
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: February 14, 2024
Time of Meeting: 6:30 p.m.
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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

January 17, 2024 Executive Session Minutes
January 17, 2024 Regular Meeting Minutes
February 7, 2024 Special Meeting Minutes
February 7, 2024 Budget Hearing Meeting Minutes

Motion to approve the minutes.

Moved: Erik Seconded: Lichtenberg
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden
Voted Nay: None
Motion carried:

Agenda No. IV

Meetings

February 21, 2024 Budget Hearing
February 28, 2024 Budget Hearing
March 6, 2024 Regular Meeting

Agenda No. V

Proclamations

None

Agenda No. VI

Presentations and Recognitions

None

Agenda No. VIII

Discussion Items / Official Communications

None

While the agenda held no discussion items directed to the Council, Mayor Dale requested the Board of Health proceed with their presentation at this time.

Agenda No. XVII

Discussion Items / Official Communications

| | |
|----|--|
| 1. | Board of Health- Araceli Pintle began with the Communicable Disease report from the Epidemiologist. There are 22 cases of Influenza H1N1. 24 cases of Lyme Disease. There were 44 confirmed cases of Covid 19 from January 14, 2024 through February 14, 2024. Hospitalizations are at an activity level of low throughout all of Passaic County. The Community health Needs Surveys are still going out with a total goal of 5,300 and a total of 249 as a goal |
|----|--|

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for West Milford. 162 have been completed for West Milford. For Environmental Health the Chief REHS reports that from August 2023 to December of 2023, there have been 53 food inspections and there were 8 re-inspections, reviewing 2 mobile events and 49 temporary events. There have been 113 OPRA requests and 26 public health nuisances investigated as well as various other inspections, and those for septic and wells. Sandy Cameron is the Public Health Nurse Supervisor for communicable disease and nursing and shared some upcoming events on the calendar. We are celebrating Heart Health Awareness Month here at Town Hall on February 16 from 12 to 3 p.m. There will be heart health information given out and chair yoga. February 26 to March 1 is shingles awareness week. Those residents wishing to receive the shingles vaccine must be uninsured. The clinic is the Adult 317 Clinic and residents can get any of the vaccines we offer. We need to get the word out to residents. Ms. Cameron gave one shingles shot and one flu shot last month. Coming up on June 22, 2024, Hype for Hope which concerns mental health awareness. The Well Child Clinic will take place next Wednesday February 21 for children with no insurance. Health insurance providers will be available to sign families up. Currently the law is that any child, documented or not, may sign up for the NJ Family Care Plan A and see a pediatrician and get the medical help they need. March 15 there will be a free Covid 19 and flu clinic, with the new 2023-2024 vaccine formula. That clinic will be open to everyone from 12 p.m. to 3 p.m. at Town Hall. Mayor Dale indicated that the schools have received the survey as well, in order to get the requested feedback.

Agenda No. VII

Executive Session

Agenda No. VII 1

~ Resolution 2024 - 094 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 14th day of February 2024 that:

- 1. Prior to the conclusion of this Regular Meeting, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
() b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
() b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
() b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
() b. (4) A collective bargaining agreement including negotiations.
() b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
() b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
() b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege
(X) b. (8) Personnel matters.
() b. (9) Deliberations after a public hearing that may result in penalties.
2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: February 14, 2024

Motion to begin executive session.

Moved: Conlon Seconded: Marsden
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden
Voted Nay: None
Motion carried:

Executive session began at 6:44 p.m.
Executive session ended and the regular meeting reconvened at 7:04 p.m.

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Agenda No. IX

Unfinished Business, Final Passage of Ordinances

Agenda No. IX 1

~ Ordinance 2024 – 001 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY CONCERNING SALARIES AND COMPENSATION FOR SPECIAL POLICE OFFICERS

BE IT ORDAINED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that pursuant to Chapter 33 entitled Personnel of the Revised General Ordinances of the Township of West Milford, New Jersey, 2007 the following Officers and Employees here below stated shall be classified by job title with the corresponding pay ranges:

1. TEMPORARY, PART TIME AND SEASONAL EMPLOYEES

Table with 2 columns: Job Title and Effective July 1, 2024. Rows include Special Police Officer Class I (\$24.00), Special Police Officer Class II (\$25.00), *Night Rate 11pm - 7am (\$2.00), Municipal Court Attendant Class I (\$24.00), Municipal Court Attendant Class II (\$25.00), and Clothing Allowance (\$410.00).

- 2. CLOTHING ALLOWANCE – Special Officers qualify for a clothing and maintenance allowance annually. Half the annual amount payable on or about December 1st of each year for those officers working a minimal of 35 hours since January 1st of that year, with an additional payment of \$2.50 each hour worked in addition to the minimum 35, with the total allowance not exceeding the maximum amount for that year regardless of the number of all hours worked. Special Officers qualifying for a clothing and maintenance allowance upon the submission for receipts for actual purchases of up to \$410.00.
3. HOLIDAY PAY – Officers shall be entitled to time and one-half pay for all hours worked on New Year’s Day, Easter, Memorial Day, July 4th, Labor Day and December 25.
4. CALL-OUTS – All callouts are payable for time worked, with a minimum of three hours pay including mandatory training.
5. Township Road Work - Callouts payable by normal hourly wage.
6. Contractor Road Work - Callouts payable at \$30.00 per hour.
7. GENERAL PROVISIONS – Any ordinance or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to such extent as they are in conflict or inconsistent.
8. EFFECTIVE DATE – This ordinance shall take effect on July 1, 2024.

Introduced: January 3, 2024
Adopted: February 14, 2024
Effective Date: July 1, 2024

This Ordinance was introduced on January 3, 2024 and Notice of the public hearing was published in the Herald News on January 9, 2024. The Governing Body will open the meeting to the public to speak on this Ordinance only.

Seeing no one wished to speak, Councilman Conlon made a motion to close the public portion. Councilman Goodsir seconded.

Motion to move Ordinance 2024-001.

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

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Agenda No. IX 2

~ Ordinance 2024 – 002 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 271, “POLICE SERVICES CHARGES,” OF THE REVISED GENERAL ORDINANCES

BE IT ORDAINED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, as follows:

SECTION 1. Chapter 271 Police Services Charges, Section §271-2, Rate for employment by third parties, of the Revised General Ordinances of the Township of West Milford, is hereby amended and supplemented to read as follows:

§ 271-2. Rate for employment by third parties.

Third parties seeking to utilize Township police services must coordinate the services through the Police Department. The Township shall be paid for the outside employment of police by third parties at a rate equal to the overtime rate of the officer being employed or the average overtime rate as of January 1st of that year, whichever is greater. Special Police Officers shall be paid at their straight time rate. An additional 10% shall be added for benefits, supervision, and other overhead. The Township may require the establishment of an escrow account initially funded at an amount estimated to cover the cost of the employment, which shall be posted at least 10 days prior to the date in which the employment is needed.

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, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 4. This Ordinance may be renumbered for purposes of codification.

SECTION 5. EFFECTIVE DATE – This ordinance shall take effect on April 1, 2024.

Introduced: January 3, 2024
Adopted: February 14, 2024
Effective Date: April 1, 2024

This Ordinance was introduced on January 3, 2024 and Notice of the public hearing was published in the Herald News on January 9, 2024. The Governing Body will open the meeting to the public to speak on this Ordinance only.

Seeing no one wished to speak, Councilman Conlon made a motion to close the public portion. Councilman Goodsir seconded.

Motion to move Ordinance 2024-002.

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

Agenda No. IX 3

~ Ordinance 2024 – 003 ~

Mayor Dale indicated that this Ordinance was being withdrawn as it is a duplicate of an existing general ordinance.

Motion to WITHDRAW Ordinance 2024-003.

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

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Agenda No. IX 4

~ Ordinance 2024 – 004 ~

ORDINANCE READOPTING ORDINANCE 2003-02 TO VACATE CERTAIN PUBLIC RIGHTS IN A ROAD KNOWN AS “TENAFLY COURT” OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY

WHEREAS, Ordinance 2003-02 has been previously adopted and enacted into law and duly published as the law provides; and

WHEREAS, this Ordinance will readopt Ordinance 2003-02 that previously was omitted in the recording with the Passaic County Clerk; and

WHEREAS, a recent pending real property sale recognized that Tenafly Court was omitted from the Passaic County Clerk records and is needed for the real property sale to proceed; and

NOW THEREFORE BE IT ORDAINED, by the Township of West Milford Township Council finds that the readopting of Ordinance 2003-02 is as follows:

WHEREAS, Tenafly Court was dedicated to the public by virtue of inclusion on a filed map entitled “Fifth Map of Upper Greenwood Lake” which was filed with the Passaic County Register on August 1932, as Map No. 943; and

WHEREAS, in response to a road assessment petition by residents, the Township Council adopted Ordinance No. 1985-7 on June 19, 1985, accepting the roads surrounding, but not including, Tenafly Court, on the basis of recommendations from the Township Engineer not to accept Tenafly Court because it served no public need; and

WHEREAS, it continues to be the recommendation of the current Township Engineer that Tenafly Court be vacated due to the fact that it serves no foreseeable future public need as a right-away; and

WHEREAS, the Township of West Milford has determined that it wishes to vacate the public interest in Tenafly Court.

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

1. Tenafly Court which was created by the “Fifth Map of Upper Greenwood Lake” which was filed with the Passaic County Register on August 8, 1932, as Map No. 943, shall be vacated.
2. That the vacation of the above-described property shall in no way affect any private rights which may exist at the time of passage of this Ordinance.
3. That pursuant to law all rights and privileges possessed by any public utility are hereby reserved and exempted from the effects of this Ordinance.
4. That a copy of this Ordinance together with a certified copy of the proof of publication shall be filed with the Township Clerk and the proper County office according to law.
5. After introduction, this Ordinance shall be referred to the Township Planning Board for review and comment pursuant to N.J.S.A. 40:55D-26, -32 and -33 since it is a vacation.
6. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.
7. The introduction of this Ordinance shall be advertised pursuant to N.J.S.A. 40:49-2, provided, however that notice as to introduction and public hearing shall be made , pursuant to N.J.S.A. 40:49-6 at least (10) days prior to the public hearing and adoption hereof.
8. Notice of the introduction of this Ordinance and the time and place when and where this Ordinance will be further considered for public hearing and final passage, including a copy of this ordinance, shall be mailed to every person whose lands may be affected by this Ordinance, so far as same may be ascertained, directed to the last known post-office address, in accordance with the provision of N.J.S.A. 40:49-6.
9. Within sixty (60) days after adoption of this Ordinance, the Township Clerk shall cause this Ordinance, certified under the seal of the Township, to be filed in the office wherein conveyances of lands are recorded in the County of Passaic.
10. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
11. This Ordinance shall take effect immediately after final passage and publication in the accordance with the laws of the State of New Jersey.

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- 12. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.
- 13. This Ordinance may be renumbered for purposes of codification.

Introduced: January 17, 2024
Adopted: February 14, 2024
Effective Date: March 5, 2024

This Ordinance was introduced on January 17, 2024 and Notice of the public hearing was published in the Herald News on January 23, 2024. The Governing Body will open the meeting to the public to speak on this Ordinance only.

Deborah Irvine lives on Riverside Road. She wanted to know what Ordinance 2024-004 would change for her personally.

Attorney Pasternak indicated by way of brief background that this was something that took place over twenty years ago but it was never recorded with the County Clerk, so this is a formality and nothing is going to change as far as her situation goes. Should she want further information, she can leave her email address and we can get in touch with the Engineering Department to answer any other questions

Seeing no one else wishing to speak, Councilman Conlon made a motion to close the public portion. Councilman Goodsir seconded.

Motion to move Ordinance 2024-004.

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

Agenda No. IX 5

~ Ordinance 2024 – 005 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 135 “FEES & COSTS,” SECTION 135-2 “DEPARTMENT OF COMMUNITY SERVICES AND RECREATION” WITHIN THE CODE OF THE TOWNSHIP OF WEST MILFORD

BE IT ORDAINED by the Municipal Council of the Township of West Milford, County of Passaic, State of New Jersey, as follows:

SECTION 1 Chapter 135 “Fees & Costs”, § 135-2 Department of Community Services and Recreation” are amended as follows:

§ 135-2 Department of Community Services and Recreation

The Department of Community Services and Recreation is authorized to charge the following fees:

A. Bubbling Springs Membership and Badge:

| | | Resident Rate | Non-Resident Rate |
|----|--|----------------------|--------------------------|
| 1. | Family Membership Consists of parent(s) & all children, up to & including full-time students living at home | \$275.00 | \$375.00 |
| 2. | Parent/Child Membership (One adult & One Child under the age of 18 living in the same residence) | \$235.00 | \$335.00 |
| 3. | Individual Membership (Ages 13 to 61) | \$135.00 | \$185.00 |
| 4. | Senior Individual Member (Age 62+) | \$30.00 | \$40.00 |
| 5. | Senior Couple Membership | \$45.00 | \$65.00 |
| | | | |

B. Bubbling Springs Park Guest Membership and Daily Pass (per person/per day) (prepaid):

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| | | | |
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| 1. | Person under 2 years of age: | No charge | Resident & Non Resident |
| 2. | Person from 2 years to 17 years of age | \$5.00 | Resident & Non Resident |
| 3. | A person from 18 to 61 years of age | \$15.00 Resident | \$20.00 Non-Resident |
| 4. | Family pass (for up to 4 guests) (each additional guest regardless of age) | \$25.00 \$5.00 | Resident & Non Resident |
| 5. | Seniors (Ages 62+): | \$3.00 | Resident & Non Resident |

C. **Day Camp:** Children (Kindergarten through Eighth Grade). Day Camp registration is open to West Milford Residents Only.

Day Camp registration incentives:

- (1) Sibling discount: \$25 off weekly registration fee per child after first child; not to be applied to Before-Care or After-Care pricing.
- (2) The discount will not apply to off-site field trips.

| Fees: 10% Off Regular Price when all 7 weeks are paid in full by April 15, 2024 | | | | |
|--|---------------------|---------------|--------------------|-------------------|
| | Full 7 Weeks | Weekly | Before-Care | After-Care |
| (through May 31) | \$1,645.00 | \$242.00 | \$46.00/week | \$46.00/week |
| (As of June 1) | \$1,748.00 | \$257.00 | \$51.00/week | \$51.00/week |
| Camp Hours: 9:00am-4:00pm | | | 7:00am-9:00am | 4:00pm-6:00pm |

D. **Swim Lessons:**

| All children | Lake Member | Non Member |
|----------------|-------------|------------|
| One Session | \$65 | \$75 |
| Two Sessions | \$115 | \$135 |
| Three Sessions | \$165 | \$190 |

- E. A nonrefundable maintenance fee of \$25 shall be charged for each group use permit that requires the opening, closing and/or cleaning of a facility.
- F. Permit fees: Bubbling Springs Members will be charged a nonrefundable administrative/user fee of \$30 for guest groups numbering 25 or more people. Permits must be filled out at the Parks and Recreation office. Groups of under 25 do not need to have a permit or pay a maintenance fee. They must make arrangements with the Lake Director prior to the party.
- G. Use of Teen Center/Coffee House.
 - (1) Event permits may be issued for use of the West Milford Teen Center/Coffee House by the Community Services and Recreation Department. The fee for such use shall be a one-time fee of \$150 for a four hour rental. Time exceeding the initial four hours shall be charged at the rate of \$25 per hour. Each event shall require a security deposit of \$200.
 - (2) Use of the Teen Center shall be subject to all requirements associated with the issuance of event permits under Township policy, and the Township's caretaker must be present during any event.
- H. Use of West Milford Recreation Center
 - (1) \$25 per hour, per gym rental fees to local nonprofit organizations upon the issuance of permits and proof of proper insurance has been provided. Local nonprofit organizations are defined as registered organizations under § 501(c)(3) of the Federal Tax Code, with an established business address in West Milford Township.
 - (2) \$100 per hour, per gym rental fees to nonlocal not-for-profit organizations based outside the Township of West Milford. Nonprofit organizations are defined as registered organizations under § 501(c)(3) of the Federal Tax Code.
 - (3) \$100 per hour, per gym rental fees to local for-profit organizations upon the issuance of permits and proof of proper insurance has been provided.
 - (4) Concession Stand rental fee: \$75 for three hours and \$25 for each additional hour.
 - (5) Exemptions:
 - (a) Fees will not be assessed to local nonprofit organizations defined in Subsection I (1) if requested use occurs during regular operating hours of the West Milford Recreation Center, as established by the Township of West Milford Department of Community Services.
- I. The Department of Community Services and Recreation is to provide all currently appointed members of boards, committees and commissions established by ordinance a \$5 discount for their own registration for each of the programs and events offered by the Department. All such members shall also be entitled to receive the same rates for Bubbling Springs as is provided to seniors.
- J. Event permits may be issued for use of the Recreation rooms of the Township Library by the Community Services and Recreation Department. The fee for such use shall be \$0.

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.

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SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

SECTION 5. This Ordinance may be renumbered for codification purposes.

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

Introduced: January 17, 2024
Adopted: February 14, 2024
Effective Date: March 5, 2024

This Ordinance was introduced on January 17, 2024 and Notice of the public hearing was published in the Herald News on January 23, 2024. The Governing Body will open the meeting to the public to speak on this Ordinance only.

Seeing no one wishing to speak, Councilman Conlon made a motion to close the public portion. Councilman Goodsir seconded.

Motion to move Ordinance 2024-005.

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

Mayor Dale opened the meeting to the public comment portion.

Agenda No. X

Public Comments

Renee Allesio – Is a 46 year resident of West Milford and is interested in three ordinances tonight. One would make the Mayor full-time, another presents compensation range of \$90,000 to \$135,000 for a full-time Mayor and the other to repeal the Deputy Administrator position. Not long ago the town of Wayne tried to make their Mayor full-time but the public was opposed. She listed towns with larger populations, Paterson and Clifton included. Newark and Jersey City have larger populations, with as many as 310,000 and 290,000 people respectively, and the Mayors’ salary is in line with the others. A Town with about 26,000 people shouldn’t need a full-time Mayor making the same amount. Most small towns do not have a full-time Mayor. If the Administrator/Clerk needs help then a Deputy Administrator should be hired. Currently the median household income in West Milford is about \$75,000. Should our Mayor make more than what the average resident makes? Ms. Allesio indicated that taxes in the Township are very high, and she questioned where the added money would be coming from, perhaps the new cannabis businesses that were allowed, or perhaps the TGP Compressor station. Ms. Allesio indicated that she finds it interesting that the Mayor was just recently re-elected and now there is an ordinance that would make her full-time. Mayor Dale ran on the platform of being a part-time Mayor and was elected on that premise. Mayor Dale has been a part-time Mayor since 2018 and Ms. Allesio would like to know the reason for the change. It looks like a power grab. She suggested that it should be up to the people to vote in a referendum, not the Council.

Tim La Pointe - Has been in Town for 58 years and has a construction businesses and works all over the Northern portion of the State. He indicated that he takes issue with the restructuring of the Health Department because the Town is getting rid of one of the most consummate professional in the State of New Jersey and replacing them with people who don’t have the ability to do the job. Sue Muhaw is one of the best ever at her job. He indicated that he had to work with Ms. Muhaw just today because the people from Passaic County do not know how to get permits through because they don’t know what they are reading and they don’t know how to look at it. He indicated that the Council needs to rethink this and that it is not about money, it’s about common sense. Ms. Muhaw does not even live in the Township but has always worked to protect the Township. Additionally, we have never had a full-time Mayor and we don’t need one. If the Administrator can’t handle the load, you need to look there because every other Administrator could. There’s a problem there. The Council will be questioned if they change the form of government with an ordinance. It should be put to the people for a vote to see who the best candidate is and should not be a politically appointed position.

Laura Ashtyani – Questioned why we would need a full-time Mayor and wondered if there were things that residents didn’t know about or need to know about that would require a full-time Mayor. Ms. Ashtyani would like to know what has happened since the Mayor ran on the platform of being a part-time Mayor.

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She questioned if it would be possible to have the Administrator or a Deputy Administrator handle the duties that the Mayor would be performing. Who decides on the salary, it seems like this salary is higher than other Mayors in a similar Town setting. Ms. Ashtyani indicated that it should be up for a public referendum and while she's in favor of paying people for what they earn, this seems out of the ordinary and the public would like answers.

James Foodie – Agreed with Mr. La Pointe. He is concerned that if Mr. Senande can't handle the job, he shouldn't be both the Township Administrator and the Township Clerk. The Township Clerk job should go to Ms. Curcio who is certified to be the Clerk. He spoke with former Mayor Bieri who indicated that the Township did not need a full-time Mayor but needed a full-time Administrator and a full-time Clerk. He indicated Mr. Senande should be the Administrator, Ms. Curcio should be the Clerk and if a Deputy Administrator was necessary, that is fine but a full-time Mayor with a salary ranging from \$90,000 to \$135,000 is ridiculous. He referred to some rumors regarding TD Bank and suggested that a referendum was not even necessary just that Mr. Senande should not be both Administrator and Clerk.

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

Agenda No. XI

Council Comments

Councilman Conlon – Indicated that with Passaic County taking over the Health Department, the current employees will be given the opportunity to continue to do the job that they are doing now, but just under a different banner, while providing the residents with the same services as well as the employees having additional options that they currently don't have. To prejudge anything at this point is both premature and inappropriate. There will be a benefit for the Township because of the shared service agreement with Passaic County. There will be benefits for the Municipality not only financially but logistically. Councilman Conlon does not appreciate any accusations of impropriety that have been insinuated regarding the Mayor having a full-time position. When we didn't have an Administrator, Mayor Dale stepped up and did the job for \$11,000 a year. She learned how to run the Township on a daily basis. It's not a question of Mr. Senande's capacity to do his job as the Administrator and the Clerk, he has a full staff in the Clerk's Office that is doing the day to day work that comes through that office whether they have the title or not, is irrelevant. He has a staff there that is fully competent. The issue is the amount of projects that are coming down the pike. Councilman Conlon listed a number of projects that are beginning, Marshall Hill Road, lighting at Dygos Field, working proactively with the Board of Education to work with the constraints of the Highland Act to share resources to benefit the residents. There are plans for the Hillcrest Building and we have been working to obtain the most grant money in the history of the Township. There are a lot of plans and things going on the residents aren't necessarily exposed to unless they were to be on the Council or work for the Municipality. There are projects that need to get done for our Senior Citizens, there is the project at Nosenzo Park off Westbrook Road, and the Senior Center where the cost went up and Mayor Dale went to the County and negotiated to get that grant to match at 50%. Councilman Conlon indicated that he would be making a motion to table the ordinance repealing the Deputy Administrator position because in the future, if the Mayor was not full-time there may be a need for the position. We need to put leadership in place to handle the workload and the projects before us. A Deputy Administrator would use the job as a resume builder and leave, they won't stay. Mayor Dale has a vested interest in the community and can hit the ground running. As far as job tasks, they are listed in the Ordinance but there are tasks that are involved every day that maybe aren't listed. It's a net cost of zero for the tax payers with her foregoing her stipend and also what we would have to pay for someone else to come in and do the job. The Township will benefit tenfold with Mayor Dale becoming full-time.

Councilman Marsden indicated that he is aware that people do not want to pay more in taxes and he pays a lot in taxes as well. The Mayor and Council are trying to keep taxes from going up, and taxes have not gone up for the last 5 years. There are legacy projects that are happening right now and you need to have someone available during the daytime hours to make calls and network and get things done. Residents should hope that the Mayor would say yes to a full-time position because she would do a good job. If you look at municipal government, people get hired and then get trained for a year. The Mayor is up to speed already and that will save us, not hurt us.

Councilwoman Erik indicated that the idea was not just sprung on the Council. They have looked at the facts and the figures and a lot of questions have been answered.

Councilman Chazukow agrees with the other Councilmembers who spoke and indicated that while some of the public audience tonight is fairly well informed, it is not the same as being involved in the day to day activities of the municipality. There is one very large positive that applies and that is, if the Mayor is hired full-time she will be working for the residents in the Township. It will attract a lot of people for the job but we probably won't find anyone better than Mayor Dale.

Councilman Conlon added that there are two sets of checks and balances here. The Mayor is elected by the residents and serves a four year term. Council members serve a three year term, with two members elected each year. The majority of the Council can change within a 13 month time period should there be public outcry. Should the Governing Body feel that there isn't enough work to warrant a full-time Mayor

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they can choose to eliminate the position for the year. There is an internal check and balance with the Council members that are elected independently of the Mayor and an external check and balance, where public can vote for a different Mayor. Council members will be listening to all the public comments.

Councilwoman Lichtenberg indicated that she has a vast history with the Township, and has seen a lot of Councils, has been a lifetime volunteer, she personally sought out Mayor Dale when she was on the Council, and worked for her to become Mayor because she saw a person who was a wiz with numbers, and budgets and also was someone who looked ahead to make future improvements. Currently we have numerous projects that need attention right now and she totally supports this concept at this time.

Councilman Goodsir agrees with the other Council members but feels that if the Town paid Mr. Senande as Administrator, and paid for a Clerk and then paid for an Assistant Administrator it would be about the same. If we hired someone else, they probably wouldn't be from here, they would need to be trained and and they probably wouldn't stay here. He is on board with the concept.

Councilwoman Lichtenberg added that the Township is also unique because of the Highlands restrictions and the size being 82 square miles. The Mayor has helped so much, getting grant money and other things. It is just different than being an inner city or a one or three mile town.

Mayor Dale indicated that West Milford is the third largest Township in the State of New Jersey. We have 190 miles of Township roads, 35 miles of County roads, 9 miles of State highway, 9385 catch basins and storm water inlets, so whereas we are not as big in population as some other Towns mentioned by the public, we do not as far as infrastructure goes, and we may be 10-20% larger. We have 17 lakes, one bi-state lake, we are 100% in the Highlands and are one of the 3 municipalities that is 100% responsible for water preservation, having Newark Watershed and the Highlands. Mayor Dale indicated she believes the public can see how invested she is in the Township, and would invite anyone who wants to shadow her to do so. Mayor Dale would appreciate it if people would not speak negatively about our Township employees, it's rude. She welcomes comments and free speech in the public forums, but requests comments be above the belt and focus on the actual facts. Mayor Dale indicted that the major projects are not typical projects and are not day to day operations. Mayor Dale thanked the Council, no offer has yet been made, and she thanked the public for showing up and asking questions because the public does have the right to know exactly why decisions are being made and the transparency continues. Posting on social media, without the facts is dangerous but people can do it, she would just ask that people keep it professional.

Seeing no other Council members wishing to speak, Councilman Chazukow made a motion to close the Council comment portion. Seconded by Councilman Goodsir. All were in favor.

Agenda No. XII

New Business, Introduction of Ordinances, Resolutions

Agenda No. XII 1

~ Ordinance 2024 – 007 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 420 LAND USE PROCEDURES AND CHAPTER 500 ZONING TO PERMIT MICROBREWERIES AND SIMILAR ESTABLISHMENTS IN CERTAIN ZONES OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP

WHEREAS, the Mayor and Township Council has received a request to review whether microbreweries, craft distilleries, brewpubs, and wineries in residential districts with large minimum lot sizes are an appropriate land use within the Township; and

WHEREAS, the Mayor and Township Council wish to encourage agritourism, farming, and related uses within the Township; and

WHEREAS, the Mayor and Township Council have determined that permitting microbreweries and similar establishments as defined herein in appropriate locations would be beneficial to the general welfare of the community; and

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

SECTION 1. Chapter 420 "Land Use Procedures" is amended to read as follows:

"§ 420-6 **Definitions.**

BREW PUB

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Microbreweries which are associated with a restaurant.

CRAFT DISTILLERY

A craft distillery is a distillery holding a craft distillery license issued by the State of New Jersey as defined by N.J.S.A. 33:1-10 3d producing up to 20,000 gallons of distilled alcoholic beverages per year. The holder of this license shall be entitled to sell this product at retail to consumers on the licensed premises of the brewery for consumption on the premises, but only in connection with a tour of the distillery, or for consumption off the premises in a quantity of not more than five liters per person, and to offer any person not more than three samples per calendar day for sampling purposes only. Sampling means the gratuitous offering of an open container not exceeding 1/2 ounce serving pursuant to licensure issued by the Director of the State Division of Alcoholic Beverage Control (ABC).

MICROBREWERY

A microbrewery is a brewery holding a limited brewery license issued by the State of New Jersey as defined by N.J.S.A. 33:1-10.1b, producing less than 15,000 barrels of 31 gallons of malt beverage per year. The holder of this license shall be entitled to sell this product at retail to consumers on the licensed premises of the brewery for consumption on the premises, but only in connection with a tour of the brewery, or for consumption off the premises in a quantity of not more than 15.5 fluid gallons per person, and to offer samples for sampling purposes only pursuant to licensure issued by the Director of the State Division of Alcoholic Beverage Control (ABC).

WINERY

A winery is a business operating for consumption of wine on or off the winery's premises, and for sampling purposes for consumption on the premises, in order to showcase New Jersey viniculture when operated by one who holds a license permitting same issued by the Director of the State Division of Alcoholic Beverage Control (ABC) and who operates as permitted by the ABC regulations.”

SECTION 2. Chapter 500 “Zoning” is amended to include the following new section as follows:

Article III **Residential District**

§ 500-8 **Principal permitted uses on the land and in buildings.**

M. Microbreweries, craft distilleries, brewpubs, and wineries in the R-3 and R-4 Districts on lots greater than or equal to five (5) acres and in accordance with applicable State regulations.”

SECTION 3. 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 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

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: February 14, 2024

Adopted:

Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for March 20, 2024. Notice of this public hearing shall be published in the Herald News on or about February 20, 2024.

Motion to move Ordinance 2024-007.

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

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BE IT ORDAINED, by the Township Council of the Township of West Milford, in the County of Passaic and State of New Jersey, as follows:

SECTION 1. Chapter 15, Administration of Government, Article VII, Office of Administration, Section 15-37, "Pay to Play Policy; Awarding Contracts," Subsection C, "West Milford and county contribution limits affecting vendor eligibility and conflicts of interest," of the Code of the Township of West Milford is hereby amended as follows:

§ 15-37 Pay to play policy; awarding contracts.

- C. West Milford and county contribution limits affecting vendor eligibility and conflicts of interest. Campaign contribution limits affecting the eligibility of vendors, pursuant to Subsections **B** and **D**, to enter into or be paid pursuant to agreements for the purchase of goods or services are as follows:
- (1) The maximum amount of West Milford campaign contributions that may be made by a vendor to each political organization or campaign committee or fund during any election cycle shall not exceed ~~\$300~~ **\$200**
 - (2) The maximum amount of county level campaign contributions that may be made by a vendor to each political organization or campaign committee or fund during any election cycle shall not exceed ~~\$300~~ **\$200**.

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, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 4. This Ordinance may be renumbered for purposes of codification.

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

Introduced: February 14, 2024
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for March 20, 2024. Notice of this public hearing shall be published in the Herald News on or about February 20, 2024.

Motion to move Ordinance 2024-008.

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

Agenda No. XII 3

~ Ordinance 2024 – 009 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, REPEALING AND REPLACE § 15-7, TO ESTABLISH THE POWERS AND DUTIES OF THE MAYOR AND ESTABLISH TOWNSHIP COUNCIL'S AUTHORITY TO DETERMINE WHETHER THE MAYOR POSITION IS FULL-TIME OR PART-TIME, WITHIN THE CODE OF THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Township Council wishes to amend the Township Code to specify the powers and duties of the Mayor and create a new section, which sets forth the Council's authority to determine whether the Township Mayor position is full-time or part-time, at the beginning of any given calendar year; and

WHEREAS, the Township Council further wishes to set forth and specify the duties and responsibilities of a full-time Mayor should that be desired by Township Council; and

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Motion TABLE Ordinance 2024-010 by Councilman Conlon. Seconded by Councilwoman Lichtenberg.

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

Agenda No. XII 5

~ Ordinance 2024 – 011 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC REPEALING AND REPLACING § 15-5 COMPENSATION TO REFLECT THE SALARY OF A FULL-TIME MAYOR WITHIN THE CODE OF THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Township Council wishes to amend the Township Code to specify annual salary of a full-time Mayor; and

WHEREAS, the current part-time Mayoral salary will not change; and

WHEREAS, the Township Council recognizes that the duties and responsibilities of a full-time Mayor warrant a commensurate full-time salary.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of West Milford, Passaic County, New Jersey, that only Section 15-5, Compensation, shall be repealed in its entirety and replaced as follows:

SECTION 1. §15-5 Compensation.

- C. The compensation of each member of the Council and Mayor shall be fixed from time to time by Salary Ordinance.
- D. The salary for a full-time Mayor if approved by Township Council shall be within the range of \$90,000.00 to \$135,000.00 per year and subject to the terms and conditions set forth in Township Code §15-7.

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 therefrom, 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: February 14, 2024
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for March 20, 2024. Notice of this public hearing shall be published in the Herald News on or about February 20, 2024.

Motion to move Ordinance 2024-011.

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

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Mayor Dale asked to move Resolutions 2024-095 through 2024-107 and Resolution 2024-117.

Agenda No. XII 6

~ Resolution 2024 – 095 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO STORMWATER COMPLIANCE SOLUTIONS, LLC TO PROVIDE STORMWATER MANAGEMENT SERVICES

WHEREAS, the Township of West Milford has a need to appoint a stormwater management professional as a non-fair and open contract pursuant to the provision of N.J.S.A. 19:44A-20.4 et seq. or 20.5 as appropriate to comply with the Municipal Stormwater Permit under N.J.A.C. 7:14, Tier A Municipal Stormwater General Permit; and

WHEREAS, it is beneficial to retain assistance of appropriately registered experts in the field of stormwater management with knowledge and experience in these matters, to assist in assuring compliance with NJPDES Permit for stormwater discharge; and

WHEREAS, Stormwater Compliance Solutions LLC of Chester, NJ will provide stormwater management services as sought by the Township of West Milford and outlined in a contract in an amount not to exceed \$11,600.00 as part of the first phase of the required work; 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, Stormwater Compliance Solutions LLC has completed and submitted a Business Entity Disclosure Certification which certifies that the business 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 Stormwater Compliance Solutions, 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 in an amount not to exceed \$11,600.00 from account #01-201-26-290-451.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. The Township Mayor and Township Clerk be and are hereby authorized to execute a contract for stormwater management services with Stormwater Compliance Solutions, LLC., 180 Main Street, PO Box 572, Chester, NJ 07930 to assist the Township with compliance to the NJPDES Permit in an amount not to exceed \$11,600.00.
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.
3. The total fee authorized for this contract shall not exceed \$11,600.00 without the prior written approval of the Township Council.
4. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: February 14, 2024

Agenda No. XII 7

~ Resolution 2024 – 096 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO BOSWELL ENGINEERING, INC. FOR ENGINEERING SERVICES & ENVIRONMENTAL ANALYSIS OF THE BRADRICK LANE STREAM (TASK 2)

WHEREAS, the Township of West Milford has previously expressed an interest in evaluating the Bradrick Lane Stream and determining the extents of potential work in considering the stormwater drainage concerns in the area; and

WHEREAS, an Engineering Feasibility Summary (Task 1) was received from Boswell Engineering, Inc. (formerly Ferriero Engineering, Inc.) and reviewed on October 17, 2023 as part of the initial phase of review per the provided proposal based upon requested work by the impacted public in the area; and

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WHEREAS, the Township of West Milford has expressed an interest to further the evaluation and consider a portion of Task 2 of the proposal, including Site Inspection / Meetings / Correspondence, Wetlands Delineation, Additional Survey Work and Sediment Depth Sampling, in order to determine extents of potential work; and

WHEREAS, the Township of West Milford has a need to appoint a Professional Services Contract as a non-fair and open contract pursuant to the provision of N.J.S.A. 19:44A-20.4 et seq. or 20.5 as appropriate; 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, Boswell Engineering, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that the business 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 Boswell Engineering, 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 pursuant to N.J.A.C. 5:30-5.4 in an amount not to exceed \$14,625.00 from account #04-215-55-840-007.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. The Township Mayor and Township Clerk be and are hereby authorized to execute with Boswell Engineering, Inc., 180 Main Street, P.O. Box 572, Chester, NJ 07930 for professional services for further evaluation and determinations at the Bradrick Lane Stream not to exceed \$14,625.00.
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.
3. The total fee authorized for this contract shall not exceed \$14,625.00 without the prior written approval of the Township Council.
4. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolutions authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: February 14, 2024

Agenda No. XII 8

~ Resolution 2024 – 097 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RESCINDING RESOLUTION 2024-049 IN ITS ENTIRETY

WHEREAS, Resolution No. 2024-049 adopted on January 3, 2024 was prepared in error as no proposals for Affordable Housing Compliance were received in the scheduled time.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that, upon the report and request of the Township Clerk's Office, Resolution No. 2024-049 adopted January 3, 2024 is hereby rescinded in its entirety.

Adopted: February 14, 2024

Agenda No. XII 9

~ Resolution 2024 – 098 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT TO PIAZZA & ASSOCIATES, INC. FOR AFFORDABLE HOUSING COMPLIANCE AND MONITORING SERVICES

WHEREAS, the Township of West Milford requested proposals for Affordable Housing Compliance services on January 30, 2024; and

WHEREAS, there exists a need for the Township to retain the services of an experienced, qualified entity or agency to provide affordable housing compliance and monitoring services and to serve as an Administrative Agent to the Township with respect to its affordable housing obligation in accordance with §470-69.1 of the Township code; and

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WHEREAS, the Township wishes to award a contract to Piazza & Associates, Inc. for the performance of such affordable housing compliance and monitoring services related to the actual number of COAH units in West Milford and the need to engage such services to satisfy the requirements for COAH compliance and certification for the sale, resale or rental of one unit; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these services, said funds to be encumbered from 01-201-21-180-403 in an amount not to exceed \$4,800.00 without prior written consent from the Township Council; and

WHEREAS, Piazza & Associates, Inc. will complete & submit both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which will certify 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 Piazza & Associates, Inc. from making any reportable contributions through the term of the contract, 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 Piazza & Associates, Inc. 201 Rockingham Row, Princeton, N.J. 08540, for affordable housing compliance and monitoring services in an amount not to exceed \$4,800.00.
2. The total fee authorized for this contract shall not exceed \$4,800.00 without the prior written approval of the Township Council.
3. The Political Contribution Disclosure Form, Business Disclosure Entity Certification and the Determination of Value, the contract and resolution shall be placed on file in the office of the Township Clerk.
4. That a notice of this action shall be published in accordance with law and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: February 14, 2024

Agenda No. XII 10

~ Resolution 2024 – 099 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING 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 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 \$20,000.00 to \$40,000.00.
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: February 14, 2024

Agenda No. XII 11

~ Resolution 2024 – 100 ~

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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF REPAIR PARTS THROUGH BERGEN COUNTY CO-OP CONTRACT #BC BID 21-60 OR SOURCEWELL CONTRACT # CC-0129-21 FROM CAMPBELL SUPPLY COMPANY

WHEREAS, the Township of West Milford is a member of the Bergen County Co-Op and Sourcewell Co-Op; and

WHEREAS, Bergen County Co-Op has awarded Contract #BC Bid 21-60 Heavy Duty Vehicle repair parts to Campbell Supply Company; and

WHEREAS, Sourcewell (formerly NJPA National Joint Powers Alliance) has awarded Contract # CC-0129-21 Heavy Duty Vehicle repair parts to Campbell Supply Company; and

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

WHEREAS, the Township of West Milford has a need on a timely basis to purchase goods and services utilizing the above contracts awarded to Campbell Supply Company, which expenses would exceed the threshold of \$17,500.00; and

WHEREAS, Campbell Supply Company 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: February 14, 2024

Agenda No. XII 12

~ Resolution 2024 – 101 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF REPAIR PARTS THROUGH SOURCEWELL CONTRACT #032521-GPC AND CONTRACT #013020-GPC FROM NAPA dba FALCON AUTO PARTS AND LAKELAND AUTO PARTS

WHEREAS, the Township of West Milford is a member of the Sourcewell Co-Op; and

WHEREAS, Sourcewell (formerly NJPA National Joint Powers Alliance) has awarded Contracts #032521-GPC for aftermarket vehicle repair parts and #013020-GPC for garage and fleet maintenance equipment to NAPA dba Falcon Auto Parts and Lakeland Auto Parts; and

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

WHEREAS, the Township of West Milford has a need on a timely basis to purchase goods and services utilizing the above contracts awarded to NAPA dba Falcon Auto Parts and Lakeland Auto Parts, which expenses would exceed the threshold of \$17,500.00; and

WHEREAS, NAPA dba Falcon Auto Parts and Lakeland Auto Parts 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: February 14, 2024

Agenda No. XII 13

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
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~ Resolution 2024 – 102 ~

RESOLUTION APPROVING THE TERMS OF A MEMORANDUM OF AGREEMENT TO THE COLLECTIVE BARGAINING AGREEMENT WITH THE SOA LOCAL No. 162

WHEREAS, the Township of West Milford (“Township”) and the SOA Local No. 162 (the “SOA” or “Associations”) have been conducting negotiations for successor Collective Bargaining Agreement; and

WHEREAS, the Mayor and Township Council desire to approve the terms of a Memorandum of Agreement which shall cover the five-year period from January 1, 2024 through December 31, 2028; and

WHEREAS, the Associations have ratified the terms of the Memorandum of Agreement as recommended by all parties involved in the negotiation process; and

WHEREAS, the Mayor and Council desires to approve the terms of the Memorandum of Agreement as recommended by the Township Administrator.

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

1. The Parties have reached an agreement; and
2. The members of the SOA bargaining unit have ratified the terms of the Memorandum of Agreement which shall modify the terms of the existing bargaining unit agreement and extend the terms thereof to December 31, 2028; and
3. The Township desires to ratify the terms of the Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of West Milford, County of Passaic, ratifies the terms contained in the Memorandum of Agreement with the SOA bargaining unit for inclusion in successor Collective Bargaining Agreements and authorizes the appropriate Township Officials to execute said Memorandum of Agreement.

Adopted: February 14, 2024

Agenda No. XII 14

~ Resolution 2024 – 103 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING RESOLUTION 2024-074 FOR THE ANNUAL MAINTENANCE CONTRACT FOR POLICE DEPARTMENT IT AND CAD SUPPORT THROUGH LAWSOFT INC.

WHEREAS, the Township of West Milford Police Department purchased LawSoft CAD/RMS Dispatch Software; and

WHEREAS, the LawSoft software requires annual maintenance & support that can only be obtained from the company that developed the software; and

WHEREAS, additionally, LawSoft Inc. provides support for all IT matters in addition to support for the CAD/Dispatch software for the West Milford Police Department; and

WHEREAS, the cost for the maintenance contract for IT support of Police Department Computer Workstations is \$17,940.00 annually; and

WHEREAS, the cost for the maintenance contract for CAD/RMS with GIS Mapping Services, and NIBRS (The National Incident-Based Reporting System) will be in the amount of \$16,050.00 annually; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds in account number 01-201-25-420-498.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, that in accordance with N.J.S.A. 5:34-9.1-2 and N.J.S.A. 40A:11-2(39) this purchase is authorized as a purchase “necessary for the conduct of its affairs”.

BE IT FURTHER RESOLVED that the West Milford Police Department be and are hereby authorized to purchase an annual maintenance contract from LawSoft Inc., 15 Hamburg Turnpike (Suite 2) Bloomingdale, NJ 07403 in an amount not to exceed \$33,990.00 annually.

Adopted: February 14, 2024

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: February 14, 2024
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Agenda No. XII 15

~ Resolution 2024 – 104 ~

RESOLUTION AUTHORIZING THE TOWNSHIP'S PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, WHICH INCLUDES PROPERTY DESIGNATED AS BLOCK 6404, LOT 7, COMMONLY KNOWN AS 299-301 MARSHALL HILL ROAD, AND A PORTION OF BLOCK 6002, LOT 18.01, COMMONLY KNOWN AS THE SOUTHWEST CORNER OF MARSHALL HILL ROAD AND AIRPORT ROAD QUALIFIES AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A ET SEQ.

WHEREAS, previously the Mayor and Township Council adopted Resolution 2023-414 directing the Planning Board to undertake a redevelopment study in connection with Block 6404, Lot 7, commonly known as 299-301 Marshall Hill Road; and

WHEREAS, the Planning Board has, to date, not taken any action with respect in response to Resolution 2023-414; and

WHEREAS, the Governing Body wishes to expand the redevelopment study area by superseding Resolution 2023-414 with this resolution to include the 13.557 acre portion of 6002, Lot 18.01 that is not included in the Township's Recreation and Open Space Inventory, commonly known as the southwest corner of Marshall Hill Road and Airport Road; and

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("Redevelopment Law"), provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

WHEREAS, the Redevelopment Law sets forth the procedures for the Township to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

WHEREAS, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be deemed a redevelopment area unless the governing body of the municipality shall, by Resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area ("Study Area") is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the New Jersey Legislature adopted, and the Governor signed, P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, "the resolution authorizing the Planning Board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condensation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a "Condensation Redevelopment Area"); and

WHEREAS, the Township Council finds it to be in the best interest of the Township and its residents to authorize the Township's Planning Board pursuant to N.J.S.A. 40A:12A-4 and N.J.S.A. 40A:12A-6 to undertake such preliminary investigation of the Study Area as a Non-Condensation Redevelopment Area, which Study Area is property located at Block 6404, Lot 7, commonly known as 299-301 Marshall Hill Road, and the 13.557 acre portion of 6002, Lot 18.01 that is not included in the Township's Recreation and Open Space Inventory, commonly known as the southwest corner of Marshall Hill Road and Airport Road; and

WHEREAS, the Township of West Milford wishes to direct the Planning Board to undertake a preliminary investigation utilizing the professional planning services of Jessica Caldwell of Caldwell & Associates to prepare the preliminary investigation to determine whether the proposed Study Area qualifies as an area in need of Non-Condensation Redevelopment pursuant to N.J.S.A. 40A:12A-5.

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

1. That the Planning Board is hereby authorized to undertake a preliminary investigation, utilizing the professional planning services of Jessica Caldwell and the firm of Caldwell & Associates to prepare the preliminary investigation, pursuant to the notice, conduct a hearing and comply with other requirements of the Redevelopment Law, N.J.S.A. 40A:12A-1 et seq., as amended, in order to recommend to the Township Committee whether the area comprising the Study Area, that is property located at Block 6404, Lot 7, commonly known as 299-301 Marshall Hill Road, and the 13.557 acre portion of 6002,

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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- Lot 18.01 that is not included in the Township's Recreation and Open Space Inventory, commonly known as the southwest corner of Marshall Hill Road and Airport Road is an area in need of Non-Condemnation Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.
2. As part of its preliminary investigation, the Planning Board shall prepare a map showing the boundaries of the proposed redevelopment area and the location of the various parcels contained herein.
 3. The Planning Board shall conduct a public hearing, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that all or a portion of the Study Areas as a Non-Condemnation Redevelopment Area. At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by the resulting determination. All objections to the determination and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.
 4. After conducting its preliminary investigation, preparing a map of the proposed Non- Condemnation Redevelopment Area, as applicable, and conducting a public hearing at which all objections to the designation area received and considered, the Planning Board shall make a recommendation to the Township Committee in the form of a report as to whether the Township should designate all or part of the Study Area as a Non- Condemnation Redevelopment Area.
 5. That a certified copy of this Resolution shall be forwarded to the Township of West Milford Planning Board.
 6. That this Resolution shall take effect in accordance with law.
 7. This Resolution supersedes Resolution No. 2023-414 adopted by the Mayor and Township Council on November 8, 2023.
This Resolution shall take effect immediately upon adoption.

Adopted: February 14, 2024

Agenda No. XII 16

~ Resolution 2024 – 105 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING SUBMISSION OF A GRANT PROPOSAL TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FY4 LOCAL RECREATIONAL IMPROVEMENT GRANT PROGRAM BY THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Township of West Milford desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$100,000.00 to install lighting as a part of a phased project for lighting and field improvements at West Milford Board of Education-owned Dygos Field; 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 hereby authorizes as follows:

1. That the Township of West Milford does hereby authorize the application for such a grant; and
2. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of West Milford and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, that the Mayor and Township Council of the Township of West Milford hereby authorizes the submission of Township of West Milford officials to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

Adopted: February 14, 2024

Agenda No. XII 17

~ Resolution 2024 – 106 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO PROVIDE TWO (2) WEED HARVESTERS TO VILLAGE OF GREENWOOD LAKE, NY

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, the Township of West Milford owns two (2) weed harvesters, one (1) off-loading conveyor and two (2) trailers that are suitable for the removal of noxious weeds from Greenwood Lake; and

WHEREAS, the larger weed harvester is a 2005 HM-420S Aquatic Plant Harvester with a 2005 SC-23 Shore Conveyor and 2005 aquatic trailer (VIN 2D9R1L0345N202007); and

WHEREAS, the smaller weed harvester is a UMI Aquatic Weed Harvester with trailer; and

WHEREAS, the weed harvesters are expensive to maintain and operate; and

WHEREAS, the Village of Greenwood Lake, NY has requested to be provided the weed harvesters in order to remove noxious weeds from Greenwood Lake; and

WHEREAS, the Village of Greenwood Lake, NY has agreed to maintain the weed harvesters and trailers to repair and maintain the weed harvesters and loan them to the Township upon request; and

WHEREAS, providing the weed harvester and trailers to the Village of Green Lake, NY would eliminate the cost of needed repairs and continued maintenance, while still allowing the use of the weed harvesters by the Township.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Township of West Milford agree to provide the Village of Greenwood Lake, NY with the two (2) weed harvesters, one (1) off-loading conveyor and two (2) trailers in exchange for their repair, maintenance and permitted future use.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Township of West Milford hereby authorize the Township Attorney to prepare a Shared Services Agreement with the Village of Greenwood Lake, NY providing the weed harvesters and loan to Township upon request.

BE IT FURTHER RESOLVED that the Township Administrator shall coordinate with Village of Greenwood Lake, NY to ensure that the ownership of two (2) weed harvesters, one (1) off-loading conveyor and two (2) trailers are transferred in an appropriate and expedited manner.

Adopted: February 14, 2024

Agenda No. XII 18

~ Resolution 2024 – 107 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING RESOLUTION 2023-446 CORRECTING THE HIRE DATE OF CAROLYN GUEVARA FROM THE PASSAIC COUNTY PUBLIC SAFETY TRAINING ACADEMY ALTERNATE ROUTE PROGRAM

WHEREAS, Resolution 2023-446 was adopted on December 13, 2023 that accepted employment of Carolyn Guevara at the West Milford Police Department on November 30, 2023; and

WHEREAS, to amend Resolution 2023-446 and correct the employment hire date of Carolyn Guevara at the West Milford Police Department with an effective hire date of December 18, 2023; and

WHEREAS, the Alternate Route program gives individuals interested in becoming police officers the opportunity to attend a police training academy at their own expense prior to being hired by a police department; and

WHEREAS, the program creates a pool of trained officers for communities to hire while saving local police departments the expenditure associated with officer training.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey that the West Milford Township Police Department is hereby authorized to hire Carolyn Guevara from the Passaic County Public Safety Training Academy, Alternate Route Program.

Adopted: February 14, 2024

Agenda No. XII 19

~ Resolution 2024 – 117 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMITTAL OF A GRANT FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS IN THE AMOUNT OF \$250,000 FOR THE PURCHASE OF A STREET SWEEPER

WHEREAS, to meet the updated stormwater requirements promulgated by the State of New Jersey it is necessary for the Township of West Milford to purchase a new Street Sweeper; and

WHEREAS, the New Jersey Department of Community Affairs has funding available; and

WHEREAS, the Township of West Milford recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of West Milford and the New Jersey Department of Community Affairs.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of West Milford hereby authorizes the submittal of a grant from the New Jersey Department of Community Affairs in the amount of \$250,000.

Adopted: February 14, 2024

Councilman Conlon to abstain on Resolution 2024-102 and Resolution 2024-103

Motion to move Resolutions 2024-095 through 2024-107 and Resolution 2024-117.

Moved: Conlon Seconded: Erik
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden
Abstain: Conlon on Resolution 2024-102 and Resolution 2024-103
Voted Nay:
Motion carried:

Agenda No. XIII

Consent Agenda

~ Resolution 2024 – 108 ~

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) **2024-109** – Refund Recreation Fees
b) **2024-110** – Refund Engineering Bond Fee
c) **2024-111** – Cancel Outstanding Checks
d) **2024-112** – Refund Other Liens
e) **2024-113** – Refund Overpayment
f) **2024-114** – Reinstatement of Taxes
g) **2024-115** – Cancellation of Taxes

Adopted: February 14, 2024

Agenda No. XIII a

~ Resolution 2024 – 109 ~

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:

BOB ROSS SENIOR ART

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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| | | | |
|--------------------------|---|--|--|
| \$30.00 | 18 Sweetman Lane West Milford, NJ 07480 | | |
| FIELD HOCKEY GOLD | | | |
| \$140.00 | 21 Kushaqua Trail North Hewitt, NJ 07421 | | |
| SENIOR CHAIR YOGA | | | |
| \$25.00 | 328 Ridge Road West Milford, NJ 07480 | | |

Adopted: February 14, 2024

Agenda No. XIII b

~ Resolution 2024 – 110 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF SITE AND PLAN REVIEW BOND FEE

BE IT RESOLVED, upon the recommendation and request of the Township Engineering Department, the following bonded fees for a Certificate of Occupancy Site and Plan Review be refunded:

| Block/Lot Street Address | Refund Amount | Refund to | Site Plan Permit No. |
|---------------------------------|------------------|---|----------------------|
| 10202/5.02 1288 Macopin Road | \$1,300.00 | 62 Leslie Drive West Milford, NJ 07480 | # SP21-020 |
| 14201/14 342 Germantown Road | \$950.00 | 342 Germantown Road West Milford, NJ 07480 | # SP18-014 |

Adopted: February 14, 2024

Agenda No. XIII c

~ Resolution 2024 – 111 ~

RESOLUTION AUTHORIZING THE CANCELLATION OF OUTSTANDING CHECKS OVER THREE MONTHS OLD TO MUNICIPAL CASH BALANCES

WHEREAS, the Chief Financial Officer has determined that the following Township of West Milford claims warrant checks have been outstanding for a period in excess of three months.

| DATE | CHECK # | AMOUNT |
|---------|--------------|------------------|
| 12/8/22 | 31418 | \$30.00 |
| 12/8/22 | 31439 | \$10.00 |
| 12/8/22 | 31502 | 100.00 |
| 1/19/23 | 32063 | \$115.68 |
| | TOTAL | \$ 255.68 |

NOW, THEREFORE, BE IT RESOLVED that the above outstanding checks be restored to the Township cash balance.

Adopted: February 14, 2024

Agenda No. XIII d

~ Resolution 2024 – 112 ~

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

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

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

| Certificate No. | Certificate Date | Block/Lot/Qual | Reimbursement Amount | Premium | Pay to Lien Holder |
|-----------------|------------------|----------------|----------------------|---------|--------------------|
|-----------------|------------------|----------------|----------------------|---------|--------------------|

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| | | | | | |
|--------------|------------|--------------|--------------------|--------------------|--|
| 23-0011 | 10/10/2023 | 02414/005 | \$8,268.80 | \$9,100.00 | FNA VII, LLC 201 W LAKE ST. #165 CHICAGO, IL 60606 |
| 23-0019 | 10/10/2023 | 03401/021.06 | \$11,611.76 | \$3,800.00 | WSFS CUST TOWER DBXIII PO BOX 71540 PHILADELPHIA, PA 19176 |
| 21-0038 | 10/12/2021 | 07207/001 | \$17,919.29 | \$17,200.00 | LB-HONEY BADGER SBMUNI CUST PO BOX 31191 TAMPA, FL 33631 |
| 22-0002 | 10/11/2022 | 01101-026 | \$17,145.56 | \$18,200.00 | CHRISTIANA TRUST AS CUSTODIAN GSRAN-Z LLC DEPOSIT ACCOUNT PO BOX 71276 PHILADELPHIA, PA 19176 |
| 23-0018 | 10/10/2023 | 03401-021.05 | \$11,189.87 | \$3,800.00 | WSFS CUST TOWER DBXIII PO BOX 71540 PHILADELPHIA, PA 19176 |
| TOTAL | | | \$66,135.28 | \$52,100.00 | |

Adopted: February 14, 2024

Agenda No. XIII e

~ Resolution 2024 – 113 ~

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

WHEREAS, there appears on the tax records overpayment as shown below and the Collector of Taxes recommends the refund of such overpayment.

NOW, THEREFORE, BE IT RESOLVED that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayment as shown below:

- REASON:**
- | | |
|----------------------|-------------------------------|
| 1. Incorrect Payment | 6. Tax Appeal County Board |
| 2. Duplicate Payment | 7. Tax Appeal State Tax Court |
| 3. Senior Citizen | 8. 100% Disabled Veteran |
| 4. Veteran Deduction | 9. Replacement Check |
| 5. Homestead Rebate | 10. Bank/Mortgage Co. |

| BLOCK/LOT | NAME | AMOUNT | YEAR | REASON |
|-----------|--|----------|------|--------|
| 07702-009 | West Milford Fire Prevention 1480 Union Valley Rd West Milford, NJ 07480 | \$265.00 | 2023 | 1 |

Adopted: February 14, 2024

Agenda No. XIII f

~ Resolution 2024 – 114 ~

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 |

| BLOCK/LOT | AMOUNT | INT | YEAR | REASON |
|--------------|------------|-----|------|--------|
| 00905-002 | \$564.00 | | 2024 | 2 |
| 16004-007 | \$2,219.00 | | 2024 | 2 |
| 07401-016.02 | \$82.00 | | 2024 | 2 |
| 07402-004 | \$82.00 | | 2024 | 2 |

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| | | | | |
|--------------|------------|--|------|---|
| 15401-035 | \$1,327.20 | | 2024 | 4 |
| 12102-013 | \$2,492.00 | | 2024 | 2 |
| 08902-002 | \$4,252.00 | | 2024 | 2 |
| 05316-003.09 | \$842.00 | | 2021 | 2 |

Adopted: February 14, 2024

Agenda No. XIII g

~ Resolution 2024 – 115 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CANCELATION OF TAXES

WHEREAS, there appears on the tax records balances as listed below; and

WHEREAS, the Collector of Taxes recommends the cancelation of taxes due to reasons listed below.

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

- REASONS:**
1. 100% Disabled Veteran
 2. Township Owned Property
 3. Veteran/Surviving Spouse of Veteran Deduction
 4. Senior Citizen/Disabled/Surviving Spouse Deduction
 5. County Board Tax Appeal
 6. Parsonage
 7. Non-Profit/Disability Resource Facility

| Block/Lot | Name | Amount | Year | Reason |
|--------------|--|--------------------|------|--------|
| 05311-001.19 | 2 Richmond Road; Suite 119 West Milford, NJ 07480 | \$2,048.00 | 2024 | 1 |
| 16201-039.02 | Oak Ridge Presbyterian Church 321 Oak ridge Road Oak Ridge, NJ 07438 | \$5,810.00 | 2024 | 6 |
| 10103-001 | Alfa Development, Inc. 121 Gould Road Newfoundland, NJ 07435 | \$5,844.00 | 2024 | 7 |
| 15803-015 | Alfa Development, Inc. 70 Oak Ridge Road Newfoundland, NJ 07435 | \$6,316.00 | 2024 | 7 |
| TOTAL | | \$20,018.00 | | |

Adopted: February 14, 2024

Motion to move Resolutions 2024-108 through 2024-115.

 Moved: Erik Seconded: Lichtenberg
 Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden
 Voted Nay: None
 Motion carried:

Agenda No. XIV

Approval of Expenditures

~ Resolution 2024 – 116 ~

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.

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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 | \$1,186,664.12 |
| 3 | Reserve Account | 425,670.49 |
| 2 | Grants | 121,783.25 |
| 6 | Refunds | 120,945.28 |
| 1 | General Ledger | 300.00 |
| 26 | Refuse | 236,738.45 |
| 4 | Capital | 37,571.25 |
| 19 | Animal Control | 3,576.05 |
| 19 | Heritage Trust | 0.00 |
| 19 | Open Space Trust | 35.00 |
| 19 | Trust | 41,248.41 |
| 19 | Scala Trust | 0.00 |
| 16 | Development Escrow | 4,715.00 |
| 19 | Tax Sale Trust | 0.00 |
| 21 | Assessment Trust | 0.00 |
| | Special Reserve | 87.00 |
| Total | | \$2,179,334.30 |
| Less Refund Resolution | | -120,945.28 |
| Actual Bills List | | \$2,058,389.02 |
| Other Payments: | | |
| Payroll | | 1,258,287.25 |
| Petty Cash | | 1,000.00 |
| Enterprise Lease | | 21,261.53 |
| BOE | | 5,223,074.00 |
| Total Expenditures | | \$8,562,011.80 |

Adopted: February 14, 2023

 Moved: Erik Seconded: Goodsir
 Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden
 Voted Nay: None
 Motion carried:

Agenda No. XVI

Appointments and Resignations

Councilwoman Erik nominated Councilman Conlon and Michael Gerst to the Wanaque Valley Regional Sewerage Authority. Seconded by Councilman Marsden.

 Moved: Erik Seconded: Marsden
 Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden
 Voted Nay: None
 Motion carried:

Agenda No. XV

Reports of Mayor, Council Members, Administrator, and Attorney

Mayor Dale – Announced that Volunteer Night was coming up on April 3, 2024. The Township is seeking nominations for the 2023 Volunteer of the Year. The deadline for nominations is March 8, 2024. The panel of former Mayors will also choose the Mary B. Haase Lifetime Volunteer. March 22, 2024 is the deadline date for those organizations wishing to do a presentation.

Councilman Goodsir – Registration is now open for Spring Soccer at the Recreation Center. The registration deadline is April 7th. There will be a need for volunteer coaches and the Recreation Department needs volunteer coaches for indoor soccer for the Stopper Division. Please contact the Recreation Department if interested. Paddles for Prevention Pickleball Tournament is Saturday April 13th

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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at the Recreation Center and registration is now open. The Recreation Center is serving as drop off location for West Milford Township Food Pantries. Food can be dropped off at the Recreation Center, 66 Cahill Cross Road. The drop box is located in the foyer at the Recreation Center. Please no expired food products, fresh food or any food that needs to be frozen or refrigerated or that has been previously frozen. The Elks have donated substantial sums to the local food pantries, thousands of dollars. The donations were made to Our Lady Queen of Peace, Saint Josephs and the Presbyterian Church.

Councilman Conlon – Thanked the workers from the DPW and those from the County and State for their efforts getting the roads cleared in yesterday’s snow storm. Thank you to the police, first responders and those municipality employees who helped out.

Councilman Marsden – No report.
Councilwoman Erik – No report.

Councilman Chazukow – The EDC meeting has been snowed out twice in a row but he is excited because they have heard back from the vendor that the map is in the queue and will be forthcoming.

Councilwoman Lichtenberg – There will be a Senior tax preparation service through Parks and Recreation Community Services. The phone number to call is 973-728-2871 to schedule an appointment. Through the Municipal Alliance there will be an over the counter medicine safety program held at the library February 27th from 1-2 p.m. and those wishing to attend can contact the Recreation Department.

Administrator Senande – No report.

Attorney Pasternak – No report.

Agenda No. XVI

Appointments and Resignations

Mayor Dale indicated that the Council may wish to make an appointment to the Municipal Alliance Committee. Councilwoman Lichtenberg nominated Ketty Williams to the Citizen Member #4 position. Seconded by Councilwoman Erik. Motion to close and confirm by Councilwoman Erik and seconded by Councilman Conlon. All were in favor.

Moved: Lichtenberg Seconded: Erik
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden
Voted Nay: None
Motion carried:

Mayor Dale indicated that the Council may wish to make an appointment to the WM77 TV Commission. Councilwoman Erik nominated Derek Nicholson to the Citizen Member #4 position. Seconded by Councilwoman Lichtenberg. Motion to close and confirm by Councilwoman Erik and seconded by Councilman Conlon. All were in favor.

Moved: Erik Seconded: Lichtenberg
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden
Voted Nay: None
Motion carried:

Agenda No. XVIII

Adjournment

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

The meeting adjourned at 8:11 p.m.

Approved: March 6, 2024

Respectfully submitted:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Deidre Ellis, Keyboarding Clerk II

MICHELE DALE, MAYOR

WILLIAM SENANDE, TOWNSHIP CLERK