
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council Special Meeting
Date of Meeting: March 20, 2008
Time of Meeting: 7:30 P.M.
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Councilman Smolinski called the Special Meeting of the West Milford Township Council to order.

Adequate Notice Statement

Councilman Smolinski read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this special meeting was published in the Herald News on January 31, 2008; copies were provided to the Record, Star Ledger, Suburban Trends 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

Councilman Smolinski led all in attendance in a salute to the flag.

Roll Call

Present: Councilmembers Phillip Weisbecker, Joseph Smolinski, Salvatore Schimmenti, Robert Nolan, Marilyn Lichtenberg, Carmelo Scangarello. Mayor Bettina Bieri (arrived @ 7:36 pm).

Absent:

Also Present: Acting Township Administrator and Township Clerk Antoinette Battaglia

Purpose

Councilman Smolinski advised that the purpose of this meeting is to review of the proposed 2008 Municipal Budget. He deferred to Arthur Magnotti, Township Finance Director.

Health Department

Regarding Section 8, Mr. Magnotti asked that the Council refer questions to him rather than reviewing the section line by line. He provided an overview and expressed that he had removed the salary for a Health Officer at \$90,000 and substituted it with \$40,000 salary for a shared service appropriation. He noted that the numbers in the document submitted do not reflect this change because it had very recently been made. He went on to explain that the revenue generated from the Health Department Clinics was \$42,420, part of which is Medicare reimbursements of \$22,420. The monies received are deposited in a realized account. Councilman Schimmenti asked about the procedure for handling Medicare claims. Ms. Battaglia explained the process whereby monies are billed to and received from Medicare, explaining that each year the filing process is more efficient because many of the clinic attendees have previously been entered into the system. Mr. Magnotti stated that there are no other changes in the Health Department figures presented, outside of the shared services appropriation. Councilman Nolan asked for clarification as to what employees are accounted for in the budget and Mr. Magnotti responded that there are two nurses and two clerical staff.

Vital Statistics

Regarding Vital Statistics salary and wages, it was explained that the \$8,000.00 expense is for the Deputy and Alternate Registrars. The Township Registrar is inter-local and paid through fees for services. It was reminded that the previous Registrar retired in January of 2007, however is still working as a volunteer in the Registrars office. The inter-local Registrar is in the office three mornings each week.

Housing Standards Bureau

The purpose of this bureau is to handle emergencies pertaining to an abandoned property that requires safety maintenance. Liens are put on the property to secure reimbursement for expenses incurred.

Environmental Health

There are currently three full time sanitary inspectors employed with annual combined salaries of approximately \$275,000. They perform bacteriological work, water testing and lab testing. The operating budget (fees for services) increased by \$1000.00 because of bottled water being provided for Banker Road. Ms. Battaglia commented that these inspector positions are a mandatory requirement of the Township. Councilman Nolan asked about the \$3000.00 for consulting fees and Mr. Magnotti said that it was due to the mandatory Right-To-Know Program. Township Clerk, Battaglia added that the new JIF program may offer these programs at no additional charge and that it will be investigated.

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Animal Control Office

Regarding the Animal Control Office, Mr. Magnotti stated that the staff consists of one full-time employee and two part-time employees. The salary budget increased by \$2000.00 to \$79,000.00 due to contractual obligations. Full time salary is \$69,578, which includes 10% longevity. Part time salaries are \$2000 and \$4000 respectively with the balance allowing approximately \$3,000 for overtime expenses. Councilman Weisbecker asked concerning overtime, why there was an increase in the 2007 expense. Mr. Magnotti responded that he would research this and report back to the Council. The Council discussed the need for a full-time Animal Control Officer and Ms. Battaglia clarified that if the Township has a Health Department, they are required to have an Animal Control Officer.

Animal Control Office Trust

Mr. Magnotti advised that a deficit of \$12,000 was discovered last year in the Dog Trust Account, adding that animal licensing fees generates the revenue in the trust. The fees for licensing pets were increased in May of 2007 and that because dog licenses are required in February, this increase was not part of the 2007 monies received. Mr. Magnotti said that the deficit could possibly be curbed two ways: by reducing spending and/or raising fees. He explained that some of the current expenses paid for by the Dog Trust Account are veterinary services, rabies clinics, licenses, animal census, deer carcass pickup, medical waste pickup and computer technical support, among other things. Mayor Bieri asked Mr. Magnotti for a copy of the numbers breakdown. He said that he will provide the licensing and other itemization of figures to the Mayor and Council. It was asked if an animal census is required and if it is needed. Ms. Battaglia stated that she believes that the cost of a census would be charged off as "Fees for Services", and that it is required to perform a periodic census. She said that she intends on determining when a census is to be performed and at what frequency they are required. Ms. Battaglia stated that it is possible for Mr. Magnotti to run preliminary figures with regard to licensing fees, as dog licensing and late fees associated with dog licensing had been collected.

Updates

Mr. Magnotti explained that he had included in the council's packets a narrative consisting of comments and answers to questions and concerns that were addressed at previous meetings. Councilman Smolinski questioned a \$5,000.00 appropriation for Mrs. Elaine Barrett for "Firemen's Widow Pension". Ms. Battaglia replied that this was for insurance and that it must now be budgeted because of the nature of the event. Mr. Magnotti read a statement from his memo, which mentioned reduction of state aid. With this reduction in mind, he said that in compiling his tax rate, he decided to consider a "worse case scenario". He said that the tax levy was increased by 11.24%, and solid waste district was up 3.9% totaling an average increase of \$168.21 per average home valued at about \$135,000. He directed the Council to a chart he had created that summarized total assessed valuation. He stated that for the first time in his career there is a decrease of approximately \$287,000. He went on to say that this is unusual for the assessed valuation to drop significantly, however it was due to tax appeals and the sale of the Sheridan Property. He said that the tax point remained the same at \$155,555. He showed on his chart the comparative schedule of tax levy and tax rates and its affect on the average homeowner. Councilman Nolan commented that he had been reading in the newspapers that due to recession and state revenue collection being down, further cuts by the state could be expected. Mr. Magnotti said that when he prepared his chart that he did so with the anticipated loss of revenue being approximately \$288,000. He advised that since January of this year there had been a reduction of \$213,000 in revenue, which included state cuts. He stated that West Milford did not receive Homeland Security grant money in 2007. The appropriate paperwork was submitted later than the due date and because of this West Milford received the 2007 Grant money in 2008. He spoke with the office in Trenton, NJ regarding 2008 Homeland Security Grant funds and it was determined that West Milford will not be receiving these funds. Mr. Magnotti went onto review with the Council the appropriation adjustments schedule as of 3/20/08. He said that it was basically a recap of his narrative. He explained that minor adjustments had been made. As he went over the appropriation adjustment schedule, he pointed out the area of "Prior Years Bills". Ms. Battaglia stated that these bills had been received by and were returned to the Planning Director for further clarification. The bills were dated in 2006 and she has asked the Planning Director to ensure that they are not duplicates. Ms. Battaglia is seeking detailed answers regarding the late submission of these bills, along with some other invoices from 2007.

Review of 2008 Municipal Budget

Schedule of Capital Project Changes

As a result of cuts in this budget, there will be a \$12,390 cut in operating accounts due to down payment monies, pay as you go items, etc. Councilman Nolan stated that the Council had discussed

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cutting a fire truck this year. He suggested re-executing the study instead. Councilman Smolinski mentioned that the Township had been able to use comfortably the Pierce line of fire products for 20 years. He feels that the study would determine if the lifespan of the Pierce equipment is greater than 20 years. Councilwoman Lichtenberg asked if the figures for the Parks and Recreation pickup truck had been checked. Mr. Magnotti replied that he would check with the Parks and Recreation department to insure that it was a pick-up truck scheduled and not the more expensive truck the department had been looking at. Councilman Smolinski mentioned the Highland Stabilization Act. Mr. Magnotti commented that the Township had received very minimal funding in 2006 and 2007 and that there would be no funding in 2008. Councilman Weisbecker asked what the status was of Extraordinary Aid. Councilman Nolan replied that you must use the Townships entire surplus first. Ms. Battaglia stated that she attended a conference in November of 2007 and that the DCA was emphatic that if there were any surplus, there would be no consideration for Aid. Councilman Nolan commented that there was still Watershed Aid in the budget. Councilman Nolan then asked Mr. Magnotti to explain why new police vehicles are considered operating budget and a replacement SUV for the Fire Department is considered a capital expenditure. Mr. Magnotti explained that police vehicles have a three-year life span and the SUV has a 5-year life span. He clarified that 5-year life vehicles qualify as a capital expense because of this longer life expectancy. Councilwoman Lichtenberg asked about the appropriation for the Beautification and Recycling Committee. Mr. Magnotti replied that he had appropriated \$1000, which would be accessible through a Department of Public Works sub-account, after the budget is passed. The committee must follow the purchase order process to use these funds. Councilman Weisbecker mentioned that during an Upper Greenwood Lake Volunteer Night it had been asked for a \$10,000 appropriation for the Lake Committee to secure a grant writer to help with grant funds. Councilman Nolan replied that they would have to present a proposal outlining their intended use of the money. Councilman Schimmenti commented that perhaps a grant writer would be something that could be a shared expense between Upper Greenwood Lake committee and the Township. Councilman Smolinski replied to Councilman Nolan that everyone who is seeking funding must submit a proposal. Mayor Bieri stated that they must be cautious because some lake communities are private and may not be entitled to funding.

Mr. Magnotti concluded his narrative by asking the \$64,000 question, "where do we go from here?" noting that there are options, some of which he does not recommend. One option would be to capitalize on salaries and wages for personnel who work on road projects. Councilman Nolan said that this might make sense because people who do not live in the Township now will reap the benefit. Mr. Magnotti noted that it isn't something that can be done for just one year and it would have to be done every year. A second option would be to include in the budget what has been previously categorized as "miscellaneous revenue not anticipated". He cited examples where this revenue can actually be anticipated. However, by doing this, there is a negative impact on the surplus for next year adding that additional surplus has been diminishing each year. The third and fourth options are to further examine appropriations and to cut non-essential capital spending. Councilman Nolan asked what the deferred tax impact would be, now that the Board of Education has issued their budget. Mr. Magnotti explained that the projection is a 1.9% increase in the school levy and that the higher the increase, the more income West Milford will realize. However, this year the increase is minimal and thusly the impact is less for West Milford. He said that he would get all of the exact figures and provide them to the Council. Councilman Nolan commented that he is less reluctant to use surplus than the rest of the Council. He also would like to look at the snow removal budget. Mr. Magnotti said that there is \$70,000 in reserves for snow removal. Councilman Nolan said that he is not recommending using that but wondered if the snow removal budget could be cut and then use trust funds if there is a winter with bad storms. Councilman Smolinski asked for an update regarding the bond counsel and auditor. Mr. Magnotti said that the Township is hiring the same bond counsel as in the past, and that with regards to an auditor, he has received 4 RFP's but has not yet performed a comprehensive study. At this time it appears that the Townships former auditor has the best rates. Mr. Ferraioli's hourly rates are lower than anyone and the cost of the audit is about \$2,000 less. Councilman Smolinski asked if the bidding process precludes pay to play. Township Clerk Battaglia replied that she will review the Township's Ordinance. She said that the State negates pay to play if a service has gone through a bidding process and that RFP's are considered part of the bidding process. She assured that she would contact Township Attorney Semrau and have him clarify this for the Mayor and Council so that a recommendation can go before Council on April 2, 2008 and an award possibly being made on April 4, 2008. Mr. Magnotti commented that he would need an Auditor in April because he has to sell bonds soon due to the poor performance of the Bond Market. Councilman Nolan asked about the date the Budget needs to be adopted and it was answered that there are dates when adoption and passage should take place, however the Township budget is contingent on the State budget, which is not passed until June. Consensus was to have another budget workshop scheduled for April 7, 2008 at 7:30. Mayor Bieri asked that everyone come prepared. Councilman Nolan asked that either Township Clerk Battaglia or Mr. Magnotti speak with Fire Commissioner Steines regarding the \$580,000 Fire Truck, prior to the next meeting.

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Miscellaneous Items

Draft resolution opposing proposed state budget cuts - Township Clerk Battaglia advised Mayor and Council of a draft Resolution on the dais regarding proposed state budget cuts. The Resolution is on the agenda for consideration on March 26. She asked that each Council member take a draft to review. If there are any edits, changes, etc they can be addressed on the 26th.

Mayor's letter regarding 3rd round COAH obligations – Township Clerk Battaglia brought to the Council's attention the letter that Mayor Bieri had written regarding the 3rd round COAH. She said that the deadline for submission is March 22nd so if there are any comments or concerns they should be addressed immediately.

Public Comments - no public comments

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 9:17 p.m.

Moved: Weisbecker Seconded: Nolan
Voted Aye: Unanimous voice vote.
Voted Nay: None.
Motion carried.

Approved: May 7, 2008

Respectfully Submitted:

MAYOR BETTINA BIERI
PRESIDING OFFICER

Judy Manning, Part-time Secretary

ANTOINETTE BATTAGLIA
TOWNSHIP CLERK