
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Regular
Date of Meeting: November 28, 2012
Time of Meeting: 6:30 P.M.
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The Regular 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 Regular meeting was advertised in the Herald News in its issue of January 1, 2012 with an update for the change of time on November 25, 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.

Roll Call

Present: Councilmembers Ada Erik, Joseph Smolinski, Michael Ramaglia, Edward Rosone, Luciano Signorino (arrived at 6:40 p.m.), CarlLa Horton, Mayor Bettina Bieri.
Absent: None.
Also Present: Township Administrator Nancy Gage, Township Clerk Antoinette Battaglia, Township Attorney Frederick Semrau.

Agenda No. I

Reading of or Approval of Unapproved Minutes

Councilman Ramaglia moved to adopt the August 15, 2012 Executive Session Meeting Minutes, August 15, 2012 Executive Session and September 5, 2012 Workshop Meeting Minutes as presented:

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

Agenda No. II

Executive Session

**~ Resolution No. 2012- 372 ~
MOTION FOR EXECUTIVE SESSION**

BE IT RESOLVED by the Township Council of the Township of West Milford on the 28th day of November, 2012 that:

- I. Prior to the conclusion of this **Regular Meeting**, the Township Council 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.
 - () 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.
 - () 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 subsection b. (4) herein or matters falling within the attorney-client privilege.

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- Contract – Building Maintenance Hillcrest
- Attorney-Client Privilege – Religious Symbols on Public Property
- () b. (8) Personnel matters.
- () b. (9) Deliberations after a public hearing that may result in penalties.

II. 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 28, 2012

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

The governing body returned to the public meeting at 7:43:03 pm with all present as before. Council President Signorino arrived during the executive session.

Agenda No. III

Presentations

West Milford Interact Club – Marilyn Lichtenberg explained what the Interact Club does and gave an overview of some of their accomplishments. This year an Interact student called and said she wanted to do something for the victims of Super Storm Sandy and that student has organized a race around West Milford. She called the School Superintendent and asked if they could use the High School track and this young lady, who stood beside Mrs. Lichtenberg, arranged the entire event in two weeks. Mrs. Lichtenberg said that Makenzie did a great job organizing and advertising this event. Makenzie thanked everyone for the support she received from the community noting that her event raised \$1,215 on the Saturday after Thanksgiving. Mrs. Lichtenberg said she received an email from Governor Christie commending Makenzie and she read the email aloud.

Agenda No. IV

Unfinished Business, Final Passage of Ordinances

None.

Agenda No. V

Public Comments

Mayor Bieri opened the meeting to the public advising that there is a five-minute time limit per speaker.

Jose Puig, 57 Blakely Lane, West Milford said that on behalf of his late wife and himself, he wishes to thank the police department, fire department and EMTs who assisted his wife who was involved in a car accident. She has since passed away. He met the young man responsible for this accident today. His wife died the day before Thanksgiving. He is done, all his hopes and aspirations are lost. He thanked the police department for their courtesies and praised the assistance he received from the EMT's and members of the fire department. They are greatest in the world.

Mayor Bieri asked for a moment of silence and commended Jose for his courage and concern for others.

Councilwoman Erik asked the EMTs to step outside and meet with Jose. She thanked them.

Scott Witherspoon, 70 Green Terrace Way, West Milford said that during the recent hurricane he used Hillcrest a few times. The people running that facility did a spectacular job. Everyone is frustrated with the power companies but no one could make them work faster. We are a secluded community that was low on the priority list. On November 12th he was driving to Pittsburgh for a football game. On Route 80 he passed close to 100 power company trucks with out-of-state plates. He appreciates what they did for New Jersey. He is trained in disaster training with the American Red Cross and worked a warehouse facility in Franklin Township. There were hundreds of volunteers who worked to distribute tons of supplies. He is offended by recent attacks on the Red Cross. He took his daughter to Sea Bright last weekend. This was a disaster worse than he expected. They spent the day helping people clean out homes. Seeing it first hand is striking. It was a wonderful experience for his daughter. Seeing people carry their possessions to the curb is difficult. There are still tent cities & curfews there. There is a planning board meeting next Thursday and his neighbor has submitted a plan to the Township Engineer. He is hopeful and cautiously optimistic about realizing resolution.

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Judy Ziegler, Macopin Road, West Milford refuses to apologize for comments she made about residents in Newark. If anyone misunderstood her intentions then it is those people who should apologize. She will not stop fighting for fairness. She may lose her business because her taxes are so high. If people in Newark knew that our local wells run dry they would understand the price West Milford residents pay for the Newark watershed. She is not prejudiced and she objects that the Council apologized for comments she made.

Robert Nicholson, 20 Hyde Road, Stockholm conveyed condolences for Jose's loss.

Doris Aaronson, 19 Bearfort Road, West Milford said that Skylands Clean will be showing a film at the Ringwood Library on Thursday at 7 PM called Earthday, which addresses the history of the environmental movement in the country. The showing is free and open to the public.

Motion to close the public portion.

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

Agenda No. VI

Council Comments

Mr. Semrau said that the governing body has decided to form a coalition whose objective is to work with Newark and other towns to achieve watershed equity. The governing body did not apologize for comments made but ensured that they were not associated with them. The Council is working hard to effectuate change. One strategy is to try to work with Newark to benefit West Milford taxpayers. Those comments are not reflective of the governing body or the municipality they represent. Such comments may interfere with efforts to address taxpayer relief. It was a great concern to Mr. Pascrell. This is not the forum for that kind of discussion and it is not consistent with our goals. The Township, with Mr. Pascrell, may achieve equity or agreement with Newark and those comments are not helpful to the process.

Agenda No. VII

New Business Introduction of Ordinances, Resolutions

Agenda No. VII 1

~ Ordinance No. 2012- 018 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, AND STATE OF NEW JERSEY ACCEPTING CASTLE ROCK ROAD CONTAINED IN THE LONGHOUSE ESTATES SUBDIVISION FOR USE AS A PUBLIC ROAD

WHEREAS, there exists a certain roadway within the Longhouse Estates Subdivision, namely Castle Rock Road, which said roadway is wholly contained within the boundaries of the Township of West Milford; and

WHEREAS, Castle Rock Road was dedicated to the public by a Final Subdivision Plat entitled "Long House Estates", filed with the Passaic County Register on January 2, 2003 as Map no. 3493; and

WHEREAS, the West Milford Township Engineering Division has inspected same roadway and has found the public improvements to be in substantial compliance with the West Milford Township Planning Board resolution(s) of approval; and

WHEREAS, the Township of West Milford does hereby determine to accept said roadway for public use as set forth herein for the benefit of the Township of West Milford and the public in general.

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

1. The Township of West Milford formally accepts Castle Rock Road contained in the Longhouse Estates subdivision for use as a public road.
2. That the West Milford Township Chief of Police and the West Milford Township Police Department are hereby notified that, upon the acceptance of said roadway for use as a public road, enforcement of the traffic laws of New Jersey Statutes Title 39 is now permitted.

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Thereafter citizen members 3 through 8 shall be appointed for three-year terms.

§15-114. Meetings; minutes.

A majority of the members of the Commission shall constitute a quorum for the conduct of business. The Commission shall annually establish a meeting schedule, and written notice of the time, date and place of all meetings shall be publicly available sufficiently in advance thereof. The schedule and notices shall be provided to the Office of the Township Clerk. The Commission shall be considered a "public body" for the purpose of complying with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. Minutes of each meeting shall be produced and approved by the Commission at a subsequent meeting. At the conclusion of each meeting, the Chairman (or Secretary if one is appointed) shall in a timely manner forward to the Township Clerk a copy of the approved minutes.

§15-115. Officers.

The members of the Commission shall annually choose a Chairperson and such other officers as it may deem necessary from among its members. All members shall have equal voting privileges.

§15-116. Powers and duties.

- A. It is the intention of the Township Council that the Commission shall support its activities through solicitation of donations and acquisition of grant monies. The Township shall not make an annual appropriation for the budgetary needs of the Commission. The Commission will seek to obtain non-profit status.
- B. The Commission shall not be authorized to pledge the credit of the Township to create any debt against it, or in any manner act as the agent of the Township.

SECTION 2. 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 3. 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 4. This Ordinance may be renumbered for purposes of codification.

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

Introduced: November 28, 2012

Second reading and public hearing for this ordinance is set for the Regular Meeting of the Township Council scheduled for December 19, 2012. Notice of this public hearing shall be published in the Herald News on or about December 2, 1012.

Motion to introduce ordinance.

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

Mayor Bieri asked to move all Resolutions 2012-373, 2012-374, 2012-375, 2012-376, 2012-377, 2012-378 and 2012-379

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

Agenda No. VII 3
~ Resolution No. 2012- 373 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY EXTENDING SUPPORT FOR THE REHABILITATION OF THE RAILWAY MAIN LINE TRACT BETWEEN MILEPOST 40.0 AND MILEPOST 50.0, A PORTION OF WHICH IS LOCATED WITHIN THE TOWNSHIP OF WEST MILFORD

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WHEREAS, the New Jersey Department of Transportation (“DOT”) approved a grant to the New York, Susquehanna and Western Railway Corporation (“NYS&W”) for the rehabilitation of the main line tract between Milepost 40.0 and Milepost 50.0, a portion of which is located within the Township of West Milford; and

WHEREAS, the project will benefit the community of the Township of West Milford, in that it would improve the long-term efficiency, reliability, and safe operation of the line, thus resulting in increased rail safety.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford County of Passaic State of New Jersey that the Township does hereby support the project to be constructed by the NYS&W to rehabilitate the main line tract between Milepost 40.0 and Milepost 50.0.

Adopted: November 28, 2012

Agenda No. VII 4

~ Resolution No. 2012- 374 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ADOPTING THE SCHEDULE FOR TOWNSHIP COUNCIL WORKSHOP AND REGULAR MEETINGS FOR THE 2013 CALENDAR YEAR

BE IT RESOLVED, that the Township Council of the Township of West Milford does hereby adopt the following schedule of Workshop and Regular Meetings of the Governing Body of the Township for the 2013 calendar year:

January 02, 2013	Reorganization Meeting Council Workshop Meeting	July 17, 2013	Council Workshop Meeting Regular Council Meeting
January 23, 2013	Regular Council Meeting	August 21, 2013	Council Workshop Meeting Regular Council Meeting
February 06, 2013	Council Workshop Meeting		
February 20, 2013	Regular Council Meeting	September 04, 2013	Council Workshop Meeting
March 06, 2013	Council Workshop Meeting	September 18, 2013	Regular Council Meeting
March 20, 2013	Regular Council Meeting	October 02, 2013	Council Workshop Meeting
April 03, 2013	Council Workshop Meeting	October 16, 2013	Regular Council Meeting
April 17, 2013	Regular Council Meeting	November 06, 2013	Council Workshop Meeting
May 1, 2013	Council Workshop Meeting	November 20, 2013	Regular Council Meeting
May 22, 2013	Regular Council Meeting	December 04, 2013	Council Workshop Meeting
June 5, 2013	Council Workshop Meeting	December 18, 2013	Regular Council Meeting
June 19, 2013	Regular Council Meeting		

BE IT FURTHER RESOLVED that all 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 28, 2012

Agenda No. VII 5

~ Resolution No. 2012- 375 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY FOR THE CANCELLATION OF NJDOT GRANT RECEIVABLE AND APPROPRIATION BALANCES

WHEREAS, there is an unexpended appropriation balance of \$121,876.03 for the Traffic Signal at Warwick Turnpike/Lakeshore Drive; and

WHEREAS, of the total balance there is a receivable in the amount of \$76,915.07 and an appropriation in the amount of \$76,915.07 from the NJDOT for the Warwick Turnpike/Lakeshore Drive Traffic Signal Grant; and

WHEREAS, this receivable is no longer collectible as revenue and the remaining appropriation will not be expended; and

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WHEREAS, the remaining unexpended balance in the amount of \$44,960.96 is unfunded and to be canceled to deferred charges unfunded.

NOW, THEREFORE, BE IT RESOLVED that the receivable and budget appropriations be canceled.

Adopted: November 28, 2012

Agenda No. VII 6

~ Resolution No. 2012- 376 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SETTLEMENT OF CERTAIN TAX APPEALS

WHEREAS, an appeal of the 2009 real property tax assessment of the following property has been filed in the Tax Court of New Jersey:

PROPERTY OWNER	BLOCK	LOT
Boulder Pond, LLC	5301	20
Boulder Pond, LLC	5405	8

and;

WHEREAS, the Tax Assessor is of the opinion that it is in the best interest of the Township to settle these appeals.

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

1. The settlement of the following tax appeals filed at the Tax Court of New Jersey is hereby authorized as follows:

PROPERTY OWNER	YEAR	ORIGINAL ASSESSMENT	PROPOSED SETTLEMENT
Boulder Pond LLC -5301/20	2009	\$958,900.	\$750,000.
Boulder Pond LLC -5405/8	2009	\$ 86,900.	\$ 86,900.

2. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.
3. The Tax Collector is hereby authorized to credit and/or refund the appropriate taxes in accordance with the terms of this resolution.
4. This Resolution shall take effect immediately.
5. This Resolution shall take effect immediately.

Adopted: November 28, 2012

Agenda No. VII 7

~ Resolution No. 2012- 377 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF FINANCIAL SOFTWARE THROUGH STATE CONTRACT NO. M-0003-77003-035 AWARDED TO DELL, INC.

WHEREAS, the Township Council of the Township of West Milford has determined it to be in the best interest of the municipality to purchase new financial software; and

WHEREAS, the State of New Jersey has engaged in competitive bidding for these products & services and has awarded one of the contracts to Dell, Inc. in accordance with the State of New Jersey Local Public Contracts Law; and

WHEREAS, the cost of said financial software, a product of Municipal Software, Inc. is \$14,631.58 through state contract; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this product said funds to be encumbered from accounts C-04-08-943-539 and 2-01-20-130-450.

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

1. The Township Council of the Township of West Milford hereby authorizes the purchase of Financial Software in accordance with State contract #M-0003-77003-035 which authorizes such goods & services in accordance with the local public contracts law.

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2. The amount of these goods and services shall not exceed \$14,631.58 without advance written approval from the Governing Body.

Adopted: November 28, 2012

Agenda No. VII 8

~ Resolution No. 2012- 378 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE THROUGH STATE CONTRACT NO. 82925 FOR ONE (1) 2013 UTILITY ALL WHEEL DRIVE BASE VEHICLE FROM WINNER FORD OF CHERRY HILL

WHEREAS, the Township Council approved the purchase of one (1) All Wheel Drive vehicle by virtue of the 2012 budget process for use by the Emergency Management Coordinator; and

WHEREAS, the Emergency Management Coordinator and the Chief of Police have provided a recommendation to purchase this vehicle through State Contract #82925, Winner Ford of Cherry Hill; and

WHEREAS, the total amount of this purchase shall not exceed \$28,899.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number C-04-12-956-252.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic and State of New Jersey that they do hereby authorize the purchase of one (1) 2013 All Wheel Drive Base Vehicle with specified options for use by the Township's Emergency Management Coordinator, in an amount not to exceed \$28,899.00, through State Contract #82925 from Winner Ford of Cherry Hill, 250 Berlin Road, Cherry Hill, NJ 08034 in accordance with their State Contract for same.

Adopted: November 28, 2012

Agenda No. VII 9

~ Resolution No. 2012- 379 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING CONSENT TO A PROJECT AT BLOCK 7701, LOTS 11 AND 12, UNION VALLEY ROAD IN THE TOWNSHIP OF WEST MILFORD WHICH REQUIRES A TREATMENT WORKS APPLICATION TO THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, World of Christ Crusade is the owner of property on Union Valley Road, in the Township of West Milford which is known as Block 7701, Lots 11 and 12; and

WHEREAS, World of Christ Crusade has made application for a new on-site sanitary sewage disposal system; and

WHEREAS, the applicant has proposed a septic replacement to replace an existing system that is currently not functioning; and

WHEREAS, the new system is sized in accordance with the NJDEP criteria for 1,200 gallons per day; and

WHEREAS, the Township Engineer has reviewed the Treatment Works application submitted to the Department of Environmental Protection on behalf of the aforementioned property; and

WHEREAS, the Township Engineer, by way of letter dated November 12, 2012, has advised that the Township endorse the TWA application to the NJDEP; and

WHEREAS, approval for a Treatment Works application requires the municipality to, by way of Resolution, consent to the project; and

WHEREAS, a copy of the application is on file in the West Milford Township; and

WHEREAS, the Township Engineer recommends to the Mayor and Township Council that it in fact consent to this application.

NOW, THEREFORE, BE IT RESOLVED that the Township of West Milford, County of Passaic, State of New Jersey hereby consents to the Treatment Works Application as submitted for the property known as Union Valley Road, in the Township of West Milford which is known as Block 7701, Lots 11 and 12 with respect to a septic replacement.

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Consent Agenda

Agenda No. VIII
 ~ Resolution No. 2012- 380 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PASSAGE OF 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. **2012-381** – Cancel Outstanding Checks
- b. **2012-382** – Refund Health Department Fees
- c. **2012-383** – Refund Other Liens
- d. **2012-384** – Refund Recreation Fees
- e. **2012-385** – Cancel Taxes
- f. **2012-386** – Refund Overpayments
- g. **2012-387** – Reinstate Taxes

Applications: None.

Adopted: November 28, 2012

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

Agenda No. IX a
 ~ Resolution No. 2012- 381 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF OUTSTANDING CHECKS OVER SIX MONTHS OLD TO MUNICIPAL CASH BALANCES

BE IT RESOLVED, by the Township Council of the Township of West Milford that the following checks be cancelled because the Chief Financial Officer has determined that the following Township of West Milford Payroll account checks have been outstanding for a period in excess of six months.

DATE	CHECK #	AMOUNT	DATE	CHECK #	AMOUNT
2008	33524	\$29.42	10/2010	45344	\$94.65
2008	34204	\$61.03	8/2011	47379	\$548.40
2008	34249	\$995.85	8/2011	47392	\$697.54
2008	35675	\$46.88	8/2011	47433	\$255.17
2008	35847	\$359.91	8/2011	47458	\$621.79
2008	38374	\$208.84	11/2011	47979	\$96.81
2008	38452	\$1789.94	9/2011	44883	\$323.75
3/2009	50515	\$1746.39	1/2012	45186	\$1760.00
4/2009	40677	\$362.88	2/2012	45203	\$1720.00
4/2009	40678	\$1078.22	4/2012	45224	\$1720.00
5/2009	40961	\$1280.34	5/2012	45240	\$1720.00
12/2009	42978	\$257.77	5/2012	45257	\$1720.00
3/2010	43393	\$2277.33			

Adopted: November 28, 2012

Agenda No. IX b
 ~ Resolution No. 2012- 382 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PARTIAL REFUND OF HEALTH DEPARTMENT ESCROW FEE

WHEREAS, Vincent Lanza submitted an escrow fee for engineering work in the amount of \$500.00 for Project 783 Macopin Road; and

WHEREAS, there are no further inspections required for this project;

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WHEREAS, Health Inspector Sue Muhaw has recommended that the above referenced fee be refunded;

NOW, THEREFORE, BE IT RESOLVED that the proper officers be and they are hereby authorized and directed to issue checks refunding such duplicate fees as shown below:

Name	Amount
Vincent Lanza P.O. 746 Ringwood, New Jersey 07456	\$320.00

Adopted: November 28, 2012

Agenda No. VIII c
 ~ Resolution No. 2012- 383 ~

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

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 Amt	Pay to the Lien Holder
08-105	04/08/2008	13807-009	\$48,681.37	DESTINY MANAGEMENT HOLDINGS LLC 1390 Brickell Avenue, Suite 200 Miami, FI 33131
10-051	03/23/2010	03907-001.02	\$82,447.86	ROYAL TAX LIEN SERVICES LLC 115 West Avenue Suite. 300 Jenkintown; Pa 19046
11-056	04/19/2011	05708-004	\$40,444.91	EMPIRE TAX FUND III LLC 8 Harrows Lane Purchase, NY 10577
12-0030	03/27/2012	02413-002	\$8,472.08	FWDSL & ASSOCIATES LP 5 Cold Hill Road South, Suite 11 Mendham, NJ 07945
12-0032	03/27/2012	02507-010	\$4,322.08	TOWER DBW II TRUST 2012-1 1345 Ave / Americas 46 Floor New York, NY 10105
12-0130	03/27/2012	14601-005.01	\$3,690.49	RIDGEBACK VENTURES LLC Po Box 503 Mount Freedom, NJ 07970
12-0131	03/27/2012	14601-005.02	\$3,470.32	RIDGEBACK VENTURES LLC Po Box 503 Mount Freedom, NJ 07970
12-0132	03/27/2012	14601-005.03	\$3,652.29	RIDGEBACK VENTURES LLC Po Box 503 Mount Freedom, NJ 07970
12-0133	03/27/2012	14601-005.04	\$3,822.13	RIDGEBACK VENTURES LLC Po Box 503 Mount Freedom, NJ 07970
Grand Total			\$199,003.53	

Adopted: November 28, 2012

Agenda No. VIII d
 ~ Resolution No. 2012- 384 ~

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

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

Julia Wymbs – Thanksgiving Fun / 11/15/12	\$25.00	Laura Wymbs 41 Meadowview Court Newfoundland, NJ 07435
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Daniel Cano-Lacrosse (for 2013 season)	\$15.00	Cynthia Cano 284 High Crest Drive West Milford, NJ 07480
Lydia Navarro – Nov. Ceramics	\$45.00	Julie Navarro 47 Reidy Place Hewitt, NJ 07421
Julie Carlino – Nov Ceramics	\$45.00	Lorie Carlino 42F Lexington Lane West Milford, NJ 07480
Dylan Petronzio-Nov. Ceramics	\$45.00	Heather Petronzio 23 Highland Ave. West Milford, NJ 07480
Julia Dan – Nov. Ceramics	\$45.00	Simona Dan 144 Ridge Road West Milford, NJ 07480
Jasmine Nguyen – Nov. Ceramics Jaslyn Phan – Nov Ceramics	\$45.00 <u>\$45.00</u> Total \$90.00	Kelly Nguyne 7 St. Charles Street Hewitt, NJ 07421
Brenna Blake-Nov. Ceramics	\$45.00	Leslie Blake 42 Aspen Lane West Milford, NJ 07480

Adopted: November 28, 2012

Agenda No. VIII e
 ~ Resolution No. 2012- 385 ~

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

WHEREAS, there appears on the tax records balances as listed below; and

WHEREAS, the Collector of Taxes recommends the cancellation of taxes due to reasons listed below.

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

- 1. Tax Exempt
- 2. 100 % Disabled Veteran

BLOCK/LOT	NAME	AMOUNT	YEAR	REASON
3606-1	County of Passaic	\$72.72	2012 First Half	1
15502-29	Theodore Adragna	\$6,896.43	2012 Full Year	2
15502-29	Theodore Adragna	\$3,448.22	2013 First Half	2
1504-13	John Angelo Mandara	\$1,542.15	2012 Partial	2
1504-13	John Angelo Mandara	\$4,063.48	2013 First Half	2
TOTAL		\$16,023.00		

Adopted: November 28, 2012

Agenda No. VIII f
 ~ Resolution No. 2012- 386 ~

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

WHEREAS, there appears on the tax records an overpayment as shown below; and

WHEREAS, the overpayment was created by reasons stated below and the Collector of Taxes recommends the refund of such overpayment.

NOW, THEREFORE, BE IT RESOLVED that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayment as shown below:

REASONS:

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

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Block/Lot	Name	Amount	Year	Reason
102-20.08	Catherine Love 12 Bear Trail, Hewitt, NJ 07421	\$507.30	2012	5
505-1	Michael & Michelle Cyrulik 3 Laramie Trail, Hewitt, NJ 07421	\$798.15	2012	5
505-12	Masessa & Cluff, Esq. 1524 Route 23 North, Butler, NJ 07405	\$3,065.69	2012	2
505-19	James & Sally Somers 22 Spruce Point Trail, Hewitt, NJ 07421	\$507.30	2012	5
505-26	William & Kay Fuller 16 Spruce Point Trail, Hewitt, NJ 07421	\$338.20	2012	5
510-3	Timothy & Leslie Reynolds 396 Warwick Turnpike, Hewitt, NJ 07421	\$338.20	2012	5
604-15	Gregory Kowalenko 95 Witte Road, Hewitt, NJ 07421	\$169.10	2012	5
704-2	Stephen Aikey 510 Warwick Turnpike, Hewitt, NJ 07421	\$1,031.51	2012	5
704-5	Isabella Micheels 526 Warwick Turnpike, Hewitt, NJ 07421	\$338.20	2012	5
903-7	Scott Leonescu & Mark Werner 37 Christine Court, West Milford, NJ 07480	\$338.20	2012	5
1813-3	Jeffrey Crum 13 Ardena Road, Hewitt, NJ 07421	\$1,483.99	2012	2
1816-3	Donald & Sandra Velardi 703 Lakeshore Drive, Hewitt, NJ 07421	\$338.20	2012	5
1816-14	Michael J. Coar 671 Lakeshore Drive, Hewitt, NJ 07421	\$1,136.35	2012	5
1816-30	John & Lisa Orłowski 603 Lakeshore Drlve, Hewitt, NJ 07421	\$338.20	2012	5
1816-31	Cynthia L. Creamer 599 Lakeshore Drive, Hewitt, NJ 07421	\$507.30	2012	5
1906-1	James Sodt & Evelina Stoyanova 3 Milton Court, Hewitt, NJ 07421	\$169.10	2012	5
1909-10	Drew K. Murray Esq. 230 West Parkway Suite 3A, Pompton Plains, NJ 07444	\$2,437.20	2012	2
1914-1	Michael & Otero Abbruzzese 595 Lakeshore Drive, Hewitt, NJ 07421	\$1,508.37	2012	5
2012-9	Mark Werner & S. & C. Leonescu 23 Christine Court, West Milford, NJ 07480	\$1,237.81	2012	5
2012-16	Kenneth Hall, 7 Verona Road P.O. Box 755, Hewitt, NJ 07421	\$838.74	2012	5
2201-5.01	Robert & Tara Haff 85 Longhouse Road, Hewitt, NJ 07421	\$1,163.41	2012	5
2202-1.07	Robert & Lorna Stark 35 Castle Rock Road, Hewitt, NJ 07421	\$507.30	2012	5
2305-5	Refund Department, CoreLogic R.E. Tax Service P.O. Box 961250, Fort Worth, Texas 76161-9887	\$2,221.10	2012	2
2403-16	Douglas & Ann Marie Helmacy 17 Matthews Road, Hillsborough, NJ 08844	\$2,112.63	2012	2
2501-1	Martina O'Donoghue 1614-0 Union Valley Rd, West Milford, NJ 07480	\$4,849.79	2012	5
2601-4	Bonnie Becker & Sharon Scruggs 103 Point Breeze Drive, Hewitt, NJ 07421	\$994.31	2012	5
2601-13	Craig Jorgensen 131 Point Breeze Drive, Hewitt, NJ 07421	\$507.30	2012	5
2709-8	Donnalee & Jennifer Corrieri 26 Maple Shade Road, Hewitt, NJ 07421	\$652.72	2012	5
2712-9	Colin Wrench 22 Greenwich Road, Hewitt, NJ 07421	\$189.40	2012	5
3009-16	Daniel Scherer 469 Lakeside Road, Hewitt, NJ 07421	\$2,431.66	2012	5
3009-17	Stephen Connelly 465 Lakeside Road, Hewitt, NJ 07421	\$2,395.12	2012	5
3405-15	Craig & Gloria Shaljian 12 Old Lakeside Road S. Hewitt, NJ 07421	\$1,814.44	2012	5
3610-10	Scott & Christine Leonescu & Mark Werner 37 Christine Court, West Milford, NJ 07480	\$723.75	2012	5

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3705-48	Frank & Cristin Toscano 41 Olcott Road, Hewitt, NJ 07421	\$2,110.37	2012	5
4002-7	Raymond & Joanne Ward 234 Long Pond Road, Hewitt, NJ 07421	\$1,082.24	2012	5
4201-2	G. & T. McCullough 71 Lake Park Terrace, Hewitt, NJ 07421	\$169.10	2012	5
4201-21	Stephanie Burke & Wayne Hunger 31 Lake Park Terrace, Hewitt, NJ 07421	\$1,136.36	2012	5
4201-24	Carol A. Benjamin 25 Lake Park Terrace, Hewitt, NJ 07421	\$169.10	2012	5
4201-29	Ronda Kass & Andrew Christie 595 West End Ave Apt 6B, New York, NY 10024	\$568.17	2012	5
4301-1	Stephen Walz 761 East Shore Road, Hewitt, NJ 07421	\$270.56	2012	5
4301-12	George & Donna Christman 713 East Shore Road, Hewitt, NJ 07421	\$338.20	2012	5
4301-21	Ronald & Joan Charnecky 65 Forest Lake Drive, Hewitt, NJ 07421	\$1,048.42	2012	5
4801-21	Martin D. Eagan, Esq. 52 Maple Avenue, Morristown, NJ 07960	\$2,078.90	2012	2
4901-3	Angelique Van Birgelen 14 Kitchell Lake Drive, West Milford, NJ 07480	\$338.20	2012	5
4901-17	Thomas & Loretta Glennon 78 Kitchell Lake Drive, West Milford, NJ 07480	\$169.10	2012	5
4901-22	Terry & Louise Zielinski 120 Kitchell Lake Drive, West Milford, NJ 07480	\$338.20	2012	5
4901-30	Paul & Theresa Kovach 154 Kitchell Lake Drive, West Milford, NJ 07480	\$169.10	2012	5
4901-33	Roberta Ardeth Wurdemann 166E. Kitchell Lake Dr, West Milford, NJ 07480	\$338.20	2012	5
5001-5.01	James & MaryAnn Lindstrom 21 Deborah Lane, West Milford, NJ 07480	\$507.30	2012	5
5003-1	Anthony Argila & Deborah Corasio 6 Rockburn Pass, West Milford, NJ 07480	\$977.40	2012	5
5307-7.03	Ryan & Jill Tyburczy 21 Autumn Court, West Milford, NJ 07480	\$757.56	2012	5
5501-3	Michael & Karen Joy 476 Ridge Road, West Milford, NJ 07480	\$1,349.41	2012	5
5501-7.02	Ulrike Wundrack Lippner PO Box 170, West Milford, NJ 07480	\$338.20	2012	5
5705-6	Jon Arthur Boschen 45 Pinecliff Lake Drive, West Milford, NJ 07480	\$1,241.19	2012	5
6713-2	Steve & Margaret Rodriguez 62 Greenbrook Drive, West Milford, NJ 07480	\$1,603.30	2012	2
7206-3	Timothy & Kathy McGuire 67 Bearfort Road, West Milford, NJ 07480	\$432.90	2012	5
7209-1	Gerd Billmann 33 Bearfort Road, West Milford, NJ 07480	\$615.53	2012	5
7401-27	Brett Phillips & Paula Coyne 238 Bearfort Road, West Milford, NJ 07480	\$1,082.24	2012	5
7503-9	Joseph & Maricela Monteverde 3 Capstan Road, West Milford, NJ 07480	\$747.42	2012	5
7607-2	Melinda L. Singer 109 Pinecliff Lake Drive, West Milford, NJ 07480	\$676.40	2012	5
7801-22.08	Dana Nazarechuk 22 H Foxboro Lane, West Milford, NJ 07480	\$591.85	2012	5
7801-32.04	Patricia Reinhold & E. Hoffman 4227 Blackheath Road, Dallas, TX 75227	\$503.91	2012	5
8903-13	Brian & Jennifer Drake 105 Ridge Road, West Milford, NJ 07480	\$1,798.55	2012	2
9501-49	John & Tracey O'Connell 11 Bisset Drive, West Milford, NJ 07480	\$2,449.24	2012	5
9801-28.08	Scott & Christina Leonescu 37 Christine Court, West Milford, NJ 07480	\$676.40	2012	5
9801-28.09	Mark Werner 23 Christine Court, West Milford, NJ 07480	\$767.71	2012	5

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Block/Lot	Name	Amount	Year	Reason
10601-14	Jason Decker 23 Post Brook Road, West Milford, NJ 07480	\$2,082.71	2012	2
10602-30	Dale & Yupha Meadows 483 Otterhole Road, West Milford, NJ 07480	\$338.20	2012	5
10808-26	Stephen & Patrice Feigel 622 Otterhole Road, West Milford, NJ 07480	\$426.13	2012	5
11001-58	Barbara & Ernest Suto 24 Dudley Street, West Milford, NJ 07480	\$1,633.50	2012	5
11106-21	Diana Wagner 835 Westbrook Road, West Milford, NJ 07480	\$828.59	2012	5
12311-10	Heritage Abstract Company 465 South Street Ste. 230, Morristown, NJ 07960	\$1,270.61	2012	2
12901-34	Robert & Deborah Miller 373 High Crest Drive, West Milford, NJ 07480	\$169.10	2012	5
12901-39	Erin A. McDonald-Ryan 393 High Crest Drive, West Milford, NJ 07480	\$916.53	2012	5
12901-58	Valda Gaubiene & Gauba Raimondas 167 High Crest Drive, West Milford, NJ 07480	\$338.20	2012	5
12901-65	Joseph & Lisa Macaluso 195 High Crest Drive, West Milford, NJ 07480	\$257.03	2012	5
13701-40	Douglas & Darlene Brigito 43 Mohawk Trail, West Milford, NJ 07480	\$2,071.14	2012	2
14301-12	Paul & Diana Warcholik 28 Corter Lane, West Milford, NJ 07480	\$2,057.49	2012	2
14703-4	Brian DeGraw 33 Old Route 23, Newfoundland, NJ 07435	\$233.36	2012	5
15201-12	Hugo & Mary Juarez 24 Hopley Place, Newfoundland, NJ 07435	\$2,015.68	2012	5
15502-29	Theodore & Angela Adragna 86 Circle Blvd So, Newfoundland, NJ 07435	\$6,896.43	2012	6
4011-1	Eric Bos 47 B Ridge Road, West Milford, NJ 07480	\$2,473.44	2012	2
1504-13	John Angelo Mandara 54 Hillcrest Road, Hewitt, NJ 07421	\$1,542.15	2012	6
TOTAL		\$90,981.06		

Adopted: November 28, 2012

Agenda No. VIII g
 ~ Resolution No. 2012- 387 ~

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: INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR
1701-45	Aaron & Audrie Tornow	\$2,581.86	2012
7801-28.01	Ann Marie Mendola	\$2,185.06	2012
15803-7	14 Oak Ridge LLC	\$366.50	2012
15803-7	14 Oak Ridge LLC	\$351.44	2012
2701-24	Howard & Susan Schrier	\$3,304.23	2012
TOTAL		\$8,789.09	

Adopted: November 28, 2012

Agenda No. IX

Approval of Expenditures

~ Resolution No. 2012- 388 ~

RESOLUTION APPROVING THE PAYMENT OF BILLS

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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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	\$241,292.23
2	Reserve Account	709.74
3	Animal Control Trust	330.10
6	Capital	414,789.57
7	Grants	3,002.00
8	Refuse	105.62
9	Refunds.	290,339.59
12	General Ledger	0.00
16	Heritage Trust	0.00
14	Open Space Trust	900.00
17	Trust	1,200.00
18	Development Escrow	5,623.50
19	COAH	3,139.35
20	Special Reserve	0.00
11	Assessment Trust	0.00
Total		\$961,431.70
	\$Less Refund Resolution	-290,339.59
	Actual Bill List	\$671,092.11
	Other Payments	0.00
	Total Expenditures	\$671,092.11

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Discussion: Councilwoman Erik noted that page 10 reflects payments being made for snowplowing for snowfall right after Hurricane Sandy. That was not a significant snow event yet we had plows out there. She asked if there is a breakdown for this almost \$26,000 expenditure. Nancy said yes this is what it costs once we send these trucks out. The contracts awarded reflect the hourly rates. It takes about 3 hours to complete one sweep of town. Engineering is now overseeing the operations so that we can monitor and modify the process over time. Council President Signorino said that this seems to contradict statements made at the subcommittee meeting for the DPW budget. The DPW superintendent said we only call out for snowfall over 3 inches. Ms. Gage said that this was right after the Hurricane. Mayor Bieri noted that this storm was unique with the number of accidents and rollovers. Ms. Gage agreed saying that every storm has to be reacted to on a case-by-case basis and calls have to be made on a storm-by-storm basis. For example yesterday's storm was at its highest when school buses were letting out and the temperatures were dropping so contractors were called out. They tried sanding first but it was not effective. Councilman Ramaglia said that the other challenge in West Milford is the diversity of accumulation in different areas of town. There are extreme fluctuations of temperature and accumulation. Ms. Gage said engineering is monitoring that to determine if all contractors have to be called out all the time. Discussion ensued about a brine treatment which Ms. Gage said is controversial. She said it is a work in progress with safety as the main concern. She will be monitoring reports after each storm.

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

Agenda No. X

Presentations

Westbrook Park - the EDC Chairman, Mr. Nicholson was joined by EDC member John Sherwood. They directed Council to the report submitted to the Administrator. EDC knew there were some deed restrictions associated with this property but they nonetheless put a lot of thought into this. The land is valued at \$2.5 million but they believe that the Township could not sell it for more than \$1 million based

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on the condition. The roads need repair and it costs about \$15,000 to \$30,000 to build a campsite. It would require an investment of \$2.5 to \$3 million if someone wants to build a campsite there. We cannot sell Westbrook as a campsite. However, the property, they said is massive, larger than they originally thought. They presented various scenarios and ideas for potential use. The Township could sell to a state or county agency. The State of New Jersey has few campsites. Camp Hope could possibly buy this property to extend their services or the Township could also put it out to bid to have an outside enterprise operate it or manage it. The motor cross society may be interested for a motorbike track. The bottom line is the property is laying idle right now.

John Sherwood said that he will address possible recreation uses for Westbrook Park. He writes a column for *The Trends* called *At Home in the Highlands*. The thoughts tonight are collective from EDC members who agree that the Township cannot sell the property. Why would someone want to come to West Milford now for camping? There is not enough to do. The property requires a lot of work just to support an overnight stay. If the Township continues to own the property there is 169 acres of wilderness. He described the property terrain which he toured on his mountain bike. It is mountainous with not many options. He went to a RAC meeting a few years ago and there are fields there that could be used. JORBA has a strong relationship with West Milford and many of their board members live in West Milford. He sells bicycles for a living. People ask him about West Milford all the time. Increasing the bike trails would be a great idea. Equestrian trails are a possibility. He recommends multi-use trails. Equestrian trails need greater parking. There is a small lake on the property that could not be used in its current condition. There are potential picnic areas. These could complement Bubbling Springs. There are remnants of a play area and picnic shelter and the Township could seek donations to update that. Their report has a number of suggestions. From his perspective the best thing is to get on board to use this as a recreational use facility. He described an event at Bubbling last week hosted by the bicycle shop that incorporated a number of local businesses. He likes those events that will benefit the community.

Mr. Nicholson said that recreation did a good job on the coffee house and he would like to see the pool upgraded. Perhaps recreation can use this facility as part of the summer camp. It is a shame to limit Westbrook to a teen center that is open only two days per week. Everybody should use this facility.

Councilwoman Horton left the Regular Meeting at 8:27 p.m. during the presentation.

Agenda No. XI

Reports of Administrator, Mayor and Council Members

Councilman Rosone thanked Mackenzie for all her work raising money for Sandy Relief. He thanked her and the members of the Interact Club. He conveyed his condolences to the Puig and family on their loss. He knew Mrs. Puig and described her death as a tragedy. It was mentioned that the man who caused the accident is a product of West Milford school but that is untrue. He is now 21 years old. Comments made about the youth of this town and the drug problems are exaggerated. Education is the key. It starts at home with parents. DARE, REAL and CASA reinforce the lessons kids first learn from parents. It is not fair to stereotype an entire student body alleging that they are riddled with drugs. The schools recognize it is an issue but it is not alarming. He agrees that SROs are important. That is more an enforcement issue that is within the discretion of the chief of police. Most security officers in West Milford high schools are former police officers. Councilwoman Erik wanted SROs but she voted to cut our police department in January by two officers. We do have a lot of outstanding young people in our town. Many have been in this room. Eagle Scouts, volunteers, coaches, etc. He urged that people do not label all our kids because of a few that choose that path. Our high school band is number one. Many of our graduates attend college to become professionals. There is a problem and our police department does a great job at both enforcement and education. We need positive reinforcement and role models. Despite what has been said in the media, he is proud of our youth. Most kids are very heartfelt and caring. This tragedy was horrendous but we are on the road to protect our residents and our youth.

Council President Signorino thanked Councilman Rosone for those comments. He echoed those sentiments and conveyed his condolences too.

Councilwoman Erik thanked the police department and apologized publicly for her vote in January adding that her position on staffing levels in the police department has changed. The fire department and EMS did a fantastic job with that accident. She discussed Rosie's injuries and the doctor's comments. The EMS in this town are finely trained. She said Mr. Rosone is right and wrong. All kids are not bad but there are some bad apples. She graduated in 1960 and there were drugs then and there are still drugs now. This young man came out of Jefferson and this drug problem is universal. We continue to bury our heads in the sand. She is not talking about the great kids. We must do something about the others who are forgotten. Shame on us and this society for that. We must take ownership of this problem. Because

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of Rosie's death she will not let this go, she will continue pushing to effectuate change through education. We teach kids from a young age about recycling. We must do likewise about the dangers of drugs. Most kids don't use drugs. But the system that educates about the danger of drugs has failed. She went to the young man's arraignment this morning. He is a beautiful young man. She is angry at his parents and this society that let him down. She is not angry at him.

Councilman Smolinski thanked Councilman Rosone for talking in a positive manner about the kids of West Milford. This accident was tragic and was followed by conveying a negative vision of West Milford. Every town has drug issues but it was not proper to represent West Milford as the Heroin capital of the Highlands. The school system does a lot of work along with our police department to educate and protect our kids. Our school kids are wonderful. When you are 21 years old you are a product of your own poor judgment and this young man will pay dearly for that as the community mourns the loss. You cannot blame the system or society. You must blame the individual. This year there will be a new addition to recreation thanks to RAC and Councilman Ramaglia. There will be an ice skating rink at Bubbling Springs. Check it out. He said that there were things in his confidential envelope that he does not consider confidential. Mr. Semrau advised that at times letters are confidential so that Council can see them first. Councilman Smolinski told reporters to request a letter about the revaluation and he asked for a future workshop discussion about commercial garbage collection. He thanked the EDC for their Westbrook report noting that there is potential there. Westbrook, he said, is a nice facility.

Councilman Ramaglia conveyed condolences to Jose and his family. He advised that the coat drive is underway and will accept donations until 12/22. The coats will be distributed at church shortly thereafter. On 11/19 there was a meeting with coalition towns with regard to lobbyist efforts for Newark watershed. We made a plea noting that West Milford has 50% of the watershed land. There is strength in numbers. It was a great meeting. We provided numbers and information that those towns were not aware of. We need equity. The lobbyist costs us \$4,000 per month and we have asked towns to each kick in \$500 per month to offset 50% of our cost. There was consensus and preliminary support. He asked Mr. Semrau to draft agreements with the other towns to have them lock into this deal. Mr. Semrau wrote a memo outlining the details of the meeting. It involves a one-year commitment and creates a coalition whereby the Township assumes 50% of the cost and there is strength in numbers.

Mayor Bieri said the potential coalition is encouraging. She thanked the EDC for their Westbrook analysis and urges patience. She echoed sentiments expressed about our youth noting that there is generally more good than bad. She conveyed her condolences to Jose adding that he displayed courage and forgiveness. Chief Storbeck put together a memo to his personnel about Hurricane Sandy. She read it because it was poignant. She agreed and concurred with sentiments about the camaraderie and efforts put forth. The Chamber of Commerce is sponsoring an event for youngsters who live in the hardest hit areas of New Jersey and she urged support. The Freeholders sent a letter advising that West Milford received \$383,000 in CDBG funding for 1st, 2nd & 3rd Avenues. She thanked them for those funds. The Passaic County Sheriff did reinstate the SLAP program and she thanked him for that. Passaic County Mayors pressed for that so she thanked him for listening. She asked Mr. Semrau if there is validity to a memo that says WVT is no longer responsible for taxes. Mr. Semrau said he is aware of it and it is similar to the Verizon issue. He filed a tax appeal to change their value from zero to the value last year. Our appeal was upheld so we do have a value now. The litigation continues statewide and we have joined in those efforts. Ms. Gage noted that there was a Supreme Court decision. Mayor Bieri asked about a potential future agenda item to discuss getting the cable channel on line. Ms. Gage advised that they have agreed to extend that date and Mr. Shaw will be attending a future committee meeting.

Administrator Gage said that staff is currently in the process of installing new financial software to be effective January 1st. It will make the budget process better but there may be initial delays. There was an issue regarding commercial trucks being charged to go to the recycling center. Those in landscaping & tree removal are charged a fee because otherwise taxpayers are subsidizing those businesses. All others are only required to show a town ID and they will be allowed free access. The charges for landscapers is not excessive and she supports those charges. The paperwork for the storm and related costs has been compiled and it is estimated that the town expended approximately \$150,000. We will submit FEMA applications ASAP. About a third we are hoping will be reimbursed at 100%. FEMA will approve 100% for costs related to restoration of power and all other costs at 75%. At the next meeting she will have a resolution for an emergency appropriation. We will also be canceling \$160,000 from last year's emergency appropriation debt. Our annual payments will actually be less. Labor negotiations were cancelled because of the storm and have been rescheduled for December.

Mr. Semrau said he hopes to have a report on utilities in packets on Friday. There was a discussion at the last meeting about holiday displays. This matter was also discussed in executive session where he advised the Council about parameters and legal ramifications. He asked for the motion to be

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reconsidered. A Council member who votes "A" is voting to proceed with past practice of a tree, a secular display. A "B" vote would open up displays to all faiths and celebrations.

Discussion: Smolinski said that Rabbi Mendhi was here earlier and wanted to speak to show appreciation for vote taken at last meeting. He said he wants to share and celebrate with everyone. He wanted to erect a Menorah. He wanted to tell his congregation that it was a go.

Take a motion for A) open to holiday decorated tree only or B) open to all faiths and holiday decorations

Moved: Ramaglia Seconded: Rosone
Voted A: Erik, Rosone, Signorino.
Voted B: Smolinski, Ramaglia
Absent: Horton
Motion carried.

Agenda No. XII

Appointments and Resignations

None.

Agenda No. XIII

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 9:23:21 p.m.

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

Approved: February 20, 2013

MAYOR BETTINA BIERI
PRESIDING OFFICER

ANTOINETTE BATTAGLIA
TOWNSHIP CLERK