request. Additionally, Councilman Signorino explained that they also talked about the truck wash at the Board of Education Subcommittee meeting. We do have an update but we are awaiting a response. He noted that Wanaque Sewage Authority may have been interested in building a washing plant in Wanaque. He suggested that the township send a letter expressing interest in a shared services agreement with the township and/or Board of Education for a vehicle wash system. The council gave consensus. Councilwoman Lichtenberg suggested sending the Board of Education a letter to follow suit. Councilman Signorino asked Mr. Foody about the solar farm with the Board of Education and Wallisch and he still seemed to be interested. He would like to go over process and requirements to potentially move forward with the project.

Councilwoman Lichtenberg stated that on October 7<sup>th</sup> at 8pm there is a free trivia night for high school students at the Teen Center sponsored by the Community Against Substance Abuse and PBA Local 162. She listed the flu clinic dates. On October 17<sup>th</sup> there is a free program at Hillcrest, Stress, Mindfulness and Your Health from 6-8pm. She reminded the residents that they need to have a four inch house number displayed on their home for emergency personnel. She hopes that everyone enjoys ALF this weekend and it brings good weather.

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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Councilman Wagner said the Recreation Advisory Committee is meeting on October 20<sup>th</sup>. He is happy that the Board of Education Subcommittee has met and suggested meeting quarterly if not monthly. He had spoken with Paul Zarrillo from the Greenwood Lake Commission and he couldn't make it tonight. He wanted to thank the council for the support regarding the stump reduction project and the overall support for the commission. The commission received funding from the NJ DEP to move forward and award the bid project in the amount of \$84,000. He also requested that the township assist with the DPW to help clean up with the drawdown and stump removal. October 30<sup>th</sup>, HEAT is having their annual hike to raise funds for the animal shelter at Jungle Habitat.

Council President Dale noted that ALF is this weekend on October 8<sup>th</sup> and the rain date is October 9<sup>th</sup>. If there is bad weather, check the ALF website, the municipal website and the West Milford police page. Council President Dale asked administration to reach out to Rocky and have him contact OEM for direction with the winds and weather forecast. For the Board of Education subcommittee meeting, she mentioned that the council requested an update on the balance of the funds after a lengthy negotiation on a contract. We have not received any information from them. Mr. Foody from the Board of Education mentioned that if the Board of Education would supply materials, we would begin maintenance program on the Board of Education fields that the township utilizes. Councilman Wagner stated that there is a subcommittee that is handling that and he will follow up with them. Council President Dale reminded the council and the Board of Education that there is still an obligation to fund the turf field and it is getting older each year. Neither entities have set funds aside so she suggested funding that project.

Mayor Bieri explained that Shoprite did come before the Planning Board about renovations and will come before the board again. They have been trying to keep business open during the renovations. She provided some information. With regard to the Greenwood Lake stump removal, they were awarded the DEP funding. We did have the Director of DPW reach out to Mr. Zarrillo and they have worked out an arrangement that the DPW will be assisting the project. In regard to committee meetings with the Board of Education and the council, she suggested going through the administrators instead of always going through the committees. It would streamline the process and take less time. She asked for governing body consensus for October breast cancer awareness month and to put pink ribbons around the township. The council gave consensus. She attended a function that was honoring Senator Pennacchio our senator and Assemblywoman DeCroce was there. She thanked them on behalf of the governing body for their recent cooperation on many causes. It was the teamwork that made it happen.

Township Administrator/Clerk Battaglia added that Senator Pennacchio's office has been very diligent in following up with the administrator's office and that is the level of communication that the governing body asked us to establish with our representatives. She reached out to the DEP with regard to Nosenzo Park. That application has been stalled at the DEP and the township has made some attempts to get traction. She has gotten a response and will hear from the DEP soon.

Agenda No. XIII

**Appointments and Resignations**

Councilman Signorino made a motion to appoint Lynne Blackowski to the Beautification and Recycling Committee, seconded by Councilman Wagner.

Councilwoman Erik made a motion to close and confirm, seconded by Councilman Wagner.

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

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Councilwoman Lichtenberg made a nomination for Jeffrey Devore for the Health Advisory Board, seconded by Council President Dale.

Councilman Signorino made a motion to close and confirm, seconded by Councilwoman Erik.

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

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Agenda No. XIV

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**Adjournment**

There being no further business to come before the Council, the Township Council adjourned the meeting at 8:26 p.m.

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

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Approved: November 9, 2016

Respectfully submitted:

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Nichole Hanrahan Clerk Typist

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MAYOR BETTINA BIERI, PRESIDING OFFICER

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ANTOINETTE BATTAGLIA, TOWNSHIP CLERK