

TOWNSHIP OF WEST MILFORD

**THE FOLLOWING COMPRISES THOSE DOCUMENTS
SUBMITTED TO THE TOWNSHIP COUNCIL FOR
CONSIDERATION AND ACTION AT THE**

**December 21, 2011
REGULARLY SCHEDULED COUNCIL MEETING.**

**THESE ACTION ITEMS ARE SUBJECT TO CHANGE AND
ARE PROVIDED HERETO AS A COURTESY.**

**ORDINANCES AND RESOLUTIONS THAT HAVE BEEN
ADOPTED BY THE TOWNSHIP COUNCIL ARE POSTED ON
THE TOWNSHIP WEBSITE UNDER "LOCAL LAW" AS SOON
AS PRACTICABLE AFTER THE MEETING AT WHICH
ACTION WAS TAKEN.**

**IT IS STRONGLY RECOMMENDED THAT ONE SEEKING A
COPY OF THAT WHICH WAS ADOPTED BY THE
TOWNSHIP COUNCIL OBTAIN THAT COPY UNDER THE
LINK TO "LOCAL LAW".**

**EACH OF THE FOLLOWING RECORDS IS SUBJECT TO
CHANGE AND/OR AMENDMENT BY THE TOWNSHIP
COUNCIL PRIOR TO ADOPTION.**

Township of West Milford

Passaic County, New Jersey

~ Resolution No. 2011 - 361~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE TERMS OF A SUCCESSOR COLLECTIVE BARGAINING AGREEMENT WITH AFSCME COUNCIL 52, LOCAL 2275 FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2013

WHEREAS, the Township of West Milford ("Township") and the AFSCME Council 52, Local 2275 have been conducting negotiations for successor Collective Bargaining Agreements; and

WHEREAS, the members of AFSCME Council 52, Local 2275 have ratified the terms of the tentative agreement; and

WHEREAS, the Mayor and Council desires to approve the terms of the agreement as recommended by the Township Administrator.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford as follows:

1. The Parties have reached a tentative Agreement; and
2. The members of AFSCME Council 52, Local 2275 have ratified the tentative terms of the Agreement; and
3. The Township desires to ratify the terms of the Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford, County of Passaic, ratifies the terms contained in the Agreement with AFSCME Council 52, Local 2275 as recommended by the Township Administrator for inclusion in successor Collective Bargaining Agreements and directs the Township's Labor Counsel to incorporate said terms into the parties' Collective Bargaining Agreement and authorize the Township Administrator to execute said Collective Bargaining Agreement when completed.

December 21, 2011

Adopted this 21st day of December 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 - 417 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING THE 2011 CONTRACT WITH FERRAIOLI, WIELKOTZ, CERULLO & CUVA FOR AUDITING AND FINANCIAL CONSULTING SERVICES TO ALLOW FOR ADDITIONAL SERVICES IN EXCESS OF THE PRE-APPROVED NOT TO EXCEED AMOUNT BY \$28,090.00

WHEREAS, by virtue of Resolution 2011-039 adopted on January 5, 2011 the Township Council did authorize the engagement of auditing and financial consulting services to be provided by Ferraioli, Wielkotz, Cerullo & Cuva; and

WHEREAS, resolution 2011-039 and the related contract did authorize services in an amount not to exceed \$50,000; and

WHEREAS, resolution 2011-278 did authorize an addition of \$9,000.00 for financial services needed for a note sale and revaluation.

WHEREAS, the Township Administrator has advised that the Township's needs related to this contract caused the provider to exceed the authorized contractual amount by an additional \$28,090.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose said funds to be encumbered from various capital ordinances section 20 costs and 1-01-20-135-200.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that they do hereby authorize the Township Administrator to approve payment of \$28,090.00 to Ferraioli, Wielkotz, Cerullo & Cuva for auditing and financial consulting services provided in the 2011 calendar year which amount is in excess of the initially approved contract amount; and

BE IT FURTHER RESOLVED that notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: December 21, 2011

Adopted this 21ST day of December 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 - 428 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, FOR ADOPTING CHANGES TO AN EXISTING DEFERRED COMPENSATION PLAN PURSUANT TO THE FINAL INTERNAL REVENUE CODE SECTION 415 REGULATIONS, PENSION PROTECTION ACT OF 2006, THE HEROES EARNINGS ASSISTANCE AND RELIEF TAX ACT OF 2008, AND THE WORKER, RETIREE AND EMPLOYER RECOVERY ACT OF 2008

WHEREAS, the Township of West Milford by resolution adopted a Deferred Compensation Plan (hereinafter referred to as the "Plan") effective November 5, 2008 by virtue of resolution 2008-396, for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Township of West Milford by resolution retained the Variable Annuity Life Insurance Company ("VALIC") as the contractor under the Deferred Compensation Plan and executed a Service Agreement with said contractor; and

WHEREAS, the final Internal Revenue Code ("Code") Section 415 regulations, Pension Protection Act of 2006 ("PPA"), the Heroes Earnings Assistance & Relief Tax Act of 2008 (the HEART Act) and the Worker, Retiree and Employer Recovery Act of 2008 ("WRERA") amended Section 457 of the Code; and

WHEREAS, State and local governmental Section 457(b) plan sponsors must amend their plans to comply with the PPA legislative changes by the last day of the 2011 plan year; and

WHEREAS, the Township of West Milford desires its plan to conform with the changes in the Code; and

WHEREAS, the Township of West Milford desires to adopt an amended and restated Plan that conforms with the changes in the Code; and

WHEREAS, such amended and restated Plan shall supersede the previously adopted Plan.

NOW, THEREFORE BE IT RESOLVED that the Township of West Milford does hereby adopt the amended and restated Plan prepared by VALIC and assigned Plan Document Identifier 81-PD-VALIC-103111 by the Director of the Division of Local Government Services; and

BE IT FURTHER RESOLVED that the Municipal Clerk of the Township of West Milford shall forward a certified copy of this resolution to the Director of the Division of Local Government Services, Department of Community Affairs, P.O. Box 800, Trenton, NJ 08625-0800.

Adopted: December 21, 2011

Adopted this 21st day of December, 2011
and certified as a true copy of an original

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Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 - 429 ~

**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 2012 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 2012 calendar year:

REGULAR WORKSHOP MEETINGS	COUNCIL REGULAR MEETINGS
January 07, 2012, Reorganization Meeting	
January 07, 2012, Council Workshop Meeting	January 18, 2012, Regular Council Meeting
February 01, 2012, Council Workshop Meeting	February 22, 2012, Regular Council Meeting
March 07, 2012, Council Workshop Meeting	March 21, 2012, Regular Council Meeting
April 04, 2012, Council Workshop Meeting	April 18, 2012, Regular Council Meeting
May 02, 2012, Council Workshop Meeting	May 23, 2012, Regular Council Meeting
June 06, 2012, Council Workshop Meeting	June 27, 2012, Regular Council Meeting
July 11, 2012, Council Workshop Meeting	July 18, 2012, Regular Council Meeting
August 01, 2012, Council Workshop Meeting	August 22, 2012, Regular Council Meeting
September 05, 2012, Council Workshop Meeting	September 19, 2012, Regular Council Meeting
October 03, 2012, Council Workshop Meeting	October 24, 2012, Regular Council Meeting
November 07, 2012, Council Workshop Meeting	November 28, 2012, Regular Council Meeting
December 05, 2012, Council Workshop Meeting	December 19, 2012, Regular Council Meeting

BE IT FURTHER RESOLVED that the Reorganization Meeting and the Council Workshop 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 shall begin at 1:00 p.m. with the workshop meeting immediately following the reorganization meeting.

BE IT FURTHER RESOLVED that all Workshop and Regular 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 7:30 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: December 21, 2011

Adopted this 21st day of December, 2011
and certified as a true copy of an original

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 - 431 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SALE OF MUNICIPALITY-OWNED PERSONAL PROPERTY AND SEIZED OR ABANDONED PROPERTY HELD BY THE POLICE DEPARTMENT IN ACCORDANCE WITH THE TERMS AND CONDITIONS OUTLINED IN THE EXISTING AGREEMENT WITH PROPERTYROOM.COM. INC.

WHEREAS, the Township Council of the Township of West Milford did authorize the execution of a contract with PropertyRoom.com, Inc. for the on-line sale of municipal and seized property by virtue of resolution 2011-103 adopted on March 16, 2011; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:14-157, the Township of West Milford may sell any municipality-owned personal property at a public auction; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of seized or abandoned property held by the Police Department through the use of an online auction service; and

WHEREAS, the Police Department has complied with standard operating procedures with regard to seized or abandoned property pursuant to N.J.S.A. 2C:64-1 et seq. and N.J.S.A. 40A:14-157; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notices 2008-9 and 2008-21; and

WHEREAS, N.J.S.A. 40A:14-157 and the Division of Local Government Services' Local Finance Notice 2008-9 outline specific advertising requirements to provide for transparency and public participation in such sales; and

WHEREAS, prior to the commencement of such sale, PropertyRoom.com Inc. shall confirm that the Township Clerk is appraised of all necessary information to provide such public notice and the date of sale shall be such that there is sufficient time within the law to advertise in the Township's official newspaper.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey, that the Township is hereby authorized to sell the municipality-owned, seized or abandoned property as indicated on Schedule A – Property Auction Manifest, on file in the office of the Township Clerk, on an online auction website entitled www.PropertyRoom.com; and

BE IT FURTHER RESOLVED, that the terms and conditions of the agreement entered into between PropertyRoom.com, Inc. and the Township of West Milford are available at www.PropertyRoom.com and in the Office of the Township Clerk; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded by the Township Clerk to the Division of Local Government Services, Department of Community Affairs, and that a notice will be published in the official newspaper on December 25, 2011 and January 8, 2012.

Adopted: December 21, 2011

Adopted this 21st day of December 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 - 432 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITH STUART B. KLEPESCH TO PROVIDE LEGAL SERVICES FOR THE TOWNSHIP OF WEST MILFORD (TAX FORECLOSURE LIST #30)

WHEREAS, the Township of West Milford wishes to award a professional services contract to by virtue of Resolution 2010-042 to represent the Township in foreclosure matters as outlined in foreclosure list # 30; and

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

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

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

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

1. The Township Mayor and Township Clerk be and are hereby authorized to execute a contract with Stuart B. Klepesch for professional services to assist the Township with legal matters pertaining to those tax foreclosures outlined in tax foreclosure list #30 in an amount not to exceed \$29,000 for the entire list.
2. This contract is awarded without competitive bidding as "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
3. This contract shall expire on completion of foreclosure list #30 or December 31, 2012 whichever comes first.
4. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolutions authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: December 21, 2011

Adopted this 21st day of December, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 - 433 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY,
NEW JERSEY AWARDING A CONTRACT TO SCOTT J. EHRMANN LANDSCAPE DESIGN &
CONTRACTING FOR THE MAINTENANCE OF BALLFIELDS AND OTHER SITES**

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on December 2, 2011 at 10:00 a.m. for maintenance of ball fields and other sites as per the Bid Specifications; and

WHEREAS, the Township of West Milford received six (6) bids for this contract; and

WHEREAS, said bids have been duly reviewed and analyzed by the Director of Community Services and Recreation and the Township Attorney; and

WHEREAS, the bid received from the low bidder for Scott J. Ehrmann Landscape Design & Contracting has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from account number 2-01-28-375-450.

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

1. The Township Council hereby awards a contract to Scott J. Ehrmann Landscape Design & Contracting, 14 Applegate Court, West Milford, NJ 07480 for Maintenance of Ballfields and Other Sites in an amount not to exceed \$44,800 for one year.
2. The Mayor and Township Clerk be and are hereby authorized and directed to execute a contract with Scott J. Ehrmann Landscape Design & Contracting in accordance with its bid for said maintenance of ball fields and other sites in the Township of West Milford.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: December 21, 2011

Adopted this 21st day of December, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution 2011 – 434 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP AND TMP OF NEW YORK, INC. d/b/a TEPLITZ METAL PROCESSING FOR THE MARKETING OF RECYCLABLE SCRAP METAL

WHEREAS, proposals were solicited for The Marketing Of Recyclable Scrap Metal for the Township of West Milford by the Solid Waste and Recycling Coordinator, West Milford Department of Public Works on October 20, 2011; and

WHEREAS, seven proposals were received on November 22, 2011 in the Office of the Township Clerk and conveyed to the Solid Waste and Recycling Coordinator; and

WHEREAS, Teplitz has satisfactorily worked with the Township as the scrap metal vendor for almost three years; and

WHEREAS, the Director of Public Works and the Solid Waste & Recycling Coordinator have thoroughly reviewed each proposal, and has recommended the award of a contract to TMP of New York, Inc. d/b/a Teplitz Metal Processing;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the Mayor and the Municipal Clerk are hereby authorized to execute an agreement with TMP of New York, Inc. d/b/a Teplitz Metal Processing for the marketing of recyclable scrap metal for the period of January 1, 2012 through August 31, 2014 for the Township of West Milford.

Adopted: December 21, 2011

Adopted this 21st day of December, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution 2011 - 435 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER FOR NEW PRINCE CONSTRUCTION CO. FOR THE BIKEWAY SECTION 3 PROJECT

WHEREAS, the Township Supervising Engineering Aide Eric Miller has recommended approval of a change order to the New Prince Construction Co. for certain variations in estimated quantities and price adjustments in materials for the Bikeway Section 3 Project in the amount of \$47,624.22 and,

WHEREAS, the increased cost recommended in the approval of the change order is \$47,624.22+ which amount represents an updated contract amount of \$765,088.72; and,

WHEREAS, the change was recommended due to field conditions and market which resulted in additional quantities, and an asphalt price adjustment; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this change order, said funds to be paid from C-04-10-945-315.

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

1. The Administrator be and is hereby authorized and directed to execute a change order to the contract with New Prince Construction Co. in an amount not to exceed \$47,624.22 representing an increase to the original contract amount of \$717,464.50 and establishing a new not to exceed amount of \$765,088.72.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Municipal Clerk.

Adopted: December 21, 2011

Adopted this 21st day of December, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 – 436 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PERSON TO PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-020-006 FROM LA ROCCA, INC. TO THE INN AT FARMCREST LLC AS A POCKET LICENSE WITH NO SITED PREMISES

WHEREAS, an application has been received for a Person to Person transfer of 2011 - 2012 Plenary Retail Consumption License No. 1615-33-020-006 presently held by LaRocca Inc. to The Inn at Farm Crest LLC as a pocket license with no sited premises; and

WHEREAS, the Township Council has conducted a public investigation of the applicant as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980, and

WHEREAS, as a result of that investigation the Township Council has determined the following:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicant has disclosed to the issuing authority the source of all financing obtained in the previous license year (July 1, 2010 - June 30, 2011).
- 4.

WHEREAS, as a further result of the public investigation and upon the recommendation of the Police Department the Township Council authorizes the pocket license be transferred with conditions as follows:

1. Licensee must file a Place-to-Place Transfer of License and a Police Information Request form to site the license.
2. Any proposed premise must be inspected and approved by the Police Department, Fire Marshal, Building and Health Departments before activating.
3. Food Handlers License must be current before issuance of License Certificate.
4. Certificate of Occupancy must be issued prior to opening if applicable.
5. Licensee must file an amendment to the current license application, pages 1, 2 and 11 of the 12-page application, within ten days before or after the opening of the business.

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

Adopted: December 21, 2011

Adopted this 21st day of December, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 – 437 ~

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. 2011-438 – Cancellation of Taxes
- b. 2011-439 – Cancel Tax Lien Certificates
- c. 2011-440 – Cancel Township Check
- d. 2011-441 – Refund Other Liens
- e. 2011-442 – Refund Overpayments
- f. 2011-443 – Reinstate Taxes
- g. 2011-444 – Various Licenses

Applications:

1. Application for Off Premise Draw Raffle License No. 2012-02 from the Upper Greenwood Lake PTA for February 9, 2012.

Adopted: December 21, 2011

Adopted this 21st day of December, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford
 Passaic County, New Jersey

~ Resolution 2011 – 438 ~

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:

REASON: 1) Sold to State of NJ Department of Environmental Protection

BLOCK/LOT	NAME	AMOUNT	YEAR
2202-7	Karl Knief	\$626.00	2012 First Half
2202-10.01	Karl Knief	\$536.00	2012 First Half
TOTAL		\$1,162.00	

Adopted: December 21, 2011

Adopted this 21st day of December, 2011
 and certified as a true copy of an original.

 Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 – 439 ~

A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF TAX LIEN CERTIFICATES

WHEREAS, the Township Tax Collector of the Township of West Milford sold liens to the municipality; and

WHEREAS, as a result of such tax sale, the Tax Collector has issued Tax Lien Certificates with respect to property formerly known as:

BLOCK & LOT	CERTIFICATE NO.	LIEN AMOUNT
206-14.02	10-001	\$3,037.07
2303-5	11-023	\$ 568.40
2303-6	11-024	\$332.83
2707-3	10-028	\$1,829.86
2708-1	10-152	\$3,570.15
3506-10	09-034	\$9,921.48
6401-9	09-065	\$4,837.09
6401-10	09-066	\$4,818.80
6711-8	09-073	\$2,633.38
12110-3.01	10-114	\$3,207.98
12110-5.03	10-116	\$2,456.56
12208-26	10-119	\$603.49
13802-3	10-128	\$444.10
TOTAL		\$38,261.19

WHEREAS, the outstanding lien has been redeemed and the amount has been paid to the Tax Collector to satisfy the obligation; and

WHEREAS, the Tax Collector recommends that these Tax Lien Certificates be executed for cancellation of record and recorded with the Passaic County Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford in the County of Passaic, State of New Jersey that the Mayor is hereby authorized to execute the cancellation of West Milford Tax Lien Certificates and the Township Attorney may then forward same with the Passaic County Clerk for cancellation of record.

Adopted: December 21, 2011

Adopted this 21st day of December, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution 2011 - 440 ~

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

REASON: Overpayment Of Refund - Bank Unable To Identify

WHEREAS, the Collector of Taxes received two checks for the payment of taxes on Block 5502 Lot 8; and

WHEREAS, the Collector of Taxes has attempted refund the overpayment to both homeowner and mortgage company; and

WHEREAS, check No. 45907 was returned indicating that the bank/mortgage company was unable to identify the money with a loan number, block and lot number, or homeowner name and address.

WHEREAS, the Collector of Taxes recommends that Township check No. 45907 made to the Bank of America for 2011 taxes in the amount of \$2,010.00 for Block 5502 Lot 8 be cancelled to Refund Sub-account No. 1-01-55-901-00.

NOW THEREFORE, BE IT RESOLVED, that the Township Council of the Township of West Milford does hereby approve the cancellation of Township Check No. 45907 to Refund Sub-account No. 1-01-55-901-00.

BLOCK/LOT	PAYABLE TO	AMOUNT	CHECK	YEAR	CANCEL CHECK TO ACCOUNT NO.
5502-8	Bank of America	\$2,010.00	45907	2011	1-01-55-901-001
TOTAL		<u>\$2,010.00</u>			

Adopted: December 21, 2011

Adopted this 21st day of December, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 – 441 ~

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 liens;

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	Blk/Lot	Reimbursement Amt	Lienholder
08-025	04/08/2008	01908-004	\$36,339.33	US BANK CUST FOR LIENLOGIC FUND I LLC 50TH SOUTH 16TH STREET SUITE 1950 PHILADELPHIA, PA 19102-2513
10-008	03/23/2010	01601-001	\$28,574.95	ROBERT ROTHMAN 411 GRAND AVENUE ENGLEWOOD, NJ 07631
10-044	03/23/2010	03602-007	\$4,769.73	PAM INVESTORS C/O PATRICK CARABELLESE 127 SOUTH WASHINGTON AVE BERGENFIELD, NJ 07621
11-038	04/19/2011	03602-009	\$428.02	US BANK CUST FOR PRO CAPITAL I LLC 1000 HADDONFIELD BERLIN RD SUITE 203 VOORHEES, NJ 08043
11-044	04/19/2011	04005-001	\$40,735.90	LIEN TIMES LLC 203 STEPHENS ROAD WEST MILFORD, NJ 07480
11-078	04/19/2011	08002-005	\$19,114.78	EMPIRE TAX FUND III LLC 8 HARROWS LANE PURCHASE, NY 10577
11-110	04/19/2011	13301-029	\$16,795.39	US BANK CUST FOR CCTS CAPITAL LLC 2 LIBERTY PLACE 50 SOUTH 16 ST. STE 1950 PHILDELPHIA, PA 19102
11-028	04/19/2011	02409-006	\$14,853.42	US BANK CUST FOR TOWER DBW 50 SOUTH 16 TH ST. STE 1950 – TOW PHILADELPHIA, PA 19102
Grand Total			\$161,611.52	

Adopted: December 21, 2011

Adopted this 21st day of December, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution No. 2011 - 442 ~

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 overpayments as shown below; and

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

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

REASONS:

- | | | |
|----------------------|----------------------|-----------------------------|
| 1. Incorrect Payment | 2. Duplicate Payment | 3. Senior Citizen Deduction |
| 4. Veteran Deduction | 5. Homestead Rebate | 6. Tax Appeal |

Block/Lot	Name	Amount	Year	Reason
5312-2.14	Anna Fanelli 4 Richmond Road Ste 214 West Milford, NJ 07480	\$804.00	2011	2
14113-28	Lien Times LLC 203 Stephens Road West Milford, NJ 07480	\$2,750.48	2011	2
13203-5	Eric & Susan Alheidt 355 Macopin Road West Milford, NJ 07480	\$1,898.00	2011	2
8602-34	Anthony & Jayne Capolongo 44 Cherbourg Drive West Milford, NJ 07480	\$2,764.73	2011	2
4014-2	John Winthrop 10 Romopock Ct. Mahwah, NJ 07430	\$250.00	2011	3
4107-9	Shirley Roiter 190 Long Pond Road Hewitt, NJ 07421	\$250.00	2011	3
5316-3.24	Selma Richman 9324 Richmond Road West Milford, NJ 07480	\$250.00	2011	3
5611-3	Richard Masucci 105 Center Street West Milford, NJ 07480	\$250.00	2011	3
11001-41	June Gawreluk 94 Broadway West Milford, NJ 07480	\$250.00	2011	3
15401-49	Irene Lynch 13 Post Place Newfoundland, NJ 07435	\$250.00	2011	3
2312-7	Stephen Ziffer P.O. Box 867 Hewitt, NJ 07421	\$250.00	2011	4
2512-17	James Gage 266 Lakeshore Drive Hewitt, NJ 07421	\$250.00	2011	4

Block/Lot	Name	Amount	Year	Reason
4107-9	Shirley Roiter 190 Long Pond Road Hewitt, NJ 07421	\$250.00	2011	4
5315-3.02	Joseph Tassone 7302 Richmond Road West Milford, NJ 07480	\$250.00	2011	4
5316-2.17	David Witkowski 9217 Richmond Road West Milford, NJ 07480	\$250.00	2011	4
5505-1.08	Wayne Brinster 5108 Richmond Road West Milford, NJ 07480	\$250.00	2011	4
7003-1	Alfred Martorana 8 Edgecumb Road West Milford, NJ 07480	\$250.00	2011	4
9501-24	Robert Finley 50 Leslie Drive West Milford, NJ 07480	\$250.00	2011	4
11001-58	Ernest Suto 24 Dudley Street West Milford, NJ 07480	\$250.00	2011	4
11102-6.08	Michael Verina 8 Stone Hedge Way West Milford, NJ 07480	\$250.00	2011	4
12311-25	Robert Zuccon 11 Setting Sun Trail West Milford, NJ 07480	\$250.00	2011	4
13102-22	William Collier 15 Longview Road West Milford, NJ 07480	\$250.00	2011	4
15701-29	Joan Toomes 9 Community Place Newfoundland, NJ 07435	\$250.00	2011	4
16201-13	William Millward 53 Albertine Place Oak Ridge, NJ 07438	\$250.00	2011	4
2410-6	Martin Oliver 48 Dunham Road Hewitt, NJ 07421	\$294.18	2012	5
3804-3	Lucille & David Hardin P.O. Box 241 West Milford, NJ 07480	\$1,000.00	2012	5
8101-13	Edward & Linda Erla 427 Ridge Road West Milford, NJ 07480	\$656.01	2012	5
10803-1	C. Tremblay & A. Usinwicz 81 Lindy's Drive West Milford, NJ 07480	\$459.74	2012	5
TOTAL		\$15,627.14		

Adopted: December 21, 2011

Adopted this 21st day of December, 2011
and certified as a true copy of an original._____
Antoinette Battaglia, Township Clerk

Township of West Milford
 Passaic County, New Jersey

~ Resolution 2011 - 443 ~

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

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

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

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

REASON: 1. INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR
207-11	Richard & Diane Wirth & Mary Henaghen	\$1,304.50	2011
8101-43	Robert & Christina Cammarieri	\$1,621.00	2011
5317-1.03	Albert Colgate	\$563.00	2011
906-5	Teresa Ann Quinones	\$1,326.00	2011
6605-14	Debra Cuomo	\$1,344.00	2011
2701-9	Robert, Leo, & Carol Erb	\$1,667.21	2011
603-12	Luisa & Salvatore Petrillo	\$2,127.50	2011
2405-009	Laura & Richard Belfi	\$300.00	2011
9901-38	Michael Donaido	\$1,789.44	2011
TOTAL		\$12,042.65	

Adopted: December 21, 2011

Adopted this 21st day of December, 2011
 and certified as a true copy of an original.

 Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 - 444 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,
STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE
LICENSE YEAR 2012**

WHEREAS, applications have been made for the renewal of various Licenses 2012; and

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford does hereby approve the issuance of 2012 Licenses as listed below:

2011 PRECIOUS METALS DEALER LICENSES	
License No.	Applicant Name
2012 JUNKYARD LICENSES	
2012 – 01	Mountain Top Auto, Inc. John Kardanow 333 Warwick Turnpike
2012 - 02	Jeanette Marchiafava 110 Weaver Road <small>(inactive)</small>
2012 – 03	West Milford Auto Recyclers, Inc. Frank Kasabri 112 Weaver Road
2012 JUNK SHOP LICENSES	
2012 - 01	Mountain Top Auto, Inc. John Kardanow 333 Warwick Turnpike
2012 SOLICITOR LICENSE	
2012 – 01	Joseph Cauda West Milford To Go 13 Stanton Ct, Hewitt

Adopted: December 21, 2011

Adopted this 21ST day of December, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution No. 2011 - 445 ~

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	\$228,433.12
2	Reserve Account	0.00
3	Animal Control Trust	1,094.00
6	Capital	262,236.98
7	Grants	135,065.96
8	Refuse	538.75
9	Refunds	177,288.66
12	General Ledger	0.00
16	Heritage Trust	604.73
14	Open Space Trust	0.00
17	Trust	4,657.46
18	Development Escrow	7,006.44
19	COAH	0.00
20	Special Reserve	0.00
Total		\$816,926.10
\$Less Refund Resolution		-177,288.66
Actual Bill List		\$639,637.44
Other Pyts Ck		
Total Expenditures		\$639,637.44

Approved: December 21, 2011

Adopted this 21st day of December, 2011 and
certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution No. 2011 – 446 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 7th day of December, 2011 that:

1. 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.
 - Upper Greenwood Lake POA v. West Milford Township.
 - () b. (8) Personnel matters.
 - () b. (9) Deliberations after a public hearing that may result in penalties.
2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: December 21, 2011

Adopted this 21st of December, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk