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

Minutes of: Township Council Workshop Meeting  
Date of Meeting: December 5, 2012  
Time of Meeting: 7:30 P.M.  
Minute Page No: Page 1 of 17

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

**Adequate Notice Statement**

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Workshop meeting was advertised in the Herald News in its issues of January 1, 2012; copies were provided to the Suburban Trends, the Record, Star Ledger, and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

Please also make note of all fire and emergency exits – located to the left, right, and rear of this room - for use in case of an emergency. Thank you.

**Pledge of Allegiance**

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

Agenda No. I

**Roll Call**

Present: Councilmembers Ada Erik, Joseph Smolinski, Michael Ramaglia, Luciano Signorino, Carlla Horton, Mayor Bettina Bieri.  
Absent: Edward Rosone  
Also Present: Township Administrator Nancy Gage, Township Clerk Antoinette Battaglia, Township Attorney Frederick Semrau.

Mayor Bieri introduced Councilwoman Elect Vivienne Erk and Councilman Elect Michael Hensley.

Agenda No. II

**Reading of or Approval of Unapproved Minutes**

Councilwoman Erik moved to adopt the September 19, 2012 Regular Meeting Minutes as presented:

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

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Agenda No. III

**Meetings**

Mayor Bieri noted the future meeting schedule:

December 19, 2012 Regular Meeting      January 2, 2013 Reorganization Meeting/Workshop Meeting  
January 23, 2013 Regular Meeting

Agenda No. IV

**Public Comments**

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

Father Michael Rodak Hewitt said that as citizens of West Milford we must work together at all times as a community. It disappoints him when the Mayor & Council ignores Christmas. Calling a tree a holiday tree instead of a Christmas tree is disrespectful. Not having religious symbols like a cresch or menorah is also disrespectful. It is allowed by law. We are ignoring a vast majority of this community. How is this fair? He encourages everyone to work as a community so that we can succeed as a community. He feels that when we do not recognize all faiths because we fear secularism we break down the foundation of this nation. Our forefathers left their nations because of religious persecution. We must be mindful that the Council can do something to prevent us becoming secularized. We had a tree lighting ceremony on Monday and he could not tell his parishioners to participate because it was secular. Where are we going in the future? If we break down the institution of religion, what is next? Veterans? Will we do away with Veteran's Day because they engage in acts of war? He said he is asking Council to reconsider their prior decision. Council can make the change out of respect of all peoples, Christians & Jews. Let religious symbols be on public property. That will garner support for the Council.

Tim Wagner, 835 Westbrook Road, West Milford wished everyone Merry Christmas, Happy Hanukah and Happy Holidays. He lamented that we no longer call holidays by their Christian names. The holiday season is for everyone to celebrate their respective religions. Christmas Trees are not secular. They are a

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Christian symbol. There are lights on the tree outside. A menorah is included in holiday displays at a great number of government buildings. But not here in West Milford. In his opinion the majority on Council is imposing their will on the majority of residents. On Monday he asked his eleven year old daughter if she wanted to go to the tree lighting and she said no because it is not secular. When the Rabbi requested a menorah the Council had a choice. Initially they made the right decision and then changed their minds. He is hoping for change again. He will not address individual comments made but he asked for another vote today. The tree outside is a Christian symbol and he asked Council to allow all religions to celebrate at town hall and recognize the tree out front as a Christian symbol.

Eleanor Monahan, 26 High Street, West Milford thanked Council for their vote at the last meeting. She agrees with a recent editorial in the newspaper that opined that religious symbols should not be on public property. She respects all beliefs religious or otherwise. There are people trying to divide us along religious lines. She respects the beliefs of all faiths as well as those who do not have any faith-based beliefs. Church and state should be separate. She has lived here for 50 years and has never heard an issue with the Christmas tree lighting. Now we have a host of issues. This could be a year-round issue that places religious symbols on public property for all holidays. The courts have ruled that a holiday tree is not a religious symbol. Everyone has the right to celebrate their faith in their own way but government is separate. She does not want to see these displays on town property.

Steve Sabian, Ringwood said that the Township is calling a gentile holiday tree a symbol of all holidays. It has nothing to do with a Judaic holiday, it is a Christian symbol. Jews in West Milford, he said, will be comfortable with not having a menorah. They were told there is not enough room and that continues a 2,000 history of hate. About 15 years ago a Jewish girl in Utah refused to sing Christian songs and was sequestered in the library. She fought back and he is proud of her. Judaic residents in West Milford have a right to be represented. They came to USA as far back as the pilgrims and Jewish holidays deserve equal representation. The tree is Christian not Judaic. There is a motive here to not recognize Judaism.

Dave Richards, Hewitt has been a West Milford resident for over 30 years. He went to coffee house on Friday and said it was a great job, well done. He said he is speaking for the BOE who approved on Monday night a liaison committee with representation from BOE and the Mayor & Council because they want both entities to work together. He sent an email to Nancy Gage this morning. It is a simple thing and would be nice to work together. Now he is speaking as a private citizen about Councilwoman Erik's comments that politicized someone's death. David Zimmer from *The Trends* sent an apology to the West Milford school superintendent for saying the person involved in the accident was a graduate of West Milford schools. Channel 12 came to the school wherein the reporter referenced a meeting with the superintendent about hepatitis. There are three retired police officers who work in the schools. They are not in uniform but they do a great job. The quality of life in West Milford is better than in most towns. He owns a house in Paramus which he rents out because it is better to live here despite the taxes. But attacking our schools destroys the town. He lives six miles from the Westbrook School. There are many vacant homes in that six miles. People who look to move into town look at schools, taxes & libraries. He was told that people will not come here because of the commentary in the press. Council must wise up and work with the board to stop negative comments. Ada Erik, he said, is destroying West Milford.

Bob Nicholson, 20 Hyde Road, Stockholm said the teen center opening was great on Friday night. He agrees with Father Michael that we need to become a community. He wrote a letter to the newspaper about holiday trees. They do not exist. It is a Christmas tree and any other reference is an insult to Christians. He spoke with many Council members and found Messrs. Ramaglia & Smolinski were open about it but were frustrated by other Council members. That is why he went to the press. He watched *Miracle on 34<sup>th</sup> Street* and described the court scene in the movie. It is disrespectful that Council tries to call it otherwise. It is deceptive. The Council must seek to do best for the town. Negative comments and acts are not in the best interest of the town. Residents should not have to go to the press to get their way. Residents have the right to have what they want. Veterans died to give us religious freedoms. If we want to separate church and state it must be equally enforced.

Matthew Conlon, 33 Orleans Lane, West Milford said he is speaking as a resident not a member of the BOE. He issued a disclaimer saying that his opinions do not represent those of the board. He said that members of the Council are once again trying to use children as political pawns. He accused Councilwoman Ada Erik of such ploys. He said that she sought to have SRO's in West Milford schools and said that she is reviving tactics used by Mayor Bieri in 2011 when, he said, Mayor Bieri sought to invade the business of the BOE by raising, what he classified as, false public panic about the lack of a police presence in the schools. He recalled the BOE attending some Council meetings that year and reiterated some comments he made at those meetings. He reviewed actions taken by the BOE to communicate their position with municipal officials. He said that the BOE has not received a response from the municipality or the Mayor with regard to their efforts. He acknowledged that the new chief of police and school's superintendent have opened communications on the subject of police presence in the schools although no proposal has been proffered to the BOE to date. He said that the Mayor's purpose of

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bringing up the subject of SROs last year was a political ploy to criticize her Mayoral opponent, Joe Smolinski. He referenced letters and political mailers that were circulated during that campaign. He read excerpts from a local paper's overview of the history of SROs in West Milford. He said nothing has changed, there is no funding available and staffing levels in the police department have not been restored. He said that Councilwoman Erik did not vote for such funding in the 2012 budget and no member of the BOE as ever publicly stated an objection to the concept of SROs in the schools. He said it is interesting to him that the Mayor and Councilwoman Erik appear to know so much about the student body makeup and priorities of the school system in West Milford when neither have had children in the school system. He said it was irresponsible of Councilwoman Erik to say that the West Milford school system needs SROs because a young man from Jefferson was involved in a fatal car accident. He called those statements political nonsense. He reviewed the drug & alcohol programs offered in West Milford schools. He said that as a graduate of West Milford schools he is insulted by these actions.

Dr. Berger, Wanaque stated that the persecution of Jews goes back to when the Greeks wanted Hebrew property. There was a war and the Hebrews won. That led to the festival of lights which is a miracle. The actions that prohibit a menorah on public property mirror this history.

Michael Cooper 41 Lakeside Avenue, Bloomingdale has listened to all that has been said. People, he said, can rationalize any type of behavior. Lack of inclusion & diversity is a tragedy. We are missing that boat. We must show our children & youth our convictions. He is Jewish and has no problem with any religious symbol that shows their independence & religion. The tree out front is not a holiday tree, it is a Christian symbol. We are trying to make everyone comfortable. People in the Gaza strip are not comfortable. God gives us life.

S. Goueta, Continental Road, West Milford said he is an Egyptian refugee who was kicked out of Egypt because he is Jewish. He came to the USA because it is a country of tolerance. He is appalled at Council's decision to vote against a menorah outside. You have to apply what you preach. There are Christian symbols all over this room.

Wayne Gottlieb, 20 South Ridgfield Road, Hewitt said that he spoke with the Rabbi earlier. The real choice here is between simplicity & complexity. It is about having religious symbolism on public property. He listed a number of Jewish holidays and said that there are a host more. The Supreme Court said if you agree to an all or nothing approach you have to include all these holidays. He is not upset about the decorations we have. But to open the door to everyone could lead to issues. He listed some lesser known religious symbols & holidays. He thinks that if we simplify this subject a decision will be less complex to administer. He researched this a bit. His parents came from abroad and he never heard them reference giant menorah lightings. They began in 1975 in California, San Francisco at the request of the same group the Rabbi belongs to. There is no extended tradition of menorah lightings, it is a modern day development. He cautioned the Council to be careful opening this door. He is happy to see people practice their religion in peace. He recalled a similar discussion in his home town as a child.

Doris Aaronson, 19 Bearfort Road, West Milford said that it is interesting that she and other West Milford Jews do not want a menorah in this town. She does not want to mimic other religions. She has two menorahs at home. She voted for Council to make government, not religious decisions. Evergreen decorations are pretty and a tree outside has been growing for decades. She does not support religious symbols on Township property. The three people who spoke in favor of a Jewish menorah on West Milford Township property are not from West Milford. The Rabbi referenced the menorah as a symbol of light and he stated that it is not a religious symbol. She said it is a religious symbol and she read from her prayer book with prayers that are to be read when the menorah is lit. She hopes Council stands by their decision to keep religious symbols off municipal property. She said she went with Ada Erik as president of Health Board to the BOE to discuss hepatitis C. She said our middle school kids are taking heroin. She hopes kids are taught about hepatitis C and the consequences of drug use. She is glad that councilwoman Erik cares about our children.

Rabbi Mendhi, 1069 Ringwood Avenue, Ringwood said that he has been a rabbi since 2008 and said that some comments made about blessings are inaccurate. His organization is worldwide and is the largest outreach organization focused on making peace. His organization is far reaching. The emissaries reach out to communities to spread peace & love. They reach out regardless of background. He has a congregation in Wanaque and reaches out to three towns. There are many Jewish residents in West Milford, he said and some are here tonight. Many could not be here. He is disturbed that when he approached the Township he was told that the Council would get back to him yet he never received a phone call which is rude. He was told the menorah was not a priority nor was it important. It is important. He is here very often. To be treated like he is not a regular person is hurtful. He reaches out trying to bring peace & love to Wanaque, Ringwood & West Milford. People in this town would benefit from seeing the menorah. The Supreme Court ruled it is a universal symbol of light. He read from a Supreme Court



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decision. She would like to revisit the topic when the pressure of the season is not on us. She spoke to her pastor about it. The Council thinks it is an important issue. She has voted twice against it for now and she may change her vote in the future. She voted to reduce the police force and she admitted it was a mistake. She does not know what the solution is. She will seek input from residents. Parents have thanked her for making the drug problem public. Se will not let this lie and we must take ownership.

Wayne Gottlieb asked for a point of order from the floor. By unanimous roll call vote, Mr. Gottlieb was afforded two minutes. Mr. Gottlieb said he was speaking as an individual, not a BOE member. He noted that Councilwoman Erik said she does not have a solution to this problem but said that he does. He said the Township should take an approach that mirrors the legal system namely engage in fact & information gathering prior to pontificating without accurate information. He said that drug problems on the street migrate into the schools. He said the police department should interrogate those people who profess intimate knowledge of a drug problem in town. Those informed people would fulfill their civic responsibilities to the town and identify the miscreants. Then solutions can be achieved through engaging in the legal process. He said others should not prejudice the process by speaking before reporters or cameras and they should allow the legal process to deal with the issues.

Dave Richards requested a point of order from the floor and by unanimous roll call was heard. Mr. Richards said he never said there is no drug problem. He clarified his statement. He said the BOE works hard to protect these kids and on making safe schools. There are drugs in every school he said.

Council President Signorino said the issue with religious displays is an important decision. He appreciates every person who spoke tonight and despite some of the harsh comments, he does appreciate the passion. He reversed his vote because the first time the subject was broached he was not prepared. He personally and as a Council person holds dear a belief that in the general sense it is prudent to keep religion & government separate. He has spoken to his priest, family, friends & residents. He is very pro life. He believes that government oversteps bounds many times. This is not an easy decision. He asked for information regarding past practices but it is not readily accessible. He does not begrudge out of town speakers, he actually commends them for traveling. Some of the comments he did not appreciate. He spoke to people whose opinions he values. He was approached at a public function to discuss this and he did not engage because he thought it inappropriate at that moment in that venue. The person became threatening. He was not refusing to discuss the matter, he just thought it best to do so in an appropriate venue and at another time. He is prepared to vote tonight but asks that we get information first about how to proceed.

Councilwoman Horton said she voted publicly to open up religious displays to all and in executive session changed her mind by having her head rule. For the next few nights she agonized over the decision. The first time she voted with her heart, and the second with her head. When she voted with her heart she slept well. When she voted with her head, it weighed on her. She can debate many issues but is conflicted on this vote. She needs to make a public choice. If she is going to make a mistake and chose from two competing demands she must go with her heart. She is about equality, social justice, & freedom including freedom of religion. She understands the potential implications. She says we should take the risk for this embracing and inclusion act. If that is a mistake it is one she can live with.

Council President Signorino said that he changed his vote because of the impact on his job as a Councilman. He does not understand what the effect will be. He would like to know what the impact will be. He is not rejecting religious symbols. He voted against government being involved in having religious symbols in front of town hall. He would like to know the impact on finances and staffing.

Councilman Ramaglia said that he understands that the first vote was to allow the administration to gather information about how this would advance. He voted to get feedback and he has yet to get that feedback. He has not heard specifics except that there is a request to light a menorah. With the chaos in the press it has become confusing. Overall he thinks if there was going to be such an outcry more people would be here tonight. He asked the Administrator Nancy to clarify who has requested displays. Ms. Gage agreed it was confusing. She understood that the Council voted to open it up but she was instructed to get information about the practicalities. She did speak to the rabbi to get that information about the menorah and the ceremony.

Councilman Smolinski thanked everyone for coming out. He thinks people don't understand the issue of separation of church & state. However, he has an acute grasp of the issue and he will outline an explanation at a later date for the benefit of those who do not understand. A lot of good points were brought up tonight. This is not uncharted – that was an irresponsible comment. He has not witnessed the exaggerated possibilities of religious ceremonies on public property referenced tonight. This is an exaggeration and over emphasis. He would like to put this to a vote tonight. Many speakers from out of town speak for the populace in general. We listen to them.

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Mr. Semrau said that if a Council person is going to change their position that person must make the motion for a change. Councilwoman Horton said that Chanukah begins on Saturday December 8<sup>th</sup> so we must make the decision today for this year. She asked one of her colleagues to make a motion.

Mayor Bieri thanked everyone who came out to speak. She felt a lot of hostility tonight particularly from one person who has left. Some people are not pleased with the fact that she was reelected and they are entitled to that. They are not entitled to pretend to know what her motivations or reasoning are. She was accused tonight again incorrectly of politicizing SROs. She said that she would provide the facts so that this person can educate himself and cease the practice of embellishing the truth. She became Mayor in 2008 and at that time she had begun obtaining information from and discussing the issue of SROs with the then-Chief of Police. She learned of the history and the specifics that guided the Chief in doing away the program. It was not a political issue, nor has it ever been one for her. It was and continued to be an issue that was brought to her attention as early as her first year as Mayor by residents, parents and school officials. It is her duty as an elected official to try to represent those views, educate herself and take a position on those issues. She took a position and did not succeed in 2008, 2009, 2010 or 2011. What changed in between was that a new Chief of Police was appointed and he was just as enthusiastic about getting SROs in the schools as she is. She spoke to the then-Superintendent of Schools who was open to the idea and dialogue. She spoke with parents, residents, and school officials. She researched the matter. And she concluded and felt that having SROs in the school would be a benefit to the community. She did not nor has she yet approached the BOE with a concrete plan because it is not feasible at this point in time. While she lobbied the Council for funding and staffing to allow for SROs in the school, her efforts were not successful. That is good government. That is debate and adherence to the process. Whether successful or not in her efforts, she had and has every right to engage in the process. She has every right to make an educated decision on issues, lobby for funding, lobby for Council support & staffing just as the Council has every right to choose not to endorse that. That does not make the matter political. It means that she and members of the Council took positions based on information received. Not having received Council consensus, sufficient funding or increased staffing she could present a concrete plan to the BOE. That is why they have not received such a plan to date. At no time did she ever disparage or degrade West Milford students, our school system, our BOE, the administration, school officials, teachers or anyone else. She took a position on SROs and that is all she did. SROs are not just about drugs. They are about developing a rapport with students, making them comfortable to report anything and everything. She has the right to support that and she still would if the funding and staffing were available. She cannot pretend to understand why the speaker this evening continues to choose to classify her actions as political but she will continue to insist that he rely on the facts rather than the rhetoric he continues to spew.

Mayor Bieri asked the Council if they would like to entertain a new vote on holiday displays at town hall. Mr. Semrau said that the Council could also opt for a menorah and a tree. Council President Signorino made a motion to open up holiday displays to all faiths saying that his vote reflects the feedback he got from the constituents he spoke to.

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

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Agenda No. VI

**Discussion Items**

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| 1) | Public Officials Liability (POL)/Employment Practices Liability (EPL) – the Township’s Risk Manager, Frank Covelli directed Council to his annual report which he reviewed. He asked for consensus from the Governing Body about coinsurance requirements. His recommendation would reduce the Township’s exposure from \$70,000 to \$40,000 with an additional annual premium of \$5,308. Ms. Gage concurred with Mr. Covelli’s recommendation. The Council agreed by virtue of unanimous roll call vote and a resolution will be presented for consideration at the next meeting. Mr. Covelli proceeded with the overview of his report. He advised that cyber liability coverage has been added to our coverage. Safety enhancements being instituted and more online training is being offered to institute a fast track to a comprehensive safety program. The MEL is trying to provide tools to meet training obligations and requirements. West Milford, he said had a good year with respect to the fund and the fund is financially healthy. |
| 2) | Superstorm Sandy – Ms. Gage directed Council to the attorney’s memo which outlines various options. Mr. Semrau said he tried to gather as much information as possible. In addition to the memo he continued to research. A number of towns have expressed interest in becoming members of Butler Electric but Butler Electric’s Administrator has said they don’t have the capacity to expand. He spoke to Mr. Anderson of JCP&L who said they are learning from the failures of the past. Calls with elected officials were not as productive as they could   |

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|    | <p>have been. They will change focus to coordinate with OEM going forward. He said that he would be willing in the 1<sup>st</sup> quarter of 2013 to sit with officials, review critical infrastructure and priorities and JCP&amp;L would work on those. He said they would discuss their maintenance plans and provide updates to the municipality. Mr. Semrau reviewed the options in his memo. In closing he suggested that the Township request records about what was done in the storm and what maintenance has been done since. Councilman Ramaglia asked Ms. Gage to reach out to Senator Pennachio to find out what happened at the Senate committee meeting with utility companies today. Mr. Semrau advised that Mr. Anderson said that West Milford is the first town to call him and he suggested we move forward to schedule that meeting. Councilman Ramaglia said that he would like to know if Butler has capacity and Councilman Smolinski said that to jump from one utility company to another may not be the best option. No one provider faired well in this storm. His business was without power for eight days in Wyckoff. There is no way to determine how a new provider would perform until there is such an event. Mayor Bieri said we should press JCP&amp;L for more information on maintenance &amp; infrastructure and to obtain details about the proposal to improve communications. She would also like them to explain why they did not have any presence in town for ten days after the storm. She would like to see more pressure put on them because it is unacceptable that they had no presence for 8 days after the storm. At least O&amp;R had someone in town. There must be a better way to improve efficiency. Local hands were tied, she said, based on lack of communication from utility companies. Discussion ensued about having one provider in town. Ms. Gage said we will be meeting with O&amp;R too and Council instructed that the meeting with JCP&amp;L be arranged also. Mr. Semrau explained the process whereby residents can file a petition to change to another franchise which would result in a BPU hearing. He said there is an online service that coordinates petitions of this nature. Ms. Gage said she has a meeting scheduled with O&amp;R and asked if she should broach them about possibly assuming the role of service provider. Council gave consensus to have her ask. Mr. Semrau said that if that be the case then the petition could be very specific. Councilwoman Horton said that having one company is good if that would move us up on their priority list.</p> |
| 3) | <p>NY / NJ Trails "Sign On" Request – Ms. Gage said that this is simply a request to express interest if monies become available but it does not commit the Township to any project or funding. If grant initiatives do arise, the Trails Conference will come to the Council and Council will then decide whether or not to proceed. At this time they need West Milford to sign on before they can go any further. Council President Signorino said the proposed letter references acquisitions and Ms. Gage said that is a reference to West Milford acquisitions adding that the Trails Conference does not acquire properties. They can use grant funds for projects on properties acquired by the Township. She said their mission is not acquisition but it is to install trails. Councilwoman Horton clarified that any next step requires our approval and Ms. Gage confirmed that. Councilman Smolinski asked Ms. Gage to ensure that they will not come and purchase land in town without our knowledge. He said he is not comfortable. Council President Signorino asked that the response to their letter be specific to disallow acquisitions. The Council gave majority consensus to have Ms. Gage send the letter, with a clarification that any acquisitions by the Trails Conference are not included in that consent with Council Smolinski withholding consent.</p>   |
| 4) | <p>Resolution: Anti-Idling – Ms. Gage said that the Environmental Commission requires this resolution to obtain Sustainable certification. The resolution has no enforcement provision and is strictly educational. Council President Signorino said he is not interested in this idea. Councilwoman Horton said she initially did not support enforcement but she supports this resolution. The Council gave consensus to proceed.</p>   |
| 5) | <p>Contract: Fixed Asset Inventory - the Council gave consensus to proceed.</p>   |
| 6) | <p>Contract: Awarding Contract to Princeton Hydro – Ms. Gage advised that the State wants this agreement amended to ensure that we will be reimbursed under the grant. Councilwoman Horton read this at length and is disturbed by what she has seen. She spoke to the Administrator, CFO and Eric Miller. In the last page of the packet of information received there is a revised budget which shows how we are moving numbers. She reviewed the numbers. She objects to raising the amount going to professionals for design work. That is 35% of the grant. She suggests that we monitor those professional services in the future. The industry standards are 15-20%. This is 35% and that is appalling on its face. Ms. Gage advised that this was revisited and renegotiated at length. In the future there will be concern when this contractor brings forth such plans. Counwilwoman Horton asked that we institute bidding practices with not to exceed percentage amounts. Because of the time constraints we have no choice here but she is concerned for future projects. Mr. Semrau asked if the resolution was drafted by engineering. He said we had extensive litigation with UGL and we could not use Princeton Hydro as a specialist because they have worked for UGL. We cannot use them as an expert or a resource and they are actually writing reports that are being used against the Township. Ms. Gage said that there will be serious consideration about any future contracts with them. Mr. Semrau expressed concern that we give them a lot of work only to have them preclude themselves from testifying for us and actually working against the Township. He said in the future we must demand that they cannot work for our adversaries.</p>  |

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The Council gave consensus to proceed.

Agenda No. VII

**Action Items**

Mayor Bieri asked to move all Resolutions 2012-389 through 2012-399 as one.

Agenda No. VII 1

~ Resolution No. 2012- 389 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING THE CERTIFICATION LIST OF VOLUNTEER MEMBERS OF THE TOWNSHIP OF WEST MILFORD FIRE DEPARTMENTS AND FIRST AID SQUADS**

**WHEREAS**, the Township adopted Ordinance No. 1999-26 which created the Length of Service Awards Program (LOSAP); and

**WHEREAS**, N.J.S.A. 40A: 14-191 requires that the Emergency Service Organizations furnish the Township council with an annual certification list of all volunteer members who have qualified for credit under the award program for the previous year;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Township Council of the Township of West Milford, formally approve the list of the volunteer members of the Township of West Milford fire departments and first aid squads submitted by each fire department and first aid squad for the year 2011, a copy of which list is attached here as an addendum; and

**BE IT FURTHER RESOLVED** that a copy of this list will be posted for at least thirty (30) days in the respective fire houses, first aid squads and municipal clerk's office.

**ADDENDUM**

TOWNSHIP OF WEST MILFORD  
 LOSAP Payment Roster to AIG Valic For Year Ending 12/31/11

| Last Name   | First Name   | Fire Co. or |          | Status of Eligibility |
|-------------|--------------|-------------|----------|-----------------------|
|             |              | Squad       | Amount   |                       |
| ATKINSON    | PAUL         | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| BARRETT     | WAYNE        | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| BARTHOLOMEW | PAUL         | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| BLOCK       | ROBERT       | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| BOUGHTON    | JEFFREY      | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| CRATER      | DAVID        | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| CROUTHAMEL  | DAVID        | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| HEMPEL      | ROBIN        | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| HIGGINS     | SEAN M.      | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| KIRK        | ROBERT C     | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| KIRK        | ROBERT W.    | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| KIRK        | SAMANTHA     | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| KOERNER     | GEORGE       | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| POPLASKI    | RICHARD, JR. | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| POPLASKI    | RICHARD SR.  | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| POSTLEWAITE | GARY         | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| STRUBLE     | ROBERT       | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| STRUBLE     | DAVID E.     | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| STRUBLE     | DIANE A.     | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| STRUBLE JR  | TIMOTHY T.   | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| STRUBLE SR  | TIMOTHY T.   | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| SVRCHEK     | RONALD       | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| VASPORY     | DENNIS       | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| VREELAND    | ARTHUR       | FIRE CO #1  | \$700.00 | ELIGIBLE, LISTED      |
| ADRAGNA     | MATHEW       | FIRE CO #2  | \$700.00 | ELIGIBLE, LISTED      |
| CASTRO      | ROBERT J.    | FIRE CO #2  | \$700.00 | ELIGIBLE, LISTED      |
| COURSEN     | RANDY J.     | FIRE CO #2  | \$700.00 | ELIGIBLE, LISTED      |
| HUGHES      | MICHAEL      | FIRE CO #2  | \$700.00 | ELIGIBLE, LISTED      |
| LONGAKER    | JOHN         | FIRE CO #2  | \$700.00 | ELIGIBLE, LISTED      |
| McFARLANE   | MIKE         | FIRE CO #2  | \$700.00 | ELIGIBLE, LISTED      |

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

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| Last Name  | First Name   | Fire Co. or |          | Status of Eligibility |
|------------|--------------|-------------|----------|-----------------------|
|            |              | Squad       | Amount   |                       |
| ROSE       | JAMES B      | FIRE CO #2  | \$700.00 | ELIGIBLE, LISTED      |
| ROSE       | MATTHEW      | FIRE CO #2  | \$700.00 | ELIGIBLE, LISTED      |
| ANDRENIUK  | THEADORE     | FIRE CO #3  | \$700.00 | ELIGIBLE, LISTED      |
| BISHOP     | PHIL         | FIRE CO #3  | \$700.00 | ELIGIBLE, LISTED      |
| BLONDIN    | MICHAEL      | FIRE CO #3  | \$700.00 | ELIGIBLE, LISTED      |
| DOWSON     | GLENN        | FIRE CO #3  | \$700.00 | ELIGIBLE, LISTED      |
| GARREN     | FRANK        | FIRE CO #3  | \$700.00 | ELIGIBLE, LISTED      |
| SCHEIL     | KATHRYN      | FIRE CO #3  | \$700.00 | ELIGIBLE, LISTED      |
| TIMPSON    | THOMAS       | FIRE CO #3  | \$700.00 | ELIGIBLE, LISTED      |
| BALLIN     | RANDY J.     | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| BARKER     | PAUL         | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| BATHMANN   | RICHARD J.   | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| BLACKWELL  | ANDREW P     | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| DRAKE      | KEVIN        | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| FIORILLA   | JOSEPH       | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| FRANZINO   | JOHN         | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| GLINANE    | LIAM G.      | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| HENNEN     | JAMES        | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| KLOSZ      | KENNETH      | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| LINDSTROM  | JIM          | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| MILLER     | JEFF G       | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| MORLEY     | STEVEN       | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| PAGE       | CHRISTOPHER  | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| PELLINGTON | STEPHEN      | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| RAMOS      | TATE         | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| ROSONE     | MICHAEL      | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| SHATTUCK   | RAYMOND      | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| TREADWAY   | JOE          | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| TROPANA    | FRANK        | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| WILLAIMS   | DARREN       | FIRE CO #4  | \$700.00 | ELIGIBLE, LISTED      |
| BARTILUCCI | ROBERT       | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| BARTILUCCI | MICHAEL      | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| BUONANNO   | JOHN         | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| CALABRO    | FRANK        | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| CASBARO    | JASON        | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| CHAPMAN    | DOUGLAS K.   | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| COYTE      | DONALD C.    | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| FERREIRA   | MICHAEL      | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| FINEMAN    | ANDREW       | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| FIRENZE    | DOMINIC      | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| FREY JR    | STANLEY      | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| GAGE       | JAMES        | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| GAMBLE     | VICTOR J     | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| KIEL       | KEVIN        | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| KUCERA     | JOSEPH       | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| LAMANNA    | ANTHONY      | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| LYNCH      | JAMES        | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| MACKINNON  | DEAN         | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| MACKINNON  | LAWRENCE     | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| MCGUINNESS | PETER        | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| MONTELEONE | JOHN         | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| O'DEA      | DANIEL       | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| OLLEARO JR | EDWARD       | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| OLLEARO SR | EDWARD       | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| PONZO      | JOSEPH C. SR | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| PONZO      | JOSEPH C, JR | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| RELYEA     | ERNEST       | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| RYAN       | KEVIN        | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |

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| Last Name   | First Name  | Fire Co. or |          | Status of Eligibility |
|-------------|-------------|-------------|----------|-----------------------|
|             |             | Squad       | Amount   |                       |
| STINZIANO   | MARK S.     | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| VANDUNK     | KEITH       | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| VRESECKY    | JOHN        | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| WIELHOUWER  | PAUL M.     | FIRE CO #5  | \$700.00 | ELIGIBLE, LISTED      |
| ALDRICH     | EDWIN C.    | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| ALDRICH III | EDWIN C.    | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| Beesley     | Lenord      | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| BIRDSALL    | ADRIAN H.   | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| CARUSO      | JOSEPH      | FIRE CO #6  | \$700.00 | NO FORMS ON FILE      |
| COROCRAN    | JOSEPH      | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| D'AMBROSIO  | NICHOLAS    | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| DYGOS       | RONALD      | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| DYGOS       | MICHAEL     | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| LOBBREGT    | ROBERT      | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| LUPICA      | MICHAEL     | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| MORRISSEY   | WAYNE       | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| MURPHY      | WILLIAM     | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| MURRAY      | CHRISTOPHER | FIRE CO.#6  | \$700.00 | ELIGIBLE, LISTED      |
| MUSSINA     | DAVID       | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| NICHOLAS    | MIKE        | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| PLOENES     | RICHARD     | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| RUGGERO     | VINCENT     | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| SCONFLENZA  | AMANDA      | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| SCONFLENZA  | ROY         | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| SHEMELEY    | KELSEY      | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| SIRNIK      | ROBERT      | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| STEINS      | EDWARD      | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| STEWART     | ALFRED A.   | FIRE CO #6  | \$700.00 | ELIGIBLE, LISTED      |
| ATOCHA      | FABIAN      | UGLFAS      | \$700.00 | ELIGIBLE, LISTED      |
| CASBARRO    | EILEEN      | UGLFAS      | \$700.00 | ELIGIBLE, LISTED      |
| DALE        | MICHELE     | UGLFAS      | \$700.00 | ELIGIBLE, LISTED      |
| FEDYSHYN    | TIMOTHY     | UGLFAS      | \$700.00 | ELIGIBLE, LISTED      |
| HAJEK       | THEODORE    | UGLFAS      | \$700.00 | ELIGIBLE, LISTED      |
| JOY         | ERICKA      | UGLFAS      | \$700.00 | ELIGIBLE, LISTED      |
| REVICKI     | JAMES       | UGLFAS      | \$700.00 | ELIGIBLE, LISTED      |
| WEISS       | SUSAN       | UGLFAS      | \$700.00 | ELIGIBLE, LISTED      |
| WEST        | CLIFF       | UGLFAS      | \$700.00 | ELIGIBLE, LISTED      |
| ALDRICH     | STACIA      | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| BATHMAN     | RICHARD     | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| BECK        | CAROL       | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| BURNS       | PATRICIA    | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| CHIESA      | MATTHEW     | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| CRANE       | ALEX        | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| CUNEO       | KENNETH     | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| DAMPMAN     | JOHN DOUG   | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| DYGOS       | CHRISTEL    | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| GALIMI      | ASHLEY      | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| HANKINSON   | STANLEY     | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| HENRY       | JUDITH      | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| HETTEMA     | DIANE       | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| JIROUSCHEK  | ROBERT      | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| KOCHAKJU    | TODD        | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| LIGUS       | TIMOTHY     | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| LOBBREGT    | ROBERT      | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| LONGAKER    | GRETCHEN    | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| LUJBLI      | BEVERLY     | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| McDOWELL    | MARIA       | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| McDOWELL    | BRIAN       | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| MC GRATH    | JOHN        | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| MILLER      | GEORGE      | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| MILLER      | JEFF        | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |
| PAPPAS      | SUSANNE     | WMFAS       | \$700.00 | ELIGIBLE, LISTED      |

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

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| Last Name | First Name | Fire Co. or |              | Status of Eligibility |
|-----------|------------|-------------|--------------|-----------------------|
|           |            | Squad       | Amount       |                       |
| PISKALDO  | DACIA      | WMFAS       | \$700.00     | ELIGIBLE, LISTED      |
| REYES     | ELAINE     | WMFAS       | \$700.00     | ELIGIBLE, LISTED      |
| SAKAYAMA  | ED         | WMFAS       | \$700.00     | ELIGIBLE, LISTED      |
| SERPE     | DELORES    | WMFAS       | \$700.00     | ELIGIBLE, LISTED      |
| SHATTUCK  | RAYMOND    | WMFAS       | \$700.00     | ELIGIBLE, LISTED      |
| SIEBERT   | STEPHEN    | WMFAS       | \$700.00     | ELIGIBLE, LISTED      |
| VITALE    | AMANDA     | WMFAS       | \$700.00     | ELIGIBLE, LISTED      |
| WALZ      | JOHN       | WMFAS       | \$700.00     | ELIGIBLE, LISTED      |
| TOTAL     |            |             | \$110,600.00 |                       |

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

Agenda No. VII 2

~ Resolution No. 2012- 390 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROPRIATING EMERGENCY FUNDS IN ACCORDANCE WITH N.J.S.A. 40A:4-48 RELATED TO EXPENDITURES ASSOCIATED WITH HURRICANE SANDY**

**WHEREAS**, an emergency has arisen with respect to a hurricane and no adequate provision was made in the 2012 Current Budget for the aforesaid purpose, and N.J.S.A. 40A:4-54 provides for the purpose above mentioned, and

**WHEREAS**, the total amount of emergency appropriations created including the appropriation to be created by this resolution is \$150,000.00

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford in the County of Passaic (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-55;

1. An emergency appropriation be and the same is hereby made for:  
Hurricane Damage .....\$ 150,000.00
2. That said emergency appropriation shall be provided for in Outside the Caps.
3. That an "Emergency Note" not in excess of the above amount be authorized pursuant to N.J.S.A.40A:4-54 and in accordance with the provisions of N.J.S.A.40A:4-55.
4. That said note or notes shall be dated the issuance date and may be renewed from time to time and at least 1/5 of all such notes and renewals thereof shall mature and be paid in each fiscal year thereafter until all are paid.
5. That two certified copies of this resolution be filed with the Director of the Division of Local Government Service;

**BE IT FURTHER RESOLVED** that two certified copies of this resolution be filed with the Director of Local Government Services.

Adopted: December 5, 2012

Agenda No. VII 3

~ Resolution No. 2012- 391 ~

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

**WHEREAS**, there appears to be a surplus in the 2012 appropriation over and above the demand deemed to be necessary for the balance of the year:

| APPROPRIATION              | ACCOUNT NUMBER | TRANSFER PROPOSAL |
|----------------------------|----------------|-------------------|
| Administration S&W         | 20-100-100     | \$2,240.00        |
| Treasurer O.E.             | 20-130-498     | \$4,000.00        |
| Information Technology S&W | 20-140-100     | \$4,000.00        |
| Emergency Mgmt. S&W        | 25-252-101     | \$5,000.00        |
| Public Health S&W          | 27-330-101     | \$60,000.00       |

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

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|                            |            |                    |
|----------------------------|------------|--------------------|
| Bubbling Springs S&W       | 28-370-100 | \$20,149.00        |
| Mass Transit Current       | 30-432-200 | \$2,000.00         |
| <b>TOTAL TRANSFERS OUT</b> |            | <b>\$97,389.00</b> |

**WHEREAS**, there appears to be insufficient funds in the following appropriations to meet the demands thereon for the balance of the 2012 budget year:

|                               |            |                    |
|-------------------------------|------------|--------------------|
| Comprehensive Planning S&W    | 21-181-100 | \$2,700.00         |
| Police Patrol S&W             | 25-240-100 | \$10,000.00        |
| Special Police S&W            | 25-244-100 | \$2,200.00         |
| Fire Prevention Bureau S&W    | 25-265-100 | \$5,000.00         |
| Fire Co. Administration S&W   | 25-266-100 | \$1,089.00         |
| Animal Control S&W            | 27-340-100 | \$15,000.00        |
| Recreation Administration S&W | 28-370-100 | \$7,500.00         |
| Utilities – Telephone         | 31-440-200 | \$23,000.00        |
| Utilities - Fleet Fuel        | 31-460-200 | \$15,300.00        |
| Vehicle Maintenance S&W       | 26-315-100 | \$7,200.00         |
| Utilities - Street Lighting   | 31-435-200 | \$4,400.00         |
| Matching Grant funds – ROID   | 41-731-999 | \$4,000.00         |
| <b>TOTAL TRANSFERS IN</b>     |            | <b>\$97,389.00</b> |

**NOW, THEREFORE BE IT RESOLVED**, by the Council of the Township of West Milford in the County of Passaic, State of New Jersey, that in accordance with the provisions of N.J.S.A. 40A:4-58, part of the 2012 appropriation heretofore mentioned be and the same are hereby transferred to the appropriations mentioned as being insufficient to meet prior demands, and

**BE IT FURTHER RESOLVED**, that the Treasurer is hereby authorized to make the following transfers in the 2012 appropriation:

|    |             |    |             |              |
|----|-------------|----|-------------|--------------|
| 1. | \$97,389.00 | 2. | \$97,389.00 | CURRENT FUND |
|----|-------------|----|-------------|--------------|

A certified copy of this Resolution shall be forwarded by the Township Clerk to the Township Treasurer.

Adopted: December 5, 2012

Discussion: Administrator Gage said that transfers give us an indication or a base point for next year’s budget. Councilwoman Horton said she will continue to ask questions because she does not understand the need to transfer \$15,000 to cover ACO vacation. Mr. Semrau suggested that the CFO may want to consider giving percentages and Ms. Gage said she will ask for quarterly reports and updates. Mayor Bieri said that the memo from the CFO is not what she expected and does not give proper explanations.

Agenda No. VII 4

**~ Resolution No. 2012- 392 ~**

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

**WHEREAS**, there appears to be a surplus in the 2012 appropriation over and above the demand deemed to be necessary for the balance of the year:

| APPROPRIATION              | ACCOUNT NUMBER | TRANSFER PROPOSAL |
|----------------------------|----------------|-------------------|
| Solid Waste O.E.           | 26-55-500-450  | \$7,760           |
| <b>TOTAL TRANSFERS OUT</b> |                | <b>\$7,760</b>    |

**WHEREAS**, there appears to be insufficient funds in the following appropriations to meet the demands thereon for the balance of the 2012 budget year:

| APPROPRIATION             | ACCOUNT NUMBER | TRANSFER PROPOSAL |
|---------------------------|----------------|-------------------|
| Solid Waste S&W           | 26-55-500-101  | \$7,760.00        |
| <b>TOTAL TRANSFERS IN</b> |                | <b>\$7,760.00</b> |

**NOW, THEREFORE BE IT RESOLVED**, by the Council of the Township of West Milford in the County of Passaic, State of New Jersey, that in accordance with the provisions of N.J.S.A. 40A:4-58, the

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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2012 appropriation heretofore mentioned be and the same are hereby transferred to the appropriations mentioned as being insufficient to meet prior demands, and

BE IT FURTHER RESOLVED, that the Treasurer is hereby authorized to make the following transfers in the 2012 appropriation:

Table with 2 columns: Item number and Amount. Row 1: 1. \$7,760.00. Row 2: 2. \$7,760.00

A certified copy of this Resolution shall be forwarded by the Township Clerk to the Township Treasurer.

Adopted: December 5, 2012

Agenda No. VII 5

~ Resolution No. 2012- 393 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING A CHANGE ORDER FOR THE PURCHASE OF FUEL

WHEREAS, It is recommended to approve a change order for the purchase of Gasoline previously awarded to Allied Oil, Inc. in the amount of \$212,000.00; and,

WHEREAS, the increased cost recommended in the approval of the change order is \$8,300.00 which amount represents the rising cost of fuel; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this change order, said funds to be transferred from other budget appropriation accounts to the fuel account 2-01-31-460-315.

NOW, THEREFORE, BE IT RESOLVED by Township 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 contract amendment with Allied Oil, Inc. in an amount not to exceed \$8,300.00 representing an increase to the original contract amount not to exceed \$212,000.00
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 5, 2012

Agenda No. VII 6

~ Resolution No. 2012- 394 ~

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 PRINCETON HYDRO, LLC FOR ENVIRONMENTAL ENGINEERING SERVICES ASSOCIATED WITH A BUDGET MODIFICATION REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP) FOR THE SFY 2007 NON-POINT SOURCE GRANT (RP07-052) IN AN AMOUNT NOT TO EXCEED \$146,398.00

WHEREAS, the Township Council authorized, by resolution 2012-071, the award of a professional services contract to Princeton Hydro, LLC on February 1, 2012; and

WHEREAS, developments and negotiations with Princeton Hydro, LLC and the NJDEP have resulted in a need to amend the contract in accordance with a NJDEP budget modification and time extension that would ensure that grant funding is available for the projects undertaken under the contract; and

WHEREAS, costs associated with the professional services and ultimate implementation of construction projects, intended to reduce phosphorous loads entering Greenwood Lake, will be funded entirely by the grant; 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 bidding and the contract itself must be made available for public inspection.

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

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

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1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Princeton Hydro, LLC with offices located at 1108 Old York Town Road, Suite 1, P.O. Box 720, Ringoes, New Jersey 08551 for consulting services to implement three additional stormwater projects, i.e.: Marshall Hill Road, Stainsby Road and Adelaide Terrace and in an amount not to exceed \$146,398.00 and in accordance with the proposal dated May 21, 2012.
2. The total fee authorized for this contract shall not exceed \$146,398.00 without written approval of the Township Council.
3. The Political Contribution Disclosure Form, Business Disclosure Entity Certification and Determination of value shall be placed on file in the office of the Township Clerk.
4. It is the intent of this Resolution to supercede, replace and revoke Resolution 2012-071
5. Notice of this action shall be published in the Township's official newspaper as required by law.

Adopted: December 5, 2012

Agenda No. VII 7

**~ Resolution No. 2012- 395 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXTENSION OF A PROFESSIONAL SERVICES CONTRACT TO COLALUCE WELL & PUMP SERVICE TO CLEAR, FILL AND CAP A WELL ON BLOCK 8001, LOT 1 IN ORDER TO SEAL SAME**

**WHEREAS**, on June 27, 2012 by virtue of resolution 2012-218 the Township Council did retain the services of Colaluce Well & Pump Service to seal wells on the Township owned property known as Block 8001, Lot 1; and

**WHEREAS**, one such well requires the provision of unforeseen additional services to effectuate the sealing of same namely it must be cleared of any debris, and or pumping equipment before it can be capped and sealed to NJ State DEP codes; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from the open space trust account.

**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 Mayor and Township Clerk be and are hereby authorized to extend the original contract with Colaluce Well & Pump Service for professional services to seal wells at the property known as Block 8001, Lot 1 in an additional amount not to exceed \$3,700.00 to clear debris and/or pumping equipment from one such well requiring these additional services.
2. The total fee authorized for this contract with the addition of the amount referenced above for clearing and capping shall not exceed \$74,960.00 without the prior written approval of the Township Council.
3. 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 5, 2012

**Consent Agenda**

Agenda No. VII 8

**~ Resolution No. 2012- 396 ~**

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

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

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

**Resolutions:**

- a. **2012-397** – Refund Clerk's Office Fees

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

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- b. **2012-398** – Refund Escrow Fees
- c. **2012-399** – Various 2013 Licenses

**Applications:**

1. Application for On Premise 50/50 Raffle License No. 2013-01 by PBA Local 162 West Milford for February 2, 2013.
2. Application for Tricky Tray Raffle License No. 2013-02 by PBA Local 162 West Milford for February 2, 2013.
3. Application for Instant Pull Tab Raffle License No. 2013-03 by West Milford Elks Lodge for 2013.

Adopted: December 5, 2012

Agenda No. VII 8 a

**~ Resolution No. 2012- 397 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF CLERK’S OFFICE FEES**

**BE IT RESOLVED** that the following Clerk’s Office fees upon the report of the Township Clerk be refunded:

| License                    | Fee Paid | Pro-rated One Month Fee | Refund Amount | Payee  |
|----------------------------|----------|-------------------------|---------------|--|
| 2012 Precious Metal Dealer | \$25.00  | \$2.08                  | \$22.92       | Patricia Pezzulo<br>PRS Goldbuyers<br>37 Hidden Glen Drive<br>Sparta, New Jersey 07871 |

Adopted: December 5, 2012

Agenda No. VII 8 b

**~ Resolution No. 2012- 398 ~**

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

**BE IT RESOLVED**, by the Township Council of the Township of West Milford that, based upon the report and request of the Township’s Construction Official, the following Escrow monies be refunded:

| Name & Address   | Application No. | Amount of Escrow | Amount Refunded |
|--|-----------------|------------------|-----------------|
| Susan Borrelli-Gerace<br>P.O. Box 458<br>9 Center Street<br>West Milford, NJ 07480 | ZB01-10-04      | \$950.00         | \$447.68        |
| <b>TOTAL REFUND</b>  |                 |                  | <b>\$447.68</b> |

Adopted: December 5, 2012

Agenda No. VII 8 c

**~ Resolution No. 2012- 399 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2013**

**WHEREAS**, applications have been made for the renewal of various Licenses 2013; 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 2013 Licenses as listed below:

| <b>2013 DEALER IN PRECIOUS METALS</b> |  |
|---------------------------------------|--|
| License No.                           | Applicant Name   |
| 2012 License No.<br>2012 - 3          | PRS Goldbuyers, Patricia Pezzulo<br>37 Hidden Glen Drive, Sparta, NJ 07871 |



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

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Councilman Smolinski said that a resident accused our kids of shooting up and he said it is insensitive and inappropriate especially for someone who professes to be so educated. West Milford has had a couple of black eyes in the past few weeks. He would like to know who called Channel 12 to notify them of these sensitive issues. He asked Council and incoming Council members to clarify when making public statements that they are expressing individual opinions and not speaking for the body as a whole. He thanked Council for the vote on holiday displays.

Administrator Gage said that the FEMA application is almost ready for submission and it included many photos. It is being expedited by the state. At the next meeting Rocky Hazelman wants to come in to make presentation on ALF donations. She said that will be a need for executive session at the next meeting. Budget meetings will begin with department heads this month and she will have the proposal for amending administrative police fees in January. The application for Joo/Witherspoon is on the planning board agenda tomorrow.

Mr. Semrau asked if Council wishes his firm to continue attending Building Standard Board meetings in 2013. It may be more efficient to have the liaison notify if there is a need for attendance. Council President Signorino agreed. Mr. Semrau said that the governing body in West Milford does a great job in conducting a meeting. He said the issue of displays has come up in a number of towns this year. He has put together a template to notify organizations of the decision with an informal plan for participation by a particular date. The Township, by instituting a clear policy, would reserve the right to deny displays that are not in conformance.

Agenda No. X

**Appointments and Resignations**

None.

Agenda No. XI

**Executive Session**

None.

Agenda No. XII

**Adjournment**

There being no further business to come before the Council, the Township Council adjourned the meeting at 10:55:30 p.m.

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

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Approved: March 20, 2013

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MAYOR BETTINA BIERI  
PRESIDING OFFICER

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ANTOINETTE BATTAGLIA  
TOWNSHIP CLERK