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

Minutes of: Governing Body Regular Meeting  
Date of Meeting: April 17, 2024  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 1 of 16

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The Regular Meeting of the Governing Body was called to order by Mayor Michele Dale at 6:30 p.m.

**Adequate Notice Statement**

Mayor Dale read the following statement:

Pursuant to the provisions of the Open Public Meetings Act (N.J.S.A. 10:4-8) adequate notice of this Regular Meeting was advertised in the Herald News in and The Record in its issues of January 9, 2024, and posted on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Agenda No. I

**Pledge of Allegiance**

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

Agenda No. II

**Roll Call**

Present: Councilmembers Ada Erik, Michael Chazukow, Marilyn Lichtenberg,  
Kevin Goodsir, Matthew Conlon, David Marsden

Absent:

Also Present: Mayor Michele Dale, Township Administrator William Senande,  
Township Attorney Ed Pasternak

Agenda No. III

**Reading of or Approval of Unapproved Minutes**

March 20, 2024 Regular Meeting  
April 3, 2024 Regular Meeting

Motion to approve the minutes.

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Moved: Erik                      Seconded: Lichtenberg  
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden  
Abstain: Goodsir and Marsden only on the April 3, 2024  
Voted Nay: None  
Motion carried:

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Agenda No. IV

**Meetings**

May 1, 2024 Regular Meeting  
May 15, 2024 Regular Meeting  
June 12, 2024 Regular Meeting

Agenda No. V

**Proclamations**

None

Agenda No. VI

**Presentations and Recognitions**

**Swearing In Ceremony**

Police Officer Carolyn Guevara - Mayor Dale congratulated the Officer and swore her in with the Oath of Office.

Sergeant Donald Fantasia – Received a promotion to Sergeant. Mayor Dale congratulated the Sergeant and swore him in with the Oath of Office.

Lieutenant Gary Yarna II – Mayor Dale congratulated the Lieutenant and swore him in with the Oath of Office.

**Recognition of Athletes**

Mayor Dale congratulated the athletes present and commended them for their hard work, perseverance dedication and athletic excellence. They have made the Township very proud and inspired us all.

USAWNJ – USA Wrestling New Jersey – the State Tournament was held in Trenton on March 9<sup>th</sup> and 10<sup>th</sup>. Mayor Dale named each athlete and their accomplishments.

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AAU – Amateur Athletic Union – Junior Highlanders Track Club –The Indoor National Championships took place in Virginia Beach between March 1st and March 3rd. The Township of West Milford was represented by six children, who earned a total of 9 All American Awards, when most clubs only come home with one. There were over 3000 athletes from the East coast to the West coast including Puerto Rico and the Bahamas. Mayor Dale named each athlete and their accomplishments.

Agenda No. VII

Executive Session

None

Agenda No. VIII

Public Hearing

Renewal Application for Altice dba Cablevision Warwick LLC

Notice of the public hearing was published in the Herald News on February 25, 2024 and April 7, 2024. The Governing Body will open the meeting to the public to solicit comments on this only.

Bob Nicholson suggested that the agreement not run for 15 years but rather make it for a shorter amount of time because technology changes and it would be best to keep our options open, so that we have more choices in the future to best serve the residents.

Seeing no one else wishing to speak Councilman Conlon made a motion to close public comments. Seconded by Councilwoman Lichtenberg. All were in favor.

Agenda No. VIII

Discussion Items / Official Communications

- 1. Ordinance 2024-006 Amending Section 500-198 to Numerical Limitation of Class 5 Cannabis Retailer Licenses
Councilman Conlon indicated that the Ordinance was originally brought up in response to feedback from the residents. There was a concern about the number of cannabis retailers, both licensed and unlicensed in the municipality. It was decided by the Governing Body that there were going to be ten endorsements for each class of license. The Ordinance would not be detrimental to any of the currently approved or pending licenses, but upon the closure of a business it will limit the capabilities of the Governing Body to approve more than 5 businesses. It allows the market to dictate how many businesses the Township can support. There is more data available now and due to trial and error we have more information from the State as well.
Councilman Chazukow indicated that although this issue is newer to New Jersey, Colorado passed legislation in 2012 and he has been following it the whole time, and there are things that we can learn from other States and municipalities to help guide us. Regarding the number of licenses, that was loosely based on the number of alcohol licenses and cannabis should not be regulated the same as alcohol. Out of the 21 alcohol licenses out there you can consume alcohol at 19 of those locations. That is opposed to the dispensaries where they are retail shops and no consumption is allowed and that number is 10. He thinks the number of ten is just fine, but takes issue with those businesses that are not complying with State guidelines, which is bringing the number to more than 10. He indicated that there would be an impact if the business owner chose to change location. Additionally, if a business failed and we were letting the market dictate the appropriate number, we should allow a new business to open up, as that is what free markets are about. It doesn't hurt the Township to allow someone to open up a new business. It provides jobs and tax revenue. He indicated that the Ordinance could have negative impact and that it doesn't address the legitimate concerns regarding the unregulated cannabis businesses that are poaching revenue from the compliant businesses. The Ordinances should be dropped. This proposal is premature. We should put the non-compliant businesses out of operation and reassess the license total.
Councilwoman Erik indicated that if we changed the number to 5 businesses we could always increase the number again in the future. Attorney Pasternak confirmed that Council could also amend and increase the fee at any time in the future. Fees could be grandfathered but the fees should be equitable. Administrator Senande indicated that there were two fees. There is an initiation fee and then there is a renewal fee. The fee for the first year could higher than the fee for renewal.
Councilman Conlon indicated that the number of liquor licenses in West Milford is based on population and by today's numbers the Town should have 7 or 8 licenses not 27. We have so many liquor licenses because they are grandfathered. Councilman Chazukow brought up the point that just because we may have 10 cannabis licenses allowed, we are not necessarily required to issue them. His preference would be to hold onto that number in case the State makes stricter requirements down the road. There was more discussion regarding liquor and

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<p>cannabis licenses. Liquor licenses are transferrable as property. Cannabis licenses are site and owner specific and are not. Attorney Pasternak indicated that to move a business or extend the footprint of a business, a resolution of support would be needed.</p> <p>Councilman Marsden indicated that when people say that they are popping up all over the place, they may not be aware that there are a lot of illegal businesses and that you would only know what is in the product if it is regulated. Councilman Chazukow requested that people visit the four businesses that are legitimate.</p> <p>Motion to table the Ordinance by Councilman Marsden. Seconded by Councilman Conlon. Roll call vote all were in favor.</p>
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Agenda No. X

**Public Comments**

Seeing no one wishing to speak Councilwoman Erik made a motion to close the public portion. Seconded by Councilman Conlon. All were in favor.

Agenda No. XI

**Council Comments**

None

Agenda No. XII

**Action Items- Finance Matters**

**Presentations**

Capital Budget Overview – Administrator Senande indicated that the bottom line number is \$5,457,960. He went over the line items of what was fully funded, partially funded and not funded. Paving of Maple Road is funded. Westbrook Road is not funded but we did receive a grant and that will go into next years' Capital Budget. There was no grant money for Clinton and Longhouse Drive so they are not being funded this year. Guiderail replacement is an annual request of \$50,000. Crack sealing is also being funded for \$50,000. We are funding \$1,400,000 in Road paving this year. The street sweeper will cost \$495,000. New State regulations require the streets to be swept three times a year. Two Mason dump trucks for \$210,000. Alternative funding is being sought for a drainage pipe camera because we have had a lot of broken pipes, a gravelly Axis 200 with a grapple for tree removal and a screener for separation of debris. We will not be replacing the fuel tanks at the DPW this year partially because we are spending \$2,000,000 to hopefully complete the radio system project, though we may have to put another antennae up, we may have to fund more in next years' Capital Budget.

Mayor Dale indicated that we were awarded just shy of \$2.9 million dollars for this project and hopes that for the third phase we will be in the ballpark of what the State generally awards for this type of project. Mr. Senande continued with the line items. The total requested amount is \$13,963,296 and the actual recommendation amount totals \$5,457,960.

Annual Debt Plan – CFO Ellen Mageean – We are just over \$4 million in our total debt service. Last year we went out for new bonds so we have new bonds included. We are planning on possibly going out in 2025 for bonds after the 2024 bonds drop off. These are the numbers of what is included in our budget for our debt service. This is the Township portion and the Township Library pays a portion of the bond to the Township. It comes in as income and offsets the Township's total debt service. These numbers reflect the amount we have to put in our capital budget to pay off our current debt both the interest and the principal. CFO Mageean presented an overview of the total outstanding debt and explained it was exhibited for the year ending 2023. The general obligation bonds from 2016 are \$2,875,000 and the general obligation bonds from 2022 total \$13,080,000. The bond anticipation notes are taken out year after year and are based on the ordinances. When an ordinance is done for a capital plan that ordinance becomes a ban. They are then carried over year after year until such time as the Township goes out for bonds and then they are rolled into the bonds. CFO Mageean indicated that the State requires the annual debt statement be filed each year. The debt statement is located on our website under the Finance Department for anyone to see. The State requires that the Township show the debt of the school. We are not responsible for the debt of the school. The school debt was \$3.5 million and that amount was deducted to show the net debt for the Township as zero. In addition to that we took a deduction on our regular debt for MUA money that we had that we are using for debt service. They consider that a deduction in the debt because we don't have to pay for it. It will be paid by another source. CFO Mageean indicated that whenever you pay off a bond you will have a reduction in your debt. There are different payment structures when you have a ban instead of a bond.

There was a comment made at a recent meeting about the Township not being in great financial shape when it was \$30 million in debt. This is not the case, we are not \$30 million in debt. Mayor Dale indicated that we don't borrow more money than we retire. Regarding the radio system, we didn't have a choice because of the public safety issue. Money is being spent through operating with the capital budget, rather than bonding for it because to borrow money costs more. Mayor Dale indicated that this is

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being done without a tax increase even though this project is being directly funded. For clarification CFO Mageean indicated that it was a zero levy increase, it all depends on whether our assessed value goes up or down. She believes the assessed value is up this year so she doesn't think there would be an increase with the municipal budget, but to be clear there is no levy increase.

Agenda No. XII 1

~ Ordinance 2024 – 018 ~

**ORDINANCE TO EXCEED THE CALENDAR YEAR 2024 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.50% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Council of the Township of West Milford in the County of Passaic finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Council hereby determines that a 1.00% increase in the budget for said year, amounting to \$287,431.15 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of West Milford, in the County of Passaic, a majority of the full authorized membership of this Governing Body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Township of West Milford shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$1,006,009.03, and that the CY 2024 municipal budget for the Township of West Milford be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced: April 17, 2024

Adopted:

Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for May 15, 2024. Notice of the public hearing shall be published in the Herald News on or about April 23, 2024.

Motion to move Ordinance 2024-018.

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Moved: Erik Seconded: Chazukow  
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Marsden  
Abstain: Conlon  
Voted Nay:  
Motion carried:

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Agenda No. XII 2

~ Resolution 2024 – 175 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING READING OF THE MUNICIPAL AND SOLID WASTE BUDGETS BY TITLE**

**WHEREAS**, pursuant to the Local Budget Law N.J.S.A. 40A:4-1 et seq., all provisions for the introduction and public hearing of the 2024 Municipal and Solid Waste Budgets for the Township of West Milford have been met; and

**WHEREAS**, the budget is available for inspection in the office of the Township Clerk, posted on the municipal website, and published in accordance with the law.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the 2024 Municipal and Solid Waste Budgets shall be read by title.

Adopted: April 17, 2024

Motion to move Resolution 2024-175

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Moved: Erik Seconded: Chazukow  
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Marsden  
Abstain: Conlon  
Voted Nay:  
Motion carried:  
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Agenda No. XII 3

~ Resolution 2024 – 176 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE INTRODUCTION OF THE 2024 MUNICIPAL BUDGET AND THE 2024 SOLID WASTE BUDGET**

**MUNICIPAL BUDGET NOTICE**

Section 1.

Municipal Budget of the Township of West Milford, County of Passaic for the Fiscal year 2024.

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2024;

Be it Further Resolved, that said Budget be published in the Herald News in the issue of April 23, 2024.

The Governing Body of the Township of West Milford does hereby approve the following as the budget for the year 2024:

				Abstained	(
					(Conlon
					(
<b>RECORDED VOTE</b>	(Erik	(			
	(Chazukow	(			
	(Lichtenberg	Nays	(None		
	(Goodsir		(		
	(		(	Absent	(None
	(Marsden		(		(

Notice is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Township of West Milford, County of Passaic, on April 17, 2024.

A hearing on the Budget and Tax Resolution will be held at the Municipal Building, on May 15, 2024 at 6:30 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2024 may be presented by taxpayers or other interested persons.

**SOLID WASTE COLLECTION DISTRICT RESOLUTION**

Section 1.

Municipal Budget of the Township of West Milford, County of Passaic for the Fiscal year 2024.

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2024;

Be it Further Resolved, that said Budget be published in the Herald News in the issue of April 23, 2024.

The Governing Body of the Township of West Milford does hereby approve the following as the budget for the year 2024:

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**RECORDED VOTE**

	(Erik	(	Abstained	(
	(Chazukow	(		(Conlon
Ayes	(Lichtenberg	Nays	(None	(
	(Goodsir	(		(
	(	(	Absent	(None
	(Marsden	(		(

Notice is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Township of West Milford, County of Passaic, on April 17, 2024.

A hearing on the Budget and Tax Resolution will be held at the Municipal Building, on May 15, 2024 at 6:30 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2024 may be presented by taxpayers or other interested persons.

Adopted: April 17, 2024

Public hearing for the 2024 Budget is set for the Regular Meeting of the Township Council scheduled for May 15, 2024. Notice of the public hearing shall be published in the Herald News on or about April 23, 2024.

Motion to move Resolution 2024-176

Moved: Erik Seconded: Lichtenberg  
 Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Marsden  
 Abstain: Conlon  
 Voted Nay:  
 Motion carried:

Agenda No. XII 4

~ Resolution 2024 – 177 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING INCREASE IN DEFERRED SCHOOL TAXES FOR LOCAL SCHOOL TAXES**

**WHEREAS**, the Division of Local Government Services requires that the Governing Body of any municipality which has Deferred School Taxes must authorize any increase in the deferral of any additional amounts, and

**WHEREAS**, the Governing Body has decided that an increase in Deferred School Taxes is in the best interest of the Township at this time.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body that the following Deferred School Taxes be hereby increased for the year ended December 31, 2023 as follows:

	<b>Deferred Local School Taxes</b>
Amount Deferred 12/31/23	31,338,443.00
Amount Deferred 12/31/22	30,007,514.00
	1,330,929.00

**BE IT FURTHER RESOLVED** by the Governing Body that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

Adopted: April 17, 2024

Motion to move Resolution 2024-177

Moved: Conlon Seconded: Lichtenberg  
 Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden  
 Abstain:  
 Voted Nay:  
 Motion carried:

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Agenda No. IX

**Unfinished Business, Final Passage of Ordinances**

None

Agenda No. XIV

**New Business, Introduction of Ordinances, Resolutions**

Agenda No. XII 1

~ Ordinance 2024 – 019 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC STATE OF NEW JERSEY REPEALING PART I ADMINISTRATIVE LEGISLATION CHAPTER 15 ARTICLE X DEPARTMENT OF HEALTH §15-54 DIVISION OF VITAL STATISTICS AND AMENDING ARTICLE IV TOWNSHIP CLERK TO ADD A NEW ARTICLE §\_\_\_\_ ENTITLED “DIVISION OF VITAL STATISTICS” OF THE CODE OF THE TOWNSHIP OF WEST MILFORD**

**WHEREAS**, the current Township Code contains §15-54 "Division of Vital Statistics" which provides that within the Department of Health there shall be a division called "Division of Vital Statistics," which shall be under the supervision of the Health Officer. This Division shall consist of the Registrar who will maintain all Vital Statistics records; and

**WHEREAS**, the Township Administration has reviewed the Code, and recommended changes to streamline the Code and promote the efficient operation of the Division of Vital Statistics; and

**WHEREAS**, in the interest of operational efficiency, §15-54 "Division of Vital Statistics" shall be repealed in its entirety and a new article §\_\_\_\_, herein entitled "Division of Vital Statistics" shall be created, under the supervision of the Township Clerk; and

**WHEREAS**, the Township Council has also reviewed the current Code, and determined that it is necessary to update and amend the Code.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Township Council of the Township of West Milford, Passaic County, New Jersey, that Part I Administrative Legislation Chapter 15 Article X Department of Health, §15-54 Division of Vital Statistics is hereby repealed in its entirety; and

**NOW THEREFORE BE IT FURTHER ORDAINED**, by the Township Council of the Township of West Milford, Passaic County, New Jersey, that a new Article §15- entitled "Division of Vital Statistics" of the Code of the Township of West Milford be and is hereby adopted to read as follows:

**Section 1.** Article IV Township Clerk, Section §---- Division of Vital Statistics

Within the Office of the Township Clerk there shall be a Division of Vital Statistics. Under the direction and supervision of the Township Clerk, the Division of Vital Statistics shall:

- A. Be headed by a person serving as the Registrar of Vital Statistics. He/she shall be appointed by the Mayor and shall receive such compensation as shall be provided by Ordinance. This Division shall maintain and administer matters concerning vital statistics, including births, deaths and marriages in accordance with state law and receive applications for and issue marriage licenses pursuant to law.

**Section 2.** All ordinances of the Township of West Milford, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

**Section 3.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

**Section 4.** No provision of this Ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this Ordinance or from other law.

**Section 5.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

**Section 6.** This Ordinance may be renumbered for codification purposes.

Introduced: April 17, 2024

Adopted:

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Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for May 15, 2024. Notice of the public hearing shall be published in the Herald News on or about April 23, 2024.

Motion to move Ordinance 2024-019

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Moved: Erik Seconded: Conlon  
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden  
Abstain:  
Voted Nay:  
Motion carried:  
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Mayor Dale asked to move Resolution 2024-155 and Resolutions 2024-178 through 2024-184 and Resolution 2024-190.

Agenda No. XIV 2

**~ Resolution 2024 – 155 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY TO ENTER INTO AN EMPLOYMENT AGREEMENT**

**WHEREAS**, the Township and its Chief Financial Officer (hereinafter “CFO”) (collectively, “the Parties”) wish to enter into an agreement for the CFO position to become “part-time” and allow the CFO to work remotely from out of state; and

**WHEREAS**, the CFO has been granted an exemption to the New Jersey First Act; and

**WHEREAS**, the Parties wish to set forth with specificity the terms of the Agreement, herein as “Exhibit A” and which shall be kept on file with the Municipal Clerk.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of West Milford, in the County of Passaic and State of New Jersey that the Township Administrator be empowered to enter into the above referenced agreement, and take all necessary further actions in contemplation of this resolution and the specific terms of the Agreement.

This Resolution shall take effect immediately upon adoption.

Adopted: April 17, 2024

Agenda No. XIV 3

**~ Resolution 2024 – 178 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT WITH THE WEST MILFORD BOARD OF EDUCATION FOR THE LEASE OF A SCHOOL BUS FOR USE IN THE BUBBLING SPRINGS DAY CAMP PROGRAM**

**WHEREAS**, the Township of West Milford is desirous of using one (1) fifty-four (54) passenger school bus (hereinafter referred to as the “School Bus”) that is owned by the West Milford Board of Education to use in connection with the Township’s Bubbling Springs Day Camp Program in West Milford, NJ; and

**WHEREAS**, the West Milford Board of Education agrees to lease the School Bus to the Township from July 1, 2024 to August 16, 2024 in accordance with a Memorandum of Agreement filed in the Office of the Township Clerk; for 34 days at a rate of \$10.00 per day for a total of \$340.00; and

**WHEREAS**, the Township of West Milford and the West Milford Board of Education have successfully engaged in this lease/loan program for a number of years.

**NOW, THEREFORE BE IT RESOLVED**, that the proper officers be and are hereby authorized and directed to execute a Memorandum of Agreement for the lease of one school bus from the Board of Education to the Township of West Milford for use for the Township’s Bubbling Springs Day Camp Program from July 1, 2024 to August 16, 2024.



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Agenda No. XIV 4

~ Resolution 2024 – 179 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF CRUSHED STONE FROM TILCON NEW YORK, INC. THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #9 (CRUSHED STONE AND SAND) IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$20,000.00**

**WHEREAS**, the Township of West Milford by virtue of Resolution 2024-076 awarded a contract to Tilcon New York, Inc. for the purchase of crushed stone and sand; and

**WHEREAS**, the Township of West Milford by virtue of Resolution 2024-099, increased the not to exceed amount for the purchase of crushed stone and sand to \$40,000.00; and

**WHEREAS**, the Director of Public Works has submitted a written recommendation for the purchase of additional crushed stone and sand; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purchase; said funds to be encumbered from account number: 01-201-26-290-360.

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

1. The Mayor and Township Council hereby authorizes an expenditure of funds through the Morris County Cooperative Pricing Council, Contract #9 (Crushed Stone and Sand) to Tilcon New York, Inc., 9 Entin Road, Parsippany, NJ 07054 for the purchase of additional crushed stone and sand thereby increasing the not to exceed amount from \$40,000.00 to \$60,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: April 17, 2024

Agenda No. XIV 5

~ Resolution 2024 – 180 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF REPAIRS/PARTS AS AN EXCLUSIVE DEALER IN NEW JERSEY FOR PIERCE MANUFACTURING INC. FROM FIRE & SAFETY SERVICES LTD.**

**WHEREAS**, the Township of West Milford has six (6) fire companies that owns and operates Pierce Manufacturing Inc. fire engines, tankers and rescue vehicles that require maintenance and repairs; and

**WHEREAS**, Fire & Safety Services LTD is the exclusive dealer in the State of New Jersey for the sale, service, parts, and warranty of custom and commercial fire apparatus manufactured by Pierce Manufacturing Inc.; and

**WHEREAS**, the Township of West Milford has a need on a timely basis to purchase repairs and/or parts utilizing the above vendor for repairs and parts for firefighting trucks and equipment, which expenses would exceed the threshold of \$17,500.00; and

**WHEREAS**, Fire & Safety Services LTD has complied with state pay-to-play regulation by completing and submitting a Business Entity Disclosure Certification; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.5(b), no orders of materials shall be undertaken until such time as the funding for the goods or services are certified by the Chief Financial Officer; and

**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 the appropriate Township officials be and are hereby authorized to execute purchases to the above referenced vendor within the budget appropriation established for this purpose.

Adopted: April 17, 2024

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

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Agenda No. XIV 6

~ Resolution 2024 – 181 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF A 2024 CLICK IT OR TICKET GRANT**

**WHEREAS**, Law enforcement officers from the West Milford Police Department will join with police from around the country in cracking down on unbuckled motorists and passengers as part of the national “Click it or Ticket” campaign; and

**WHEREAS**, beginning May 20, 2024 and running through June 2, 2024 the annual “Click It or Ticket” national mobilization utilizes high visibility seat belt checkpoints and saturation patrols, in combination with local and national publicity efforts, to reiterate the life-saving value of seat belts; and

**WHEREAS**, to aid municipalities in addressing this increased volume and to help offset the increased cost of police enforcement during these periods, the federal government offers grant funds to certain municipalities; and

**WHEREAS**, the West Milford Police Department has an obligation to keep our roadways safe.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford hereby authorizes the submission of a 2024 Click It or Ticket grant from May 20, 2024 through June 2, 2024 to reiterate the life-saving value of seat belts.

Adopted: April 17, 2024

Agenda No. XIV 7

~ Resolution 2024 – 182 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) GRANT TIME EXTENSION FOR THE FUTURE BARRIER-FREE ACCESS RAMP WITH A.D.A. IMPROVEMENTS AT THE TOWNSHIP BUILDING #2 (RIDGE ROAD BUILDING)**

**WHEREAS**, the Passaic County Board of County Commissioners awarded Community Development Block Grant (CDBG) grant funds under the FY2021 program for a proposed barrier-free access ramp at Township Building #2 (Ridge Road Building); and anticipates having \$700,000 available to twelve eligible municipalities of the County and to eligible non-profit agencies under the 2021 CDBG program; and

**WHEREAS**, the ongoing renovation work and projects at the building site required a request for a time extension to May of 2024; and

**WHEREAS**, the continued renovation work and future projects at the site result in an additional time extension request for nine months until February 2025; and

**WHEREAS**, the formal request requires support from the Governing Body by way of resolution; and

**WHEREAS**, the Township anticipates retrofitting the Annex for municipal and public use and an A.D.A. compliant entrance is still a desirable project.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and the Township Council of the Township of West Milford hereby authorize the submission of a time extension request for the FY2021 Community Development Block Grant project of a barrier-free access ramp to one of entrances of Township Building #2 (Ridge Road Building).

Adopted: April 17, 2024

Agenda No. XIV 8

~ Resolution 2024 – 183 ~

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

Minutes of: Governing Body Regular Meeting  
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**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER NO. 3 TO R.J. MICHAELS & CO., INC. FOR THE RENOVATIONS AND ALTERATIONS TO TOWN HALL ANNEX BUILDING FOR AN INCREASE NOT TO EXCEED \$19,250.59**

**WHEREAS**, the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey authorized the award of a competitive bidding construction contract for the Renovations and Alterations to Town Hall Annex Building on February 8, 2023, by Resolution 2023-080; and

**WHEREAS**, Change Order No. 1 was required as a result of unforeseen conditions resulting in the replacement and installation of a new fire alarm system to include additional units in the basement and whole building system for a not to exceed \$17,907.00 contract increase to \$745,015.00; and

**WHEREAS**, Change Order No. 2 was required as a result of unforeseen conditions resulting in the replacement and installation of failing subflooring, installation of metal studs along an exterior wall, and installation of retro-type roof pipe flashings, including incidentals of the work for a not to exceed \$30,351.81 contract increase to \$775,366.81; and

**WHEREAS**, additional revisions to the municipal office layout of the proposed floor plan resulted in unforeseen changes and the Township requesting and receiving a proposal from the contractor, R.J. Michaels & Co., Inc. for Change Order No.3 for work as detailed in the revised plans, including incidentals; and

**WHEREAS**, the design architect has reviewed the proposal; and

**WHEREAS**, due to the unforeseen conditions of the building it is recommended to increase the contract amount to accommodate the Change Order No. 3 which total amount of increase for the project is \$19,250.59 or 2.5%; and

**WHEREAS**, based upon the aforementioned Change Order No. 3 the total amount of the contract is now \$794,614.40; and

**WHEREAS**, the Chief Financial Officer has certified to the availability of funds for this change order, said funds to be paid from account no. 01-270-55-000-001.

**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 Council is hereby authorized to exceed the original contract award with prior approved Change Order No. 1 and 2 of \$775,366.81 to R.J. Michaels & Co., Inc., 333 Dodd Street, East Orange, NJ 07017 by an amount not to exceed \$19,250.59.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution change order and contract shall be available for public inspection in the Office of the Township Clerk.

Adopted: April 17, 2024

Agenda No. XIV 9

~ Resolution 2024 – 184 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY GRANTING PERMISSION TO THE GREENWOOD LAKE AIR SHOW, LLC TO HOLD THE ANNUAL GREENWOOD LAKE AIR SHOW**

**WHEREAS**, the Greenwood Lake Air Show plans and hosts the 15<sup>th</sup> annual air show in the West Milford Township; and

**WHEREAS**, the Greenwood Lake Air Show has requested permission for the following events to be held on Friday, June 14, 2024, Saturday June 15, 2024, and Sunday June 16, 2024 Air Show with Fireworks Display and Pyrotechnics at Greenwood Lake Airport.

**WHEREAS**, Certificates of Insurance will be provided to the Township of West Milford regarding the event activities, including fireworks prior to the set up or start of the day; and

**WHEREAS**, any necessary licenses, permits, and inspections that are required by State Law, Federal or Local ordinance including, but not limited to food, fire, or tent will be applied for and obtained a minimum of two weeks prior to the event.

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that permission is hereby granted to the Greenwood Lake Air Show to hold the aforementioned activities on June 14-16 2024; and

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

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**BE IT FURTHER RESOLVED**, all Township of West Milford related fees be waived for the Greenwood Lake Air Show LLC.

**BE IT FURTHER RESOLVED**, that the Township Administrator and Township Clerk are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

Adopted: April 17, 2024

Agenda No. XIV 10

**~ Resolution 2024 – 190 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING REAR EGRESS/INGRESS TO THE JERSEY ROOTS GRAND OPENING**

**WHEREAS**, Jersey Roots Dispensary LLC wishes to have a Grand Opening on April 20, 2024; and

**WHEREAS**, the Ordinance is currently written to permit one exit/entry within the location; and

**WHEREAS**, due to the setting and predicted increase in traffic commencing the event, the Director of Public Safety recommends permitting a second exit in the rear of the location on the date of the Grand Opening only; and

**WHEREAS**, the West Milford Police Department has an obligation to keep our roadways safe.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford hereby authorizes rear egress/ingress to the Jersey Roots on the day of the Grand Opening only.

Adopted: April 17, 2024

Motion by Councilwoman Erik to move Resolution 2024-155 and Resolutions 2024-178 through 2024-184 and Resolution 2024-190. Seconded by Councilman Conlon.

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Moved: Erik Seconded: Conlon  
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden  
Abstain: Conlon only on Resolution 2024-181  
Voted Nay:  
Motion carried:  
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Agenda No. XV

**Consent Agenda**

**~ Resolution 2024 – 185 ~**

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

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

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

- Resolutions:**  
a) **2024-186** – Refund Recreation Fees  
b) **2024-187** – Refund Other Liens  
c) **2024-188** – Reinstatement of Taxes

Adopted: April 17, 2024

Agenda No. XV a

**~ Resolution 2024 – 186 ~**

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

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

**BE IT RESOLVED** that the following recreational fees upon the report of the Director of Community Services and Recreation be refunded:

<b>BABYSITTER COURSE</b>			
\$115.00	7 - 2 <sup>nd</sup> Ave. West Milford, NJ 07480		
<b>INTERMEDIATE PICKLEBALL CLINIC</b>			
\$60.00	184 Marshall Hill Road West Milford, NJ 07480	\$60.00	7 Risley Road Hewitt, NJ 07421
\$60.00	3 Allaire Road Hewitt, NJ 07421		
<b>PICKLEBALL TOURNAMENT</b>			
\$30.00	316 Orchard Drive Monroe, NY 10950		

Adopted: April 17, 2024

Agenda No. XV b

~ Resolution 2024 – 187 ~

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

**WHEREAS**, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective lien.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of West Milford that the proper officers be and are hereby authorized and directed to pay the indicated amount to the holder of the lien certificate as hereinafter shown below:

<b>Certificate No.</b>	<b>Certificate Date</b>	<b>Block/Lot/Qual</b>	<b>Reimbursement Amount</b>	<b>Premium</b>	<b>Pay to Lien Holder</b>
23-0004	10/10/2023	01912-004	\$275.26	\$0.00	Getro Maceno Sole MBR 339 North 5 <sup>th</sup> Street Newark, NJ 07107
23-0056	10/10/2023	16003-009	\$20,919.88	\$10,800.00	Christiana Trust as Custodian GSRAN-Z LLC Deposit Account PO Box 71276 Philadelphia, PA 19176
20-0053	10/10/20	07801-047.04	\$51,964.96	\$30,400.00	Christiana Trust as Custodian GSRAN-Z LLC Deposit Account PO Box 71276 Philadelphia, PA 19176
<b>TOTAL</b>			<b>\$73,160.10</b>	<b>\$41,200.00</b>	

Adopted: April 17, 2024

Agenda No. XV c

~ Resolution 2024 – 188 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REINSTATEMENT OF TAXES**

**WHEREAS**, there appears on the tax records receipt of payment of taxes; and

**WHEREAS**, the Collector of Taxes recommends the reinstatement of taxes due to reasons stated below.

**NOW, THEREFORE BE IT RESOLVED**, that the proper officers be and they are hereby authorized and directed to reinstate as listed below:

- REASON:**
1. INSUFFICIENT FUNDS
  2. NO ACCOUNT/CANNOT LOCATE
  3. ACCOUNT CLOSED
  4. STOP PAYMENT
  5. UN-AUTHORIZED PAYMENT
  6. FROZEN/BLOCKED ACCOUNT

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BLOCK/LOT	AMOUNT	INT	YEAR	REASON
01404-005.02	\$1,692.00	\$14.60	2024	2
05204-010	\$1,081.00	\$8.65	2024	1
16302-017	\$250.00		2024	2
16302-017	\$250.00		2024	2
01813-004	\$590.00		2024	6
02307-010	\$1,200.00		2024	2

Adopted: April 17, 2024

Motion to move Resolutions 2024-185 through 2024-188.

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 Moved: Erik Seconded: Lichtenberg  
 Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden  
 Voted Nay: None  
 Motion carried:  
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Agenda No. XVI

**Approval of Expenditures**

~ Resolution No. 2024 – 189 ~

**RESOLUTION APPROVING THE PAYMENT OF BILLS**

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

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

Acct #	Account Name	Amount
1	Current Account	\$227,477.27
3	Reserve Account	5,136.15
2	Grants	17,260.54
6	Refunds	114,685.10
1	General Ledger	6,091.00
26	Refuse	277,757.60
4	Capital	87,137.62
19	Animal Control	0.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	4,215.44
16	Development Escrow	2,682.50
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	87.00
Total		\$742,530.22
	Less Refund Resolution	-114,685.10
	<b>Actual Bills List</b>	<b>\$627,845.12</b>
	Other Payments:	
	Payroll	\$553,227.76
	BOE	5,223,074.00
	<b>Total Expenditures</b>	<b>\$6,404,146.88</b>

Adopted: April 17, 2024

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 Moved: Erik Seconded: Lichtenberg  
 Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden  
 Voted Nay: None  
 Motion carried:  
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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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CFO Ellen Mageean asked for consensus to contact Bond Council and proceed with the Bond Ordinance. The Council gave consensus.

Agenda No. XV

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

Mayor Dale – Passaic County will be resurfacing the two ends of Echo Lake Road. The middle section had been completed previously. They plan to do Union Valley from Plymouth Ave to Warwick Turnpike in 2025. Passaic County will be participating with West Milford on April 27, Roadside Cleanup Day. We received a \$50,000 grant through the Joint Insurance Fund for the Police Accreditation Program. We will receive eligible credits off of assessment because we will become an accredited department. There is a joint meeting scheduled with the Board of Education to begin phase one of the new multi-field sports complex that we intend to implement. Mayor Dale indicated that she would like to ask the Council to create a Mayor’s Citizen Advisory Team. There was some discussion about who should provide the feedback. On May 5<sup>th</sup> there will be a Highlander Education Fundraiser at Wallisch. The Mayor and Council were invited to have a booth.

Councilman Chazukow – Congratulations to Michael Van Hooker, on the birth of a child, he works on the Heritage Committee. The Heritage Committee is looking to get quotes for the West Milford Museum repairs. They need quotes for stonework, painting, roofing and general contracting. Those interested can reach out to the Township or stop by the Museum on Saturdays from 1 p.m. to 4 p.m.

Councilwoman Lichtenberg – Friends of Wallisch is having their huge Barn Sale April 26<sup>th</sup>, 27<sup>th</sup> and 28<sup>th</sup>. Members are allowed earlier entry to the event. The mobile Motor Vehicle Division is booked up for May 1<sup>st</sup> and 2<sup>nd</sup> and another date will be announced when the time comes.

Councilman Goodsir – Registration is open for the 5<sup>th</sup> Annual Kids Trout Fishing Derby to be held on Saturday May 11<sup>th</sup> at Bubbling Springs lower lake. The lake is being stocked with over 200 trout. Registration is now open for Bubbling Springs Day camp. Registration is open for the Floor Hockey Club. Join former West Milford High School hockey players for four Friday nights of fun and hockey. This is co-ed pick up style hockey with minimal instruction for ages 8-12. Registration is now open for Advanced Off-Season Basketball Skills Clinic. Learn proper footwork, endurance training, skill development and competitive games every Tuesday and Friday starting May 7<sup>th</sup>. At a recent event Firefighter Ed Aldrich was awarded a 55 Years of Service Award and he wanted to congratulate him.

Councilman Conlon – Congratulations to all of the Police that were sworn in tonight. The annual ALF – Autumn Lights Festival will be held September 27, 28, 29 at the Jungle Habitat Property. For information contact [www.autumnlightsfestival.com](http://www.autumnlightsfestival.com)

Councilman Marsden – No report.

Councilwoman Erik – Indicated that the Economic Development Commission was working on a Mural Project and is looking for artists who would like to paint a local building or windows. They are getting in touch with business owners and building owners in order to make it happen. Kids are welcome and there will be a contest. The Beautification Committee will be holding the House Beautiful Contest. Gardens cannot be done by a professional company and must be able to be viewed from the street. Gifts will be awarded and a winner announced in September. Beautification Day is next Saturday and there will be a picnic at Bubbling Springs at noon. The Elks will be serving hot dogs.

Administrator Senande – Reported that there was a Township Property Sale held today and about \$100,000.00 was raised, mostly from adjacent property owners looking to expand their property. That dollar amount was not reflected into this years’ budget, so that will be additional revenue added this year. He will work on a breakdown of money received both by sale price and tax revenue and provide it to the Council.

Attorney Pasternak – No report.

Agenda No. XVI

**Appointments and Resignations**

None

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

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Agenda No. XVIII

**Adjournment**

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

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The meeting adjourned at 8:07 p.m.

Approved: May 1, 2024

Respectfully submitted:

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Deidre Ellis, Keyboarding Clerk II

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MICHELE DALE, MAYOR

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WILLIAM SENANDE, TOWNSHIP CLERK