
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Workshop Meeting
Date of Meeting: November 14, 2012
Time of Meeting: 6:30 P.M.
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The Workshop Meeting of the West Milford Township Council 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 meeting was advertised in the Herald News in its issues of November 11, 2012; 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, Joseph Smolinski, Michael Ramaglia, Edward Rosone, Luciano Signorino, Carlla Horton, Mayor Bettina Bieri.
Absent: None
Also Present: Township Administrator Nancy Gage, Township Clerk Antoinette Battaglia, Township Attorney Frederick Semrau.

Mayor Bieri announced that Vivienne Erk, Council-elect is in attendance and will be sworn into office in January.

Agenda No. II

Reading of or Approval of Unapproved Minutes

Councilman Ramaglia moved to adopt the August 15, 2012 Regular Meeting Minutes as presented:

Moved: Ramaglia Seconded: Rosone
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

Agenda No. III

Executive Session

None

Meetings

Mayor Bieri noted the future meeting schedule:

October 24, 2012 Regular Meeting November 7, 2012 Workshop Meeting
November 28, 2012 Regular Meeting

Agenda No. IV

Action Items

Mayor Bieri asked to move all Resolutions 2012-364 through 2012-369 as one.

Moved: Horton Seconded: Erik
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

Agenda No. XI 1

~ Resolution No. 2012- 364 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF A DONATION FROM SENATOR JOSEPH PENNACHIO IN THE AMOUNT OF \$1,000 TO BE USED FOR FOOD & SUPPLIES FOR THE EMERGENCY SHELTER AS IT RESPONDS TO HURRICANE SANDY

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WHEREAS, Hurricane Sandy was a major catastrophic force of nature that made landfall in New Jersey on Monday October 29, 2012 with significant and lasting consequences for the Township of West Milford; and

WHEREAS, among the innumerable measures that were taken to address the storm-related issues and to meet the needs of the citizens of the municipality the Hillcrest Community Center was activated to serve as an emergency shelter; and

WHEREAS, Senator Joseph Pennachio, recognizing the severity of the situation, did make a pledge to Mayor Bettina Bieri that he would donate \$1,000 to be used for the purchase of food & supplies for the emergency shelter during this time of need.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic and State of New that they do hereby accept the \$1,000 donation from Senator Joseph Pennachio to be used for the purchase of food & supplies for the emergency shelter to address the needs of those seeking to use the shelter as a result of Hurricane Sandy; and

BE IT FURTHER RESOLVED that by copy of this resolution the West Milford Governing Body, on behalf of all the residents in the Township, does hereby express sincere gratitude to Senator Joseph Pennachio for this generous and fitting donation.

Adopted: November 14, 2012

Discussion: Councilman Smolinski commended Senator Pennachio for this generous donation. Mayor Bieri echoed those sentiments noting that he contacted her to ask that his donation be used to purchase “fun” food for those who sought to use the shelters during Super-Storm Sandy.

Agenda No. XI 2

~ Resolution No. 2012- 365 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE THROUGH THE MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL CONTRACT #15-A; ITEM #2, OF FOUR (4) 2013 POLICE INTERCEPTOR UTILITY MODEL K8A VEHICLES FROM BEYER-WARNOCK FLEET

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Purchasing Council (State ID # 6-MCCOOP); and

WHEREAS, the Township Council approved the purchase of four (4) 2013 Police Interceptor Utility Model K8A vehicles by virtue of the 2012 budget process; and

WHEREAS, the Township Chief of Police has provided a recommendation to award this contract through the Morris County Co-op #15A; Item #2 to Beyer-Warnock Fleet; and

WHEREAS, the total amount of the contract shall not exceed \$103,252.00; and

WHEREAS, Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account numbers 2-01-25-240-900 and C-04-12-956-240.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic and State of New that they do hereby authorize the Township’s Chief of Police to purchase four (4) 2013 Police Interceptor Utility Model K8A vehicles, in an amount not to exceed \$103,252.00, through Morris County Co-op #15A; Item #2 from Beyer-Warnock Fleet, 31 Williams Parkway, East Hanover, NJ 07936.

Adopted: November 14, 2012

Agenda No. XI 3

~ Resolution No. 2012- 366 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EQUIPMENT AND CHANGEOVERS FOR FOUR (4) 2013 POLICE INTERCEPTOR UTILITY MODEL K8A VEHICLES BY ATLANTIC COMMUNICATIONS

WHEREAS, the Township wishes to equip and changeover equipment in four (4) 2013 Police Interceptor Utility Model K8A vehicles; and

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WHEREAS, the Township Chief of Police has provided a recommendation to award this contract through the State Contract #A53764 to Atlantic Communications; and

WHEREAS, the total amount of the contract shall not exceed \$38,099.68; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from account numbers 2-01-25-240-900; C-04-12-956-240 and 2-01-25-240-202.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey that they do hereby authorize the Chief of Police engage the services of Atlantic Communications, 664 Route 15 South, Lake Hopatcong, NJ to equip and changeover equipment in four (4) 2013 Police Interceptor Utility Model K8A vehicles, in an amount not to exceed \$38,099.68, through State Contract #A53764 and to execute a purchase order for same.

Adopted: November 14, 2012

Agenda No. XI 4

~ Resolution No. 2012- 367 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, REVISING THE EMPLOYMENT POLICY HANDBOOK TO INCLUDE A HEALTH BENEFITS OPT-OUT PROVISION IN THE AMOUNT UP TO \$4,000 AMENDED

WHEREAS, N.J.S.A. 40A:10-17.1 permits municipalities to allow employees who are eligible for other health care coverage to waive coverage under the municipality's plan; and

WHEREAS, the Township wishes to allow its employees to participate in a health benefits waiver program.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Township of West Milford, County of Passaic and State of New Jersey formally approves the inclusion of a health benefits opt-out provision in the Employment Policy Handbook for Township employees to receive the sum amount up to \$4,000 or 25% of the Township savings on the waiver whichever is less in exchange for opting out of the Township's health care coverage.

This Resolution shall take effect immediately.

Adopted: November 14, 2012

Agenda No. XI 5

~ Resolution No. 2012- 368 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE MUNICIPAL TAX COLLECTOR TO EXTEND THE GRACE PERIOD FOR THE PAYMENT OF 4TH QUARTER TAXES FOR 2012

WHEREAS, the mailing of West Milford Township's Final Property Tax Bill for 2012 4th quarter taxes was August 17, 2012; and

WHEREAS, 2012 4th quarter taxes were due November 1, 2012; and

WHEREAS, West Milford Township and its residents have experienced substantial damage to their property, loss of power, and suffered other damages as a result of Super storm Sandy, which occurred on October 29, 2012 through October 31, 2012; and

WHEREAS, the Mayor and Town Council desire to provide an extension of the grace period for the 2012 4th quarter tax payment as a result of Super storm Sandy.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Town Council of the Township of West Milford, in the County of Passaic, and State of New Jersey, to extend the grace period for payment of property taxes for the 4th quarter of 2012 to November 16, 2012.

BE IT FURTHER RESOLVED that the Mayor and Town Council authorize the Tax Collector and other proper officers to extend the due date to November 16, 2012 and adjust all records accordingly.

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BE IT FURTHER RESOLVED, that 2012 4th quarter tax payments received after the extended grace period will be subject to the current rate of interest due as of November 1, 2012, in accordance with N.J.S.A. 54:4-67.

Adopted: November 14, 2012

Agenda No. XI 6

~ Resolution No. 2012- 369 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING THE BOARD OF PUBLIC UTILITIES ENFORCE CURRENT STANDARDS AND IMPLEMENT IMPROVEMENTS OF ELECTRICAL SERVICE PROVIDED TO THE TOWNSHIP OF WEST MILFORD AMENDED

WHEREAS, the residents of West Milford Township have suffered substantial loss of electricity as a result of hurricane super storm Sandy on October 29, 2012 through October 31, 2012, which caused damage to residents' properties and the loss of electricity which threatened their health, safety and general well-being; and

WHEREAS, the response from Orange & Rockland (O&R) and Jersey Central Power & Light (JCP&L) to the concerns and power outages to the Township and its residents has been unsatisfactory; and

WHEREAS, residents of the Township have lost electricity for an inordinate period of time and in some cases, residents are still without power; and

WHEREAS, the Mayor and Town Council have concluded that the delays and inaction of Orange & Rockland and JCP&L was a danger to the health, safety and general welfare of the residents of the Township; and

WHEREAS, the Board of Public Utilities is the regulatory authority with a statutory mandate to ensure safe, adequate and proper utility services at reasonable rates for customers in the Township of West Milford and the State of New Jersey; and

WHEREAS, the Board of Public Utilities regulates critical services such as natural gas and electricity; and

WHEREAS, the Board of Public Utilities is mandated to insure the provision of safe, adequate and proper utilities and regulated services at reasonable rates; and

WHEREAS, the Board of Public Utilities Division of Reliability and Security is responsible for implementing ongoing strategies for utility disaster preparedness, reliability and infrastructure security in conjunction with the State's Domestic Preparedness and Security Efforts by the comprehensive coordination of utility remediation and recovery actions; and

WHEREAS, the Mayor and Town Council have concluded that the services provided by Orange & Rockland and JCP&L failed to meet any reasonable standards for safe, adequate and proper service in that Orange & Rockland and JCP&L's failed response to hurricane super storm Sandy is of great concern to the Mayor and Town Council.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Town Council of the Township of West Milford, in the County of Passaic, and State of New Jersey that it specifically requests that the Board of Public Utilities require that Orange & Rockland and Jersey Central Power & Light provide the residents of the Township of West Milford with proper infrastructure repairs, upgrades and enhancement to insure safe, adequate and proper service to the Township.

BE IT FURTHER RESOLVED that the Mayor and Town Council hereby specifically request the Board of Public Utilities require Orange & Rockland and JCP&L to immediately work with the Township to develop a responsible strategy for utility disaster preparedness for the delivery of electricity to the residents of the Township of West Milford.

BE IT FURTHER RESOLVED, that the specific minimum standard shall include but not be limited to: (a) an immediate review of the assessment of electrical infrastructure in the Township; (b) the designation of local and regional representatives who will be fully familiar with such review and assessment and shall periodically meet with State, County and Municipal offices of Emergency Management to establish and maintain Emergency Management procedures for the Township; and (c) at the cost and expense of Orange & Rockland and JCP&L, designate, train or otherwise qualify local

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municipal employees with the authority to assess any electricity service issues so that the local Department of Public Works can safely clear trees and debris surrounding fallen power lines to insure the safety of Township residents and the general public.

BE IT FURTHER RESOLVED, that the BPU setup a Commission of Inquiry for the equivalent to investigate the process of recovery and restoration of services after Hurricane super storm Sandy that would include but not be limited to subpoena of records or witnesses.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to the following: Governor Chris Christie; Orange & Rockland; Jersey Central Power & Light; Board of Public Utilities; West Milford Township Office of Emergency Management.

Adopted: November 14, 2012
 Agenda No. V

Approval of Expenditures

**~ Resolution No. 2012- 370 ~
 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	\$430,360.90
2	Reserve Account	0.00
3	Animal Control Trust	2,542.37
6	Capital	233,650.76
7	Grants	14,954.50
8	Refuse	4,890.40
9	Refunds.	15.35
12	General Ledger	4,698,468.12
16	Heritage Trust	0.00
14	Open Space Trust	2,875.00
17	Trust	732.91
18	Development Escrow	0.00
19	COAH	0.00
20	Special Reserve	0.00
11	Assessment Trust	0.00
Total		\$5,388,490.31
	\$Less Refund Resolution	-15.35
	Actual Bill List	\$5,388,474.96
	Other Payments	0.00
	Total Expenditures	\$5,388,474.96

Adopted: November 14, 2012

Moved: Erik
 Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
 Voted Nay: None.
 Motion carried.

Agenda No. VI

Discussion Items

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| 1) | Update on Hurricane Sandy – Mayor Bieri said that she is part of OEM team as Mayor. She witnessed & participated first hand in their operations during this horrific storm. Radio calls |
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make these events very real. There were heavy winds, trees & transformers going down, while fires were breaking out everywhere. The team from OEM was dispatching to each call. It was amazing to witness the simultaneous emergencies and to recognize that the responders were at risk. She commended everyone who responded giving each credit for all they did. Early in the first day the OEM ran out of barricades & cones, and every volunteer & staff person had been deployed. The coordination of efforts was amazing. There was no loss of life as a result of the storm and property damage was minimal given the number of trees in this town. Many road closings were long lasting until power lines were de-energized. She maintained direct contact with residents and, in her opinion, most were frustrated with the utility companies; their communications and their response in West Milford. The lack of information was very frustrating for residents and the OEM team alike. Hillcrest was an emergency shelter with back-up shelters ready to open. At one point the shortage of gas was an issue. Garbage collection was cancelled because of lack of access so other accommodations were made to address the needs of residents. Schools were closed for a week and opened on a modified schedule. Election day went well. Throughout the storm and in the aftermath, communications were very difficult. Proper paperwork was filed for FEMA and it took a while for Passaic County to be declared an emergency. The OEM & police department offices are critical in these emergency events. She has learned first hand that they are invaluable. The police had 6-8 dispatchers who were busy all the time. She was at OEM every day and there were up to 1,800 calls per day equating to over 17,000 calls in twelve days. She outlined what OEM did to respond to the various crises during the storm. She herself volunteered for over 145 hours as did all the volunteers who worked there. Coverage continued until Thursday or Friday. The complaints she received, other than the obvious frustrations, were about the utility companies. JCP&L customers in West Milford are subject to slower response times. She has asked the Township Attorney to look at our franchise agreements, what would be involved to change contractors, can we file suit, do residents need to file a petition, are residents entitled to financial remuneration, have they misrepresented the terms of their contract, can we inquire about the maintenance of their lines and the trees around them. She has asked for an accounting of their capital or technological improvements they have made. She has asked the Governor's office if he will issue an executive order to permit municipalities to withdraw from existing franchise agreements if they are dissatisfied. Many positives came out of this event despite the innumerable hardships. She said that she is awed at the resiliency of West Milford residents and the help they gave each other. In West Milford, being without power means being without water and she made that clear to the Governor & utility offices. Despite all the destruction West Milford did okay. Our residents, churches and organizations came together to help each other. Families were helping neighbors, boy scouts were calling to help and did a blanket drive, neighborhoods conducted drives, churches offered hot food and power sources daily, people offered rides to stores or polls, residents opened their homes to each other, and neighbors checked on neighbors. It was heartfelt to see this outreach despite the personal agonies and hardships. She thanked OEM, fire, police first aid, library, and all the other volunteers who helped each other. She deferred to Administrator Gage.

Administrator Gage said that the Township staff handled this unprecedented event very well. She convened a meeting with all department heads before the storm to be as prepared as possible. Everything was being put aside to be available for this event. That started with handing the reigns over to OEM who explained to department heads how the chain of command would work for this event. They took their lead from the County OEM who instructed them.

Ms. Gage said the Police Department was in thick of it all. The Chief of Police is an OEM deputy, he was here night & day in OEM and directing operations in the police department. There was little time to prepare. The police department prepared sign boards for emergency notices, had supervisors on call, supplies readied, and the Chief met personally with all squads. At the beginning of the storm they responded to 24 different calls for trees that fell on houses & cars. Patrol cars and staff ultimately had to be pulled off the road in the height of the storm because of the danger. The decision was made that officers would only respond to emergency calls but they resumed full response after two hours. For those two hours it was just too dangerous. They recently put up a facebook page which was continuously updated throughout. Special officers manned the emergency shelter 24/7. There were a lot of compliments about their assistance. The call volume in the police department was so high there were up to 7 people answering calls at one point. Police continuously checked roads and kept in touch with OEM. Road closures had to be coordinated with OEM & DPW. Police had to simultaneously answer non-storm calls. They also had to ensure that generators continued to operate. Police coordinated with FEMA to inspect damaged homes. A new crises arose when gas lines erupted. Police had, at times, to provide escorts to fuel trucks because of the gas shortage. Then another storm blew in the following week. That caused problems because of existing Hurricane Sandy conditions. O&R had a representative working out of the police department to try to coordinate dispatching service.

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DPW was out prior to the storm to prepare to minimize damage. In the weekend prior they tried to clean out storm basins to minimize flooding. Road patching projects had to be secured. They prepared equipment for the storm event. They fueled and prepared generators for all municipal facilities. We had to install the new generator at the Hillcrest community center. They installed sandbags at known flooding sites. On the day of the storm DPW reported to work at the usual time. When the storm began crews were immediately dispatched to respond to downed trees and power lines. They were also called in for two hours when conditions simply became too dangerous. They also cleaned some county & state roads to provide access for emergency vehicles. Over 1,000 trees fell in the first night. When power companies decommissioned wires DPW worked with them to remove trees. JCP&L had lesser contact with DPW than O&R. DPW is not finished with all the work to clean up the debris from the storm. There is weeks of work to be done and they continue to work furiously to accomplish this before the snow comes. They reported for the Nor'easter snow storm this week and were out all night. Garbage collection had to be suspended during the storm and the recycling department obtained some dumpsters to allow residents to dispose of garbage at the recycling center. The call volume was very high. Hundreds upon hundreds of calls came in. Garbage collection resumed in the second week and dispatched four additional trucks. The compost center opened on the second day and are still taking in brush and debris.

The building department was affected because many houses were damaged and needed permits for reconnection to have the power companies restore their power. They will continue to work on those issues. She urged residents to have patience. The health department is experiencing similar issues with septic, wells, and food inspections. CS&R worked the shelter at Hillcrest. OEM initially opened the shelter but when Township staff resumed their schedule CS&R assumed this responsibility. People needed food, water, warmth and electricity. It was a welcome assistance to those in need. There were few complaints and people were very cooperative. The power companies were providing dry ice & water supplies at Hillcrest. Parks crew assisted DPW. Mayor Bieri noted that in the past the average overnight use of Hillcrest was 14 and this storm it was 35 people. There were lines for showers. Jim McLaughlin, the Schools Superintendent and the school staff were wonderful opening the showers at the high school thereby alleviating the lines at Hillcrest. She welcomed them aboard the OEM team. They have committed to work with the Township to have use of the Honeywell system to communicate with residents.

Administrator Gage said that the Clerk's office somehow smoothly operated the elections. There were lines for voting. From the beginning of the storm they worked to ensure voters right were not affected. There was a high volume of calls for numerous issues as was the case in the administrator's office.

Ms. Gage talked about her personal experiences. Her priority was to ensure that staff could handle the storm related issues. She tried to make every effort to get information about power companies. She was involved in telephone conference calls every day with JCP&L and O&R. She described the calls. In the beginning it was difficult to get information. The power companies worked on their priority list without deviation regardless of the pleas on the calls. She listed the priorities. They then said that they would restore power first to more densely populated areas. Nonetheless she did what she could to insist that West Milford needed attention. O&R were more cooperative than JCP&L. Generally the power companies from the beginning met their overall goals. It was difficult to get specific information from them as was the case in all municipalities. West Milford was represented on all these calls. Mayor Bieri said that even when they got to town they concentrated on the areas that had higher density. They are numbers driven and would not deviate from that despite the pleas. For the most part they did meet the goals after the Governor said they had to give dates to the municipalities. If we had that answer earlier, she said, residents may have made different decisions about evacuating. That needs to change. Mayor Bieri continued noting that there are also concerns about communications with OEM about deenergizing power lines. Ms. Gage said that in the midst of that we had a lot of calls about Halloween and Mayor Bieri agreed that she had an exorbitant amount of calls about Halloween at the OEM phone center. On the Monday after the storm Bill Hemstead from PAL offered to host something for the kids. There was ultimately a packed trunk or treat at PAL and it was well attended and much appreciated. It meant a lot to a lot of people. She thanked PAL. Ms. Gage said that things are starting to calm down a little and she is hoping for normalcy to return soon. She did not receive complaints about difficulties with staff. There are always ideas about improving response in crisis. Our FEMA efforts have begun. Agents have been inspecting homes that were damaged. She urged people to apply for FEMA assistance, it is a simple process.

Ms. Gage said that so many people volunteered and worked tirelessly throughout this storm despite the personal challenges they were facing. Councilman Smolinski said that many local

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excavating companies volunteered to remove trees and debris. They could not activate until lines were deactivated. There were calls with Governor's office, FEMA and power companies. The frustration of all towns on the northeast coast is heartfelt. There were few ways to notify people. Without power it was hard to understand what was going on throughout the state. He thanked OEM as well as Councilmen Ramaglia & Rosone. They put together a meeting with OEM to update Council. That allowed Council to communicate with residents and OEM updated Council daily through the Administrator or Clerk. The town, he said, pulled through this but there are still issues to be addressed. It was frightening. At one time West Milford was landlocked. Mayor Bieri agreed and gave specifics about those road closures. Councilman Smolinski said that West Milford is very experienced and handled this event admirably. He commended the new Director of Public Safety, Chief Storbeck. In the eyes of many residents, enough was not done but he assured residents that everything that could be done was done. Power companies were working at optimal ability to address this storm. He said he never imagined a storm like this. He lost his Jersey shore house. West Milford was lucky not to have had severe flooding. Fire companies, first aid, search & rescue stepped up to the plate to help OEM. There was no loss of life but a lot of inconvenience. Mayor Bieri agreed search & rescue was pivotal in assisting and many of them covered the phones for the night shifts after the first two nights. She gave an example of an issue at our senior center where the generator was not working properly. Everyone worked together to ensure that the residents could stay in their homes.

Council President Signorino echoed thanks to all those who helped. He was impressed with witnessing how much people reached out to help their neighbors. He commended Township staff. He is not as understanding of the power companies. He would like to see this Council try to resolve issues that arose in this crisis. He does not want to give the power companies a pass. He voiced comments on conference calls one day and the next day we had 16 crews here. Communications were not good.

Mayor Bieri commended residents for providing information that assisted in knowing where the crews were. Council President Signorino said the O&R representative at the police station did not know when crews were coming to town. There has to be a better way for utility companies to communicate. Councilman Smolinski said that utility companies learned a lot from Hurricane Irene. He agreed that there was a lack of communication and he hopes the lessons have been learned. Council President Signorino said he contacted Mr. Semrau last Monday to determine how to hold utility companies accountable and he thanked him for the resolution he drafted although he would like stronger wording. Councilman Smolinski said that at the end of the crisis O&R was substantially less restored than other utility companies and JCP&L took fourteen days to fully restore. He said that Atlantic City was 90% on the third day.

Councilman Rosone echoed comments made and thanked our residents for their resilience. He conveyed his personal inspiring experiences noting that it is a testament to the Township. Council President Signorino thanked Administrator Gage for reaching out to Butler Electric to begin discussions about possibly switching to them. He personally talked to the Mayor of Riverdale who has wanted to hook up to Butler for years. There is state regulation that may be a roadblock. He said we may want to use the lobbyist for that in the future. Mayor Bieri agreed that we should look into it and she recommends that we explore and research first. She would also like accountability for those who are already providing service. Councilman Ramaglia said that with O&R we are a minority. He suggested caution with switching. Mayor Bieri agreed and said we should research first. Council President Signorino asked Mr. Semrau to research if Butler, a municipal authority, can compete with private utility companies.

Agenda No. VII

Public Comments

Mayor Bieri opened the public portion of the meeting advising that there is a five minute limit for each speaker.

Tim Wagner, 835 Westbrook Road, West Milford congratulated Councilmembers-elect Erk & Hensley. He said he lost power for five days during Hurricane Irene. He lost power for five days during the next storm and has concluded that we have not learned lessons. He lost power for ten days in Sandy. He commended town workers but lamented that O&R crews were not present for days in this town. They were in other towns because of numbers. They have an obligation to come to this town. After 4-5 days we began to see out of state workers. They did not know where to go. They could not find Westbrook Road on their GPS systems. He thinks that the deficiency was that the roads were not open and that, he said, is a DPW responsibility. If utility companies cannot get on the roads they cannot decommission the lines. Maybe that is why they were sent elsewhere. DPW & Recreation has seen staff reductions in recent years. Last year during Hurricane Irene we had similar issues. DPW has only 18 workers with 13 handling the entire town during the storm. Last year we used one out-of-town tree service. We should have had tree

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service companies on call. The starting salary for DPW is about \$24. Why not hire additional workers at \$16 or \$17. We have to look at all the pay scales in this town including police officers. We cannot afford these salaries but we do need these services. We have to reduce what we are paying for Township salaries. We cannot afford this. He urged Council to reduce pay scales starting next year, get better communication, update the website, contract with additional tree contractors on call, and get underground utilities.

Bob Nicholson, 20 Hyde Road, Stockholm congratulated Councilmembers-elect Erk & Hensley. He was without electric for days. His cell phone was his lifeline. He found most of his information on Jeff Greene's Twitter account. He had great information. There was no electricity for five days so we should have cut the trees. JCP&L left town because trees were not cut down. It would be cost prohibitive to switch utility companies. O&R is owned by ConEd. Most of their New Jersey customers are in Bergen County. JCP&L has six million customers nationwide. He said he calls one Satan and one Lucifer. Both are poison. They are monopolies. Switching is not an option. It will be same shoddy service. If we do not staff departments properly there is a trickle down economic effect. We need DPW staff. He did not see Passaic County police throughout this storm. That put residents at risk he said. He said that the EDC looked at KOA and he submitted a report to the Administrator. It is not on this agenda despite the fact that the EDC did their job.

Wayne Gottlieb, 20 South Ridgefield Road, West Milford said he thinks tonight's resolution about power companies is a good start. But Council is getting ahead of themselves. He wants another resolution tonight to ask the Governor to have the BPU convene a commission of inquiry to understand the facts of this storm with subpoena power to compel testimony under oath. If the state does this it would be like the 9/11 commission. He was born & raised in Ohio and is thankful they came to help in West Milford. New Jersey's rescue plan is to call Ohio. Most weather patterns move from West to East. We should think ahead, if there is a storm coming from the West they will not be able to send crews to New Jersey. The commission of inquiry should understand New Jersey's recovery plan. Power restoration was ten days of waiting and a half-day of work. He waited ten and a half days for that. The brutal logic is that West Milford is at the end of the line because of lack of population. He asked Council to adopt such a resolution tonight and get at the head of the line. He visited Mayor Bieri at OEM in the early stages of the storm. There was an issue on his street where downed trees were trapping residents. DPW could not cut the trees because utility companies had not given clearance. No O&R person came for 8-10 days. Late Wednesday one of his neighbors cut the trees loose himself. Three nights later another neighbor had a chimney fire which would have been inaccessible if the trees were still down. That is unacceptable. O&R should not come before our lives. He came in to Town Hall to pay quarterly taxes recently and for what he pays he should get premium services. He said he appreciates comments about the Superintendent of Schools and he said that the other school employees also stepped up to the plate in these extraordinary circumstances. They are humble professionals. The companies who provide us power do not have the resources to maintain their networks.

Laurie Byro, Hewitt works in Bergen County in a library. West Milford's library was open on Friday she said. During the storm she used the library and Hillcrest for heat and shelter. Services in West Milford are better than she has ever seen in Bergen County. She takes offense to comments that public employees are overpaid. Most library staff have masters degrees and earn on average of \$35,000 per year. Hillcrest was fantastic. Thanks to them she got to work every day. She felt West Milford did well in this storm by comparison to other towns. We need a larger library because it is a great resource. She came tonight to thank everyone for all they did in this storm and she commended Councilwoman Horton for her help at Hillcrest. Neighbors were very helpful and she feels that town staff did not let us down. She felt empowered by this town and the services provided. She has no grudge and noted that Mother Nature sent this storm.

Doris Aaronson, 19 Bearfort Road, West Milford thanked the entire Township, all the departments and especially Nancy Gage and Mayor Bieri. She said that personally she did not experience too many problems because she learned from last year's storms. She asked papers to print helpful hints when storms are coming and she enumerated some of those hints. She encouraged residents to become proactive in preparing for storm events urging them to take steps to prepare for storms. She listed some of the services offered by local churches & organizations. Her poem about her experiences will be published in the West Milford Messenger.

Dan Poeschl, 13 Somerset Place, West Milford said that O&R was not receptive to people in Crescent Park. There was a live power line down and they put a cone over it and assigned someone to watch it. He thanked Councilman Ramaglia for keeping residents informed.

Rod Dondorf, Hewitt said that generators are very expensive. He urged people to research before buying one. He got a 14K generator for \$3,100 last year and an electrician, after multiple bids, hooked it up for

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\$800. Research the prices and the installation costs before proceeding. Eastern Propane has a program to top off tanks before storms.

Motion to close public portion of meeting.

Moved: Ramaglia Seconded: Signorino
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

Agenda No. VIII

Council Comments

Council President Signorino said he likes Mr. Gottlieb's idea and asked for Council consensus to have Mr. Semrau draft a resolution. Mr. Semrau said it is consistent with the resolution adopted this evening. He could read a short paragraph to amend that. Mr. Semrau amended the wording in the resolution and Council President Signorino made a motion to amend resolution 2012-369, seconded by Councilwoman Horton.

Moved: Signorino Seconded: Horton
Voted Aye: Erik, Smolinski, Ramaglia, Rosone, Signorino, Horton.
Voted Nay: None.
Motion carried.

Councilwoman Horton echoed the many thanks to our residents. She was without power for ten days. She acknowledged the assistance she received. In the context of talking about the aftermath of the storm, Carter's has donated children's clothing which will be distributed tomorrow at the Methodist Church on La Rue Road. She feels fortunate about West Milford. She understands the numbers game and it is important to communicate that power outages in West Milford affect water which is then a health and safety issue. We need that to be factored into the balancing equation. This is unique to West Milford.

Mayor Bierj said that she made the message about water and public health & safety to O&R. She then took it to the Passaic County Administrator, Freeholders, and OEM Coordinator. They in turn relayed those concerns in their BPU complaints. It did not affect response. She noted that the Presbyterian Church is part of the OEM plan because they are centrally located and she thanked them for all their help.

Councilwoman Erik said that she got a call from Councilman Ramaglia on Wednesday about O&R's absence in town. She went to a meeting at O&R in New York State where she learned that crews from Arkansas were directed to West Milford. She wants O&R held accountable but she also recognizes that what they did. She said signs are in and she directed people to the sample in the room. She drove all over town in this storm and saw sheriff's officers, state police as well as our local police officers. She commended all of them for their efforts.

Council President Signorino said staffing issues in DPW are ongoing and it is being looked at. He is awaiting a report from the DPW superintendent and he asked for reports from all departments about issues including staffing. He said we should consider annual contracts with tree services and would like to see the EDC become a commission before year's end.

Mayor Bierj said that some crews responding to the storm from utility companies did not know where to go because they were out of town. They had old maps and communication was lacking. The first crews showed up about six days after the storm and JCP&L crews came about ten days after the storm. She said that the DPW is not allowed to cut trees if power lines are near or on them. Lines may be active. That was a communication issue. She addressed this on day one with the utility companies and she relayed their various responses. She suggested to them that they use spray paint on a tree which would convey that a line has been deactivated or put a flag or a marker that DPW can use to know if lines are deactivated. The one time they sent a crew out without utility company approval resulted in a call from the manager saying that DPW was not approved nor did they have that authority. DPW was ready, willing & able. She said that power was intermittent at OEM at times. At some time in the future she will be asking for discussion of OEM upgrades at Johner. We may have to reorganize the Township website to make information more readily identifiable. Information was on the website but people were saying they had a hard time finding it. Those are items for future consideration. She said that the library had Wi-Fi access which brought many residents out. There are twelve seats in that library, each was occupied, and people were sitting on floors and every available space. The internet is now a pivotal form of communication.

Agenda No. IX

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

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Councilman Ramaglia said that he and Councilman Smolinski are having their second annual coat drive. Details will be announced at the next council meeting. Last year they collected over 400 coats that all stayed in West Milford. Pickup service is available by calling either one of them on their cell phones or people can drop off at Valley View Pub or BC Marketing on Greenwood Lake Turnpike.

Councilman Rosone asked if the DEP has sent the letter requesting the Mayor & Mr. Semrau attend a DEP meeting with the MUA. Mr. Semrau said that he was copied on an email with a request from the State. The meeting is next Wednesday. Councilman Smolinski said that the MUA attorney has to attend and Mayor Bieri advised that has been confirmed. Councilman Smolinski said that Council imposed two stipulations in giving their consent.

Councilwoman Horton said that the events of the last few weeks have made her ponder the role of government and the role of community. If you don't have a government before a disaster you cannot set one up in the midst of it. Some things are best done by public servants. The effects of Super Storm Sandy would have been worse without the government infrastructure. She congratulated Councilmembers-elect Hensley & Erk. She said she is having difficulties with her Township email account and apologized for delayed responses as a result. She got a very vociferous letter opposing the library and she thanked the person for sharing their thoughts but she does not share the sentiments. She asked residents to call her home if they do not receive an email reply.

Councilwoman Erik said that the Interact Club is organizing a fundraiser for those affected by Hurricane Sandy and she gave details. She expressed concern that residents are being overcharged for tree removal and she thanked the Clerk's office for updates throughout storm. She said the edges of roads in West Milford have little or no maintenance. There are always trees leaning on utility wires. We need an ordinance of maintenance requiring utilities to maintain these lines. Ringwood has an ordinance for this. The emergency system in this town, ICS, worked great. Something has to be done to bring utility companies into the ICS system. On Friday, a lifelong friend of hers was involved in an accident on Macopin Road. A 21-year old driver, high on heroin, hit two cars including her friend's car. She was airlifted to St. Joseph's. The 21-year old was briefly hospitalized and is now in jail. She described her friend's injuries from head to toe. Her friend's husband gave permission to convey that information. She is in a medically induced coma so it is not clear if she will make it. She is sorry for the boy's family but it is alleged that he has been on drugs since he was 15. She said that we need more police officers in our schools to educate kids about the dangers of drug use. We educate kids from kindergarten about recycling. We need more police presence in the schools to educate kids about drugs.

Administrator Gage said we have started the FEMA reimbursement process and it may be possible that West Milford will realize a return of more than 75% of costs for some expenses. FEMA representative will be here on Tuesday. We do not have all our costs calculated as yet. On Wednesday there was a snow storm where DPW & contractors were called out to plow. She has had one negotiations meeting with DPW and wanted another which has to be rescheduled. She said she would like to coordinate with newly elected officials a seminar with the Township Attorney. The next meeting is a regular meeting and it is likely we will have an executive session. Packets will go out early (Wednesday) due to the Thanksgiving holiday. The CFO will prepare transfer resolutions for that meeting and she does not know if we will have to do emergency appropriations for storm costs.

Attorney Semrau said that the coalition regarding watershed & equity issues is meeting at town hall on Monday December 19th at 3 pm. Mr. Pascrell will be making calls and seeking attendance from other communities. He said the EDC ordinance will be introduced at the next meeting so that it can be finalized before the end of the year. He reviewed some of the changes that have been made or proposed by the EDC. In the past, he said, the Township has had a tree lighting in front of town hall. The Administrator received a request for a Menorah. There has been much litigation on this subject. If it is just the tree it is considered a secular display. If you want to add to that you should include all faiths that celebrate in this season. Many towns opt to stay with the secular displays. Other towns have opted to have religious symbols. The Council could opt to place the decision with the administrator. If the Council agrees to the Menorah he recommends that Administration reach out to all denominations to determine if they wish a display. Or you can take the position that the Township does not want religious displays but will stay with secular displays. This matter has in various towns across the country and has gone to the Supreme Court. If the Council wants a hybrid in between it may require executive session discussion. Administrator Gage asked for Council consensus as to their general direction. Councilwoman Horton would like to have an open & inclusive welcoming of all faiths and Councilman Smolinski agreed. Councilmembers Erik & Rosone expressed support for a holiday tree while the remaining Councilmembers indicated that they would like to provide an opportunity to allow religious displays by all denominations on Township property. Administrator Gage said the request also came with a request for a ceremony the details of which can be worked out by administration.

Mr. Semrau said that the request for him & the Mayor to attend DEP meeting with MUA is not specific and he asked if he should attend or not. Mayor Bieri read the string of emails. Councilman Smolinski took

