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

Minutes of: Township Council Workshop  
Date of Meeting: December 2, 2009  
Time of Meeting: 7:30 p.m.  
Minute Page No: Page 1 of 16

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The Workshop Meeting of the West Milford Township Council was called to order by Mayor Bieri.

**Adequate Notice Statement**

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Workshop meeting was advertised in the Herald News in its issue of May 10, 2009; copies were provided to the Suburban Trends, the Record, Star Ledger, and Greenwood Lake News 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.

**Pledge of Allegiance**

Mayor Bieri led all in attendance in a salute to the flag.

**Roll Call**

Present: Councilmembers Philip Weisbecker, Joseph Smolinski, Salvatore Schimmenti, Marilyn Lichtenberg, Daniel Jurkovic. Mayor Bettina Bieri.  
Absent: Councilman Robert Nolan.  
Also Present: Township Administrator Kevin Boyle, Township Clerk Antoinette Battaglia, Township Attorney Frederick Semrau.

Agenda No. II

**Reading of or Approval of Unapproved Minutes**

Councilman Weisbecker moved to adopt the following meeting minutes as presented:

October 21, 2009 Executive Session                      October 21, 2009 Regular Meeting

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

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Agenda No. III

**Meetings**

Mayor Bieri noted the future meeting schedule:

December 16, 2009 Regular Meeting                      January 1, 2010 Reorganization Meeting

Agenda No. IV

**Presentations**

None.

Agenda No. V

**Proclamations**

None.

Agenda No. VI

**Public Comments**

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

Sue Walenta-Hunt, 74 Pinecrest Trail, West Milford stated that shortly after purchasing her property she realized that the septic could not support year-round use of the home. She wishes to purchase the adjoining property which is owned by the Township and is here tonight to state her interest in that property. She asked the Council to consider her plea despite that they have been banking properties in that area. She is aware of eight other homeowners in that general vicinity who have received such consideration from the Township and she has no other options available to upgrade her septic.

Jim Novack, Larchmont Drive, West Milford stated that the Township received over \$44,000 in recycling grants this year. No other municipality has received such funding. He recently read that a New Jersey Assemblyman from Montclair offered to pay ten cents apiece for political signs returned to him for recycling. The response was overwhelming with him getting over 11,000 signs. He recycled the signs and made a donation to a charity as promised. He stated that the State Commission of Investigation recently issued a 108-page report about public sector workers on a gravy train. He stated that he and

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Ms. Erik were recently on Oak Ridge Road where they saw a large number of illegal signs. Since then he has been advised by the police department that a complaint has been filed against them for removing the signs. The police department should not be wasting time investigating ridiculous complaints of this nature.

Doris Aaronson, 19 Bearfort Road, West Milford stated that the fifteen-year franchise that TKR had with West Milford was adopted in 1995. With only one meeting left this year, she is concerned that the franchise agreement will not be renewed on a timely basis. The Council, she said, has a lot to consider especially in light of the report submitted by the committee. She reviewed some of the comments contained in the report. She made some suggestions as to a dedicated public service channel suggesting that West Milford may not need a dedicated channel but rather a 49% interest in a channel which would then be operated by the cable company. She stated that she has read a number of news articles about Tennessee Gas Pipeline and recommended that the Council seek to get easement monies from them to offset the municipal budget. She asked if the sex offender ordinance can be expanded to include playgrounds and other child-frequented areas.

Monika Lubera, 27 Davenport Road, West Milford noted that there is a scheduled discussion of the Davenport Bridge on the agenda for tonight. She was here to address this matter with Council on October 21<sup>st</sup> and, now that the election is over, she wishes to receive an update. She stated that a sign was installed just after the election stating that the bridge is to be closed on November 20<sup>th</sup>. She and other residents in the area feel cheated, upset and disappointed.

Patricia Dudzak, 2 Albertine Place, West Milford questioned the Administrator's motives for stating that Davenport Bridge is unsafe. She showed photographs of large trucks traversing the bridge recently with one photograph clearly depicting an over-the-weight-limit truck with Morris County lettering sitting squarely on the bridge. With Davenport Road and Oak Ridge Road oftentimes closed due to accidents, West Milford residents who need Davenport Bridge to gain access to their homes are being prohibited such access. She asked what will happen in emergencies.

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

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

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Agenda No. VII

**Council Comments**

Council President Smolinski stated that the Council received comments from the Morris County Engineer in their packets about the Davenport Bridge. While West Milford cannot assume responsibility for this bridge, it appears that Morris County has abdicated their responsibility in this matter. Issues raised by West Milford residents are valid and he asked that the Council support continued exertion of pressure on Morris County to address these issues. He asked the Administrator to convey the photos to the Morris County Engineer.

Councilman Weisbecker stated that the Council is not giving up on Davenport Bridge. Morris County is closing this bridge without West Milford's consent and he asked Administrator Boyle to research the potential of receiving federal stimulus funds to repair this bridge. The Council, he said, will not abandon residents in that area. Recently he spoke with the newly elected Passaic County Freeholders seeking their support to have this bridge repaired.

Councilman Jurkovic stated that the Davenport Bridge is a serious issue and he asked Mr. Semrau if it is possible to obtain a restraining order prohibiting Morris County from closing the bridge. He suggested that West Milford seek a temporary injunction pending an independent engineering opinion as to its condition. Mr. Semrau stated that he will research the options and report back to Council.

Mayor Bieri asked if the County is allowed to abandon a public road in this manner. Mr. Semrau stated that they are taking action based on their safety analysis. He will research the matter further and apprise the Council of options available to intervene.

Ms. Dudzak requested to be heard again and by unanimous roll call vote the Council agreed to hear her.

Patricia Dudzak, 2 Albertine Place, West Milford stated that the bridge has already been closed and the barricades are in place. She questioned how Morris County can place the barricades on Passaic County property. When the barricades were being installed, she called the police who advised that the Morris

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County Administrator and the Chief of Police gave permission to close the bridge. Councilman Weisbecker asked Mr. Boyle if he, as Township Administrator, authorized the closing of this bridge and Mr. Boyle answered in the negative.

Councilwoman Lichtenberg stated that she supports selling the Township-owned property in Pinecrest to allow for the septic repair. While she appreciates the clean-up efforts put forth by Mr. Novack and Ms. Erik, she stated that any person has the right to file a complaint.

Township Attorney Semrau stated that the Council has begun cable franchise contract renewal discussions in executive session and he anticipates a further discussion at the next meeting. He stated that the Pinecrest property is listed for discussion later this evening. The Township has had minimal contact with Tennessee Gas Pipeline and Mr. Boyle added that they are primarily working on obtaining necessary permits. Mr. Semrau stated that they have not made any formal proposal to date. He stated that the Township of West Milford is not listed in the SCI report referenced by Mr. Novack.

Agenda No. VIII

**Discussion Items**

1)	Citizen Services Act – Mr. Semrau advised that this legislation provided for appointments, terms and absentee guidelines for appointments to municipal boards. The legislation requires standard application forms for appointments and allows local governing bodies to establish absentee guidelines. West Milford has been tracking the other information addressed in this legislation for some time so the Township is in compliance.
2)	Davenport Bridge – Mr. Boyle reviewed the history surrounding the closing of this bridge. He stated that he will research potential funding options for potential repairs. Mr. Semrau will conduct the research as discussed during the public portion of the meeting.
3)	Transfer Items of Current Fund Appropriation reserves in Accordance with the Provision of N.J.S.A. 40:4-58 – Mr. Boyle stated that he is requesting that Council adopt a transfer resolution at the next meeting. He reviewed the proposed transfers. He has met with staff on each of the transfer items and issues pertaining to compensatory time have been addressed. Councilman Jurkovic stated that he has issues with many of these transfers noting that Bubbling Springs has been consistently over budget. He questioned the need for budget meetings if department heads do not function within the confines of budgets approved by Council. Overtime, he said, should not be a typical cost and such over expenditures should be controlled. These transfers reflect poor management and Council should have been notified of these over expenditures before they became so magnified. Council President Smolinski expressed concern about the information being provided to Council stating that the explanations are incomplete and deficient. The Council deserves to receive justifications for such significant over expenditures. He stated that \$18,000 expended on overtime at Bubbling Springs indicates that the department head is not properly overseeing and managing his department. Mr. Boyle stated that he receives quarterly reports from department heads which are distributed to Council. The Council instructed that the Township Administrator institute controls for department heads to ensure that they operate within the confines of budgets approved by Council. Mayor Bieri suggested that each department head be notified when they have reached 75% of their budget so that they can adjust accordingly.
4)	Hometown Franchise – Mr. Boyle stated that he is seeking Council direction to move forward with this committee. Council Weisbecker advised that he knows of seven persons interested in serving and he will provide those names to the Township Clerk.
5)	Lease between BB Dog Training LLC and the Township – Mr. Boyle stated that he is working on this contract and expects to have a resolution for Council consideration in the near future.
6)	Request to Purchase Township-Owned Property in Pinecrest Lake – The Council entertained Sue Walenta-Hunt to answer questions pertaining to her need to obtain this property to update her septic system. Discussion ensued around the parameters of the proposed septic upgrade with Ms. Walenta-Hunt advising that the property would only be used for that purpose and not for development. Mr. Semrau advised that, if Council wishes to convey the property as requested, the Township can add it to the next property sale and offer it to contiguous property owners in accordance with the law. The title can contain language that addresses uses for the property which is standard language in these sales of non-conforming lots.
7)	Roads Assessment Program – Mr. Boyle directed the Council to a memorandum from the Township Engineer. Councilman Weisbecker stated that he supports voluntary assessments but does not support mandatory assessments. Mr. Boyle stated that the purpose of this discussion tonight is to start a reserve process to accumulate the necessary funding for a road assessment program. Councilman Jurkovic commended Mr. McFadden for providing a well-written detailed memo. However, the nation is currently in the throes of an economic crisis which makes the timing poor for this good concept. As the Council begins to address the 2010 budget, it is clear that cuts will be necessary. He recommended deferring a road assessment program to another year and a time when the economic outlook is not so bleak. The Council agreed and suggested that staff encourage the filing of new petitions so that when the discussion reignites in the future the data is current.

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8)	Ordinance – Amending Chapter 110 – Permit Notification in Lake Communities – Mr. Boyle requested that this topic be deferred pending his attendance at the January Lakes Committee meeting.
9)	Contract: Westbrook Park Caretaker Agreement – Mr. Boyle stated that he is working with the Township Attorney and Director of Community Services & Recreation on this agreement. Richard Ashley has been chosen to serve as caretaker because of his qualifications and experience. He stated that this has been a lengthy process culminating in a number of good interviews. The Council asked that Mr. Ashley be invited to attend a Council meeting prior to the execution of the contract.

Agenda No. IX

**Action Items**

The Township Council took action on the following items:

Agenda No. IX 1

~ Ordinance No. 2009- 029~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, AND STATE OF NEW JERSEY ACCEPTING THE ROADWAY CONTAINED IN THE ROARING BROOK ESTATES SUBDIVISION FOR USE AS A PUBLIC ROAD**

**WHEREAS**, there exists a certain roadway within the Roaring Brook Estates Subdivision, namely Roaring Brook Way, which said roadway is wholly contained within the boundaries of the Township of West Milford; and

**WHEREAS**, the developer of the aforementioned subdivision has failed to make the necessary site improvements to complete the roadway; and

**WHEREAS**, as a result, the Township has taken the necessary action and has drawn upon the letter of credit posted by the developer for the completion of the roadway; and

**WHEREAS**, upon receipt of the funds from the letter of credit, the Township is now desirous of immediately commencing the work to complete the site improvements associated with said roadway and has since taken the roadway over on a temporary basis to begin such improvements; 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 since the Township has obtained the necessary funding from the letter of credit to complete the site improvements.

**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 the Roaring Brook Way contained in the Roaring Brook 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.
3. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.
4. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.
5. This Ordinance shall take effect after publication and passage according to law.

INTRODUCED: December 2, 2009

Mayor Bieri advised that this ordinance is being introduced tonight. Second reading and public hearing for this ordinance is scheduled for December 16, 2009 and it shall be advertised as required by law.

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

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Agenda No. IX 2

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

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**~ Ordinance No. 2009- 030 ~**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 366 "TOWING AND STORAGE OF VEHICLES" SECTION 13 "SERVICE RATES", AND CHAPTER 135 "FEES AND COSTS" SECTION 37 "TOWING AND STORAGE OF VEHICLES" OF THE REVISED GENERAL ORDINANCES**

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

Chapter 366-13 Towing and Storage of Vehicles will read in its entirety as follows:

§366-13. Towing and Storage of Vehicles

Charges for transportation, hauling or service of disabled vehicles by an approved wrecker or operator of any approved wrecker shall not exceed the following rates:

- A. Basic towing and storage fee schedule shall be that set by the Township and listed in Chapter 135 Fees and Costs, specifically Chapter 135-37 b., and updated periodically along with the additions and exceptions to same contained in this chapter. A schedule of the current rates shall be available to the public in the office of the Township Clerk during normal business hours.
- B. Mileage rate. The mileage rate shall be calculated based on the total distance traveled from the tow vehicle's base of service to the job site and return by way of the shortest available route. The tow operator will transport the vehicle anywhere in the Township at the request of the owner/operator. Vehicles transported solely within the Township are subject to a twelve-mile maximum charge.
  - (1) If the owner/operator requests the vehicle be transported out of the Township, the towing service shall receive payment for the additional miles traveled.
  - (2) On request, tow operators shall provide this service for a minimum of five miles beyond the Township line. Towing beyond this point may be refused if service to the Township could be affected.
- C. When towing services are required the current rates apply.
  - (1) Labor. Labor rate is chargeable in quarterly hour increments after the first 1/2 hour. This rate includes waiting time, winching, uprighting, etc., for all automobiles. There shall be no charge for cleanup of common motor vehicle accident debris.
  - (2) Special recovery. Fee unlisted, but chargeable only after first hour of labor except when the need for specialized equipment is readily apparent.
- D. Special circumstances.
  - (1) If the owner of an unattended vehicle to be towed appears on the scene, and providing that the vehicle does not need to be towed or impounded, the towing contractor shall make no charge. However, if the vehicle is hooked up to the towing truck, the vehicle shall be released at the scene of impound upon the payment of 50% of the authorized towing charge.
  - (2) There shall be no charge for towing, storage or impoundment if it is determined by the Police Chief or his designee that such vehicles have been towed, stored or impounded due to an error by the tow truck operator. This determination shall be at the sole discretion of the Police Chief or his designee, and is binding upon the contractor. The contractor shall make no claims for payment upon the owner of the vehicle, and if payment has already been received, the payment shall be returned.

Chapter 135 Fees and Costs, Section 37 Towing and Storage of Vehicles will read in its entirety as follows:

§135-37 Towing and Storage of Vehicles

- A. In accordance with Chapter 366 Towing and Storage of Vehicles, a license fee in the amount of \$100 shall be paid prior to the issuance of any license under Chapter 366.
- B. A schedule of the current rates shall be available to the public in the office of the Township Clerk during normal business hours. In accordance with Chapter 366, Towing and Storage of Vehicles, the charge for transportation, hauling or service of disabled vehicles by approved wreckers, including towing services and vehicle storage services are as follows:

Towing within the Township:	\$115.00 (no mileage fee)
Towing out of the Township:	\$90.00 + \$4.50 per mile after 1 <sup>st</sup> mile from shop to out of town destination
Storage Outside secured:	\$35.00 per day – automobiles
Lot Fee:	\$45.00

  - Moved totaled vehicles to outside for insurance purposes
  - Cleaning of accident debris from lot

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Labor after first one-half (½) hour: \$80.00 per hour, chargeable in one-quarter (¼) hour increments  
Emergency Road Service: \$45.00 (includes mileage)  
Cleanup of small spills at scene: \$25.00 – for spills of 1 gallon or less, includes 1 – 25 lb. Bag of speedy dry

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

INTRODUCED: December 2, 2009

Mayor Bieri advised that this ordinance is being introduced tonight. Second reading and public hearing for this ordinance is scheduled for December 16, 2009 and it shall be advertised as required by law.

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

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Agenda No. IX 3

~ Ordinance No. 2009- 031~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE ROMAN CATHOLIC DIOCESE OF PATERSON FOR THE TOWNSHIP'S LEASE OF THE PROPERTY LOCATED AT BLOCK 9301, LOT 12 AND BLOCK 9302, LOTS 1 AND 16 (NOSENZO POND PARK PROPERTY)**

**WHEREAS**, the Roman Catholic Diocese of Paterson is the legal owner of real property designated as Block 9301, Lot 12 and Block 9302, Lots 1 and 16 (Nosenzo Pond Park property), Township of West Milford, County of Passaic, State of New Jersey; and

**WHEREAS**, the Township of West Milford wishes to lease such property located hereinabove for use as open space and other similar purposes; and

**WHEREAS**, the owner of the property, the Roman Catholic Diocese of Paterson, has expressed its willingness and intention of leasing such property to the Township of West Milford; and

**WHEREAS**, the lease agreement is attached hereto and made a part hereof; and

**WHEREAS**, the Township Council of the Township of West Milford wishes to enter into the attached lease agreement with the Roman Catholic Diocese of Paterson for the use of the aforementioned property.

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

**SECTION 1.** The Township Council of the Township of West Milford hereby authorizes and directs the Mayor and Township Clerk to execute a lease agreement between the Roman Catholic Diocese of Paterson and the Township for the use of the property located at Block 9301, Lot 12 and Block 9302, Lots 1 and 16 (Nosenzo Pond Park property).

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

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

INTRODUCED: December 2, 2009

Mayor Bieri advised that this ordinance is being introduced tonight. Second reading and public hearing for this ordinance is scheduled for December 16, 2009 and it shall be advertised as required by law.

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

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Agenda No. IX 4

~ Ordinance No. 2009- 032 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, AND STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF BLOCK 9301, LOT 12 AND BLOCK 9302, LOTS 1 AND 16 (NOSENZO POND PARK PROPERTY)**

**WHEREAS**, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., provides that a municipality may, by ordinance, provide for the acquisition of real property or an interest therein by purchase, gift, devise, lease, exchange, or condemnation in the manner provided in the Eminent Domain Act, N.J.S.A. 20:3-1, et seq.; and

**WHEREAS**, the Roman Catholic Diocese of Paterson has agreed to convey Block 9301, Lot 12 and Block 9302, Lots 1 and 16 (Nosenzo Pond Park property), consisting of approximately 27.50 acres of land, located in the Township in consideration of the payment of \$756,000.00; and

**WHEREAS**, the Township has applied for a Passaic County Open Space Grant and to the State of New Jersey Department of Environmental Protection (Green Acres Program) to help in the purchase of said land; and

**WHEREAS**, the Mayor and Township Council of the Township of West Milford have determined that it is in the interest of the Township to acquire the said property for open space purposes.

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

**SECTION 1.** The Township of West Milford hereby authorizes the acquisition of Block 9301, Lot 12 and Block 9302, Lots 1 and 16 (Nosenzo Pond Park property), for open space purposes for the total sum of \$756,000.00, with approximately \$500,000.00 of said monies to be obtained from the Passaic County Open Space Grant received and the State of New Jersey Department of Environmental Protection (Green Acres Program) with the remaining soft/transaction costs to be appropriated from the Open Space Trust Fund of the Township of West Milford, County of Passaic, State of New Jersey.

**SECTION 2.** The said land to be conveyed to the Township of West Milford is described on Schedule A which is attached hereto and made a part hereof.

**SECTION 3** The Mayor and Township Clerk and all other proper officers and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this ordinance.

**SECTION 4** No debt is to be authorized by the enactment and passage of this ordinance.

**SECTION 5** 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 6** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

**SECTION 7** This ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

INTRODUCED: December 2, 2009

Mayor Bieri advised that this ordinance is being introduced tonight. Second reading and public hearing for this ordinance is scheduled for December 16, 2009 and it shall be advertised as required by law.

Discussion: Mr. Semrau provided an overview of this proposed acquisition, the need for these ordinances and the related agreements.

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

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Agenda No. IX 5

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

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~ Ordinance No. 2009- 033 ~

**AN ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ESTABLISHING A LAKES COMMITTEE**

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

**SECTION 1.** Chapter 15, Administration of Government, of the Code of the Township of West Milford, is hereby supplemented to establish a "Lakes Committee" under newly created article XXXI to read as follows:

**§ 15-130 Establishment of Lakes Committee.**

There is hereby established the Township of West Milford Lakes Committee.

**§ 15-131 Purpose.**

The purpose of the Lakes Committee is to address and advise the Township Council and the Township Planning Board of any issues that may affect the lake communities in the Township of West Milford. The Lakes Committee shall strive to promote and protect the lakes of the Township.

**§ 15-132 Members.**

The Township of West Milford Lakes Committee shall consist of nine (9) members (only one member serving per lake association at any time), who shall be appointed by the Township Council, upon recommendation by the Lakes Committee.

Each of the members shall have one vote. In addition to the voting members, a member of the Town Council and of the Environmental Commission shall serve as an ex officio non-voting liaison of the Committee.

One of the members shall be designated as "Chair" of the Lakes Committee and shall advise the Township Council and the Planning Board of the Committee's work. Each of the voting members of the Lakes Committee shall also have a designated alternate from their particular association to serve in the Committee member's place when needed.

**§ 15-133 Term of Members.**

The appointment of the Committee members shall be for staggered terms commencing January 1, 2010 (initial year). During the initial year, four members shall be appointed to serve for a one-year term, and the remaining five members appointed for a two year-term. Thereafter, upon the expiration of the initial terms, *all* members appointed shall serve for a two-year term. A vacancy in the Committee occurring other than by expiration of the term shall be filled by the Township Council for the unexpired term in the same manner as the original appointment. All Committee members shall serve without compensation in performance of their duties.

**§ 15-134 Meetings.**

The Committee shall meet at Town Hall on a monthly basis the third Monday of each month, as deemed necessary by the Committee. At the conclusion of the meeting, the Lakes Committee shall forward to the Township Administrator in a timely manner a copy of the minutes of the meeting. All lake community residents are encouraged to attend any meeting.

**§ 15-135 Powers and Functions.**

The Committee may appoint a Vice-Chair and Secretary and adopt a schedule of meetings. The functions of the Lakes Committee shall be to:

- (1) Advise and submit recommendations to the Mayor and Council of the Township of West Milford on matters related to the role Township government may play to improve the various lake communities within the Township.
- (2) Advise the Mayor, Council and Planning Board of the Township of West Milford of situations or issues that are affecting the lake communities within the Township of West Milford.
- (3) Increase public awareness regarding the importance of the environment as it relates to the lakes within the Township of West Milford.
- (4) Review and make recommendations to the Mayor and Township Council on pending federal, state and local legislation.

**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.

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

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the Township shall enact an Ordinance creating a Lake Committee as a standing committee of the Council, which shall take effect immediately upon final passage, approval and publication as required by law.

Introduced: December 2, 2009

Mayor Bieri advised that this ordinance is being introduced tonight. Second reading and public hearing for this ordinance is scheduled for December 16, 2009 and it shall be advertised as required by law.

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

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Agenda No. IX 6

~ Resolution No. 2009-410 ~

**A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF THE DRAINAGE EASEMENT AGREEMENT BETWEEN THE TOWNSHIP OF WEST MILFORD AND JAMES AND PATRICIA GOBLE**

**WHEREAS**, James Goble and Patricia Goble are the owners of property located at 18 Apple Lane, West Milford, New Jersey, and as further identified as Block 14113, Lot 47 on the Township of West Milford Tax Map; and

**WHEREAS**, Mr. and Mrs. Goble applied for and received approval from the Zoning Board to construct a single family dwelling on the aforementioned property; and

**WHEREAS**, under the recommendation of the Township Engineer, the Township desires to enter into an Agreement with Mr. and Mrs. Goble whereby the Township would pay for the cost of the materials, perform the actual storm drain improvement and Mr. & Mrs. Goble will grant to the Township a drainage easement, which said terms and conditions are more set forth in the Drainage Easement Agreement.

**WHEREAS**, funds are available for this purpose as the actual cost for the purchase of the materials would come from the funding the Township received from the settlement of the litigation involving Forest Hills Park Association as such settlement proceeds were designated for the Township to make such storm drain improvements; and

**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 shall execute and enter into a Drainage Easement Agreement with Mr. and Mrs. James Goble pursuant to the terms and conditions as stated in the Agreement and deed of drainage easement.

Adopted: December 2, 2009

Councilman Weisbecker made a motion, seconded by Council President Smolinski to place this resolution on the table for discussion.

Discussion: Councilman Jurkovic stated that a number of the paragraphs be stricken from the original resolution and that two paragraphs be switched. The language is extraneous and not fully accurate based on information received from the Planning Department. He asked for a future opportunity to meet with the Mayor and the Township Engineer for a greater explanation of these events. Mr. Semrau advised that striking the paragraphs as requested will not hinder the Council's actions.

Councilman Weisbecker amended his motion to make changes as requested by Councilman Jurkovic.

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



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

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**WHEREAS**, Blue Diamond Disposal, Inc. has agreed to provide the same services on a month-to-month basis for the same rate as set forth in the existing contract set to expire for a maximum period of ninety (90) days; and

**WHEREAS**, N.J.S.A. 40A:11-6 authorizes the Township to enter into such an agreement due to its emergent nature which could ultimately affect the public health, safety or welfare of the citizens of the Township of West Milford; 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 9-26-55-500-515.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of West Milford the following:

1. The Township Council hereby awards a month-to-month contract to Blue Diamond Disposal, Inc. for the same terms and rates as are currently set forth in the contract expired on November 1, 2009, for a maximum period of ninety (90) days, for the curbside collection of recyclables and curbside collection of solid waste with the right of the township to cancel with 30 days notice.
2. The Mayor and Township Clerk be and are hereby authorized and directed to execute a contract with Blue Diamond Disposal, Inc. for said curbside collection of recyclables.
3. This resolution and contract shall be available for public inspection in the office of the Municipal Clerk.

Adopted: December 2, 2009

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

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The following resolutions were moved as one 2009-413, 2009-414, 2009-416 and 2009-417.

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

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Agenda No. IX 9

~ Resolution 2009 - 413 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AWARDING A PROFESSIONAL SERVICE CONTRACT WITHOUT COMPETITIVE BIDDING TO MIKE POPOLOSKI, LS OF MAPCO INC. FOR GIS STORMWATER MAPPING SERVICES IN AN AMOUNT NOT TO EXCEED \$12,500**

**WHEREAS**, the Township of West Milford must complete mapping of all stormwater outfalls and develop an alpha-numeric designation for each as a requirement of the Township's Tier A Municipal Stormwater Permit; and

**WHEREAS**, to conform to this requirement the Township must retain the services of a GIS Specialist; and

**WHEREAS**, the Township Engineer has recommended that Mapco Inc. be retained to provide these services as Mapco Inc. has been satisfactorily providing GIS services to the Township during the past year; and

**WHEREAS**, the Township Engineer has estimated the cost for these services will not exceed \$12,500; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et. seq.) requires that the Resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds said funds to be encumbered from the Stormwater Management Grants, account numbers G-02-41-750-750 and 9-02-441-750-750.

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

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**NOW THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford, County of Passaic, State of New Jersey authorizes the Mayor and the Municipal Clerk to execute a contract with Mike Popoloski, LS of Mapco Inc. in an amount not to exceed \$12,500.

**BE IT FURTHER RESOLVED** that the contract, resolution and all other pertinent documents shall remain on file in the office of the Township Clerk; and

**BE IT FURTHER RESOLVED** that a notice of this action shall be printed once in the Township's legal newspaper.

Adopted: December 2, 2009

Discussion: Councilman Weisbecker stated that grant money is not free money. Grants are funded with taxes. Mr. Boyle advised that these services are required under the Tier A Stormwater permit.

Agenda No. IX 10

~ Resolution No. 2009- 414 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY SUPPORTING THE "OVER THE LIMIT UNDER ARREST" 2009 YEAR END STATEWIDE CRACKDOWN**

**WHEREAS**, impaired drivers on our nations roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

**WHEREAS**, 26% of motor vehicle fatalities in New Jersey are alcohol related; and

**WHEREAS**, an enforcement crackdown is planned to combat impaired driving; and

**WHEREAS**, the holiday season is traditionally a time of social gatherings which often include alcohol; and

**WHEREAS**, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Over the Limit Under Arrest 2009 Year End Statewide Crackdown*; and

**WHEREAS**, the project will involve increased impaired driving enforcement from December 7, 2009 to January 3, 2010; and

**WHEREAS**, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford declares its support for the Over the Limit Under Arrest 2009 Year End Statewide Crackdown from December 7, 2009 – January 3, 2010; and pledges to increase *awareness* of the dangers of drinking and driving.

Adopted: December 2, 2009

Agenda No. IX 11

~ Resolution No. 2009- 416 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO ENVIROTACTICS, INC. FOR THE PERFORMANCE OF A PHASE I ENVIRONMENTAL SITE ASSESSMENT ASSOCIATED WITH BLOCK 9301, LOT 12 AND BLOCK 9302, LOTS 1 AND 16 (NOSENZO POND PARK PROPERTY) IN AN AMOUNT NOT TO EXCEED \$2,100.00**

**WHEREAS**, there exists a need for professional services to be rendered in the performance of a Phase I Environmental Site Assessment to the Township of West Milford associated with the property identified as Block 9301, Lot 12 and Block 9302, Lots 1 and 16; and

**WHEREAS**, the Township wishes to retain Envirotactics, Inc. to provide such professional services regarding the above referenced property and in accordance with its proposal for such services dated November 24, 2009; and

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

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**WHEREAS**, the total amount of the contract shall not exceed \$2,100.00; and

**WHEREAS**, funds are available for this purpose; and

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

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Envirotactics, Inc. with offices located at 1625 Highway 71, Wall, New Jersey, 07719 to provide professional services regarding the performance of a Phase I Environmental Site Assessment associated with the property identified as Block 9301, Lot 12 and Block 9302, Lots 1 and 16 in an amount not to exceed \$2,100.00 and in accordance with his proposal dated November 24, 2009.
2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person authorized by law to practice a recognized profession.
3. The total fee authorized for this contract shall not exceed \$2,100.00 without the prior written approval of the Township Council.
4. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: December 2, 2009

Agenda No. IX 12

~ Resolution No. 2009- 417 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO ENVIROTACTICS, INC. FOR THE PERFORMANCE OF PHASE II SOIL INVESTIGATION ASSOCIATED WITH BLOCK 7903, LOT 13 (FINN PROPERTY) IN AN AMOUNT NOT TO EXCEED \$1,525.00**

**WHEREAS**, there exists a need for professional services to be rendered in the performance of Phase II soil investigation to the Township of West Milford associated with the property identified as Block 7903, Lot 13; and

**WHEREAS**, the Township wishes to retain Envirotactics, Inc. to provide such professional services regarding the above referenced property and in accordance with its proposal for such services dated December 1, 2009, attached hereto; and

**WHEREAS**, the total amount of the contract shall not exceed \$1,525.00; and

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

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

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Envirotactics, Inc. with offices located at 1625 Highway 71, Wall, New Jersey, 07719 to provide professional services regarding the performance of Phase II soil investigation associated with the property identified as Block 7903, Lot 13 in an amount not to exceed \$1,525.00 and in accordance with its proposal dated December 1, 2009.
2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person authorized by law to practice a recognized profession.

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

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- 3. The total fee authorized for this contract shall not exceed \$1,525.00 without the prior written approval of the Township Council.
- 4. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: December 2, 2009

Agenda No. X

**Approval of Expenditures**

**~ Resolution No. 2009- 415 ~  
 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 . . . . .	\$154,874.58
2	Reserve Account . . . . .	1,199.00
3	Animal Control Trust . . . . .	1,601.27
6	Capital . . . . .	92,374.75
7	Grants . . . . .	34,288.28
8	Refuse . . . . .	63,875.29
9	Refunds . . . . .	0.00
12	General Ledger . . . . .	0.00
16	Heritage Trust . . . . .	1,919.00
14	Open Space Trust . . . . .	3,265.00
17	Trust . . . . .	3,255.90
18	Development Escrow . . . . .	150.00
19	LOSAP . . . . .	0.00
20	Special Reserve . . . . .	0.00
<b>Total</b>		<b>\$356,803.07</b>
Less Refund Resolution		0.00
<b>Actual Bill List</b>		<b>\$356,803.07</b>
Other Payments CK # 40407		139,421.00
Less Refund Resolution		
<b>Total Expenditures</b>		<b>\$496,224.07</b>

Approved: December 2, 2009

Discussion: Councilman Jurkovic asked the Township Administrator to provide him with details about wireless messaging from Verizon. He stated that there are a number of charges for legal advertisements and the first states that the cost covers advertisements for cat rabies clinics. The Township Clerk advised with the exception of the rabies clinics the legal advertisements are charged to the municipal clerk's budget and reflect legal advertising required by law. Councilman Jurkovic asked for an explanation of the large number of charges for tools. Administrator Boyle stated that these are standard purchases through the Department of Public Works and related to the road program. He will provide greater detail.

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

Agenda No. XI

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

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

Council President Smolinski stated that the Council received a request from Mr. Yevchak to recognize K-9 military dogs. He asked that this be scheduled for a presentation. He stated that the newspapers carried a story today indicating that the Governor-elect plans to cut back on municipal aid in 2010 which will further impact the budget process. He stated that there are open seats on the Highlands Council and he hopes that, with a new Governor, West Milford will get representation on this Council. He conveyed condolences to the Touw family on their recent loss.

Councilman Schimmenti extended his condolences to the Touw family.

Councilwoman Lichtenberg stated that she attended three grand openings and welcomed these businesses to West Milford wishing them success. She commended the Health Department for the manner in which they have run the H1N1 clinics stating that the Council received a letter praising their efforts. She gave a thumbs up to Dominic DiYanni, Tim Sharpe and Keith Knudsen for their efforts in drafting specifications for the new bus route. The tree lighting is scheduled for December 7<sup>th</sup> and the women's club will be hosting a Victorian Christmas. Santa will be visiting the museum on Saturday December 12<sup>th</sup>.

Councilman Jurkovic conveyed his condolences to the Touw family. He asked if action had to be take to freeze salaries for non-bargaining unit employees. The Township Clerk advised that the most recent salary ordinance established ranges through December 31, 2009 and therefore by not amending the ordinances further increases cannot be given. Additionally, any salary increase requires the processing of a personnel action form which must be signed by the Department Head, Administrator, and Mayor Bieri.

Councilman Weisbecker expressed condolences to the Touw family. He stated that December 7<sup>th</sup> was a poor choice for the tree lighting ceremony as it is Pearl Harbor Day. He stated that he is concerned about the future and upcoming decisions to be made by this Council. There are many people out of work and those who are working are not getting increases while they must contribute to benefits. The municipal budget will be very tight in 2010 and the prognosis is grim. He asked Administrator Boyle to prioritize the schedule for budget meetings stating that the Council would like to start working on the budget as soon as possible. Mr. Boyle advised that Council will receive the draft budget on January 15<sup>th</sup> as required and he will promulgate a budget schedule.

Mayor Bieri conveyed condolences to all those West Milford residents who lost loved ones this year. She advised that the New Jersey League of Municipalities did put forth all three of West Milford's resolutions and advised that they had twenty-two resolutions at their business meeting.

Township Administrator Boyle stated that PSE&G has submitted an application for a facilities energy audit. He stated that the Township has received notification that New City Road will be closed. He stated that Mr. Vozza has sought permission to address fire departments and first aid squads about possibly joining the JIF to meet their insurance needs. He will be reviewing possible shared services with Passaic County and will be meeting with the DEP regarding Jungle Habitat. He continues to work on upgrading the phone system at Town Hall and has received proposals. He advised that an objection has been filed regarding the garbage specifications which has warranted a change. Councilman Jurkovic asked Administrator Boyle if there has been any progress on potential shared services in the Health Department. Mr. Boyle stated that there were a number of interested municipalities at one time but, because of indicators earlier in the year that the Council may disband the Health Department, that interest has waned. Councilman Jurkovic asked that the Council be provided with specifics about interested municipalities and the services that could potentially be shared.

Township Attorney Semrau stated that he has received a final lease from the Board of Education and he will send it out tomorrow and proceed from there. He stated tat he has discussed Lakeside Road Development Corporation and conducted more research on that matter. He will issue a report to Council. He met with the Tax Assessor recently to discuss exemptions and he reviewed the Valley Ridge tax appeal.

Agenda No. XII

**Appointments and Resignations**

None.

Agenda No. XIII

**Executive Session**

~ Resolution No. 2009- 418 ~

**MOTION FOR EXECUTIVE SESSION**

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

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**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 2<sup>nd</sup> day of December, 2009 that:

1. Prior to the conclusion of this **Workshop 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.
    - Guild and AFSCME negotiations update
  - ( ) 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.
  - ( ) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
  - ( ) 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 2, 2009

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

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The Council went into executive session at 10:37 p.m.

The Council reconvened in public at 11:12 p.m. with all present as before.

Agenda No. XIV

**Adjournment**

There being no further business to come before the Council, the Township Council adjourned the meeting at 11:13 p.m.

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

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Approved: February 3, 2010

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MAYOR BETTINA BIERI  
PRESIDING OFFICER

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ANTOINETTE BATTAGLIA  
TOWNSHIP CLERK