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

Minutes of: Governing Body Special Meeting  
Date of Meeting: April 12, 2017  
Time of Meeting: 6:30 P.M.  
Minute Page No: Page 1 of 5  
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The Special Meeting of the Governing Body was called to order by Mayor Bettina Bieri.

**Adequate Notice Statement**

Mayor Bieri read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this special meeting was advertised in the Herald News in its issue of April 9, 2017; copies were provided to the Suburban Trends, the Record and Star Ledger and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Agenda No. I

**Pledge of Allegiance**

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

Agenda No. II

**Roll Call**

Present: Councilmembers Ada Erik, Mike Hensley, Tim Wagner, Pete McGuinness,  
Luciano Signorino, Marilyn Lichtenberg, Mayor Bettina Bieri

Absent:

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

Agenda No. III

**Purpose**

Review of the proposed 2017 Municipal Budget.

Agenda No. IV

**Executive Session**

~ Resolution No. 2017 – 142 ~

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 12<sup>th</sup> day of April, 2017 that:

1. Prior to the conclusion of this **Special Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
  - ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
  - ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
  - ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
  - ( ) b. (4) A collective bargaining agreement including negotiations.
  - ( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
  - ( ) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
  - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
    - Attorney – Client Privilege – MUA
  - ( ) 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: April 12, 2017

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

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The Governing Body went into executive session at 5:39 p.m.  
The Governing Body returned to the public meeting at 7:00 p.m. with all present as before.

Agenda No. V

**Review of the 2017 Municipal Budget** – Mr. Casey thought it would be best if they began with Council questions. Councilman Wagner referred to line item 748. He suggested reducing the line item to \$8,000 with a net savings of \$10,000. Councilwoman Erik asked if the money is used for houses that need to be boarded up and Councilman Wagner said yes. In 2106, \$107 was charged, in 2015 \$4,500 and in 2014 \$6.00. It's been about 10 years since excessive money had to be used. Councilwoman Lichtenberg mentioned there are a number of houses that need to come down. Councilwoman Erik said she is aware of a house that is going to cost a significant amount to be taken down so she is not agreeable to reducing the line item.

Councilman Signorino said they are taking away from surplus by reducing the line items but he is agreeable with taking some of the funding away and discussing the budget line item by line item. Sometimes they find line items that are overfunded and underfunded. He recommended having a 0% tax increase, adding some of the roads into the budget and fixing the gym floor because they have money appropriated in capital for the roads. In the past he knows they used their entire surplus but were able to regenerate it. Councilman Hensley said he most likely will be voting no on some line items because his concern is cutting the current surplus. He asked Mr. Casey how much surplus they started out with this year and how much they already spent with various appropriations. The danger of cutting the line items doesn't help replenish the surplus. The benefit of having the surplus is next year they have money to pay for the things they need to do. Councilman Wagner requested to review every line item in the budget. He is looking for clarification. Money could be moved around when absolutely necessary. Mayor Bieri suggested getting a general consensus and give general guidelines on how much surplus they want to leave and how much road work to move to operating. Also, give the general direction for the tax increase and keep in mind if they cut everything so close they will not have any other accounts to move money from. The Council gave consensus to reduce line item 748 to \$8,000.

Councilman Wagner noted that the \$5,000 for the Weed Harvester Driver is already budgeted within the DPW salary. The line item is being removed not reduced. The Council gave consensus to remove the line item.

Councilman Wagner explained how the Snow Trust account has been climbing since 2013. Each year he itemized how much was being added and spent. In 2014 a net gain of \$140,000, 2015 negative \$124,000 and in 2016 net \$207,000. In those 3 years they added \$222,000 into the trust account. He suggested that they leave it up to the department to reduce the snow budget by \$100,000. It seems like they have a comfortable balance, so for example maybe they could just reduce the contractors. Mr. Casey recommended budgeting for an average of five years. Ms. Mageean's program projects the actual expenses for the next five years. At the current time the Snow Trust has an accelerated amount of money but from an operational stand point he wouldn't suggest changing the average. If they feel the Snow Trust is too high, it can be appropriated into a one shot expense. He doesn't recommended moving the money into the operating budget because next year they will have a \$100,000 hole that needs to be replenished. They could transfer money and pay for a new brine truck. If they want to move the money out of the snow trust he suggested moving it to something that is a non-reoccurring expense. The snow trust remaining balance can be cancelled. The money in the snow trust account can be used for emergency weather conditions. Mayor Bieri suggested cancelling the \$70,000, reducing the capital by using it for the brine and they could always revisit this next year if the numbers are still climbing. The Council gave consensus.

Councilman Wagner asked Chief Storbeck for justification on the line item amount of \$35,000. Chief Storbeck said they have been trying to purchase NetMotion connectivity software. It helps retain data that's been transmitted from dispatch to the computers in the police cars. The approximate cost is \$8,000. Another big expense is Narcan technical and medical supplies. This year they already spent \$750.00. There are also a lot of reoccurring costs included in that line item.

Councilman Hensley spoke about combat veterans and how they are going in to law enforcement. The men are highly trained and skilled with the use of M4 and M16 weapons. He recommended that they purchase the weapons for the six combat veterans in the police department. If they are interested he would like to give them the opportunity to carry one of those weapons in their police car to keep people safe and protected. They are asking the combat veterans to put themselves in harm's way to protect our community, so he recommended giving them the tools that they are most suited for.

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Councilman Signorino said he would think the patrolmen have the right tools already, and he is unsure of the sudden request for such weapons. Chief Storbeck said they put in a request in the past for additional service weapons for the police cars and it was denied. They have M4's and M16's for the SOU, and a request was submitted to have them replaced over time because they have to keep replacing parts. That was denied as well. Councilman McGuinness asked if there is a cost and training associated with this. Chief Storbeck said training is required, he doesn't know the cost at the time but the officers would be open to additional service weapons. Councilman Signorino said they supply the police officers with weapons, he doesn't understand why they need additional ones and he will not support it.

Mayor Bieri asked if the skilled individuals have the opportunity to join the Special Operations Unit and get the training they need if it's a less expensive option. Chief Storbeck said no because they can't have every officer on that team. Mayor Bieri noted just because the officers don't have the weapon of their choice doesn't mean they are not skilled. Councilman Hensley said the expense would be about \$12,000 for six new weapons. He requested to have it taken out of surplus. Councilman McGuinness asked Chief Storbeck about the amount of the police line item budget and what it includes and Chief Storbeck said one line item is a request for technical supplies for \$35,000 and the other is a patrol and equipment request for \$13,000. The Council gave consensus to support \$12,000 to be removed from surplus for the weapon request.

Councilman Wagner asked Mr. Roetman about the Hillcrest line item. Mr. Roetman and Ms. Mageean said they felt comfortable withdrawing from the fees for service line item. It was a \$5,000 request that covers hired services like pest control and other services specific to the Hillcrest building which will be ending in June. They only spent \$1,000 so far, so they felt comfortable reducing it by \$2,000 and they will be comfortable until the end of June. In the past the Township made an agreement with the Board of Education to set aside \$20,000 annually for the maintenance of Hillcrest. Since they were only in the building for six months this year they decided to reduce it to \$10,000. They spent almost \$4,000 this year maintaining the building. He asked if they can do anything with the agreement to reduce the line item. Administrator Battaglia said she would have to review the agreement. Mayor Bieri agreed that they should look at the agreement and fix what might break. Mr. Roetman said they are obligated to fix anything from now to the end of June.

Councilwoman Lichtenberg asked how long it would take to repair the gym floor and what would be the best time of the year to do it. Mr. Roetman said the best time to get a contract in place would be April or May. It depends on the contractor as far as the time frame for repair. Councilman Hensley said his concern is he wants it to be a very high quality floor with a larger life span than 15 years. Administrator Battaglia suggested they need a true estimate from Mr. Roetman and then they can address it at a later time. Councilman Signorino said they need the amount so they know what to budget for.

Mayor Bieri suggested if the Council agrees to repair the gym floor, rather than spending more money since the bond Ordinance is already set, spend the \$275,000 that was moved over into the operating budget on the floor. Councilman Signorino said that goes against what they spoke about during the past few meetings and the point is to try to get the roads into the regular operating budget. Mayor Bieri said if they are cutting the budget so close they will regenerate less surplus. Councilman McGuinness asked if the roads are paid for and Mr. Casey said they are adding a cent to the tax rate to fund \$276,000 to the roads. Mayor Bieri clarified on behalf of the Governing Body regardless of how they end up voting everyone would want a 0% tax increase but there are different philosophies on what proper fiscal planning and budgeting is. Councilman Signorino said they make decisions every year based on trying to save money and he hasn't been showed any savings. He is not in favor of raising taxes. Councilwoman Erik asked how much they have to cut to remove the \$46 tax increase. Mr. Casey said about \$180,000 on top of what Councilman Wagner suggested. He said he could give the Governing Body a 0% increase this year but he can also guarantee it will lead to an increase next year.

Mr. Casey said he has concerns with the memo he received today from Mr. Townsend. There are a number of very old tax appeals that have been pending in Passaic because of the delay in the court structure. They appointed a new tax judge who is intense on immediately resolving a lot of the old appeals. Mr. Townsend is concerned that if the judge speeds up the overall process to resolve all the old appeals it will cost more money for him, Mr. Semrau and the Township. He is also concerned that there is not enough money in his budget to defend the appeals. The Governing Body could end up having to do an emergency appropriation for tax appeals that could be spread out over 4 or 5 years. There are some very old cases with large numbers. They don't win at a tax appeal, they settle and have losses.

Councilman Wagner asked for clarification on the line item general services and other expenses. Administrator Battaglia explained there is one line item that has environmental fees. They are anticipating that will be completing remediation ongoing projects. She reached out to Mr. Hodges to get a more detailed understanding of the projects. They are slightly underfunded in that account. Mr. Casey said a good part of that has to do with Banker Road and a request from the DEP to do additional sodium testing. There are 3 active DEP sights that are under remediation. Councilman Signorino asked about administrative fees for services. Administrator Battaglia said they try to fund that anticipating what they will need in the coming year.



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Approved: May 3, 2017

Respectfully submitted:

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Sherry Zbrzeski, Clerk Typist

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MAYOR BETTINA BIERI, PRESIDING OFFICER

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ANTOINETTE BATTAGLIA, TOWNSHIP CLERK