
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: December 17, 2014
Time of Meeting: 6:30 pm
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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 29, 2013 and January 5, 2014; 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 (arrived at 6:38 pm), Vivienne Erk, Michele Dale (arrived at 7:56 pm), Luciano Signorino, CarlLa Horton. Mayor Bettina Bieri
Absent: Township Administrator Kenneth Gabbert
Also Present: Township Clerk Antoinette Battaglia, Township Attorney Frederick Semrau

Mayor Bieri noted that Administrator Gabbert is absent tonight because of an unexpected death in his family. She conveyed condolences on behalf of the governing body.

Agenda No. I

Reading of or Approval of Minutes

None.

Agenda No. II

Executive Session

~ Resolution No. 2014 – 393 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 17th day of December 2014 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.
 - () 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.
 - Attorney-Client Privilege – DPW Director
 - ~~Attorney-Client Privilege – Personnel Policy~~
 - Attorney-Client Privilege – Wallisch Property
 - Contracts – PAL

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- Contracts – CS&R Director
- () 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 17, 2014

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

The Governing Body went into executive session at 6:38 p.m.
The Governing Body returned to the public meeting at 7:05 pm with all present as before.

Agenda No. III

Proclamation

Drive Sober or Get Pulled Over – Mayor Bieri read the proclamation and instructed the Clerk to mail it out.

Agenda No. IV

Presentations

Nomination Process – Mr. Semrau recalled there was discussion at the last meeting when there were more nominations than available positions. He reviewed past practices advising that there are two related issues. The first issue is the order of nominations. It has become a foot race. The second issue raised is that Council may want every nominee that gets voted on.

Order of nominations – Mr. Semrau acknowledged that it can be difficult to get nominations out fast enough. He suggested that for the reorganization meeting there be a rotating schedule for whomever will begin nominations for the various boards, committees & commissions. Each Councilperson could make one nomination and allow other Council people to nominate before making subsequent nominations. The agenda could note who would be first with nominations. If there is a list of candidates to be moved, perhaps it need not be so formal. The best suggestion he could make is to have the agenda noted with who goes first and then move down the list. Everyone would then know the ground rules. Over the last ten years there have not been any major disputes at reorganization meetings. Usually, if the governing body wants to get someone appointed they do. Council concurred with the proposed process.

Voting – Mr. Semrau reviewed the past practices. He suggested that the Council agree that a roll call vote shall be called in the order of nominations made. The clerk would have to keep track of nominations and positions available. There has been discussion about having everyone voted on. If there are 7 candidates for 5 positions and you vote on all 7, he asked where does it end. He said he does not have alternative suggestions. Council must vote and not vote on individuals they are not interested in. He recalled that someone has said that a roll should be called on each nominee and those with the most votes are considered appointed to the vacancy. He said it would be almost impossible to track it. In the past everyone has acted responsibly. Mayor Bieri said Mr. Semrau is recommending that the vote be in order of nomination and each Council member should vote yes or no as needed. Councilman Hensley said he would like to see each person voted on. If everyone gets 4 votes but the last person get unanimous consent that person with 6 votes should win out over the person with 4 votes. He does not understand the perceived difficulty. Councilwoman Horton agreed. Discussion ensued about specific committees where there is greater interest than seats available. Councilwoman Erik asked that Council liaisons provide attendance records for those committees where those records have not been provided to the clerk. Councilman Hensley asked for and received consensus to vote on all nominations. Mr. Semrau said he will have a resolution outlining ground rules for Council consideration at the reorganization meeting prior to nominations being made. He said it is important to clarify a process for possible tie breaks tonight.

The Council agreed to open the meeting to the public for this topic only.

Gary Steele, North Glenwood Road, West Milford said Council is rewriting Robert's Rules. Mr. Semrau said Robert's Rules are invoked only when there is a dispute. It is a resource of last resort. Mr. Steele said meetings are conducted under Robert's Rules. Nominees are treated equally regardless of the order of nomination. They are all treated equally. All candidates should have the opportunity to be voted on. He said it is spelled out in the code and he read it. The code requires that each office is dealt with

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separately. He said Mr. Semrau is proposing the elimination of candidates. He said the reorganization is going to be a mess. He said Mr. Semrau's advice has been incorrect. There has been confusion at many reorganization meetings.

Councilwoman Erik made a motion, seconded by Councilman Signorino to close the public portion of the meeting. Motion was carried by unanimous voice vote.

Discussion ensued as to how each office is classified and determined. Mayor Bieri asked if Council wants to continue voting if there is a tie. Discussion ensued about how ties can be achieved and Councilwoman Erik suggested that the liaison to a committee be allowed to break the tie. Mr. Semrau suggested that if after voting for all nominees there is an excess number of votes that carry, do not appoint anyone that evening, move them to the February workshop, at which time the Council can either reorganize the committee or vote with the existing number. The Council agreed.

Agenda No. V

Public Comments

Gary Steele, North Glenwood Road, West Milord continued his commentary on the nominating process quoting from Robert's Rules of Order.

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

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

Agenda No. VI

Unfinished Business, Final Passage of Ordinances

Agenda No. VI 1

~ Ordinance 2014 – 012 ~

AN ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING ORDINANCE 2007-032 CONCERNING SALARIES AND COMPENSATION FOR TEMPORARY, SEASONAL AND PART-TIME EMPLOYEES

BE IT ORDAINED by the Township Council of the Township of West Milford, in the County of Passaic, State of New Jersey, that pursuant to Chapter IV entitled Personnel of the Revised General Ordinances of the Township of West Milford, New Jersey, 1976 the following employees here below stated shall be classified by job title with the corresponding pay ranges:

1. TEMPORARY, PART-TIME AND SEASONAL EMPLOYEES

<u>Job Title</u>	01/01/2011	01/01/2012	01/01/2013	01/01/2014	01/01/2015
Special Police Officer – Class I	\$19.80	\$20.04	\$20.36	\$20.72	\$20.93
Special Police Officer – Class II (with 200 hrs of training & firearm qualified)	\$20.56	\$20.81	\$21.14	\$21.52	\$21.74
Night Rate (additional per hour) (12:00 midnight to 7:00 a.m.)	\$1.50	\$1.50	\$1.50	\$1.50	\$1.50
Municipal Court Attendant	\$19.80	\$20.04	\$20.36	\$20.72	\$20.93

2. CLOTHING ALLOWANCE – Special officers qualify for a clothing and maintenance allowance of up to \$350.00 annually. \$175.00 payable on or about December 1 of each year for those officers working a minimum of 35 hours since January 1 of that year, with an additional payment of \$2.50 each hour worked in addition to the minimum 35, with the total allowance not exceeding \$350.00 regardless of the number of all hours worked.

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3. HOLIDAY PAY – Officers shall be entitled to time and one-half pay for all hours worked on New Year’s Day, Memorial Day, July 4th and December 25.
4. CALL-OUTS – All callouts are payable for time worked, with a minimum of two hours pay.
5. GENERAL PROVISIONS – Any ordinance or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to such extent as they are in conflict or inconsistent.
6. EFFECTIVE DATE – This ordinance shall take effect upon final passage and approval in accordance with law.

INTRODUCED: December 3, 2014
ADOPTED: December 17, 2014
EFFECTIVE DATE: January 6, 2015

This ordinance was introduced on December 3, 2014 and the Notice of Public Hearing was published in the Herald News on December 7, 2014.

The Mayor opened the meeting to the public to speak on this ordinance only.

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

Motion to adopt ordinance.

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

Agenda No. VI 2

~ Ordinance 2014 – 011 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 63, “ALCOHOLIC BEVERAGES”, SECTION 7 “TRANSFER OF LICENSES; EXCEPTION; MEASUREMENT” OF THE TOWNSHIP CODE TO ELIMINATE AND REPEAL THE DISTANCE LIMITATIONS RELATING TO ISSUANCE OF LIQUOR LICENSES

This ordinance was introduced on November 12, 2014 and the Notice of Public Hearing was published in the Herald News on November 23, 2014.

Council President Erk said that in reviewing additional information and speaking to residents, she believes our obligation is to existing businesses in the Township. We should support existing businesses before inviting new business in. Existing businesses have passed up on lucrative deals to play by the rules. Perhaps this rule could be changed in increments over time and the Council should get input from the planning & zoning boards before making such decisions.

The Mayor opened the meeting to the public to speak on this ordinance only.

Angelo Juliano, Wayne said he is the owner of the license. The positive effects of eliminating the 2,500-foot rule would be that it could reduce incidents of intoxicated driving. This rule was adopted years ago when bars were located close together in Greenwood Lake. He said the benefit is that you are opening up Greenwood Lake as a resource on the New Jersey side. Everyone now patronizes businesses on the New York side because there is no such business on the New Jersey side of the lake. This rule is too stringent. He is willing to work with the Cottage Cove community to reconfigure the docks, he will update docks, and will conform to all requirements. It is opportunity to open up the lake as a destination, increase revenue, and add jobs. He said he is not seeking to compromise other business owners. Competition is the American way.

Tom McGurr, Olcott Road, West Milford said he is the landlord of Jessie’s Country Kettle and lives on Olcott. He has gone out of business 5 times. The business environment for bars is very fragile. It is hard to make money. The existing layout for the old Lakeview premises is no longer legal. He gave specifics. He is taxed at \$19,600 for his bar. He is not lakefront or center of town. This will afford him a right to appeal his taxes. He said their property should be taxed as commercial property. He has many issues with this property. They used to have live music at nights causing a nuisance. They do not have bathroom facilities for docks. Will they open an adult entertainment facility, he asked.

Ted Hajek, 30 Cedarbrook Road, West Milford said he has been a West Milford resident since 1954. He has raised some historical points about the distance between liquor licenses and he cautioned the

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Council that they may be setting a bad precedent by changing this restriction. He said the proposed change would allow bars at many other locations in town where they are not wanted. He listed some possible locations where there could be an impact on residential neighborhoods where residents were happy when former bars closed. He said pizza parlors in town could end up with liquor licenses and there could potentially be three or four licenses establishments in the Shop Rite center. This may hurt existing businesses and affect planning board decisions.

Warren Gross, Long Pond Road, West Milford has been a resident for over 20 years. He said the Council can make everyone happy. The owner of the Lakeview property should get more dock space there and be allowed to stack boats on racks. She should open a good restaurant. A BYOB where her patrons could stop at local liquor stores. This would limit owner's liabilities. Someone was killed at this bar years ago because it is close to the road. It would be a better family business. That would solve the problem. If you pass this ordinance Shop Rite will open up a liquor store and A&P will too.

John Reed, 1930 Greenwood Lake Turnpike, West Milford said he lives close to this proposed bar. He has lived a nightmare when there was a bar there in the past. There were many issues including noise, urination, and pot smoking. The boat use there now does not help his property values but it is better than a bar. He asked Council to defeat this ordinance.

Alyson Intveld, 17 Cottage Cove, West Milford said she has been here many times to speak about problems about the prior bar owner. She asked Council to consider these issues. There are lake problems, septic problems, disorderly conduct, garbage and use of a residential lot for commercial purposes. Only one person is asking for this change. This change will bring problems back to her neighborhood. She supports business growth but West Milford is a family town and the property owner can develop a better business plan. The request for a change is from someone who wants her boating customers to drink and then drive a boat. West Milford does not have patrols on the lake. Who will protect other boaters & swimmers from drunken boaters? She asked Council to be true to the voice of the people who want the West Milford quality of life protected. They want people to come to West Milford for positive reasons, not drinking & boating.

Birgit Ricker, 27 Cottage Cove, West Milford said residents are opposed to this ordinance. She provided facts about current licenses in West Milford as well as data from the 2010 census. There are 32 licenses in town seven of which are either pocket or inactive. There are ten liquor establishments within a 3-mile radius of the old Lakeview premises. West Milford has one liquor license per 830 residents when it should be on per every 3,000. In Hewitt, there are about 7,500 residents. The concentration of liquor licenses is four times that of state guidelines. They want to see a viable business at this location. Returning a liquor license to this address will only further a poor reputation for West Milford. The perception of West Milford out of town is one of a hick town in which people who drink to excess. There is an issue of zoning on this property which plays a large role. Why were residents not notified of a variance application that changed the zoning? She questioned the legality of that. What are the implications? Residents live there to enjoy the lake and they pay extra taxes for that. How will the residents be compensated for the loss to the quality of life?

Jim Aiello, 20 DeHart Avenue, Hewitt said that the main problem is there are 32 licenses in town. That is enough for 96,000 people. There are 25 licenses which equates to the recommended amount for a population of 75,000 people. That means businesses are struggling. Bars are shutting down. What do you do with the unused licenses? What can Mr. Juliano do with his license? He will not operate his license at Lakeview. He proposes that the Township should consider buying back the pocket licenses. The town has been unable to revoke licenses even though some are over 5 years old as pockets. With smoking restrictions and reduced legal limits, many people do not frequent bars or licensed premises. He asked Council to consider these issues. At one time this was a resort area, it is now a residential area. This distance ordinance is the only protection for licensees.

Marilyn Lichtenberg, 37 Hudson Drive, West Milford said she is speaking as a citizen. She quoted from the ordinance. She asked if the Township has been impractical. We have more licenses than the state allows. This will open up potential for too many licensed premises in close proximity to each other. We want to help businesses but we do not want to become the liquor capital of the state. Was this reviewed by the planning & zoning boards? Was the police chief consulted? The property owner purchased this business knowing there was no license there. A restaurant could be opened without a liquor license. This will open up problems for the Township. This will create future issues for existing businesses in town.

Elena Dykstra, Kitchell Lake Drive, West Milford said when she purchased the business she did not know about the distance requirements. She wants to withdraw involvement in opening a licensed establishment. She will operate the property based on the laws. She feels bad and does not want to hurt anybody's business or neighborhood.

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Councilwoman Erik made a motion to close public comments, seconded by Councilwoman Dale and carried by unanimous voice vote.

Councilwoman Erik said that Latitude 41 is on the New Jersey side of the lake. Every week Council gets updates from police and every week there are DUI arrests. There will be more DUI's if there are more licensed establishments. She will be voting no.

Mayor Bieri said she only votes if there is a tie. As mayor she tries to make decisions in the best interest of the Township. She has come up with 9 points. She cannot support the language in the ordinance. Cottage Cove will be negatively impacted so it is hard to separate issues. Existing licensees have abided by existing standards. Eliminating them is unfair and this is an unfair precedent. Had these rules not existed more businesses could have opened in these years. That is unfair advantage. This gives the appearance of preferential treatment. This is not a hardship case. The license was purchased as a pocket. There is a significant side effect of this change, where the value of existing licenses would diminish. Government should not be in charge of market volatility. A family style restaurant could be opened at this location and many non-licensed restaurants are very successful. A BYOB would be a good fit to provide for safety. She is very business friendly and rarely leaves town. While it is important to support new businesses but the Township must also support existing businesses. She believes that there would be a possibility of detrimental effects with this ordinance. She thinks this could result in market saturation. There are a lot of banks, pizzerias, pharmacies and delis in town center. It is less about population & percentages. We are saturated with liquor-licensed establishments in the center of town. If this does come to a tie, her vote will be no.

Motion to adopt ordinance 2014-011.

Moved: Erik Seconded: Dale
Voted Aye: None
Voted Nay: Erik, Hensley, Erk, Dale, Signorino, Horton
Motion defeated.

Agenda No. VIII

New Business, Introduction of Ordinances, Resolutions

Mayor Bieri asked to move Resolutions 2014-394, 2014-396, 2014-397, 2014-398, 2014-399, 2014-400, 2014-401, 2014-402, 2014-403 as well as Consent Agenda 2014-404 as one.

Moved: Horton Seconded: Signorino
Voted Aye: Erik, Hensley, Erk, Dale, Signorino, Horton.
Voted Nay:
Motion carried.

Agenda VIII 1

~ Resolution 2014 – 394 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONSTRUCTION CONTRACT TO MIKE FITZPATRICK & SON, INC. FOR THE WESTBROOK ROAD – SECTION 3 PROJECT

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on December 5, 2014 at 10:00 am for the resurfacing of Westbrook Road, between the Kitchell Lake Dam and the Ringwood Borough line, as per the bid specifications; and

WHEREAS, the Township of West Milford received eight (8) bids for this contract; and

WHEREAS, said bids have been duly reviewed and analyzed by the West Milford Township Engineering Division and the Township Attorney; and

WHEREAS, the bid received from the low bidder Mike Fitzpatrick & Son, Inc. has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from account number 04-215-55-822-007; and

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

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1. The Township Council hereby awards a contract to Mike Fitzpatrick & Son, Inc., 18 Cozy Lake Road, Oak Ridge, NJ 07438 for the Westbrook Road – Section 3 project subject to the review and approval of the New Jersey Department of Transportation in an amount not to exceed \$598,875.00.
2. The Mayor and Township Clerk be and are hereby authorized and directed to execute a contract with Mike Fitzpatrick & Son, Inc. in accordance with its bid for said resurfacing of Westbrook Road, between the Kitchell Lake Dam and the Ringwood Borough line, in the Township of West Milford.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: December 17, 2014

Agenda VIII 2
~ Resolution 2014 – 395 ~

NUMBER NOT USED

Agenda VIII 3
~ Resolution 2014 - 396 ~

RESOLUTION F 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 17, 2014

Agenda VIII 4
~ Resolution 2014 – 397 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF THE DONATION OF OFFICE FURNITURE FROM CELGENE CORPORATION, SUMMIT, NJ 07901

WHEREAS, Celgene Corporation has offered furniture of use and value to the Township, and

WHEREAS, the Township has need for the furniture in the Health Department, and

WHEREAS, the Township wishes to accept the following items:

- 1) One-12 foot long combination drawer and door cabinet base with lab-top black
- 2) One-8 foot drawer and door cabinet base
- 3) Six-4 foot long x 3 foot high sliding glass door wall mount cabinet

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- 4) One-30 inch deep x 5 foot long x 32 inches high sliding door storage cabinet with Formica Top Wood Grain

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey wishes to accept the donation. The Township is grateful to the Celgene Corporation for this donation.

Adopted: December 17, 2014

Agenda VIII 5

~ Resolution 2014 – 398 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ACCEPTING & RATIFYING FUNDING GUIDELINES FOR THE WEST MILFORD FIRE DEPARTMENTS

WHEREAS, the Township Council of the Township of West Milford has authorized the creation of funding guidelines to be adhered to by the six fire departments in the Township who receive public funding from the Township, and

WHEREAS, the Chiefs of the six fire departments have collaborated with the Township Attorney and the Council Liaison to the Fire Departments to prepare funding guidelines that will allow for greater transparency and improved reporting.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey do hereby accept and ratify funding guidelines for the six fire departments within the Township; and

BE IT FURTHER RESOLVED that the Township Council may seek to modify or expand upon said guidelines in collaboration with the Fire Chief's Association in the future if such amendments are found to be necessary and/or beneficial to either party; and

BE IT FURTHER RESOLVED that the funding guidelines shall be distributed, at a minimum, to each fire department, the Township Administrator, the CFO and a copy shall be maintained on file in the Office of the Township Clerk.

Adopted: December 17, 2014

Agenda VIII 6

~ Resolution 2014 – 399 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO DYKSTRA WALKER DESIGN GROUP PA FOR SURVEY WORK ASSOCIATED WITH THE PROPERTIES DESIGNATED AS BLOCK 12001 LOTS 16, 19 AND LOTS 17, 18 IN THE TOWNSHIP OF WEST MILFORD IN AN AMOUNT NOT TO EXCEED \$9,200.00

WHEREAS, with the creation of a dedicated source of tax revenue ("Open Space Trust Fund") for the acquisition of open space, the Township has worked hard in attempting to obtain various parcels of land throughout the Township for open space purposes; and

WHEREAS, as a result, the Township recently authorized the purchase of certain parcels of land for open space, designated as Block 12001, Lots 16, 19 (Ascher property) and Lots 17, 18; and

WHEREAS, with this potential acquisition, there is a need to prepare a certified survey of the subject parcels to meet the requirements for professional land surveying services issued by NJDEP Green Acres and ACSM Standard requirements; and

WHEREAS, the Township wishes to retain Dykstra Walker Design Group PA for the purpose of assisting the Township in its potential acquisition with the professional land surveying work as outlined in its Scope of Services Agreement dated November 13, 2014 associated with the parcels designated as Block 12001, Lots 16, 19 (Ascher property) and Lots 17,18; and

WHEREAS, the total amount of the contract shall not exceed \$9,200.00; and

WHEREAS, funds are available for this purpose; and

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WHEREAS, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; and

WHEREAS, Dykstra Walker Design Group has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that the 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 Dykstra Walker Design Group 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 bid and the contract itself must be made available for public inspection.

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Dykstra Walker Design Group PA with offices located at 21 Bowling Green Parkway, Suite 204, Lake Hopatcong, NJ 07849, to assist the Township with the performance of work and preparation of a certified survey for the property parcels designated as Block 12001, Lots 16,19 (Ascher property) and Lots 17,18 in an amount not to exceed \$9,200.00, and in accordance with its Scope of Services Agreement dated November 13, 2014, available in the Clerks Office for public inspection.
2. This contract is awarded without competitive bidding as the total price of the contract shall not exceed the \$17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3.
3. The total fee authorized for this contract shall not exceed \$9,200.00 without the prior written approval of the Township Council.
4. The Political Contribution Disclosure Form and Business Disclosure Entity Certification shall be available in the Clerk Office.
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 Treasurer and Dykstra Walker Design Group 21 Bowling Green Parkway, Suite 204 Lake Hopatcong, NJ 07849, for their information and guidance.

Adopted: December 17, 2014

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~ Resolution 2014 – 400 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO FOUNDATION TITLE, LLC FOR TITLE COMMITMENT AND SEARCH WORK ASSOCIATED WITH THE PROPERTIES DESIGNATED AS BLOCK 12001 LOTS 16, 19 AND LOTS 17, 18 IN THE TOWNSHIP OF WEST MILFORD IN AN AMOUNT NOT TO EXCEED \$1,734.00

WHEREAS, with the creation of a dedicated source of tax revenue (“Open Space Trust Fund”) for the acquisition of open space, the Township has worked hard in attempting to obtain various parcels of land throughout the Township for open space purposes; and

WHEREAS, as a result, the Township recently authorized the purchase of a certain parcels of land for open space, designated as Block 12001, Lots 16,19 (Ascher property) and Lots 17,18; and

WHEREAS, with this potential acquisition, there is a need for title commitment, assessment and judgment and related search work in accordance with NJDEP Green Acres requirements; and

WHEREAS, the Township wishes to retain Foundation Title, LLC for the purpose of assisting the Township in its potential acquisition with the searches and title commitment searches as outlined in its

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estimate dated November 10, 2014 associated with the property designated as Block 12001, Lots 16, 19 (Ascher property) in an amount of \$1,309.00 and Lots 17, 18 in an amount of \$425.00; and

WHEREAS, the total amount of the contract shall not exceed \$1,734.00; and

WHEREAS, funds are available for this purpose; and

WHEREAS, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; and

WHEREAS, Foundation Title, LLC has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that the 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 Foundation Title 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 bid and the contract itself must be made available for public inspection.

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Foundation Title LLC with offices located at 65 Madison Avenue, Suite 250 Morristown, NJ 07960 to assist the Township with the work and preparation of searches and title commitment searches for the property designated as Block 12001, Lots 16, 19 (Ascher property) and Lots 17, 18, in an amount not to exceed \$1,734.00, and in accordance with its estimate dated November 10, 2014, available in the Clerks Office for public inspection.
2. This contract is awarded without competitive bidding as the total price of the contract shall not exceed the \$17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3.
3. The total fee authorized for this contract shall not exceed \$1,734.00 without the prior written approval of the Township Council.
4. The Political Contribution Disclosure Form and Business Disclosure Entity Certification shall be available in the Clerks Office.
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 Treasurer and Foundation Title LLC, 65 Madison Avenue, Suite 250 Morristown, NJ 07960 for their information and guidance.

Adopted: December 17, 2014

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~ Resolution 2014 – 401 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO PK ENVIRONMENTAL FOR THE WORK ASSOCIATED WITH AND THE PREPARATION OF A PRELIMINARY ASSESSMENT REPORT ASSOCIATED WITH THE PROPERTIES DESIGNATED AS BLOCK 12001 LOTS 16, 19 AND 17, 18 IN THE TOWNSHIP OF WEST MILFORD IN AN AMOUNT NOT TO EXCEED \$2,750.00

WHEREAS, with the creation of a dedicated source of tax revenue ("Open Space Trust Fund") for the acquisition of open space, the Township has worked hard in attempting to obtain various parcels of land throughout the Township for open space purposes; and

WHEREAS, as a result, the Township recently authorized the purchase of certain parcels of land for open space, designated as Block 12001, Lots 16, 19 (Ascher property) and Lots 17, 18; and

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WHEREAS, with this potential acquisition, there is a need to complete a Preliminary Assessment Report (PAR) in identifying any areas of concern (AOC) or recognized environmental conditions (REC) in accordance with NJDEP Green Acres requirements; and

WHEREAS, the Township wishes to retain PK Environmental for the purpose of assisting the Township in its potential acquisition with the performance of work and preparation of a Preliminary Assessment Report (PAR) as outlined in its Scope of Work and Cost Proposal dated November 10, 2014 associated with the property designated as Block 12001, Lots 16, 19 (Ascher property) and Lots 17, 18; and

WHEREAS, the total amount of the contract shall not exceed \$2,750.00; and

WHEREAS, funds are available for this purpose; and

WHEREAS, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; and

WHEREAS, PK Environmental has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that the 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 PK Environmental 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 bid and the contract itself must be made available for public inspection.

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with PK Environmental with offices located at 205 Main Street, PO Box 1066, Chatham, NJ 07928, to assist the Township with the performance of work and preparation of a Preliminary Assessment Report (PAR) for the property designated as Block 12001, Lots 16, 19 (Ascher property) and Lots 17, 18, in an amount not to exceed \$2,750.00, and in accordance with its Scope of Work and Cost Proposal dated November 10, 2014, available in the Clerks Office for public inspection.
2. This contract is awarded without competitive bidding as the total price of the contract shall not exceed the \$17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3.
3. The total fee authorized for this contract shall not exceed \$2,750.00 without the prior written approval of the Township Council.
4. The Political Contribution Disclosure Form and Business Disclosure Entity Certification shall be available in the Clerks Office.
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 Treasurer and PK Environmental, 205 Main Street, P.O. Box 1066, Chatham, NJ 07928, for their information and guidance.

Adopted: December 17, 2014

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~ Resolution 2014 – 402 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY FOR THE CANCELLATION OF DRIVE SOBER OR GET PULLED OVER RECEIVABLE AND APPROPRIATION GRANT BALANCES

WHEREAS, there is a receivable in the amount of \$68.70 and an appropriation in the amount of \$68.70 from the State of New Jersey, 2014 Drive Sober or Get Pulled Over Grant and,

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WHEREAS, this receivable is no longer collectible as revenue and the remaining appropriation will not be expended

NOW, THEREFORE, BE IT RESOLVED that the receivable and budget appropriation be cancelled to current fund balance.

Adopted: December 17, 2014

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~ Resolution 2014 – 403 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY FOR THE CANCELLATION OF NJDEP GREENWOOD LAKE PHASE II (319h) RECEIVABLE AND APPROPRIATION GRANT BALANCES

WHEREAS, there is a receivable in the amount of \$49,553.91 and an appropriation in the amount of \$26,925.62 from the State of New Jersey, 2007 NJ DEP Greenwood Lake Phase II (319h) Grant and

WHEREAS, this receivable is no longer collectible as revenue and the remaining appropriation will not be expended

NOW, THEREFORE, BE IT RESOLVED that the receivable and budget appropriation be cancelled to current fund balance.

Adopted: December 17, 2014

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~ Resolution 2014 – 404 ~

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

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

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

Resolutions:

- a. **2014-405** – Peddler’s License
- b. **2014-406** – Cancel Tax Lien Premiums
- c. **2014-407** – Cancel Tax Lien Certificates
- d. **2014-408** – Duplicate Tax Sale Certificate 78-108
- e. **2014-409** – Duplicate Tax Sale Certificate 91-50
- f. **2014-410** – Refund Overpayments
- g. **2014-411** – Refund Other Liens
- h. **2014-412** – Reinstate Taxes
- i. **2014-413** – Various Licenses

Applications:

- a. Application for Social Affair Permit by St. Joseph Church for February 15, 2015.

Adopted: December 17, 2014

Agenda IX a

~ Resolution 2014 – 405 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING A PEDDLER’S LICENSE TO ROGER DREW, T/A DOGGIN AROUND FOR THE LICENSE YEAR 2015 WITH CONDITIONS

WHEREAS, Roger Drew, t/a Doggin Around, has filed with the Township Clerk’s Office an application for a Peddler’s License pursuant to Section §263-1, et al; and

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WHEREAS, applicable departments have reviewed the application and the history of this peddler's license; and

WHEREAS, pursuant to Section §263-6, peddling shall not be permitted at a stationary location; and

WHEREAS, a review of the application and history indicates that on July 1, July 21, September 8 and September 25, 2010, while the applicant was previously licensed, it was identified as operating as a "stationary" vendor without a zoning or outdoor event permit from the Township; and

WHEREAS, a further review of the application and history indicates that on August 23, September 20, 21, 27 and October 5, 2014 while the applicant was licensed and with knowledge of Resolution 2011-064 continued on the dates above to violate Section §236-6 of the West Milford Township Code without obtaining a zoning or outdoor event permit from the Township; and

WHEREAS, an appeal hearing was held regarding the above violations of the Peddler license on November 25, 2014 with the Township Clerk and Health Director regarding applicants history and was found in violation of the Peddlers License ordinance; and

WHEREAS, this type of stationary activity is inconsistent with the Township Code and provisions of the licensing permit issued by the Township of West Milford.

NOW THEREFORE, BE IT RESOLVED, the Peddlers License issued to Roger Drew t/a Doggin Around shall be revoked for the remainder of 2014, and

BE IT FURTHER RESOLVED, by the Mayor and Township Council of the Township of West Milford, that pursuant to Sections §263-1 through §263-7 of the Township Code, a Peddler's License shall be issued to Roger Drew t/a Doggin Around for the license year 2015 with the following conditions:

1. In the event the peddler, Roger Drew is found to have operated as a stationary vendor an immediate two (2) year revocation of said Peddler's License shall occur by the Township Clerk's Office and the peddler shall not have the right to operate within the Township and that no additional appeals are available in lieu of the applicant's history and appeal hearing held on November 25, 2014.
2. The applicant shall keep a copy of this resolution with his license issued for the 2015 license year.
3. That a copy of this resolution shall be provided to the Township Health Department, Zoning Officer and the Chief of Police who is the enforcement authority pursuant to Section §263-7 of the Township Code.

Adopted: December 17, 2014

Agenda IX b

~ Resolution 2014 - 406 ~

A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CANCELLATION OF TAX LIEN PREMIUMS

BLOCK / LOT	CERTIFICATE NO.	DOLLAR AMOUNT
1910-3	09-019	\$7,100.00
3603-8	09-039	\$2,000.00
TOTAL		\$9,100.00

Adopted: December 17, 2014

Agenda IX c

~ Resolution 2014 - 407 ~

A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF TAX LIEN CERTIFICATES

WHEREAS, the Township Tax Collector of the Township of West Milford sold liens to the municipality; and

WHEREAS, as a result of such tax sale, the Tax Collector has issued Tax Lien Certificates with respect to property formerly known as:

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BLOCK & LOT	CERTIFICATE NO.	LIEN AMOUNT
202-37.02	08-002	\$436.96
5706-4	11-054	\$1,111.75
7104-7	14-0053	440.27
TOTAL		\$1,988.98

WHEREAS, the outstanding lien has been redeemed and the amount has been paid to the Tax Collector to satisfy the obligation; and

WHEREAS, the Tax Collector recommends that these Tax Lien Certificates be executed for cancellation of record and recorded with the Passaic County Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford in the County of Passaic, State of New Jersey that the Mayor is hereby authorized to execute the cancellation of West Milford Tax Lien Certificates and the Township Attorney may then forward same with the Passaic County Clerk for cancellation of record.

Adopted: December 17, 2014

Agenda IX d

~ Resolution 2014 – 408 ~

A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATE #78-108 PERTAINING TO DUDLEY STREET BLOCK 11002 LOT 1

WHEREAS, West Milford Township is the owner of Tax Sale Certificate 78-108 relating to Dudley Street, Block 11002, Lot 1 in the Township of West Milford; and

WHEREAS, the original Tax Sale Certificate originally issued in connection with this matter has been lost and cannot be located; and

WHEREAS, the Tax Sale Certificate is held by the Township of West Milford; and

WHEREAS, the laws of the State of New Jersey provide for a municipality to issue a new Tax Sale Certificate to replace the lost certificate; and

WHEREAS, the Township of West Milford has submitted an Affidavit of Lost Tax Sale Certificate in connection with this matter.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of West Milford, in the County of Passaic, and State of New Jersey that the Tax Collector is hereby authorized to issue a duplicate Tax Sale Certificate # 78-108 pertaining to Dudley Street, Block 11002, Lot 1 in the Township of West of West Milford.

BE IT FURTHER RESOLVED that this replacement Tax Sale Certificate shall have the same full force and effect as the original certificate issue by the Township.

This Resolution shall take effect immediately.

Adopted: December 17, 2014

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~ Resolution 2014 – 409 ~

A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATE #91-50 PERTAINING TO UPPER GREENWOOD ROAD BLOCK 2405 LOT 18

WHEREAS, West Milford Township is the owner of Tax Sale Certificate 91-50 relating to Upper Greenwood Road, Block 2405, Lot 18 in the Township of West Milford; and

WHEREAS, the original Tax Sale Certificate originally issued in connection with this matter has been lost and cannot be located; and

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WHEREAS, the Tax Sale Certificate is held by the Township of West Milford; and

WHEREAS, the laws of the State of New Jersey provide for a municipality to issue a new Tax Sale Certificate to replace the lost certificate; and

WHEREAS, the Township of West Milford has submitted an Affidavit of Lost Tax Sale Certificate in connection with this matter.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of West Milford, in the County of Passaic, and State of New Jersey that the Tax Collector is hereby authorized to issue a duplicate Tax Sale Certificate # 91-50 pertaining to Upper Greenwood Road, Block 2405, Lot 18 in the Township of West of West Milford.

BE IT FURTHER RESOLVED that this replacement Tax Sale Certificate shall have the same full force and effect as the original certificate issue by the Township.

This Resolution shall take effect immediately.

Adopted: December 17, 2014

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~ Resolution 2014 – 410 ~

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

REASONS:

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

Block/ Lot	Name	Amount	Year	Reason
705-3	Lereta, Att: Central Refunds 1123 Park View Drive, Covina, CA 91724	\$2,725.00	2014	2
1204-2	Wells Fargo R.E. Tax Service LLC Att: Financial Support Unit MAC X2301-02C, 1 Home Campus Des Moines, IA 50328-0001	\$14,791.90	2014	1
1401-8	Refund Department Corelogic Real Estate Tax Service PO Box 961250, Fort Worth, TX 76161-9858	\$1,522.00	2014	2
3012-7	Cynthia Walsh & Roger La Pointe PO Box 399, Hewitt, NJ 07421	\$250.00	2014	3
4015-4	R. & K. Lilienkamp 4 Shepard Road, Hewitt, NJ 07421	\$250.00	2014	3
4107-4	Blue Virgo Capital Management LLC 1441 Broadway Suite 5010 New York, NY 10018	\$1,994.36	2014	1
4901-5	Gregory Leytes & Yelena Sokolova 22 Kitchell Lake Drive, West Milford, NJ 07480	\$1,498.22	2012	6
4901-5	Gregory Leytes & Yelena Sokolova 22 Kitchell Lake Drive West Milford, NJ 07480	\$1,540.31	2013	6
4901-5	Gregory Leytes & Yelena Sokolova 22 Kitchell Lake Drive West Milford, NJ 07480	\$1,584.61	2014	6
5006-5	Bruce & Darlene Kohan 131 Rockburn Pass West Milford, NJ 07480	\$250.00	2014	3
5311-1.04	FWDSL & Associates LP 5 Cold Hill Road South Suite 11 Mendham, NJ 07945	\$4,420.35	2014	2
5504-2.05	Peter & Katherine Falco 1205 Richmond Road	\$250.00	2014	3

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Block/ Lot	Name	Amount	Year	Reason
	West Milford, NJ 07480			
5606-5	Drew Murray, 230 West Parkway, Suite 3A Pompton Plains, NJ 07444	\$2,397.00	2014	2
5904-15	K. & B. Ribuffo, 141 Mt. Circle Drive South West Milford, NJ 07480	\$250.00	2014	3
6002-11	Alan & Robin Wheeler 620 Morsetown Rd, West Milford, NJ 07480	\$5,874.53	2012	6
6504-8	Gerald & Linda Rogala 20 Rutgers Ave, West Milford, NJ 07480	\$250.00	2014	3
6605-9.02	Peter & Pat Lucas 19 Louis Ave, West Milford, NJ 07480	\$250.00	2014	3
6802-1	Refund Department Corelogic Real Estate Tax Service PO Box 961250, Fort Worth, TX 76161-9858	2,156.00	2014	2
7005-6	Ronald Shaw 34 Windsor Road, West Milford, NJ 07480	\$250.00	2014	3
7307-3	R. Jerome Jabbour, Atty. 107 Washington St, Morristown, NJ 07960	\$2,362.00	2014	2
7510-4	Michael & Dolores Flynn 27 Pinecliff Lake Dr. West Milford, NJ 07480	\$250.00	2014	3
7620-1	Edward W. Martin, LLC Attorney at Law, 48 Ringwood Avenue Ringwood, NJ 07456	\$1,914.00	2014	2
7801-3.05	Douglas & Joanne Berrian 127 Lake Park Terrace, Hewitt, NJ 07421	\$71.45	2014	1
7801-36.07	Albert & Donna Cerafice 36 G Salem Alley, West Milford, NJ 07480	\$250.00	2014	3
9401-23	Refund Department Corelogic R.E. Tax Service PO Box 961250, Fort Worth, TX 76161-9858	\$1,344.95	2014	2
9704-15	Thomas A. Lovoti 7 Garret Court, West Milford, NJ 07480	\$250.00	2014	3
10502-27.02	Lereta , Att: Central Refunds 1123 Park View Drive, Covina, CA 91724	\$2,084.06	2014	2
10510-9	Refund Department Corelogic Real Estate Tax Service PO Box 961250, Fort Worth, TX 76161-9858	\$1,792.00	2014	1
10801-4	Leon & Judith Moskowitz 93 Lindy Drive, West Milford, NJ 07480	\$250.00	2014	3
10816-2	Joseph & Amy Berkemeyer 302 Maple Road, West Milford, NJ 07480	\$250.00	2014	3
10901-21	Refund Department Corelogic Real Estate Tax Service PO Box 961250, Fort Worth, TX 76161-9858	\$4,156.00	2014	1
11202-1	Brian & Terry Titchworth, 1342 31 st Street Place NE, Conover, NC 28613	\$2,059.00	2014	2
11902-1	Refund Department Corelogic R.E. Tax Service PO Box 961250, Fort Worth, TX 76161-9858	\$2,174.00	2014	2
12102-4	Russell & Carol Wright 36 Sweet Briar Road, West Milford, NJ 07480	\$250.00	2014	3
13202-13	Susan Pady 10 Macopin Terrace, West Milford, NJ 07480	\$1,180.32	2012	6
13202-13	Susan Pady 10 Macopin Terrace, West Milford, NJ 07480	\$1,213.48	2013	6
13202-13	Susan Pady, 10 Macopin Terrace, West Milford, NJ 07480	\$82.27	2014	6
15201-3	Refund Department Corelogic Real Estate Tax Service PO Box 961250, Fort Worth, TX 76161-9858	\$2,317.00	2014	2
15203-1	Stanley & Helene Blaustein 33 Rabbit Run Dr, Newfoundland, NJ 07435	\$250.00	2014	3
16004-15	Beattie Padovano Attorney Trust Antimo A. Del Vecchio Esq. Beattie Padovano, LLC	\$1,278.45	2010	6

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Block/ Lot	Name	Amount	Year	Reason
	50 Chestnut Ridge Road, PO Box 244 Montvale, NJ 07645-0244			
16004-15	Beattie Padovano Attorney Trust Antimo A. Del Vecchio Esq. Beattie Padovano, LLC 50 Chestnut Ridge Road PO Box 244, Montvale, NJ 07645-0244	\$1,090.61	2011	6
16006-1.01	Beattie Padovano Attorney Trust Antimo A. Del Vecchio Esq. Beattie Padovano, LLC 50 Chestnut Ridge Road PO Box 244, Montvale, NJ 07645-0244	\$13,657.37	2010	6
16304-14	Wells Fargo R. E. Tax Service LLC Att: Financial Support Unit MAC X2301-02C 1 Home Campus, Des Moines, IA 50328-0001	\$1,984.00	2014	2
TOTAL		\$85,015.24		

Adopted: December 17, 2014

Agenda IX g

~ Resolution 2014 – 411 ~

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
11-068	04/19/2011	07516-007	\$47,341.09	LIEN TIMES LLC 203 STEPHENS ROAD WEST MILFORD, NJ 07480
12-0038	03/27/2012	02702-006	\$39,220.44	SINGH REAL ESTATE 555 LINCOLN DRIVE WEST SUITE 100 MARLTON, NJ 08053
14-0039	10/14/2014	05317-002.19	\$4,021.24	SUNSHINE ST CERT V/BANU UNITED TTE 7900 MIAMI LAKES DR. WEST MIAMI LAKES, FL 33016
14-0045	10/14/2014	05714-003	\$15,056.70	ASB HOLDINGS 30 N LYLE AVE TENAFLY, NJ 07670
14-0059	10/14/2014	07801-020.06	\$6,198.44	MTAG CUST CAZ CREEK NJ LLC PO BOX 54303 NEW ORLEANS, LA 70154
Grand Total			\$111,837.91	

Adopted: December 17, 2014

Agenda IX h

~ Resolution 2014 – 412 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND 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.

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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
5316-3.06	Lauri Salladay	\$872.00	2014
11702-9	Harold Tuman	\$2,417.00	2014
2611-4	Lenora Mongulla	\$300.00	2014
6002-34	Gagliano Company, LLC	\$6,489.00	2014
4403-8	Peter Quinn	\$1,555.00	2014
3701-5	Laurel Avenue Associates LLC dba / AA Chem Dry of North Jersey	\$2,806.00	2014
TOTAL		\$14,439.00	

Adopted: December 17, 2014

Agenda IX i

~ Resolution 2014 - 413 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2015

WHEREAS, applications have been made for the new licenses and the renewal of various Licenses for the 2015 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 2015 Licenses as listed below and;

2015 TAXI OWNER LICENSES	
Lic No. 2015-03	Douglas Business Services, Inc. dba Lakeland Limousine Services
2015 TAXI DRIVER LICENSES	
Lic No. 2015-03	Douglas Business Services, Inc. Douglas Townsend
2015 PEDDLER LICENSES	
Lic No. 2015 – 03	DOGGIN AROUND Roger Drew with Conditions See Resolution 2014-405
2015 SECOND HAND PRECIOUS METALS	
2015-01	J Alexander Fine Jewelry LLC Alexis Randolph
2015-02	Jewelry Repair Center LLC Linda A. Leaman
2015 POOL TABLE LICENSES	
2015-05	M&M Discount Liquors Inc. Bonnie Mano

Adopted: December 17, 2014

Agenda No. X

Approval of Expenditures

~ Resolution No. 2014 – 414 ~

RESOLUTION APPROVING THE PAYMENT OF BILLS

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
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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	\$620,746.60
3	Reserve Account	143.63
2	Grants	56,713.99
6	Refunds	196,853.15
1	General Ledger	143.82
26	Refuse	353.10
4	Capital	608,229.43
19	Animal Control	290.00
19	Heritage Trust	167.04
19	Open Space Trust	0.00
19	Trust	47,962.11
19	COAH	0.00
16	Development Escrow	1,537.00
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
Total		\$1,533,139.87
	Less Refund Resolution	-196,853.15
	Actual Bill List	\$1,336,286.72
	Other Pyts.	
	Payroll	552,790.06
	Board of Education	4,461,686.00
	DCRP	528.11
	Total Expenditures	\$6,351,290.89

Adopted: December 17, 2014

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

Agenda No. XI

Reports of Administrator, Mayor and Council Members

Councilwoman Erik said she got a letter tonight from a company she met at NJLM conference in November. They will be sending free samples and she asked the clerk to give the information to the Administrator. She wished everyone a Merry Christmas.

Councilman Hensley said there was an EDC meeting last week. They are working on an upcoming car show and he asked for Council consensus to have them proceed. Council gave consent to move forward with that concept. Councilman Hensley said the car show is tentatively scheduled for May 16th at Bubbling Springs and the commission is trying to iron out details. They may need to obtain a permit waiver to allow parking on the grass because that is not generally allowed in Bubbling. Mayor Bieri said that it has been allowed in the past for car shows. She asked that EDC check with volunteer fire company #3 who has annual car show in May. Councilman Hensley said there is a fee to enter and proceeds will be deposited into the EDC trust account and the EDC would have to seek Council consent to disburse those funds. Councilman Hensley said there was discussion at the EDC about having an economic redevelopment zone. They would seek planning board input. He asked Mr. Semrau to speak about that and he asked for consensus to have the planning board look into determining if there is an area in town that would qualify. Mr. Semrau said if there are sites that are blighted or under utilized they could be identified and rezoned for redevelopment. The town can have programs with payments in lieu of

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taxes to entice developers to invest in those properties. That is an incentive to bring in redevelopment. There would be redevelopment agreements. Mr. Semrau said the Council could ask the planner to identify potential areas that may qualify. This applies to blighted areas. Mayor Bieri noted that Mr. McGroarty is scheduled to address Council on another matter in January and she asked if Council would like him to report on this at that time. Council agreed and the Mayor asked Mr. Semrau to reach out to Mr. McGroarty and ask him to include a preliminary review at that meeting too. Councilman Hensley said the RAC met and they are excited to welcome a new director and looking forward to becoming more functional as a committee.

Council President Erk said the Cable TV Committee continues to have audio problems with the cable channel. They ordered an amplifier to try to fix the problem. She asked for consensus to have a cable TV commission formed to help get grant money and become in charge of equipment. Council gave consensus and Mr. Semrau was instructed to draft an ordinance. Council President Erk said we still need volunteers with technical experience. She thanked Mike Dygos for filming the Council meetings. She said the watershed legislation will be introduced by Assemblywoman DeCroce between now and the end of month and she commended Mr. Semrau for all his work on that.

Councilman Signorino thanked Mr. Semrau for sending a letter to DEP regarding an ATV facility.

Councilwoman Horton said the MUA is asking next Council to consider waiving fire inspection fees which they will find difficult to pay. She said she missed the Senior Committee holiday party and is sorry. In closing, there have been ups and downs during her three year term. She is proud of the respect shown on the dais. She thanked her Council colleagues, the Mayor, Administrator, Attorney and Clerk. It has been a privilege to serve for the past three years.

Mayor Bieri thanked Councilwoman Horton for her work on Council for past 3 years. She noted that Gail Kahler from CS&R will retire after over 25 years of service adding that the seniors adore her. Marlene Terhune will take her place and she wishes her luck. She wished Ms. Kahler good luck in retirement. Many people in this community have suffered losses & hardships this year. Her thoughts and prayers are with those. She wished everyone a happy holiday & a happy New Year.

Mr. Semrau thanked Councilwoman Horton for her service and for the opportunity to work with her. The watershed legislation is scheduled for introduction during the next few weeks. That will also allow it to be promoted during the next few months. He will have lobbyist come to a future meeting to discuss the process with the Council. He believes that next year Newark watershed values will be reset at better numbers and he commended the efforts of the governing body. Mayor Bieri said Mr. Semrau has been the driving force behind this legislation and it is appreciated.

Councilwoman Dale thanked Councilwoman Horton saying it has been a pleasure working with her.

Administrator's Report - Mayor Bieri said she has a brief report from Administrator Gabbert. Council was updated on grit status. Council has said we will not purchase any more white grit. There is leftover supply from last year. It will be utilized until supply is depleted. Storm costs for November storm were \$120,622 and in total for this season \$1 million. The state did a gypsy moth egg mass survey and is expecting outbreaks in the Township. We do qualify for spraying and are getting staff input. Unanticipated revenue from scrapped vehicles was over \$20,000. Some departments have alerts available online including CS&R and the tax department. Interested parties can sign up on the website. The Administrator will distribute fire department callouts. Holiday banners have been ordered and an agreement signed with O&R.

Agenda No. XII

Appointments and Resignations

~ Resolution 2014 - 415 ~

MAYOR'S APPOINTMENT OF TIMOTHY ROETMAN AS DIRECTOR OF COMMUNITY SERVICES AND RECREATION IN ACCORDANCE WITH §15-62 OF THE TOWNSHIP CODE

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advise and consent to the Mayor's appointment of Timothy Roetman to the position of Director of Community Services and Recreation in accordance with section §15-62 of the Township Code at a starting salary of \$75,000.00.

Adopted: December 17, 2014

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Mayor Bieri said

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

Councilwoman Horton nominated Michael Vreeland to the MUA, seconded by Erik. No other nominations were made. Councilwoman Erik made a motion, seconded by Councilman Signorino and carried by unanimous voice vote to close the nominations.

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

Mayor Bieri appointed the following person(s) based on the recommendation from the Fire Commissioner:

Daniel M. Hahn, Fire Fighter – Macopin Volunteer Fire Company (Co. #4)
Kevin R. Klosz, Fire Fighter – Macopin Volunteer Fire Company (Co. #4)

Agenda No. XIII

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 9:15 p.m.

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

Approved: January 21, 2015

MAYOR BETTINA BIERI, PRESIDING OFFICER

ANTOINETTE BATTAGLIA, TOWNSHIP CLERK