
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Workshop
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nine years. Therefore, he would have to appeal to the local finance board to extend the life of the capital expenses. He does not recommend doing that, as he believes they will not approve such a large differential. He conferred again with bond counsel and they have reviewed each of the related ordinances to extend the life of certain capital components in these ordinances. He reviewed the breakdown of these numbers which would result in an option to finance \$6,262,000 for a 12½ life. This would lock in a percentage of the outstanding notes which would minimize the impact on the budget and eliminate the requirement of making the principal payment in 2010. This would result in a \$369,000 impact on the budget. He is recommending a bond sale of the \$6,262,000 plus the 2007 capital ordinance of \$3,055,000 which brings the Township to the \$9 million range which is about half of the entire debt. He will then ask bond counsel to determine the life of the bonds and he thinks they will estimate an eleven-year life. The other \$7 million was issued in 2009 so principal payments will not be due until 2012. The impact on the 2010 budget will be about \$160,000. The outstanding \$7 million debt will have to be addressed in 2012.

Council President Smolinski recalled that the Council limited capital projects in 2009. He asked Mr. Ferraioli to clarify his recommendations for capital appropriations going forward specifically pertaining to road projects. Mr. Ferraioli stated that he recommends that all capital appropriations not exceed \$3 million in a given year. He recommends that the Township maintain its net debt at less than 1%. Road improvements have a short life and thus the Council should be mindful of the issues raised in obtaining long-term financing for these projects. The Council discussed and sought clarification on the multiple options presented by Mr. Ferraioli. The reviewed the benefits of each as well as the risks attached to each. Councilman Nolan recommended following the Auditor's recommendation. Mr. Ferraioli stated that he will review this matter with bond counsel and will likely have a resolution at the next meeting for Council consideration which will authorize him to appear before the local finance board. In the meantime, he will run the numbers for the entire \$16 million at a nine-year life. He will then come back to Council and re-review the options.

The Council thanked Mr. Ferraioli for his attendance.

Agenda No. V

Proclamations

None.

Agenda No. VI

Public Comments

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

Doris Aaronson, 19 Bearfort Road, West Milford congratulated Mr. Smolinski and Mr. Ramaglia for their recent election victory. She stated that both she and Mr. Syme are proud of the campaign they ran and that they will both continue to volunteer in West Milford. During the campaign, she discussed many issues with residents. She stated that she wishes to take this opportunity to relate the most specific topics to the Council. She received a lot of queries as to the status of the Lincoln Hill sidewalks. Residents in Upper Greenwood Lake and Hewitt expressed concern about changes to the bus route because their service has been reduced. She suggests that the Council consider a taxi-like service for that area to compensate for the lost service.

John Lauritano, 20 Brady Street, West Milford stated that he has addressed Council in the past about the Mount Glen Lakes dam assessment. He was previously satisfied with the response but learned today that some residents received a letter which has changed the breakdown for the repayment of the debt. The letter, he believes because he has not actually seen it as yet, references a new three-tier level which will mean that his area will be absorbing a larger part of the payment. He reiterated that his home and many affected properties are some distance from the lake and they receive no benefit from this repair. He asked the Council to ensure that the Tax Assessor has a complete grasp of the situation and requested another meeting with Township officials and the Administrator.

Barry McKinnon, 85 Dunham Road, West Milford asked for an explanation about the source of funding for training police officers in emergency medical dispatch. He stated that it is almost a year since his mother's death and he has yet to receive answers.

Ada Erik, Macopin Road, West Milford gave a thumbs up to the Municipal Clerk. She advised that there will be a service for Veterans at Veteran's park on Veteran's Day, 11/11 at 11:00 a.m. She cautioned that scrutiny must be given to every penny spent in the coming year. This financial climate demands frugality and other towns are planning to cut budgets throughout their organizations. She stated that attention must be given to the top with minimal cuts to lower level expenses.

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Charles Babcock, Hewitt stated that his family has lived in West Milford for generations. However, the taxes are too high and he was shocked to hear what the auditor had to say tonight. He urged the Council to make extensive cuts to police, employees, and every service to reduce the tax burden. He recommended laying off teachers and drastically cutting the school budget.

Pete Bremy, 2012 Macopin Road, West Milford stated that the Council should consider regionalization of services. Everyone, he said, wants home rule but does not want to pay for anything. However, there are certain municipal services that can be provided through the County or State and those options should be considered.

There being no more comments from the public Councilman Nolan moved to close the public portion of the meeting.

Moved: Nolan Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. VII

Council Comments

Councilman Weisbecker thanked Ms. Erik for the Veteran's Day reminder. He asked Mr. Boyle for an update on the Mount Glen Lakes assessment. Mr. Boyle advised that he has been working with both Mr. Semrau and the Association's attorney on this matter. Mr. Semrau stated that he worked on the first draft of estimates for each tier with the Tax Assessor. Township officials met with the association and revised the tiers. He expressed surprise that the association has issued a letter as indicated by Mr. Lauritano and assured residents that this matter must come before Council before a final decision is reached. He reviewed the assessment process which includes opportunities for public hearings where residents can provide input and opinions to Council and staff. He stressed that nothing is final at this time. Councilman Weisbecker asked for an update on the Lincoln Hill sidewalks. Mr. Boyle advised that he met with the Passaic County Economic Development Commission representative today and they discussed the sidewalk, among other things. He advised that the CDBG grant was approved and the County conducted the income survey as required. However, the State HUD, whose offices are in Newark, wish to visit the site to confirm the survey results. Once that inspection has been done, it is anticipated that the grant funds will be released.

Councilman Nolan advised that the Township Council only controls the municipal budget which accounts for approximately 20% of property taxes. The school budget accounts for about 60% and the county accounts for about 20%.

Council President Smolinski stated that the transportation route in Upper Greenwood Lake has been altered as a result of surveys conducted but service has not been cut. The old route was not effective. The Township will be seeking bids from vendors to provide these services. He advised that he serves on the transportation committee and, as such, with the committee members has been working on this for over a year. Mr. Boyle advised that NJ Transit conducted an in-depth survey of ridership throughout the Township.

Agenda No. VIII

Discussion Items

1)	Revaluation – Council gave consensus to have Mr. Semrau draft a resolution requesting that the County require a revaluation in West Milford.
2)	Road Assessment Program – Mr. Boyle asked Council to defer discussion of this matter to a future workshop meeting.
3)	Reorganization Meeting – Council President Smolinski sought and received Council consensus to schedule the reorganization meeting for January 1, 2010 at 1:30 p.m. Councilman Schimmenti asked Administrator Boyle to ensure that the Health Director be instructed to schedule Health Board meetings in 2010.
4)	Formula to State to Protect Township from Land purchased by State – Council gave consensus to proceed with formula outlined by Mr. Semrau in his letter to Assemblyman Webber. Councilman Jurkovic commended Mr. Semrau for his efforts.
5)	Resolution in Support of utilizing West Milford Lake as a Wetlands Mitigation Site – Mr. Boyle directed Council to a letter received from Mr. Patire and the associated resolution that is on the agenda for action later in the meeting. Mr. Semrau advised that this action will not compel the Township to any action nor is it a commitment to any action. The property owners must continue to proceed with the process and obtain any necessary approvals. Mayor Bieri stated that, if the West Milford Lake

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	property can no longer be maintained as a lake, a wetlands mitigation site is the next best thing. While she understands that the resolution is not binding, she wishes to ensure that there will be no negative impact on the municipality. Therefore, she stated that she would like the resolution to contain language that references that there is a long-term ownership for either Marshall Hill, LLC or Tennessee Gas Pipeline. Mr. Semrau stated that he will make those changes and asked that a copy be provided to the Environmental Commission for comment. Councilman Jurkovic concurred stating that it is important that Tennessee Gas Pipeline be held responsible for property maintenance going forward. Council President Smolinski expressed opposition to endorsing an agreement between Marshall Hill LLC and Tennessee Gas Pipeline because, he said, everyone but the Township is benefiting from this arrangement.
6)	Ordinance – Amending Chapter 110 – Permit Notification in Lake Communities – Councilman Weisbecker asked that this item be deferred to a future workshop discussion.
7)	Ordinance – Re-establish Economic Development Commission – Mayor Bieri advised that she, Councilmen Weisbecker & Jurkovic, and Administrator Boyle met with a representative from Passaic County EDC and they will be receiving information in the coming weeks. Council agreed to defer discussion until all the information is received.
8)	Ordinance – Amend Chapter 71, Animals to Allow for a Trap, Neuter, Return Program for Feral Cats – Mayor Bieri recused from this discussion and surrendered the Chair to Council President Smolinski. Mr. Boyle advised that the Council has been provided with a draft ordinance for consideration at the next regular meeting. He stated that the Health Officer has no objections to the ordinance and the cost will be assumed by the Animal Shelter. Councilman Jurkovic stated that he has no objection to this program especially as there will be no cost to the taxpayers. He asked if the animal shelter is okay with the wording of the ordinance. The Council gave consent to hear from the President of the Animal Shelter. Jean Bremy, 2012 Macopin Road addressed the Council and advised that they have no objection to the wording of the ordinance. Council President Smolinski asked for an explanation of the difference between a stray cat and a feral cat. Bettina Bieri, 17 Bearfort Road advised that a stray cat is owned by someone and wandered off the property while a feral cat does not have an owner. The Council gave consensus to proceed and Mayor Bieri resumed the Chair.
9)	Ordinance – Amend Chapter 321, Article IV, Compost Site – Council gave consensus to proceed with amendments to this section of the code as recommended by the Township Engineer.
10)	Contract – Storm Drain Easement, Block 14113, Lot 47, Apple Lane – Councilman Jurkovic stated that he has concerns about this issue and is unsure how to address those concerns as he sat on the Zoning Board when this matter was initially heard. Upon the advice of Township Counsel, Councilman Jurkovic recused from this discussion and the Council gave consensus to hear him speak as a member of the public. Daniel Jurkovic, 24 Seymour Drive, stated that he has concerns that the applicant felt pressured to do this work in order to obtain zoning board approval. Mr. Boyle advised that he has conversed with the applicant’s son and has reviewed the process. As this evolved, the applicant ultimately approached the Township asking them to reconsider the matter and requesting that the Township provide the supplies but the applicant perform the labor. Councilman Weisbecker took issue with this explanation stating that he is uncomfortable that the Township officials serving on the planning board should make demands of applicants. He instructed Mr. Boyle to have the Township Engineer provide an explanation as to why the Gobles must pay for the labor and he further instructed that the Gobles be invited to address the Council at the next workshop meeting on this subject.
11)	Contract – Permanent Grant of Easement, Block 3503, Lot 46 Elm / Union Valley – Council gave consensus to have this placed on the next regular agenda for action.
12)	Contract – GIS Services Contract (Stormwater Management) – Mr. Boyle advised that these services are necessary as part of the Township’s Tier A rating with the DEP for stormwater management. The various inlets have been marked out and now the GIS maps must be updated accordingly. The funds for this work shall be encumbered from grants designated for this purpose. In response to Councilman Jurkovic he advised that this contract is distinctly different from the contract for GIS services that with the Land Use department. Councilman Jurkovic asked Mr. Boyle to obtain more details and to provide a copy of the proposal with the hourly rates.
13)	Contract – Traffic Striping – Council gave consensus to have this placed on the next agenda for action. They instructed Mr. Boyle to provide them with more information prior to them taking such action.
14)	Resolution – Settle Tax Appeal Block 3611, Lot 14 – Mr. Semrau advised that the proposed tax appeal settlement for this property was drafted by Scott Holzhauer and the numbers will be confirmed before Council takes action at the next meeting. Councilman Jurkovic explained for the benefit of the public that this resolution equates to reduced revenue for the Township as a result of a tax appeal. Issues of this nature compel the need for a revaluation which will help avoid these unknown factors.

Agenda No. IX

Action Items

The Township Council took action on the following items:

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Agenda No. IX 1

~ Resolution No. 2009- 393 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO ACCURATE INSPECTIONS, INC. FOR THE PERFORMANCE OF A HOME INSPECTION ASSOCIATED WITH BLOCK 7903, LOT 13 IN AN AMOUNT NOT TO EXCEED \$695.00

WHEREAS, there exists a need for professional services to be rendered in the performance of a home inspection of the structure on identified as Block 7903, Lot 13 in the Township of West Milford in accordance with the standards set forth in N.J.A.C. 13:40-15; and

WHEREAS, the Township wishes to retain Accurate Inspection, Inc. to provide such professional services regarding the above referenced property and in accordance with its proposal for such services dated October 5, 2009, attached hereto; and

WHEREAS, the total amount of the contract shall not exceed \$695.00; and

WHEREAS, funds are available for this purpose and said funds shall be reimbursed to the Township of West Milford from the West Milford Township Library; and

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

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Accurate Inspections, Inc. with offices located at 56 Woodland Drive, West Paterson, New Jersey, 07424 to provide professional services regarding the performance of a home inspection associated with the property identified as Block 7903, Lot 13 in an amount not to exceed \$695.00 and in accordance with his proposal dated October 5, 2009.
2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person authorized by law to practice a recognized profession.
3. The total fee authorized for this contract shall not exceed \$695.00 without the prior written approval of the Township Council.
4. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: November 4, 2009

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Jurkovic.
Voted Nay: None.
Motion carried.

Agenda No. X

Approval of Expenditures
None.

Agenda No. XI

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

Councilman Weisbecker congratulated to all the candidates who ran for elected office in the 2009 elections. He commented that it is very difficult to put yourself out there as required in campaigns of this nature and commended the fortitude of those who did so. He gave kudos to all and congratulations to Joe Smolinski and Mike Ramaglia who won their Council seats in the process. He reminded everyone that November 11th is Veterans Day and encouraged everyone to attend the memorial services at 11:00 a.m.

