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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: November 12, 2014  
Time of Meeting: 6:30 pm  
Minute Page No: Page 1 of 20

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The Workshop/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 Workshop/Regular meeting was advertised in the Herald News in its issue of December 29, 2013 and January 5, 2014; copies were provided to the Suburban Trends, the Record, 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.

Agenda No. I

**Roll Call**

Present: Councilmembers Ada Erik, Mike Hensley, Vivienne Erk, Michele Dale, Luciano Signorino (arrived at 6:33 pm), CarlLa Horton. Mayor Bettina Bieri  
Absent: None.  
Also Present: Township Administrator Kenneth Gabbert, Township Clerk Antoinette Battaglia, Township Attorney Frederick Semrau.

Agenda No. II

**Reading of or Approval of Minutes**

Councilwoman Erik moved to adopt the October 22, 2014 Regular Meeting Minutes and the October 22, 2014 Executive Session Minutes as presented.

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Moved: Erik Seconded: Horton  
Voted Aye: Erik, Hensley, Erk, Dale, Horton.  
Voted Nay: None.  
Absent: Signorino  
Motion carried.

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Agenda No. III

**Executive Session**

~ Resolution No. 2014 – 353 A ~

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 12<sup>th</sup> day of November 2014 that:

1. Prior to the conclusion of this **Workshop & 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.
  - ( ) b. (4) A collective bargaining agreement including negotiations.
  - (X) 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.
    - Weaver Road
  - ( ) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
  - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in

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- subsection b. (4) herein or matters falling within the attorney-client privilege.
- Contracts - PAL
- ( ) 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: November 12, 2014

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

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The Governing Body went into executive session at 6:33 p.m.  
The Governing Body returned to the public meeting at 7:16 pm with all present as before.

Agenda IV

**Meetings**

Mayor Bieri noted the future meeting schedule:

December 3, 2014 Workshop Meeting  
December 17, 2014 Regular Meeting

Mayor Bieri noted that Marilyn Lichtenberg is Council-Elect and sitting behind the dais. She noted that Councilwoman Erik was re-elected too. She thanked everyone who volunteers for the benefit of the community and thanked everyone who has run for public office both recently and in the past.

Agenda No. V

**Presentations**

- Recycling Awards – Brian Murphy / David Stires – Mr. Murphy invited the custodian of the Paradise Knolls school to join them at the podium. He presented the Paradise Knolls custodian with the award saying that his efforts have resulted in the Paradise Knolls school being the number one recycling school in the district by far. He said that custodians should be recognized on a daily basis for all they do. In addition to their daily routine, they save taxpayer money by virtue of their recycling efforts. Mr. Stires said that whenever he has to go to Paradise Knolls school for an inspection, he finds it clean and contaminant free.
- HEAT – Light Up West Milford, Tim Wagner made a Power Point presentation to all in attendance. He said that HEAT is hosting a decorating contest this year for outside home decorations to provide incentive to people to decorate for the season. The contest is called *Light Up West Milford*. They seek to get businesses involved to promote economic development and tourism. Businesses will donate prizes. He reviewed history of the HEAT organization and some of their accomplishments. Last year they decorated areas in town with the help of a lot of volunteers from town. It was a great turnout. He showed slides of last year's lights noting that the goal is to expand the festive atmosphere in town and to encourage shopping locally. He reviewed the over 30 businesses who are involved this year noting that they have over \$3,000 in cash prizes. He commended all those businesses and thanked them. He said there are sufficient prizes so that a lot of people can win. To enter one must submit a photo online at the HEAT website. The winner will be determined by the number of "likes" on Facebook. He reviewed the anticipated economic impact and the guidelines & rules on the HEAT website. There will be a fundraiser on November 23<sup>rd</sup> and he provided details. He summarized the presentation. Applications will be received through December 15<sup>th</sup> and voting will end on Christmas Eve. Mr. Semrau asked if this is a Christmas lighting contest. He asked why it cannot be called a holiday lighting contest. He said it has had a number of titles on the many drafts submitted but he noted that the brochure that this is supposed to be open for everyone. Mr. Wagner said that the reason is that the holiday is Christmas and the tradition is Christmas. If you look up the tradition it is Christmas. That is what it is. If there is another contest out there that makes sense he will support it. Councilman Signorino said that non-Christians can participate.
- Liquor License Transfer - Retail Consumption License #1615-33-009-006 from 574A Macopin Associates, LLC (S&S Deli) to M&M Discount Liquors, LLC. Mayor Bieri asked if there was anyone

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wishing to be heard on this license transfer. No person sought to be heard and the Council closed the public portion of the meeting.

Agenda No. VI

**Proclamation**

2014 Small Business Saturday – Mayor Bieri read the proclamation and encouraged residents to support local businesses all year.

Agenda VII

**Discussion Items**

1	<p>Ordinance to Amend Chapter 63, "Alcoholic Beverages" to eliminate the 2,500 foot provision – Councilwoman Horton said she has favored elimination of the 2,500 rule. It is an anti-business provision and denies new business owners access to success. She heard that this ordinance was enacted to stop bar hopping which could cause people to drive while intoxicated. She also heard that it was pushed through by people who wanted to limit their competition. Councilwoman Erik said she is of the exact opposite opinion. She said the state has a formula for the number of licenses allowed in a given municipality and we have three times that number. She believes it should stand. Councilwoman Dale echoed Councilwoman Horton's sentiments and Councilman Hensley said he also agrees. We tend to get a wrap that we are not business friendly. He sees this as a vote for pro or anti business. He hopes the vote is pro business. We are talking about reopening a business rather than allowing a building to become dilapidated. We must change the climate of anti business. Many business owners spoke in opposition at the last meeting but that was to stifle competition. Councilwoman Dale said she has listened and reviewed all the objections submitted. She has consulted professionals to determine that nothing incorrect has been done to prevent this from happening. She has reviewed this over and over again. The zoning is legal. The term grandfathering is not in play. She has reviewed the facts and expended hours on this and Councilwoman Horton echoed that. She said this ordinance stands on its own merits and is not connected to any one property. It is town wide. She urges anyone who runs a business to be considerate of neighbors. Mayor Bieri said the introduction is scheduled for tonight. If approved, a public hearing will be held on December 17<sup>th</sup>. Council President Erk said she favors the ordinance because it is pro business and good for business in town. Mayor Bieri said that to play devil's advocate she said there is something to be said about retaining existing businesses. That is the flip side. Councilwoman Horton said that is the burden every entrepreneur must take on.</p>
2	<p>Discussion: Bear Smart Legislation, S687 - Mayor Bieri said this came up a few weeks ago by members of the public. Councilman Signorino said he is not interested in supporting this legislation and Councilwoman Dale agreed. She said she does not oppose education but she does oppose the fines. She likes the sign idea and the education but not fining residents. Mayor Bieri said there must be some consequences to actions and Councilwoman Dale said we should control the bear population and then determine if there is a problem. Mayor Bieri said we are seeking to determine if there is consensus for a resolution supporting this at a future meeting. The Council majority said there is no interest in supporting this legislation as currently written.</p>

Agenda No. VIII

**Public Comments**

Luke Slott, 10 Ponderosa Place, Hewitt said he supports the bear smart bill. He listed some of the positives of the legislation. This promotes safety of residents & bears and supports beatification. Some people are irresponsible with trash. He cannot see a reason to not support this. Fines are necessary for effective enforcement. He passed out some information about a study done which indicates that this legislation is the best approach. He reviewed some of the results of the study. The quantity of garbage made available to bears increases population, hence decreasing the bear population will not decrease their number. Tourism in West Milford is lucrative. He would like the Council to recognize the Greenwood Lake Bi-State Commission and provide them funding next year. He asked for a resolution to ask the State Assembly to provide funding to the commission.

Charles DeKoning, 35C Salem Alley, West Milford said that Councilwoman Horton has served with great distinction, spoke her mind, was honest and did a fine job. He thanked her for her service saying she always acted for the benefit of the town.

Angie Mettler, Director of NJ BEAR Resource Program, which, she said, originated in West Milford. Sue Russell is their wildlife policy director and authored the bear smart legislation. The bear smart bill is not about hunting. She provided statistics about bear hunters in New Jersey and voters' desires. The bear smart legislation has been tested in other states with more bears than New Jersey. The bear smart legislation keeps bears away from garbage. She explained why and how.

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Gary Steele, North Glenwood Road, West Milford said a private organization is doing a good thing with the Christmas light contest and it is on private property. People like Christmas lights. That is different than government being involved in god business. He does not appreciate that. He does not appreciate clergy behaving un-Christian. He likes the idea of the contest.

Lou Velluchi, Mahwah is here because West Milford is the focal point of the bear issue in New Jersey. New Jersey is now in the national spotlight and he urged the Council to set the right example. He said that the Council should support passing the bear smart legislation. In 25 years because of the Berlin wall coming down we have capitalism at war with the world. This is all part of the same pattern. There are no more wild bears in Europe. Think about what you're doing and how your actions affect the world. Regardless of your view, we the public would respect if they could hear reasons for Council's views. Susan Russell provided impressive data on a letter that is available online. He quoted Michael Bloomberg. Bear smart legislation works and hunting does not work.

Igor Khomyakov, Elmwood Park, was here when Council voted to extend the bear-hunting season. He understands concerns about providing safety for people. He is surprised that here in the center of bear country when the public proposes to discuss the resolution the majority of the Council is not interested. That does not appear logical. He asked the Council to reconsider their position and to spend time to discuss this issue.

Elaine Dunne, Bloomingdale runs the educational department of BEAR. She is asking that this resolution be put on the agenda for the next meeting for action. This legislation proposed to manage bears without killing them.

Dale Jones, 57 East Park Drive, West Milford is here to urge Council to consider supporting the bear smart legislation. Education and containing food sources is bear smart. Last month the Council voted yes to support killing bears. Today she is asking them to vote yes for bear smart legislation. She works with BEAR group as a bear proofing coordinator. It is part of her job & it is her obsession. She sees who contains garbage and she notices a lot. There are many residents & businesses who use common sense to keep trash from wildlife. There are many others who have uncontained trash every day. Studies have shown that everyone has to be involved. Keeping bears from unnatural food sources lowers bear fertility rates. She explained why. Non-existent uniformity is causing an increased bear population. We have had a bear hunt for 5 years. They bait and then shoot. She showed photos of killed bears. She urged Council to consider the bear smart bill in the legislature. Lets become a bear smart New Jersey, she said.

Cathy McCarthy, Vernon said she is here to speak about bear smart bill as a West Milford neighbor. We all live in bear country and we need to bear proof our environment. Hunting does not work. We need legislation. Council needs to be interested. By banning baiting and garbage control we can create bear smart communities. People are here asking for help and it is shocking that Council is not interested.

Judy Sonoclol, 16 Yuengling Trail, Hewitt said she has listened tonight. Residents voted for Council. Two hunters came and Council got on a hunting bandwagon. But the Council ignores the BEAR people. She is a resident and has interest in this and is tired of this nonsense. People who do not want to conform need to be fined.

Gina DeRigo, Totowa said some of her fellow BEAR supports are shocked at how this subject is not being discussed. It is admirable that the Council wants to stimulate the economy. That will bring outsiders into town. Then you must be responsible. That includes honoring this legislation. Residents & businesses must contain garbage and be responsible. Failure to do so has consequences. Bears roam the roads because of the access to free food. If you allow that to happen you are responsible for the consequences. She wants to see this community actively participating in the safety of residents & visitors. Be proactive and think about this with an open mind.

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

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

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Councilman Signorino said he is not interested in this legislation. He is not. He is interested in safety and other concerns contrary to comments made by members of the public. He supported the hunt because he believes that is a common sense opportunity to provide safety in our community. But regulating private behavior on private property is not something he favors. He appreciates people coming to express opinions. He is in favor of the cause but not this legislation. He uses bear proof cans and they do not work. He wants less legislation on private property. The fines are not acceptable and he cannot support the bear smart bill as it is currently written.

Councilwoman Dale agreed. She supports education. To support legislation and have people fined is not acceptable. There are many things in the legislation that she cannot support.

Councilwoman Horton said the BEAR group was one of the first she was exposed to when she moved to West Milford. She opposes baiting. She cannot support taking a step that results in fines before we do all that is possible to educate people. She urges BEAR to expand and increase their efforts. There are some realities that are not addressed in this legislation. We are interested in education & safety & protecting both people and animals. She wants opportunities for education exhausted. She thanked everyone for coming and sharing.

Township Attorney Fred Semrau said that as municipal attorney he can say that this Governing Body never shies away from an issue and that is a credit of this governing body & the Township. This is state legislation and it has been discussed on at least two occasions at West Milford meetings recently. There are very few towns like West Milford that doesn't shy away from issues. You may not agree with the decisions but it is unfair to say that there is no discussion. This is on the agenda because it was not dismissed by this Governing Body.

Councilman Hensley said he has bear cans and they work for him. However, he is often amazed when he sees that these cans have been broken into by bears. People who do take all necessary precautions still deal with failures. That is why he does not favor legislation that will foist fines upon those people. Bear cans do not always work. He does not agree with statements that bear hunting does not work. If there is an overpopulation of bears in the woods it pushes the bears into neighborhoods. He favors hunting as well as education. There are clearly too many bears in this area. He knows that because he has lived here all his life. The question is why is Fish & Wildlife reintroducing these animals in the most densely populated area in the nation. Bears were not here 30 years ago. Bears are not scared of people any more. He spoke about other species of wildlife that have been introduced to this area. He supports bear safe cans.

Council President Erk said she saw an article in the paper about Greenwood Lake cleaning up stumps. She would like consensus on a resolution to legislators in Trenton seeking funding for Greenwood Lake. Mr. Semrau said if there is consensus he will draft something. There was consensus. Councilman Signorino said he would support that too. He said the Greenwood Lake Commission has met with legislators and a resolution would just reinforce those efforts. It is a state lake.

Councilwoman Erik asked Luke Slott to provide data about bear hunts. She asked for statistics on the number of tagged bears that are taken down during bear hunts. She explained why this is necessary to determine if the bear hunt works. The bear smart legislation does not deal with the nuisance bears. The incident in September was a rogue bear. She doesn't know the answer but the proposed bill does not go far enough. She would like to know the tagged count of the bear hunt.

Mayor Bieri said this issue arose because people brought it to the Council's attention. Claims of dismissal are inappropriate. Council may not agree but they do have every right to disagree. They are addressing an issue at the request of members of the public. She read the studies, information and the legislation. She understands the issues. She believes in a multi-pronged approach. It includes the hunt and education. If this Council is a sample of reaction, it is clear that although there has been a lot of hard work it is not the right legislation. It needs to be reworked to address the issues being raised. Most animals are opportunistic. If they get the opportunity to have access to food, they will take that advantage. She supports education but it appears that this bill is not the answer. There is work to be done yet.

Agenda No. X

**Action Items**

Agenda No. X 1

~ Ordinance 2014 - 010 ~

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**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO AMEND CHAPTER 174, "GARAGE SALES", TO ADD SECTION §174-10, "ANNUAL TOWN-WIDE GARAGE SALE" OF THE TOWNSHIP CODE AMENDED**

**BE IT ORDAINED**, by the Township Council of the Township of West Milford, in the County of Passaic and State of New Jersey, as follows:

**SECTION 1.** Chapter 174, "Garage Sales", be and is hereby amended to read as follows:

**§174-10. Annual Town-Wide Garage Sale**

Each year on the last Friday, Saturday and Sunday of September (unless otherwise designated by Council resolution) there shall be a "Town-Wide" Garage Sale. For the three days of the town wide garage sale the permit, fee and sign requirements contained in this chapter shall be waived. During such sales all non-property owners must obtain written approval from the property owner to participate in the town-wide garage sale. All other provisions of the chapter shall prevail during the town-wide garage sale.

**SECTION 2.** If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

**SECTION 3.** This Ordinance may be renumbered for purposes of codification.

**SECTION 4.** This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Introduced: October 22, 2014  
Adopted: November 12, 2014  
Effective Date: December 2, 2014

This ordinance was introduced on October 22, 2014 and the Notice of Public Hearing was published in the Herald News on October 26, 2014.

The Mayor opened the meeting to the public to speak on this ordinance only.

There being no one wishing to be heard, Councilwoman Erik made a motion, seconded by Councilman Signorino and carried by unanimous voice vote to close the public comment period.

Discussion: Councilwoman Erik said this is a great idea but in Ringwood they have had a town wide garage sale on the same weekend. If this is to really work maybe we should change the weekend. Councilman Signorino agreed saying that it may be best to coordinate with Ringwood. Councilwoman Dale asked if we can annualize the sale with a date to be determined. Mr. Semrau suggested inserting a provision saying that the exact weekend is to be determined by the governing body. Councilman Hensley said the EDC will be working to improve the process next year.

Motion to adopt ordinance as amended.

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Moved: Erik Seconded: Signorino  
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton.  
Voted Nay: None.  
Motion carried.

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Agenda No. X 2

~ Ordinance 2014 – 011 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 63, "ALCOHOLIC BEVERAGES", SECTION 7 "TRANSFER OF LICENSES; EXCEPTION; MEASUREMENT" OF THE TOWNSHIP CODE TO ELIMINATE AND REPEAL THE DISTANCE LIMITATIONS RELATING TO ISSUANCE OF LIQUOR LICENSES**

**WHEREAS**, the Township of West Milford has reviewed and reassessed the Township Code with regard to the distance requirements for the siting of liquor licenses; and

**WHEREAS**, the Township has concluded that there is no practical business rationale to maintain a certain distance between establishments having a liquor license; and

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**WHEREAS**, the Township Council of the Township of West Milford finds it to be in the best interest of the Township and its citizenry to amend the current ordinance to do away with the distance restrictions.

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

**SECTION 1.** Section 63-7 is amended to eliminate and repeal sub sections A, B, and C

§ 63-7. Transfer of licenses.

A. The fee to transfer a liquor license, per the Division of Alcoholic Beverage Control of the State of New Jersey, is set forth in Chapter 135, Fees and Costs.

**SECTION 3.** All ordinances of the Township of West Milford, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

**SECTION 4.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 5.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

Introduced: November 12, 2014  
Adopted:  
Effective Date:

Second reading and public hearing for this ordinance is set for the Regular Meeting of the Township Council scheduled for December 17, 2014. Notice of this public hearing shall be published in the Herald News on or about November 16, 2014.

Motion to Introduce Ordinance 2014-011

Moved: Horton Seconded: Dale  
Voted Aye: Hensley, Erk, Dale, Horton.  
Voted Nay: Erik  
Abstain: Signorino  
Motion carried.

Mayor Bieri asked to move Resolutions 2014-354, 2014-355, 2014-356, 2014-357, 2014-358, 2014-359, 2014-360, 2014-361, 2014-362, 2014-363, 2014-374, 2014-364 (Consent Agenda), 2014-365, 2014-366, 2014-367, 2014-368, 2014-369, 2014-370, and 2014-371 as one.

Moved: Erik Seconded: Horton  
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton.  
Voted Nay:  
Motion carried.

Agenda X 3

~ Resolution No. 2014 - 354 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE TOWNSHIP TO ENTER INTO A COOPERATIVE CONTRACTING AGREEMENT WITH THE NATIONAL JOINT POWERS ALLIANCE (NJPA)**

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

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

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**WHEREAS**, the Township of West Milford desires to be a Participating Member hereinafter referred to as the "Applicant" in a "nationally recognized cooperative purchasing organization" known as National Joint Powers Alliance (NJPA); and

**WHEREAS**, the National Joint Powers Alliance (NJPA) according to its website is a contracting unit as defined under Minnesota law; and

**WHEREAS**, the NJPA Board of Directors has determined that Participating Members will have no financial or organizational liability to NJPA or to its organizational activities; and

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

**NOW, THEREFORE, BE IT RESOLVED** the Township Council pursuant to the provisions of N.J.S.A. 52:34-6.2(a)(3) hereby authorizes the Mayor and Clerk to execute a Membership Contract with the National Joint Powers Alliance (NJPA) for the purchase of supplies, materials, equipment or services on behalf of the Township of West Milford.

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

This Resolution shall take effect immediately upon final passage.

Adopted: November 12, 2014

Agenda X 4

~ Resolution 2014 - 355 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING EXECUTION OF AN AGREEMENT WITH VOICE BROADCASTING CORPORATION FOR AUTOMATED PHONE CALLS TO PROMOTE THE TOWNSHIP'S PETITION FOR WATERSHED EQUITY**

**WHEREAS**, at the October 22, 2014 Regular Meeting of the Governing Body, the Township Council did, by unanimous consensus, authorize the Township Administrator to proceed with efforts to engage the services of a vendor who would facilitate automated calls to residents to promote the Township's petition for watershed equity and urge residents to sign the petition; and

**WHEREAS**, the Township Administrator has determined that *Voice Broadcasting Corporation* is approved for the purpose of making automated calls for the "Request for Equity Under the Mandated Highlands Water Protection and Planning Act" Petition.

**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 Township Mayor and Township Clerk to execute a Lease agreement with Voice Broadcasting Corporation.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and agreement shall be available for public inspection in the office of the Township Clerk.

Adopted: November 12, 2014

Agenda X 5

~ Resolution 2014 - 356 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENTAL FOR TWO (2) 5 CY DUMP TRUCKS WITH PLOWS AND SANDERS THROUGH NJPA COOPERATIVE CONTRACT TO UNITED RENTALS**

**WHEREAS**, the Township of West Milford wishes to rent two (2) 5 CY dump trucks with plows and sanders for use in snow removal operations from December 1, 2014-March 31, 2015: and

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**WHEREAS**, the Director of Public Works has provided a recommendation to effectuate this rental through NJPA Cooperative Contract to United Rentals; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for these rentals, said funds to be encumbered from: 2014 account # 01-201-26-290-408 in the amount of \$8,078.75 and 2015 account # 26-290-408 in the amount of \$24,236.25; and

**WHEREAS**, the total amount of the contract shall not exceed \$32,315.00.

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

1. The Township Council hereby authorizes the Director of Public Works to rent two (2) 5 CY dump trucks with plows and sanders, in an amount not to exceed \$32,315.00, through NJPA Contract from United Rentals, 222 Bergen Turnpike, Ridgefield Park, NJ.
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: November 12, 2014

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~ Resolution 2014 – 357 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE FOR COMPUTERS AND PRINTERS THROUGH STATE CONTRACT NO. 70256-WSCA/NASPO, DELL, INC.**

**WHEREAS**, the Township wishes to purchase nineteen (19) computers, one (1) APC battery cartridge and nine (9) printers; and

**WHEREAS**, Dell, Inc. was awarded State Contract # 70256 which contract provides the goods & services needed; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for these purchases in the amount of \$20,931.39, said funds to be encumbered from Account # 01-201-20-140-202 and 04-215-56-901-000; and

**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 the appropriate Township officials be and are hereby authorized to execute the purchase order issued to Dell, Inc. for computers, a battery and printers at a cost of \$20,931.39

Adopted: November 12, 2014

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~ Resolution 2014 - 358 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING PAYMENT TO ATLANTIC COMMUNICATIONS FOR REPAIRS COMPLETED IN AUGUST 2013**

**WHEREAS**, On June 11, 2011 the West Milford Police Radio System was hit by lightning; and

**WHEREAS**, damages sustained to the equipment and facilities totaled \$34,867.30; and

**WHEREAS**, the Township submitted insurance claims to the Morris County Municipal Joint Insurance Fund to seek reimbursement for repairs & replacements; and

**WHEREAS**, Atlantic Communications is the service provider who maintains and repairs all communication equipment in the police department because of their expertise in the field and familiarity with the specific equipment in the West Milford Police Department & appropriate contracts have been executed for such services; and

**WHEREAS**, repairs were completed in two separate phases and the Township received insurance reimbursements for \$10,268.30 and \$24,599.00 respectively; and

**WHEREAS**, Atlantic Communications was paid for the initial repair of \$10,268.30; and

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

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**WHEREAS**, it is necessary to pay Atlantic Communications for the second phase in an amount of \$24,599.00 for which insurance reimbursement had been received on November 28, 2012; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this purpose said funds to be encumbered from account 01-203-23-210-415.

**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 the Administrator & CFO be and are hereby authorized to execute the necessary paperwork to submit payment to Atlantic Communications for services rendered in 2013 to repair the Police Radio System in an amount of \$24,599.00

Adopted: November 12, 2014

Agenda X 8

~ Resolution 2014 – 359 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITH STUART B. KLEPESCH TO PROVIDE LEGAL SERVICES FOR THE TOWNSHIP OF WEST MILFORD (TAX FORECLOSURE LIST #31)**

**WHEREAS**, the Township of West Milford is in need of legal services to represent the Township in foreclosure matters as outlined in foreclosure list # 31; and

**WHEREAS**, Stuart B. Klepesch, Esq has worked on these matters on behalf of the Township; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from account number 2-01-20-155-502; and

**WHEREAS**, Stuart B. Klepesch, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that his firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of Stuart B. Klepesch from making any reportable contributions through the term of the contract.

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

1. The Township Mayor and Township Clerk be and are hereby authorized to execute a contract with Stuart B. Klepesch for professional services to assist the Township with legal matters pertaining to those tax foreclosures outlined in tax foreclosure list #31 in an amount not to exceed \$29,000 for the entire list.
2. This contract is awarded without competitive bidding as "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
3. This contract shall expire on completion of foreclosure list #31 or November 12, 2015 whichever comes first.
4. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: November 12, 2014

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~ Resolution 2014 – 360 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUES AND APPROPRIATION**

**WHEREAS** N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget and,

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**WHEREAS**, the Director may also approve the insertion of any item of appropriation for an equal amount,

**WHEREAS**, the Township of West Milford wishes to amend its 2014 Budget to include an amount as revenue,

**NOW THEREFORE, BE IT RESOLVED** that the Governing body of the Township of West Milford hereby requests the Director of the Division of Local Government Services to approve the insertion of an item in the budget of the year 2014 in the sum of \$20,000.00, which is now available as a revenue from:

Special Items of General Revenue Anticipated with Prior Written consent of the Director of Local Government Services:  
 Public and Private Revenues Off-Set with Appropriations:  
 County of Passaic Replace Wallisch Estate Roof; \$20,000.00  
 County Share

**BE IT FURTHER RESOLVED** that a like sum of 20,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations  
 (A) Operations – Excluded from CAPS  
 Public and Private Programs Offset by Revenue  
 County of Passaic Replace Wallisch Estate Roof: \$20,000.00  
 County Share

**BE IT FURTHER RESOLVED**, that the Township Finance Department will electronically file with the State of NJ in accordance with LFN 2014-11.

Adopted: November 12, 2014

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**~ Resolution 2014 - 361 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO TRANSFER ITEMS OF CURRENT FUND APPROPRIATIONS IN ACCORDANCE WITH THE PROVISION OF N.J.S.A. 40:4 - 58**

**WHEREAS**, there appears to be a surplus in the 2014 appropriation over and above the demand deemed to be necessary for the balance of the year:

APPROPRIATION	ACCOUNT NUMBER	TRANSFER PROPOSAL
Administration S&W	20-100-101	\$10,000.00
Building S&W	22-195-101	10,000.00
Mass Trans Grant Current	30-432-200	5,050.00
LOSAP	25-267-200	8,100.00
Recreation Admin. S&W	28-372-101	30,000.00
Court S&W	43-490-101	9,000.00
<b>TOTAL TRANSFERS OUT</b>		<b>\$72,150.00</b>

**WHEREAS**, there appears to be insufficient funds in the following appropriations to meet the demands thereon for the balance of the 2014 budget year:

Administration O.E.	20-100-450	1	\$10,000.00
Engineering S&W	20-165-101	2	4,000.00
Historic Preservation S&W	20-174-100	3	100.00
Building O.E.	22-195-450	4	10,000.00
Public Properties O.E.	26-291-450	5	5,000.00
PERS	36-471-532	6	5,900.00
DCRP	36-475-536	7	2,100.00
Matching Funds Grants	41-751-999	8	5,050.00
Recreation Programs S&W	28-370-101	9	24,000.00
Bubbling Springs S&W	28-371-101	10	6,000.00
<b>TOTAL TRANSFERS IN</b>			<b>\$72,150.00</b>

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

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**NOW, THEREFORE BE IT RESOLVED**, by the Council of the Township of West Milford in the County of Passaic, State of New Jersey, that in accordance with the provisions of N.J.S.A. 40A:4-58, part of the 2014 appropriation heretofore mentioned be and the same are hereby transferred to the appropriations mentioned as being insufficient to meet prior demands, and

**BE IT FURTHER RESOLVED**, that the Treasurer is hereby authorized to make the following transfers in the 2014 appropriation:

1.	\$72,150.00	2.	\$72,150.00	CURRENT FUND
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A certified copy of this Resolution shall be forwarded by the Township Clerk to the Township Treasurer.

Adopted: November 12, 2014

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~ Resolution 2014 - 362 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ADOPTING THE SCHEDULE FOR GOVERNING BODY WORKSHOP AND REGULAR MEETINGS FOR THE 2015 CALENDAR YEAR**

**BE IT RESOLVED**, that the Township Council of the Township of West Milford does hereby adopt the following schedule of Reorganization, Workshop and Regular Meetings of the Governing Body of the Township for the 2015 calendar year:

January 07, 2015	Reorganization Meeting	June 17, 2015	Regular Meeting
	Workshop Meeting	July 15, 2015	Workshop Meeting
January 21, 2015	Regular Meeting		Regular Meeting
February 4, 2015	Workshop Meeting	August 12, 2015	Workshop Meeting
February 18, 2015	Regular Meeting		Regular Meeting
March 04, 2015	Workshop Meeting	September 02, 2015	Workshop Meeting
March 18, 2015	Regular Meeting	September 16, 2015	Regular Meeting
April 01, 2015	Workshop Meeting	October 07, 2015	Workshop Meeting
April 22, 2015	Regular Meeting Volunteer Night	October 21, 2015	Regular Meeting
May 6, 2015	Workshop Meeting	November 11, 2015	Workshop Meeting
May 20, 2015	Regular Meeting		Regular Meeting
June 03, 2015	Workshop Meeting	December 02, 2015	Workshop Meeting
		December 16, 2015	Regular Meeting

**BE IT FURTHER RESOLVED** that the Reorganization Meeting of the Governing Body of the Township of West Milford as outlined herein shall be held in the main meeting room of Town Hall located at 1480 Union Valley Road, West Milford, New Jersey 07480 at 6:30 p.m. and the workshop meeting shall follow immediately thereafter.

**BE IT FURTHER RESOLVED** that all other Meetings of the Governing Body of the Township of West Milford as outlined herein shall be held in the main meeting room of Town Hall located at 1480 Union Valley Road, West Milford, New Jersey 07480 and all such meetings shall begin at 6:30 p.m.

**BE IT FURTHER RESOLVED** that official action may be taken at all meetings outlined herein.

**BE IT FURTHER RESOLVED** that this resolution shall constitute the Annual Notice for the Township of West Milford and the Township Clerk be and is hereby instructed to advertise such notice as required by law and this notice shall be continually posted on the official bulletin board of the Township and shall be retained on file in the Office of the Township Clerk.

Adopted: November 12, 2014

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~ Resolution 2014 - 363 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PERSON TO PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-009-006 FROM 574A MACOPIN ASSOCIATES LLC TO M&M DISCOUNT LIQUORS, LLC FOR PREMISES AT THE SAME LOCATION**

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

Minutes of: Governing Body Workshop/Regular Meeting  
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**WHEREAS**, an application for the person to person transfer of Plenary Retail Consumption License 1615-33-009-006 - M&M Discount Liquors LLC for premises at the same location has been received and 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 additional financing obtained in the previous license year (July 1, 2013 - June 30, 2014).

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

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

LICENSE/LICENSEE/T/A	Condition
<b>M&amp;M DISCOUNT LIQUORS LLC</b> <u>t/a M&amp;M Discount Liquors</u> 574A Macopin Road West Milford, NJ 07480	New retail food license application is required when transfer of ownership is complete

Adopted: November 12, 2014

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**~Resolution 2014- 374~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF TWO (2) SALT SPREADERS FROM CLIFFSIDE BODY CORPORATION**

**WHEREAS**, the Township of West Milford, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c), may, by this resolution and a properly executed purchase order and without advertising for bids, purchase any goods or services from certain approved contract vendors, under the State of New Jersey Cooperative Purchasing Program, for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, Cliffside Body Corporation was the successful bidder for a State contract for repair parts; and

**WHEREAS**, the Township of West Milford has purchased repair parts under said State contract from Cliffside Body Corporation; and

**WHEREAS**, the Department of Public Works has a need to purchase two (2) salt spreaders which equipment is not available for purchase under State contract; and

**WHEREAS**, the Director of the Department of Public Works has obtained three quotes for the salt spreaders and Cliffside Body Corporation submitted the lowest proposal at a cost of \$7,923.00 for each spreader for a total cost of \$15,846.00; and

**WHEREAS**, this purchase will bring the total amount spent in the aggregate in 2014 on supplies from Cliffside Body Corporation over the threshold amount; and

**WHEREAS**, because these salt spreaders are not part of the State Contract and the Township will exceed the threshold amount for this vendor, a resolution of the Governing Body is necessary to authorize this purchase; and

**WHEREAS**, the Township's Qualified Purchasing Agent has reviewed the quotations and confirmed that the purchase is in compliance with the New Jersey Local Public Contracts Law; and

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

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**WHEREAS**, that the Chief Finance Officer has certified as to the availability of funds for said purchase, said funds to be encumbered from Capital account 04-215-55-822-003.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor & Township Council of the Township of West Milford that the appropriate Township officials be and are hereby authorized to execute a purchase order for the purchase of two salt spreaders with Cliffside Body Corporation in accordance with the quote they submitted and in an amount not to exceed \$15,846.00.

Adopted: November 12, 2014

Agenda No. XI

~ Resolution 2014 – 364 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PASSAGE OF A CONSENT AGENDA**

**WHEREAS**, the Mayor and Township Council of the Township of West Milford has reviewed the Consent Agenda consisting of various proposed Resolutions and Applications.

**NOW, THEREFORE, BE IT RESOLVED**, that the following Resolutions and Applications on the Consent Agenda are hereby approved:

**Resolutions:**

- a. **2014-365** – Cancel Taxes
- b. **2014-366** – Release Cash Bond
- c. **2014-367** – Refund Overpayments
- d. **2014-368** – Refund Other Liens
- e. **2014-369** – Refund Recreation Fees
- f. **2014-370** – Reinstate Taxes
- g. **2014-371** – Various Licenses

**Applications:**

- a. Application for Instant Pull Tab Raffle License #2014-47 by BPOE #2236 West Milford Lodge for January 1 to December 31, 2015.
- b. Application for Social Affair Permit by West Milford PBA #162 Civic Association for January 31, 2015.

Adopted: November 12, 2014

Agenda No. XI a

~ Resolution 2014 – 365 ~

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

- REASON:**
- 1. 100% Disabled Veteran
  - 2. Tax Exempt

BLOCK/LOT	NAME	AMOUNT	YEAR	REASON
1910-4	Ronald Oblinger	\$ 194.00	2014 2 <sup>nd</sup> Qtr.	1
1910-4		\$3,698.16	2014 2 <sup>ND</sup> Half	1
1910-4		\$3,596.00	2015 1 <sup>st</sup> Half	1
5316-2.03	NJ Housing Mortgage F Agency	\$1,698.00	2015 1 <sup>st</sup> Half	2
<b>TOTAL</b>		<b>\$9,186.16</b>		

Adopted: November 12, 2014

Agenda No. XI b

~ Resolution No. 2014 - 366 ~

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING RELEASE OF A CASH BOND POSTED BY DANNY LEE AS A PERFORMANCE BOND FOR SITE WORK AT BLOCK 15101 LOT 13**

**WHEREAS**, on April 13, 2011 Danny Lee posted a performance bond in the form of a cash bond for a certificate of occupancy at 89 Van Orden Road, Newfoundland Block 15101 Lot 13 in the amount of \$400.00; and

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

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**WHEREAS**, the Township Clerk’s Office has received a request from Danny Lee through the Township Engineering Department for the release of said cash bond; and

**WHEREAS**, the Township Engineer has provided a recommendation for the release of said cash bond.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Council of the Township of West Milford hereby authorizes the release of the performance bond in the form of a cash bond in the amount of \$400.00 posted by Danny Lee for site work so that a certificate of occupancy could be issued prior to the work being done;

**BE IT FURTHER RESOLVED**, that the appropriate Township officials be and they are hereby authorized to execute such documents and take such steps necessary to effectuate the terms of this resolution and forward a check to Danny Lee, 89 Van Orden Road, Newfoundland, NJ 07438 in the total amount of \$400.00.

Adopted: November 12, 2014

Agenda No. XI c

~ Resolution 2014 – 367 ~

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

REASONS:

- |                                     |                          |
|-------------------------------------|--------------------------|
| 1. Incorrect Payment                | 2. Duplicate Payment     |
| 3. Senior Citizen/Veteran Deduction | 4. Homestead Rebate      |
| 5. Tax Appeal                       | 6. 100% Disabled Veteran |
| 7. Tax Sale                         |                          |

Block/Lot	Name	Amount	Year	Reason
1204-2	Wells Fargo R.E. Tax Service, Refund Dept. 1 Home Campus, MAC X2502-011 Des Moines, IA 50328-0001	\$10,436.68	2014	1
1910-4	Ronald & Lynn Oblinger 56 Bayonne Drive , Hewitt, NJ 07480	\$2,043.16	2014	6
3602-1	West Milford MUA 179 Cahill Cross Road Suite 202 West Milford, NJ 07480	\$471.62	2013	
3602-9		\$578.71	2013	7
4107-4		\$2,085.28	2013	7
4108-5		\$2,147.07	2013	7
4201-26		\$455.98	2013	7
6202-1		\$844.47	2013	7
7801-3.05		\$229.66	2013	7
7801-5.03		\$541.34	2013	7
7801-12.05		\$1,529.21	2013	7
7801-18.02		\$2,089.18	2013	7
7801-20.06		\$2,178.91	2013	7
7801-30.07		\$2,063.94	2013	7
7801-32.07		\$1,527.97	2013	7
7801-38.07		\$1,754.82	2013	7
7801-42.05		\$2,088.94	2013	7
8401-3.01		\$501.13	2013	7
9103-1		\$919.22	2013	7
9705-5		\$2,093.51	2013	7
9707-9		\$2,096.16	2013	7
9711-5		\$2,110.59	2013	7
<b>TOTAL</b>		<b>\$40,787.55</b>		

Adopted: November 12, 2014

Agenda No. XI d

~ Resolution 2014 – 368 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE REFUND OF OTHER LIENS**

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

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**WHEREAS**, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective lien.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of West Milford that the proper officers be and are hereby authorized and directed to pay the indicated amount to the holder of the lien certificate as hereinafter shown below:

Certificate No.	Certificate Date	Block/Lot /Qual	Reimbursement Amount	Pay to the Lien Holder
13-0095	03/19/2013	12311-017	\$15,680.99	US BANK CUST FOR PRO CAP II LLC U.S. BANK TLSG 50 S. 16 <sup>th</sup> ST. STE 1950 PHILADELPHIA, PA 19102
14-0005	10/14/2014	00905-016	\$22,853.29	LIEN TIMES LLC 203 STEPHENS ROAD WEST MILFORD, NJ 07480
14-0018	10/14/2014	01903-008	\$1,755.14	PC5 LLC USB CUST FOR PC5 STER. NAT. 50 SOUTH 16 <sup>TH</sup> STREET SUSITE 2050 PHILADELPHIA, PA 19102
14-0026	10/14/2014	03406-023	\$12,589.87	US BANK CUST FOR ACTLIEN HOLD INC 2 LIBERTY PLACE 50 SOUTH 16ST. STE 2050 PHILADELPHIA, PA 19102
14-0033	10/14/2014	04107-004	\$4,746.03	US BANK CUST FOR BV001 TRUST 50 SOUTH 16 <sup>TH</sup> ST SUITE 2050 PHILADELPHIA, PA 19102
14-0038	10/14/2014	05311-001.04	\$12,435.24	FWDSL & ASSOCIATES LP 50 COLD HILL ROAD SOUTH SUITE 11 MENDHAM, NJ 07945
<b>Grand Total</b>			<b>\$70,060.56</b>	

Adopted: November 12, 2014

Agenda No. XI e

**~ Resolution 2014 – 369 ~**

**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 Department of Community Services and Recreation be refunded:

Senior Zumba Gold		
Connie Freet	\$30.00	Connie Freet 44 Bradrick Lane West Milford, NJ 07480

Adopted: November 12, 2014

Agenda No. XI f

**~ Resolution 2014 – 370 ~**

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

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3701-4	Thomasina Gesumaria	\$1,923.83	2014
3702-1		\$ 88.14	2014
<b>TOTAL</b>		<b>\$2,011.97</b>	

Adopted: November 12, 2014

Agenda No. XI g

**~ Resolution 2014 - 371 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEARS 2014-2015**

**WHEREAS**, applications have been made for the new licenses and the renewal of various Licenses for the 2014 and 2015 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 2014-2015 Licenses as listed below and;

<b>Lic No.</b>	<b>2015 TAXI OWNER LICENSES</b>
2015 – 01	AAA LIMO & TRANSPORTATION LLC Ralph Gorthey
<b>Lic No.</b>	<b>2015 TAXI DRIVER LICENSES</b>
2015 – 01	AAA LIMO & TRANSPORTATION LLC Ralph Gorthey
<b>Lic No.</b>	<b>2015 PEDDLER LICENSES</b>
2015 – 01	SCHWAN'S HOME SERVICE, INC. Mike Gresik
<b>Lic No.</b>	<b>2014-2015 JUNK YARD LICENSES</b>
2015-04	NORTHEAST USED AUTO PARTS INC. Mustafa A. AIKhatib  Conditions: Health Department violations below must be abated by 11/14/14: 1) Ground on left side of building is littered with loose automobile parts and debris. 2) Rimless tires being stored unprotected and some are holding water. 3) Wires and tires falling through bottom of fence along driveway side.

Adopted: November 12, 2014

Agenda No. XII

**Approval of Expenditures**

**~ Resolution No. 2014 – 372 ~**

**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	\$456,291.53
3	Reserve Account	1,284.01
2	Grants	13,036.85
6	Refunds	111,278.11
1	General Ledger	5,251,500.83

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

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26	Refuse	157,668.62
4	Capital	820,901.75
19	Animal Control	5,769.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	11,607.26
19	COAH	0.00
16	Development Escrow	300.00
20	Library Trust	0.00
21	Assessment Trust	0.00
Total		\$6,829,637.96
Less Refund Resolution		-111,278.11
Actual Bill List		\$6,718,359.85
Other Payments.		
Payroll		609,293.80
DCRP		527.07
BOE		4,461,686.00
Ck. # 5521 A. Del Vecchio, Esq. Tax Ref.		11,253.31
Ck. # 5522 A. Del Vecchio, Esq. Tax Ref.		1,115.53
Ck. # 5523 A. Del Vecchio, Esq. Tax Ref.		524.55
<b>Total Expenditures</b>		<b>\$11,802,760.11</b>

Adopted: November 12, 2014

Discussion: Councilman Hensley asked if payment had been made for training for members of SAR. Administrator Gabbert said there were two issues associated with these purchase orders. He said both are on the bill list.

Moved: Erik Seconded: Signorino  
 Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton.  
 Voted Nay: None.  
 Motion carried.

Agenda No. XIII

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

Councilman Signorino said the Heritage Committee could not paint the museum building because of weather but will do so in the Spring. The museum is now open on Saturdays from 1 pm to 4 pm. Santa Claus will be visiting the museum on Saturday 12/13. He said the library subcommittee had planned to meet earlier this week but the meeting was postponed but he will have an update next month. He asked Administrator Gabbert about fixing outlets at Veteran’s park for the Christmas lights. Administrator Gabbert said 13 of 14 outlets are not operative. The parts have been ordered and staff will make minimal repairs to get them working for this year. However it requires \$4,500 of work to effectuate a permanent repair. Councilman Signorino said the ATV meeting was very good and informative. He has followed up with DEP officials but has not had a response. They have not determined the outcome of their review of Jungle Habitat although they did conduct the review and he was told the outcome seemed good. Their only comment was that they had no issues. He asked for consensus to have Mr. Semrau send a letter to determine where the DEP is with this issue. He said the Township must know if the DEP is on board. Councilwoman Dale said that being on the ATV committee she has learned members have a lot of knowledge. She has a fear that certain committee members will be competing at one point if a location is found to operate the facility. If we are going to generate an RFP it may not be good to have members from two competing vendors submitting competing proposals. At some point we may need to look at making alternate appointments. She does not want to create any concept of impropriety. Councilman Signorino said he spoke to Councilwoman Dale about that and then to the parties. They understand the position. He feels it may be okay until the end of year but those appointments should be reconsidered next year. Mayor Bieri said that when she and Mr. Semrau met with the DEP regarding Jungle Habitat they were very supportive of the concept. She has followed up. They are supportive but want to do an overview of the entire property to determine how it would fit in. Councilman Signorino said that according to the people he has contacted, the study is done but they have not disclosed the results. We have not heard anything. He has asked for details of that review. They should be able to tell us if there are major issues. Mr. Semrau said there have been multiple discussions. He said we may need an executive session discussion at next meeting regarding the Jungle Habitat lease to

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: November 12, 2014  
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strategize. That would allow for a uniformed approach. We may need to evaluate a number of things. This is a large tract of land and there are multiple conversations amongst various individuals. We should put everything together. Councilman Signorino said he agrees this should be an inclusive effort. Mr. Semrau said he will reach out to his contact who had a meeting here in January and let him know that this discussion is taking place. He will let him know there will be direction given publicly after the executive session discussion. Councilman Signorino wants a response from them before the next meeting. Councilwoman Dale said she still has concerns about competing entities on the committee and she asked Mr. Semrau for his guidance as to whether or not this is a conflict. Mr. Semrau said it would be a concern for the Township and these vendors if they submit proposals. Someone could challenge a successful bid. It is the perception of advantage. The committee is in its infant stages. If the discussions evolve beyond education, it would be wise to make changes. For next year, anyone applying for appointment should not be planning on bidding.

Councilman Signorino said there will be a Menorah lighting with a prayer service at town hall. He asked if we are doing a prayer service for the Christmas tree lighting. Mayor Bieri said the tree lighting is a town-sponsored event. The Menorah lighting is being done by a private organization thus there will not be a prayer service. Councilman Signorino said he and Councilwoman Dale are on the BOE committee. The last thing they were working on was the Hillcrest lease. He asked Council to consider having a joint meeting with BOE to put this to rest. Councilwoman Dale said that everything has been taken care of and sent. Mr. Semrau agreed adding that he had all the amendments made and sent it to the BOE attorney today. It appears to be working.

Councilwoman Horton gave a shout out to Veterans and their families. She said she provided the administration with 478 signatures on the petition this week and she has more. Please contact Marlene if you want to sponsor a senior event & activities. There will be a coat drive at Presbyterian church. They secured clothing from Carters. She listed some other donations. St. Joseph's Church will be having a food drive at A&P. Happy Thanksgiving.

Councilwoman Erik said that she got calls from residents about trees hanging on Macopin into the roadway. She got calls about bumps on Marshall Hill Road and she asked Administrator Gabbert to notify the MUA. At the end of Marshall Hill below Airport Road there are more & more dips. The TV committee needs more volunteers for people who want to film meetings & events and for the not yet formed TV commission.

Council President Erk said Cablevision made the drop last Friday. There were a few minor technical difficulties but the channel will be up and running tomorrow morning. They still need volunteers with filming and technological background. Will supply training.

Councilwoman Dale said that fire company #2 continues to do well. She asked Administrator Gabbert where we're at with company #4 truck order. Mr. Gabbert said the purchase was set up in a manner, which complies with the state bid. The vendor required two purchase orders. One to buy the truck under the state contract and an additional \$80,000 plus of additional items. They have been trying to find a way to make this acceptable to the state bid process but cannot determine how to handle this without going out to bid. He said they have been trying to work this out. Councilwoman Dale said the fire department is concerned that we have never had this issue before. Mr. Gabbert said they would not have had the truck by now under any circumstances. It takes 11 – 14 months to accomplish such an acquisition without these issues. The department chose to purchase under state contract because they wanted that vendor and that vehicle. However, the vehicle they ultimately selected was not the vehicle bid under that state contract. It had over 40 substitutions or changes. There were add-ons and red flags. Mr. Semrau said that the comptroller's office issued a report 3 years ago objecting to much of the bidding processes for these vehicles. Now he sees these vendors going through state contract. This is the third time he has heard of this issue in the last month. Vendors are trying to circumvent bidding practices by doing this. We have to abide by the local public contract law. They are telling fire departments to buy through state contract and then adding over \$80,000 in additional expenditures, which is not allowed. He recommends going out to bid because the administration has exhausted all possibilities. Mayor Bieri said it has to be either the state contract truck as it was bid or go out to bid. Mr. Semrau will put together a memo to explain this to the fire departments. He said the Township cannot do what they are asking.

Councilwoman Horton said the *Friends of Wallisch* are having a fundraiser at the Elks this coming Saturday.

Administrator Gabbert asked for Council consensus to approve a reduced fee for AA to use the building during the holiday season. Councilwoman Erik asked for consensus to waive the fee for them during the holidays. The Council gave consensus to waive the fee for AA for the dates they will use the building during the holiday season.

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

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Fred Semrau, Esq. said he will be reaching out to Princeton Affairs in an effort to have the watershed legislation introduced in the Assembly before the end of the year. He said the funding guidelines for the fire departments are almost complete and he hopes to discuss this with Council in executive session at the next meeting. He commended the Fire Chief's for all their work and cooperation.

Agenda No. XIV

**Appointments and Resignations**

~ Resolution 2014 – 373 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ACCEPTING RESIGNATIONS TENDERED**

**BE IT RESOLVED**, by the Township Council of the Township of West Milford that they do hereby accept the following resignations tendered to the Township:

<u>Name</u>	<u>Position</u>	<u>Date Tendered</u>
Herbert Druckman	Municipal Utilities Authority Alternate #2 Commissioner Term expires 1/31/19	September 30, 2014
David Fritz	Cable TV Committee Citizen Member Term expires 12/31/14	October 16, 2014

Adopted: November 12, 2014

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Moved: Erik                      Seconded: Horton  
Voted Aye: All in favor  
Voted Nay: None.  
Motion carried.

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Councilman Signorino nominated Mike Dygos to the Cable TV Committee, seconded by Councilman Hensley. Councilwoman Erk nominated Robert Nicholson to the Cable TV Committee, seconded by Councilwoman Horton. Councilwoman Horton asked that appointment to the MUA Board be delayed to the next meeting. Discussion ensued; Councilman Signorino withdrew his nomination.

Councilwoman Erik made a motion to close & confirm.

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Moved: Erik                      Seconded: Horton  
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton  
Voted Nay: None.  
Motion carried.

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Agenda No. XV

**Adjournment**

There being no further business to come before the Council, the Township Council adjourned the meeting at 9:38 p.m.

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Moved: Erik                      Seconded: Signorino  
Voted Aye: All in favor  
Voted Nay: None.  
Motion carried.

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Approved: December 3, 2014

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MAYOR BETTINA BIERI, PRESIDING OFFICER

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ANTOINETTE BATTAGLIA, TOWNSHIP CLERK