
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: December 16, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 1 of 29

The Regular 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 Regular meeting was advertised in the Herald News in its issue of December 21, 2014 and January 4, 2015; copies were provided to the Suburban Trends, the Record, Star Ledger, and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Pledge of Allegiance

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

Roll Call

Present: Councilmembers Ada Erik, Mike Hensley, Vivienne Erk, Michele Dale, Luciano Signorino (left at 7:15pm), Marilyn Lichtenberg, Mayor Bettina Bieri.
Also Present: Township Administrator Kenneth Gabbert, Township Clerk Antoinette Battaglia, Township Attorney Fred Semrau.

Agenda No. I

Reading of or Approval of Unapproved Minutes

None.

Agenda No. II

Presentations

Girl Scout Gold Award – Jessica Free – Mayor Bieri invited Miss Free to speak about her award. She has been scouting since kindergarten. Her troop leader and mom joined her at the podium. Jessica’s gold award was to raise awareness for the local food pantries. She worked with the churches, people at the food pantries, and she targeted social media because that is where everyone is looking these days. She is currently attending Mount St Mary where she is studying psychology and human services.

Agenda No. III

Executive Session

~ Resolution No. 2015 – 387 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 16th day of December 2015 that:

1. Prior to the conclusion of this **Regular 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.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: December 16, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 2 of 29

- () b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
- (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - Litigation – Triple T Construction
 - Contract – Wallisch Estates
 - Contract – Budget Consultant
- () 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 16, 2015

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

The Governing Body went into executive session at 6:36 p.m.

The Governing Body returned to the public meeting at 7:24 p.m. with all present as before except Councilman Signorino, who left at 7:15 p.m.

Agenda No. IV

Proclamation

None.

Agenda No. V

Unfinished Business, Final Passage of Ordinances

Agenda No. V 1

~ Ordinance 2015 - 016 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER §300 "SEWERS" OF THE TOWNSHIP CODE

TABLED

This Ordinance was introduced December 2, 2015 and the Notice of Public Hearing was published in the Herald News on December 6, 2015. The Governing Body will open the meeting to the public to speak on this ordinance only.

Douglas McKittrick, 22 Olde Hickory Road, West Milford said he has been a resident for over 30 years and an engineer and septic designer in West Milford for years. He has read the ordinance which provides for an outside contractor to do engineering plan review and includes a guaranteed two week, or 10 business day turn around or your money back. Plan reviews are a reconciliation of the engineering design and it's also the appropriateness of the design to site conditions. A typical plan review takes about 20 minutes. Mr. McKittrick said the proposed fees are out of line because no one in this town has a lot of money. Ringwood for example charges \$75 dollars, West Milford is currently charging \$185, and they are proposed to go up to \$350. Also, in regards to the money back guarantee, he believes that will never happen. Mr. McKittrick explained that another problem is that the ordinance doesn't say who the consultant is going to be. He then lists 11 reasons why you should vote no on this ordinance.

Doris Aaronson, 19 Bearfort Road, West Milford said she has known Doug McKittrick and his work for a long time. She had been a member of the Township Board of Health and has had discussions about septic. She strongly recommends in accordance with Doug McKittrick's comments that you veto this ordinance and have Mr. McKittrick meet with The Township Administrator to re-write the ordinance. Since it's the end of the year, she would also like to thank all of the council members for their hard work.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: December 16, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 3 of 29

Richard Gannon, Gannon Excavating said he is a licensed contractor in the community. Mr. Gannon thinks we should get another full time employee to do septic inspections out on the jobs, instead of sitting behind a desk. We are already paying someone with a license to design the septic and we don't need another licensed engineer to review that. He believes we also need another full time inspector out there to oversee the projects. He said the quicker the review process is, the less money it is costing the taxpayer, and that's important.

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

Motion to table Ordinance 2015-016.

Township Attorney Mr. Semrau said to table this Ordinance means that it will have to be introduced next year.

Moved: Dale Seconded: Lichtenberg
Voted Aye: Erik, Hensley, Erk, Dale, Lichtenberg
Voted Nay: None.
Absent: Signorino
Motion carried.

Agenda No. V 2

~ Ordinance 2015 - 017 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER §15. "ADMINISTRATION OF GOVERNMENT" ARTICLE XVIII "ADVISORY BOARD OF HEALTH", SECTION 85 "MEMBERS; TERMS" OF THE TOWNSHIP CODE

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

SECTION 1. Chapter 15. Administration of Government
Article XVIII. Advisory Board of Health
§15-85. Members; terms shall be amended to read as follows:

There shall be an Advisory Board of Health, consisting of seven members, one of whom preferably should be a physician, to be appointed by the Council. Upon the expiration of the respective terms of the initially appointed members, the term of each member thereafter appointed shall be two years. The members shall serve until their respective successors are appointed and qualified. They shall serve without compensation.

SECTION 2. All ordinances of the Township of West Milford, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Introduced: December 2, 2015
Adopted: December 16, 2015
Effective Date: January 5, 2016

This Ordinance was introduced December 2, 2015 and the Notice of Public Hearing was published in the Herald News on December 6, 2015. 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 Hensley and carried by unanimous voice vote to close the public comment period.

Motion to adopt Ordinance 2015-017.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: December 16, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 4 of 29

Moved: Erik Seconded: Dale
Voted Aye: Erik, Hensley, Erk, Dale, Lichtenberg
Voted Nay: None.
Absent: Signorino
Motion carried.

Agenda No. VI

Public Comments

Steve Drew, 567 East Shore Road, Hewitt thanked the council for their support for the Board of Education referendum. He also wanted to thank the council for the clear presentations and making sure the voters understood. Mr. Drew said they are going to give us the flexibility to improve education without constantly raising taxes. The overall results were 90% approval. He would also like to thank Mr. Gabbert for a year of careful and thoughtful service to the community. The EDC has decided to recognize businesses every year around this time that have made contributions to the local economy. He then provided a list of business from this year.

Patricia Dudzak, 2 Albertine Place, Oak Ridge said that at the December 2nd council meeting, she came before the council to ask that West Milford participate in the 2016 Moth Aerial Suppression Program and to include that section of Oak Ridge in this program. She said that the deadline is Friday, December 18th and she was advised that the township would have to ask for a reevaluation of this area. She believes that Ed Harkey passed this on to the council and asked if a request for reevaluation had been made. She also asked the status of our participation in the Moth Aerial Suppression Program. Mrs. Dudzak then went into talking about the Davenport Bridge. It has new footings on both sides; it's galvanized, and has metal decking. She said that it is safe and there is nothing wrong with it. After the public portion of the December 2nd council meeting closed, the council mentioned that Morris County wrote the town asking for support to remove the Davenport Bridge. She explained that she is here to advise that residents in that area are opposed to the removal of the Davenport Bridge. In fact, she is requesting that it be reopened for traffic, or at the very least, that it be opened to pedestrian traffic. Mrs. Dudzak asked the township to relay that request to Morris County. In spite of what Morris County says, this bridge is structurally sound.

Ed Harkey, 21 Caro Drive, Oak Ridge said that he would also like to talk about the Davenport Bridge. He said he knows that the bridge had a structural failure when an overweight vehicle drove over it. But, he said that the bridge is a galvanized bridge and it is extremely stable. He explained that he has been under that bridge and there is not any rust there. Mr. Harkey said that if and when this bridge is removed, it would damage the newly paved Davenport Road. He said he has been a resident for 44 years. His soil log reads a lot of sand and forty-one years ago his system failed. He could have made clay pots from the soil coming from the ground. He said that his septic system was made for soil comprised of shale, and somehow that fell through the cracks. He believes there must be inspections.

Bob Nicholson, 20 Hyde Road, Stockholm said he would like the town to produce a calendar as has been past practice. He wants a calendar. He believes that it is late to be told they cannot produce a calendar and that it is not a lot of money. He said that we found money for an ATV track and money for a street sweeper. He believes that residents like the calendar.

Doris Aaronson, 19 Bearfort Road, West Milford thanked the Council for thoughtful hard work. She thanked Fred Semrau and Antoinette Battaglia for their service. There being no more comments from the public, Councilwoman Erik moved to close the public portion of the meeting.

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

Agenda No. VII

Council Comments

Township Clerk Battaglia explained that Bill Francis has been working diligently on trying to pursue options for the calendar. He also met with representatives from AIM. West Milford would like to work on having a municipal calendar for residence at no cost to taxpayers for 2016.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: December 16, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 5 of 29

Administrator Gabbert said the town has responded to the State saying we will participate in the gypsy moth process. We await evaluation to determine the degree of involvement in gypsy moth spraying. He expects more information in mid-January.

Mayor Bieri said in regard to the Davenport Bridge, Morris and Passaic Counties decided to close the bridge because of structural issues.

Councilman Hensley thanked residents for their comments about the septic ordinance. He thanked everyone else who came out and spoke.

Agenda No. VIII

New Business, Introduction of Ordinances, Resolutions

Mayor Bieri asked to move all resolutions as one.

Moved: Erik Seconded: Dale
Voted Aye: Erik, Hensley, Erk, Dale, Lichtenberg.
Voted Nay: None.
Absent: Signorino
Motion carried.

Agenda No. VIII 1

~ Resolution 2015- 388 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE CDBG APPLICATION BEING SUBMITTED TO THE COUNTY OF PASSAIC COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CDBG FOR WESTBROOK PARK IN THE TOWNSHIP OF WEST MILFORD

WHEREAS, at a meeting held February 18, 2015, the Mayor and Township Council of the Township of West Milford, adopted the following resolution:

Project:

ADA Upgrades and Improvements	Total Project Funding:	\$125,000.00
1073 Westbrook Road, West Milford	County Funds Requested:	\$ 50,000.00
Block 11101 Lot 1		

WHEREAS, the Township Council authorizes an application to the Passaic County Community Development Block Grant (CDBG) Program for ADA Upgrades and Improvements described in the proposal; and

WHEREAS, if awarded CDBG funds, the Township of West Milford shall implement the activities in a manner to ensure compliance with all applicable federal, state, and local laws and regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of West Milford, that it hereby authorizes the submission of an application for grant funding from the Passaic County CDBG for ADA Upgrades and Improvements of Westbrook Park with the full support of the Governing Body in the Application and the Project.

This Resolution shall take effect immediately.

Adopted: December 16, 2015

Agenda No. VIII 2

~ Resolution 2015- 389 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY REGARDING MUNICIPAL COUNCIL FAIR HOUSING

WHEREAS, the Township of West Milford supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. It is the policy of Township of West Milford to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait,

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: December 16, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 6 of 29

genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The Township of West Milford further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. Therefore, the Township Council of the Township of West Milford do hereby approve the following:

BE IT RESOLVED, that within available resources, the Township of West Milford will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New Jersey Division on Civil Rights and the U.S. Department of Housing and Urban Development, as appropriate; and

BE IT FURTHER RESOLVED, that the Township of West Milford shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New Jersey Law Against Discrimination, and any local laws or ordinances; and

NOW THEREFORE BE IT RESOLVED, that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

Adopted: December 16, 2015

Agenda No. VIII 3

~ Resolution 2015 – 390 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ONE 2015 PIERCE SABER PUMPER/TANKER FIRE TRUCK THROUGH HOUSTON-GALVESTON COOP CONTRACT FS12-13 TO PIERCE MANUFACTURING, INC,

WHEREAS, the Township of West Milford became a member of the Houston-Galveston Coop by virtue of Resolution 2014-391 adopted on December 3, 2014; and

WHEREAS, the Houston-Galveston Coop awarded contract FS12-13 to Pierce Manufacturing, Inc., for the purchase of a new Pierce Saber Pumper/Tanker Truck; and

WHEREAS, the Township of West Milford seeks to purchase from Pierce Manufacturing, Inc., located in Appleton, Wisconsin, one (1) 2015 Saber Pumper/Tanker for Fire Company #3 in the amount of \$493,812.09 and in accordance with the bid specifications generated by and the subsequent contract approved by the Houston-Galveston Coop contract FS12-13; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account 04-215-55-823-023 in the amount of \$493,812.09.

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 Director of the Fire Department to purchase one (1) 2015 Saber Pumper/Tanker, in an amount not to exceed \$493,812.09, through the Houston-Galveston Coop, Contract FS12-13.
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 16, 2015

Agenda No. VIII 4

~ Resolution 2015 - 391 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A CONTRACT FOR REPAIR OF THE GARAGE FLOOR AND VEHICLE LIFT IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICIES

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: December 16, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 7 of 29

WHEREAS, the Township Council of the Township of West Milford did adopt Ordinance 2013-020 to create the position of Qualified Purchasing Agent in the municipality and they did subsequently adopt Resolution 2013-330 appointing a Qualified Purchasing Agent (QPA) and increasing the bid threshold to \$36,000; and

WHEREAS, as a condition to the increase in the bid threshold, the Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase in excess of the former bid threshold of \$17,500 and that the purchase shall warrant a minimum of three quotations; and

WHEREAS, the Township Council has received a recommendation from the Department of Public Works and the Construction Official to contract for the repairs to the garage floor and vehicle lift; and

WHEREAS, the Department of Public Works has solicited three quotations for the repair work and recommends the use of Bianchi & Son Construction Corp., 84 McKinley Place, West Milford, NJ 07480 for these services at a cost of \$22,000.00; and

WHEREAS, the Township's Qualified Purchasing Agent has reviewed the recommendation and confirmed that the purchase is in compliance with the New Jersey Local Public Contracts Law; 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 01-201-26-290-341.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute the purchase order issued to Bianchi & Son Construction Corp. in an amount not to exceed \$22,000.00

Adopted: December 16, 2015

Agenda No. VIII 5

~ Resolution No. 2015 - 392 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE DISPOSAL OF INOPERABLE VEHICLES AND/OR PIECES OF EQUIPMENT THAT ARE MUNICIPALITY-OWNED

WHEREAS, by virtue of resolution 2015-335 adopted on October 21, 2015 the Township Council did approve the disposal of 26 Township-owned vehicles and/or pieces of equipment which are not safe to operate and from which salvageable parts have been removed; and

WHEREAS, the Township's Chief Mechanic has recommended that an additional 2 vehicles and/or pieces of equipment be added to the list for disposal; and

WHEREAS, the Director of the Department of Public Works and the Township Administrator recommend that the following vehicles be disposed of for their scrap metal value due to the difficulty and cost of transporting the equipment from the Township

YEAR	MAKE	MODEL	CONDITION	VIN NUMBER OR SERIAL NUMBER
1994	Ford	Mustang	Inoperable	1FALP4042RF164207
1987	Century	Cube Concession Trailer	Inoperable	1XCC14285H2000421

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that the above referenced vehicles be added to the list of vehicles approved for disposal in resolution 2015-335 adopted on October 21, 2015 in accordance with the terms outlined in said resolution.

Adopted: December 16, 2015

Agenda No. VIII 6

~ Resolution 2015 - 393 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: December 16, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 8 of 29

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING THE CONTINUATION OF THE 2013 NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITH STUART B. KLEPESCH TO PROVIDE LEGAL SERVICES FOR THE TOWNSHIP OF WEST MILFORD (TAX FORECLOSURE LIST #30)

WHEREAS, the Township of West Milford wishes to continue the award of a professional services contract by virtue of Resolution 2013-325 adopted November 13, 2013 for the 2014 year to represent the Township in foreclosure matters as outlined in foreclosure list # 30; and

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

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these services, said funds have been encumbered to account number 01-270-55-000-018 in 2013; and

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

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

1. The Township Mayor and Township Clerk be and are hereby authorized to execute a contract with Stuart B. Klepesch for the continuation of professional services to assist the Township with legal matters pertaining to those tax foreclosures outlined in tax foreclosure list #30.
2. By virtue of resolution 2013-325, \$29,000 was appropriated for list #30 and to date \$10,300.25 has been expended. Therefore, there is a remaining balance of \$18,699.75 for the completion of foreclosure list #30.
3. This contract is awarded without competitive bidding as "Professional Services" pursuant to N.J.S.A. 19:44A-20 et seq. and the local public contracts law.
4. This contract shall expire on completion of foreclosure list #30 or December 31, 2016 whichever comes first.
5. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.
6. This resolution approves and serves as the Continuation of the contract dated November 13, 2013 extending the contract through December 31, 2016.

Adopted: December 16, 2015

Agenda No. VIII 7

~ Resolution 2015 – 394 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING THE CONTINUATION OF THE 2014 NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITH STUART B. KLEPESCH TO PROVIDE LEGAL SERVICES FOR THE TOWNSHIP OF WEST MILFORD (TAX FORECLOSURE LIST #31)

WHEREAS, the Township of West Milford wishes to continue the award of a professional services contract by virtue of Resolution 2014-359 adopted November 12, 2014 for the 2015 year to represent the Township in foreclosure matters as outlined in foreclosure list # 31; and

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

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these services, said funds have been encumbered to account number 01-203-20-145-503 in 2014; and

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: December 16, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 9 of 29

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

7. The Township Mayor and Township Clerk be and are hereby authorized to execute a contract with Stuart B. Klepesch for the continuation of professional services to assist the Township with legal matters pertaining to those tax foreclosures outlined in tax foreclosure list #31
8. By virtue of resolution 2014-359, \$29,000 was appropriated for list #31 and to date no money has been expended. Therefore, there is a remaining balance of \$29,000 for the completion of foreclosure list #31.
9. This contract is awarded without competitive bidding as "Professional Services" pursuant to N.J.S.A. 19:44A-20 et seq. and the local public contracts law.
10. This contract shall expire on completion of foreclosure list #31 or December 31, 2016 whichever comes first.
11. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolutions authorizing same are available for public inspection in the office of the Township Clerk.
12. This resolution approves and serves as the Continuation of the contract dated November 12, 2014 extending the contract to December 31, 2016.

Adopted: December 16, 2015

Agenda No. VIII 8

~ RESOLUTION 2015 – 395 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITH STUART B. KLEPESCH TO PROVIDE LEGAL SERVICES FOR THE TOWNSHIP OF WEST MILFORD (TAX FORECLOSURE LIST #32)

WHEREAS, the Township of West Milford is in need of legal services to represent the Township in foreclosure matters as outlined in foreclosure list #32; and

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

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these Services, said funds to be encumbered from account number 01-201-20-145-503; and

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

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

1. The Township Mayor and Township Clerk be and are hereby authorized to execute a contract with Stuart B. Klepesch for professional services to assist the Township with legal matters pertaining to those tax foreclosures outlined in tax foreclosure list #32 in an amount not to exceed \$29,000.00 for the entire list.
2. This contract is awarded without competitive bidding as "Professional Services" pursuant to N.J.S.A. 19:44A-20 et seq. and the local public contracts law.
3. This contract shall expire on completion of foreclosure List #32 or December 31, 2016 whichever comes first.
4. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolutions authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: December 16, 2015

Agenda No. VIII 9

~ Resolution 2015 - 396 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: December 16, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 10 of 29

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING IN REM FORECLOSURE OF THE TAX SALE CERTIFICATES SHOWN ON THE ATTACHED TAX FORECLOSURE LIST

WHEREAS, pursuant to the provisions of N.J.S.A. 54:5-104.29 et seq., the Tax Collector has certified to the Township Council for the Township of West Milford, in the County of Passaic, a municipality of the State of New Jersey, is the holder of certain Tax Sale Certificates covering the lands and premises situated in the Township of West Milford for the amounts, including subsequent liens as shown on the Tax Foreclosure List, Schedules 1 through 25 hereto annexed and made a part hereof.

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

- 1. That it is hereby determined to foreclose, In Rem, those tax sale certificates appearing on the attached Tax Foreclosure List.
- 2. That the tax collector or its designee is hereby authorized and directed to foreclose the tax sale certificates appearing on the attached tax foreclosure list by summary proceedings provided by statute.
- 3. That the Township Clerk shall certify a true and accurate copy of this resolution to be made a part of such action instituted for the purpose of foreclosing the aforesaid tax sale certificates.
- 4. This resolution shall take effect immediately.

Adopted: December 16, 2015

Agenda No. VIII 10

~ Resolution 2015 – 397 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUES AND APPROPRIATION

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget and,

WHEREAS, the Director may also approve the insertion of any item of appropriation for an equal amount,

WHEREAS, the Township of West Milford wishes to amend its 2015 Budget to include an amount as revenue,

NOW THEREFORE, BE IT RESOLVED that the Governing body of the Township of West Milford hereby requests the Director of the Division of Local Government Services to approve the insertion of an item in the budget of the year 2015 in the sum of \$166,189.50 which is now available as a revenue from:

Special Items of General Revenue Anticipated with Prior Written consent of the Director of Local Government Services:
Public and Private Revenues Off-Set with Appropriations:
NJ Urban Mass Transportation;
Federal Share \$110,793.00
State Share 55,396.50

BE IT FURTHER RESOLVED that a like sum of \$166,189.50 be and the same is hereby appropriated under the caption of:

General Appropriations
(A) Operations – Excluded from CAPS
Public and Private Programs Offset by Revenue
NJ Urban Mass Transportation:
Federal Share \$110,793.00
State Share 55,396.50
Local Match 55,396.50

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: December 16, 2015
 Time of Meeting: 6:30 pm
 Minute Page No: Page 11 of 29

BE IT FURTHER RESOLVED, that the Township Finance Department will electronically file with the State of NJ in accordance with LFN 2014-11.

Adopted: December 16, 2015

Agenda No. VIII 11

~ Resolution 2015 – 398 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF POCKET PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2014- 2015 LICENSE YEAR WITH CONDITIONS

WHEREAS, application for renewal of Pocket Plenary Retail Consumption License for the 2014-2015 License year has been received and reviewed; and

WHEREAS, the license has received a Tax Clearance Certificate and 12.18 Special Ruling from the Director of ABC pursuant to NJSA 33:1-12.18 to issue a new license for the 2014-2015 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 revised; 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.
3. The applicant had disclosed to the issuing authority the source of all additional financing obtained in the previous license year.
4. Special Rulings from the Director of the New Jersey Division of ABC have been received.

WHEREAS, the Police Department has recommended that the license be renewed to the current owners as an Pocket license with conditions.

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	LICENSE STATUS
<p>MERSIMI & MAHMUDI, INC. 1 North Gate Park Ringwood, NJ 07456 1615-33-032-009</p>	<ol style="list-style-type: none"> 1. Licensee must file applicable pages of the NJ Division of ABC 12 page application in the Clerk’s office to activate the license. 2. Fire, Health, Building, Zoning and Police inspections must be made and satisfactory recommendations received in the Clerk’s Office prior to transfer, activation and opening. 3. A Health Department Retail Food Establishment license must be acquired prior to opening if applicable. 	<p>Pocket</p>

Adopted: December 16, 2015

Agenda No. VIII 12

~ Resolution 2015 – 399 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF POCKET PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2015- 2016 LICENSE YEAR WITH CONDITIONS

WHEREAS, application for renewal of pocket Plenary Retail Consumption License for the 2015-2016 License year has been processed on the ABC POSSE website and reviewed; and

WHEREAS, the license has received a Tax Clearance Certificate and Special Ruling from the Director of ABC pursuant to NJSA 33:1-12.39 to issue a license for the 2015-2016 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 revised; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: December 16, 2015
 Time of Meeting: 6:30 pm
 Minute Page No: Page 12 of 29

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

5. The submitted application is complete in all respects.
6. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
7. The applicant had disclosed to the issuing authority the source of all additional financing obtained in the previous license year.
8. Special Rulings from the Director of the New Jersey Division of ABC have been received.

WHEREAS, the Police Department has recommended that the license be renewed to the current owners as an pocket license with conditions.

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	LICENSE STATUS
MERSIMI & MAHMUDI, INC. 1 North Gate Park Ringwood, NJ 07456 1615-33-032-009	4. Licensee must file a Place-to-Place Transfer application to site this license, or a Person-to-Person and Place-to-Place Transfer application to transfer ownership and site this license in the Clerk’s office. 5. Fire, Health, Building, Zoning and Police inspections must be made and satisfactory recommendations received in the Clerk’s Office prior to transfer, activation or opening this license. 6. A Health Department Retail Food Establishment license must be acquired prior to opening.	Pocket

Adopted: December 16, 2015

Agenda No. VIII 13

~ Resolution 2015 – 400 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF OVERPAYMENTS

WHEREAS, there appears on the tax records overpayment as shown below and the Collector of Taxes recommends the refund of such overpayment.

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

REASONS:

- | | |
|-------------------------------------|--------------------------|
| 1. Incorrect Payment | 2. Duplicate Payment |
| 3. Senior Citizen/Veteran Deduction | 4. Homestead Rebate |
| 5. Tax Appeal | 6. 100% Disabled Veteran |
| 7. Tax Court Appeal | |

Block/Lot	Name	Amount	Year	Reason
102-31	John & Priscilla Laski 1983 Clinton Road Hewitt, NJ 07421	\$250.00	2015	3
505-25	Refund Department CoreLogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$1,883.00	2015	2
804-5	George & Dana Bambara 73 Wayside Hewitt, NJ 07421	\$250.00	2015	3
905-7	Refund Department CoreLogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$1,391.00	2015	2
1402-2	Refund Department CoreLogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$2,140.00	2015	2

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of:
 Date of Meeting:
 Time of Meeting:
 Minute Page No:

Governing Body Regular Meeting
 December 16, 2015
 6:30 pm
 Page 13 of 29

Block/Lot	Name	Amount	Year	Reason
1816-16	Paul & Karen Robinson 8 Highview Drive High Bridge, NJ 08829	\$1,569.25	2012	7
1816-16	Paul & Karen Robinson 8 Highview Drive High Bridge, NJ 08829	\$1,613.32	2013	7
2001-3	Refund Department CoreLogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$51.32	2015	2
2005-9	Refund Department CoreLogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$83.11	2015	2
2402-23	Bambi & Curtis Lauer 22 Russell Avenue Old Tappen, NJ 07675	\$1,258.10	2012	7
2402-23	Bambi & Curtis Lauer 22 Russell Avenue Old Tappen, NJ 07675	\$1,293.44	2013	7
2402-23	Bambi & Curtis Lauer 22 Russell Avenue Old Tappen, NJ 07675	\$640.28	2014	7
2402-40	James & Cynthia Perrotta 307 Lakeshore Drive Hewitt, NJ 07421	\$1,285.15	2012	7
2402-40	James & Cynthia Perrotta 307 Lakeshore Drive Hewitt, NJ 07421	\$1,321.26	2013	7
2402-40	James & Cynthia Perrotta 307 Lakeshore Drive Hewitt, NJ 07421	\$300.47	2014	7
2405-21	Wells Fargo Real Estate Tax Service LLC Att: Financial Support Unit MAC X2301-02C 1 Home Campus Des Moines, IA 50328-0001	\$1,759.00	2015	2
2409-6.01	Refund Department CoreLogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$1,533.13	2015	2
2409-6.02	Refund Department CoreLogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$764.00	2015	2
2414-11.02	Refund Department CoreLogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$1,018.00	2015	2
2603-12	Elite Title Group, LLC 22 Ridge Road Lyndhurst, NJ 07071	\$1,873.00	2015	2
2605-15	Refund Department CoreLogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$1,683.78	2015	2
2701-18	Bruce J. Stavitsky, Esq. Stavitsky & Associates, LLC 350 Passaic Avenue Fairfield, NJ 07004	\$1,693.30	2015	7
3009-25	Allied Title, LLC 3 Laurel Drive Flanders, NJ 07836	\$1,595.00	2015	2
3501-3	Drew K. Murray 230 West Parkway, Suite 3A Pompton Plains, NJ 07444	\$1,484.00	2015	2

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of:
 Date of Meeting:
 Time of Meeting:
 Minute Page No:

Governing Body Regular Meeting
 December 16, 2015
 6:30 pm
 Page 14 of 29

Block/Lot	Name	Amount	Year	Reason
3509-13.15	Nicosia, Emmons, Pavez & Hendrson Attorney's at Law 15 Church Street Suite 3 Vernon, NJ 07462	\$2,495.00	2015	2
3704-4	Refund Department CoreLogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$2,396.00	2015	2
4102-8	Horn Law Group LLC 801 A Main Street Toms River, NJ 08753	\$1,866.86	2012	7
4102-8	Horn Law Group LLC 801 A Main Street Toms River, NJ 08753	\$479.83	2013	7
4401-6	Joseph Sharkey & Michelle Honebrink 851 East Shore Road Hewitt, NJ 07421	\$534.35	2012	7
4401-6	Joseph Sharkey & Michelle Honebrink 851 East Shore Road Hewitt, NJ 07421	\$549.36	2013	7
4401-6	Joseph Sharkey & Michelle Honebrink 851 East Shore Road Hewitt, NJ 07421	\$110.88	2014	7
4701-33.02	Kristaq Nikolla & Anna Ionescu Bujor 330 Morsetown Road West Milford, NJ 07480	\$250.00	2015	3
5006-5	Bruce & Darlene Kohan 131 Rockburn Pass West Milford, NJ 07480	\$1,904.06	2012	7
5006-5	Bruce & Darlene Kohan 131 Rockburn Pass West Milford, NJ 07480	\$1,957.55	2013	7
5006-5	Bruce & Darlene Kohan 131 Rockburn Pass West Milford, NJ 07480	\$1,763.85	2014	7
5101-6	Wells Fargo Real Estate Tax Service LLC Att: Financial Support Unit MAC X2301-02C 1 Home Campus Des Moines, IA 50328-0001	\$519.66	2015	2
5311-1.04	US Bank Cust for Actlien Holding Inc. 2 Liberty Place 50 South 16 th Street Ste 2050 Philadelphia, PA 19102	\$7.84	2015	1
5311-2.12	Refund Department CoreLogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$651.00	2015	2
5312-1.16	Denise Von Wilke 4 Richmond Road Ste 116 West Milford, NJ 07480	\$250.00	2015	3
5317-4.11	Carol & Anthony Franchino 6411 Richmond Road West Milford, NJ 07480	\$250.00	2015	3
5901-1	Jean & Hector Delgado 484 Morsetown Road West Milford, NJ 07480	\$250.00	2015	3
6201-15	Refund Department CoreLogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$337.45	2015	2
6501-2	Edward P. Azar, LLC Gallant Professional Building 2840 Route 23 South Newfoundland, NJ 07435	\$2,180.00	2015	2
6601-1	Refund Department	\$1,796.84	2015	2

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of:
 Date of Meeting:
 Time of Meeting:
 Minute Page No:

Governing Body Regular Meeting
 December 16, 2015
 6:30 pm
 Page 15 of 29

Block/Lot	Name	Amount	Year	Reason
	CoreLogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9858			
7607-2	Melinda Singer 109 Pinecliff Lake Drive West Milford, NJ 07480	\$957.10	2012	7
7607-2	Melinda Singer 109 Pinecliff Lake Drive West Milford, NJ 07480	\$983.98	2013	7
7701-13	Refund Department CoreLogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$2,853.00	2015	2
7801-30.02	Margo Hollands 30 B Concord Road West Milford, NJ 07480	\$422.09	2014	7
7801-50.02	Richard C. Colloca, LLC 322 US Highway 46 West Ste 240 Parsippany, NJ 07054	\$1,916.00	2015	2
8305-9	Martin D. Eagan, LLC 52 Maple Avenue Morristown, NJ 07960	\$2,373.00	2015	2
8801-3	Refund Department CoreLogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$2,647.00	2015	2
8901-38	Robert & Marie Masessa 112 Vreeland Road West Milford, NJ 07480	\$1,694.38	2012	7
8901-38	Robert & Marie Masessa 112 Vreeland Road West Milford, NJ 07480	\$1,519.45	2013	7
8901-38	Robert & Marie Masessa 112 Vreeland Road West Milford, NJ 07480	\$1,563.15	2014	7
10001-5	Angelika & James Ruehl 218 Gould Road Newfoundland, NJ 07435	\$250.00	2015	3
10301-10	John & Carol Smith 24 Krattiger Court West Milford, NJ 07480	\$250.00	2015	3
10503-12	Wells Fargo Real Estate Tax Service LLC Att: Financial Support Unit MAC X2301-02C 1 Home Campus Des Moines, IA 50328-0001	\$73.32	2015	2
10803-4	Samantha Sukha 75 Lindys Drive West Milford, NJ 07480	\$1,648.96	2015	2
11002-26	Refund Department CoreLogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$73.32	2015	2
12307-24	Nina Weil 22 Setting Sun Trail West Milford, NJ 07480	\$798.41	2012	7
12307-24	Nina Weil 22 Setting Sun Trail West Milford, NJ 07480	\$827.87	2013	7
12307-24	Nina Weil 22 Setting Sun Trail West Milford, NJ 07480	\$651.40	2014	7
12901-53	Darlene Kane 149 High Crest Drive West Milford, NJ 07480	\$520.83	2012	7
12901-53	Darlene Kane	\$535.45	2013	7

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: December 16, 2015
 Time of Meeting: 6:30 pm
 Minute Page No: Page 16 of 29

Block/Lot	Name	Amount	Year	Reason
	149 High Crest Drive West Milford, NJ 07480			
12901-53	Darlene Kane 149 High Crest Drive West Milford, NJ 07480	\$550.85	2014	7
13202-11	Title on Demand of NJ, Inc. 54 Woodport Road Sparta, NJ 07871	\$2,503.00	2015	2
13701-52	Refund Department CoreLogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$5,314.91	2015	2
16501-7	Refund Department CoreLogic Real Estate Tax Service PO Box 961250 Fort Worth, TX 76161-9858	\$2,784.00	2015	2
15401-5	US Bank Cust BV001 Trust & Creditors 50 South 16 th Street Suite 2050 Philadelphia, PA 19102-2513	\$6,825.17	2015	2
15803-15	JC Realty Diversification 70 Oak Ridge Road Newfoundland, NJ 07435	\$1,975.09	2012	7
15803-15	JC Realty Diversification 70 Oak Ridge Road Newfoundland, NJ 07435	\$2,030.57	2013	7
15803-15	JC Realty Diversification 70 Oak Ridge Road Newfoundland, NJ 07435	\$2,088.97	2014	7
TOTAL		\$95,914.71		

Adopted: December 16, 2015

Agenda No. VIII 14

~ Resolution 2015 – 401 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE REFUND OF OTHER LIENS

WHEREAS, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective lien.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of West Milford that the proper officers be and are hereby authorized and directed to pay the indicated amount to the holder of the lien certificate as hereinafter shown below:

Certificate No	Certificate Date	Block/Lot/Qual	Reimbursement Amount	Pay to the Lien Holder
14-0065	10/14/2015	09103-001	\$5,107.13	FWDSL & ASSOCIATES LP 5 COLD HILL ROAD SOUTH SUITE 11 MENDHAM, NJ 07945
15-0046	10/13/2015	05308-002	\$3,113.11	COMIAN XV TAX LIEN FUND LLC 700 ROUTE 139N STE 101 CINNAMINSON, NJ 08077
15-0048	10/13/2015	05311-001.07	\$12,774.14	PFS FINANCIAL 1, LLC 50 SOUTH 16 TH STREET SUITE 2050 PHILADELPHIA, PA 19102
15-0062	10/13/2015	07801-012.01	\$4,050.50	US BANK CUST FOR BV001 TRUST 50 SOUTH 16 TH STREET SUITE 2050 PHILADELPHIA, PA 19102
15-0066	10/13/2015	07801-040.05	\$1,328.66	FIG CAPITAL INVESTMENTS NJ13, LLC MTAG CST FIG CAP INV NJ13 8323 RAMONA BLVD W. STE 2 JACKSONVILLE, FL 32221
15-0070	10/13/2015	08704-006	\$3,921.57	US BANK CUST FOR BV001 TRUST 50 SOUTH 16 TH STREET SUITE 2050

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: December 16, 2015
 Time of Meeting: 6:30 pm
 Minute Page No: Page 17 of 29

				PHILADELPHIA, PA 19102
15-0073	10/13/2015	09404-003	\$3,993.71	US BANK CUST FOR BV001 TRUST 50 SOUTH 16 th STREET SUITE 2050 PHILADELPHIA, PA 19102
15-0074	10/13/2015	09404-008	\$11,704.72	FIG CAPITAL INVESTMENTS NJ13, LLC MTAG CST FIG CAP INV NJ13 8323 RAMONA BLVD W. STE 2 JACKSONVILLE, FL 32221
Grand Total			\$45,993.54	

Adopted: December 16, 2015

Agenda No. VIII 15

~ Resolution 2015 – 402 ~

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:

PAL Travel Basketball		
Faith	\$225.00	Lori Strina 12 Rhinesmith Road West Milford, NJ 07480
Travel Lacrosse		
Andrew	\$20.00	Natasha Woodier 29 Frederick Drive West Milford, NJ 07480
Travel Lacrosse		
Tyler	\$20.00	Stacey Schaffer 149 Bonter Road Oak Ridge, NJ 07438

Adopted: December 16, 2015

Agenda No. VIII 16

~ Resolution 2015 – 403 ~

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

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

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

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

REASON: 1. INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR
2302-3	Coating Chemical Consultants/Filippo	\$590.54	2015
3804-3	David & Lucille Hardin	\$4,246.00	2015
7206-10	John & Rose Pugliese	\$485.00	2015
4201-14	John & Joan Dundorf	\$3,127.05	2015
10302-3	Kenneth & Helen Springstead	\$2,867.00	2015
101-4	Astoria Federal Savings & Loan	\$2,628.00	2015
TOTAL		\$13,943.59	

Adopted: December 16, 2015

Agenda No. VIII 17

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: December 16, 2015
 Time of Meeting: 6:30 pm
 Minute Page No: Page 18 of 29

~ Resolution 2015 – 404 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2016

WHEREAS, applications have been made for the new licenses and the renewal of various Licenses for the 2016 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 2016 Licenses as listed below and;

License No.	2016 POOL TABLE LICENSES
2016-01	The New Jessie's Kettle, 1555 Greenwood Lake Turnpike
2016-02	Pioneer Bar & Grill, 350 Warwick Tpk
2016-03	J&S Roadhouse, J&S Investments 14 Bergen Drive
2016-04	American Legion 177 Lincoln Avenue
2016-05	Island of Spirits 3025 Rt 23 Oak Ridge
2016-06	Lakeshore Inn 399 Lakeshore Drive Hewitt
License No.	2016 TAXI OWNER LICENSES
2016-02	Elite Transport, Heidi Godau
License No.	2016 TAXI DRIVER LICENSE
2016-02	Elite Transport, Heidi Godau
2016-03	Elite Transport, Stephen Godau
License No.	2016 DEALER IN PRECIOUS METALS LICENSE
2016-02	Alexis Randolph, J. Alexander Fine Jewelry 1935 Union Valley Rd
License No.	2016 AMUSEMENT GAME LICENSE
2016-02	Josef Lang Holdings LLC, t/a The Lakeshore Inn, 399 Lakeshore Drive
License No.	2016 PEDDLER LICENSE
2016-01	Schwans Home Deliver – Devin Baumann
2016-02	Doggin Around – Roger Drew
License No.	2016 JUNK YARD JUNK SHOP LICENSES
2016-01	Concourse Auto II, Carl Delcampo Jr.
2016-02	Mountain Top Recycling, John Kardanow
License No.	2016 FIREARMS RANGE LICENSE
2016-01	Meadowbrook Rifle & Pistol Club 22 Cumberland Rd

Adopted: December 16, 2015

Agenda No. VIII 18

~ Resolution 2015 - 411 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A PROFESSIONALSERVICES CONTRACT WITH ENVIROTACTICS, INC. FOR THE DPW BANKER ROAD DEPOT

WHEREAS, there exists a need for the Township to retain the services of a firm specializing in environmental matters in order to provide project management for and site inspection of the West Milford DPW Banker Road Depot, 29 Banker Road, West Milford, for the purpose of performing environmental consulting services; and

WHEREAS, the Township's insurance carrier, Selective Insurance, has agreed to reimburse the Township for the cost of the environmental consulting services to be performed by Envirotactics, Inc. in accordance with its November 17, 2015 proposal; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: December 16, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 19 of 29

WHEREAS, Selective Insurance and the Township have approved the proposal dated November 17, 2015 which was submitted by Envirotactics, Inc.; and

WHEREAS, the Township wishes to retain the services of Envirotactics, Inc. to provide the environmental consulting services detailed in the November 17, 2015 proposal; and

WHEREAS, the cost of the services performed by Envirotactics, Inc. is not to exceed \$5,890; and

WHEREAS, funds are available for this purpose; and

WHEREAS, Selective Insurance has agreed to reimburse the Township for 70% of the costs associated with the project, up to \$4,123; and

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

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

1. The Township of West Milford hereby accepts the proposal of Envirotactics, Inc. dated November 17, 2015 and retains Envirotactics, Inc. to perform environmental consulting services in accordance with said proposal.
2. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Envirotactics, Inc. for environmental consulting services for a fee not to exceed \$5,890 as per its proposal dated November 17, 2015.
3. 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.
4. The Township shall be reimbursed for 70% of the costs authorized for this contract by Selective Insurance, up to \$4,123.
5. Notice of this action shall be published once in the Township’s official newspaper as required by law.
6. A copy of this resolution shall be provided to the Township Chief Financial Officer, Envirotactics, Inc. (1625 Highway 71, Wall, NJ 07719) and Selective Insurance (James T. Byrnes, Esq., Carroll McNulty & Kull, 120 Mountain View Boulevard, PO Box 650, Basking Ridge, NJ 07920), for their information and guidance.

This Resolution shall take effect immediately.

Adopted: December 16, 2015

~ Resolution 2015- 412 ~

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 SERVICE CONTRACT FOR BUDGET CONSULTING SERVICES WITH THE CANNING GROUP, LLC

WHEREAS, to manage the budget process the Governing Body wishes to engage the services of an experienced budget consultant for the budget preparation; and

WHEREAS, The Canning Group LLC is uniquely positioned to assist the Township in this regard, as they have successfully placed professionals in the Township in the past; and

WHEREAS, The Canning Group, LLC has submitted a proposal for a budget consultant in the Township of West Milford that will oversee the budget preparation; and

WHEREAS, Robert F. Casey has served as a consultant to the Township in the Office of Administration and Community Services & Recreation; and

WHEREAS, The Canning Group, LLC has completed both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that they have 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 Canning Group, LLC from making any reportable contributions through the term of the contract; and

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: December 16, 2015
 Time of Meeting: 6:30 pm
 Minute Page No: Page 20 of 29

WHEREAS, the contract is contingent upon the CFO certifying to the availability of funds for these services.

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

1. The Mayor and Township Clerk be and are hereby authorized to execute a professional services contract with *The Canning Group, LLC* of 10 Garden Street, Lincoln Park, NJ 07035 for the assignment of Robert F. Casey as a budget consultant to provide budget assistance to the Township of West Milford a rate of \$85.00 per hour in an amount not to exceed \$6,000.00.
2. The contract is contingent upon the CFO certifying to the availability of funds for these services.
3. This contract is awarded without competitive bidding as "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
4. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: December 16, 2015

Agenda No. IX

Approval of Expenditures and Finance Matters

Mayor Bieri asked to move all resolutions as one.

Moved: Erik Seconded: Dale
 Voted Aye: Erik, Hensley, Erk, Dale, Lichtenberg.
 Voted Nay: None.
 Absent: Signorino
 Motion carried.

Agenda No. IX 1

~ Resolution 2015 – 405 ~

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF BONDS OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, INTO A SINGLE ISSUE OF GENERAL BONDS AGGREGATING \$6,160,000 IN PRINCIPAL AMOUNT

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit described in Section 2 hereof, authorized pursuant to bond ordinances of the local unit heretofore adopted, shall be combined into a single and combined issue of bonds in the principal amount of \$6,160,000.

Section 2. The principal amount of the bonds of the several issues of bonds to be combined into a single issue as above provided, the bond ordinance authorizing each of said several issues described by reference to its title and date of adoption, and the period or average period of usefulness determined in each of said bond ordinances are respectively as follows:

Principal Amount of Bonds	Title of Ordinance and Date of Adoption	Period or Average Period of Usefulness (in Years)
\$1,010,000 bonds	"Bond ordinance appropriating \$1,675,000, and authorizing the issuance of \$1,142,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally	9.17

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: December 16, 2015
 Time of Meeting: 6:30 pm
 Minute Page No: Page 21 of 29

	adopted on April 20, 2011 (#2011-04)	
\$310,140 bonds	“Bond ordinance providing for the improvement of Otterhole Road in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$565,000 therefore and authorizing the issuance of \$547,000 bonds or notes of the Township for financing such appropriation”, finally adopted on May 18, 2011 (#2011-07)	10
\$939,860 bonds	“Bond ordinance appropriating \$1,127,000, and authorizing the issuance of \$1,073,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on August 17, 2011 (#2011-15)	8.56
\$3,900,000 bonds	“Bond ordinance providing for the construction of a new library in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$5,400,000 therefor and authorizing the issuance of \$3,900,000 bonds or notes of the Township for financing such appropriation”, finally adopted on September 2, 2015 (#2015-13)	30

- Section 3. The following matters are hereby determined with respect to said combined issue of bonds:
- (a) The average period of usefulness, taking into consideration the respective amounts of obligations presently authorized to be issued pursuant to each of said bond ordinances, respectively, is twenty-two (22) years.
 - (b) The bonds of said combined issue shall be designated “General Bonds of 2016” and shall mature within the said average period of usefulness hereinabove determined.
 - (c) The bonds of said combined issue shall be sold and issued in accordance with the provisions of said Local Bond Law applicable to the sale and issue of a single issue of bonds.

- Section 4. The following additional matters are hereby determined, declared, recited and stated:
- (a) None of the bonds of the several issues of bonds described in Section 2 hereof has been heretofore sold or issued and the several bond ordinances described in Section 2 hereof have not heretofore been rescinded and now remain in full force and effect as authorizations for the amount of bonds set forth opposite the title of the several bond ordinances described in said Section 2 hereof.
 - (b) No bonds are authorized by any of the bond ordinances described in Section 2 hereof, except bonds in the amount set opposite the title of said bond ordinances in Section 2 hereof.
 - (c) The several purposes for the financing of which the bonds described in Section 2 hereof have been authorized to be issued pursuant to the respective bond ordinances described in Section 2 hereof are purposes for which bonds of this local unit may lawfully be issued pursuant to said Local Bond Law and are not purposes for which a deduction may be taken in any annual or supplemental debt statement of the local unit.

Section 5. This resolution shall take effect immediately.

Adopted: December 16, 2015

Agenda No. IX 2

~ Resolution 2015 – 406 ~

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF \$6,160,000 GENERAL BONDS OF 2016 OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, AND PROVIDING FOR THEIR SALE

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: December 16, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 22 of 29

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, AS FOLLOWS:

- Section 1. Terms of Bonds. The \$6,160,000 General Bonds of 2016 (the “Bonds”) of the Township of West Milford, New Jersey (the “Township”), referred to and described in the resolution adopted pursuant to the Local Bond Law of the State of New Jersey, by the Township Council of the Township on December 16, 2015, entitled “Resolution providing for the combination of certain issues of bonds of the Township of West Milford, in the County of Passaic, New Jersey, into a single issue of General Bonds aggregating \$6,160,000 in principal amount” and authorized by certain bond ordinances of the Township therein described, shall be dated the date of delivery thereof, shall bear interest payable semi-annually on January 15 and July 15 in each year, commencing January 15, 2017, expressed in a multiple of 1/8 or 1/20 of 1%, shall mature (subject to the option of the successful bidder to establish term bonds in accordance with the provisions of the notice of sale) in the principal amount of \$190,000 on January 15, 2017, \$200,000 on January 15 in each of the years 2018 through 2021, both inclusive, \$250,000 on January 15, 2022, \$300,000 on January 15, 2023, \$325,000 on January 15 in each of the years 2024 through 2028, both inclusive, \$335,000 on January 15, 2029, and \$380,000 on January 15 in each of the years 2030 through 2036, both inclusive, and shall each bear a distinctive number to distinguish if from all other Bonds of said issue.
- Section 2. Book-Entry-Only Bonds. The Bonds shall be issued by means of a book-entry system with no physical distribution of bond certificates made to the public. The Bonds shall be issued in registered form and bond certificates for each maturity will be issued to The Depository Trust Company, New York, New York (“DTC”), registered in the name of its nominee Cede & Co., and immobilized in its custody. A book-entry system will be employed, evidencing ownership of the Bonds in principal amount of \$5,000 or any \$1,000 increment in excess thereof, with transfers of ownership affected on the records of DTC and its participants pursuant to rules and procedures adopted by DTC and its participants. The successful bidder, as a condition to the delivery of the Bonds, will be required to deposit the bond certificates with DTC, registered in the name of Cede & Co. So long as Cede & Co. is the registered owner of the Bonds, principal and redemption price, if any, of and interest on the Bonds will be payable by the Township or its agent to DTC or its nominee as registered owner of the Bonds. The Bonds shall be executed in the name of the Township by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, under the seal of the Township affixed, imprinted or otherwise reproduced thereon and attested by the manual signature of its Township Clerk.
- Section 3. Redemption. (A) The Bonds maturing prior to January 15, 2027 are not subject to redemption prior to maturity at the option of the Township. The Bonds maturing on or after January 15, 2027 are subject to redemption prior to maturity at the option of the Township upon notice as described below in whole or in part, in any order of maturity and by lot within a maturity if less than all the Bonds of such maturity are to be redeemed, on any date on or after January 15, 2026, at a redemption price equal to 100% of the principal amount thereof, together with interest accrued, if any, to the date fixed for redemption.
- (B) The Bonds are subject to mandatory sinking fund redemption if the successful bidder specifies term Bonds in accordance with the provisions of the notice of sale for the Bonds. Any such term Bonds will be subject to mandatory sinking fund redemption at one hundred percent (100%) of the principal amount thereof, together with accrued interest to the date fixed for redemption, in the amounts and on the dates that would have been consecutive serial maturities had no term Bond designation been made.
- (C) Notice of redemption shall be given by first-class mail, postage prepaid, to the registered owners of the Bonds or portions thereof to be redeemed, not less than thirty (30) days nor more than sixty (60) days prior to the redemption date, but such mailing shall not be a condition precedent to such redemption and failure so to mail any such notice shall not affect the validity of any proceedings for the redemption of Bonds. If notice of redemption shall have been given as aforesaid, the Bonds or portions thereof specified in said notice shall become due and payable at the redemption price on the redemption date therein designated and if, on the redemption date, moneys for payment of the redemption price of all the Bonds to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, then from and after the redemption date interest on such Bonds shall cease to accrue and become payable. Less than all of a Bond in a denomination in excess of \$5,000 may be so redeemed, and in

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: December 16, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 23 of 29

such case, upon the surrender of such Bond, there shall be issued to the registered owner thereof, without charge therefor, for the unredeemed balance of the principal amount of such Bond, Bonds of like series, designation, maturity and interest rate in any of the authorized denominations.

Section 4. Form of Bonds. The Bonds shall be in substantially the following forms with such changes and modifications as may be required, necessary, convenient or desirable for delivery thereof (including the inclusion of mandatory sinking fund provisions if term Bonds are specified by the successful bidder):

THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC (the "Township"), a municipal corporation of the State of New Jersey, situate in said County of Passaic, hereby acknowledges itself indebted and for value received promises to pay to the above-stated Registered Owner or registered assigns, the above-stated Principal Amount on the above-stated Maturity Date upon presentation and surrender of this bond, and to pay to the registered owner hereof interest on such sum, from the date of this bond until it matures or is redeemed, at the above-stated Interest Rate per annum payable January 15, 2017 and semi-annually thereafter on July 15 and January 15 in each year. Principal or redemption price, if any, of this bond will be paid in lawful money of the United States of America at the office of the Chief Financial Officer, Municipal Building, 1480 Union Valley Road, West Milford, New Jersey. Interest on this bond will be payable by check or draft mailed to the registered owner hereof whose name appears on the registration books of the Township on January 1 and July 1 next preceding each interest payment date.

This bond is transferable only upon the books of the Township kept for that purpose at the office of the Chief Financial Officer, Municipal Building, 1480 Union Valley Road, West Milford, New Jersey (the "Transfer Agent"), by the registered owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or such duly authorized attorney, and thereupon the Township shall issue in the name of the transferee a new bond or bonds of the same aggregate principal amount and series, designation, maturity and interest rate as the surrendered bond. The Township, the Transfer Agent and any paying agent of the Township may treat and consider the person in whose name this bond is registered as the holder and absolute owner hereof for the purpose of receiving payment of, or on account of, the principal and interest due hereon and for all other purposes whatsoever.

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of the State of New Jersey, and as provided by resolution of the Township Council of the Township, entitled: "Resolution providing for the combination of certain issues of bonds of the Township of West Milford, in the County of Passaic, New Jersey, into a single issue of General Bonds aggregating \$6,160,000 in principal amount", adopted on December 16, 2015 and the bond ordinances referred to therein.

The bonds maturing prior to January 15, 2027, are not subject to redemption prior to maturity at the option of the Township. The bonds maturing on or after January 15, 2027, are subject to redemption prior to maturity at the option of the Township upon notice as described below in whole or in part, in any order of maturity and by lot within a maturity if less than all the bonds of such maturity are to be redeemed, on any date on or after January 15, 2026, at a redemption price equal to 100% of the principal amount thereof, together with interest accrued, if any, to the date fixed for redemption.

Notice of redemption shall be given by first-class mail, postage prepaid, to the registered owners of the bonds or portions thereof to be redeemed, not less than thirty (30) days nor more than sixty (60) days prior to the redemption date, but such mailing shall not be a condition precedent to such redemption and failure so to mail any such notice shall not affect the validity of any proceedings for the redemption of bonds. If notice of redemption shall have been given as aforesaid, the bonds or portions thereof specified in said notice shall become due and payable at the redemption price on the redemption date therein designated and if, on the redemption date, moneys for payment of the redemption price of all the bonds to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, then from and after the redemption date interest on such bonds shall cease to accrue and become payable. Less than all of a bond in a denomination in excess of \$5,000 may be so redeemed, and in such case, upon the surrender of such bond, there shall be issued to the registered owner thereof, without charge therefor, for the unredeemed balance of the principal amount of such bond, bonds of like series, designation, maturity and interest rate in any of the authorized denominations.

The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal of or redemption price, if any, and interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed, and that the issue of bonds of which this is one does not exceed any limitation imposed thereon by said Constitution or statutes.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: December 16, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 24 of 29

IN WITNESS WHEREOF, THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, and its corporate seal to be affixed, imprinted or reproduced hereon, and this bond and said seal to be attested by the manual signature of its Township Clerk and this bond to be dated the above-stated Dated Date.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE (FOR COMPUTER RECORD ONLY)

[Empty rectangular box for social security or other identifying number]

(Please Print or Typewrite Name and Address of Transferee)

the within Bond, and all rights thereunder, and hereby irrevocably constitutes and appoints _____ Attorney, to transfer the within Bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Section 5. Sale of Bonds and Publication of Notice. The Bonds shall be sold upon electronic bids submitted on either Grant Street Group's MuniAuction website or the Parity Electronic Bid System of i-Deal LLC (as shall be determined by the Chief Financial Officer of the Township after consultation with the Township auditor and bond counsel) on January 20, 2016 until 11:00 o'clock A.M. (or such other date or time as shall be determined by the Chief Financial Officer of the Township after consultation with the Township auditor and bond counsel) and the Township Clerk is hereby authorized and directed to (a) cause a notice of such sale to be published at least once, the first publication to be at least seven days prior to said sale in the "Herald News", a newspaper published in the County of Passaic, and circulating in the municipality, and (b) cause a summary of the notice of sale to be published at least once, the first publication to be at least seven days prior to said sale in "The Bond Buyer", a financial newspaper published and circulating in the City of New York, New York.

Section 6. Forms of Notices. Said notice of sale and said summary of notice of sale and shall be in substantially the following forms, respectively, with such changes and modifications as may be approved by the Chief Financial Officer of the Township after consultation with the Township auditor and bond counsel:

Section 7. Additional Matters Contained in Bonds. The Township Clerk is hereby authorized and, if necessary or advisable in the opinion of Hawkins Delafield & Wood LLP, directed (a) to cause the applicable CUSIP numbers (if any) assigned for each of said bonds by the CUSIP Service Bureau of Standard & Poor's Corporation of New York, New York, to be printed on the Bonds, and (b) to cause, in the event that the Bonds shall qualify for issuance of any policy of municipal bond insurance, at the option of the purchaser thereof, such legend or reference (if any) of such insurance to be printed (at the expense of such purchaser) on the Bonds in such form as shall be satisfactory to Hawkins Delafield & Wood LLP.

Section 8. Delivery of Related Documents. Upon the date of issue of the Bonds, being the date of delivery of the Bonds to the successful bidder and the payment of the purchase price thereof in accordance with the contract of sale, the Chief Financial Officer is hereby authorized and directed, as of the date of issue, to deliver to said bidder (a) an arbitrage and use of proceeds certificate with respect to the Bonds in such form as shall be satisfactory to Hawkins Delafield & Wood LLP under and for the purposes of Section 148 of the Internal Revenue Code of 1986, as amended to said date of issue (the "Code"), (b) an undertaking to provide continuing disclosure in order to assist said bidder in complying

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: December 16, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 25 of 29

with Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12") in a form satisfactory to Hawkins Delafield & Wood LLP and (c) such other documents as may be useful, necessary, convenient or desirable in connection with the issuance of the Bonds.

- Section 9. Delegation of Power to Award Bonds. The Township Council of the Township, as the governing body thereof, does by this resolution designate the Chief Financial Officer of the Township, or such other Township official as may be deemed appropriate, to sell and award the Bonds in accordance with the advertised terms of public sale. Said Chief Financial Officer or other Township official making such sale shall report in writing to this governing body at its next meeting thereafter as to the principal amount, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser. Such Chief Financial Officer or other Township official is hereby further authorized and directed to do and accomplish all matters and things necessary or desirable to accomplish the sale of the Bonds including, after consultation with the Township auditor and bond counsel, (a) adjusting the maturity schedule of the Bonds and (b) postponing and rescheduling from time to time the sale of the Bonds in accordance with the provisions set forth in the notice of sale and as provided by law.
- Section 10. Bank-Qualified Designation. The Bonds are hereby designated as "qualified tax-exempt obligations" pursuant to and for the purposes of Section 265(b)(3) of the Code, or to the extent the Bonds refund other obligations of the Township, the Bonds are "qualified tax-exempt obligations" pursuant to Section 265(b)(3)(D)(iii) of the Code. Not more than \$10,000,000 of obligations, including the Bonds, of the Township and all subordinate entities thereof are expected to be designated by the Township for purposes of Section 265(b)(3) of the Code. As of the date hereof, the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds, as referred to and defined in Section 141 of the Code and current refundings of other obligations of the Township), which will be issued by the Township and all subordinate entities thereof during the 2016 calendar year does not exceed \$10,000,000.
- Section 11. Preliminary Official Statement. All action taken to date by the officials, employees and agents of the Township with respect to the issuance of the Bonds, including the preparation of a Preliminary Official Statement with respect thereto be and the same hereby are approved, ratified, adopted and confirmed and the Chief Financial Officer of the Township is hereby authorized to deliver said Preliminary Official Statement for its use in the sale, resale and distribution of the Bonds. The Chief Financial Officer of the Township or such other Township official as may be appropriate is hereby authorized and directed to deem said Preliminary Official Statement final as of its date for purposes and within the meaning of Rule 15c2-12.
- Section 12. Final Official Statement. The execution, delivery and dissemination of a final Official Statement in substantially the same form as said Preliminary Official Statement with such changes, insertions and omissions as may be approved by the Chief Financial Officer of the Township with respect to the issuance of the Bonds by and on behalf of the Township, is hereby authorized, and the Chief Financial Officer of the Township or such other Township official as may be deemed appropriate is hereby authorized and directed to execute the same in the name and on behalf of the Township Council and is further authorized to deliver said final Official Statement in executed form for its use in the sale, resale and distribution of the Bonds. The execution of said final Official Statement by the Chief Financial Officer of the Township or such other Township official as may be deemed appropriate shall be conclusive evidence of any approval required hereby.
- Section 13. Actions to be Taken on Behalf of the Township. The Township Administrator, the Chief Financial Officer of the Township and the Township Clerk are hereby authorized to do all matters necessary, useful, convenient or desirable to accomplish the sale and delivery of the Bonds, including without limitation matters relating to the provision of electronic bids for the Bonds, the appointment of a redemption agent in connection with the issuance of term bonds, the obtaining of a credit rating for the Bonds and the filing of continuing disclosure materials on the Electronic Municipal Market Access website maintained by the Municipal Securities Rulemaking Board.
- Section 14. Prior Action. All action heretofore taken by Township officials and professionals relating to the sale of the Bonds is hereby ratified, confirmed, adopted and approved.
- Section 15. Effective Date. This resolution shall take effect immediately.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: December 16, 2015
 Time of Meeting: 6:30 pm
 Minute Page No: Page 26 of 29

Adopted: December 16, 2015

Agenda No. IX 3

~ Resolution 2015- 407 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF FUNDED AND UNFUNDED GENERAL CAPITAL IMPROVEMENT AUTHORIZATIONS AND BALANCE SHEET RESERVES

WHEREAS, certain General Capital Improvement Authorization balances and Reserves remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to Capital Surplus and deferred charges unfunded:

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford, that the following unexpended and dedicated balances of the General Capital Improvement Authorizations and Reserves be canceled:

Ordinance No.	Project Description	Funded	Unfunded
2002-27	ADA Improvements	\$532.00	
2008-41	Annual Fire Equip.	501.78	
2008-41	Annual Fire Equip.	150.85	
2009-18	I/T Computer Software	15.23	
2009-18	Knock Down Tools	3,792.20	
2011-19	Car Lift	21.95	
2009-18	Animal Control Software	8,840.00	
2011-19	Green Energy Retrofit Program match	3,713.51	
2012-15	UGL Stretchers		2.00
2012-15	Replace Rig WM First Aid		5,944.00
2013-10	New Generators		1,595.00
2013-10	Protective Masks		3,162.50
2013-10	2 Radar Units		240.00
2014-05	Replace Doors/Insulate Pipes		122.85
2014-05	Portable Light Tower		105.00
2014-05	Heavy Duty Rescue Truck		48,156.00
TOTAL		\$17,567.52	\$59,327.35
2012 Reserve	Chevy Caprice Fire Comm.	6,268.14	
2012 Reserve	New Generator Co. 6	300.00	
2012 Reserve	Sweeper	155.00	
2012 Reserve	ATV for Spec, Events	105.03	
TOTAL		\$6,828.17	

Adopted: December 16, 2015

Agenda No. IX 4

~ Resolution 2015 - 408 ~

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 2015 appropriation over and above the demand deemed to be necessary for the balance of the year:

APPROPRIATION	ACCOUNT NUMBER	TRANSFER PROPOSAL
Celebration of Events	30-420-581	3,950.00
PAL Monitoring	28-370-125	2,850.00
Hillcrest O.E.	28-374-628	5,250.00
TOTAL TRANSFERS OUT		\$12,050.00

WHEREAS, there appears to be insufficient funds in the following appropriations to meet the demands thereon for the balance of the 2015 budget year:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: December 16, 2015
 Time of Meeting: 6:30 pm
 Minute Page No: Page 27 of 29

APPROPRIATION	ACCOUNT NUMBER		TRANSFER PROPOSAL
Building S&W	22-195-101	1	5,400.00
Special Police S&W	25-244-101	2	3,800.00
Hillcrest S&W	28-374-100	3	2,850.00
TOTAL TRANSFERS IN			\$12,050.00

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 2015 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 16, 2015

Agenda No. IX 5

~ Resolution No. 2015 - 409 ~

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	\$348,589.07
3	Reserve Account	12,362.53
2	Grants	625.25
6	Refunds	140,844.59
1	General Ledger	6,281.25
26	Refuse	138,390.15
4	Capital	686,113.09
19	Animal Control	935.96
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	1,345.63
19	COAH	0.00
16	Development Escrow	4,842.23
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Library Escrow	0.00
Total		\$1,340,329.75
Less Refund Resolution		-140,844.59
Actual Bill List		\$1,199,485.16
Other Payments.		
P/R		494,705.99
BOE		4,506,715.00
Community Fire Co.		5,000.00
Total Expenditures		\$6,205,906.15

Adopted: December 16, 2015

Agenda No. X

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: December 16, 2015
Time of Meeting: 6:30 pm
Minute Page No: Page 28 of 29

Councilwoman Dale announced that the CASA dinner will be at the West Milford Elks on January 14th. She asked that it be posted on Channel 77 and that people RSVP because there are a limited number of seats. She also corrected the invitation RSVP date to January 2016, it currently says 2015.

Councilwoman Lichtenberg said she has certificates for outstanding video awards from JAM and wished everyone a great holiday.

Councilwoman Erik said she attended JAM awards hosted by JAG. West Milford submitted five videos and was honored for four. One submission was the recording of the senior Olympics. She said that all are filming with a new camera right now and all operators are fully trained.

Councilwoman Dale reminded everyone that this is Council President Erk's last meeting; she thanked her for all of her service and wished her good luck.

Mayor Bieri said that we were awarded a \$50,000 CDBG grant for an elevator at the teen center. The *drive sober or get pulled over* campaign is now in force. With the holidays coming up, she encouraged everyone to be safe. Mayor Bieri said that she attended a productive Wallisch meeting on December 9th and thanked the participants. She reminded everyone that the Elks had their memorial ceremony on Sunday the 6th and the Township had our Christmas tree lighting on 12/7. She wanted to say congratulations to the 190 couples she has married over the last 8 years. Mayor Bieri wished Happy Holidays to all residents, staff and officials and thanked Council President Erk for her service. It is also Township Administrator Gabbert's last meeting tonight. She thanked him and wished him well. The new direction does not subtract from his contributions.

Township Attorney Semrau said that this is his twelfth year. He explained that his first year here, Eagle Ridge was a major issue and that he learned a lot. He said this was a busy year and thanked Mayor for his appointment and the governing body. He said that Vivienne is very nice to sit next to and wished her well. He also thanked all the employees.

Mayor Bieri asked Township Administrator Gabbert to make sure that Bloomfield contract expires on 12/31/2015. The Township Administrator has made the health officer aware that it will not be renewed. Attorney Semrau asked for a motion to affirm that.

Attorney Semrau asked for a motion to affirm that the contract with Bloomfield Health will not be renewed.

Moved: Erik Seconded: Hensley
Voted Aye: Erik, Hensley, Erk, Dale, Lichtenberg.
Voted Nay: None.
Absent: Signorino
Motion carried.

Agenda No. XI

Appointments and Resignations

~ Resolution 2015 – 410 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ACCEPTING RESIGNATIONS TENDERED

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby accept the following resignation tendered to the Township:

Name	Position	Date Tendered
Celeste Hampton	Beautification and Recycling Committee Citizen Member Term expires 12/31/15	December 8, 2015

Adopted: December 16, 2015

Moved: Erik Seconded: Dale
Voted Aye: Unanimous voice vote
Voted Nay: None.

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Minute Page No: Page 29 of 29

Absent: Signorino
Motion carried.

Mayor Bieri announced the following Fire Appointments:

Aaron LeMay, Junior Fire Fighter (Co. # 4)
Christopher Ulmer, Junior Fire Fighter (Co. #4)

Agenda No. XII

Discussion Items

1.	Greenwood Lake Drawdown – Councilwoman Erik asked who is paying for this. She said that if the Greenwood Lake Bi-State Commission is doing this, they should have the funds. Councilwoman Dale asked if we had any past experience with the drawdown. Mayor Bieri said we have never been involved before. Councilwomen Erik said this is the eleventh hour just to meet DEP requirements. Councilwoman Dale noted that the Township engineer recommends that the Township not be involved in this process. She is not on board to assume this role. Councilwoman Erik said they don't even know who will be getting permits. Councilwoman Dale asked why not have the people involved to share the cost. Mayor Bieri said that the Commission is asking the Township engineer to handle the application. Councilwoman Lichtenberg said other lakes will want this help. Mr. Semrau said the township has taken an even handed approach with lake communities. He referenced the storm drain programs and cosigning loans. From a legal perspective we would need indemnification from all costs. This is a very specific request for very specific property owners. Councilman Hensley said they should be more organized. We may be interested in future years if they have all the information available but not for this drawdown.
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Agenda No. XIII

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 8:27 p.m.

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

Approved: February 17, 2016

MAYOR BETTINA BIERI, PRESIDING OFFICER

ANTOINETTE BATTAGLIA, TOWNSHIP CLERK