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

Minutes of: Governing Body Special Meeting  
Date of Meeting: October 11, 2017  
Time of Meeting: 7:00 P.M.  
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Mr. James Foody, Board President, called to order the Special Meeting of the Board of Education in conjunction with the Township Council at 7:01 p.m., on Wednesday, October 11, 2017, in the West Milford Township Hall. Mr. Foody led the flag salute, read the Open Public Meetings Act Statement, and asked for a moment of silence for the on-going calamities from the recent Hurricanes. He also reminded everyone in attendance to silence or turn off their cell phones and note the location of the emergency exits.

**Open Public Meetings Act Statement**

In accordance with the provisions of the Open Public Meetings Act, a public notice of this meeting has been sent to Board Members, all district Schools, the Herald News, the Trends, the Record, the Messenger, West Milford Town Hall, the County Superintendent's Office, the Board Attorney, and Cablevision of Warwick; and posted in the Administration Building. Copies of the Board Meeting Calendar Resolution were provided to all local media, Town Hall, Township Library, and all district schools. The Township of West Milford published notice of this special meeting in the Herald News in its issue of October 8, 2017; 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.

**Roll Call**

Present: Board of Education Trustees: Mr. Cytowicz, Mr. Drew (arrived at 7:40 p.m.), Mrs. Dwyer, Mrs. Fritz, Mr. Huber (arrived at 7:04 p.m.), Mrs. O'Brien, Mr. Foody, Board of Education Administration: Dr. Alex Anemone, Ms. Barbara Francisco, Mr. Daniel Novak, Dr. Elizabeth McQuaid, Joseph Roselle, Esq.

Present: Councilmembers Ada Erik, Mike Hensley, Tim Wagner, Peter McGuinness (arrived at 7:20 p.m.) Luciano Signorino, Marilyn Lichtenberg, Mayor Bettina Bieri

Also Present: Township Administrator/Clerk Antoinette Battaglia

Absent: Mr. Bailey, Mr. Robbins

**Purpose of Meeting**

The purpose of the meeting is to conduct a joint meeting with the West Milford Township Council and Township Administrator to discuss the Hillcrest building.

**Petitions and Requests**

Petitioners who have requested to speak prior to the meeting will be first with five (5) minutes for each petitioner, for a period of thirty (30) minutes; and then time permitting, other petitions and requests limited to five (5) minutes per petitioner will be allowed, until the thirty (30) minute period transpires. Petitioners speaking during Petitions & Requests are asked to address topics listed in the agenda. All speakers are asked to give their full name, spell their last name, and provide their address. Speakers may not use the names of students during Petitions and Requests.

Joe Pasella, 83 Hewitt Road, Hewitt – Mr. Pasella is on the Board for West Milford Little League. He would like the Board and Township Council to keep the kids in mind regarding a decision on Hillcrest, as there are not enough baseball and football fields for the kids to play on in West Milford.

Bob Nicholson, 20 Highland Road, Stockholm – Mr. Nicholson feels that a proposal has to be brought forth in order for the public to respond intelligently. He would like to know if the Township's taxes will be raised and he feels that the MUA situation should be decided on first.

Chris Garcia, 200 Lakeshore Drive, Hewitt – Mr. Garcia spoke about sports facilities and how Little League has invested in the Hillcrest field, as well as Midget Football. He agreed with Mr. Nicholson not to burden the taxpayers with the decision on Hillcrest. He also spoke about swim teams and how they have to travel out of town. Mr. Garcia would like to see property values improved for taxpayers and outlets and avenues for the kids and seniors – possibly a YMCA or Boys and Girls Club.

Robert Nolan, 1 Winding Way, West Milford – He asked both governing bodies to put all differences in the past. He spoke about Hillcrest being a unique opportunity to do something for the kids of West Milford.

Motion by Mrs. O'Brien, seconded by Mr. Cytowicz, to close Petitions and Requests.

**VOICE VOTE: All in Favor MOTION PASSED.**

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**Purpose of Meeting**

Mr. Foody moved to discuss the purpose of the meeting between the Board and the Township Council and the Hillcrest building.

Mrs. Dwyer spoke about reviewing the community survey and how it was split between a sports complex and ratables. She would like to bring both of those items back to the community to see what the people would want and receive more input.

Councilman Wagner commented that a cost analysis should be done on a sports complex so that the taxpayers will see what they are voting on.

Mrs. Dwyer recalled that years ago the YMCA came to West Milford and did an analysis, and unfortunately the organization turned it down.

Councilman Signorino commented on how it will impact his family and is interested in posting the same survey on the Township website for the community to respond to. He requested to direct the Township Administrator to post the survey to get comparable statistics.

Mayor Bieri agreed with what was discussed by the Board and the Council. She asked if there is any interest from the YMCA or if there is a for-profit company that would be interested. She also stated that the building may have to be torn down. The benefit would be to save the costs, possibly put it on the tax rolls, save the fields and bring in new recreational activities or ratables, one or the other.

Councilman Signorino thanked the Board for attending this meeting and ultimately would like to see what the interest of the Board of Education is with the property.

Councilman Hensley reminded everyone that the Board of Education is not under the same restrictions under the Highlands Act as the Township is. He added that if it is a sports complex or a future ratable, to keep these restrictions in mind.

Mr. Foody discussed the fields and the parking situation at Hillcrest for a sports complex, and stated that the Hillcrest septic backs up to the MUA. If it would be a ratable, the Board would have to go out to bid verses a YMCA or Boys and Girls Club not-for-profit organization, we would not.

Mayor Bieri stated that we could not get a bigger footprint and more parking would be needed for indoor facilities with a swimming pool and building a second story.

Mr. Huber spoke about a YMCA and how the CASA committee would love a facility for the youth community to go and have a good influence. He also spoke about a hospital to possibly open an Urgent Care on the property.

Mrs. O'Brien discussed the special needs population in the community. She commented on having a facility with a swimming pool to have a Special Olympics swim team and other activities for them would bring the best of both worlds to one place.

Councilman Hensley agreed that a YMCA would be great, but asked if we could also reach out to Chilton or a larger hospital to see if an Urgent Care is an option.

Mr. Cytowicz commented that if the options are an aquatic center or a sports complex, he has great concerns that the building will still remain in the Board of Education's hands. He stated by leasing to a YMCA or another non-profit, the Board will face the same situation in the future.

Councilwoman Erik stated that a hospital will not come in with a sports field behind it, as she lives a quarter mile from Hillcrest and she can hear when a West Milford team is winning.

Mayor Bieri commented that with deed restricted fields, you may want to sell it to a non-profit or a for-profit (i.e. YMCA or Spa 23). She also stated based on Mr. Cytowicz's comments, suggesting to sell the building for a minimal amount or possibly donate it with the deed restriction on the fields. She discussed how it would remove the taxpayer's responsibility and brings in new ratables and recreational facilities.

Mr. Foody commented on a long-term lease of 99 years making the most sense for the Hillcrest building.

Mrs. Fritz spoke about how a YMCA would benefit not only the kids, but also offer seniors opportunities in West Milford. She commented that we have so many empty buildings in West Milford, and this would keep families in town and help keep property values up.

Mayor Bieri agreed with Mrs. Fritz and spoke about how seniors from West Milford will go to Spa 23 and use the pool for physical therapy and exercise.

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**Purpose of Meeting** (continued)

Mr. Foody asked Mr. Roselle if the Board can restrict the use of the building for a for-profit group. Mr. Roselle stated that the Board cannot restrict the use. He explained if it is a non-profit organization like a YMCA or a non-profit hospital, the Board can give them the property.

If the Board were to give it to a for-profit organization like Spa 23, the Board would have to declare it unusable for school purposes and complete an application package for the Commissioner of Education, which includes an appraisal, architectural issues and a legal opinion. Then the Board would get approval to sell the building and put out a bid package, so that the highest bidder that comes in would get the building assuming at a minimum amount. Any business or individual can put in a bid for it.

Councilman Hensley asked Mr. Roselle if a portion of the building can be leased to a medical facility such as Urgent Care. Mr. Roselle confirmed it can be done. Mr. Roselle said the first step is to reach out to non-profit organizations to see who would be interested. Then the Board would have it approved by the Commissioner and sign an agreement.

Councilman Wagner asked Mr. Roselle if the Board can put out an RFI (Request For Interest) first to see who would be interested. Mr. Roselle confirmed the Board can do that. Mr. Signorino asked if the Board would be administering the request for interest and also encouraged communication between the Business Administrator and the Township Administrator.

Mr. Cytowicz stated concerns regarding the utility costs of the Hillcrest building and asked Ms. Battaglia to provide the Board with what the cost is to keep the building at a minimum. He feels that anything over \$1.00 will take away from our students. Mr. Roselle commented that utility costs will be incurred as this is not a quick process and will take a few months to receive approval. Mr. Cytowicz also reiterated that selling to a for-profit would be the best situation for this township.

Councilman Signorino commented on Mr. Cytowicz's point of the \$1.00 lease option and felt that since there is no ownership, and no money out of pocket to purchase the building, it tends to be a negative on the relationship, as it has in the past years.

Mayor Bieri commented that you have to give an organization incentive to come here and that is why you would lease or donate the building. She discussed how it starts with someone interested and what it would take to get them here. She also stated that the utilities cost to run the Hillcrest building when it was occupied was over \$100,000 a year. Her suggestion would be to drain the pipes and shut everything down so there is no cost to incur.

Mr. Huber discussed that after reading the feasibility study, the abatement cost to the property will be very high. He feels we need to get someone else to take care of that process. Mr. Huber asked Mr. Roselle that if the Board went out to bid, can a requirement be put on it that the building would be raised within a certain amount of time. Mr. Roselle did not think the Board could do that because you are selling the building, but will look at recapture clauses, as well as local ordinances and planning board issues that the purchaser is subject to.

Councilman McGuinness asked if the Board had an estimate to knock the building down. Ms. Francisco stated that there are anticipated costs of \$640,000.00, plus professional fees for the abatement and it does not include the demolition. She commented this is with the intent of doing a renovation and that doing an abatement with the intention of a demolition will be a different project.

Ms. Francisco also stated that the building will be used for the November 7th election and that after Election Day, she does not see any other need for the building. Ms. Francisco asked the council members if the Township would need the building as an emergency shelter or does the township have the additional space in another building to fulfill that need if it should arise. The council stated that it will have to be addressed.

Councilman Signorino reviewed the discussion for Councilman McGuinness and Mr. Drew. Mr. Huber commented that the survey needs to be adjusted with a cost and the impact to the taxpayers. It should state options, what the cost will be, and ask more realistic questions.

Mr. Foody asked the Council if they had any other comments and also stated that YMCA Headquarters advised him to contact the local YMCA to see if there would be any interest. Mr. Foody asked for the Board's consent to have the Board attorney reach out the local YMCA and other non-profits to see if they are interested. Mr. Roselle will move forward with this. Mr. Foody also commented that it would be advantageous to offer a lease as it keeps the Board advised and exempt from the Highlands Act. Mr. Roselle advised it would include all proposed language in the RFI.

Mr. Signorino asked Mr. Foody what timeframe realistically would the RFI be completed and sent out. Mr. Roselle suggested it would be anywhere from six weeks to two months.

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**Purpose of Meeting** (continued)

Mr. Cytowicz commented on Hillcrest serving as an emergency shelter but not having a shower. Mrs. Francisco discussed that the High School is used as an emergency shelter and has showers. Mr. Cytowicz also discussed winterizing the Hillcrest building and Mr. Roselle confirmed that it can be fully winterized.

Councilwoman Erik asked who published the survey to the community. Mrs. Francisco explained how it was created and posted to the Board website and that a Honeywell was sent out. Councilwoman Erik asked who printed the results of the survey and pointed out her concerns about it.

Councilman Wagner thanked the Board of Education for including the Township Council in this discussion on the Hillcrest building. Mr. Foody expressed he would like to have more joint meetings in the future and suggested that the Wallisch property be a topic in the next discussion.

**Petitions and Requests**

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Bob Nicholson, 20 Highland Road, Stockholm – Mr. Nicholson spoke about the YMCA having done a major expansion in Newton. He also discussed membership fees and how that will affect seniors and the community who want to join. He commented that the field will still need to be maintained and whether it is a for-profit or non-profit, there is going to be usage fees. He also asked what would be the cost to raise the building.

Robert Nolan, 1 Winding Way, West Milford – Mr. Nolan cautioned the Board about speaking to hospitals and spoke about a trend of consolidation going on in the health care industry.

Joe Pasella, 83 Hewitt Road, Hewitt – Mr. Pasella discussed his initial concerns about losing the field, and he is relieved to hear that there is support to maintain the field and thanked the Board.

Motion by Mrs. O'Brien, seconded by Mr. Cytowicz, to close Petitions and Requests.

**VOICE VOTE: All in Favor MOTION PASSED.**

**Adjournment**

Motion by Mr. Foody, seconded by Mrs. O'Brien, to adjourn the meeting at 8:11 p.m.

**VOICE VOTE: All in Favor MOTION PASSED**

Approved: November 8, 2017

Respectfully submitted:

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Barbara Francisco, Board Secretary

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MAYOR BETTINA BIERI, PRESIDING OFFICER

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ANTOINETTE BATTAGLIA, TOWNSHIP CLERK