
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council
Date of Meeting: January 2, 2008
Time of Meeting: 7:30 P.M.
Minute Page No: Page 1 of 32

The Township Clerk called this meeting to order at 7:30 p.m. and read the following statement:

Adequate Notice 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 in the Herald News in its issue of December 2, 2007; copies were provided to the Suburban Trends, the Record, Star Ledger, and Greenwood Lake News 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.

Pledge of Allegiance

Ms. Battaglia led all in attendance in the Pledge of Allegiance.

Administration of Oath to Township Mayor and Council

Township Attorney Fred Semrau invited Passaic County Sheriff, Jerry Speziale, to administer the oath of office to Mayor-elect Bettina Bieri. Sheriff Speziale congratulated Mayor-elect Bieri on her recent election and noted that she will serve as the first female elected to this office in West Milford. Ms. Bieri invited her two children and her parents to join her as she was sworn into office. Sheriff Speziale administered the oath of office.

Township Attorney, Fred Semrau, advised that Mayor Bieri shall now assume the chair for the remainder of the meeting.

Mayor Bieri invited Robert Nolan to the podium to be sworn into office. Mr. Nolan was joined by his wife and his daughter while Mayor Bieri administered his oath of office.

Mayor Bieri invited Assemblyman Alex DeCroce to the podium to swear Marilyn Lichtenberg into office. Mrs. Lichtenberg was joined by her three children and her aunt while Assemblyman DeCroce administered her oath of office.

Mayor Bettina Bieri – January 1, 2008 – December 31, 2011
Councilman Robert Nolan - January 1, 2008 - December 31, 2010
Councilwoman Marilyn Lichtenberg - January 1, 2008 - December 31, 2010

Roll Call

Present: Councilmembers Philip Weisbecker, Joseph Smolinski, Salvatore Schimmenti, Robert Nolan, Marilyn Lichtenberg, Carmelo Scangarello. Mayor Bettina Bieri.
Absent: None.
Also Present: Township Administrator Richard Kunze, Township Clerk Antoinette Battaglia and Township Attorney Fred Semrau.

Mayor Bieri thanked everyone for attending tonight's meeting and encouraged future attendance. She acknowledged the presence of the dignitaries in the room, including Sheriff Speziale, Assemblyman DeCroce, and Freeholder Duffy. She asked that all attendees behave with decorum at all Council meetings.

Agenda No. IV

Council President

Councilman Scangarello nominated Councilman Smolinski to serve as Council President for the upcoming year. Councilwoman Lichtenberg seconded the nomination. Mayor Bieri asked if there were any other nominations for consideration.

On motion by Councilman Schimmenti, seconded by Councilman Scangarello the nominations were closed.

Councilman Nolan stated that he voted in the negative for this appointment last year. However, this year, in a show of bipartisan support, he will vote in the affirmative.

Moved: Scangarello Seconded: Lichtenberg
Voted Aye: Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Abstained: Weisbecker.
Councilman Smolinski was elected Council President for 2008.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Organization Meeting

Agenda No. V

~ Resolution 2008-001 ~

MAYOR'S APPOINTMENT OF RICHARD KUNZE AS INTERIM TOWNSHIP ADMINISTRATOR THROUGH MARCH 15, 2008 WITH COUNCIL CONSENT

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby concur with the Mayor's appointment of Richard Kunze to the position of Interim Township Administrator through March 15, 2008.

BE IT FURTHER RESOLVED, that the terms and conditions of this appointment shall be outlined in an employment agreement to be executed by the Interim Administrator and the Mayor.

Adopted: January 2, 2008

Discussion: Mayor Bieri advised that, after consulting with the Council members, she and Mr. Kunze have mutually agreed to a short-term appointment. She and the Council will establish a committee to conduct interviews for this position and Mr. Kunze will be included in that process. He is also encouraged to submit his resume for consideration.

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Agenda No. VI

~ Resolution 2008-002 ~

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

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

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

- 1) Resolutions Re-establishing Committees
 - a) 2008-003 - Re-establishment of the Autumn Lights Committee
 - b) 2008-004 - Re-establishment of the Beautification/Recycling Task Force Committee
 - c) 2008-005 - Re-establishment of the Energy Committee
 - d) 2008-006 - Re-establishment of the Heritage Committee
 - e) 2008-007 - Re-establishment of Lakes Committee
 - f) 2008-008 - Re-establishment of the Telecommunications Advisory Committee

- 2) Resolutions Pertaining to Policies and Financial-related Issues
 - a) 2008-009 - Annual Meeting Notice
 - b) 2008-010 - Signatures on Township Accounts
 - c) 2008-011 - Designating the Legal Newspapers for the Publication of Legal Notices and Other Items for the Township of West Milford
 - d) 2008-012 - Establishing a Cash Management Plan
 - e) 2008-013 - Provide for the Hours of Collection of Taxes
 - f) 2008-014 - Provide for the Rate of Interest to be Charged on Unpaid Taxes and Improvement Assessments
 - g) 2008-015 - Authorizing Certain Statutory Payments of Claims & Other Claims Regular in Nature
 - h) 2008-016 - Authorizing the Township Administrator to Maintain a Petty Cash and Various Change Funds (as listed on Resolution)
 - i) 2008-017 - Authorizing the 2008 Temporary Budget

Adopted: January 2, 2008

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Moved: Scangarello Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

The following resolutions were included in the Special Consent Agenda:

Agenda No. VI 1a

~ Resolution 2008-003 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,
STATE OF NEW JERSEY RE-ESTABLISHING AN
AUTUMN LIGHTS COMMITTEE**

WHEREAS, as a result of hard work and dedication invested by residents of the Township of West Milford, the Township has, for thirteen years, been proud to host an annual Autumn Lights Festival; and

WHEREAS, the Council believes there is sufficient public interest and an adequate number of willing volunteers to organize and operate a fourteenth Autumn Lights Festival in 2008.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford hereby re-establishes an Autumn Lights Committee for the purpose of undertaking and promoting an October 11, 2008 (rain date October 12, 2008) town-wide festival with the following provisions:

1. The members of the committee shall serve until December 31, 2008.
2. The continuing need for the Autumn Lights committee shall be reviewed by the Township Council at its January 1st re-organization meeting and the committee shall cease to exist at that time unless re-established by Council resolution.

Adopted: January 2, 2008

Agenda No. VI 1b

~ Resolution 2008-004 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,
STATE OF NEW JERSEY FOR THE RE-ESTABLISHMENT OF A
BEAUTIFICATION/RECYCLING TASK FORCE COMMITTEE (ADVISORY)**

WHEREAS, the Township Council of the Township of West Milford did establish the Beautification/Recycling Task Force Committee (Advisory); and

WHEREAS, the Beautification Committee was directed to develop and promote a beautification program within the Township of West Milford; and

WHEREAS, upon consideration, it is the opinion of the Mayor and Township Council that the Beautification/Recycling Task Force Committee (Advisory) should continue its efforts.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council that it does hereby re-establish the Beautification/Recycling Task Force Committee with the following provisions:

1. **MEMBERSHIP:** The number of members shall be (14) fourteen members, one of whom shall be a liaison member of the Township Council; eleven shall be citizen members; one who shall be a representative from the West Milford commercial community; and one liaison member who shall be the Waste Disposal and Recycling Coordinator.
2. **APPOINTING AUTHORITY:** The member of the Township Council shall be appointed by the Mayor and Township Council. All other members shall be appointed by and shall serve at the pleasure of the Mayor and Township Council. The Recycling Coordinator shall be appointed by the Mayor. In the event that a member fails to attend three consecutive meetings of the committee, the Chairman will advise the appointing authority in order to have a replacement appointed.
3. **SUNSET:** The Committee shall cease to exist unless re-established by the Mayor and Township Council at its Organizational Meeting scheduled for January 1, 2009.

Adopted: January 2, 2008

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Agenda No. VI 1c

~ Resolution 2008-005 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,
STATE OF NEW JERSEY RE-ESTABLISHING AN ENERGY COMMITTEE**

WHEREAS, the Mayor and Township Council did establish an Energy Committee to identify methods to conserve energy and to investigate alternative sources and programs to provide energy to the Township; and

WHEREAS, upon consideration, it is the opinion of the Mayor and Township Council that the Committee should continue its efforts.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that a seven member Energy Committee be re-established that will strive to identify ways to conserve energy, minimize energy costs and identify alternative energy sources and resources which includes special programs and rebates in the course of conducting municipal operations.

BE IT FURTHER RESOLVED, that the Township Council shall annually identify seven members to serve one-year terms as members of the Energy Committee consisting of the Township Business Administrator, Township Engineer, one member from the Township Council, one member from the West Milford Township Environmental Commission and three citizen members.

BE IT FURTHER RESOLVED, that the Energy Committee shall report to the Mayor and Council, make recommendations, render opinions and input with respect to issues affecting the Township's energy resources and programs.

Adopted: January 2, 2008

Agenda No. VI 1d

~ Resolution 2008-006 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,
STATE OF NEW JERSEY FOR THE RE-ESTABLISHMENT OF
THE TOWNSHIP HERITAGE COMMITTEE (ADVISORY)**

WHEREAS, the Township Council of the Township of West Milford did establish the West Milford Township Heritage Committee (Advisory) to undertake the following:

1. To work cooperatively on the renovation of the designated Township museum site in conjunction with various Township departments and other professionals appointed by the Township.
2. To gather in, catalog and properly store records, artifacts, photographs and other historical materials for placement into the West Milford Township Museum.
3. To oversee the operation of and scheduling at the West Milford Township Museum.

WHEREAS, upon consideration, it is the opinion of the Mayor and Township Council that the Committee should continue its efforts.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council that it does hereby re-establish a West Milford Township Heritage Committee (Advisory) to undertake this work with the following provisions:

1. **MEMBERSHIP:** The total number of members of this committee shall be seventeen (17) members; one of whom shall be a liaison member of the Township Council, one of whom shall be a liaison member of the Township staff, and fifteen (15) of whom shall be citizens of the Township of West Milford. In the event that a member fails to attend three unexcused consecutive meetings of the committee, the Chairman will advise the appointing authority in order to have a replacement appointed.
2. **APPOINTING AUTHORITY:** The member of the Township Council shall be appointed by and serve at the pleasure of the Mayor and Township Council.

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The member of the Township staff shall be appointed by and serve at the pleasure of the Mayor.

3. *SUNSET*: The Committee shall cease to exist unless re-established by the Township Council at its Organizational Meeting scheduled for January 1, 2009.

Adopted: January 2, 2008

Agenda No. VI 1e

~ Resolution 2008-007 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD,
COUNTY OF PASSAIC AND STATE OF NEW JERSEY
RE-ESTABLISHING A LAKES COMMITTEE**

WHEREAS, the Mayor and Township Council have discussed the various issues surrounding the lake communities located within the Township; and

WHEREAS, in addressing these issues the Mayor and Township Council need to be advised of the situations surrounding the lake communities in order to properly render decisions and take action; and

WHEREAS, in order to identify these issues and situations to help assist the lake communities as well as to increase public awareness regarding the importance of the environment as it relates to the lakes within the Township, it is necessary to continue to investigate these various issues and situations; and

WHEREAS, the Mayor and Township Council desire that the Lakes Committee be continued to achieve these objectives.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that a Lakes Committee be re-established with the following objectives: (A) advise and submit recommendations to the Mayor, Council and Planning Board on matters related to the role Township government may play to improve the various lake communities within the Township; (B) increase public awareness regarding the importance of the lakes and their impact on its surrounding environment; and (C) to review and make recommendations to the Mayor, Township Council and Planning Board on pending federal and state legislation.

BE IT FURTHER RESOLVED, that the eighteen lake communities in the Township of West Milford shall annually identify a member to represent that community on the Lakes Committee and said member shall serve a one-year term as a member of the Lakes Committee. Each of the eighteen members shall have one vote and the members of the following lake communities shall be represented on the Committee:

1. Awosting Community
2. Big Rock Cove Association
3. Forest Hill Park
4. Gordon Lakes
5. Greenbrook Estates
6. Greenwood Lake Association
7. High Crest Lake Association
8. Kitchell Lake
9. Lake Lookover Association
10. Lindy's Lake
11. Mount Glen Lakes Association
12. Mount Springs Association
13. Pinecliff Lake Community Club, Inc.
14. Shady Lake Park
15. Stowaway Park Association
16. Upper Greenwood Lake
17. West Milford Lake
18. Wonder Lake Properties

In addition to the eighteen voting members, there shall be four, ex officio, non-voting liaison members consisting of: the Township Engineer or his/her designee; a member of the Township Council or his/her designee; a member of the Township Planning Board or his/her designee; and a member of the Township Environmental Commission or his/her designee.

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BE IT FURTHER RESOLVED, that one of the voting members shall be designated as "Chair" of the Lakes Committee and shall advise the Township Council and the Planning Board of the Committee's work. In addition to the "Chair", the Lakes Committee may appoint a "Vice-Chair" and "Secretary" and adopt a schedule of meetings.

BE IT FURTHER RESOLVED, that the Lakes Committee shall report to the Mayor, Council and Planning Board, make recommendations, render opinions and input with respect to issues affecting the Township's lake communities.

BE IT FURTHER RESOLVED that minutes shall be taken of all meetings and submitted to the Township Clerk.

Adopted: January 2, 2008

Agenda No. VI 1f

~ Resolution 2008-008 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,
STATE OF NEW JERSEY RE-ESTABLISHING A
TELECOMMUNICATIONS ADVISORY COMMITTEE**

WHEREAS, the Mayor and Township Council did establish a Telecommunications Advisory Committee to identify methods to help with the ever-changing telecommunications industry as well as to reduce Township costs; and

WHEREAS, upon consideration, it is the opinion of the Mayor and Township Council that the Committee should continue its efforts.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that a Telecommunications Advisory Committee be re-established that will strive to investigate and recommend ways to upgrade and reconfigure the telecommunications systems within the Township of West Milford in order to minimize costs as well as to identify any new telecommunications changes and trends.

BE IT FURTHER RESOLVED, that the Mayor and Township Council shall annually identify up to seven members to serve one-year terms as members of the Telecommunications Advisory Committee, the members shall consist as follows: a Council Liaison; the Township Business Administrator; the Township Network Administrator; the Township Chief of Police or designee; and up to three citizen members who each have demonstrated knowledge and expertise in telecommunication systems and trends.

BE IT FURTHER RESOLVED, that the Telecommunications Advisory Committee shall report to the Mayor and Council, make recommendations, render opinions and input with respect to issues effecting the Township's telecommunications services and implemented systems.

Adopted: January 2, 2008

Agenda No. VI 2a

~ Resolution 2008-009 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND
STATE OF NEW JERSEY ADOPTING THE SCHEDULE FOR TOWNSHIP COUNCIL
WORKSHOP AND REGULAR MEETINGS FOR THE 2008 CALENDAR YEAR**

BE IT RESOLVED, that the Township Council of the Township of West Milford does hereby adopt the following schedule of Workshop and Regular Meetings of the Governing Body of the Township for the 2008 calendar year:

| |
|--|
| January 02, 2008, Reorganization Meeting |
| January 09, 2008, Council Workshop |
| January 23, 2008, Regular Council Meeting |
| February 06, 2008, Council Workshop |
| February 13, 2008, Regular Council Meeting |
| February 27, 2008, Council Workshop |
| March 05, 2008, Regular Council Meeting |
| March 12, 2008, Council Workshop |

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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| |
|---|
| March 26, 2008, Regular Council Meeting |
| April 02, 2008, Council Workshop |
| April 09, 2008, Regular Council Meeting |
| April 23, 2008, Council Workshop |
| May 07, 2008, Regular Council Meeting |
| May 14, 2008, Council Workshop |
| May 28, 2008, Regular Council Meeting |
| June 04, 2008, Council Workshop |
| June 11, 2008, Regular Council Meeting |
| June 25, 2008, Council Workshop |
| July 09, 2008, Regular Council Meeting |
| July 23, 2008, Council Workshop |
| August 06, 2008, Regular Council Meeting |
| August 20, 2008, Council Workshop |
| September 03, 2008, Regular Council Meeting |
| September 10, 2008, Council Workshop |
| September 24, 2008, Regular Council Meeting |
| October 01, 2008, Council Workshop |
| October 08, 2008, Regular Council Meeting |
| October 22, 2008, Council Workshop |
| November 05, 2008, Regular Council Meeting |
| November 26, 2008, Council Workshop |
| December 03, 2008, Regular Council Meeting |
| December 17, 2008, Council Workshop |

BE IT FURTHER RESOLVED that all Workshop and Regular Meetings of the Governing Body of the Township of West Milford as outlined herein shall be held in the main meeting room of Town Hall located at 1480 Union Valley Road, West Milford, New Jersey 07480 and all such meetings shall begin at 7:30 p.m.

BE IT FURTHER RESOLVED that official action may be taken at all meetings outlined herein.

BE IT FURTHER RESOLVED that this resolution shall constitute the Annual Notice for the Township of West Milford and the Township Clerk be and is hereby instructed to advertise such notice as required by law and this notice shall be continually posted on the official bulletin board of the Township and shall be retained on file in the Office of the Township Clerk.

Adopted: January 2, 2008

Agenda No. VI 2b

~ Resolution 2008-010 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY CONCERNING SIGNATURES ON TOWNSHIP ACCOUNTS

BE IT RESOLVED, by the Township Council of the Township of West Milford that Mayor Bettina Bieri, or Township Administrator Richard Kunze, and Chief Financial Officer Arthur Magnotti will be the required signers on Township checks.

BE IT FURTHER RESOLVED, that Lakeland Bank is hereby authorized to accept the manual or facsimile signatures of Mayor Bettina Bieri, or Township Administrator Richard Kunze, and Chief Financial Officer Arthur Magnotti on Township checks.

Adopted: January 2, 2008

Agenda No. VI 2c

~ Resolution 2008-011~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD,

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council
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**COUNTY OF PASSAIC AND STATE OF NEW JERSEY DESIGNATING THE LEGAL
NEWSPAPERS FOR THE PUBLICATION OF LEGAL NOTICES AND OTHER ITEMS FOR THE
TOWNSHIP**

BE IT RESOLVED, by the Township Council of the Township of West Milford that the following newspapers shall be designated as newspapers in which legal notices and advertisements may be published:

**HERALD NEWS
SUBURBAN TRENDS
STAR LEDGER
THE RECORD**

Adopted: January 2, 2008

Agenda No. VI 2d

~ Resolution 2008-012 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC,
STATE OF NEW JERSEY REINSTATING THE TOWNSHIP OF WEST MILFORD'S
CURRENT CASH MANAGEMENT PLAN**

WHEREAS, pursuant to Chapter 8, Laws of 1982, the Township of West Milford is required to adopt a Cash Management Plan, including the designation of a depository or depositories; and

WHEREAS, the Township of West Milford is to adopt a cash management plan for 2008; and

WHEREAS, the Township CFO requested that the cash management plan provided by Lakeland Bank remain employed by the Township of West Milford, in order to continue the maximization of interest being earned on township deposits and investments; and

WHEREAS, Lakeland Bank will continue to provide their current proposal as adopted by the Governing Body of The Township of West Milford during 2007, which still remains the most beneficial and advantageous to the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that the Cash Management Plan is to continue as follows:

| <u>Account</u> | <u>Account Number</u> |
|------------------------------------|-----------------------|
| Current Account | 513000179 |
| Payroll Account | 513000160 |
| Capital Account | 612300241 |
| Escrow Account | 612300284 |
| Public Assistance I Trust Account | 612300098 |
| Scala Trust Account | 612300268 |
| Developer's Trust Account | 612300292 |
| Miscellaneous Trust Account | 612300055 |
| Heritage Trust Account | 612409634 |
| Dog Trust Account | 612409626 |
| Unemployment Trust Account | 612409596 |
| Assessment Trust Account | 612410071 |
| Public Assistance II Trust Account | 612409618 |
| LOSAP Trust Account | 612410055 |
| Open Space Trust Account | 612410047 |
| COAH Trust | 612409804 |

Adopted: January 2, 2008

Agenda No. VI 2e

~ Resolution 2008-013 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,
STATE OF NEW JERSEY TO PROVIDE FOR THE
HOURS OF COLLECTION OF TAXES**

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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BE IT RESOLVED, by the Township Council of the Township of West Milford that the following shall be the hours for the collection of taxes, assessments and other monies due the Township:

West Milford Town Hall – Open Daily, 8:30 a.m. to 4:30 p.m. prevailing time except Saturday, Sunday and legal holidays.

West Milford Town Hall – Hours for Collection, 9:00 a.m. to 4:00 p.m. prevailing time except Saturday, Sunday and legal holidays.

West Milford Town Hall – First Wednesday of February, May, August, and November from 4:30 p.m. to 6:30 p.m.

Adopted: January 2, 2008

Agenda No. VI 2f

~ Resolution 2008-014 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO PROVIDE FOR THE RATE OF INTEREST TO BE CHARGED ON UNPAID TAXES AND IMPROVEMENT ASSESSMENTS

BE IT RESOLVED, by the Township Council of the Township of West Milford that the rate of interest to be charged and collected by the Tax Collector and her department shall be as follows:

On all unpaid and delinquent taxes, the rate of eight percent (8%) per annum on the first \$1,500.00 of the delinquency, and eighteen percent (18%) per annum on any amount in excess of \$1,500.00.

On all unpaid and delinquent improvement assessments the rate of eight percent (8%) per annum on the first \$1,500.00 of the delinquency, and twelve percent (12%) per annum on any amount in excess of \$1,500.00.

No interest shall be charged on taxes if payment is made within ten (10) calendar days after the date upon which the same becomes payable.

That a penalty be charged to a taxpayer in the amount of 6% of a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the calendar year, as authorized by N.J.S.A. 54:4-67.

That when the taxes, interest and costs on a tax sale certificate shall exceed the sum of \$750.00 and additional penalty shall be charged equal to 2% of the amount paid; when the sum exceeds \$5,000.00, an additional penalty shall be charged equal to 4% of the amount paid; and when the sum exceeds \$10,000.00 such additional penalty shall be equal to 6% of such amount paid, as authorized by N.J.S.A. 54:5-61.

That the provisions of this resolution shall apply to all existing tax sale certificates.

Adopted: January 2, 2008

Agenda No. VI 2g

~ Resolution 2008-015 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CERTAIN STATUTORY PAYMENTS OF CLAIMS AND OTHER CLAIMS REGULAR IN NATURE

WHEREAS, all claims of payment by the Township of West Milford, County of Passaic, State of New Jersey, are required to be first submitted to the Township of West Milford Council for consideration before payment, and

WHEREAS, due to the nature of certain claims and timing of the particular meeting involved, certain claims should be paid when presented which are statutory and regular in nature, rather than held for the next council meeting of the Township of West Milford due to the nature of said claims.

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

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- 1) The Township of West Milford does hereby approve the payment between meetings of the following encumbered claims for payment, when the same are presented to the Township of West Milford Council and Chief Financial Officer of the Township of West Milford.
 - a) Township of West Milford payroll obligations.
 - b) Township of West Milford required payments to the Board of Education.
 - c) Required County tax payments to the County Treasurer.
 - d) Banks for investment purposes, internal transfers, and debt service obligations.
 - e) State of New Jersey – Application Fees
 - f) Permit Fees
 - g) DEP Fees
 - h) License Fees
 - i) State Surcharges
 - j) Marriage License Fees
 - k) Rabies Control Fees
 - l) Miscellaneous disbursements approved by specific resolutions.
 - m) Reissue of lost or mutilated checks after stop payment has been enforced.
 - n) Ten percent (10%) Bid Bond Returns (Clerk's office).
 - o) Certain emergencies at only the discretion of the Township of West Milford Mayor or Administrator by the Mayor's designation.
 - p) Payments necessary to all vendors that require compliance with the 2006 Prompt Payment Law, Chapter 96, whereby the Township of West Milford shall pay the bill not more than 30 calendar days after the billing date to avoid billable late charges.
- 2) The Chief Financial Officer is hereby authorized and directed to prepare the proper vouchers for payment of the above recited accounts when same is properly presented to him/her for payment, and thereafter said claim shall be transcribed on the next scheduled Bill list to be approved by the Township of West Milford Council.
- 3) A certified copy of this resolution shall be forward to the Chief Financial Officer of the Township of West Milford.

Adopted: January 2, 2008

Agenda No. VI 2h

~ Resolution 2008-016 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO REINSTATE AND MAINTAIN VARIOUS PETTY CASH FUNDS (AS LISTED BELOW) TO FACILITATE "CHANGE FUNDS" AND REQUIRED CASH REIMBURSEMENTS FOR VARIOUS MINOR EXPENDITURES MADE BY TOWNSHIP EMPLOYEES

WHEREAS, N.J.S.A 40A: 5-21 authorizes the establishment of a petty cash and change funds; and

WHEREAS, it is necessary from time to time to allow the availability of cash fund for immediate unforeseen minor cash expenditures no greater than \$25.00 each as follows:

| | |
|--|----------|
| Tax Collector Change Fund | \$150.00 |
| Municipal Court Change Fund | \$100.00 |
| Health Department Change Fund | \$ 50.00 |
| Construction Department Change Fund | \$100.00 |
| Animal Control Change Fund | \$100.00 |
| Municipal Clerk Change Fund | \$ 50.00 |
| Recreation Bubbling Springs Change Fund | \$200.00 |
| Recreation Administration Petty Cash Fund | \$200.00 |
| Recreation Programs Change Fund | \$ 50.00 |
| Recreation Coffee House Change Fund | \$ 50.00 |
| Police Department Change Fund | \$100.00 |
| Administration Motor Vehicle Registration Fund | \$250.00 |
| Administration Misc. Petty Cash Fund | \$250.00 |

NOW THEREFORE, BE IT RESOLVED, by the Council of the Township of West Milford, County of Passaic, State of New Jersey, that a reimbursable aforementioned impress funds aggregate of \$1,650.00 be re-established for 2008;

AND BE IT FURTHER RESOLVED, that said **WHEREAS**, amounts are to be returned to the Township's General Fund no later than December 31st each year.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Adopted: January 2, 2008

 Agenda No. VI 2i

~ Resolution 2008-017 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE 2008 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 2008 budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

WHEREAS, said temporary appropriations are extended and now limited to 26.25% of the total appropriation in the 2007 budget, exclusive of any appropriations made for debt service, public assistance, and capital improvement fund in said 2007 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 his records:

| APPROPRIATION | ACCOUNT NUMBER | 2007 BUDGET As Adopted | 2008 Temporary BUDGET |
|---|----------------|------------------------|-----------------------|
| ADMINISTRATION | | | |
| ADMINISTRATOR | | | |
| Administrator S&W | 01-20-100-100 | 237,000 | 62,213 |
| Administrator O.E. | 01-20-100-200 | 57,350 | 15,054 |
| TOTAL | | \$294,350 | \$77,267 |
| PERSONNEL | | | |
| Personnel S&W | 01-20-105-100 | 75,500 | 19,819 |
| Personnel O.E. | 01-20-105-200 | 9,000 | 2,363 |
| TOTAL | | \$84,500 | \$22,181 |
| MAYOR & COUNCIL | | | |
| Township Mayor & Council S&W | 01-20-110-101 | 34,000 | 8,925 |
| Township Mayor & Council O.E. | 01-20-110-200 | 5,000 | 1,313 |
| TOTAL | | \$39,000 | \$10,238 |
| INFORMATION TECHNOLOGY | | | |
| Information Technology S&W | 01-20-140-100 | 72,700 | 19,084 |
| Information Technology O.E. | 01-20-140-200 | 52,400 | 13,755 |
| TOTAL | | \$125,100 | \$32,839 |
| Legal O.E. | 01-20-155-200 | \$255,000 | \$75,000 |
| GENERAL SERVICES | | | |
| General Services S&W | 01-20-161-100 | 9,000 | 2,363 |
| General Services O.E. | 01-20-161-200 | 110,600 | 29,033 |
| TOTAL | | \$119,600 | \$31,395 |
| INSURANCE | | | |
| Insurance, Other | 01-23-210-200 | 702,751 | 353,100 |
| Insurance, Other, Less Library Charge Back | 01-23-210-200 | -10,000 | (2,625) |
| Insurance, Group | 01-23-220-506 | 2,902,500 | 820,000 |
| Insurance, Group - Less Library Chargebacks | 01-23-220-506 | -110,000 | (28,875) |
| TOTAL | | \$3,485,251 | \$1,141,600 |
| | | | |
| APPROPRIATION | ACCOUNT NUMBER | 2007 BUDGET As Adopted | 2008 Temporary BUDGET |
| Heritage O.E. | 01-20-173-200 | \$3,000 | \$ 788 |
| CLERK'S OFFICE | | | |
| CLERK | | | |
| Clerk S&W | 01-20-120-100 | 211,600 | 55,545 |
| Clerk O.E. | 01-20-120-200 | 22,800 | 5,985 |
| TOTAL | | \$234,400 | \$61,530 |

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| ELECTIONS | | | |
| Elections S&W | 01-20-146-101 | 5,000 | 2,000 |
| Elections O.E. | 01-20-146-101 | 12,600 | 4,200 |
| TOTAL | | \$17,600 | \$ 6,200 |
| FINANCE | | | |
| TREASURER | | | |
| Treasurer S&W | 01-20-130-100 | 251,000 | 65,888 |
| Treasurer O.E. | 01-20-130-200 | 31,455 | 8,257 |
| Treasurer O.E. - Less Library Chargebacks | 01-20-130-200 | -2,000 | (525) |
| TOTAL | | \$280,455 | \$73,619 |
| ANNUAL AUDIT | | | |
| Annual Audit | 01-20-135-200 | 40,000 | 10,500 |
| Annual Audit Additional Services | 01-20-135-201 | 10,000 | 2,625 |
| TOTAL | | \$50,000 | \$13,125 |
| TAX COLLECTOR | | | |
| Tax Collector S&W | 01-20-145-100 | 169,000 | 44,363 |
| Tax Collector O.E | 01-20-145-200 | 12,250 | 3,216 |
| TOTAL | | \$181,250 | \$47,578 |
| ASSESSOR | | | |
| Tax Assessor S&W | 01-20-150-200 | 307,000 | 80,588 |
| Tax Assessor O.E. | 01-20-150-200 | 6,000 | 1,575 |
| TOTAL | | \$313,000 | \$82,163 |
| PLANNING AND BUILDING | | | |
| PLANNING BOARD O.E. | 01-21-180-200 | \$38,800 | \$10,185 |
| COMPREHENSIVE PLANNING | | | |
| Planning, Comp. S&W | 01-21-181-100 | 301,000 | 79,013 |
| Planning, Comp. O.E. | 01-21-181-200 | 6,200 | 1,628 |
| TOTAL | | \$307,200 | \$80,640 |
| ZONING ADMINISTRATION S&W | 01-21-185-100 | \$69,000 | \$18,113 |
| BOARD OF ADJUSTMENT O.E. | 01-21-186-200 | \$20,450 | \$5,368 |
| HISTORIC PRESERVATION | | | |
| Historic Preservation S&W | 01-20-175-101 | 1,500 | 394 |
| Historic Preservation O.E. | 01-20-175-200 | 2,300 | 604 |
| TOTAL | | \$3,800 | \$998 |
| TOURISM COMMITTEE | 01-20-171-200 | \$3,000 | \$0 |
| BUILDING / CODE ENFORCEMENT | | | |
| Building S&W | 01-22-195-100 | 414,000 | 108,675 |
| Building O.E. | 01-22-195-200 | 12,500 | 3,281 |
| TOTAL | | \$426,500 | \$111,956 |
| APPROPRIATION | ACCOUNT NUMBER | 2007 BUDGET As Adopted | 2008 Temporary BUDGET |
| ENVIRONMENTAL COMMISSION | | | |
| Environmental Commission S&W | 01-22-196-101 | 1,500 | 394 |
| Environmental Commission O.E. | 01-22-196-200 | 900 | 236 |
| TOTAL | | \$2,400 | \$630 |
| PUBLIC SAFETY | | | |
| POLICE DEPARTMENT | | | |
| Police Patrol S&W | 01-25-240-100 | 4,152,000 | 1,089,900 |
| Police Patrol O.E. | 01-25-240-200 | 88,400 | 23,205 |
| Police Patrol-Purchase of Vehicles | 01-25-240-201 | 170,000 | 44,625 |
| Police Detective S&W | 01-25-241-100 | 508,000 | 133,350 |
| Police Administration S&W | 01-25-242-100 | 455,000 | 119,438 |
| Police Communication S&W | 01-25-243-100 | 293,000 | 76,913 |
| Police Comm. O.E. | 01-25-243-200 | 30,000 | 7,875 |
| Police Specials S&W | 01-25-244-100 | 30,000 | 7,875 |
| Police Specials O.E. | 01-25-244-200 | 3,600 | 945 |

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| TOTAL | | \$5,730,000 | \$1,504,125 |
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| OEM | | | |
| EMERGENCY MANAGEMENT S&W | 01-25-252-100 | 5,000 | 1,313 |
| EMERGENCY MANAGEMENT O.E. | 01-25-252-200 | 25,000 | 6,563 |
| TOTAL | | \$30,000 | \$7,875 |
| FIRST AID SQUADS | | | |
| First Aid - WMFAS Contributions | 01-25-260-200 | 67,275 | 17,660 |
| First Aid - UGL 1st Aid Squad Contributions | 01-25-261-200 | 40,500 | 10,631 |
| TOTAL | | \$107,775 | \$28,291 |
| FIRE DEPARTMENT | | | |
| Aid To Vol. Fire Co. | 01-25-255-200 | 90,000 | 23,625 |
| Fire Prevention Bureau S&W | 01-25-265-100 | 192,000 | 50,400 |
| Fire Prevention Bureau O.E. | 01-25-265-200 | 8,400 | 2,205 |
| Fire Co. Admin. S&W | 01-25-266-100 | 10,000 | 2,625 |
| Fire Co. Admin. O.E. | 01-25-266-200 | 309,350 | 81,204 |
| LOSAP | 01-25-267-200 | 110,000 | - |
| TOTAL | | \$719,750 | \$160,059 |
| ENGINEERING AND PUBLIC WORKS | | | |
| ENGINEERING | | | |
| Engineering S&W | 01-20-165-100 | 460,000 | 120,750 |
| Engineering O.E. | 01-20-165-200 | 33,100 | 8,689 |
| TOTAL | | \$493,100 | \$129,439 |
| DPW | | | |
| DPW Streets & Roads S&W | 01-26-290-100 | 1,583,000 | 415,538 |
| DPW Streets & Roads O.E. | 01-26-290-200 | 350,500 | 92,006 |
| DPW Buildings & Grounds S&W | 01-26-291-100 | 99,000 | 25,988 |
| DPW Buildings & Grounds O.E. | 01-26-291-200 | 55,250 | 14,503 |
| DPW Snow Removal S&W | 01-26-294-100 | 178,000 | 178,000 |
| DPW Snow Removal O.E. | 01-26-294-200 | 756,500 | 756,500 |
| DPW Vehicle Maintenance S&W | 01-26-315-100 | 305,000 | 80,063 |
| APPROPRIATION | ACCOUNT NUMBER | 2007 BUDGET As Adopted | 2008 Temporary BUDGET |
| DPW Vehicle Maintenance O.E. | 01-26-315-200 | 262,700 | 68,959 |
| TOTAL | | \$3,589,950 | \$1,631,556 |
| HEALTH DEPARTMENT | | | |
| HEALTH DEPARTMENT | | | |
| Public Health S&W | 01-27-330-100 | 285,000 | 74,813 |
| Public Health O.E. | 01-27-330-200 | 50,975 | 13,381 |
| Vital Statistics S&W | 01-27-331-100 | 6,000 | 1,575 |
| Vital Statistics O.E. | 01-27-331-200 | 15,800 | 4,148 |
| Housing Standard Bureau O.E. | 01-27-332-441 | 2,500 | 656 |
| Environmental Health S&W | 01-27-335-100 | 263,000 | 69,038 |
| Environmental Health O.E. | 01-27-335-200 | 20,800 | 5,460 |
| Animal Control S&W | 01-27-340-100 | 77,000 | 20,213 |
| Animal Control O.E. | 01-27-340-450 | 0 | - |
| TOTAL | | \$721,075 | \$189,282 |
| PARKS AND RECREATION | | | |
| RECREATION | | | |
| Recreation Programs S&W | 01-28-370-100 | 378,000 | 99,225 |
| Recreation Programs O.E. | 01-28-370-200 | 170,000 | 44,625 |
| Recreation. -Bubbling Springs S&W | 01-28-371-100 | 167,000 | - |
| Recreation.-Bubbling Springs O.E. | 01-28-371-200 | 65,000 | - |
| Recreation.-Admin. S&W | 01-28-372-100 | 200,000 | 52,500 |
| Recreation.-Admin. O.E. | 01-28-372-200 | 11,900 | 3,124 |
| Recreation.-Hillcrest S&W | 01-28-374-100 | 117,000 | 30,713 |
| Recreation.-Hillcrest O.E. | 01-28-374-200 | 23,100 | 6,064 |

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| Recreation.-Parks Maintenance S&W | 01-28-375-100 | 204,000 | 53,550 |
| Recreation.-Parks Maintenance O.E. | 01-28-375-200 | 123,000 | 32,288 |
| Senior Citizen Services S&W | 01-28-376-100 | 99,000 | 25,988 |
| Senior Citizen Services O.E. | 01-28-376-200 | 13,225 | 3,472 |
| TOTAL | | \$1,571,225 | \$351,547 |
| VETERAN'S BUREAU | | | |
| Veteran's Bureau S&W | 01-20-172-100 | 1,400 | 368 |
| Veteran's Bureau O.E. | 01-20-172-200 | 1,200 | 315 |
| TOTAL | | \$2,600 | \$683 |
| PUBLIC ASSISTANCE | | | |
| Public Assistance S&W | 01-27-345-100 | 0 | - |
| Public Assistance O.E. | 01-27-345-200 | 0 | - |
| TOTAL | | \$0 | \$- |
| Celebration of Public Events O.E. | 01-30-420-200 | \$20,300 | \$5,329 |
| Mass Transportation | 01-30-431-200 | \$84,821 | \$22,266 |
| LIBRARY | | | |
| LIBRARY | | | |
| Library S&W | 01-29-390-100 | 410,000 | 107,625 |
| Library O.E. | 01-29-390-200 | 821,122 | 215,545 |
| TOTAL | | \$1,231,122 | \$323,170 |
| MUNICIPAL COURT | | | |
| APPROPRIATION | ACCOUNT NUMBER | 2007 BUDGET As Adopted | 2008 Temporary BUDGET |
| MUNICIPAL COURT | | | |
| Municipal Court S&W | 01-43-490-100 | 276,000 | 72,450 |
| Municipal Court O.E. | 01-43-490-200 | 14,225 | 3,734 |
| Municipal Court Prosecutor S&W | 01-43-491-101 | 26,000 | 6,825 |
| Municipal Court Public Defender Fees | 01-43-495-450 | 0 | - |
| TOTAL | | \$316,225 | \$83,009 |
| UTILITY EXPENSES & BULK PURCHASES | | | |
| UTILITIES & FUELS | | | |
| Utilities-Electricity | 01-31-430-200 | 125,000 | 35,000 |
| Utilities-Street Lights | 01-31-435-200 | 40,000 | 12,000 |
| Utilities-Telephone | 01-31-440-200 | 150,000 | 39,375 |
| Utilities-Natural Gas | 01-31-446-200 | 145,000 | 65,000 |
| Utilities-Fuel | 01-31-460-200 | 320,000 | 100,000 |
| TOTAL | | \$780,000 | \$251,375 |
| MISC. AND STATUTORY EXPENDITURES | | | |
| PENSION & FICA | | | |
| PERS | 01-36-471-532 | 240,000 | - |
| PERS - Less Library Chargebacks | 01-36-471-532 | -30,000 | - |
| Social Security | 01-36-472-533 | 744,206 | 195,354 |
| Less Library Charge backs - Social Security | 01-36-472-533 | -34,200 | (8,978) |
| PFRS | 01-36-473-534 | 649,000 | - |
| TOTAL | | \$1,569,006 | \$186,377 |
| Salaries/Wages Adjustment A/C | 01-37-480-501 | \$0 | \$- |
| Compensated Absences | 01-38-485-110 | \$150,000 | |
| CAPITAL BUDGET | | | |
| CURRENT YEAR CAPITAL | | | |
| Capital Improvements Fund | 01-44-900-200 | 110,900 | - |
| Cap Improvements Fund Down Payments | 01-44-900-200 | 395,974 | - |
| Cap. Improv. Fund-UGL 1st Aid Squad | 01-44-905-261 | - | - |
| TOTAL | | \$506,874 | \$- |
| GRANTS | | | |
| MASS TRANSIT GRANTS | | | |
| Grants-Mass Trans. State Share | 02-41-702-100 | 31,672 | 8,314 |

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| Grants-Mass Trans. Federal Share | 02-41-702-200 | 64,742 | 16,995 |
| Grants-Mass Trans. Local Share | 02-41-702-201 | 32,138 | 8,436 |
| TOTAL | | \$128,552 | \$33,745 |
| C.A.S.A. GRANTS | | | |
| Grants-C.A.S.A. County Share | 02-41-705-200 | 47,200 | 12,390 |
| Grants-C.A.S.A. - Local Share | 02-41-705-201 | 11,575 | 3,038 |
| TOTAL | | \$58,775 | \$15,428 |
| INDV. WITH DISAB. GRANT | | | |
| Grants-Indv. with Disabilities-State | 02-41-707-200 | 13,723 | 3,602 |
| Grants-Indv. with Disabilities-Local | 02-41-707-201 | 2,805 | 736 |
| TOTAL | | \$16,528 | \$4,339 |
| PUBLIC HEALTH PRIORITY GRANT | 02-41-714-162 | \$14,216 | \$3,732 |
| APPROPRIATION | ACCOUNT NUMBER | 2007 BUDGET As Adopted | 2008 Temporary BUDGET |
| RECREATION TRAILS PROGRAM GRANT | | | |
| Grants-Recreation Trails-State | 02-41-715-109 | 15,000 | - |
| Grants-Recreation Trails-Local | 02-41-715-110 | 5,000 | - |
| TOTAL | | \$20,000 | \$- |
| CLEAN COMMUNITIES GRANT | 02-41-718-674 | \$40,930 | \$- |
| CULTURAL HERITAGE GRANT | | | |
| Grants-Pas. Co. Cultural Heritage- County | 02-41-728-331 | 1,936 | - |
| Grants-Pas. Co. Cultural Heritage- Local | 02-41-728-332 | 968 | - |
| TOTAL | | \$2,904 | \$- |
| DWI | | | |
| DWI State | 02-41-000-000 | 13,083 | |
| DWI Local | 02-41-000-000 | \$0 | |
| TOTAL | | \$13,083 | \$- |
| HIGHLANDS COAH GRANT (CHAP 159) | | | |
| Grants-Highlands COAH | 01-41-000-000 | 0 | |
| Grants-Storm Drain Infrastructure Inventory | 02-41-000-000 | 0 | |
| TOTAL | | \$0 | \$- |
| N.J. DIV. OF HIGHWAY SAFETY – TICKET OR CLICK IT | 02-41-733-200 | \$0 | |
| NJDEP ESP MAPPG GRANT | | | |
| Grants-NJDEP ESP Mapping-State Share | 02-41-735-331 | 2,500 | |
| Grants-NJDEP ESP Mapping-Local Share | 02-41-735-332 | 2,500 | |
| TOTAL | | \$5,000 | \$- |
| TOURISM & DEVELOPMENT GRANT (CHAP 159) | 02-41-000-000 | \$0 | |
| NJ DCJ BODY ARMOR GRANT | 02-41-742-331 | \$0 | |
| POST BROOK S.W. STUDY GRANT | | | |
| Grants - NJDEP- Pst Brk S.W. Study | 02-41-744-330 | 0 | |
| Grants - NJDEP- Pst Brk S.W Study Local | 02-41-744-331 | 0 | |
| TOTAL | | \$0 | \$- |
| BELCHERS CREEK FECALTESTING | | | |
| Grants - NJDEP-Belchers Creek -State | 02-41-749-331 | 0 | |
| Grants - NJDEP-Belchers Creek -Local | 02-41-749-332 | 0 | |
| TOTAL | | \$0 | |
| GRANT - GREENWOOD LK ANTI-PHOSPHORUS | 02-41-750-331 | \$913,600 | \$- |
| GRANT - PANDEMIC INFLUENZA PREPARDNESS | 02-41-000-000 | \$0 | |
| GRANT - CONTINGENT. LOCAL MATCH | 02-41-745-999 | \$25,000 | |
| GRANT - FIRE DEPT EXHAUST SYSTEMS | 02-41-746-331 | \$0 | |
| GRANT - POLICE, SPEEDING/AGGRESSIVE DRVNG | 02-41-746-332 | \$0 | |
| GRANT - WONDER LAKE WATER IMPROVEMENT | 02-41-746-334 | \$0 | |

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| TOTAL | | \$1,238,588 | \$57,244 |
| DEBT SERVICE | | | |
| Debt Service Total | 01-45-000-000 | \$2,036,000 | \$- |
| APPROPRIATION | ACCOUNT NUMBER | 2007 BUDGET As Adopted | 2008 Temporary BUDGET |
| DEFERRED CHARGES AND RESERVE FOR UNCOLLECTED TAXES | | | |
| Deficit in Dog Trust Fund | 01-37-480-503 | 4,875 | |
| Deficit in Assessment Cash | 01-46-886-000 | 1,490 | |
| Cancelled Assessments | 01-46-886-648 | 7,918 | |
| Reserve for Tax Appeals | 01-46-886-667 | 20,000 | |
| Prior Years Bills-Rental of Polling Places, North Jersey Media | 01-46-887-528 | 714 | |
| Def Charges - Bond Ordinance Unfunded | 01-46-875-528 | 39,000 | |
| Spec Emerg - Storm Water Mgmt Plan | 01-46-877-000 | 0 | |
| Reserve for Uncollected Taxes | 01-50-899-200 | 1,770,000 | |
| TOTAL | | \$1,843,997 | \$- |
| TOTAL OPERATING BUDGET | | \$29,096,064 | \$6,835,035 |
| SOLID WASTE DISTRICT BUDGET | | | |
| Solid Waste S&W | 26-55-500-100 | 211,000 | 55,388 |
| Solid Waste O.E. All Other | 26-55-500-200 | 115,291 | 30,264 |
| Contractual Services | 26-55-500-202 | 1,292,000 | \$339,150 |
| Disposal Fees | 26-55-500-203 | 1,050,000 | 275,625 |
| Grants - Recycling County of Passaic | 26-41-753-336 | 30,709 | 8,061 |
| Prior Year's Bills | 26-55-900-900 | 0 | - |
| Commercial Pick Up | 26-55-500-201 | 0 | - |
| TOTAL | | \$2,699,000 | \$708,488 |

Adopted: January 2, 2008

Mayor Bieri advised that establishment of CASA and the Transportation Committees is being deferred pending Council discussion at the next workshop meeting.

Agenda No. VII 1

~ Resolution 2008-018~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPOINTING MEMBERS TO THE EMERGENCY MANAGEMENT COUNCIL

WHEREAS, Residents' safety is enhanced by the Emergency Management Council; and

WHEREAS, Township Code Section 15-50 provides for an Emergency Management Council to assist in supervising and coordinating the civilian defense and disaster control activities of the Township; and

WHEREAS, the Emergency Management Council shall consist of up to 15 persons.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, New Jersey, that it, hereby appoints the following members to the Emergency Management Council:

- Paul Reilly, Telecommunications Systems Analyst
- Ed Steines, Fire Commissioner
- Health Officer
- Gerald Storms, Public Works Director
- Renee Palermo, Recreation Director
- Beverly Lujbli, Captain-West Milford First Aid Squad
- Eileen Casbarro, President-Upper Greenwood Lake Volunteer Ambulance Corps
- Richard Kunze, Township Administrator
- Paul Costello, Police Chief
- Bettina Bieri, Township Mayor

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Richard McFadden, Township Engineer
Michael Woch, Fire Marshal
Steven Cea, Board of Education Representative

Adopted: January 2, 2008

Moved: Nolan Seconded: Smolinski
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Agenda No. VII 2

~ Resolution 2008-019~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,
STATE OF NEW JERSEY APPOINTING A PUBLIC AGENCY COMPLIANCE OFFICER**

WHEREAS, NJAC 17:17 authorizes Public Agencies to annually designate a Public Agency Compliance Officer as the Liaison Official responsible for the Agency's contracting procedures.

NOW, THEREFORE BE IT RESOLVED, that the governing body of the Township of West Milford in the County of Passaic, in the State of New Jersey hereby appoints Richard Kunze, Interim Township Administrator, to serve as the Public Agency Compliance Officer from January 1, 2008 through March 15, 2008.

BE IT FURTHER RESOLVED, that in accordance with NJAC 17:27 the Township Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the State of New Jersey Department of the Treasury Division of Contract Compliance and EEO in Public Contracts.

Adopted: January 2, 2008

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Agenda No. VII 3a

~ Resolution 2008-020 ~

**MAYOR'S APPOINTMENT OF FRED SEMRAU, ESQ. AS TOWNSHIP ATTORNEY IN
ACCORDANCE WITH SECTION §15-30 OF THE TOWNSHIP CODE**

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby concur with the Mayor's appointment of Fred Semrau, Esq. to the position of Township Attorney in accordance with section §15-30 of the Township Code for a term of one year from January 1, 2008 through December 31, 2008.

Adopted: January 2, 2008

Moved: Smolinski Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Agenda No. VII 3b

~ Resolution 2008-021

**MAYOR'S APPOINTMENT OF THOMAS KACZKA, ESQ. AS INTERIM MUNICIPAL
PROSECUTOR WITH COUNCIL CONSENT**

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council
Date of Meeting: January 2, 2008
Time of Meeting: 7:30 P.M.
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BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby concur with the Mayor's appointment of Thomas Kaczka, Esq. to the position of Interim Municipal Prosecutor through February 29, 2008.

Adopted: January 2, 2008

Discussion: Mayor Bieri advised that she is seeking Council consent for a temporary appointment of our current prosecutor. She plans to establish a committee with the Council to interview for this position. She would like this position to be filled through a professional service contract rather than have some serve through payroll with benefits.

Moved: Weisbecker Second: Scangarello
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Agenda No. VII 3c

~ Resolution 2008-022

MAYOR'S APPOINTMENT OF JOSEPH AFFINITO, ESQ. AS MUNICIPAL PUBLIC DEFENDER IN ACCORDANCE WITH SECTION §15-79 OF THE TOWNSHIP CODE

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby concur with the Mayor's appointment of Joseph Affinito, Esq. to the position of lead Municipal Public Defender in accordance with section §15-79 of the Township Code for a term of one year from January 1, 2008 through December 31, 2008.

Adopted: January 2, 2008

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Agenda No. VII 3d

~ Resolution 2008-023~

MAYOR'S APPOINTMENT OF DANA D'ANGELO, ESQ. AS MUNICIPAL PUBLIC DEFENDER IN ACCORDANCE WITH SECTION §15-79 OF THE TOWNSHIP CODE

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby concur with the Mayor's appointment of Dana D'Angelo, Esq. to the position of Municipal Public Defender in accordance with section §15-79 of the Township Code for a term of one year from January 1, 2008 through December 31, 2008.

Adopted: January 2, 2008

Moved: Weisbecker Seconded: Smolinski
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Mayor Bieri administered oaths of office to Richard Kunze, Interim Township Administrator and Fred Semrau, Esq., Township Attorney.

Agenda No. VII 4a i

~ Resolution 2008-024~

Mayor Bieri asked for Council consensus to defer action on this resolution at this time. Councilman Weisbecker has requested an executive session discussion of this matter. Depending on that discussion, action may or may not be taken after executive session this evening.

Agenda No. VII 4a ii

~ Resolution 2008-025~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council
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Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Agenda No. VII 4b iv

~ Resolution 2008-030~

MAYOR'S APPOINTMENT RICHARD KUNZE AS COMMISSIONER, CATHERINE SHANAHAN AS ALTERNATE COMMISSIONER AND KATHLEEN HUDAK AS SAFETY DELEGATE TO THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby concur with the Mayor's appointment of Richard Kunze as Commissioner, Catherine Shanahan as Alternate Commissioner and Kathleen Hudak as Safety Delegate to represent the Township of West Milford's interests as a member of the Morris County Municipal Joint Insurance Fund (MJIF).

Adopted: January 2, 2008

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Agenda No. VII 5
Appointments to Boards, Commissions and Committees

Beautification & Recycling Committee

Councilman Weisbecker nominated the following persons to serve on the Beautification Committee: William Weaver; William Messmer; Jeffrey Simmers; James Novack; Patricia Lotz-Moore; Carroll Sparkes; Wendy Webb; Renee Alessio; Ada Erik; Elfrieda Liebenstein;
Philip Weisbecker as Council liaison

Councilman Nolan nominated Peter Bremy. All nominations were seconded by Councilman Scangarello.

Mayor Bieri sought Council consent for her appointment William Schug as Recycling Coordinator to this committee. Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Scangarello
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Building Standards Board

Mayor Bieri nominated Joseph Smidt to this board. Councilman Weisbecker nominated Kurt Wagner, Jim Lupo, Edward Steines, and Rita DeNivo. Councilman Smolinski seconded the nominations. Councilman Nolan made a motion to close and confirm.

Moved: Nolan Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Energy Committee

Councilman Weisbecker nominated the following persons to serve on the Energy Committee: Richard Kunze; Philip Weisbecker; Richard McFadden; Michael Tfrank; Tim Dalton; William Messmer.

Mayor Bieri nominated Tim Metcalf and Robert Nolan.

Councilman Smolinski made a motion to close and confirm all the nomination except the Council liaison nominations.

Moved: Smolinski Seconded: Scangarello
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

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On motion by Council President Smolinski Philip Weisbecker to nominated to serve as Council Liaison:

Moved: Smolinski Seconded: Scangarello
Voted Aye: Weisbecker, Smolinski, Schimmenti, Lichtenberg, Scangarello.
Voted Nay: Nolan.
Motion carried.

Environmental Commission

Mayor Bieri announced the following appointments to the Environmental Commission:
Andrew Abdul; Bernard Stapleton, David Watson-Hallowell.

Fire Prevention Bureau

Mayor Bieri announced the following appointments to the Fire Prevention Bureau:
Carmelo Scangarello; Edward Steines

Health Board

Councilman Weisbecker nominated Denise DePalma-Farr; Salvatore Schimmenti; Marino Reffi.
Councilman Schimmenti nominated Bobbie DeSol.
Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Scangarello
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Heritage Committee

Councilman Nolan nominated the following persons to serve on the Heritage Committee:
Robert Bailey; Adrian Birdsall; Tonya Cubby; Ada Erik, Mary Kochka; Robert Kochka; Kristen Koerner; James VanHooker; Marilyn Lichtenberg; and Laetitia Munro. Councilman Scangarello seconded all nominations.

Moved: Nolan Seconded: Scangarello
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Historic Preservation Committee

Mayor Bieri appointed the following people to the HPC:
Steven Boshart; Harry Rescigno; James VanHooker; Robert Kochka; Kristen Koerner; Laetitia Munro.

Insurance Committee

Councilman Nolan nominated the following persons to serve on the Insurance Committee:
Arthur McQuaid; Andrew Gargano; Chris Rosica; Lori Novak-Carafello; Robert Nolan.
Mayor Bieri sought Council consent for her appointment of Richard Kunze.
Councilman Nolan made a motion to close and confirm.

Moved: Nolan Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Lakes Committee

Mayor Bieri nominated Philip Weisbecker and was seconded by Councilman Smolinski.
Councilman Weisbecker nominated the following persons to serve on the Lakes Committee:
David Lynch, Chairman and Lynn Mandon, Secretary.

Moved: Weisbecker Seconded: Schimmenti
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Library Board of Trustees

Mayor Bieri announced that she will make these appointments at a later date.

Newark/West Milford Liaisons

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Councilman Scangarello nominated Philip Weisbecker and Salvatore Schimmenti to serve as liaisons to Newark.

Moved: Scangarello Seconded: Lichtenberg
Voted Aye: Weisbecker, Smolinski, Schimmenti, Lichtenberg, Scangarello.
Voted Nay: Nolan.
Motion carried.

Parks & Recreation Committee

Councilman Weisbecker nominated Joseph Smolinski to serve as Council liaison.
Councilman Smolinski nominated Todd Maupai; Salvatore Saggio; William Remia; Charles Carbone; Frank Yevchak; Ray Guarino; John Tierney; Mark Lynch; Joseph Ponzio; Salvatore Schimmenti; and Chris Rahey. All nominations were seconded by Councilman Scangarello.

Discussion: Councilman Nolan questioned why a Councilman is taking a citizen spot on this committee. Mr. Semrau advised that Council is not precluded from serving in a citizen capacity on the committee. Councilman Nolan stated that about four meetings of this committee were cancelled due to a lack of a quorum and he asked if the existing members are likely to show up this year. Council President Smolinski advised that the meetings were not cancelled due to lack of quorum but rather weather conditions and a summer schedule as is commonplace.

Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Scangarello
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: Nolan voted "nay" to Schimmenti and "aye" to all others.
Motion carried.

Planning Board

Mayor Bieri stated that many applications for appointment to this board were received by the Township. She took time to call each individual who expressed interest and posed eleven questions to each prospective appointee. She spent 40 to 45 minutes with each person discussing planning board matters. She also reached out to an individual who did not express interest in serving. Her intent was to appoint three former Councilmen, in a bi-partisan manner, who have knowledge of the issues and who are dedicated to the Township. However, Bill Gervens declined.

Mayor Bieri nominated Andrew Gargano and James Warden and sought Council consent for these appointments.

Voted Aye: Nolan.
Voted Nay: Weisbecker, Smolinski, Schimmenti, Lichtenberg, Scangarello.
Mayor's nominations failed.

Mayor Bieri stated that it appears that the talk about bi-partisan efforts during the election was simply just talk. She is saddened that the Council could not put partisan politics aside. Because of the actions of the Council in response to her nominations, she will not make any more appointments. Therefore, until cooperation is received and the Mayoral appointments are approved by the Council, the Planning Board does not have a quorum and applications cannot be heard at this time.

Councilman Smolinski nominated Philip Weisbecker to serve as Council liaison to this board.

Moved: Smolinski Seconded: Scangarello
Voted Aye: Weisbecker, Smolinski, Schimmenti, Lichtenberg, Scangarello.
Voted Nay: Nolan.
Motion carried.

Senior Citizen Advisory Committee

Councilman Scangarello nominated the following persons to serve on the Senior Citizens Advisory Committee:
Joseph Smolinski; Doris Osterhoudt; Vivian Gunther; Avonne Cassella; Donald Schweitzer; Richard Wirth; Mariann Boettcher; Patricia Burd; Elsie Schweitzer.
Councilman Nolan nominated Jack Bandazian.
Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.

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Motion carried.

Solid Waste Advisory Committee

Councilman Scangarello nominated William Schug to serve on this committee.

Moved: Scangarello Seconded: Weisbecker
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Telecommunications Committee

Councilman Nolan nominated the following persons to serve on the Telecommunications Committee: Gary Oppenheimer; Lawrence MacKinnon; Richard Kunze.

Councilman Smolinski nominated Robert Nolan to serve as Council liaison.

Discussion: Council President Smolinski questioned the purpose of this committee. Councilman Nolan advised that this committee was established to review the telephone systems used by the municipality. The research pertains to both landlines and mobile phones with the intent to replace the centrex system with something that is more efficient and cost effective. The committee became bogged down at times but most of the legwork is now done. He expects that they will complete their task this year.

Councilman Weisbecker made a motion to close and confirm.

Moved: Weisbecker Seconded: Scangarello
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Tourism Commission

Mayor Bieri advised that the Commissioner of this Commission recently resigned as did other members. Two members did not seek reappointment and thus there will not be a quorum for this commission. Councilman Weisbecker stated that Chris Howell is willing to assume the Commissioner position and he believes that she can revitalize this commission. Mayor Bieri advised that she will not be making any appointments but will rather seek to dissolve this commission and establish an economic revitalization commission. She advised that this will be scheduled for a future workshop meeting.

Zoning Board of Adjustment

Mayor Bieri advised that, due to the lack of cooperation for her appointments to the Planning Board, she will not be making any appointments to the Zoning Board.

Agenda No. VIII

The Council took action on the following items.

Agenda No. VIII a

~ Resolution 2008-031 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD,
COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING
THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR THE
POSITION OF TOWNSHIP ATTORNEY**

WHEREAS, the Township of West Milford has a need to appoint a Township Attorney as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5 as appropriate*; and

WHEREAS, the Chief Financial Officer has determined and certified that the value of the acquisition will exceed \$17,500; and

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

WHEREAS, the term of a contract for this service is one year from January 1, 2008 through December 31, 2008; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, Fred Semrau, Esq. has submitted a proposal indicating the firm will provide legal services as sought by the Township of West Milford at the annual compensation not to exceed \$120,000.00; and

WHEREAS, Fred Semrau, 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 Dorsey & Semrau, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds to be encumbered from account number 8-01-20-155-200.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey authorizes the Mayor and the Municipal Clerk to enter into a contract with Dorsey & Semrau, LLC as described herein to the satisfaction of the Township Administrator; and,

BE IT FURTHER RESOLVED that the contract, resolution and all other pertinent documents shall remain on file in the office of the Township Clerk; and

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the Township's legal newspaper.

Adopted: January 2, 2008

Moved: Weisbecker Seconded: Scangarello
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Agenda No. VIII b

~ Resolution 2008-032 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD,
COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING
THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR THE
POSITION OF LABOR COUNSEL AND FOR LEGAL SERVICES IN THE NEGOTIATIONS OF
CONTRACTS WITH THE POLICE BENEVOLENT ASSOCIATION (PBA) & THE SUPERIOR
OFFICERS ASSOCIATION (SOA) AND TO REPRESENT THE TOWNSHIP OF WEST MILFORD IN
THE MATTER KNOWN AS O'SHEA v. WEST MILFORD FILED IN THE SUPERIOR COURT ON
DECEMBER 14, 2007 IN AN AMOUNT NOT TO EXCEED \$45,000**

WHEREAS, the Township of West Milford has a need to appoint Labor Counsel as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5 as appropriate*; and

WHEREAS, the Township of West Milford has a need to appoint Labor Counsel to assist in negotiations with the PBA and SOA whose current contracts expired on December 31, 2007; and

WHEREAS, an action was filed in the Superior Court of New Jersey Law Division, Passaic County on December 14, 2007 by the law offices of Walter M. Luers, LLC on behalf of Plaintiff Martin O'Shea in the matter of Martin O'Shea v. Township of West Milford and Antoinette Battaglia in her official capacity as the Records Custodian of the Township of West Milford, Defendants, said action requiring the services of Labor Counsel to defend the defendants in this matter; and

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

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

WHEREAS, the Chief Financial Officer has certified as to the availability of funds said funds to be encumbered from account # 8-01-20-155-202 for services rendered as the Township's Labor

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Counsel and # 8-01-20-155-502 for services rendered in conjunction with the above referenced contract negotiations; and

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Matthew Giacobbe, Esq. of the firm Scarinci & Hollenbeck, LLC, with offices located in Lyndhurst, New Jersey to serve as Labor Counsel and to work with the Township Administrator in contract negotiations with the PBA and SOA on behalf of the Township and to represent the defendants in the matter known as O'Shea v. West Milford et. al. in an amount not to exceed \$45,000.00.
2. The duration of this contract shall be for the 2008 calendar year.
3. The total fee authorized for this contract shall not exceed \$45,000.00 without the prior written approval of the Township Council.
4. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: January 2, 2008

Discussion: Mayor Bieri advised that this resolution appoints Matt Giacobbe to serve as labor counsel for the Township and she further advised that he has reduced his hourly rate.

Moved: Weisbecker Seconded: Scangarello
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Agenda No. VIII c

~ Resolution 2008-033 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD,
COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING
THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT TO
COMPLETE WORK ON PENDING LABOR MATTERS**

WHEREAS, the Township of West Milford appointed Fred Knapp, Esq. to serve as Labor Counsel for the Township in 2007 as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5 as appropriate*; and

WHEREAS, certain matters that originated in the 2007 calendar year remain outstanding; and

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

WHEREAS, the term of a contract for this service is until the completion of the above referenced legal matters; and,

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds to be encumbered from account number 8-01-20-155-202.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey authorizes the Mayor and the Municipal Clerk to enter into a contract with Fred Knapp, Esq. of the firm Laufer Knapp, LLC for an amount not to exceed \$7,500.00 as described herein to the satisfaction of the Township Administrator; and,

BE IT FURTHER RESOLVED that the contract, resolution and all other pertinent documents shall remain on file in the office of the Township Clerk; and

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the Township's legal newspaper.

Adopted: January 2, 2008

Moved: Weisbecker Seconded: Scangarello
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Voted Nay: None.
Motion carried.

Agenda No. VIII c

~ Resolution 2008-034 ~

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 HAWKINS, DELAFIELD, & WOODS FOR BOND COUNSEL SERVICES

Councilman Weisbecker made a motion to place this resolution on the table and was seconded by Councilman Scangarello.

Discussion: Councilman Nolan asked the Administrator if there is a need to adopt this resolution tonight. He stated that he is concerned that the hourly rate of \$175 is too high for these services as, in his estimation, most bond counsel work could be considered boilerplate. He would like to seek proposals for these services before Council takes action. He made a motion to table this resolution pending discussion at the January 9, 2008 workshop meeting.

Moved: Nolan Seconded: Bieri
Voted Aye: Smolinski, Schimmenti, Nolan, Lichtenberg.
Voted Nay: Weisbecker, Scangarello.
Motion carried.

Agenda No. VIII e

~ Resolution 2008-035 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO SCOTT HOLZHAUER, CTA, SCGREA, TO ASSIST THE TOWNSHIP OF WEST MILFORD WITH TAX APPEALS FILED IN THE TAX COURT OF NEW JERSEY

WHEREAS, the West Milford Tax Assessor has recommended that the Township of West Milford retain professional real estate appraisal and consulting services to assist the Township of West Milford with outstanding tax appeal matters in the Tax Court of New Jersey; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from account number 8-01-46-886-667.

WHEREAS, Scott Holzhauer 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 Holzhauer & Holenstein, LLC from making any reportable contributions through the term of the contract; and

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 Administrator and Township Clerk be and are hereby authorized to execute a contract with Holzhauer & Holenstein, LLC for professional services to assist the Township with Tax appeals filed in the Tax Court of New Jersey in an amount not to exceed \$7,500.00.
2. This contract is awarded without competitive bidding as "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law and all associated documents have been on file in the Administrator's office for at least ten (10) days.
3. The term of this contract shall be from January 1, 2008 through December 31, 2008.
4. The total fee authorized for this contract shall not exceed \$7,500.00 without the prior written approval of the Township Council.

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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 resolutions authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: January 2, 2008

Moved: Weisbecker Seconded: Nolan
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Agenda No. VIII f

~ Resolution 2008-036 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO MJB SITE DEVELOPMENT CONSULTANTS, INC. FOR SURVEYING SERVICES TO REVIEW AND CERTIFY THE UPDATED TOWNSHIP TAX MAPS

WHEREAS, the Township of West Milford's Engineering Department anticipates executing changes to the Township's Tax Maps in 2008; and

WHEREAS, the State of New Jersey requires that such changes be reviewed and certified by a licensed land surveyor; and

WHEREAS, the Township of West Milford has a need to appoint a Professional, Licensed Land Surveyor as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5 as appropriate*; and

WHEREAS, MJB Site Consultants 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 MJB Site Development Consultants, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for same, said funds to be encumbered from account number 8-01-20-165-200.

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:

6. The Township Administrator and Township Clerk be and are hereby authorized to execute a contract with MJB Site Development Consultants, Inc for professional services to review and certify changes made to the Township's Tax Maps in 2008 in an amount not to exceed \$2,750.00.
7. 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 and all associated documents have been on file in the Administrator's office for at least ten (10) days.
8. The term of this contract shall be from January 1, 2008 through December 31, 2008.
9. The total fee authorized for this contract shall not exceed \$2,750.00 without the prior written approval of the Township Council.
10. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolutions authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: January 2, 2008

Moved: Nolan Seconded: Scangarello
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Agenda No. IX

~ Resolution 2008-037 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council
 Date of Meeting: January 2, 2008
 Time of Meeting: 7:30 P.M.
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RESOLUTION APPROVING THE PAYMENT OF BILLS (As Amended)

WHEREAS, the Township Treasurer has submitted to the members of the Township Council a report listing individual disbursement checks prepared by his office in payment of amounts due by the Township.

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

| Acct # | Account Name | Amount |
|---------------------------|-----------------------------|---------------------|
| 1 | Current Account | \$264,424.57 |
| 2 | Reserve Account | 244.05 |
| 3 | Animal Control Trust | 2,778.44 |
| 6 | Capital. | 27,173.23 |
| 7 | Grants. | 13,009.39 |
| 8 | Refuse. | 1,697.15 |
| 9 | Refunds. | 67.50 |
| 12 | General Ledger. | 5,170.00 |
| 16 | Heritage Trust. | |
| 14 | Open Space Trust | 26,362.44 |
| 17 | Trust | 1,770.35 |
| 18 | Development Escrow. | 10,023.82 |
| 19 | LOSAP | |
| 20 | Special Reserve | |
| Total | | \$352,720.94 |
| Less Refund Resolution | | (67.50) |
| Actual Bill List | | \$352,653.44 |
| Other Payments | | |
| Less Refund Resolution | | |
| Total Expenditures | | \$352,653.44 |

Adopted: January 2, 2008

Councilman Weisbecker made a motion to place this resolution on the table for Council consideration. Seconded by Councilman Scangarello.

Discussion: Councilman Nolan asked for a separate vote on three bills as follows: page 8 and 9 to Stephen Glatt for \$6,360; page 11 to Glenn Kienz for \$1,333.33; and page 27 to TRC for \$5,913.75. Councilman Weisbecker amended his motion to exclude the referenced three bills from the initial vote.

Moved: Weisbecker Seconded: Scangarello
 Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
 Voted Nay: None.
 Abstained: Councilman Nolan abstained from the Valley Health invoice only.
 Motion carried.

Glatt & Kienz bills:

Discussion: Councilman Nolan stated that Mr. Glatt is the Zoning Board attorney who is being paid by retainer. Mr. Glatt was compensated \$750 for each meeting from August through December and the meetings totaled 12.25 hours which equates to \$306 per hour. The Township should never pay attorneys on retainer but, rather, should pay for actual hours worked. These invoices are being rubber-stamped by the Zoning Board. Mr. Kienz is the Planning Board attorney who is also being paid by retainer. Every month attorneys in his firm consult with each other and bill West Milford at \$135 per hour. Mayor Bieri echoed Councilman Nolan's comments adding that, as a CPA, if she does not have an answer for a client, she must research the matter at her own cost.

Councilman Weisbecker made a motion to pay these bills.

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Moved: Weisbecker Seconded: Scangarello
Voted Aye: Weisbecker, Smolinski, Schimmenti, Lichtenberg, Scangarello.
Voted Nay: Nolan.
Motion carried.

TRC Invoice:

Discussion: Councilman Nolan stated that some of these bills date back one year for well testing at Green Valley and the charges are being made to developer's escrow. He asked if there was no money in that developer's escrow account. Administrator Kunze advised that he will research that matter with the CFO and Planning Director. Councilman Nolan stated that the stamps on the actual invoices indicate that they were received in a timely fashion in Town Hall. Thus, he guesses that there was no money in the escrow account. Mayor Bieri stated that it appears that the Township held these invoices.

Councilman Nolan made a motion to table payment of these invoices pending follow up by the Administrator.

Moved: Nolan Seconded: Lichtenberg
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Public Comments

Mayor Bieri opened the meeting to the public after advising that each person will be limited to five minutes.

Carla Horton, 132 Bearfort Road, Pinecliff Lake, West Milford congratulated Ms. Bieri, Mr. Nolan and Mrs. Lichtenberg. She invited all present to join the Democratic Club for a celebration of Ms. Bieri's and Mr. Nolan's election. She stated that she is disappointed in the partisan politics of this evening and expressed hope that this will improve.

Doris Osterhoudt, Richmond Road, West Milford asked Councilman Scangarello to review the number of appointments made to the Senior Advisory Committee tonight. The bylaws of this committee call for nine members. They met today and all nine were present.

Doris Aaronson, 19 Bearfort Road, West Milford thanked the Council for their work on the well testing ordinance in 2007, especially Council President Smolinski. She also commended the Council for their work on Eagle and Valley Ridge. The Highlands Council has been discussing the Regional Master Plan and has released a revised plan with a comment period that will expire on February 28th. The purple blotches were removed from the lake districts but were expanded in other areas. Thus, the Highlands Council has planned for more planned sewerage development. Previous studies indicate that West Milford cannot sustain such development. The Township is a water-deficit area. She asked the Council to consider a resolution asking the Highlands Council to retract the yellow areas on the updated Regional Master Plan. She distributed copies of a proposed resolution for Council consideration. She thanked the former Council and congratulated the newly elected officials.

Jim Novack, Mount Laurel, West Milford stated that there is a new sign at the car wash on Greenwood Lake Turnpike and Union Valley Road which appears to be larger than allowed by local ordinance. He asked that the Zoning Officer be instructed to look into this. He stated that he is aware that there are residents in attendance tonight who reside on Lambert and Stainsby Road. They were told by members of the Engineering Department that the project in their neighborhood was stopped by a business owner in the area. The project needs striping and signage and there are parking issues that should be addressed. He expressed hope that these attendees speak up about their concerns.

Ada Erik, Macopin Road, West Milford congratulated the newly elected officials. She stated that West Milford is recognized as the number one blood drive community in the nation. The first blood drive this year is scheduled for January 20th and are regularly scheduled for the third Sunday of every month. Someone you know, she said, has or will need blood. She urged everyone to donate.

Celeste Byrne, Bearfort Road, West Milford advised that the Russ Berrie Bear Company has an annual awards program wherein they recognize outstanding citizens from various areas throughout the country. She stated that Mr. Gilligan of West Milford is largely responsible for saving many lives through his hard work organizing the blood drives. He was instrumental in getting portable blood

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donation machines in West Milford. These machines filter red blood cells and benefit those in need of blood donations. She asked the Council to nominate Mr. Gilligan for this award. She congratulated the newly elected officials. She expressed disappointment that the two most important boards in town are no longer active and stated that she is stunned at what happened here tonight. She asked that the Council work together in a bipartisan effort for the good of West Milford.

Arthur McQuaid, 31 Morsetown Road, West Milford congratulated the newly elected officials. He stated that all elected officials work hard and invest a lot of time which is appreciated. He stated that he is disappointed that Mayor Bieri did not make appointments to the Zoning Board tonight. Taxpayers have paid for classes for Planning and Zoning Board members. The members on the Zoning Board have not been appointed because of party affiliation. This board is not a policy board, rather the members hear appeals from citizens. Appointments were tabled for no valid reason. He asked the Mayor to reconsider this matter so that the Zoning Board can function properly later this month.

Richard Randazzo, Wooley Road, West Milford congratulated the newly elected officials. He thanked the Council for the work they did on the well testing ordinance and expressed hope that they will monitor the actions of the Planning Board. In the past, he said, the Planning Board allowed a clustering ordinance which allowed development, roads and driveways across wetlands.

Councilman Nolan moved to close the public portion of the meeting at 9:09 p.m.

Moved: Nolan Seconded: Scangarello
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

Council Comments

Councilman Scangarello asked the Township Attorney to reply to the query about the Senior Advisory Board. Mr. Semrau advised that each position was considered vacant until appointments were made. Councilman Nolan nominated Mr. Bandazian and the nomination was confirmed. The committee has been appointed at this time. Councilman Scangarello asked Mrs. Osterhoudt to provide him with the list of names she has.

Councilman Weisbecker stated that there is a quorum in the Planning Board at this time with himself and the Mayor unless Mayor Bieri does not show up to the meetings. He stated that Mayor Bieri took a cheap shot at the Council tonight. She tried to strong-arm on appointments during a telephone conversation. She is acting in a bipartisan manner tonight and holding the Township hostage as a result. She has decided to take shots at the Republican Councilmembers because they do not agree with her nominations. He asked for an apology from the Mayor stating that she should not have made the comments she made. She was aware of how he would vote before tonight's meeting because they discussed it on the telephone.

Councilman Nolan stated that Councilman Weisbecker is grandstanding because he is seeking reelection this year. Councilman Weisbecker advised that he has not decided as yet if he is running in 2008. However, he is disappointed in the Mayor's actions tonight. Councilman Nolan advised that, having been regularly disappointed over the past three years, he can understand Councilman Weisbecker's feelings. However, there is a new Mayor now and the Council will have to reach an accommodation. There must be bipartisan appointments to the Planning Board.

Councilwoman Lichtenberg asked Mr. Semrau to research the feasibility of the Council recommending Mr. Gilligan for the award mentioned during public comments.

Councilman Scangarello wished everyone a Happy New Year.

Mayor Bieri advised that she will be attending a seminar pertaining to the Highlands Regional master Plan. She is making every effort to be informed on matters pertaining to West Milford. The Zoning Board still has a quorum so her actions tonight will not impact their ability to meet. She asked that Councilman Weisbecker maintain a proper tone when addressing her in the future stating that there is no need for him to raise his voice. She did not make any cheap shots. She spent 40 to 50 minutes with each person who applied for appointment to the Planning Board in an effort to be bipartisan. Mr. Gargano and Mr. Warden have been dedicated to West Milford and they are knowledgeable on matters that pertain to the Township. She is bipartisan which is evidenced by the fact that she reached out to Bill Gervens who declined her offer of appointment. She spent between one and four hours with each Councilperson to address issues and concerns that are important to them. As a result of many of their comments, the agenda for tonight was changed many times. That was done

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out of respect for their comments. She has acted courteously with everyone. She stated that she did speak with Councilman Weisbecker and she reached out to all the Council members to advise them of changes to the agenda. One cannot consider it strong-arming when her intent was to advise Council of what her plans were. She told Council members that, if they did not appoint these very qualified people, they would be placing the Township in a precarious position. She explained her reasons for appointing these people and she expected the Council to follow through on their rhetoric. She won this election and she expects to appoint people that she deems qualified. The Council decided to turn her appointments down and that is why she did not make any further appointments. This will not be a one-way street any more. If she cannot appoint qualified people, she will make a stand.

Township Attorney, Fred Semrau thanked the Mayor and Council, on behalf of himself and Dominic DiYanni, for his reappointment stating that he is looking forward to the coming year. He advised that there have been court rulings pertaining to Mayoral appointments with Council consent. The supreme court has ruled that when there are times of tension between the Mayor and Council, it will not simply fade away. Cooperation within the various branches of government must be achieved. Therefore, he urged the Mayor and Council to move forward as there is no other way around this. He expressed hope that these matters can be resolved.

Executive Session

Agenda No. XII

~ Resolution No. 2008-038 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 2nd day of **January**, 2008, that:

1. Prior to the conclusion of this **Organization Meeting**, the Township Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive 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.
 - Winters v. West Milford
 - Church of the Light
 - Health Officer Appointment
 - () 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: January 2, 2008

Moved: Weisbecker Seconded: Scangarello
Voted Aye: Weisbecker, Smolinski, Schimmenti, Nolan, Lichtenberg, Scangarello.
Voted Nay: None.
Motion carried.

The Council went into Executive Session at 9:24 p.m.

The Council reconvened in public session at 10:40 p.m. with all present as before.

