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

Minutes of: Governing Body Regular Meeting  
Date of Meeting: December 19, 2018  
Time of Meeting: 6:30 pm  
Minute Page No: Page 1 of 30

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The Regular Meeting of the Governing Body was called to order by Mayor Michele Dale.

**Adequate Notice Statement**

Mayor Dale 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 February 11, 2018; copies were provided to the Suburban Trends, the Record and Star Ledger and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Agenda No. I

**Pledge of Allegiance**

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

Agenda No. II

**Roll Call**

Present: Councilmembers Andrena Pegel, Mike Hensley, Tim Wagner, Peter McGuinness  
Luciano Signorino, Patricia Gerst, Mayor Michele Dale  
Absent: None  
Also Present: Township Administrator/Clerk Antoinette Battaglia, Township Attorney Dawn Sullivan

Agenda No. III

**Reading of or Approval of Unapproved Minutes**

December 5, 2018 Executive Session  
December 5, 2018 Workshop Meeting

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Moved: McGuinness                      Seconded: Gerst  
Voted Aye: Pegel, Hensley, Wagner, McGuinness, Gerst  
Voted Nay: None  
Abstained: Signorino  
Motion Carried:

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Agenda No. IV

**Meetings**

Mayor Dale noted the future meeting schedule:

January 2, 2019 Reorganization Meeting  
January 2, 2019 Workshop Meeting  
January 16, 2018 Regular Meeting

Agenda No. V

**Proclamations**

None

Mayor Dale said on Monday, December 17<sup>th</sup> a monumental event took place in West Milford Township. In a collaborative effort with the MUA Commissioners, former Mayor Bieri, Administrator Battaglia, Township Attorney Fred Semrau, CFO Ellen Mageean and Suez, the Township closed on the MUA sale. She said the sale has provided for the health and safety of the entire Township and particularly for the 1,700 former MUA users. The transaction has brought in over five million dollars in revenue that will, by law, be dedicated to the Township's debt. She noted that this type of transaction has never been done in the State of New Jersey. As a Councilwoman in 2015, they started this venture to develop a plan to ensure the sustainability of the critical services of the MUA. She was proud to be a part of that team that fostered the idea of the plan; it was realized and it brought a big win to the overall benefit of the Township and its residents. She extended her utmost respect and gratitude to all of those mentioned. She thanked them for all their hard work and dedication to the sale. She invited Carol Hardy, MUA Chair, to the podium to speak.

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Carol Hardy, MUA Chair – Said the MUA Commissioners appointed by the Council in 2012 have never been a part of the operations before that time. For this reason, they are held harmless for what she calls the original conditions. This Board was the beginning of change for the Authority. The Board was made up by mostly users of the system and the goal was clearly to attend to MUA business only and the best interest of their fellow users. She thanked her fellow commissioners and employees. She said when she applied to be on the Board, she asked the Township Council if she can count on their support and accept her application. She said, sadly, that support never came. Coupled with a lack of communication with the Township Council, it was the biggest disappointment to her. In spite of the setback, the facilities went from unsalable properties in just five years to more than a five million dollar windfall for the Township. In spite of the slippery slope they traversed. She noted that she has two takeaways; the volunteers that love to serve our community deserve the full support of the Township Council and she does not know all that is behind the Rice notice for the Administrator. Releasing the Administrator at this time is not in the best interest of the people of the Township of West Milford. Financial transactions between the MUA and the Township will not be finalized for another 30-45 days. The auditor has clearly stated that the MUA Administrator and Township Administrator should complete these tasks together. She thanked the Council Liaisons CarlLa Horton and Michele Dale.

Agenda No. VI

**Presentations**

Liquor License Transfer – Plenary Retail Consumption License 1615-33-013-009 Frank Festa Jr. to Lake Front Liquors LLC

Administrator Battaglia said that this is a standard procedure when a liquor license changes hands. It is required by state statute. She noted that there were no objections to the transfer of this license.

Mayor Dale opened the meeting to the public to speak on this liquor license transfer only.

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

Agenda No. VII

**Rice Notice – Public Discussion**

1.	Discussion: Township Administrator: Councilman McGuinness said he is not speaking in public yet until he speaks to Mr. Corrigan. He expressed that he never spoke to Mr. Corrigan and he wants to know the proper procedure, language and ramifications. Councilman McGuinness made a motion, seconded by Councilman Signorino for executive session. Mayor Dale noted that Mr. Corrigan, Labor Attorney, was not present yet so they can't move to executive session. Councilman McGuinness withdrew his motion until the attorney arrives and Councilman Signorino withdrew his second. The Labor Attorney arrived. Councilman McGuinness made a motion, seconded by Councilman Signorino, to move to executive session to discuss the contract.
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Agenda No. VIII

**Executive Session**

~ Resolution 2018 – 331 ~

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 19<sup>th</sup> day of December, 2018 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
    - PBA/SOA Negotiations

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- ( ) 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.
( ) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
(X) 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 19, 2018

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

The Governing Body went into executive session at 6:43 p.m.
The Governing Body returned to the public meeting at 7:06 p.m. with all present as before.

Rice Notice – Public Discussion Cont.

Table with 1 column and 1 row. Content: Discussion: Township Administrator: Mr. Corrigan, Labor Attorney, provided preliminary comments regarding the discussion because it is important and there should be a framework for the discussion to understand why they are doing it this way. He said the Council intends to have a discussion regarding the Administrator's position, performance and other things. Normally, such a discussion would take place in a private session to protect the employee's privacy rights. Under the New Jersey Case Law, the person who is affected has the option to decide if they want the discussion in private or public. He noted that the Administrator has chosen to have the discussion in public and it is her right to do so. She has waived her privacy rights. He said the best way to do this is to have an uninterrupted discussion. At the conclusion of the discussion, if the Mayor or Council have any questions, they can ask those questions and the Administrator has the right to respond. Councilman Signorino said that Mr. Corrigan mentioned performance twice and this is a concern to him. He asked if that was a mistake. Mr. Corrigan said it is up to the Council to discuss whatever they want. Mr. Corrigan said there should not be a discussion on personnel issues. Councilman McGuinness expressed that they want to discuss the position. Mr. Corrigan said at the end of the discussion, it will be up to Mayor Dale if the Administrator should have the right to respond to the discussions. He said the discussion may begin. Councilman Signorino said he asked for the discussion and he has been on the dais for eight years. He tries to remove personalities and emotions from the decisions that are made. For some time now, this is something that he thought long and hard about when it comes to the Administrator's position. It grew more concerning to him and the opportunity has evaded him until now. He thanked the Council for allowing the discussion. He said it is tough because people get emotional and political and things get foggy and truth gets hidden and overlooked. It has been his belief for some time now that they need a full time Administrator and not a split role. He said the residents deserve to have a full time Township Administrator. He noted that they need someone solely dedicated to the management of the Township and that is the main concern. He said he appreciates everyone listening to him. Councilman McGuinness said he is serving his second year as a Councilman; this is not a personal issue, it is how you run a business and there should be a head CEO. He believes with 3.5 employees in the Clerk's Office and 2.5 in the Administrator's Office, the savings is clear to him as a business owner and how he analyzes the budget. He said that Ms. Battaglia can submit an application for the Administrator's position and possibly get hired as the full time Administrator. He said he felt this way for the past two years. He expressed that there needs to be a boss in charge at all times to maximize efficiency. Councilwoman Pegel said she feels the same way.

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She is a small business owner and the Township does need a full time Administrator to make the Township run efficiently and effectively. She is looking at this as a business decision. Councilman Hensley expressed that he is finishing his sixth year as a Councilman and he has seen full time Administrators. He said that Ms. Battaglia could probably take on another position in this Township and do a better job than previous full time administrators. He noted that she helped effectuate the sale of the MUA, which was no small task. He said this move to rice the Administrator is astounding and even if they do get a great full time administrator, it will take that person multiple years to be able to hold a candle to who we have now. It is the facts. He said he does not recall Councilman Wagner ever saying to the Administrator that she didn't meet his requests while he was the Acting Mayor. Councilman Wagner said he does not appreciate name calling and personal attacks. He said Councilman Hensley does not know the experience or conversations he had with Administrator Battaglia. He said the question is how many Administrators' Reports do they receive on an annual basis. He noted that there has been a decline in the Administrator's Reports and as a taxpayer; a full time administrator is much needed. Councilman Hensley noted that Councilman Wagner is finishing up his third year and he has not experienced anyone else besides Ms. Battaglia. He expressed that the previous administrators were not responsive answering his requests and that is not his experience with Ms. Battaglia. Councilwoman Gerst explained that the rice notice is not a personal issue or an attack. She said it hit the papers and everyone's mindset is the Council is attacking the Administrator. She expressed that it is simply a discussion on the position. In her point of view, when you have a Township especially the size of West Milford, they are best served to have two separate positions. She noted they are very high level positions and they should not be held by the same person. She said it is unfair to ask one person to do both roles because they can't possibly hold both the positions at a 100% optimal level. Things will fall by the wayside and that is nature because the positions are so important. If they are able to split the positions, the current Administrator can very well have a discussion if she would like to continue as Administrator but give up the Clerk position. It gets very counterproductive. Councilman Hensley asked the entire Governing Body to please think about performance because Ms. Battaglia's performance has been phenomenal. He said by having Ms. Battaglia fill two positions, the Township is blessed with a huge tax savings. He said the Governing Body is not able to speak to Ms. Battaglia's performance because they can't say anything bad. He noted, in this case, two people doing the job better than one is wrong. She provides a huge tax savings to the Township because she is able and willing to perform both functions. There have been no complaints to his knowledge about the efficiency in the Clerk's Office and Administrator's Office. He asked the Governing Body to tell him how Administrator Battaglia disappointed them as the Administrator. Councilman Signorino said the reason they had a discussion of merging the positions of Clerk and Administrator is because they were about to make changes to the previous administrator. He said former Mayor Bieri had a discussion with him about the change of merging the positions. It was what was needed to be made back then at that time. He expressed, that at this time, the Township needs a full time administrator. He said it is factual and practical and it needs to be done. Mayor Dale noted that she has been the Mayor for four weeks and she has not heard anything from the Council until the end of her first meeting. Not one Councilperson reached out to her to express their concerns regarding splitting the roles, performance issues or ideas about changing the role. She was blindsided on the dais at her very first meeting as new Mayor. She said she had two weeks to work with Administrator Battaglia and worked with her in her previous role as a councilperson and had no issues with her performance. Mayor Dale expressed that Administrator Battaglia was always incredibly responsive, accurate and always provided the information she needed or required to fulfill her role as a councilperson. She said the biggest thing that sticks out in her mind about the discussion this evening is that the Council opted to spend \$65,000 West Milford taxpayer dollars on an efficiency study. She reviewed the study in great depth and she plans on reviewing it until she has it memorized by department to understand why the study cost \$65,000 West Milford taxpayer dollars. She read the section about Administration and the Clerk's Office and all the information she gathered stated it was a great move to have Administrator Battaglia in a dual role. There was nothing that called out inefficiencies or deficiencies. Councilman McGuinness said it states in the efficiency report moral amongst Department Heads. Mayor Dale said anybody can go on the Township website and look at the efficiency study. If anyone disagrees with her, they are welcome to visit her or send her an email.

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She said the efficiency study showed her that the Council has failed the public of West Milford. She noted that the study suggests they make significant investments to the municipality and there is nothing in the study that identifies cost savings. She encouraged the public to take the time because it was their taxpayer dollars to read the study and identify the cost savings because she will gladly sit down with any residents that can point that out to her. She said she has had limited time in the roll of Mayor to make a judgement call and/or observe the Administrator in her roll. Thus far, she has observed that the Administrator successfully, without fail, saw through one of the largest transactions that have ever taken place in the history of West Milford to conclusion with great success. The sale brought five million dollars to the public debt that was created as a municipality for various reasons. To say they want to split the role at a critical time for the next 30-45 days within the transaction time is ludicrous and she does not understand why. At the end of the day it does not make sense. She encouraged everyone to look at the efficiency study. Councilman Signorino said he did not need the efficiency study to tell him how he feels about separating the positions. He said they have the tools in the Township but they are not being used. He mentioned that he makes tough decisions and a lot of times they are unpopular. He is basing his decision on his experience as a business owner and a Councilman. Councilman McGuinness noted in 2004, West Milford Township voted to have this form of Government. He said they had to sell a utility because it was mismanaged for years. He said if the facility was not mismanaged, the Township could have sold it in ten years for \$20 million. He noted that everybody in the Township, on the dais, the Mayor and Administrator and Assistant Clerk helped with the sale to make it as smooth as possible. He thinks everyone had a hand in the success of the sale. Councilman Signorino made a motion to terminate the administrator's contract. Mayor Dale said that she has a right to recognize the employee that they are speaking about this evening and she plans on doing that. She asked the Council if they plan on doing the same. The Governing Body gave consensus. Councilman Hensley asked if the Governing Body would like to hear from the general public regarding the position. Mayor Dale said the public has an opportunity to speak at the public portion. At this time, she said she will recognize Administrator Battaglia. Ms. Sullivan reminded everyone that this is not a public hearing or a back and forth. This is an opportunity for the employee to be recognized and then the matter will move on. Mayor Dale said Ms. Battaglia sat quietly to listen to the Council's discussion and she asked that the Council give her the opportunity to finish what she has to say. Antoinette Battaglia, 55 Fieldstone Trail, Sparta, NJ, thanked Mayor Dale for recognizing her and giving her the opportunity to address her and the Council. She said she prepared a statement, which she will read and for the record, she has made copies of her comments along with the back-up documents. She provided copies of her statement and comments to the public and the Governing Body which are on file in the Clerk's Office. Ms. Battaglia said they did close on the MUA on Monday. It was a momentous occasion for West Milford and she is proud, despite the fact that she is working in two rolls that it came to conclusion. She said comments were made about mismanagement of the MUA and there is nobody in the Township for a multitude of years, who is responsible for the condition of the MUA, even when it was first established in the 1960's. Those plants were already over capacity when the ordinance was adopted to form the MUA. She does not support any comments that would imply that any Township employee or anyone serving the Township was responsible in any way for the condition of the MUA. She commended the Governing Body for moving forward with the sale. She expressed that every staff member in the Township contributed to the successful conclusion of the sale of the MUA. She mentioned that the Council did spend \$65,000 in 2018 on an efficiency audit. The audit did point out that there are a lot of efficiencies already being realized in the Township and that is not because of the Administrator or Clerk; that is because of all the employees working together regardless of the budgets that are passed and the challenges we face every day. We work together as a unit to provide all the services to the municipality. She thanked Mayor Dale for allowing her the time to speak. Councilman Signorino made a motion to terminate the current contract with the Administrator. Councilwoman Gerst said that Councilman Signorino's name was mentioned so he is entitled to a Point of Order. Mayor Dale said she will get clarification from Mr. Corrigan. Mr. Corrigan said this is not a back and forth, however, there were specific allegations raised about Councilman Signorino and Councilman Wagner and he thinks it's fair to let them respond to those specific allegations. He asked Councilman Signorino to continue only on the issue that was raised against him. Councilman Signorino said he would rather not dignify some of the comments that were made.



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Pat Restaino, 108 Timber Lane, Newfoundland – Said having lived and worked in town for over 40 years, he has seen many administrators come and go. There are two types of people that come in to be an administrator in the town. Most of them stay 2-3 years at most and it takes them about two years to find out what is going on in the Township. He expressed that Antoinette has been here a long time and as far as a citizen goes, she has done a good job. She is responsive and always responds in a timely manner. He urged the Council to hold off on the resolution until January because the people of West Milford elected two new council people. He said to do this at the last meeting with a lame duck Council does not sound right.

Pam Jordan, 1911 Clinton Road, Hewitt – Noted that the people are not moving in the same direction as the Council. She said the Council is not basing this on performance, pay or cost. She asked what it is based on and said maybe there is a fix.

Marilyn Lichtenberg, 37 Hudson Drive, West Milford – Mentioned that she is speaking tonight as a citizen and she is a council elect. She said the residents of West Milford overwhelmingly voted for a Mayor and two new council members. The two new council members do not take their positions until January. She feels that the Council is not giving the new Mayor a chance to work together with Administration and the Council to succeed and bring the best services to the residents of the Township. The new Mayor has been in office for less than a month. She expressed that this appears to be a political maneuver to cause disruption in the Township.

Tamara Jordan, Bald Eagle – Noted that she is very upset by this entire situation. In her opinion, this is politics because people are leaving and they want to jam this through. She said there are two new councilwomen that want to work for the people of West Milford and do the right thing. The way things are going, they will not be given the opportunity to do so. The information that was provided by Ms. Battaglia was quite disturbing. Unfortunately, she said she has witnessed irate things on her own. She believes Ms. Battaglia and what she has gone through. The timing of this whole situation is wrong because she wanted to do the right thing and now all of a sudden the Council wants to get rid of her. Now they are going to put more of burden on the taxpayers in the Township. She asked when it is going to end. She has seen things but she won't bring them up. It is time that the people of West Milford start attending the meetings, speaking out and voting. They have to know what is going on in this Township. She urged the residents to stand up and fight and not put up with this any longer.

Ada Erik, Macopin Road – Said she is speaking as a taxpayer and she agrees with what Ms. Tamara Jordan said and that is why she ran for Council and that is why she got elected. She did not get elected to represent her opinion; she got elected to represent their opinion. She said she has known Antoinette since she came into town long before she was elected. Anything she ever asked for was given to her on the spot. No one knows more about West Milford than Antoinette. When someone gives her a complaint, she calls Administration and gets an answer right away. She said she has been coming to these meetings for years and they have been through all kinds of administrators and it will take someone two years minimum to learn anything about the Township, especially the change in Government. She said the Council is making a mockery out of the Government.

John Bossolt, Lake Park Terrace, Hewitt – Thanked Councilman Signorino and Councilman Wagner. He said there are a lot of people who are not in favor of Ms. Battaglia. He noted that pending matters and personnel issues are confidential. He said that he does not know anyone on the Council personally. He suggested that the Council start talking to Township employees and Department Heads to find out what has been kept from them.

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

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Moved: McGuinness                      Seconded: Gerst  
Voted Aye: Unanimous voice vote  
Voted Nay: None  
Motion carried.

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Agenda No. X

**Council Comments**

Councilman Hensley – Spoke about military history and said there are great life lessons that could be learned by studying history. He noted that he is licensed to teach in the State of New Jersey. He spoke about the time when Napoleon decided to invade Russia. He said what happened tonight is a direct political sabotage against Mayor Dale and Administrator Battaglia. He expressed that this is politics of the worst form and it couldn't have happened at a more inappropriate time. The Council did not give one reason or one shred of evidence for their reasoning. He does not buy it and he hopes the general public does not buy it.

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Mayor Dale – Expressed that she is a survivor and a leader and regardless of the Council's decision, we will survive and move forward as a united community. She has spent 19 years with a very large bank that has been purchased over and over again; only the strongest survive. She encouraged the public to form their own opinion and she will make sure they survive and come out even better. She said that she has spoken with five individual Department Heads and she plans to continue to speak and work with employees. She expressed that she is a very hands-on person and she is available all the time. She encouraged any Department Head to reach out to her at any time to discuss anything whatsoever. Mayor Dale said she would fire her mother if she didn't think she was doing a good job. She will lead and guide people if they are willing to work and do their job. She wants to see West Milford succeed and become a better municipality. She expressed that nobody on the Council reached out to her about their concerns with the Administrator position. She said at the end of the day, we will survive and move forward. She hopes the public responds appropriately when given the opportunity to do so. She said this is not about Ms. Battaglia. She has not had an opportunity to work with her. They have been very focused on one of the largest transactions that has never occurred in the State of New Jersey.

Councilman Wagner – Said a few years ago they decided to split the Clerk and Administrator positions. It was driven a lot for the cost savings of the Township. He said if he knew then what he knows now, he probably wouldn't have made that decision.

Agenda No. VIII

**Executive Session Cont.**

~ Resolution 2018 – 331 ~

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 19<sup>th</sup> day of December, 2018 that:

3. 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.
  - (X) b. (4) A collective bargaining agreement including negotiations
    - PBA/SOA Negotiations
  - ( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
  - (X) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
    - Investigation of Violations of the Law
  - ( ) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
  - (X) b. (8) Personnel matters
    - Attorney-Client Privilege - Personnel Issues-Labor Attorney
    - Attorney-Client Privilege - MUA Sale
  - ( ) b. (9) Deliberations after a public hearing that may result in penalties.
4. 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 19, 2018

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Moved: Gerst                      Seconded: McGuinness  
Voted Aye: Unanimous voice vote  
Voted Nay: None  
Motion carried.

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The Governing Body went into executive session at 8:38 p.m.  
The Governing Body returned to the public meeting at 9:50 p.m. with all present as before.

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Agenda No. XI

**Action Items**

Mayor Dale asked to move resolutions 2018-332 through 2018-353 including resolutions 2018-355, 2018-356 and 2018-357.

**Discussion:**

Councilman McGuinness asked for an explanation on resolutions 2018-336 and 2018-337. Mayor Dale noted that they are for legal services for the tax foreclosure. Administrator Battaglia said foreclosure lists often take many years to conclude. She explained that by law, a professional services resolution cannot exceed twelve months so they come back to the Governing Body with a resolution each year. Councilman McGuinness asked the dollar amount of each contract. Administrator Battaglia said Foreclosure List #33 is \$29,000 and List #34 is also \$29,000. She said List #33 has a remaining balance of \$20,573 and for List #34 there is a remaining balance of \$23,000; the attorney has submitted bills for work done to date and that is the amount that remains in the contract. The bulk of the money gets spent towards the end of the contract. Councilman McGuinness said he thought they made a resolution for emergency appropriation in this year's budget, not next year's budget. Administrator Battaglia said the Governing Body asked her and the CFO to look at the 2018 budget to determine whether or not they could find the funds and they were not able to identify the funds in the 2018 budget. She noted that the resolutions are before the Council based on the direction of the Governing Body. She said that the Police Department identified vehicles that are available to buy that meet the requirements. Mayor Dale said this funding will go into the 2019 budget because there were no cars funded in the 2018 budget. Administrator Battaglia said the Governing Body asked her to identify the funding in the 2018 budget and not in the surplus.

Agenda No. XI 1

~ Resolution 2018 – 332 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE JEFFERSON BASKETBALL ASSOCIATION FOR PARTICIPATION IN THE JEFFERSON BASKETBALL LEAGUE**

**WHEREAS**, the Township of West Milford wishes to enter into an Agreement with the Jefferson Basketball Association for participation in the Jefferson Youth Basketball League, and;

**WHEREAS**, there is a mutual benefit to both the Township and Association through entering into an Agreement.

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

1. The Mayor and the Township Clerk be and are hereby authorized to enter into an agreement effective January 2, 2019 through December 31, 2019 with the Jefferson Basketball Association under the terms and conditions set forth in the Agreement.
2. This resolution and agreement shall be available for public inspection in the office of the Township Clerk.

Adopted: December 19, 2018

Agenda No. XI 2

~ Resolution 2018 – 333 ~

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

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

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

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

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

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1. The Mayor and the Township Clerk be and are hereby authorized to enter into an agreement effective December 1, 2018 through November 30, 2019 with the County of Passaic and invoiced at the current rate of fuel plus a 10% ten percent administrative fee.
2. The Passaic County Officials will provide the West Milford DPW Director with a list of County employees and list of vehicles that will be the subject to this subject.
3. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: December 19, 2018

Agenda No. XI 3

~ Resolution 2018 – 334 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE CITY OF PATERSON FOR PUBLIC HEALTH NURSE CASE MANAGEMENT SERVICES AND/OR ENVIRONMENTAL INSPECTIONS FOR CHILDHOOD LEAD POISONING**

**WHEREAS**, the Paterson Division of Health, a grant funded agency of the Child and Adolescent Program, has agreed to expand their service jurisdictions to nearby municipalities for provision of nurse case management services and/or environmental inspections in accordance with N.J.A.C. 8:51 Childhood Lead Poisoning Prevention Program; and

**WHEREAS**, the municipalities will not be required to pay for these child lead poison prevention services as the entire program will be funded by the grant received from the State of New Jersey Department of Health, and

**WHEREAS**, the Paterson Health Division will ensure that assigned public health nurses will consult and meet regularly with the environmental inspectors and/or Health Officer from the West Milford Health Department to discuss the active cases; and

**WHEREAS**, West Milford Health Department will permit the Paterson Division of Health to provide public health nurse case management services including home visits and/or environmental inspections in accordance with N.J.A.C. 8:51 for lead-burdened children living in jurisdiction covered by West Milford Health Department.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Township Council wishes to approve a public health shared services agreement with the City of Paterson to provide nurse case management services and or environmental inspections for childhood lead poisoning.

**BE IT FURTHER RESOLVED THAT** the shared services agreement will remain in effect for a period of three (3) years from July 1, 2017 to June 20, 2020 with the parties retaining mutual option to renew the agreement for an additional one (1) year period.

**BE IT FURTHER RESOLVED THAT** the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey hereby authorize to enter into a public health shared service agreement with the City of Paterson which requires Department of Health child lead poison prevention services.

Adopted: December 19, 2018

Agenda No. XI 4

~ Resolution 2018 – 335 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITH ROBERT BEINFELD, ESQ. OF THE FIRM HAWKINS, DELAFIELD, & WOODS, LLP FOR MATTERS ARISING FROM THE SALE OF THE MUNICIPAL UTILITY AUTHORITY**

**WHEREAS**, the Township of West Milford and Suez Water New Jersey (“SUEZ”) are in agreement for the sale of the West Milford Township Municipal Utility Authority’s Water and Sewer System assets (MUA); and

**WHEREAS**, the Township of West Milford has a need to appoint Robert Benfield, Esq. for any matters pertaining to the sale of the Municipal Utility Authority’s Water and Sewer System and Suez Water New Jersey (SUEZ) agreement; and,

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

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**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

**WHEREAS**, Robert Beinfield of the firm Hawkins, Delafield & Wood, LLP will provide bond counsel services for any matters arising from the sale of the Municipal Utility Authority in an amount not to exceed \$5,000.00; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from account #16-288-56-800-997 not to exceed \$5,000.00 without prior written approval from the Township Council; and

**WHEREAS**, Robert Beinfield, Esq. has completed and submitted 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 the firm of Hawkins, Delafield & Wood, LLP 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 Mayor and Township Clerk be and are hereby authorized to execute a contract with Robert Beinfield, Esq. of the firm Hawkins, Delafield, & Woods, LLP of One Gateway Center, Newark, NJ 07102 for any matters pertaining to the MUA Sale in an amount not to exceed \$5,000.00 for matters pertaining to the sale of the Municipal Utility Authority.
2. This contract is awarded as a "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
3. The total fee authorized for this contract shall not exceed \$5,000.00 without the prior written approval of the Township Council.
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 19, 2018

Agenda No. XI 5

~ Resolution 2018 – 336 ~

**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 #33)**

**WHEREAS**, the Township of West Milford wishes to continue the award of a professional services contract by virtue of Resolution 2014-359 adopted January 4, 2017 for the 2016 year to represent the Township in foreclosure matters as outlined in foreclosure list # 33; 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 01-204-55-000 in 2019; 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 #33
2. By virtue of resolution 2014-359, \$29,000.00 was appropriated for list #33 and to date \$8,427.00 has been expended. Therefore, there is a remaining balance of \$20,573.00 for the completion of foreclosure list #33.

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

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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 #33 or December 31, 2019 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 December 2, 2016 extending the contract through December 31, 2019.

Adopted: December 19, 2018

Agenda No. XI 6

~ Resolution 2018 – 337 ~

**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 #34)**

**WHEREAS** the Township of West Milford wishes to continue the award of a professional services contract by virtue of Resolution 2014-359 adopted December 20, 2017 for the 2018 year to represent the Township in foreclosure matters as outlined in foreclosure list # 34; 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 01-204-55-000 in 2019; 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 #34
2. By virtue of resolution 2014-359, \$29,000.00 was appropriated for list #34 and to date \$6,000.00 has been expended. Therefore, there is a remaining balance of \$23,000.00 for the completion of foreclosure list #34.
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 #34 or December 31, 2019 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 December 20, 2017 extending the contract through December 31, 2019.

Adopted: December 19, 2018

Agenda No. XI 7

~ Resolution 2018 – 338 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF INLET CASTINGS THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #14, FROM CAMPBELL FOUNDRIES INC.**

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

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

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

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

**WHEREAS**, the Director of Public Works has established that Inlet Castings in an amount not to exceed \$42,000.00 will be needed to accomplish repairs to drainage structures and general repairs throughout the township including preparation of roads for the 2019 resurfacing program; 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 01-201-26-290-342.

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

1. The Township Council hereby authorizes the expenditure of funds by the Department of Public Works for the purchase of Inlet Castings in an amount not to exceed \$42,000.00, through the Morris County Cooperative Pricing Council, Contract #14, from Campbell Foundries Inc.
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 19, 2018

Agenda No. XI 8

~ Resolution 2018 – 339 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONTRACT TO ALL SERVICE CONTRACTORS EQUIPMENT FOR THE PURCHASE OF THREE (3) WACKER MODEL RD12A VIBRATORY ROLLERS**

**WHEREAS**, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on November 30, 2018 for the purchase of three (3) Wacker Model RD12A Vibratory Rollers as per the Bid Specifications; and

**WHEREAS**, the Township of West Milford received six (6) bids for this contract; and

**WHEREAS**, said bids have been duly reviewed and analyzed by the Township's Director of Public Works, Supervising Mechanic, and the Township Attorney; and

**WHEREAS**, the bid received from All Service Contractors Equipment, in the amount of \$44,490.00 (base bid) plus Options A, B & C which total an additional \$1,149.39 for a total bid price of \$45,639.39. does comply with and meet all minimum bid requirements as outlined in the bid specifications and thus All Service Contractors Equipment is deemed to be the lowest, responsive, responsible bidder in accordance with N.J.S.A. 40A:11-2(27); and

**WHEREAS**, the Township Treasurer has certified as to the availability of funds for this expenditure said funds to be encumbered from account number 04-215-55-829-007; and

**WHEREAS**, it is the recommendation of the Township's Director of Public Works and the Supervising Mechanic to award a contract to All Service Contractors Equipment in the amount of \$45,639.39.

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

1. The Township Council hereby awards a contract to All Service Contractors Equipment, 770 Route 23, Pompton Plains, NJ 07444 and authorizes the Director of DPW to execute a purchase order for three (3) Wacker Model RD12A Vibratory Rollers in an amount not to exceed \$45,639.39 as per the bid specifications.
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 19, 2018

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

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Agenda No. XI 9

~ Resolution 2018 – 340 ~

**DEFEATED**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROPRIATING EMERGENCY FUNDS IN ACCORDANCE WITH N.J.S.A. 40A:4-48 FOR THE PURPOSE OF PURCHASING (2) 2019 POLICE INTERCEPTOR UTILITY VEHICLES FROM BEYER FORD**

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Moved: Signorino Seconded: Gerst  
Voted Aye:  
Voted Nay: Pegel, Hensley, Wagner, McGuinness, Signorino, Gerst  
Motion Carried:  
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Agenda No. XI 10

~ Resolution 2018 – 341 ~

**DEFEATED**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE THROUGH THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION #65MCECCPS-ESCNJ 17/18-21 FOR TWO (2) 2019 POLICE INTERCEPTOR UTILITY VEHICLES FROM BEYER FORD**

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Moved: Signorino Seconded: Gerst  
Voted Aye:  
Voted Nay: Pegel, Hensley, Wagner, McGuinness, Signorino, Gerst  
Motion Carried:  
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Agenda No. XI 11

~ Resolution 2018 – 342 ~

**DEFEATED**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EQUIPMENT AND CHANGEOVERS FOR TWO (2) 2019 POLICE INTERCEPTOR UTILITY VEHICLES**

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Moved: Signorino Seconded: Gerst  
Voted Aye:  
Voted Nay: Pegel, Hensley, Wagner, McGuinness, Signorino, Gerst  
Motion Carried:  
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Agenda No. XI 12

~ Resolution 2018 – 343 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE CLOSING OF BALANCES OF OLD ESCROW ACCOUNTS**

**WHEREAS**, the Township has old escrow accounts, with no activity, that have unexpended balances under \$150.00, and;

**WHEREAS**, the Township auditor has recommended that the accounts listed below be closed and distributed to the current fund and;

**WHEREAS**, if the applicant should contact the Township regarding the refund of any unspent funds, provided the applicant is entitled to a refund, the monies will be returned.

**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 old escrow accounts with balances of under \$150.00 be cancelled and the monies distributed to the current fund until such time as the applicant in written form requests the funds be refunded.

Adopted: December 19, 2018

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<b>Account #</b>	<b>Name</b>	<b>Closed Amount</b>
16-288-56-701-010	Malley John	\$146.55
16-288-56-701-011	Carter Glen & Marianne	\$93.68
16-288-56-701-014	Reape John P.	\$112.73
16-288-56-701-017	Brule Wendy	\$115.55
16-288-56-701-022	Zampella Alice	\$37.00
16-288-56-701-027	Mueller Robert	\$31.50
16-288-56-701-029	Vasques Joaquim	\$30.75
16-288-56-701-031	Richardson David	\$15.98
16-288-56-701-032	Witte Richard & Beverly	\$14.52
16-288-56-701-033	Jones John & Patricia	\$24.25
16-288-56-701-034	Vittar Thomas	\$56.59
16-288-56-701-038	Miscellaneous	\$52.95
16-288-56-701-046	Lindsay Mark	\$98.45
16-288-56-701-048	Gusciora Monika	\$137.35
16-288-56-701-061	Vander Ploeg Michael & Christ	\$137.88
16-288-56-701-067	Paterno Joseph LLCEPH	\$23.52
16-288-56-701-069	Rita's Italian Ice	\$78.29
16-288-56-701-075	Thomas Celano	\$12.50
16-288-56-701-076	Prais Eugene	\$142.00
16-288-56-701-079	Baker Helen & Robert	\$73.00
16-288-56-701-083	Qarmout Lewis	\$46.75
16-288-56-701-087	Verizon New Jersey Inc.	\$44.91
16-288-56-701-088	AT&T Oakridge Cellular d/b/a A	\$3.00
16-288-56-701-090	Verizon Wireless - Macopin	\$101.00
16-288-56-701-093	Post David	\$131.25
16-288-56-701-096	Cefes Financiall Inc.	\$30.88
16-288-56-701-098	Lanza Vincent	\$28.58
16-288-56-701-104	Mazzocchi Robert	\$18.54
16-288-56-701-105	Ryan Paul	\$27.84
16-288-56-701-109	AT&T Warwick	\$57.00
16-288-56-701-111	Lanza Vincent	\$78.79
16-288-56-701-112	Apshawa Volunteer Fire Co.	\$117.00

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<b>Account #</b>	<b>Name</b>	<b>Closed Amount</b>
16-288-56-701-118	Lanza Vincent	\$8.89
16-288-56-701-121	Hajbrura Joseph	\$103.10
16-288-56-701-130	Ball Woodward	\$12.01
16-288-56-701-131	Silfer Richard	\$12.50
16-288-56-701-135	Pioneer Bar & Grill	\$92.00
16-288-56-701-136	Nowacki Mark & Dawn	\$100.25
16-288-56-701-139	Ruys Nancy & Roy	\$59.61
16-288-56-701-141	Davis Meryl V.	\$15.90
16-288-56-701-142	Kramer Elaine S.	\$60.84
16-288-56-701-143	Summers Karen & Richard	\$68.29
16-288-56-701-144	Leddy Thomas	\$13.41
16-288-56-701-152	Kleckner Jon	\$68.00
16-288-56-701-161	Kreger Glenn & Paola	\$39.93
16-288-56-701-163	Fulton Christopher	\$62.96
16-288-56-701-169	Waisbord Ilan	\$60.52
16-288-56-701-170	Flammer Scott	\$17.04
16-288-56-701-177	Hastings Eric	\$90.00
16-288-56-701-187	Gallucci Gary	\$19.45
16-288-56-701-189	Gardenier Kurt	\$60.00
16-288-56-701-191	Goble Jim & Patricia	\$64.51
16-288-56-701-192	Klosz Kenneth	\$103.89
16-288-56-701-193	Horsbrough Thomas	\$59.23
16-288-56-701-194	Cosgrove Jacquelyn	\$45.00
16-288-56-701-202	Zeppetelli Tonya	\$122.88
16-288-56-701-207	VanDyk (Stachelrodt)	\$30.63
16-288-56-701-210	Hageanon	\$149.00
16-288-56-701-211	Alpine Ridge	\$72.74
16-288-56-701-215	Petro-Two Inc.	\$89.88
16-288-56-701-216	Genison Enterprize	\$39.50
16-288-56-701-220	Williams Robert	\$10.00
16-288-56-701-221	Merritt Vernon	\$71.18
16-288-56-701-224	Panchyk Robert	\$33.38

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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<b>Account #</b>	<b>Name</b>	<b>Closed Amount</b>
16-288-56-701-229	Doyle Douglas	\$24.81
16-288-56-701-230	Moroz Joseph	\$67.26
16-288-56-701-231	Greene Kerry	\$14.15
16-288-56-701-234	Camp Vacamas	\$103.82
16-288-56-701-240	Christopher James	\$27.50
16-288-56-701-244	Calise Phil & Erica	\$46.70
16-288-56-701-251	WM Senior Housing	\$52.18
16-288-56-703-001	White Mountain Realty Group	\$92.50
16-288-56-703-007	Kevin Down & Hans Sammer	\$139.05
16-288-56-703-010	Hoek Michael	\$144.73
16-288-56-703-015	Wojceich Czykier	\$148.04
16-288-56-703-019	NY SMSA dba Verizon Wireless	\$85.25
16-288-56-705-004	Volino David & LisaMarie	\$67.10
16-288-56-705-012	Abve Dyvik Bulk Variance	\$44.00
16-288-56-705-027	Lanza - Vreeland Store	\$72.36
16-288-56-705-031	Wilhelm Walter R.	\$44.12
16-288-56-705-032	Sprint Interpretation-Greg Cz	\$10.00
16-288-56-705-041	Waitz Bulk Variance	\$34.25
16-288-56-705-046	Vacamas	\$53.00
16-288-56-705-048	Michael Cole	\$70.80
16-288-56-705-051	Michael Tesei	\$100.80
16-288-56-705-061	John P. Clarke III	\$105.25
16-288-56-705-064	Kneppel	\$1.00
16-288-56-705-066	Nicol, David & Michelle	\$57.50
16-288-56-705-074	Grace Fellowship	\$1.00
16-288-56-705-077	Joseph Chapman	\$91.60
16-288-56-705-078	Roman Davidou	\$95.80
16-288-56-705-095	Louis & Denise Palminteri	\$32.75

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

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~ Resolution 2018 – 344 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE 2019 TEMPORARY BUDGET**

**WHEREAS**, NJSA 40A:4-19 provides that where contracts, commitments or payments are to be made prior to the final adoption of the 2019 budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

**WHEREAS**, effective January 1, 2019 said temporary appropriations are extended and now limited to 26.25% of the total appropriation in the 2019 budget, exclusive of any appropriations made for debt service, public assistance, and capital improvement fund in said 2018 budget.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of West Milford that the following temporary budget appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for their records:

APPROPRIATION	ACCOUNT NUMBER	2018 BUDGET AS ADOPTED	2019 TEMPORARY BUDGET
Administrator S&W	01-201-20-100-100	192,928	50,644
Administrator O.E.	01-201-20-100-200	92,965	24,403
<b>TOTAL</b>		<b>\$285,893</b>	<b>\$75,047</b>
Township Mayor & Council S&W	01-201-20-105-100	34,000	8,925
Township Mayor & Council O.E.	01-201-20-105-200	2,400	630
<b>TOTAL</b>		<b>\$36,400</b>	<b>\$9,555</b>
Information Technology S&W	01-201-20-140-100	136,630	35,865
Information Technology O.E.	01-201-20-140-200	49,750	13,059
<b>TOTAL</b>		<b>\$186,380</b>	<b>\$48,924</b>
Legal O.E.	01-201-20-155-200	<b>\$329,000</b>	<b>\$154,081</b>
General Services S&W	01-201-20-161-100	4,000	1,050
General Services O.E.	01-201-20-161-200	279,500	73,369
<b>TOTAL</b>		<b>\$283,500</b>	<b>\$74,419</b>
Engineering S&W	01-201-20-165-100	294,291	77,251
Engineering O.E.	01-201-20-165-200	66,800	17,535
<b>TOTAL</b>		<b>\$361,091</b>	<b>\$94,786</b>
Insurance, Other	01-201-23-210-200	1,018,000	700,000
Insurance, Group	01-201-23-220-200	3,239,725	850,428
Health Benefit Waiver	01-201-23-230-200	81,000	21,263
<b>TOTAL</b>		<b>\$4,338,725</b>	<b>\$1,571,691</b>
Clerk S&W	01-201-20-120-100	296,899	77,936
Clerk O.E.	01-201-20-120-200	19,350	5,079
<b>TOTAL</b>		<b>\$316,249</b>	<b>\$83,015</b>
Elections S&W	01-201-20-146-100	1,500	394
Elections O.E.	01-201-20-146-200	13,800	3,623
<b>TOTAL</b>		<b>\$15,300</b>	<b>\$4,017</b>
Treasurer S&W	01-201-20-130-100	268,073	70,369
Treasurer O.E.	01-201-20-130-200	34,683	14,683
<b>TOTAL</b>		<b>\$302,756</b>	<b>\$85,052</b>
Audit	01-201-20-135-200	40,000	-
Audit Additional Services	01-201-20-135-200	25,000	-
<b>TOTAL</b>		<b>\$65,000</b>	<b>\$-</b>
Tax Collector S&W	01-201-20-145-100	191,512	50,272
Tax Collector O.E.	01-201-20-145-200	58,282	15,299

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<b>TOTAL</b>		<b>\$249,794</b>	<b>\$65,571</b>
Tax Assessor S&W	01-201-20-150-100	214,843	56,396
Tax Assessor O.E.	01-201-20-150-200	28,340	17,439
<b>TOTAL</b>		<b>\$262,215</b>	<b>\$73,835</b>
Planning Board O.E.	01-201-21-180-200	<b>\$20,025</b>	<b>\$20,025</b>
Planning Comprehensive S&W	01-201-21-181-100	138,526	36,363
Planning Comprehensive O.E.	01-201-21-181-200	21,175	21,175
<b>TOTAL</b>		<b>\$159,701</b>	<b>\$57,538</b>
Zoning Administration S&W	01-201-21-185-100	<b>\$84,978</b>	<b>\$22,307</b>
Board of Adjustment O.E.	01-201-21-186-200	<b>\$28,275</b>	<b>\$28,275</b>
Historic Preservation S&W	01-201-20-175-100	1,560	410
Historic Preservation O.E.	01-201-20-175-200	500	131
<b>TOTAL</b>		<b>\$2,060</b>	<b>\$541</b>
Autumn Lights Festival	01-201-20-171-471	\$-	\$-
Building S&W	01-201-22-195-100	372,610	97,810
Building O.E.	01-201-22-195-200	27,100	7,114
<b>TOTAL</b>		<b>\$399,710</b>	<b>\$104,924</b>
Environmental Commission S&W	01-201-22-196-100	2,000	525
Environmental Commission O.E.	01-201-22-196-200	890	890
<b>TOTAL</b>		<b>\$2,890</b>	<b>\$1,415</b>
Police Patrol S&W	01-201-25-240-100	4,716,378	1,238,049
Police Patrol O.E.	01-201-25-240-200	158,349	41,567
Police Patrol Purchase of Police Vehicles	01-201-25-240-900	-	-
Police Detective S&W	01-201-25-241-100	691,568	181,537
Police Administration S&W	01-201-25-242-100	509,145	133,651
Police Communication S&W	01-201-25-243-100	348,559	91,497
Police Communication O.E.	01-201-25-243-400	12,500	3,281
Police Specials S&W	01-201-25-244-100	36,000	9,450
Police Specials O.E.	01-201-25-244-200	8,975	2,356
<b>TOTAL</b>		<b>\$6,481,474</b>	<b>\$1,701,388</b>
Emergency Management S&W	01-201-25-252-100	5,000	1,313
Emergency Management O.E.	01-201-25-252-200	32,500	8,531
<b>TOTAL</b>		<b>\$37,500</b>	<b>\$9,844</b>
First Aid - WMFAS Contributions	01-201-25-260-200	108,500	28,481
First Aid - UGLFAS Contributions	01-201-25-260-200	45,750	12,009
<b>TOTAL</b>		<b>\$154,250</b>	<b>\$40,490</b>
Aid To Vol. Fire Co.	01-201-25-255-200	90,000	23,625
Fire Prevention Bureau S&W	01-201-25-265-100	156,697	41,133
Fire Prevention Bureau O.E.	01-201-25-265-200	14,600	3,833
Fire Co. Administration S&W	01-201-25-266-100	9,090	2,386
Fire Co. Administration O.E.	01-201-25-266-200	294,150	77,214
LOSAP	01-201-25-267-200	130,000	-
<b>TOTAL</b>		<b>\$694,537</b>	<b>\$148,191</b>
DPW Streets & Roads S&W	01-201-26-290-100	1,833,412	481,271
DPW Streets & Roads O.E.	01-201-26-290-200	449,800	174,824
DPW Buildings & Grounds S&W	01-201-26-291-100	56,320	14,784
DPW Buildings & Grounds O.E.	01-201-26-291-200	87,450	22,956

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DPW Snow Removal S&W	01-201-26-294-100	250,000	250,000
DPW Snow Removal O.E.	01-201-26-294-200	541,797	541,797
DPW Vehicle Maintenance S&W	01-201-26-315-100	359,449	94,355
DPW Vehicle Maintenance O.E.	01-201-26-315-200	277,000	200,000
<b>TOTAL</b>		<b>\$3,855,228</b>	<b>\$1,779,987</b>
Public Health S&W	01-201-27-330-100	229,511	60,247
Public Health O.E.	01-201-27-330-200	31,340	8,227
Vital Statistics S&W	01-201-27-331-100	8,790	2,307
Vital Statistics O.E.	01-201-27-331-200	11,250	7,953
Housing Standard Bureau O.E.	01-201-27-332-441	8,000	2,100
Environmental Health S&W	01-201-27-335-100	224,906	59,038
Environmental Health O.E.	01-201-27-335-200	56,896	14,935
Animal Control S&W	01-201-27-340-100	106,926	28,068
<b>TOTAL</b>		<b>\$677,619</b>	<b>\$182,875</b>
Recreation Programs S&W	01-201-28-370-100	270,893	71,109
Recreation Programs O.E.	01-201-28-370-200	125,000	32,813
Recreation Bubbling Springs S&W	01-201-28-371-100	238,594	-
Recreation Bubbling Springs O.E.	01-201-28-371-200	66,000	66,000
Recreation Administration S&W	01-201-28-372-100	162,236	42,587
Recreation Administration O.E.	01-201-28-372-200	11,605	3,046
Recreation Community Center S&W	01-201-28-374-100	113,440	29,778
Recreation Community Center O.E.	01-201-28-374-200	28,250	7,416
Recreation Parks Maintenance S&W	01-201-28-375-100	300,283	78,824
Recreation Parks Maintenance O.E.	01-201-28-375-200	103,500	103,500
Senior Citizen Services S&W	01-201-28-376-100	42,876	11,255
Senior Citizen Services O.E.	01-201-28-376-200	9,750	2,559
<b>TOTAL</b>		<b>\$1,472,427</b>	<b>\$448,887</b>
Veteran's Bureau S&W	01-201-20-172-100	1,321	347
Veteran's Bureau O.E.	01-201-20-172-200	150	39
<b>TOTAL</b>		<b>\$1,471</b>	<b>\$386</b>
Celebration of Public Events O.E.	01-201-30-420-200	<b>\$10,000</b>	<b>\$2,625</b>
Mass Transportation S&W	01-201-30-432-100	48,324	12,654
Mass Transportation O.E.	01-201-30-432-200	12,600	3,339
<b>TOTAL</b>		<b>\$60,924</b>	<b>\$15,993</b>
Library S&W	01-201-29-390-100	500,000	131,250
Library O.E.	01-201-29-390-200	495,972	130,193
<b>TOTAL</b>		<b>\$995,972</b>	<b>\$261,443</b>
Municipal Court S&W	01-201-43-490-100	282,095	74,050
Municipal Court O.E.	01-201-43-490-200	21,150	5,552
Municipal Court Prosecutor S&W	01-201-43-491-101	38,000	9,975
Municipal Court Prosecutor O.E.	01-201-43-491-200	100	26
<b>TOTAL</b>		<b>\$341,345</b>	<b>\$89,603</b>
Utilities-Electricity	01-201-31-430-200	159,050	41,751
Utilities-Street Lighting	01-201-31-435-200	63,500	16,669

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Utilities-Telephone	01-201-31-440-200	142,500	37,406
Utilities-Natural Gas	01-201-31-446-200	50,500	13,256
Utilities-Fuel	01-201-31-460-200	420,000	115,250
<b>TOTAL</b>		<b>\$835,550</b>	<b>\$224,332</b>
<b>MISCELLANEOUS &amp; STATUTORY EXPENDITURES</b>			
PERS	01-201-36-471-532	891,900	-
Social Security	01-201-36-472-533	650,000	170,625
PFRS	01-201-36-473-534	1,467,200	-
Defined Contributions Retirement Program	01-201-36-475-536	10,000	2,625
<b>TOTAL</b>		<b>\$3,019,100</b>	<b>\$173,250</b>
Salaries & Wages Adjustment Account	01-201-37-480-501	-	-
Compensated Absences	01-201-38-485-110	<b>\$110,000</b>	<b>\$-</b>
Inter-local Agreement Health	01-201-47-500-200	-	-
Inter-local Agreement Registrar	01-201-47-600-200	-	-
<b>DEFERRED CHARGES &amp; RESERVE FOR UNCOLLECTED TAXES</b>			
Judgements	01-201-37-481-529	-	-
Deferred Charges	01-201-46-886-000	-	-
Emergency Authorization	01-201-46-887-528	-	-
Reserve for Tax Appeals	01-201-46-886-667	330,000	-
Deferred Charges Ordinances 2000-09 & 2007-06	01-201-46-887-531	57,701	-
Reserve for Uncollected Taxes	01-201-50-899-200	2,225,000	-
<b>TOTAL</b>		<b>\$2,612,701</b>	<b>\$-</b>
GRANTS	G-02-41	<b>\$88,266</b>	<b>\$-</b>
<b>SUBTOTAL</b>		<b>\$29,159,275</b>	<b>\$7,654,310</b>
Capital Improvement Fund	01-201-44-900-200	150,000	-
Capital Improvement Fund Equipment Brine	01-201-44-900-012	105,000	-
Capital Annual Fire Equipment	01-201-44-900-261	60,000	-
<b>TOTAL</b>		<b>\$315,000</b>	<b>\$-</b>
Debt Service Total		<b>\$4,238,081</b>	<b>\$1,634,773</b>
<b>TOTAL OPERATING BUDGET</b>		<b>\$33,712,356</b>	<b>\$9,289,083</b>
<b>SOLID WASTE DISTRICT BUDGET</b>			
Solid Waste S&W	26-201-55-500-100	125,844	33,034
Solid Waste O.E. All Other	26-201-55-500-200	67,500	17,719
Contractual Services	26-201-55-500-514	984,000	258,300
Disposal Fees	26-201-55-500-548	719,920	188,979
Grants - Recycling County of Passaic		-	-
Prior Year's Bills		-	-
Commercial Pick Up		-	-
<b>TOTAL SOLID WASTE DISTRICT BUDGET</b>		<b>\$1,897,264</b>	<b>\$498,032</b>

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

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Agenda No. XI 14

**~ Resolution 2018 – 345 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING FOR THE ASSIGNMENT OF TAX SALE CERTIFICATES AT PRIVATE SALE - BLOCK 2305, LOT 12**

**WHEREAS**, the Collector of Taxes has reported to the Township Council the offer of Gail Marcella to acquire by assignment the following tax lien certificate held by the Township of West Milford.

Lien Certificate	Date of Sale	Block/ lot	Amount Due
11-025	4-19-11	2305-12	\$4,168.73

**WHEREAS**, the Collector of Taxes did mail such notices and did post such notices as is required by Title 54:5-112 and 5-113, including due publications in the Herald News: and

**WHEREAS**, a public hearing has been held with no one appearing to contest the above application.

**NOW, THEREFORE, BE IT RESOLVED**, that the assignment from the Township, to the said Gail Marcella, be and the same is hereby authorized and the proper Township officials are hereby authorized and directed to sign the required documentation on behalf of the Township.

Adopted: December 19, 2018

Agenda No. XI 15

**~ Resolution 2018 – 346 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING FOR THE ASSIGNMENT OF TAX SALE CERTIFICATES AT PRIVATE SALE - BLOCK 3013, LOT 19**

**WHEREAS**, the Collector of Taxes has reported to the Township Council the offer of Elena Dykstra to acquire by assignment the following tax lien certificate held by the Township of West Milford.

Lien Certificate	Date of Sale	Block/ lot	Amount Due
15-0029	10-13-15	3013-19	\$1,080.24

**WHEREAS**, the Collector of Taxes did mail such notices and did post such notices as is required by Title 54:5-112 and 5-113, including due publications in the Herald News: and

**WHEREAS**, a public hearing has been held with no one appearing to contest the above application.

**NOW, THEREFORE, BE IT RESOLVED**, that the assignment from the Township, to the said Elena Dykstra, be and the same is hereby authorized and the proper Township officials are hereby authorized and directed to sign the required documentation on behalf of the Township.

Adopted: December 19, 2018

Agenda No. XI 16

**~ Resolution 2018 – 347 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF (POCKET) INACTIVE PLENARY RETAIL CONSUMPTION LICENSE 1615-33-011-005 FOR THE 2018-2019 LICENSE YEAR PREVIOUSLY APPROVED BY RESOLUTION 2018-166 THEN RESCINDED BY RESOLUTION 2018-328**

**WHEREAS**, the State of New Jersey, Division of Alcohol Beverage Control had determined that liquor license 1615-33-011-005 required a Special Ruling pursuant to N.J.S.A. 33:1-12.39.

**WHEREAS**, Resolution 2018-166 adopted on June 13, 2018 authorized renewal but Resolution 2018-328 adopted December 5, 2018 rescinded the license approval due to the determination from the Division of Alcoholic Beverage Control that required a Special Ruling; and

**WHEREAS**, Plenary Retail Consumption License 1615-33-011-005 has received a Special Ruling for the 2018-2019 license term(s) from the Division of Alcoholic Beverage Control on November 27, 2018; and

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

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

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

**NOW THEREFORE, BE IT RESOLVED** that the application for renewal of Inactive Plenary Retail Consumption License 1615-33-011-005 for the 2018-2019 license term(s) is thereupon granted by the Verified Petition and Special Consideration of Petition from the Director of the New Jersey Division of A.B.C. being received.

<b>Licensee/License No.</b>	<b>Section 1. License Year</b>	<b>Section 2. Conditions</b>
Three Sheets, LLC 1615-33-011-005	2018-2019	Stated above in resolution

Adopted: December 19, 2018

Agenda No. XI 17

~ Resolution 2018 – 348 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A PERSON TO PERSON TRANSFER OF THE POCKET PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-013-009 FROM FRANK FESTA JR. TO LAKE FRONT LIQUORS LLC**

**WHEREAS**, an application has been received for a person to person transfer of 2018-2019 Plenary Retail Consumption License 1615-33-013-009 presently held by Frank Festa Jr. to Lake Front Liquors LLC as a pocket license not sited; and

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

**WHEREAS**, as a result of that review the Mayor and Township Council have 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 has disclosed to the issuing authority the source of all financing obtained.

**WHEREAS**, the Police Department has recommended that the pocket license be transferred with conditions as follows:

1. Prior to activating or operating the pocket license inspections of premises must be made and satisfactory recommendations must be received at the Township Clerks Office from the following departments: Police, Fire Prevention, and Health Departments

**WHEREAS**, the license may be transferred with the following conditions:

1. A Health Department Retail Food Establishment license must be acquired prior to opening.
2. To activate the pocket license the licensee must file an amendment and submit pages 1, 2, and 11 of the 12-page license application to Township Clerks Office within ten days of opening the premises.

**NOW, THEREFORE, BE IT RESOLVED** that the transfer application is hereby approved and the Township Clerk is directed to endorse the transfer and present the license certificate upon licensee filing amendment to activate.

Adopted: December 19, 2018

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

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**~ Resolution 2018 – 349 ~**

**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	INTEREST
02602-15	John & Patricia Weiss	\$1,965.33	2018	\$82.87
5504-1.01	L. Marciano & J. Tisbe	\$1,061.20	2018	
10602-068	Aminet Zazi	\$1,000.00	2018	
13101-1	Pamela Hoon	\$2,572.00	2018	
4701-38.01	Joseph Mazur	\$2,176.73	2018	
1903-2	Edward Penvy	\$1,611.00	2018	
5301-5	Robert & Linda Anglesea	\$3,637.00	2018	
8802-54	Michael & MaryEllen Gabay	\$2,684.00	2018	
4301-33	Donna Connor	\$3,348.00	2018	
2314-7	Eileen McConnell	\$1,395.00	2018	
13702-11	Maria Cosmi	\$3,104.00	2018	
5317-3.21	Charlotte DeGrado	\$1,046.98	2018	\$2.54
7801-37.01	Derik Van Alstyne/ M. Dale	\$700.00	2018	\$26.35
<b>TOTAL</b>		<b>\$26,301.24</b>		

Adopted: December 19, 2018

Agenda No. XI 19

**~ Resolution 2018 – 350 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF STREET OPENING BOND FEE**

**BE IT RESOLVED**, that the following street opening bond fee upon the recommendation of the Township Engineering Department be refunded:

Receipt No.	Refund Amount	Refund to	Street Excavation Project Permit No.
063282	\$250.00	Matthew Brett 44 Ferber Lane Hewitt, NJ 07421	228 Cahill Cross Road 2018-40

Adopted: December 19, 2018

Agenda No. XI 20

**~ Resolution 2018 – 351 ~**

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

**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:

- REASON:**
- |                      |                           |
|----------------------|---------------------------|
| 1. Incorrect Payment | 5. Homestead Rebate       |
| 2. Duplicate Payment | 6. Tax Appeal CB          |
| 3. Senior Citizen    | 7. State Court Tax Appeal |
| 4. Veteran Deduction | 8. 100% Disabled Veteran  |

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Block/Lot	Name	Amount	Year	Reason
00201-001	Gail Anderson 55C Beacon Hill Road West Milford, NJ 07480	\$200.00	2018	1
<b>TOTAL</b>		<b>\$200.00</b>		

Adopted: December 19, 2018

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**~ Resolution 2018 – 352 ~**

**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 Lien Holder
17-0009	10/10/2017	01903-002	\$33,490.82	FIG CAPITAL INVESTMENTS NJ13; LLC 1000 RIVERSIDE AVE SUITE 400 JACKSONVILLE, FL 32204
18-0037	10/09/2018	07801-032.07	\$4,419.18	US BANK CUST FOR TOWER DB VIII TRUST 2018-1 50 SOUTH 16TH ST STE 2050 PHILADELPHIA, PA 19102
16-0056	10/11/2016	06902-010	\$39,994.18	MTAG CUST FOR EMPIRE VIII NJ PORTFO PO BOX 2208 HICKSVILLE, NY 11802
18-0029	10/09/2018	04107-006	\$5,985.36	DENNIS MOELLER 118 LONG POND ROAD HEWITT, NJ 07421
<b>Total</b>			<b>\$83,889.54</b>	

Adopted: December 19, 2018

Agenda No. XI 22

**~ Resolution 2018 – 353 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2019**

**WHEREAS**, applications have been made for the new licenses and the renewal of various Licenses for the 2019 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 2019 Licenses as listed below:

<b>License No.</b>	Section 3. <b>2019 CLOTHING BINS</b>
2019-14,15,16 2019-17,18,19 2019-20,21 2019-22	Section 4. NJ Amvets – OGS Recycling LLC dba HELPSY Bearfort Shopping Village(3) West Milford Plaza (3) DPW – Recycling Center (2) The Storage Mall (1)
<b>License No.</b>	Section 5. <b>2019 LIMOUSINE OWNER LICENSE</b>
2019-02	Section 6. Douglas Business Services Inc. – Douglas Townsend
<b>License No.</b>	Section 7. <b>2019-LIMOUSINE DRIVER LICENSE</b>
2019-02	Section 8. Douglas Business Services Inc. – Douglas Townsend

Adopted: December 19, 2018

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

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Agenda No. XI 23

~ Resolution 2018 – 355 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE RECEIPT/DISBURSEMENT OF FUNDS ASSOCIATED WITH THE SALE OF THE MUA**

**WHEREAS**, the Township of West Milford has sold the MUA to Suez North America for \$11,300,000 on December 18, 2018.

**NOW, THEREFORE, BE IT RESOLVED** the Township Treasurer has submitted to the members of the Township Council a report listing the receipts/disbursements relating to the sale of the MUA as follows:

	<b>MUA Sale Account Receipts</b>	<b>MUA Sale Account Disbursements</b>	<b>Township Current Account</b>	<b>Township Capital</b>
Sale Proceeds from Suez	\$10,050,000.00			
Deposit Received from Suez with interest	\$1,250,594.31			
Payment Required for MUA State Bonds		\$3,147,769.32		
Payment required for MUA Public Bonds		\$1,622,437.38		
Escrow for Remediation and Title Work		\$500,000.00		
Fire Inspection/permit fees owed to the Township			\$65,954.00	
Fines to Department of Environmental Protection		\$843,000.00		
Remaining balance of sale held by Township for Debt Service				\$5,121,433.61
<b>TOTAL</b>	\$11,300,594.31	\$6,113,206.70	\$65,954.00	\$5,121,433.61

Adopted: December 19, 2018

Agenda No. XI 24

~ Resolution 2018 – 356 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ACCEPTING TRANSACTION EXPENSE FUNDS**

**WHEREAS**, as part of the agreement, Suez Water New Jersey, Inc. agreed to pay the Township \$250,000 for costs and expenses incurred and reasonably anticipated to be incurred by the Township in connection with the sale of the MUA, and;

**WHEREAS**, one-third (\$83,333) of the total was paid to the Township upon full execution of the sale agreement and the remaining two-thirds (\$166,667) was received at the sale closing, and;

**WHEREAS**, the total received of \$250,000 has been placed in an escrow account to be solely used for expenses incurred by the Township related to transactions involving the sale of the MUA.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford in the County of Passaic that the \$250,000 received as the Transaction Expense Funds related to the sale of the MUA be held in escrow and used for costs and expenses incurred by the Township of West Milford in relation to the sale of the MUA.

Adopted: December 19, 2018

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

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Agenda No. XI 25

~ Resolution 2018 – 357 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY DESIGNATING THE DISSOLUTION DATE OF THE WEST MILFORD MUNICIPAL UTILITIES AUTHORITY**

**WHEREAS**, the Township of West Milford entered into an Agreement for the sale of the assets of the West Milford Municipal Utilities Authority (“Authority”) dated September 6, 2017; and

**WHEREAS**, the Township adopted an Ordinance #2017-09 which authorized the sale of the assets of the West Milford Municipal Utilities Authority and calls for the dissolution of the Authority upon completion of the closing of the transaction; and

**WHEREAS**, on December 18, 2018, the Township of West Milford closed on the transaction of the sale of the assets of the West Milford Municipal Utilities Authority to Suez Water New Jersey, Inc.; and

**WHEREAS**, there are post-closing obligations of the West Milford Municipal Utilities Authority which include, but are not limited to, a final audit of the Authority, final payments of service charges and the administration of close-out items; and

**WHEREAS**, the year-end close-out of the Authority is January 31, of each year and accordingly it is estimated that the post-closing obligations of the Authority will take approximately 30 to 40 days to satisfy; and

**WHEREAS**, it has been recommended by the Authority and the Administration of the Township of West Milford, with the concurrence of legal counsel, that the dissolution date of the Authority shall be January 31, 2019.

**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 dissolution date of the West Milford Municipal Utilities Authority shall be January 31, 2019 as that date will signify the complete closing of the transaction selling the assets of the West Milford Utilities Authority to Suez Water New Jersey, Inc. in accordance with West Milford Township Ordinance #2017-09.

**BE IT FURTHER RESOLVED**, that with respect to customers of the Authority, the transaction has been completed and Suez Water New Jersey, Inc. is now responsible for the operation, service and billing with respect to the customers formerly of the West Milford Municipal Utilities Authority and all customers with any questions should contact Suez Water New Jersey Inc.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be duly served upon the West Milford Municipal Utilities Authority so that the operations can be transferred to Suez Water New Jersey Inc. on January 31, 2019.

This Resolution shall take effect immediately.

Adopted: December 19, 2018

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Moved: Signorino Seconded: Gerst  
Voted Aye: Pegel, Hensley, Wagner, McGuinness, Signorino, Gerst  
Voted Nay: None  
Motion Carried:  
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Agenda No. XII

**Consent Agenda**

None

Agenda No. XIII

**Approval of Expenditures**

~ Resolution 2018 – 354 ~

**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 this office in payment of amounts due by the Township.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Treasurer’s report of checks prepared by the Treasurer’s Office be approved and issued as follows:

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

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Acct #	Account Name	Amount
1	Current Account	\$308,864.87
3	Reserve Account	4,157.50
2	Grants	143.00
6	Refunds	84,339.54
1	General Ledger	0.00
26	Refuse	2,789.85
4	Capital	91,590.21
19	Animal Control	388.02
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	97,281.01
19	COAH	0.00
16	Development Escrow	10,597.13
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	1,005.00
Total		\$601,156.13
	Less Refund Resolution	-84,339.54
	<b>Actual Bills List</b>	\$516,816.59
	Other Payments	
	Payroll	584,395.44
	<b>Total Expenditures</b>	<b>\$1,101,212.03</b>

Adopted: December 19, 2018

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 Moved: McGuinness                      Seconded: Gerst  
 Voted Aye: Pegel, Hensley, Wagner, McGuinness, Signorino, Gerst  
 Voted Nay: None  
 Motion Carried:  
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Mayor Dale asked the Council if they want to vote on the resolution that Mr. Corrigan drafted. The Governing Body gave consensus. Mr. Corrigan said according to the Governing Body, he has prepared the following resolution.

**~ Resolution 2018 – 358 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE REMOVAL OF THE MUNICIPAL ADMINISTRATOR**

**WHEREAS**, State Law permits the removal of the Municipal Administrator without cause under N.J.S.A. 40:69A-149.9 by a 2/3 vote of Council; and

**WHEREAS**, under such circumstances the Administrator is entitled to three months' pay; and

**WHEREAS**, the resolution may provide that the removal shall take immediate effect but must pay the salary for the next three calendar months.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford in the County of Passaic;

1. The Administrator is removed effective immediately.
2. The Administrator shall receive three month's severance pay.

Adopted: December 19, 2018

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 Moved: Signorino                      Seconded: Pegel  
 Voted Aye: Pegel, Wagner, McGuinness, Signorino, Gerst  
 Voted Nay: Hensley  
 Motion Carried:  
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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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Agenda No. XIV

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

Councilwoman Pegel – Provided an update on the EDC. She said the group is working on an ecofriendly trail and map. They are hoping to try and bring back the Taste of West Milford to help promote local restaurants. She was at the senior holiday luncheon and she said it was a good festive day. She gave wonderful credit to Mathew Hoffman and Evan LeMay who organized Wreaths Across America. She expressed that it was a wonderful day and she hopes that they can continue doing this. She wished everyone a Merry Christmas and a happy and healthy New Year.

Councilman Hensley – He provided an update on the EDC, and thanked Mayor Dale for attending the EDC meeting. He wished everyone a Merry Christmas and Happy New Year. He said words can't really express his feelings about what the Council did to Ms. Battaglia. He is glad that she will still serve as the Township Clerk. He said her list of accomplishments is staggering and the Township was very blessed to have her in that role. He expressed that it has been an honor and a pleasure to serve as a Councilman in his home town. He encouraged everyone in West Milford to pay attention, get involved and stay alert and vote. He said the volunteers are the bread and butter of the Township and there are a lot of great people putting their names forward to serve the community in various capacities. He thanked everyone who supported them.

Councilman Wagner – Thanked everyone who collaboratively worked with the Council. He wished everyone a Merry Christmas and Happy New Year.

Councilman McGuinness – Asked for an update on the Marshall Hill Road Bridge. Mayor Dale said the bridge will open on Friday. He read a letter that was written to Ed Aldrich Jr. He congratulated Mr. Aldrich Jr. He wished Councilman Wagner and Councilman Hensley good luck. He expressed that he is looking forward to tackling the 2019 budget. He said he heard talk about Verizon coming to West Milford. Mayor Dale said she reviewed the contract and other providers are welcomed to provide service. She said it is cost prohibitive for other providers to come in and build the structure for the amount of people that use the services. She said it has to do with the providers wanting to make the investment in the Township. Councilman McGuinness wished everyone a Merry Christmas and happy New Year.

Councilman Signorino – Congratulated and thanked Mathew Hoffman and Evan LeMay and apologized because he was not able to attend Wreaths Across America. He thanked all the volunteers and fallen Veterans. He congratulated the hometown hero Chief Aldrich. He said they really appreciate all the volunteers and they are very thankful. He provided an update on the museum and the Heritage Committee. He thanked them for a wonderful party. He thanked Councilman Hensley and Councilman Wagner for their service. He wished everyone a Merry Christmas and happy New Year.

Mayor Dale – Noted that she attended every event she was invited to and her first four weeks as Mayor have been great. She said the Township has an awesome staff and community. She wants to reassure everyone that despite tonight's decision by the Council, we will persevere and be a better community because of it. She asked that the community stand with her and move forward together. She hopes they have the confidence in her to continue the day to day operations. She spoke about how Police Officer Yarnall and Police Officer Connors were recognized by Congressman Gottheimer as hometown heroes. She expressed that they both deserve credit and recognition by the municipality. She strongly encouraged members of the public to attend the reorganization meeting. She thanked everyone for their support and she wished everyone happy holidays.

Ms. Sullivan – Thanked the Township personnel, the MUA and her office for pulling together to help effectuate the sale of the MUA. She said her and Mr. Semrau want to thank former Mayor Bieri and former council people to trust them to work with the Township to get the sale completed. She wished everyone happy holidays.

Mayor Dale noted that Mr. Covelli, Health Benefits Consultant, will provide a short presentation about the success of the insurance fund for the past twelve months and what it means to the Township.

Mr. Covelli provided a handout to the Governing Body. Mr. Covelli noted that in the handout is a letter from his office which includes a copy of the dividend that the municipality received from the North Jersey Municipal Employee Benefit fund. He said the dividend amount this year is \$499,477 and the Township chose to break up the dividend check into three amounts. He said the first amount of \$195,927 is in check form and Mayor Dale has the original check. He said \$200,000 was credited towards the 2019 bill and \$103,550 was applied to rate stabilization which will reduce the rates in 2019. He noted that they had a very successful open enrollment process. He wished everyone happy holidays.

Agenda No. XV

**Appointments and Resignations**

None

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

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Agenda No. XVI

**Adjournment**

There being no further business to come before the Council, the Governing Body adjourned the meeting at 10:33 p.m.

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

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Approved:        January 2, 2019

Respectfully submitted:

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Sherry Zbrzeski, Keyboarding Clerk I

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MAYOR MICHELE DALE, PRESIDING OFFICER

\_\_\_\_\_  
ANTOINETTE BATTAGLIA, TOWNSHIP CLERK