
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of Governing Body Regular Meeting
Date of Meeting: October 18, 2017
Time of Meeting: 6:30 pm
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The Regular Meeting of the Governing Body was called to order by Mayor Bettina Bieri.

Adequate Notice Statement

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Regular meeting was advertised in the Herald News in its issue of December 25, 2016 and January 1, 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.

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

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

Agenda No. II

Roll Call

Present: Councilmembers Ada Erik, Tim Wagner, Peter McGuinness (arrived at 6:48),
Luciano Signorino, Marilyn Lichtenberg, Mayor Bettina Bieri.
Absent: Mike Hensley
Also Present: Township Administrator/Clerk Antoinette Battaglia, Township Attorney Fred Semrau

Agenda No. III

Reading of or Approval of Unapproved Minutes

September 20, 2017 Regular Meeting
September 27, 2017 Special Meeting/Budget

Moved: Erik Seconded: Lichtenberg
Voted Aye: Erik, Wagner, Signorino, Lichtenberg
Voted Nay: None
Absent: Hensley
Motion Carried:

Agenda No. IV

Meetings

Mayor Bieri noted the future meeting schedule:

November 8, 2017 Workshop and Regular Meeting
December 6, 2017 Workshop Meeting
December 20, 2017 Regular Meeting

Agenda No. V

Executive Session

~ Resolution No. 2017 – 316 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 18th day of October, 2017 that:

1. Prior to the conclusion of this **Regular Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
() b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
() b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
() b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.

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- (X) b. (4) A collective bargaining agreement including negotiations.
 - Collective Bargaining Unit Negotiations – AFSCME 2275
 - Teamsters 560
 - 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.
- (X) 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.
 - Public Safety – Police Department
 - Public Safety – Detective Bureau
- (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 – Tax Appeals
 - Attorney-Client Privilege – MUA
- () 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 18, 2017

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

The Governing Body went into executive session at 6:39 p.m.
The Governing Body returned to the public meeting at 8:00 p.m. with all present as before.

Agenda No. VI

Proclamations

Extra Mile Day – Mayor Bieri read the proclamation and she thanked all the volunteers in the Township that go the extra mile.

Lions Club Centennial Celebration – Mayor Bieri invited the members to the podium to join her while she read the proclamation. Mr. Robert Moore spoke about why the Lions Club International was formed 100 years ago and its purpose of serving the community. They are very proud to have helped at the New Jersey Camp for blind children. Lions President, Mr. Bill Francis, said he is very proud to be the Lions President and he noted that one of the most interesting programs they have is the eye screening for the children. Ms. Barbara Cassaro spoke about the eye screening program for the children; they served 600 children and they have been doing the eye screening for 11 years. Mr. Francis noted the Lions Club website address and said they would love to have new members.

Agenda No. VII

Presentations

Eagle Scout, Ian DuBois – Said he built a map kiosk for the Clinton Road reservoir to display hiking maps, and he has been involved with the Eagle Scouts since first grade.

Eagle Scout, Shane Lucas – Spoke about the handicap accessible fire bed he built for the Chelsea at Bald Eagle. He said that he has been scouting since first grade.

Eagle Scout, Alexander Benedetto – Said he built a weather station for St. Catherine’s in Ringwood, and he has been scouting since first grade.

Mayor Bieri congratulated the Eagle Scouts and wished them good luck with their future endeavors.

Plenary Retail Consumption License Transfer – License No. 1615-33-002-002
Bruco Corporation to Family Assets LLC – Administrator Battaglia said the application has been distributed to all the departments and there were no objections to the license.

Mayor Bieri opened the meeting to the public to speak directly to the license transfer only. There being no one wishing to be heard, Councilwoman Erik made a motion, seconded by Councilman Wagner and carried by unanimous voice vote to close the public comment period.

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- 9) Windows or entrances to the property that are boarded up or closed off, or multiple window panes that are damaged, broken, and unrepaired;
- 10) Doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
- 11) A risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or physical destruction or deterioration of the property;
- 12) An uncorrected violation of a municipal building, housing or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied
- 13) The mortgagee or authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
- 14) A written statement issued by mortgagee expressing the clear intent of all mortgagors to abandon the property; or
- 15) Any other reasonable indicia of abandonment

A property which contains both residential and nonresidential space may be considered abandoned pursuant to P.L. 2003, c. 210 (N.J.S.A. 55:19-78 *et seq.*) so long as two-thirds (2/3) or more of the total net square footage of the building was previously legally occupied as residential space and none of the residential space has been legally occupied for at least six (6) months at the time of the determination of abandonment by the Enforcement Officer and the property meets the criteria set forth in this Article.

§285-12-3. Yard

An open space extending between the closest point of any building and a lot line or street line, excluding those portions of the yard that are critical areas.

§285-12-4. Registration of Vacant, Abandoned, and Foreclosed Properties

- A. Registration. The responsible party for a vacant, abandoned, or foreclosed, residential property shall immediately file a certificate of registration with the Township Clerk after receipt of notice, that the property has been determined to be vacant, abandoned or foreclosed upon, or immediately after the responsible party assumes ownership of or responsibility for a property already determined to be vacant, abandoned, or foreclosed upon. A certificate of registration shall remain valid for one year from the date of issuance and shall be renewed on an annual basis if the property remains vacant and abandoned.
- B. Form of Certificate of Registration. The certificate of registration shall be filed on forms prescribed by the Township Clerk and shall contain:
 - 1) The name, street address, and telephone number of a person who resides or maintains an office within the municipality and who is either the responsible party or an authorized agent designated by the responsible party to receive notices and complaints of property maintenance and code violations on behalf of the responsible party;
 - 2) The name, street address, and telephone number of the person responsible for maintaining the property, if different; and
 - 3) A certificate from a licensed insurance provider evidencing the liability insurance coverage on the vacant and abandoned property.
- C. Certificate of Registration Amendments. A responsible party for a vacant abandoned, or foreclosed residential property shall file an amended certificate of registration within 30 days after any change in the information required to be included thereon.
- D. Certificate of Registration Fees. The following fees for a certificate of registration shall be paid by the responsible party:
 - 1) \$250.00 for the initial registration fee
 - 2) \$500.00 for the 2nd year
 - 3) \$750.00 for the 3rd year
 - 4) \$1,000.00 for the 4th year, adding an additional \$250.00 each subsequent year

§285-12-5. Security; Notification; Liability Insurance

- A. Within 45 days after the property has been determined to be vacant and abandoned and until the property is reoccupied, the responsible party for a vacant, abandoned, or foreclosed residential property shall:
 - 1) Enclose and secure the property against unauthorized entry;
 - 2) Post a sign affixed to the inside and outside of the property, visible to the public, indicating the name, address, and telephone number of the responsible party, and authorized agent designated by the responsible party for the purpose of maintaining the property if different from the responsible party or authorized agent; and
 - 3) Acquire and otherwise maintain liability insurance by procuring a vacancy policy, covering any damage to any person or any property caused by any physical condition of the property.

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§285-12-6. Maintenance Standards for Vacant, Abandoned, and Foreclosed Properties

- A. Vacant, abandoned, and foreclosed properties shall be maintained in accordance with the following standards:
- 1) The property shall be kept free of all nuisances and hazards, litter, and debris.
 - 2) The property shall be kept free of accumulations of water, vegetation or other matter which might serve as a source of food or as a harboring or breeding place for infestation.
 - 3) Grass in the yard area shall be cut and maintained so as to prevent the grass from growing to seed or exceeding fourteen inches (14") in height.
 - 4) The exterior of every structure or accessory structure or other improvement on the premises shall be kept in good repair and all exposed surfaces subject to deterioration shall be covered by a protective coating appropriate for the particular material as needed.
 - 5) The exterior of the buildings shall be free of loose material that may create a hazard by falling on persons utilizing the premises
 - 6) All exterior walls, roofs, windows, window frames, doors, door frames, sky lights, foundations, and other parts of the structure shall be maintained to keep water from entering the structure and to prevent excessive drafts or heat loss during cold or inclement weather and to provide a barrier against infestation. Damaged or badly worn materials shall be repaired or replaced and places showing signs of rot, leakage or deterioration or corrosion shall be treated or restored to prevent weathering or seepage.
 - 7) Leaders and drain pipes shall be securely fastened to the building and maintained in good condition

§285-12-7. Notice of Vacancy, Abandonment, and Foreclosure

Upon determination of the enforcement officer that a residential property is vacant, abandoned, or foreclosed, the enforcement officer shall notify the responsible party by personal service or registered mail, and posting of notice in a noticeable place on the property of the determination and the requirements of this Article,

§285-12-8. Notice of Violation

The enforcement officer upon determination of any violation of the provisions of this Article, or any other applicable ordinances, statutes or regulations, shall attempt to notify the responsible party by personal service or registered mail and posting of notice in a noticeable place on the property of the determination and the requirements of this Article. The notice shall advise the responsible party of the violation and the obligation to remedy the same within 10 days from the date of the notice. If the violation is not remedied to the satisfaction of the enforcement officer within said 10 days, the enforcement officer may issue a summons to the responsible party and request the governing body to adopt a resolution authorizing the municipality to abate the violation and place the property in compliance with the provisions of this Article and any other applicable ordinances, statutes or regulations at the responsible party's sole cost and expense and impose a lien on the property for all costs and fees associated herewith.

§285-12-9. Appeals of Abandoned Property List Inclusion

- A. An owner or lienholder may challenge the inclusion of his property on the abandoned property list by appealing that determination to the Building Standards Board within the thirty (30) days of the owner's receipt of notice or forty days from the date upon which the notice was sent. An owner whose identity was not known to the Construction Official shall have forty (40) days from the date upon which the notice was published or posted, whichever is later, to challenge the inclusion on the abandoned property list. For good cause shown, the Building Standards Board shall accept a late filing of an appeal. Within 30 (thirty) days of receipt of a request for an appeal of the findings contained in the notice, the Building Standards Board shall schedule a hearing for redetermination of the matter. Any property included on the list shall be presumed to be abandoned property unless the owner, through the submission of an affidavit or certification by the property owner averring that the property is not abandoned and stating reasons for such averment, can demonstrate that the property was erroneously included on the list. The affidavit or certification shall be accompanied by supporting documentation, such as but not limited to photographs, repair invoices, bills and construction contracts. The sole ground for appeal shall be that the property in question is not abandoned property as that term is defined in this ordinance. The Building Standards Board shall decide any timely filed appeal within (10) days of the hearing on the appeal and shall promptly, by certified mail, return receipt requested, and by regular mail, notify the proper owner of the decision and reasons thereof.
- B. The property owner may challenge on adverse determination of an appeal with the Building Standards Board by instituting, in accordance with the New Jersey Court Rules, a summary proceeding in the Superior Court, Law Division, sitting in Passaic County, which action shall be tried de novo. Such action shall be instituted within (20) days of the date of decision mailed by the Building Standards Board. The sole ground for appeal shall be that the property in question is not abandoned property as that term is defined in this ordinance. The failure to institute an action of appeal on a timely basis shall constitute a jurisdictional bar to challenging the adverse determination, except that, for good cause shown, the court may extend the deadline for instituting the action.

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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:	\$300,000
Township Contribution:	\$105,000
Estimated Cost for Entire Project:	\$405,000
Grant Application No.	BIKE-2018-Cahill Cross Road-00054

NOW, THEREFORE, BE IT RESOLVED, that the 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 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 18, 2017

Agenda No. XI 2

~ Resolution 2017 – 318 ~

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 CANISTEAR ROAD BETWEEN ROUTE 23 AND HENDERSON ROAD

WHEREAS, the NJDOT is accepting applications for the fiscal year **2018 Municipal Aid Program**; and

WHEREAS, the Township's Engineering Division has recommended that the following application be submitted for the milling and resurfacing of Canistear Road between Route 23 and Henderson Road; and

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

Project: Canistear Road – Section 3	
Milling and resurfacing of Canistear Road between Route 23 and Henderson Road (1.45 miles), including Stormwater Compliance	
Grant Application:	\$350,000
Township Contribution:	\$125,000
Estimated Cost for Entire Project:	\$475,000
Grant Application No.	MA-2018-Canistear Road - Section 3-00615

NOW, THEREFORE, BE IT RESOLVED, that the 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 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 18, 2017

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WHEREAS, the State of New Jersey has awarded Contract #A80945 Globe G-Xcel Firefighting Gear, NFPA-West Milford Approved Spec-Coat & Pants to AAA Emergency Supply Co., Inc.; and

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

WHEREAS, the Fire Commissioner and Deputy Fire Commissioner have reviewed the State Contract and related specifications and have submitted a written recommendation for the Township of West Milford to purchase forty-five (45) sets of Globe G-Xcel Firefighting Gear through State Contract #A80945 in an amount not to exceed \$85,770.00; 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 Capital 04-215-55-827-012;

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 Fire to generate a purchase order for forty-five (45) sets of Globe G-Xcel Firefighting Gear, in an amount not to exceed \$85,770.00, through New Jersey State Contract A80945 from AAA Emergency Supply, Co., Inc. 635 North Broadway, White Plains, New York 10603.
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 18, 2017

Agenda No. XI 6

~ Resolution 2017- 322 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING PURCHASES FOR FIRE FIGHTER PHYSICALS IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICIES

WHEREAS, the Township Council of the Township of West Milford did adopt ordinance 2013-020 to create the position of Qualified Purchasing Agent in the municipality and they did subsequently adopt resolution 2013-330 appointing a Qualified Purchasing Agent (QPA) and increasing the bid threshold to \$36,000; and

WHEREAS,; as a condition to the increase in the bid threshold, the Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase in excess of the former bid threshold of \$17,500 and that the purchase shall warrant a minimum of three quotations; and

WHEREAS,; the Township Council has received a recommendation from the Department of Fire to contract for fire fighter physicals which expense shall exceed the aggregate quote threshold of 17,500; and

WHEREAS, the Township has been doing physicals for members of the Fire Department since 2011 due to OSHA regulations and NIOSH recommendation; and

WHEREAS, three (3) quotes were obtained and Nassau NDI Diagnostics was the lowest bidder; and

WHEREAS, the Department of Fire recommends Nassau Diagnostics for Class A physical examinations for \$150.00 each; and

WHEREAS, the Township's Qualified Purchasing Agent is aware of the recommendation, and confirms that Nassau NDI Diagnostics is the vendor for physicals and the purchase is in compliance with the New Jersey Local Public Contracts Law; 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 01-201-25-266-553;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, that the appropriate Township officials be and are hereby authorized to execute future purchase to Nassau NDI Diagnostics, PO Box 1206, Center Moriches, NY 11934, in an amount not to exceed \$30,000.00 for the 2017 calendar year.

Adopted: October 18, 2017

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

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

WHEREAS, the Township Attorney has rendered an opinion; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, that the Mayor and Township Clerk be and are hereby authorized to execute contracts for 2017-2018 Snowplowing Services in accordance with the following outline:

	CONTRACTOR	# TRKS	\$ Per Hr Class 1	\$ Per Hr Class 2		CONTRACTOR	# TRKS	\$ Per Hr Class 1	\$ Per Hr Class 2
1	Greene Ridge Landscaping	2	\$102.00	\$102.00	4	Longstaff Paving	9	\$114.50	\$114.50
2	Kershaw Construction	5	\$108.25	\$114.25	5	Lanzo Trucking Company	5	\$115.00	\$115.00
3	Tom Buske & Son Construction	11	\$113.50	\$116.50	6	Utter Excavating	3	\$115.00	\$118.00
TOTAL TRUCKS							35		

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

Adopted: October 18, 2017

Agenda No. XI 10

~ Resolution 2017 – 326 ~

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

BE IT RESOLVED that the following recreational fees upon the report of the Director of Community Services and Recreation be refunded:

Tai Chi		
Elaine	\$25.00	Elaine Heuring 51 Wesley Drive West Milford, NJ 07480
Tai Chi		
Jackie	\$25.00	Jackie McNeir 403 Macopin Road West Milford, NJ 07480
Tai Chi		
Anthony	\$25.00	Anthony Pampena 7 Orange Road West Milford, NJ 07480
Tai Chi		
Carole	\$25.00	Carole Mazzucco 2129 Richmond Road West Milford, NJ 07480
Tai Chi		
Jackie	\$25.00	Jackie Baziotis 137 Wesley Drive West Milford, NJ 07480
Beyond the Bell		
Matthew	\$347.50	Angie Watt 40 McKinley Place West Milford, NJ 07480
Day Camp		
Alexander & Mattias	\$1,269.00	Andreas Eriksson 1058 Union Valley Road West Milford, NJ 07480

Adopted: October 18, 2017

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Agenda No. XI 11

~ Resolution 2017 – 327 ~

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 | 2. Duplicate Payment |
| 3. Senior Citizen/Veteran Deduction | 4. Other Lien |
| 5. Tax Appeal | 6. 100% Disabled Veteran |
| 7. Reduced Assessment | |

Block/Lot	Name	Amount	Year	Reason
3603-7	Christiana Trust as Custodian GSRAN-Z, LLC Deposit Account PO Box 71276 Philadelphia, PA 19176	\$100.00	2016	1
TOTAL		\$100.00		

Adopted: October 18, 2017

Agenda No. XI 12

~ Resolution 2017 – 328 ~

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

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

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

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

- REASON:** 1. INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR	INTEREST
7903-5	Anna Karkus	\$2,129.96	2017	\$8.72
5505-2.09	Food & News LLC	\$1,000.00	2016	\$282.18
9901-22	Frank & Christina Zitzman	\$3,846.74	2017	
TOTAL		\$6,976.70		

Adopted: October 18, 2017

Agenda No. XI 13

~ Resolution 2017 – 329 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RESCINDING THE RENEWAL OF INACTIVE PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-032-010

WHEREAS, the State of New Jersey, Division of Alcohol Beverage Control has determined that the liquor license listed below requires a Special Ruling pursuant to N.J.S.A. 33:1-12.39.

WHEREAS, the license was placed on Resolution 2017-209 and adopted June 7, 2017;

NOW THEREFORE, BE IT RESOLVED that the renewal of Plenary Retail Consumption License No. 1615-33-032-010 is hereby rescinded and will be resubmitted on a resolution for renewal, following receipt of the Verified Petition and Special Consideration of Petition from the Director of the New Jersey Division of A.B.C.

License Number	Licensee	License Year
1615-33-032-010	Mersimi & Mahmudi Inc.	2017 – 2018

Adopted: October 18, 2017

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~ Resolution 2017 - 330 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PERSON TO PERSON AND PLACE TO PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-002-002 FROM BRUCO CORPORATION TO FAMILY ASSETS LLC FOR PREMISES AT THE SAME LOCATION

WHEREAS, an application has been received for a Person to Person and Place to Place transfer of Plenary Retail Consumption License 1615-33-002-002 presently held by Bruco Corporation to Family Assets LLC t/a Town Tavern for premises at 673 Macopin Road, West Milford, NJ 07480 that has been reviewed; and

WHEREAS, the Mayor and Township Council has conducted a public review of the application as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control; and

WHEREAS, as a result of that review the Mayor and Township Council have determined as follows:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicant has disclosed to the issuing authority the source of all financing obtained.

WHEREAS, the Police Department has recommended that the license be transferred with all current conditions if applicable; and

WHEREAS, the license may be transferred with the following conditions:

1. A Health Department Retail Food Establishment license must be acquired with detailed floor plans of the changes and satisfactory recommendation received in the Clerks Office prior to opening.
2. Prior to activating the license inspections of premises must be made and satisfactory recommendations must be received at the Township Clerks Office from the Police and Health Departments.
3. Licensee must submit pages 1, 2, and 11 of the 12-page application to the Township Clerk Office prior to re-opening.

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

Adopted: October 18, 2017

Agenda No. XI 15

~ Resolution 2017 - 331 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2018

WHEREAS, applications have been made for the new licenses and the renewal of various Licenses for the 2018 license year; and

WHEREAS, reports of recommendation have been received from applicable Township Departments recommending the issuance of said licenses as listed below.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford does hereby approve the issuance of 2018 Licenses as listed below:

License No.	2018 JUNKYARD LICENSE
2018-01	Mountain Top Auto Inc. John Kardanow
2018-02	Concourse Auto II LLC, Carl Del Campo
2018-03	Jeannette Marchiafava
License No.	2018 JUNKSHOP LICENSES
2018-01	Mountain Top Auto Inc. John Kardanow
2018-02	Concourse Auto II LLC, Car Del Campo

Adopted: October 18, 2017

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Mayor Bieri asked to move Resolution 2017-336.

Agenda No. XI 19

~ Resolution 2017 – 336 ~

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
Ferranti Family Trust	604	10	83 Witte Road
Joseph Fontana	3401	21	165 Lakeside Road
S&R Holdings LLC/Kingwood Flex LLC	6401	1	1592 Union Valley Road
Wesstor, LLC	6902	17	11 White Road
PR Seugling Enterprises	13602	7.02	1900 Route 23
Ball Property Mgmt. LLC	16005	9	25 Paradise Road

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	YEAR	ORIGINAL ASSESSMENT	PROPOSED SETTLEMENT
Ferranti Family Trust	2012	\$356,400	\$220,000
	2013	\$356,400	\$220,000
	2014	\$302,700	\$220,000
	2015	\$267,800	\$220,000
	2016	\$267,800	\$220,000
Joseph Fontana	2016	\$620,500	\$317,400
S&R Holdings LLC / Kingwood Flex LLC	2013	\$2,217,200	\$1,800,000
	2014	\$2,217,200	\$1,800,000
	2015	\$2,217,200	\$1,700,000
	2016	\$2,217,200	\$1,700,000
	2017	\$2,217,200	\$1,700,000
Wesstor, LLC	2013	\$2,000,100	\$1,700,000
	2014	\$2,000,100	\$1,700,000
PR Seugling Enterprises	2013	\$544,600	\$544,600
	2014	\$544,600	\$500,000
	2015	\$544,600	\$475,000
	2016	\$544,600	\$450,000
	2017	\$544,600	\$450,000
Ball Property Mgmt. LLC	2012	\$914,000	\$750,000
	2013	\$914,000	\$725,000
	2014	\$914,000	\$700,000
	2015	\$914,000	\$700,000
	2016	\$914,000	\$700,000

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.

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 18, 2017

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Mayor Bieri asked to move Resolution 2017-337.

Agenda No. XI 20

~ Resolution 2017 – 337 ~

DEFEATED

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF
 NEW JERSEY AUTHORIZING THE SETTLEMENT OF THE TAX APPEAL KNOWN AS BRAEMER AT
 WEST MILFORD (BLOCK 10001, LOTS 14, 19, 20 AND 23)**

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

Agenda No. XII

Consent Agenda

None

Agenda No. XIII

Approval of Expenditures

~ Resolution No. 2017 - 332~

RESOLUTION APPROVING THE PAYMENT OF BILLS

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

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

Acct #	Account Name	Amount
1	Current Account	\$97,949.48
3	Reserve Account	23,903.55
2	Grants	177.85
6	Refunds	1,841.50
1	General Ledger	23,134.00
26	Refuse	386.25
4	Capital	140,332.22
19	Animal Control	919.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	8,883.90
19	COAH	0.00
16	Development Escrow	3,433.30
19	Tax Sale Trust	0.00
21	Assessment Trust	59,019.62
	Special Reserve	0.00
Total		\$359,980.67
	Less Refund Resolution	-1841.50
	Actual Bills List	\$358,139.17
	Other Payments	

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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BOE	4,504,769.00
Payroll	512,755.45
State of NJ, Dog Report	148.80
Total Expenditures	\$5,375,812.42

Adopted: October 18, 2017

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

Agenda No. XIV

Reports of Administrator, Mayor and Council Members

Councilman Signorino – Asked when the next budget meeting is. Administrator Battaglia noted that the budget request forms have been submitted to each department. When Ms. Mageean receives them, she will review the requests with the budget consultant, compile the packets and start working on the budget documents. Councilman Signorino suggested requesting that the departments submit the requests earlier to save time. He recommended providing Four-Gas Air Monitors to the first responders. He mentioned that Halloween is approaching; said be safe and keep your eyes out for the children and suspicious activity.

Councilwoman Lichtenberg – Noted that the West Milford Public Schools and Municipal Alliance Committee (CASA) are having their first annual substance awareness and family empowerment event. She noted the dates and times of various Township events. She provided her phone number for residents to contact her with their concerns or ideas.

Councilwoman Erik – Said she was at the ALF WM77TV booth and a lot of residents didn't know that WM77TV is the official Township television channel. She mentioned that there were a lot of residents that didn't know what was happening with the MUA and Suez, and she recommended that they communicate better with all the groups in the Township.

Councilman Wagner – Spoke about how Administrator Battaglia helped organize a new substance awareness group and mentioned all the support groups that are involved. He provided an update on the Recreation Advisory Committee and Nosenzo Pond. He spoke to Administrator Battaglia about suggestions that could be added to Browns Point Park. He suggested researching speed bumps on Lycosky Drive. He received complaints that cars are speeding. He asked for consensus in reference to health insurance. He explained that elected officials should be offered health insurance and they could reimburse the Township as long as there is no cost to the taxpayers. Administrator Battaglia said she passed the question along to Mr. Semrau and he said the Governing Body would have to take affirmative action and adopt a resolution. Mayor Bieri suggested scheduling this request for a future meeting. The Council gave consensus to schedule the discussion for a future workshop meeting.

Councilman McGuinness – Mentioned that he enjoyed the meeting with the Board of Education. He wished the candidates good luck in November. The high school softball team and West Milford has joined efforts to raise money for spring training. There will be opportunities for business owners to advertise at the high school and to contact him for more information. The kids will be out on Halloween and he asked everyone to be careful.

Mayor Bieri – Congratulated the new Eagle Scouts. She said the meeting with the Board of Education was productive. Their goal is to bring new opportunities to the community at Hillcrest with no additional cost to the taxpayers. Columbia Bank donated \$10,000 towards the children's room in the library. She noted all the groups involved that have direct contact with the community and the goal of the group. She noted the date and time of the first annual Safe Night for substance awareness and family empowerment. Suez will generate more newspaper ads, a social media campaign, direct mailings, and signs regarding the sale of the MUA. She asked the Council to consider merging the Planning and Zoning Boards because it would be cost effective and a good opportunity. The Council gave consensus for Mr. Semrau to research what that would involve. Councilman Signorino recommended that the pay for all professionals that work for the Township added to a future meeting agenda for discussion. Administrator Battaglia explained that she reached out to Ms. Cubby to ask the Planning Board what their plans are and if they are going to seek the services of a planner. She will have the information for the Governing Body at the November 8th meeting.

Administrator Battaglia – Noted that Ms. Mageean has prepared the best practices and they were posted on the cloud. She asked the Governing Body if they had questions.

