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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: December 6, 2017  
Time of Meeting: 6:30 pm  
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The Workshop Meeting of the Governing Body 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 issue of December 25, 2016, January 1, 2017; copies were provided to the Suburban Trends, the Record and 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.

Agenda No. I

**Pledge of Allegiance**

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

Agenda No. II

**Roll Call**

Present: Councilmembers Ada Erik, Mike Hensley (arrived at 6:39), Tim Wagner (arrived at 6:52)  
Luciano Signorino, Marilyn Lichtenberg, Mayor Bettina Bieri

Absent: Pete McGuinness

Also Present: Township Administrator/Clerk Antoinette Battaglia, Township Attorney Fred Semrau

Agenda No. III

**Reading of or Approval of Unapproved Minutes**

October 4, 2017 Executive Session / Revised  
November 8, 2017 Executive Session  
November 8, 2017 Workshop / Regular Meeting

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Moved: Erik                      Seconded: Lichtenberg  
Voted Aye: Erik, Hensley, Wagner, Signorino, Lichtenberg  
Voted Nay: None  
Abstained: Signorino (October 4, 2017 Executive Session / Revised)  
Absent: McGuinness

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Agenda No. IV

**Meetings**

Mayor Bieri noted the future meeting schedule:

December 20, 2017 Regular Meeting  
January 3, 2018 Reorganization Meeting  
January 3, 2018 Workshop Meeting  
January 17, 2018 Regular Meeting

Agenda No. V

**Proclamations**

None

Mayor Bieri said being that the Eagle Scouts were present she would like to move forward with the presentation next.

Agenda No. VI

**Presentations**

Eagle Scout, Joseph F. Miller – Said he is from Troop 146, and he has been involved in scouting for eleven years. For his project, he refurbished the main room in the Upper Greenwood Lake Ambulance building. He painted and installed new LED lights. He mentioned the project took an entire weekend.

Eagle Scout, Ryan Jordan – Mentioned that he has been in Boy Scouts for seven years. For his project, he refurbished a reflection area in St. Joseph's church cemetery.

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Eagle Scout, Thomas Kachler – Noted that he is from Troop 114 and he’s been involved in scouting since second grade. For his project, he refurbished the vestibule in Our Lady of Fatima Chapel in Pequannock. He installed stairs, railings and carpet and the project took 260 hours. He thanked everyone who helped him.

Eagle Scout, Nick Ligosh – Said he has been scouting for eight years. For his project, he rebuilt the old flower garden in front of Macopin Middle school. He removed the old flower garden; made a new circle, added a dedication plaque with new flowers and plants, and a pathway to the flag pole. He mentioned that it took fifty hours to complete.

Mayor Bieri spoke about how the people make our community extra special and she thanked the Eagle Scouts and everyone involved for their dedication.

Councilman Signorino apologized to the Eagle Scouts because he might have missed an invitation. He thanked and congratulated the Eagle Scouts.

Mayor Bieri said since nobody was present for the EDC Award she will refer back to the presentations later in the meeting.

Agenda No. VII

**Executive Session**

~ Resolution No. 2017 – 361 ~

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 6<sup>th</sup> day of December, 2017 that:

1. Prior to the conclusion of this **Workshop Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
  - ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
  - ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
  - ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
  - ( ) b. (4) A collective bargaining agreement including negotiations.
  - ( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
  - (X) 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.
    - Public Property - West Milford Town Hall
  - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
    - Attorney-Client Privilege – Council on Mandates
    - Attorney-Client Privilege – 2018 Tax Appeal Exposure
    - Attorney-Client Privilege – LMI Zone
    - Contracts – Stowaway Bridge
  - ( ) 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 6, 2017

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

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The Governing Body went into executive session at 6:46 p.m.  
The Governing Body returned to the public meeting at 8:17 p.m. with all present as before.

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Presentations Continued

EDC Awards – Ms. JoAnn Blom said that she was proud to present the certificate to the West Milford Pharmacy, and the decision was made by the EDC Commissioners. She mentioned that the pharmacy has been in town for 67 years. She welcomed Mr. Daniel Gutkind to the podium. Mr. Gutkind, owner of West Milford pharmacy, thanked his sister, Ms. Gutkind, who joined the pharmacy two years ago. He said he truly appreciates the West Milford community for embracing him and supporting him and the pharmacy. He promised to continue to provide the highest level of dedication and service. He spoke about his career in pharmaceuticals and all the services and products that West Milford Pharmacy offers. He said he truly appreciates the award and it will be proudly displayed in the pharmacy.

Agenda No. VIII

Discussion Items

Table with 2 columns: Item Number and Discussion Content. Item 1: Discussion: Marshall Hill Road Bridge. Item 2: Discussion: Community Services & Recreation Gym Floor. Item 3: Discussion: RFPs/RFQs.

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<p>Councilman Signorino said that he would like an outside company that does not have a relationship with the Township to perform the efficiency audit. He would also like to broaden the search. Administrator Battaglia requested direction from Councilman Signorino as to who would perform that service. Councilman Wagner suggested asking the seven people that picked up the proposals why they did not bid. Councilman Signorino said that he would like Administrator Battaglia to follow up on this. Administrator Battaglia said that she will provide the list to the Governing Body and follow up on the people that did not respond. Councilman Signorino said there were RFP's/RFQ's missing from his request. He said it's his obligation as a councilman to see what's out there for informative purposes. He explained that certain individuals have been working for the Township for a long time and they could lose touch with going rates and experience, and the tactics and perspective of the companies that are out there. He said other towns are always hiring the same pool of people and he doesn't want to use the same approach. He noted that the health care provider was not included in the RFP's/RFQ's and requested to have them separated. Administrator Battaglia said she would withdraw that RFQ and rewrite it. Councilman Signorino said he would work with Administrator Battaglia to compile resources.</p>
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Agenda No. IX

**Public Comments**

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

Bob Nicholson, 20 Hyde Road, Stockholm – Asked if the Governing Body is going to award contracts in 2018 or 2019. He said years ago there were two efficiency audits performed and they both concluded the same thing. He asked if the cost of the efficiency audit would fall on the taxpayers. He said as a homeowner and taxpayer, he is concerned because there is no plan of extending the municipal tax cap.

Robert Bailey, 25 Mapleshade Road, Hewitt – Said he used to come to the Council meetings frequently when the meeting started with the presentations. He mentioned that he waited an hour and a half for the presentations to start because of the executive session. He asked if there was a better way to organize the agenda so people don't have to wait during the executive session. He noted that he likes to come to the meetings to see the presentations.

Mr. Gonzalez, Hillside Lane, West Milford – Thanked Councilwoman Erik and Councilwoman Lichtenberg for their outstanding service. He said he wanted to remind the elected officials that their job is to represent the residents, and being an elected official is not about micromanaging every single decision. He said elected officials are required to be at the meetings representing the residents. He noted that some elected officials were absent.

There being no more comments from the public, Councilwoman Erik moved to close the public portion of the meeting.

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

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Agenda No. X

**Council Comments**

Councilman Signorino – Explained why the executive session is at a certain time. He said he always wants to make sure the residents have the time and opportunity to speak at the meetings. He noted that the Council has agreed throughout the years to limit the amount of time of the executive session. He mentioned that he wants people to feel free and welcome to come to the meetings and speak. He explained that by 7:30 p.m. the Governing Body is finished with executive session, and if they feel that it's going to take much longer, they decide to postpone the remainder of it to provide the opportunity for the people to speak. He apologized to Mr. Bailey for having to wait. He said he appreciates the time that Councilwoman Erik and Councilwoman Lichtenberg contributed to the Township.

Councilman Wagner – Said that the cost efficiency audit is to take a different approach to the budget. It might discover something that the Governing Body overlooked. He said that the Governing Body contributes a substantial amount of time to the budget and they take it very seriously. He noted that the cost efficiency audit will cost money but could provide long term savings. He mentioned that the elected officials contribute more than just attending two meetings a month and joining subcommittees.

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Administrator Battaglia – Spoke about how the elected officials spend a significant amount of time contributing to the Township. She said their duties are endless and they don't include just attending two meetings a month; preparing for the meetings is extensive. She noted that the Friday before each meeting, the agenda is posted on the Township website, and she welcomed people to contact the administration office so she could provide an estimate of how long the executive session would take.

Mayor Bieri – Noted that the general consensus of the Governing Body was to have the executive sessions at the beginning of the meetings so the elected officials have fresh minds. She explained that the public portion of the meeting begins at 7:30 p.m. or later to provide people enough time to get to the meeting and speak. She said that Councilwoman Erik and Councilwoman Lichtenberg have been wonderful; they served the community well and they will be missed. She thanked them for all that they did for West Milford.

Agenda No. XI

**Action Items**

Agenda No. XI 1

Mr. Semrau noted that this is part of the process and the Ordinance is critical. The Ordinance has been part of an application to the Department of Community Affairs which was approved. He said the Ordinance dissolves the MUA when the Township closes on the transaction; when all the debts and DEP fines are extinguished and the assets are transferred. Councilman Signorino thanked the MUA Board for the time that they contributed.

~ Ordinance 2017 - 011 ~

**AN ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,  
STATE OF NEW JERSEY PROVIDING FOR THE DISSOLUTION OF THE WEST  
MILFORD MUNICIPAL UTILITY AUTHORITY**

**WHEREAS**, the Township of West Milford heretofore created West Milford Municipal Utility Authority (the "Authority") pursuant to County and Municipal Utilities Law (P.L. 1957, c.183), of the State of New Jersey; and

**WHEREAS**, after a thorough analysis, the Mayor and Council (the "Governing Body") have determined that it is in the best interests of the residents of the Township and the users of the system of the Authority to dissolve the Authority, sell the assets and extinguish the financial obligations of the Authority as set forth herein; and

**WHEREAS**, Section 20 of the Local Authorities Fiscal Control law (P.L. 1983, C.313 N.J.S.A. 40A:5A-20) of the State of New Jersey (the "Fiscal Control Law") empowers the governing body of a municipality to dissolve an authority by ordinance under certain conditions, provided that such ordinance is approved by the Local Finance Board in the Division of Local Government Services in the Department of Community Affairs prior to its final adoption by the governing body; and

**WHEREAS**, the Governing Body has determined that the dissolution of the Authority will be in the public interest, will benefit the health, safety and welfare of the residents of the Township, and will achieve a more efficient means of providing and financing facilities in the Township for the collection, treatment and disposal of sewage; and

**WHEREAS**, the Authority, which has worked diligently to maintain the utility, is also of the opinion that the system users would be best served by a sale of the system.

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

**SECTION 1.** The West Milford Township Municipal Utilities Authority (the "Authority") is hereby dissolved, subject to the terms and conditions herein.

**SECTION 2.** The Authority is hereby enjoined from taking any further actions without the consent of the Township. Simultaneously upon the effective date of the dissolution as set forth in Section 5 of this Ordinance, the Authority shall cease all operations and activities, which operations and activities shall be transferred to the Township automatically subject to the conditions set forth herein.

**SECTION 3.** Upon the effective date of the dissolution, all real and personal property, facilities and contracts of the Authority shall be deemed transferred to the Township and the present officers and staff of the Authority are hereby authorized and directed to execute any documents or instruments necessary to transfer legal title to all real property, personal property, facilities and contracts to the Township or an escrow agent if so directed by the Township for the purposes of the sale of the assets to a private entity as of the effective date of the dissolution.

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- SECTION 4.** This Ordinance is conditioned upon referendum approval of the sale of the Authority's assets by the legal voters of the Township pursuant to N.J.S.A. 40:62-5, approval of the proposed sale by the New Jersey Board of Public Utilities pursuant to N.J.S.A. 48:3-7; and satisfaction of all conditions of the proposed sale.
- SECTION 5.** This Ordinance is conditioned upon the effective date of the Authority's dissolution, which would occur when the final payment of all bonded indebtedness and all New Jersey Department of Environmental Protection penalties in the name of the Authority are paid, extinguishing all legal obligations to pay all existing and outstanding creditors and obligations of the Authority. If the Township cannot extinguish such debt and obligations, the dissolution shall not occur.
- SECTION 6.** Upon and after the effective date of dissolution, the Township shall assume and provide the services theretofore provided by the Authority which are necessary for the health, safety and welfare of the recipients of those services.
- SECTION 7.** This Ordinance shall be submitted to the Local Finance Board of the State of New Jersey for its approval, in accordance with the requirements of N.J.S.A. 40A:5A-20. The final adoption of this Ordinance by the Township shall be conclusive proof of the fact that this Ordinance has received the approval of the Local Finance Board. Upon final adoption of this Ordinance, a copy shall be filed with the Local Finance Board and with the Secretary of the State of New Jersey, in accordance with N.J.S.A. 40A:5A-20.
- SECTION 8.** The Township Administrator, Township Clerk, and other Township employees and professionals, are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Ordinance. The Authority, its officers, employees, engineer and counsel are hereby authorized and directed to take all steps necessary to effectuate the purposes of this Ordinance.
- SECTION 9.** If any section, subsection, sentence, clause or phrase of this Ordinance if for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
- SECTION 10.** All ordinances of the Township that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
- SECTION 11.** This Ordinance shall take effect upon final adoption and publication according to law, provided, however, that the Local Finance Board has approved this Ordinance in accordance with N.J.S.A. 40A:5A-20.

Introduced: August 16, 2017  
Adopted: December 6, 2017  
Effective Date: December 26, 2017

This Ordinance was introduced August 16, 2017 and the Notice of Public Hearing was published in the Herald News on August 20, 2017. The Governing Body will open the meeting to the public to speak on this Ordinance only.

There being no one wishing to be heard, Councilwoman Erik made a motion, seconded by Councilman Signorino and carried by unanimous voice vote to close the public comment period.

Motion to adopt Ordinance 2017-011.

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Moved: Erik                      Seconded: Signorino  
Voted Aye: Erik, Hensley, Wagner, Signorino, Lichtenberg  
Voted Nay: None  
Absent: McGuinness  
Abstained:

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Agenda No. XI 2

~ Ordinance 2017 - 014 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY GRANTING A FRANCHISE EXPANSION AND PERMISSION FOR SUEZ WATER NEW JERSEY INC. TO LAY ITS WATER AND SEWER PIPES BENEATH SUCH PUBLIC ROADS, STREETS AND ALLEYS AS MAY BE NECESSARY FOR ITS CORPORATE PURPOSES AND TO CONSTRUCT AND MAINTAIN WATER AND SEWER PIPES ON AND ALONG PUBLIC STREETS IN THE TOWNSHIP OF WEST MILFORD**





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Councilman Signorino said he did not receive a redlined version of Ordinance 2017-017. Administrator Battaglia said the Planning Board provided a redlined version and it was posted on the cloud.

Agenda No. XI 5

~ Ordinance 2017 – 017 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER §470, “SUBDIVISION OF LAND AND SITE PLAN REVIEW,” SECTION §470-15.1, “WATER SUPPLY AND WATER QUALITY REQUIREMENTS,” PART B, “DEFINITIONS,” PART D “AQUIFER TEST AND HYDROGEOLOGIC EVALUATION,” AND PART E, “WATER QUALITY EVALUATION”**

**WHEREAS**, Township Ordinance Section §470-15.1, entitled “Water Supply and Water Quality Requirements,” (hereinafter referred to as the “Ordinance”) requires aquifer testing in connection with certain residential and non-residential development applications; and

**WHEREAS**, the Township’s consulting hydrogeologist has recommended certain amendments to the Ordinance to clarify its requirements and procedures.

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

**SECTION 1.** Ordinance Part B, “Definitions,” shall be amended by deleting the current definition of “Drawdown” and substituting the following new definition of “Drawdown:”

**DRAWDOWN** - The lowering of the water table of an unconfined aquifer or the potentiometric surface of a semiconfined or confined aquifer caused by pumping of the groundwater from a well or wells. Drawdown is determined by calculating the difference between the depth to water during pumping and the static water level determined prior to the start of pumping.

**SECTION 2.** Ordinance Part B, “Definitions,” shall be amended by deleting the current definition of “Recovery” and substituting the following new definition of “Recovery:”

**RECOVERY** - The percentage rise of the water table of an unconfined aquifer or the potentiometric surface of a semiconfined or confined aquifer, as compared to the drawdown, measured at the end of a recovery phase duration from the cessation of pumping, wherein the recovery phase duration is equal to the pumping phase duration. Recovery is determined by calculating the difference between the depth to water at the end of the recovery phase and the static water level determined prior to the start of pumping, then subtracting that difference from the drawdown as measured at the end of the pumping phase, and dividing the result by the drawdown as measured at the end of the pumping phase, and then multiplying by 100 to determine percent.

**SECTION 3.** Ordinance Part B, “Definitions,” shall be amended and supplemented by the addition of a new definition of “Residual Drawdown,” as follows:

**RESIDUAL DRAWDOWN** - The difference between the depth to water as measured during the recovery phase and the static water level as measured prior to the start of pumping.

**SECTION 4.** Ordinance Part D, “Aquifer Test and Hydrogeologic Evaluations,” Subsection D(3)(e) shall be amended to read as follows:

(e) Prepare and submit hydrogeologic report to Planning Board simultaneously with application for preliminary site plan and/or subdivision approval.

**SECTION 5.** Ordinance Part D, “Aquifer Test and Hydrogeologic Evaluations,” shall be amended by deleting Subsection D(3)(f).

**SECTION 6.** Ordinance Part D, “Aquifer Test and Hydrogeologic Evaluations,” Subsection D(5)(a)[5] shall be amended to read as follows:

[5] A detailed evaluation of the water-supply demand for an average and peak day. This demand must be supported with information on anticipated population, expected unit density, size of units including number of bedrooms and bathrooms, lawn and garden irrigation demands, pool filling requirements, and other anticipated water uses. If the calculated demands do not include water use for irrigation, pool filling, or other non-public purposes, the Applicant must agree to deed restrict the lots from using the well for these purposes.

**SECTION 7.** Ordinance Part D, “Aquifer Test and Hydrogeologic Evaluation,” Subsection D(5)(b)[3][a] shall be amended to read as follows:



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**WHEREAS**, there are various recycling, composting and topsoil operations, all within that diverse group and such operations are prevalent throughout the Township; and

**WHEREAS**, while the Township seeks to encourage such operations, it also understands the significance of ensuring that such operations are conducted with certain guidelines, regulations and land use controls in order to encourage operations that do not interfere with the use and enjoyment of neighborhoods and adjoining property owners; and

**WHEREAS**, the governing body seeks to establish a conditional use in the Limited Manufacturing and Industrial (LMI) Zone so that all similarly situated recycling, composting and topsoil operations will operate with the same Land Use guidelines and controls.

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

**SECTION 1.** Chapter 500, Zoning, Article VI, Limited Manufacturing and Industrial, §500-45, Purpose, is amended to include the following definitions:

**§500-45.1 Definitions.**

**ORGANIC RECYCLING** - Any organic material that, when accumulated, will become active compost.

**CLASS B RECYCLING FACILITY** – A recycling center that receives, stores, processes and/or transfers Class B recyclable “material”. Class B recyclable “material” means a source separated recyclable material which is subject to DEP approval prior to receipt, storage, processing or transfer at a recycling center in accordance with N.J.S.A. 13:1E-99.34b, and which includes, but is not limited to, the following:

- (a) Source separated, non-putrescible, waste concrete, asphalt, brick, block, asphalt-based roofing scrap and wood waste;
- (b) Source separated, non-putrescible, waste materials other than metal, glass, paper, plastic containers, corrugated and other cardboard resulting from construction, remodeling, repair and demolition operations on houses, commercial buildings, pavements and other structures;
- (c) Source separated whole trees, tree trunks, tree parts, tree stumps, brush and leaves provided that they are not composted;
- (d) Source separated scrap tires; and
- (e) Source separated petroleum contaminated soil.

**COMPOSTING** – The controlled biological degradation of organic matter to make compost.

**MULCH MANUFACTURE** – The manufacture of horticultural mulch from wood, wood products or similar materials. This term does not include the production of mulch as a by-product of on-site farming

**SECTION 2.** Section 500-47, Accessory Uses Permitted, is amended to establish Section 500-47.1 entitled “Conditional Uses Permitted in the Limited Manufacturing and Industrial Zone” (“LMI”) as follows:

**§500-47.1 Conditional Uses Permitted**

A. The following conditional uses shall be permitted in the LMI Zone:

1. Organic Recycling;
2. Class B Recycling Facility;
3. Class B Recycling Facility exempt classification pursuant to N.J.A.C. 7:26A-1.4.

B. The following are permitted accessory uses as to a conditional use in the LMI Zone:

1. Composting;
2. Topsoil production and Mulch manufacturing.

A. The following are the conditional use standards in the LMI Zone:

1. Minimum lot/tract area of five (5) acres.
2. Topsoil and/or mulch operations shall not exceed thirty (30) percent of the total lot/tract area.
3. Any area in which materials are stored or sold shall be at least three hundred feet (300') from any residential structure and twenty-five feet (25') from any property line, with said distances being measured in a straight line between the material storage/sale area and the closest residential structure or property line. This requirement may be reduced up to fifty percent (50%) when there is sufficient year-round visual screening as determined by the Township Engineer.
4. No material stockpile shall exceed twenty-five feet (25') in height except upon favorable recommendation in that it does not jeopardize the public health, safety or aesthetics of the Township by the Township Engineer and the Hudson/Essex/Passaic Soil Conservation District (HEPSCD).
5. No piece of equipment, such as trucks, screeners, backhoes, loaders, etc. and any activity relating to the storage, sale or use of said products shall be located outside the setbacks set forth in Section 500-47.1.3.C.

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6. The approving authority, at its discretion, may require the visual screening of material storage and sales areas, driveways, roads, parking areas, and equipment work areas for the protection of the general public and neighboring properties. Visual screening may include, but shall not be limited to, fences, vegetation, earth berms, or any combination of these features.
7. The applicant shall provide adequate protection of adjacent and neighboring properties from any airborne materials and Stormwater runoff that may be created by or result from the activities carried out on the property.
8. All driveways, access roads and parking areas shall be constructed of asphalt, concrete or compacted stone. All compacted stone surfaces must be maintained in such a way as to prohibit dust or dirt from becoming airborne.
9. All equipment repairs shall be performed inside a building. The building shall be sited to comply with the setback requirements specified above. Repair of equipment shall be limited to equipment owned by the applicant and used for the conduct of the specified activities.
10. For the protection of the general public and neighboring properties, this use may be operated between the hours of 7:00 a.m. and 5:00 p.m. Monday through Friday, 8 a.m. and 1 p.m. Saturdays and no Sunday or holiday operations, unless otherwise approved by the approving authority.
11. The operator of a Class B Recycling Facility must provide a valid and current Class B General Approval or Notification of Exempt Recycling Activity issued by New Jersey Department of Environmental Protection and proof of full compliance with the standards set forth in N.J.A.C. 7:26a-1.1 et seq., including but not limited to County and NJDEP approval, or Class B Exempt status upon request by Township Officials. Only one DEP Class B exempt status will be permitted.
12. The operator of the facility must file with the Township's Zoning Officer a valid and current Soil Erosion and Sediment Control Plan Certification issued by the Hudson/Essex/Passaic Soil Conservation District. All amendments and updates to the approved plan must be filed with the Zoning Officer within 5-days of approval by the Hudson/Essex/Passaic Soil Conservation District.
13. The operator of the facility must file with the Township's Zoning Officer documentation certifying that this site is included in the Passaic County Solid Waste Management Plan within 15-days of such approval.
14. The operator of the facility must file with the Township's Health, Fire and Zoning Officers a current operational manual specifying methods and schedules for noise and dust control and off-tract street cleaning, and on-site fire suppression facilities and ensure that all related updates are filed with said Township officials within seven days of any amendments thereto.
15. All deliveries for topsoil and/or mulch operation shall provide documentation verifying material is free of hazardous and/or contaminated material and the operator of the facility must produce such documentation upon request by Township Officials.
16. The site operator must maintain records and engage in a process of adequate, reliable record keeping to demonstrate that the facility is operating within its volume limitations. In addition to these records being filed with the DEP, copies must be filed monthly with the Township's Zoning Officer and made available for public inspection.
17. This legislation does not preclude any recycling, composting and topsoil operation as governed herein from obtaining all necessary approvals including but not limited to municipal land use approvals, DEP approvals, Highlands Act approvals, Soil Conservation approvals and any other approvals related to the activities at the approved site.

**SECTION 3.** 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 4.** 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 5.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

Introduced: December 6, 2017

Adopted:

Effective Date:

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Moved: Erik                      Seconded: Signorino  
Voted Aye: Erik, Hensley, Wagner, Signorino, Lichtenberg  
Voted Nay: None  
Absent: McGuinness  
Abstained:

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

Minutes of: Governing Body Workshop Meeting  
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Mayor Bieri asked to move Resolutions 2017-362 through 2017-375.

Agenda No. XI 7

**~ Resolution 2017 - 362 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT WITH THE COUNTY OF PASSAIC FOR FUELING SERVICES**

**WHEREAS**, under the New Jersey Uniform Shared Services and Consolidation Act, namely C.40A:65-1 et seq. local units may enter into shared services agreements with other local units; and

**WHEREAS**, the Township of West Milford, as a local unit, wishes to enter into Shared Services Agreement with Passaic County to fuel certain vehicles at Township facilities.

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

1. The Mayor and the Township Clerk be and are hereby authorized to enter into an agreement effective December 1, 2017 through November 30, 2018 with the County of Passaic and invoiced at the current rate of fuel plus a 10% ten percent administrative fee.
2. The Passaic County Officials will provide the West Milford DPW Director with a list of County employees and list of vehicles that will be the subject to this subject.
3. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: December 6, 2017

Agenda No. XI 8

**~ Resolution 2017 - 363 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF AUTOMOTIVE GASOLINE THROUGH EXTENDED STATE CONTRACT NO. T-0083 TO ALLIED OIL COMPANY, LLC**

**WHEREAS**, the Township of West Milford has purchased automotive gasoline from Allied Oil Company, LLC through State Contract No. T-0083 in 2017 with Council approval by virtue of resolutions 2016-384, 2017-108A, 2017-181 and 2017-280; and

**WHEREAS**, the State of New Jersey has issued a fourth extension to contract No T-0083 for Automotive Gasoline to Allied Oil, LLC in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

**WHEREAS**, the Township of West Milford anticipates a need for Automotive Gasoline through the end of this calendar year; and

**WHEREAS**, the Township Council has previously approved an appropriation not-to-exceed \$164,000.00 for these purchases and the authorization granted by virtue of the adoption of this resolution will not increase or add to that amount; and

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

1. The Township Council hereby authorizes the Director of Public Works to continue purchasing Automotive Gasoline through the end of this calendar year, in a previously encumbered total amount not to exceed \$164,000.00 for this calendar year, through Extended State of New Jersey Contract No. T0083 awarded to Allied Oil Company, LLC.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: December 6, 2017

Agenda No. XI 9

**~ Resolution 2017 - 364 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF CATCH BASINS AND MANHOLE CASTINGS FROM GENERAL FOUNDRIES, INC. THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #14 (CATCH BASINS & MANHOLE CASTINGS) IN AN AMOUNT NOT TO EXCEED \$35,000.00**

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

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

**WHEREAS**, the Morris County Cooperative Pricing Council has awarded Contract #14, Catch Basins & Manhole Castings to General Foundries, Inc.,

**WHEREAS**, said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40A:11 et seq., Local Public Contracts Law; and

**WHEREAS**, the Director of Public Works has submitted a written recommendation that the Township of West Milford utilize General Foundries, Inc. for the purchase of catch basins & manhole castings through the use of Morris County Cooperative Pricing Council Contract #14 in an amount not to exceed \$35,000.00; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number 01-201-26-290-342;

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

1. The Township Council hereby authorizes an expenditure of funds through the Morris County Cooperative Pricing Council, contract #14, to General Foundries, Inc., 1 Progress Road, North Brunswick, NJ 08902 for the purchase of catch basins & manhole castings in an amount not to exceed \$35,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: December 6, 2017

Agenda No. XI 10

~ Resolution 2017 - 365 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF DRAINAGE PIPE FROM BRENT MATERIAL COMPANY THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #7 (DRAINAGE PIPE) IN AN AMOUNT NOT TO EXCEED \$15,000.00**

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

**WHEREAS**, the Morris County Cooperative Pricing Council has awarded Contract #7, Drainage Pipe to Brent Material Company,

**WHEREAS**, said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40A:11 et seq., Local Public Contracts Law; and

**WHEREAS**, the Director of Public Works has submitted a written recommendation that the Township of West Milford utilize Brent Material Company for the purchase of drainage pipe through the use of Morris County Cooperative Pricing Council Contract #7 in an amount not to exceed \$15,000.00; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number 01-201-26-290-342;

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

1. The Township Council hereby authorizes an expenditure of funds through the Morris County Cooperative Pricing Council, contract #7, to Brent Material Company, 325 Columbia Turnpike, Suite 308, Florham Park, NJ 07932 for the purchase of drainage pipe in an amount not to exceed \$15,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: December 6, 2017

Agenda No. XI 11

~ Resolution 2017 - 366 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF EQUIPMENT AND CHANGEOVERS FOR THREE (3) 2017 POLICE INTERCEPTOR UTILITY VEHICLES TO ATLANTIC COMMUNICATIONS**

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

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**WHEREAS**, the Township wishes to equip and changeover equipment for (3) 2017 Police Interceptor Utility vehicles; and

**WHEREAS**, the Township Chief of Police has provided a recommendation to award this contract through the State Contract #83927, #83917 and #81334 to Atlantic Communications; and

**WHEREAS**, the total amount of the contract shall not exceed \$13,800; 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 01-201-25-240-900.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey that they do hereby authorize the Chief of Police to engage the services of Atlantic Communications, 664 Route 15 South, Lake Hopatcong, NJ to equip and changeover equipment in three (3) 2017 Police Interceptor Utility Vehicles, in an amount not to exceed \$13,800.00, through State Contract #83927, #83917 and #81334 and to execute a purchase order for same.

Adopted: December 6, 2017

Agenda No. XI 12

~ Resolution 2017 – 367 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF A REPLACEMENT VEHICLE THROUGH THE MORRIS COUNTY CO-OP CONTRACT #15-A; ITEM #5 OF ONE (1) 2017 POLICE INTERCEPTOR UTILITY VEHICLE FROM BEYER FORD**

**WHEREAS**, the Township wishes to purchase one (1) 2017 Police Interceptor Utility vehicle as a replacement vehicle; and

**WHEREAS**, The Township Chief of Police has provided a recommendation to award this contract through the Morris County Co-op #15A; Item #5 to Beyer Ford; and

**WHEREAS**, the total amount of the contract shall not exceed \$26,317.25 which is to be paid by insurance reimbursement from account # 01-201-23-210-415.

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

1. The Township Council hereby authorizes the Township Chief of Police to purchase a replacement vehicle of one (1) 2017 Police Interceptor Utility vehicle, in an amount not to exceed \$26,317.25, through Morris County Co-op #15A; Item #5 from Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07960-4000.
2. The Township Chief Financial Officer has certified the availability of funds for same.
3. The equipment and changeover for one (1) 2017 Police Interceptor Utility Vehicle be submitted by future resolution.

Adopted: December 6, 2017

Agenda No. XI 13

~ Resolution 2017 – 368 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING RESOLUTIONS 2013-354, 2014-337, 2015-228, 2015-360 AND 2016-227 TO INCREASE THE CONTRACT VALUE WITH ERIC L. HARRISON, ESQ. OF METHFESSEL & WERBEL IN THE MATTER KNOWN AS TRIPLE T CONSTRUCTION V. THE TOWNSHIP OF WEST MILFORD, ITS OFFICERS AND ASSIGNS**

**WHEREAS**, by virtue of Resolutions 2013-354 adopted December 4, 2013, 2014-337 adopted October 22, 2014, 2015-228 adopted July 15, 2015, 2015-360 adopted November 11, 2015, and 2016-227 adopted on June 22, 2016 the Township Council did authorize the engagement of Special Legal Counsel services to be provided by Eric Harrison, Esq. of Methfessel & Werbel; and

**WHEREAS**, Resolutions 2013-354, 2014-337, 2015-228, 2015-360, 2016-227 and the related Professional Services Contract did authorize services in an amount not to exceed \$110,000; and

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

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**WHEREAS**, the Township Administrator has been advised that the Township's needs, related to the matter known as Triple T Construction vs. the Township of West Milford and certain officers and government officials named in the said litigation, necessitates an amendment in an additional amount not to exceed \$25,000; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds and said funds to be encumbered from account 01-201-20-155-502 for \$25,000; and

**WHEREAS**, that a notice of this action shall be published in accordance with law, and said notice to provide that the originally awarded Professional Services Contract, and this resolution serving as the Addendum to the Contract are available for public inspection in the office of the Township Clerk and that the professional services offered by Eric Harrison, Esq. are extended by an additional twelve months or until the conclusion of the legal matter, whichever comes first.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that they do hereby authorize the Township Administrator to approve an amendment of \$25,000 to Eric Harrison, Esq. for Special Legal Services which amount is in excess of the approved contract amount of \$110,000 bringing the contract total to an amount not to exceed \$135,000 and re-engaging the services of Eric Harrison for an additional twelve months or until the conclusion of this legal matter, whichever comes first.

Adopted: December 6, 2017

Agenda No. XI 14

~ Resolution 2017 - 369 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT TO FRED SEMRAU ESQ. FOR SPECIAL COUNSEL IN CONNECTION WITH THE SALE OF THE WEST MILFORD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY IN AN AMOUNT NOT TO EXCEED \$25,000.00**

**WHEREAS**, the Township of West Milford authorized the execution of an agreement with Suez Water New Jersey Inc. for the sale of the assets of the Township of West Milford Municipal Utilities Authority; and

**WHEREAS**, the Township of West Milford has a need to appoint Special Labor Counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

**WHEREAS**, the Township of West Milford has a need to appoint Special Counsel to represent the Township in connection with the sale of the West Milford Municipal Utilities Authority; 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; and

**WHEREAS**, Fred Semrau, Esq. has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that his firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of Dorsey & Semrau, LLC from making any reportable contributions through the term of the contract, and

**WHEREAS**, the Chief Financial Officer has certified availability of funds for these services said funds to be encumbered from the 16-288-56-800-997 account; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic and 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 Fred Semrau, Esq., of Dorsey & Semrau, LLC with offices located at 714 Main Street, Boonton, New Jersey, 07005, as Special Counsel to assist the Township in the sale of the West Milford Township Municipal Utilities Authority in an amount not to exceed \$25,000.00.
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 licensed under law to practice a recognized profession.
3. The total fee authorized for this contract shall not exceed \$25,000.00 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 6, 2017

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

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Agenda No. XI 15

**~ Resolution 2017 - 370 ~**

**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 2017 appropriation over and above the demand deemed to be necessary for the balance of the year:

<b>APPROPRIATION</b>	<b>ACCOUNT NUMBER</b>	<b>TRANSFER PROPOSAL</b>
Public Works S&W	26-290-100	\$10,000
Recreation Programs S&W	28-370-100	28,000
Senior Services S&W	28-376-100	14,456
<b>TOTAL TRANSFERS OUT</b>		<b>\$52,456</b>

**WHEREAS**, there appears to be insufficient funds in the following appropriations to meet the demands thereon for the balance of the 2017 budget year:

DCRP	36-475-536	2,000
Clerk S&W	20-120-100	1,000
Police Comm. S&W	25-243-100	6,000
Special Police S&W	25-244-100	1,000
Rec. Ctr. Bldg. & Main.	28-374-802	42,456
<b>TOTAL TRANSFERS IN</b>		<b>\$52,456</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 2017 appropriation heretofore mentioned be and the same are hereby transferred to the appropriations mentioned as being insufficient to meet prior demands, and

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

Adopted: December 6, 2017

Agenda No. XI 16

**~ Resolution 2017 – 371 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF POCKET (INACTIVE) PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2017- 2018 LICENSE YEAR**

**WHEREAS**, applications for renewal of Plenary Retail Consumption License for the 2017- 2018 License year have been processed on the ABC POSSE website and reviewed; and

**WHEREAS**, these licenses have received a Tax Clearance Certificate and Special Ruling for the 2017-2018 year; and

**WHEREAS**, the Township Council has conducted a public review of the application as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control; and

**WHEREAS**, as a result of that review the Township Council has determined as follows:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.

**WHEREAS**, the Police Department has recommended that the license be renewed to the current owners as a pocket (inactive) license with conditions.

1. Pocket Licenses must submit a 12 page Place-to-Place Transfer application with detailed sketch of proposed site and a Police Investigation Request to the Township Clerk's Office and receive inspections of premises and satisfactory recommendations from the following departments: Health, Fire, Building, Zoning and Police Departments prior to siting this license.
2. In addition, all inactive licenses must be inspected by the Fire, Health, Building, Zoning and Police Departments and receive satisfactory recommendations from those departments and submit applicable pages (1, 2, and 11) of the 12 page application to the Township Clerk's Office with date of activation prior to activation or opening this license.

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

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3. A Health Department Retail Food Establishment license must be acquired prior to opening.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Clerk is directed to issue and hold the license certificates for the Mayor and Township Council of the Township of West Milford.

LICENSE/LICENSEE/T/A	CONDITIONS
<b>BREDA LLC</b> 7 Manchester Way, Pine Brook, NJ 07058 1615-33-027-012	Conditions stated above in resolution

Adopted: December 6, 2017

Agenda No. XI 17

~ Resolution 2017 – 372 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF HEALTH DEPARTMENT FEES**

**BE IT RESOLVED**, that upon the report of the Health Official, the following fees should be refunded:

Refund To	Refund	Refund Amount
HO Property LLC 8 Dominick Court Cedar Grove, NJ 07009	Well Pump Permit	\$55.00
Michael & Ann De Bonis 35 Pinecliff Lake Drive West Milford, NJ 07480	Well Pump Permit	\$55.00
Richard Demeyer & Sheryl L. Harget 7 Inwood Road West Milford, NJ 07480	Well Pump Permit Private Well Testing	\$55.00 \$100.00

Adopted: December 6, 2017

Agenda No. XI 18

~ Resolution 2017 – 373 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF ENGINEERING DEPARTMENT PERFORMANCE GUARANTEES**

**BE IT RESOLVED**, by the Township Council of the Township of West Milford that, upon the report and request of the Township's Engineering Department, the following Performance Guarantee be refunded as follows:

Name & Address	Block / Lot	Amount Remaining	Amount Refunded
Edward R. Kramer 106 Mott Road Blairstown, NJ 07825	4301 / 11	0	\$850.00

Adopted: December 6, 2017

Agenda No. XI 19

~ Resolution 2017 – 374 ~

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

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

<b>Soccer</b>		
Jonathan	\$80.00	Catherine Andrade 15 Melrose Avenue Hewitt, NJ 07421
<b>Basketball</b>		
Allyssa	\$90.00	Wendy Struck 26 Oak Drive Oak Ridge, NJ 07438
<b>Indoor Soccer 2018</b>		
Jake	\$55.00	Tara Ariola 6 Secaucus Road Hewitt, NJ 07421

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

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<b>Chair Aerobics, Bingo</b>		
Barbara	\$20.00	Barbara Cox 19 Schofield Road West Milford, NJ 07480
<b>Holiday Luncheon</b>		
Bobbie	\$25.00	Bobbie Del Sol 4 Telemark Drive Unit 8 Vernon, NJ 07462

Adopted: December 6, 2017

Agenda No. XI 20

**~ Resolution 2017 – 375 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2018**

**WHEREAS**, applications have been made for the new licenses and the renewal of various Licenses for the 2018 license year; 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 2018 Licenses as listed below:

<b>License No.</b>	<b>2018 LIMOUSINE OWNER LICENSES</b>
2018-02	AAA Limo & Transport LLC – Ralph Gorthey
<b>License No.</b>	<b>2018 LIMOUSINE DRIVER LICENSES</b>
2018-02	AAA Limo & Transport LLC – Ralph Gorthey
<b>License No.</b>	<b>2018 POOL TABLE LICENSES</b>
2018-04	Hplay of West Milford Liquors LLC, t/a Island of Spirits
2018-05	The New Jessies Kettle Inc. t/a The New Jessies Kettle
2018-06	Old School Pub t/a Old School Pub
<b>License No.</b>	<b>2018 CLOTHING BIN LICENSES</b>
2018-01,02 2018-03,04,05 2018-06,07,08 2018-09,10	Amvets – OSG Recycling Township Recycling Center (2) Bearfort Shopping Village (3) West Milford Shopping Plaza (3) Storage Mall Locations (2)
<b>License No.</b>	<b>2018 CLOTHING BIN LICENSES</b>
2018-11,12	Goodwill Industries of Greater NY & Northern NJ Township Recycling Center (2)
<b>License No.</b>	<b>2018 CLOTHING BIN LICENSES</b>
2018-13,14,15,16 2018-17,18 2018-19,20	NJ NY Volunteer Firemen’s Association – H&M Leasing Corp. Bearfort Shopping Village (4) West Milford Township First Aid Squad – Newfoundland (2) West Milford Township First Aid Squad – Ridge Road (2)
<b>License No.</b>	<b>2018 CLOTHING BIN LICENSES</b>
2018-21 2018-22	Millennium International Textile Inc. Marshall Hill Elementary (1) Aphawa Volunteer Fire Company (1)

Adopted: December 6, 2017

Moved: Erik                      Seconded: Lichtenberg  
 Voted Aye: Erik, Hensley, Wagner, Signorino, Lichtenberg  
 Voted Nay: None  
 Absent: McGuinness  
 Abstained:

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

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Agenda No. XII

**Approval of Expenditures**

~ Resolution No. 2017 - 376 ~

**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	\$260,196.90
3	Reserve Account	4,397.17
2	Grants	8,206.17
6	Refunds	2,199.45
1	General Ledger	0.00
26	Refuse	136,425.76
4	Capital	991,316.46
19	Animal Control	8,742.99
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	35,347.42
19	COAH	0.00
16	Development Escrow	2,487.03
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$1,449,319.35
	\$Less Refund Resolution	-2,199.45
	<b>Actual Bills List</b>	<b>\$1,447,119.90</b>
	Other Payments	
	Petty Cash	75.34
	Payroll	524,197.65
	Payroll	574,270.73
	State of NJ, Dog Report	229.80
	BOE	4,504,769.00
	<b>Total Expenditures</b>	<b>\$7,050,662.42</b>

Adopted: December 6, 2017

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 Moved: Erik                      Seconded: Signorino  
 Voted Aye: Erik, Hensley, Wagner, Signorino, Lichtenberg  
 Voted Nay: None  
 Absent: McGuinness  
 Abstained:  
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Agenda No. XIII

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

Councilwoman Erik – Said she received a memo from the ADA Committee to inform everyone that there are vacancies on the committee. She said last week she attended a meeting at the Morris County Police and Fire EMS Academy provided by Homeland Security and she was happy that there were two West Milford police officers in attendance. She said the person in charge of the Homeland Security said West Milford police officers have been attending all the meetings.

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

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Councilman Hensley – Thanked the West Milford Pharmacy for doing a great job. He thanked the EDC and the commissioners for showcasing the West Milford community. He thanked the Governing Body for approving the change in the EDC Ordinance. He reminded everyone to drive carefully and he wished everyone happy and safe holidays.

Councilman Wagner – Noted various events and the dates and times. He suggested shopping local for Christmas trees and he mentioned Simply Planted on Morsetown Road. He mentioned how well organized and attended the Annual Tree Lighting was. He spoke about an article that was in the Suburban Trends. He said that Senator Pennacchio is sponsoring a bill for Lake Hopatcong to receive \$500,000 on a yearly basis. He explained that the bill will provide the Lake Hopatcong Commission its first steady source of revenue for lake management. He asked consensus from the Governing Body to direct Administrator Battaglia to write a letter to the legislator to mirror the bill so Greenwood Lake would receive something very similar to the Lake Hopatcong bill. He expressed his concerns about Greenwood Lake and the lack of funding. Councilman Wagner said he was very disappointed with the vote for Ordinance 2017-015, and he will revisit the topic in the beginning of the New Year.

Councilman Signorino gave his consensus and he expressed his disappointment because he has supported Senator Pennacchio in the past. He understands the struggles of Greenwood Lake, so he would like to see the same effort in West Milford that Lake Hopatcong is receiving. The Governing Body gave consensus.

Councilman Signorino – Congratulated the Eagle Scouts. He said he didn't receive an invitation for the Eagle Scout ceremony and he apologized for not being there. He requested to be notified promptly when invitations or personal mail get sent to elected officials; that type of mail should not wait until packet day. He suggested speaking about business sidewalk signs at a future meeting. He asked for status on the wrong way signage for Rt. 23, and he requested that the Governing Body be more proactive. He said that people driving the wrong way on Rt. 23 is a serious problem. Administrator Battaglia noted that the communication has been ongoing through the Engineering Department and Mr. Miller sent a reminder email to the DOT stating that this is important to the municipality. Mayor Bieri noted that the DOT sent a letter stating they received the request from the Governing Body and they are doing their research and due diligence. Councilman Signorino requested that the sign at the Marina and the end of Lincoln Ave be replaced. He said it's barely readable and it looks old. He asked that the light at the intersection of Red Barn and Westbrook be fixed and lit up. He provided an update on the museum and noted the event dates and times. He read a memo provided by Ms. Tonya Cubby.

Councilwoman Lichtenberg – Mentioned that Governor Christie held the second candlelight vigil in Trenton and that's the reason she and Councilwoman Erik had candles on the dais. She noted that she attended the League of Municipalities convention in November, and spoke about how she suggested the ordinance for vacant properties six years ago. At the convention, it was recommended that the fees collected from the vacant properties ordinance be placed in a separate designated account to cover legal fees, construction work and supervisory costs for vacant properties and the money should not be added to the general budget. She said that she attended two of the sessions for the annual risk management which saved the Township \$250.00 for each person attended. She thanked the Rotary and High School for serving 600 cups of hot chocolate to residents at the tree lighting.

Administrator Battaglia – Noted that they have started collecting fees from the vacant property ordinance. She said that it's a voluntary registration and that the Clerk's office has been compiling a datasheet of foreclosed properties. They are using the list as a database to track the companies that are not voluntarily registering. She will research where the funds are being sent and follow up with a discussion for the Governing Body. She noted that the two responses from Councilwoman Erik and Councilwoman Lichtenberg regarding the services that the County provides to the Township are on the cloud. She reminded everyone that Citizen Leadership forms are due no later than December 21, 2017. Mayor Bieri noted the vacancies are listed on the Township website.

Mayor Bieri – Said the Township has received an approval for the CDBG Block Grant in the amount of \$57,900 for a new transportation bus for the seniors and disabled population. She thanked the County for approving the grant application and thanked the staff for writing the grant application. She mentioned that there is a group that is in the process of being formed in an effort to be able to assist residents with problems. Administrator Battaglia said the group is working towards trying to get everything prepared and if all goes well, on volunteer night, they should be prepared to make the presentation. Councilman Wagner said moving forward, the program for the annual tree lighting should say the "Annual Christmas Tree Lighting".

Mr. Semrau – Mentioned that he might ask to be excused from the next meeting, so he thanked Mayor Bieri, Administrator Battaglia and the Governing Body for giving him the opportunity to work for the Township. He thanked Councilwoman Erik and Councilwoman Lichtenberg for the opportunity to serve them and work for them. He was amazed by all of the volunteerism that Councilwoman Lichtenberg has done for the Township.

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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: December 6, 2017  
Time of Meeting: 6:30 pm  
Minute Page No: Page 22 of 22

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Agenda No. XIV

**Appointments and Resignations**

The Mayor did not wish to make appointments to the Environmental Commission.

Agenda No. XV

**Adjournment**

There being no further business to come before the Council, the Governing Body adjourned the meeting at 9:52 p.m.

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

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Approved:        December 20, 2017

Respectfully submitted:

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Sherry Zbrzeski, Clerk Typist

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MAYOR BETTINA BIERI, PRESIDING OFFICER

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ANTOINETTE BATTAGLIA, TOWNSHIP CLERK