
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Workshop
Date of Meeting: December 13, 2006
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Council Comments

Councilman Smolinski asked the Administrator if commercial entities provide their recycling totals to the Township for inclusion in our recycling reports. Administrator Kunze replied that he believes that this occurs but he will check with the Recycling Coordinator. He stated that the Township has never instructed the garbage hauler to pick up recycling with trash. Councilman Smolinski stated that, in his business, he counts and reports his recycling efforts and reports them to that municipality for inclusion in their tonnage reports.

Presentations

None.

Action Items

The Township Council took action on the following items:

Agenda No. VIII 1

~ Resolution 2006-387 ~

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY, NEW JERSEY AWARDDING A CONTRACT TO COMPLIANCE SOLUTIONS USA, LLC., FOR THE PURCHASE BEAR RESISTANT GARBAGE CANS

Mr. Semrau asked if discussion of this matter can be delayed as he is checking on one item relative to information received from the DEP today.

Agenda No. VIII 2

~ Resolution 2006-389 ~

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY, NEW JERSEY AWARDDING A CONTRACT TO BLUE DIAMOND DISPOSAL, INC FOR CURBSIDE COLLECTION OF RECYCLABLES

Discussion: In response to a question posed at the last meeting, Mr. Semrau advised that the Township can enter into a month-to-month contract with the current hauler. However, there is one complete bid before the Council and he recommends that he speak with the Council in Executive Session to determine if the Township has the right to reject that bid. Administrator Kunze advised that the cost for a month-to-month contract would be \$50,000 per month. Council President Gervens questioned the benefits of continuing curbside collection of recyclables. Councilman Nolan expressed concern about entering into a five-year contract for this service. Councilman Smolinski recommended entering into a month-to-month contract which will afford the Council an opportunity to review the entire recycling operation from the tub grinder, to the recycling center, to curbside collection. Councilman Weisbecker concurred and suggested that, if the Council were to re-bid this contract, there should be options for a 1-year, a 3-year and a 5-year contract. Mr. Semrau stated that the Council must be mindful that there was only one bidder and if this is re-bid, this particular bidder will know that no one else bid. He encouraged the Council to weigh all the considerations. He further advised that, if the Council decides that they wish to revamp how to bid the service and rewrite the specifications, that would justify rejecting the bids. However, if the Council rejects based on the term of the contract, Mr. Semrau would like to speak with Council in Executive Session before the vote.

Administrator Kunze advised that he has researched the history of this service and bidding process in town. The last contract was for a three-year term and Blue Diamond was the lowest bidder. When Waste Management took over the service for another company in 2003, it cost the Township \$47,000. Mr. Semrau advised that the Council can reject the bids if they choose to revamp this program but they must know that they may lose this bid. Mayor DiDonato cautioned that many companies will not bid for one-year contracts because of logistical concerns with staffing and startup costs. Administrator Kunze noted that this is the first time the Council has indicated that they may wish to revamp this program and he stated that curbside recycling is an important component to the State's desire to increase recycling. Mayor DiDonato encouraged the Council to contact the Administrator in the future if they wish to consider revamping any program.

Mr. Semrau asked that the Council table this resolution to the December 27th meeting to allow the Council to determine if they wish to review other options. However, he noted, that this action means that the Council cannot compel the vendor to abide by this bid.

Councilman Weisbecker made a motion to table this resolution to the December 27, 2006 meeting.

Moved: Weisbecker Seconded: Smolinski
Voted Aye: Weisbecker, Smolinski, Gervens, Nolan, Warden, Scangarello.
Voted Nay: None.

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Abstained: None.
 Motion carried.

Agenda No. VIII 3

~ Resolution 2006-401 ~

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

WHEREAS, THERE APPEARS TO BE A SURPLUS IN THE 2006 APPROPRIATION OVER AND ABOVE THE DEMAND DEEMED TO BE NECESSARY FOR THE BALANCE OF THE YEAR:

<u>APPROPRIATION</u>	<u>ACCUNT NUMBER</u>	<u>TRANSFER PROPOSAL</u>
Administrator O.E.	01-20-100-200	\$ 10,000
Clerk S&W	01-20-120-100	\$ 17,000
Clerk O.E.	01-20-120-200	\$ 3,000
Treasurer S&W	01-20-130-100	\$ 5,000
Tax Collection S&W	01-20-145-100	\$ 5,000
Tourism O.E.	01-20-171-200	\$ 5,000
Planning, Comp. S&W	01-21-181-100	\$ 5,000
Zoning Admin. S&W	01-21-185-100	\$ 1,500
Police Detective Bureau S&W	01-25-241-100	\$ 6,000
Police Specials O.E.	01-25-244-200	\$ 2,000
DPW Streets & Roads S & W	01-26-290-100	\$ 39,000
Public Health O.E.	01-27-330-200	\$ 2,000
Enviromental Health O.E.	01-27-335-200	\$ 1,000
Recreation.-Bubbling Springs S&W	01-28-371-100	\$ 29,000
Recreation.-Hillcrest O.E.	01-28-374-200	\$ 2,000
Social Security	01-36-472-533	\$ 15,000
TOTAL TRANSERS OUT		\$ 147,500

WHEREAS, THERE APPEARS TO BE INSUFFICIENT FUNDS IN THE FOLLOWING APPROPRIATIONS TO MEET THE DEMANDS THEREON FOR THE BALANCE OF THE 2006 BUDGET YEAR:

Personnel O.E.	01-20-105-200	\$ 500
Tax Collector O.E.	01-20-145-200	\$ 1,000
Engineering S & W	01-20-165-100	\$ 3,000
Historical Preservation S&W	01-20-175-100	\$ 1,000
Planning Board O.E.	01-21-180-200	\$ 20,000
Planning, Comp. O.E.	01-21-181-200	\$ 2,000
Board of Adjustment O.E.	01-21-186-200	\$ 2,000
Building S&W	01-22-195-100	\$ 4,000
Environmental Commission S&W	01-22-196-100	\$ 1,000
DPW Streets & Roads O.E.	01-26-290-200	\$ 25,000
DPW Vehicle Maintenance O.E.	01-26-315-200	\$ 25,000
Recreation Parks S&W	01-28-375-100	\$ 7,000

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5705	48.00	18977	100.00	15863	127.18
7625	16.00	19503	438.34	17901	47.53
7634	316.00	19625	895.09	18837	5.99
7819	40.00	20189	42.34	19996	1,426.66
8661	365.00	20816	1,635.30	20587	150.93
8745	25.00	21254	68.81	21091	289.59
9009	30.34	21936	140.00	22099	38.09
9026	28.18	22409	100.00	22941	2,772.96
9656	284.90	22938	143.70	23269	21.27
9817	75.00	23154	1,323.00	27568	11.03
9991	99.78	23263	410.00	27855	79.98
10670	1,087.00	23854	50.00	28083	315.08
12199	980.00	24044	1,370.00	28684	323.85
12291	25.00	24537	118.85	28974	112.74
12360	25.00	30553	100.00	29109	121.35
12477	28.74	30801	122.50	29116	29.43
13378	330.00	31362	138.01	29117	134.40
14850	200.00	32290	859.36	29120	161.80
15144	1,391.00	32583	975.20	29121	151.21
15957	1,120.00	33053	60.00	29248	77.21
16333	1,605.00	33483	225.00	29326	2.58
16476	379.50	33620	1,359.00	29374	29.41
16893	1,554.04	33851	427.94		
16954	1,067.05	33931	225.00		
17389	31,666.67	34055	488.13		
17603	45.00	34086	35.00		
17606	150.00	34431	225.00		
TOTAL CURRENT FUND			\$ 65,471.93	TOTAL PAYROLL	\$ 16,367.92
GRAND TOTAL		\$ 81,839.85			

Adopted: December 13, 2006

Discussion: Councilman Nolan asked the Adminsitrator to explain check #17389 for \$31,000. Administrator Kunze advised that the finance department was unable to provide information because the data is quite old. He advised that the checks in this resolution have been outstanding for over a year and the Auditor has recommended that the Township take action. Mayor DiDonato stated that, if someone has not negotiated a check for over a year, the Township should not be barred form housekeeping. Councilman Nolan asked if the employee who has not negotiated a payroll check for \$9,000 has been contacted. Administrator Kunze answered in the negative.

Moved: Scangarello Seconded: Weisbecker
 Voted Aye: Weisbecker, Smolinski, Gervens, Nolan, Warden, Scangarello.
 Voted Nay: None.
 Abstained: None.
 Motion carried.

Agenda No. VIII 5

~ Resolution 2006-403 ~

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF VARIOUS MISCELLANEOUS OLD AND INACTIVE RESERVE AND TRUST ACCOUNT BALANCES TO CURRENT FUND SURPLUS

WHEREAS, there are old and inactive Trust and Reserve balances as listed below; and

WHEREAS, the Township Auditor recommended in his audit finding of 2005 that we cancel same.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, that listed balances be cancelled and transferred to Current Fund surplus.

Description	Audit Page #	Audit Schedule #	Amount
Golf Course Development	110	C-13	\$ 13,500.00
Upper Greenwood Lake Island Section	110	C-13	\$ 2,091.26
Public Safety Equipment	110	C-13	\$ 34.98
Purchase of Property	95	B-21	\$ 12,000.00
Special Police Badges	95	B-21	\$ 260.00

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Solicitor Badges	95	B-21	\$ 240.00
Purchase of DPW Equip (Insurance Reimbursement)	95	B-21	\$ 5,772.50
Purchase of Police Equip (Insurance Reimbursement)	95	B-21	\$ 13,414.50
Purchase of Bldg Dept Equip (Insurance Reimbursement)	95	B-21	\$ 6,441.67
Toys for Kids	95	B-21	\$ 21.94
Total for Cancellation to Surplus			\$ 53,776.85

Adopted: December 13, 2006

Discussion: Councilman Nolan noted that one of the items being cancelled pertains to golf course development.

Moved: Weisbecker Seconded: Scangarello
 Voted Aye: Weisbecker, Smolinski, Gervens, Nolan, Warden, Scangarello.
 Voted Nay: None.
 Abstained: None.
 Motion carried.

 Agenda No. VIII 6

~ Resolution 2006-404 ~

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF POLICE VEHICLES FOR THE TOWNSHIP'S POLICE DEPARTMENT

WHEREAS, the Governing Body of the Township of West Milford County of Passaic, State of New Jersey has made funds available in the 2006 budget for the purchase of police vehicles for the Township's police department; and

WHEREAS, said vehicles are available for purchase under state contract number A67129; and

WHEREAS, a purchase order shall be executed for these purchases in accordance with the Township's policy; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for same, said funds to be encumbered from account number 6-01-25-240-900.

NOW THEREFORE, BE IT RESOLVED that the Township Council does hereby authorize the Township Administrator, the Chief of Police, and the Chief Financial Officer to execute and process a purchase order for the purchase of three (3) 2007 Ford Police Interceptor vehicles in accordance with the state contract for same.

Adopted: December 13, 2006

Discussion: Councilman Nolan asked the Administrator why this has taken so long. Administrator Kunze advised that it was necessary to wait for the budget to be adopted. Subsequently, the Police Department took action to get rid of the old vehicles and process the purchase orders.

Moved: Weisbecker Seconded: Scangarello
 Voted Aye: Weisbecker, Smolinski, Gervens, Nolan, Warden, Scangarello.
 Voted Nay: None.
 Abstained: None.
 Motion carried.

 Agenda No. VIII 7

~ Resolution 2006-405 ~

A 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 BRIAN MURPHY ARCHITECT LLC

WHEREAS, the Township of West Milford has determined that it is necessary to upgrade the Township's Communications System; and

WHEREAS, to effectuate such upgrades, it is necessary to determine if two restrooms in the Police Department's lobby can be removed to accommodate a necessary expansion of the current Communications Room in the Police Department; and

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WHEREAS, Brian Murphy Architect LLC has submitted a proposal at an hourly rate of \$100 to conduct a feasibility study to determine if the aforementioned restrooms can be legally removed; and

WHEREAS, said feasibility study would include researching the use and occupancy issues, verifying areas dimensionally and calculating the required number of required restroom facilities; and

WHEREAS, the Township's Chief of Police has submitted a written recommendation that Brian Murphy Architect LLC be retained to conduct a feasibility study; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for same, said funds to be encumbered from account number C-04-55-934-628; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee 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 Township Administrator and Township Clerk to execute an agreement with Brian Murphy Architect, LLC, 35 Charcoal Road, Newfoundland NJ 07435 to conduct a feasibility study to determine if two restrooms in the Police Department's lobby can be removed to accommodate an expansion of the Communications room in an amount not to exceed \$500.00 in accordance with his proposal dated October 13, 2006, a copy of which is attached hereto.
2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person authorized by law to practice a recognized profession.
3. The total fee authorized for this contract shall not exceed \$500.00 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 13, 2006

Discussion: Administrator Kunze advised that the scope of the work being approved is very specific and is limited to exploring the possibility of removing rest rooms. If any additional work is required, it will be done under a separate contract.

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Gervens, Nolan, Warden, Scangarello.
Voted Nay: None.
Abstained: None.
Motion carried.

Agenda No. VIII 8

~ Resolution 2006-406 ~

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ACCEPTING THE BIDS FOR THE SALE OF MUNICIPAL LANDS FROM THE TOWNSHIP AUCTION OF DECEMBER 6, 2006

WHEREAS, on December 6, 2006, the Township of West Milford conducted the sale of municipal properties no longer needed by the Township in accordance with Resolution #2006-343; and

WHEREAS, the Township Clerk reports that the attached schedule outlines the bidders and their respective proposals to purchase said lands; and

WHEREAS, the Township Administrator has reviewed the attached schedule and recommends that the Mayor and Township Council accept these bids.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that the proposals set forth in the attached schedule are hereby accepted and incorporated herein.

BE IT FURTHER RESOLVED, that the terms of such acceptance will be set forth in the Contracts of Sale to be prepared by the Township Attorney as set forth in Resolution #2006-343.

This Resolution shall be effective immediately.

Adopted: December 13, 2006

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Block	Lot	Name & Address	Bid Amount	Deposit	10% Fee	Amount Due
1901	3	Patricia Grossi 78 Bayonne Drive Hewitt, NJ 07421	500	50	50	500
2014	12	Gail and William Hochstadter 9 Roeblin Road Hewitt, NJ 07421	1000	100	100	1000
2034	4	Christopher Mangiadane 47 Gladstone Road Hewitt, NJ 07421	500	550	50	0
2304	5	Thomas Horodnik 87 Dunham Road Hewitt, NJ 07421	1800	180	180	1800
2311	8	Spiros Kourkoumelis 48 Gladstone Road Hewitt, NJ 07421	1250	125	125	1250
2416	24	Jill and Jason Knipp 14 Linwood Road South Hewitt, NJ 07421	900	90	90	900

Discussion: Administrator Kunze advised that the total amount for all six properties is \$5,950.

Moved: Scangarello Seconded: Weisbecker
 Voted Aye: Weisbecker, Smolinski, Gervens, Nolan, Warden, Scangarello.
 Voted Nay: None.
 Abstained: None.
 Motion carried.

Payment of Bills

Agenda No. IX

~ Resolution 2006-408 ~

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:

Acct #	Account Name	Amount
1	Current Account.	\$570,287.58
2	Reserve Account	8,448.53
3	Animal Control Trust	2,951.88
6	Capital.	17,636.17
7	Grants.	5,962.34
8	Refuse.	105,664.94
9	Refunds.	500.00
12	General Ledger.	
16	Heritage Trust.	
14	Open Space Trust	
17	Trust	3,435.00
18	Development Escrow.	
19	LOSAP	
20	Special Reserve	
	Total	\$714,886.44
	Less Refund Resolution	<u>-500.00</u>

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	Actual Bill List	\$714,386.44
	Other Payments	
	Less Refund Resolution	
	Total Expenditures	\$714,386.44

Adopted: December 13, 2006

Discussion: Councilman Weisbecker asked for an explanation of the bill on page 24 to pay \$25,000 for computers and \$17,000 for the server. Administrator Kunze advised that the capital improvement budget included an appropriation to replace the five-year old server. The computers purchased comprised twenty-four new computers and accessories as part of the regular, annual plan. Councilman Nolan questioned if computers are being purchased simply because there is an appropriation in the budget. Administrator Kunze answered in the negative stating that these purchases are part of the annual replacement schedule for computers. Councilman Nolan asked for an explanation of the payment to Mountain Creek. Administrator Kunze advised that this is the annual program wherein the Township purchases ski passes to sell to residents. If the passes do not sell, the Township gets the money back. Councilman Nolan asked if the payment of \$2,500 for towing expenses relates to the Sparta auction. Administrator Kunze answered in the affirmative and advised that the net revenue exceeded our expenses and the amount we would have received if the Township had opted to sell the vehicles for scrap.

Moved: Weisbecker Seconded: Scangarello
 Voted Aye: Weisbecker, Smolinski, Gervens, Warden, Nolan, Scangarello.
 Voted Nay: None.
 Abstained: Councilman Weisbecker abstained on #29058 and the clothing allowance being charged to account #06-05-179. Councilman Smolinski abstained on #28951 which is a payment being made to him. Councilman Nolan abstained on the Valley Health invoice.

Motion carried.

Items For Discussion

The Township Council discussed the following items:

1)	Pompton Lakes Health Services Contract – Administrator Kunze advised that this is a renewal of the annual contract wherein West Milford provides health services to Pompton Lakes. He advised that the contract reflects a 2.6% over last year. The Council gave consensus to proceed.
2)	Re-codification Contract Amendment – Administrator Kunze advised that General Code continues to work on the re-codification of the Township code. During the process, it was discovered that the Township has not re-codified since 1982. Therefore, the scope of work has changed. It was initially thought that General Code would be updating the Township’s code since the work done in 2004. However, they have had to use the 1982 code as the base and compile our updated code forward from that time. The extra work will cost \$7,200. Mr. Semrau advised that it is the intent to update annually when this process has been completed thus avoiding a similar situation in the future. The Council gave consensus to proceed.
3)	Attorney Ethics Ordinance – Councilman Weisbecker asked that discussion of this matter be deferred to the January 2007 Workshop meeting. Council agreed.
4)	Storm Drain Filters on Greenwood Lakes – Administrator Kunze directed the Council to a memo they received from Rob Sparkes, GIS Specialist, that these filters are part of the grant received for water quality improvements to Greenwood Lake. The County has agreed and they will be responsible for maintenance of the filters. The Council gave consensus to proceed.
5)	School Resource Officer Committee – Councilman Weisbecker volunteered to serve on this committee and asked if Councilman-elect Schimmenti can be appointed before his swearing in. Mr. Semrau answered in the affirmative and Mr. Schimmenti agreed to serve. Councilman Smolinski volunteered to serve providing there is no conflict due to his wife’s working relationship with the school. Mr. Semrau will research the matter. Administrator Kunze recommended that he and Chief Costello serve as staff members. The Council agreed that a resolution be drafted for the next meeting.
6)	M2 Contract Amendment – Administrator Kunze advised that the hydro-geologist was initially hired to consult the Township on matters pertaining to Eagle Ridge. However, the scope of his contract was recently increased to include his assistance with regard to Valley Ridge. After reviewing the appropriation, the bills submitted thus far, and the bills expected, Administrator Kunze recommended that the not-to-exceed amount in the contract be increased accordingly. The Council gave consent to proceed.
	Resolution 387 – Bear Resistant Garbage Cans – Administrator Kunze advised that Mr. Semrau has researched if pre-drilling holes in the garbage cans is allowable under the law

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	as it is a significant change to the specifications. Mr. Semrau has opined that do to this, the specifications would have to be amended and he recommends that the Township re-bid. However, today the DEP indicated that they would like the Township to award the contract and the DEP will pay for the installation of the handles. Mr. Semrau stated, that based on this information, he will review the bids again and make a recommendation to Council. In response to Councilman Weisbecker's question, the Administrator advised that the Township would drill the holes and be reimbursed by the State. Mr. Semrau advised that the Township cannot, by law, amend the contract after the fact. Change orders are only allowed when the circumstances were not foreseen. Therefore, having this knowledge before the fact is not a change order. Administrator Kunze advised that, due to manpower constraints, Township employees would work on overtime hours to complete this work.
7)	Warwick Turnpike Section 8 Bid – Administrator Kunze advised that bids for this work were opened on December 8 th . The Township Engineer and Township Attorney have reviewed the bids submitted and they are recommending that the contract be awarded to the lowest bidder. Funding for the project will come from former capital appropriations and grant funds and the work will start in the Spring. Councilman Weisbecker noted that the Township has previously had Tilcon perform similar work in town and, based on their familiarity with the unique terrain, he asked if the contract should be awarded to them. Mr. Semrau advised that the Township must have justifiable cause to reject the lowest, responsible, responsive bidder. He advised that the lowest bidder has been qualified and all references have been favorable. Council President Gervens advised that he would abstain from a vote on this bid because he has previously worked with the lowest bidder. The Council gave consensus to proceed.
8)	Truck Bid – Administrator Kunze advised that bids were taken to replace a 1994 dump truck. The Township received one bid in response to the notice and that bid was within the Engineer's estimate. He advised that DPW staff has contacted the other vendors to determine why they did not submit bids. It appears that some vendors could not comply with the specifications and others could not find partners to respond to the chassis requirements in the bid documents. The Council gave consensus to proceed.
9)	Street Sweeper Bid – Administrator Kunze advised that notices were mailed to twelve bidders and two requested specifications. Only one bid was submitted. This product would replace a fourteen-year old sweeper. When questioned, vendors indicated that they did not submit bids because of a general consolidation within the industry. The specifications are based on a brand that gives the best performance and the responsive bidder would supply that brand. Councilman Nolan expressed concern that the Township received only one bid and he asked if West Milford could contact neighboring communities to determine who they use. Administrator Kunze responded that the specifications were based on our particular needs which differ significantly from the type of sweeper available under State contract. Councilman Nolan noted that there is always a claim of unique circumstances in West Milford and Council President Gervens responded that, because West Milford does not have fire hydrants, our staff must dry sweep the roads which is particularly hard on the sweepers. The Council gave consent to proceed.
10) and 11)	Turnout Gear and Fire Truck Bids – Administrator Kunze advised that these bids are still under review and a recommendation will be made at a later date.
12)	Reorganization Meeting – Township Clerk Battaglia directed the Council to the memorandum distributed in the Council packets. She asked if Council had any additions, recommendations, or modifications to make to the reorganization items outlined therein. The Council instructed the Clerk to proceed as outlined in her memorandum.

Mayor DiDonato advised that an attorney will be joining the Council in Executive Session this evening to provide an update on the Shortway matter. Because counsel is waiting, he asked if anyone had an objection to moving the Executive Session up to this point in the meeting. There was no objection.

Agenda No. XII

~ Resolution 2006-408 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 13th day of **December**, 2006, that:

1. Prior to the conclusion of this **Workshop Meeting**, the Township Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive

