
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Reorganization Meeting
Date of Meeting: January 6, 2021
Time of Meeting: 6:30 pm
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The Reorganization Meeting of the Governing Body was called to order by Mayor Michele Dale.

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 Reorganization Meeting was advertised in the Herald News in its issue of December 13, 2020 and December 27, 2020; copies were provided to The Record 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 the Pledge of Allegiance.

Agenda No. II

Administration of Oath

Councilman Michael Chazukow (January 1, 2021 – December 31, 2023) was joined at the podium by his family, who held the bible as Assemblyman Jay Weber administered the oath of office.

Councilman David Marsden (January 1, 2021 – December 31, 2023) was joined at the podium by his family, who held the bible as Assemblyman Jay Weber administered the oath of office.

The newly sworn in Councilmembers took their seats at the dais.

Agenda No. III

Roll Call

Present: Councilmembers Ada Erik, Michael Chazukow, Marilyn Lichtenberg, Kevin Goodsir
Warren Gross, David Marsden, Mayor Michele Dale

Absent: None

Also Present: Township Administrator William Senande, Township Attorney Fred Semrau

Agenda No. IV

Election of Council President

Councilman Goodsir nominated Councilwoman Erik. Councilman Gross nominated Councilwoman Erik. Councilman Marsden passed. Councilwoman Erik passed. Councilman Chazukow nominated Councilwoman Erik. Councilwoman Lichtenberg nominated Councilwoman Erik. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Goodsir.

Councilwoman Erik

Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden

Voted Nay: None

Motion Carried.

Agenda No. VI

Appointments

3) Boards, Committees and Commissions

ADA Committee

Council Liaison

Councilman Gross nominated Councilwoman Erik, seconded by Councilman Goodsir. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Chazukow.

Councilwoman Erik

Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden

Voted Nay: None

Motion Carried.

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Autumn Lights Festival Committee

Council Liaison

Councilman Marsden nominated Councilwoman Erik. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Chazukow.

Councilwoman Erik

Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden
Voted Nay: None
Motion Carried.

Citizen Members

Councilwoman Erik requested to move the slate, seconded by Councilman Goodsir. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Chazukow.

Rocky Hazelman, Edward DeVane, Richard Hepp, Liz Dutton, Laura Katona, Diane Wurdemann, John Wurdemann, Jr., Timothy Bolduc

Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden
Voted Nay: None
Motion Carried.

Beautification & Recycling Committee

Council Liaison

Councilman Chazukow nominated Councilwoman Erik. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Goodsir.

Councilwoman Erik

Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden
Voted Nay: None
Motion Carried.

Citizen Members

Councilwoman Lichtenberg requested to move the slate. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Goodsir.

JoAnn Blom, John Monahan, Lynne Blackowski, John Waldo, Derek Nicholson

Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden
Voted Nay: None
Motion Carried.

Building Standards Board

Council Liaison

Councilman Goodsir nominated Councilman Gross. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Marsden.
Councilman Gross

Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden
Voted Nay: None
Motion Carried.

Community Services & Recreation Advisory Committee

Council Liaison

Councilman Gross nominated Councilman Goodsir. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Gross.

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Councilman Goodsir

Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden
Voted Nay: None
Motion Carried.

Citizen Member

Councilman Marsden requested to move the slate. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Gross.

Michael Hensley, Charles Carbone, Daniel Goodsir, Daniel Trout, Eli Easterbrook

Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden
Voted Nay: None
Motion Carried.

Economic Development Commission
Council Liaison

Councilwoman Erik nominated Councilman Gross. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Goodsir.

Councilman Gross

Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden
Voted Nay: None
Motion Carried.

Citizen Member # 5

Councilman Chazukow requested to move the slate. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Goodsir.

Joann Blom

Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden
Voted Nay: None
Motion Carried.

Citizen Member # 6

Councilwoman Lichtenberg nominated Kerry O'Brien. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Goodsir. Mr. Semrau informed the Governing Body that if there are no other nominations an "all in favor" can be used rather than a roll call vote.

Kerry O'Brien

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Fire Department Board of Review
Council Member

Councilman Goodsir nominated himself. Councilman Gross nominated Councilman Goodsir. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Gross and carried by unanimous voice vote.

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Councilman Goodsir

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Fire Chiefs Association
Council Liaison

Councilman Gross nominated Councilman Goodsir. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Goodsir and carried by unanimous voice vote.

Councilman Goodsir

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Friends of Wallisch
Council Liaison

Councilman Marsden nominated Councilwoman Lichtenberg. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Goodsir and carried by unanimous voice vote.

Councilwoman Lichtenberg

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Greenwood Lake Bi-State Commission
NJ Commissioners

Councilwoman Erik requested to move the slate. All other Councilmembers requested to move the slate. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Gross and carried by unanimous voice vote.

Paul Zarrillo, Jonathan Brett

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Health Board Advisory
Citizen Member

Councilman Chazukow requested to move the slate. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Goodsir and carried by unanimous voice vote.

Lori Novak-Carafello

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Heritage Committee
Council Liaison

Councilwoman Lichtenberg nominated Councilman Chazukow. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Goodsir and carried by unanimous voice vote.

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Councilman Chazukow

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Citizen Members

Councilman Goodsir requested to move the slate. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Gross and carried by unanimous voice vote.

Robert J. Bailey, Vivienne Erk, Tonya Cubby, Kerry J. O'Brien, Michael Van Hooker, Kristen Koerner, Hans Niederstrasser, Loretta Heusser, Harry Bedford, Brandon Romaine, Robert Pawlo

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Insurance Committee

Council Liaison

Councilman Gross nominated Councilwoman Erik. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Goodsir and carried by unanimous voice vote.

Councilwoman Erik

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Citizen Members

Councilman Marsden requested to move the slate. Councilwoman Lichtenberg nominated Henry Opat. Councilman Marsden amended his request to move the slate to include Henry Opat. All other Councilmembers passed. Councilman Chazukow made a motion to close and confirm, seconded by Councilwoman Erik and carried by unanimous voice vote.

Thomas McNair, Vivienne Erk, Robert Nolan, Henry Opat

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Lakes Committee

Council Liaison

Councilwoman Erik nominated Councilwoman Lichtenberg. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Gross and carried by unanimous voice vote.

Councilwoman Lichtenberg

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Municipal Alliance Committee (CASA)

Council Liaison

Councilman Chazukow nominated Councilwoman Lichtenberg. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Gross and carried by unanimous voice vote.

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Councilwoman Lichtenberg

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Citizen Members

Councilwoman Lichtenberg recommended moving the entire slate, one new member Nicole Torp, and Wilson Santos as Substance Abuse Reduction Member. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Goodsir and carried by unanimous voice vote.

Daniel Cibenko, JoAnn Doran, Grace Hawruk, Michele Shell, Nicole Torp, Kelly Hart, Dorrie Torp, Robert Nicholson, Andrew Meher, Robert Nolan, Wilson Santos

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Planning Board

Class III Council Liaison

Councilman Gross nominated himself. All other Councilmembers passed. Councilman Marsden made a motion to close and confirm, seconded by Councilman Goodsir and carried by unanimous voice vote.

Councilman Gross

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Planning Board – Class IV Alternate # 2

Councilman Marsden nominated Citizen # 2. Councilwoman Erik nominated Citizen # 1. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Goodsir and carried by unanimous voice vote.

Matthew Conlon

Voted Aye: Chazukow, Goodsir, Gross, Marsden
Voted Nay: Erik, Lichtenberg
Motion Carried.

Joann Blom

Voted Aye: Erik, Chazukow, Lichtenberg, Gross
Voted Nay: Goodsir, Marsden
Motion Carried.

The Planning Board – Class IV Alternate # 2 appointment has been moved to the next meeting agenda due to the tie vote.

Senior Citizens Committee

Council Liaison

Councilwoman Erik nominated Councilwoman Lichtenberg. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Chazukow and carried by unanimous voice vote.

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Councilwoman Lichtenberg

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Councilwoman Lichtenberg explained that there should be staggered terms. She suggested that four members be appointed until the end of 2022. Mary Ann Terracino, Marianne Goerig, Sharon McQuitty and Donald Ziliotto. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Gross and carried by unanimous voice vote.

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

WM77 TV Commission
Council Liaisons

Councilman Chazukow nominated Councilwoman Erik and Councilwoman Lichtenberg. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Chazukow and carried by unanimous voice vote.

Councilwoman Erik, Councilwoman Lichtenberg

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Citizen Member # 3

Councilwoman Lichtenberg nominated Citizen # 1. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Gross and carried by unanimous voice vote.

Nathaniel Bedford

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Citizen Member # 4

Councilman Goodsir nominated Citizen # 1. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Marsden and carried by unanimous voice vote.

Ruthann Mekita

Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Zoning Board of Adjustment
Citizen Member

Councilman Gross nominated Frank Curcio. All other Councilmembers passed. Councilwoman Erik made a motion to close and confirm, seconded by Councilman Gross. Mayor Dale asked for a roll call vote for each citizen.

Frank Curcio

Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden
Voted Nay: None
Motion Carried.

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Michael DeJohn

Voted Aye: Chazukow
Voted Nay: Erik, Lichtenberg, Goodsir, Gross, Marsden
Motion Denied.

Alternate # 2

Councilman Marsden nominated Citizen # 1.

Steven Castronova

Voted Aye: Chazukow, Gross, Marsden
Voted Nay: Erik, Lichtenberg, Goodsir
Motion Denied.

Michael DeJohn

Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden
Voted Nay: None
Motion Carried.

Councilwoman Erik made a motion to close and confirm, seconded by Councilman Gross and carried by unanimous voice vote.

Agenda No. VI

Appointments

4) Boards, Committees and Commissions

Mayor Dale noted she will move her appointments to the next meeting agenda.

Mayor Dale asked to move resolutions 2021-001 and 2021-002.

Agenda No. V

1) Consent Agenda & Resolutions

~ Resolution 2021 – 001 ~

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

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

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

- 1) **2021-002** - Resolution establishing protocols for nominations
- 2) Resolutions Re-establishing Committees and Making Staff Appointments
 - a) **2021-003** - Re-establishment of Autumn Lights Committee
 - b) **2021-004** - Re-establishment of Beautification/Recycling Task Force Committee
 - c) **2021-005** - Re-establishment of Emergency Management Council
 - d) **2021-006** - Re-establishment of Fire Board of Review
 - e) **2021-007** - Re-establishment of Heritage Committee
 - f) **2021-008** - Re-establishment of Municipal Alliance Committee (CASA)
 - g) **2021-009** - Re-establishment of Safety Committee
 - h) **2021-010** - Re-establishment of Shade Tree Advisory Committee
 - i) **2021-011** - Re-establishment of Stormwater Pollution Prevention Team
- 3) Resolutions Pertaining to Policies and Financial-related Issues
 - a) **2021-012** - Annual Meeting Notice
 - b) **2021-013** - Signatures on Township Accounts
 - c) **2021-014** - Designating Official Newspapers for the Township of West Milford
 - d) **2021-015** - Establishing a Cash Management Plan

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- e) **2021-016** - Provide for the Hours of Collection of Taxes
- f) **2021-017** - Rate of Interest to be Charged on Unpaid Taxes and Improvement Assessments
- g) **2021-018** - Authorizing Certain Statutory Payments of Claims & Other Claims Regular in Nature
- h) **2021-019** - Authorizing the CFO to Maintain a Petty Cash and Various Change Funds
- i) **2021-020** - Release of Executive Session Minutes
- j) **2021-021** - Best Practices Surplus Policy
- 1) **2021-022** - Affirm Civil Rights Policy

Adopted: January 6, 2021

Agenda No. V

2) Consent Agenda & Resolutions

~ Resolution 2021 – 002 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,
STATE OF NEW JERSEY ESTABLISHING PROTOCOLS FOR NOMINATIONS MADE BY THE
GOVERNING BODY TO FILL VACANCIES**

WHEREAS, the Township Council of the Township of West Milford has agreed to establish protocols that provide for efficiency, fairness and proper consideration in nominations and appointments that are within their purview.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford hereby establishes the following protocols for nominations and appointments:

Nominations:

1. The Municipal Clerk conducted a drawing whereby a Council member was chosen to begin the nominating process. Thereafter each Council member is afforded an opportunity to participate in the nomination process from left to right.
2. Each Council member shall make one nomination only and then defer to the rotation for subsequent nominations to afford each Council member an opportunity to make a nomination except;
 - a. If the person making the initial nomination believes that the roster of persons seeking appointment to a particular board, committee or commission is non-controversial and there is not greater interest than vacancies on said board, committee or commission, the person making the initial nomination may seek consensus from his or her Council colleagues to nominate the entire roster for that particular board, committee or commission.
3. Nominations will not require a second from the Council.

Appointments:

1. After all nominations have been made to a board, committee or commission, a member of the Council shall make a motion to close nominations and another member of the Council shall second that motion.
2. The municipal clerk shall be instructed to take a roll call vote for each nominee in the order in which the nominations were made with the exception of "bulk" nominations made in accordance with "Nominations 2a" above.
3. Appointments shall be deemed confirmed when the entire roster of nominees has been subject to a vote and the persons receiving the most number of votes shall be deemed appointed to the related vacancy.
4. In the event of a tie vote for any nominee or where controversial issues cannot be resolved, a member of the Council shall make a motion to table the nominations to that particular board, committee or commission to the February 3, 2021 Workshop Meeting of the Governing Body.

This resolution shall take effect immediately.

Adopted: January 6, 2021

Moved: Erik Seconded: Lichtenberg
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden
Voted Nay: None
Motion Carried:

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Mayor Dale asked to move resolutions 2021-003 through 2021-011.

Agenda No. V

3) Resolutions Re-establishing Committees and Making Staff Appointments

~ Resolution 2021 – 003 ~

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

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

WHEREAS, the Council believes there is sufficient public interest and an adequate number of willing volunteers to organize and operate the twenty-sixth Autumn Lights Festival in 2021.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford hereby re-establishes an Autumn Lights Committee for the purpose of undertaking and promoting an October 9, 2021 (rain date October 10, 2021) town-wide festival with the following provisions:

NOW, THEREFORE, BE IT RESOLVED by the Township Council that it does hereby establish the Autumn Lights Committee with the following provisions:

1. **MEMBERSHIP:** The number of members shall be (10) ten members, one of whom shall be a liaison member of the Township Council; nine (9) shall be citizen members.
2. **CHAIRPERSON:** The committee shall appoint one member from the (9) nine citizen members to serve as Chair of the committee. Rocky Hazelman shall serve as chairperson of the ALF Committee.
3. **APPOINTING AUTHORITY:** The member of the Township Council shall be appointed by the Township Council. All other members shall be appointed by and shall serve at the pleasure of the Township Council. In the event that a member fails to attend three consecutive meetings of the committee, the Chairperson will advise the appointing authority in order to have a replacement appointed.
4. The members of the committee shall serve until December 31, 2021.
5. **SUNSET:** The continuing need for the Autumn Lights Committee shall be reviewed by the Township Council at its 2022 re-organization meeting and the committee shall cease to exist at that time unless re-established by Council resolution.

Adopted: January 6, 2021

~ Resolution 2021 – 004 ~

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

WHEREAS, the Mayor & Township Council of the Township of West Milford wishes to re-establish a Beautification/Recycling Task Force Committee (Advisory); and

WHEREAS, the purpose of the committee shall be to develop and promote a beautification program within the Township of West Milford and to provide advice with regard to garbage and recycling matters in the Township; and

WHEREAS, the committee shall seek approval from the Township Administrator before proceeding with any beautification programs; and

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

1. **MEMBERSHIP:** The number of members shall be (8) eight members, one of whom shall be a liaison member of the Township Council; five (5) shall be citizen members; one who shall be a representative from the West Milford commercial community; and one liaison member who shall be the Recycling Coordinator.

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2. *CHAIRPERSON:* The committee shall appoint one member from the (8) members to serve as Chair of the committee
3. *APPOINTING AUTHORITY:* The member of the Township Council shall be appointed by the Township Council. All other members shall be appointed by and shall serve at the pleasure of the Township Council.
In the event that a member fails to attend three consecutive meetings of the committee, the Chairperson will advise the appointing authority in order to have a replacement appointed.
4. *SUNSET:* The Committee shall cease to exist unless re-established by the Township Council at its Organizational Meeting in January 2022.

Adopted: January 6, 2021

~ Resolution 2021 – 005 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RE- ESTABLISHING A BOARD OF REVIEW TO HEAR DISCIPLINE MATTERS RELATIVE TO THE FIRE DEPARTMENTS IN THE TOWNSHIP IN ACCORDANCE WITH THE TOWNSHIP'S FUNDING GUIDELINES

WHEREAS, on April 1, 2015 by virtue of Resolution 2015-129 the Township of West Milford did adopt funding guidelines which establish procedures by which fire departments within the Township qualify for municipal funding; and

WHEREAS, the funding guidelines establish a "Process to Discipline Fire Officers"; and

WHEREAS, that process requires the establishment of a Board of Review to which appointment shall be made in January each year; and

WHEREAS, the funding guidelines warrant that the Board of Review shall be comprised of the following appointees:

- Member 1: Designated by the Township Administrator
- Member 2: Designated by the Fire Chiefs Association and who must be a former Chief within the last ten (10) years who is not a part of the Company in question
- Member 3: Designated by the Township Council
- Member 4: Designated by the Fire Company where the named individual serves
- Member 5 and One (1) Alternate: Designated by the Fire Chiefs Association

; and

WHEREAS, the Township Council hereby establishes the Board of Review and requests that the fire companies, the Fire Chiefs and the Township Administrator make the requisite appointments and notify the Township Clerk of same.

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 they do hereby establish a Board of Review in accordance with the funding guidelines for fire departments and request that that the fire companies, the Fire Chiefs and the Township Administrator make the requisite appointments and notify the Township Clerk of same.

Adopted: January 6, 2021

~ Resolution 2021 – 006 ~

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

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

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

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

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

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

The member of the Township staff shall be appointed by and serve at the pleasure of the Mayor.
3. **SUNSET:** The Committee shall cease to exist unless re-established by the Township Council at its Organizational Meeting in January 2022.

Adopted: January 6, 2021

~ Resolution 2021 – 007 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE MUNICIPAL ALLIANCE COMMITTEE

WHEREAS, it is in the best interest of health and community safety to provide Substance Abuse Prevention programs and services to the residents of West Milford; and

WHEREAS, the Municipal Alliance Committee can serve as the Committee Against Substance Abuse (CASA) as necessary; and

WHEREAS, Federal Drug Free Communities standards indicate successful communities establish a Committee comprised of a larger group of individual stakeholders; and

WHEREAS, the Township Council believes it is in the best interest of the community to align the Municipal Alliance Committee with Federal Drug Free Communities standards;

WHEREAS, the Municipal Alliance Coordinator is a non-voting member except when called upon to break a tie; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, the Municipal Alliance Committee be re-established in accordance with Drug Free Communities standards to include the following member positions in 2021 and beyond:

- 1 – Business Representative
- 4 – Citizen Members
- 1 – Civic/Volunteer Organization Representative
- 1 – Health Care Professional
- 1 – Media Representative
- 1 – Member of an Organization Involved in Reducing Substance Abuse
- 1 – Religious/Fraternal Organization Member
- 1 – Youth Representative, 17 years of age or younger
- 1 – Parent Representative (PTA appointed)
- 1 – Liaison of the Governing Body (non-voting member)
- 1 – Municipal Alliance Coordinator (non-voting member)
- 1 – Liaison of the Community Services & Recreation Department - Director or Designee (non-voting member)
- 1 – Liaison from the West Milford Police Department (non-voting member)
- 1 – School Representative (BOE Liaison, non-voting member)
- 1 – Senior Citizen Member

BE IT FURTHER RESOLVED, that in accordance with the Township's annual reorganization meeting, members be appointed on an annual basis by the Governing Body of the Township of West Milford.

Adopted: January 6, 2021

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Reorganization Meeting
Date of Meeting: January 6, 2021
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~ Resolution 2021 – 008 ~

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

WHEREAS, the Mayor and Township Council did establish a Safety Committee to review and discuss with management safety issues concerning the Township of West Milford.

WHEREAS, the purpose of the Safety Committee is to provide greater flexibility in complying with future safety requirements and meeting the needs of the Township of West Milford.

MEMBERSHIP: The Committee shall be comprised of eight (8) members as follows:

- 1 Staff Member – Health Department
- 1 Staff Member – Land Use Department
- 1 Staff Member – Administration
- 1 Staff Member – Police Department
- 1 Staff Member – Department of Public Works
- 1 Staff Member – Fire Department
- 1 Staff Member – Department of Community Services & Recreation
- Fire Commissioner

WHEREAS, Denyse Todd in the Administrator’s Office shall serve as the secretary to the Safety Committee responsible for providing meeting notifications, preparing agendas and filing related reports with the Morris County Joint Insurance Fund (JIF) and/or its affiliates as necessary.

WHEREAS, each of the following organizations shall be notified of every scheduled safety meeting to provide them an opportunity to send one representative to the meeting, said representatives to be afforded the right to fully participate in the meeting(s):

- Each of the Township's Bargaining Units
- Ambulance Squad(s)
- Township’s Insurance Committee

BE IT FURTHER RESOLVED that the Safety Committee shall report to the Township Administrator, making recommendations, rendering opinions and providing input with respect to safety issues affecting the Township of West Milford.

Adopted: January 6, 2021

~ Resolution 2021 – 009 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RE-ESTABLISHING A SUBCOMMITTEE OF THE ENVIRONMENTAL COMMISSION KNOWN AS THE SHADE TREE ADVISORY COMMITTEE

WHEREAS, the West Milford Environmental Commission (EC) recommends the establishment of a Shade Tree Advisory Committee as required by the Township of West Milford Community Forestry Management Plan (CCMP) 2015-2019; and

WHEREAS, the West Milford Community Forestry Management Plan (CFMP) received approval from the New Jersey Shade Tree Federation in accordance with requirements of the No Net Loss Reforestation Grant that was awarded to the Township in 2013/2014; and

WHEREAS, the Shade Tree Committee as an organization under the Environmental Commission (EC) shall be comprised of Environmental Commission representatives selected by the EC, volunteers whose number and appointments shall be determined by the EC, and a staff member from the Township’s DPW; and

WHEREAS, the NJDEP-Forest Services has advised that the Township of West Milford meets all the criteria under the act and has “Approved Status” for 2019; and

WHEREAS, the continuing need for the Shade Tree Committee shall be reviewed by the Township Council at its Re-organization Meeting and the committee shall cease to exist at that time unless re-established by Council resolution.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford hereby establishes a Shade Tree Advisory Committee, a subcommittee under the West Milford Environmental Commission, for the purposes outlined above.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Reorganization Meeting
Date of Meeting: January 6, 2021
Time of Meeting: 6:30 pm
Minute Page No: Page 14 of 33

Adopted: January 6, 2021

~ Resolution 2021 – 010 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RE-ESTABLISHING A TOWNSHIP STORMWATER POLLUTION PREVENTION TEAM

WHEREAS, the State of New Jersey requires the re-establishment of a Stormwater Pollution Prevention Team to assist in the development of regulations by the Township in conformance with requirements of the State's Stormwater pollution Prevention Program.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of West Milford that it does hereby re-establish a Stormwater Pollution Prevention Team (number of team members may vary) as follows:

Purpose: to prepare an assessment of the infrastructure improvements that would be necessary to the Township's Stormwater facilities and to also develop a plan to maintain these facilities in accordance with state regulations.

Membership: The Committee shall consist of seven (7) members including:

- | | |
|--|-----------------------------------|
| Program Coordinator | Director of Public Works |
| Public Notice Coordinator | Township Clerk |
| Post Construction Stormwater Management
Coordinator & Ordinance Coordinator | Construction Official |
| Local Public Education Coordinator | Environmental Commission Chairman |
| Public Works Coordinator | Director of Public Works |
| Illicit Connection Coordinator | Health Officer |
| Mapping Coordinator | GIS Specialist |

Adopted: January 6, 2021

~ Resolution 2021 – 011 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPOINTING MEMBERS TO THE EMERGENCY MANAGEMENT COUNCIL IN ACCORDANCE WITH SECTION §15-50 OF THE TOWNSHIP CODE

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

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

WHEREAS, the Emergency Management Council shall consist of up to 13 persons.

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

- Board of Education Representative - Business Administrator or designee
- Chief of Police
- Director of Community Services & Recreation
- Fire Commissioner
- Fire Marshal
- Health Officer
- Mayor
- Public Works Director
- Network Administrator
- Township Administrator
- Construction Official
- Upper Greenwood Lake Volunteer Ambulance Corps - President or President's designee
- West Milford First Aid Squad - Captain or Captain's designee

Adopted: January 6, 2021

Moved: Erik Seconded: Lichtenberg
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden
Voted Nay: None
Motion Carried:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Reorganization Meeting
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Mayor Dale asked to move resolutions 2021-012 through 2021-22.

Agenda No. V

4) Resolution Pertaining to Policies and Financial – related Issues

~ Resolution 2021 – 012 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ADOPTING THE SCHEDULE FOR GOVERNING BODY WORKSHOP AND REGULAR MEETINGS FOR THE 2021 CALENDAR YEAR

BE IT RESOLVED that the Township Council of the Township of West Milford does hereby adopt the following schedule of Reorganization, Workshop and Regular Meetings of the Governing Body of the Township for the 2021 calendar year:

January 6, 2021	Reorganization Meeting Workshop Meeting	June 9, 2021	Workshop Meeting Regular Meeting
January 20, 2021	Regular Meeting	July 14, 2021	Workshop Meeting Regular Meeting
February 3, 2021	Workshop Meeting	August 11, 2021	Workshop Meeting Regular Meeting
February 17, 2021	Regular Meeting	September 1, 2021	Workshop Meeting
March 3, 2021	Workshop Meeting	September 15, 2021	Regular Meeting
March 17, 2021	Regular Meeting	October 6, 2021	Workshop Meeting
April 7, 2021	Workshop Meeting	October 20, 2021	Regular Meeting
April 21, 2021	Regular Meeting Volunteer Night	November 10, 2021	Workshop Meeting Regular Meeting
May 5, 2021	Workshop Meeting	December 1, 2021	Workshop Meeting
May 19, 2021	Regular Meeting	December 15, 2021	Regular Meeting

BE IT FURTHER RESOLVED that the Reorganization Meeting of the Governing Body of the Township of West Milford as outlined herein shall be held on January 6, 2021 in the main meeting room of Town Hall located at 1480 Union Valley Road, West Milford, New Jersey 07480 at 6:30 p.m. and the workshop meeting shall follow immediately thereafter.

BE IT FURTHER RESOLVED that all other Meetings of the Governing Body of the Township of West Milford as outlined herein shall be held in the main meeting room of Town Hall located at 1480 Union Valley Road, West Milford, New Jersey 07480 and all such meetings shall begin at 6:30 p.m.

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

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

Adopted: January 6, 2021

~ Resolution 2021 – 013 ~

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

BE IT RESOLVED, by the Township Council of the Township of West Milford that two out of the three following signers; Mayor Michele Dale, Township Clerk William Senande, or Chief Financial Officer Ellen Mageean will be the required signers on Township checks.

BE IT FURTHER RESOLVED, that Columbia Bank is hereby authorized to accept the manual or facsimile signatures of Mayor Michele Dale, Township Clerk William Senande, and the Chief Financial Officer Ellen Mageean on Township checks.

Adopted: January 6, 2021

~ Resolution 2021 – 014 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY DESIGNATING THE LEGAL NEWSPAPERS FOR THE PUBLICATION OF LEGAL NOTICES AND OTHER ITEMS FOR THE TOWNSHIP

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

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

Adopted: January 6, 2021

~ Resolution 2021 – 015 ~

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

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

WHEREAS, the Township of West Milford is to adopt a cash management plan for 2021; and

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

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

Account

Claims Account
Current Account
Payroll Account
Capital Account
Escrow Account
Escrow Master Account
Trust Account
Heritage Trust Account
Dog Trust Account
Unemployment Trust Account
Assessment Trust Account
Open Space Trust Account
Tax Sale Trust
Police Outside Services Trust Account
MUA Sale Account

Adopted: January 6, 2021

~ Resolution 2021 – 016 ~

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

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

West Milford Town Hall – Open daily, 8:30 am to 4:30 pm prevailing time except Saturday, Sunday and legal holidays.

Adopted: January 6, 2021

~ Resolution 2021 – 017 ~

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Reorganization Meeting
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RESOLVED by the Township Council of the Township of West Milford that the rate of interest to be charged and collected by the Tax Collector and her department shall be as follows:

1. On all unpaid and delinquent taxes, the rate of eight percent (8%) per annum on the first \$1,500.00 of the delinquency, and eighteen percent (18%) per annum on any amount in excess of \$1,500.00.
2. On all unpaid and delinquent improvement assessments, the rate of eight percent (8%) per annum on the first \$1,500.00 of the delinquency, and twelve percent (12%) per annum on any amount in excess of \$1,500.00.
3. No interest shall be charged on taxes if payment is made within ten (10) calendar days after the date upon which the same becomes payable.
4. A 6% year end penalty is charged to any account that has a \$10,000.00 delinquency or to any Lien Holder that pays \$10,000.00 or more in a year in delinquent taxes on a certificate N.J.S.A. 54:4-67.
5. That a Redemption Penalty be charged as authorized by N.J.S.A. 54:5-61:
2% on amounts of \$200.00 to \$5,000.00
4% on amounts of \$5,000.01 to \$10,000.00 and
6% on amounts of \$10,000.01 and over
6. That the provisions of the resolution shall apply to all existing tax sale certificates.

Adopted: January 6, 2021

~ Resolution 2021 – 018 ~

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

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

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

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

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Reorganization Meeting
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- and thereafter said claim shall be transcribed on the next scheduled Bill list to be approved by the Township of West Milford Council.
- 3) A certified copy of this resolution shall be forward to the Chief Financial Officer of the Township of West Milford.

Adopted: January 6, 2021

~ Resolution 2021 – 019 ~

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

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

WHEREAS, it is necessary from time to time to allow the availability of a cash fund for immediate unforeseen minor cash expenditures each as follows:

1.	Tax Collector Change Fund	\$150.00
2.	Municipal Court Change Fund	\$100.00
3.	Health Department Change Fund	\$ 50.00
4.	Construction Department Change Fund	\$100.00
5.	Municipal Clerk Change Fund	\$ 50.00
6.	Recreation Administration Petty Cash	\$200.00
7.	Recreation Programs Change Fund	\$ 50.00
8.	Recreation Coffee House Change Fund	\$ 50.00
9.	Police Department	\$200.00
10.	Motor Vehicle Registration Petty Cash	\$250.00
11.	Administration Misc. Reimbursement Petty Cash	\$250.00
12.	Bubbling Springs Gate Change Fund	\$ 30.00

NOW THEREFORE, BE IT RESOLVED, by the Council of the Township of West Milford, County of Passaic, State of New Jersey, that a reimbursable aforementioned impress funds aggregate of \$1,480.00 be re-established for 2021; and

BE IT FURTHER RESOLVED that said amounts for petty cash are to be returned to the Township’s General Fund no later than December 31st each year.

Adopted: January 6, 2021

~ Resolution 2021 – 020 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE MUNICIPAL CLERK TO RELEASE EXECUTIVE SESSION MINUTES IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT

WHEREAS, the Open Public Meetings Act calls for the production of minutes from Executive Sessions and provides for said minutes to remain privileged communications - confidential until such time that same, pursuant to law, shall be released to the public; and

WHEREAS, the Mayor and Township Council periodically review and approve Executive Session minutes as to their completeness; and

WHEREAS, subsequent to said approval, minutes may become available to the public.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that the Municipal Clerk shall have the authority to release Executive Session minutes to the public upon request after consultation with the Municipal Attorney and it is determined that the specific Executive Session minutes in accordance with the law be released to the public.

BE IT FURTHER RESOLVED that this Resolution shall be considered on an annual basis at the reorganization meeting of the Mayor and Council.

Adopted: January 6, 2021

~ Resolution 2021 – 021 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ESTABLISHING A SURPLUS POLICY FOR THE TOWNSHIP

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, in 2011 the State of New Jersey instituted a Best Practices Checklist in an effort to “make government operate more efficiently, strengthen its accountability, and better manage scarce taxpayers’ resources”; and

WHEREAS, since the inception of the Best Practices Checklist, the Township of West Milford has made every effort to comply with the standards established by the State resulting in high ratings each year for compliance; and

WHEREAS, the Best Practices Checklist recommends the adoption of a surplus policy to serve as a basis for decisions regarding future solvency; and

WHEREAS, the Township Auditor and Chief Financial Officer have evaluated the historic budget and financial records and recommended a surplus policy to the Governing Body; and

WHEREAS, said surplus policy shall establish a goal in the annual budgeting process whereby the Governing Body shall strive to consistently maintain a \$1,000,000.00 surplus on hand annually to retain a consistent year-end surplus.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford that the Township Council does hereby concur with the surplus policy recommended by the Township Auditor and Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Township Council shall strive to achieve that goal annually during the budget process.

Adopted: January 6, 2021

~ Resolution 2021 – 022 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO AFFIRM THE TOWNSHIP OF WEST MILFORD’S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Township of West Milford to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Township of West Milford has determined that certain procedures need to be established to accomplish this policy.

NOW, THEREFORE, BE IT ADOPTED by the Township Council of the Township of West Milford that:

- Section 1:** No official, employee, appointee or volunteer of the Township of West Milford by whatever title known, or any entity that is in any way a part of the Township of West Milford shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person’s constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township of West Milford’s business or using the facilities or property of the Township of West Milford.
- Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township of West Milford to provide services that otherwise could be performed by the Township of West Milford.
- Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.
- Section 4:** The Township Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Township Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of West Milford as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Township Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Township Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township of West Milford. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township of West Milford's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township of West Milford in order for the public to be made aware of this policy and the Township of West Milford's commitment to the implementation and enforcement of this policy.

Adopted: January 6, 2021

Moved: Erik Seconded: Marsden
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden
Voted Nay: None
Motion Carried:

Mayor Dale asked to move resolutions 2021-23 through 2021-29.

Agenda No. VI

Appointments

1) Volunteer Fire Companies

~ Resolution 2021 – 023 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE MAYOR TO APPOINT MEMBERS TO THE VOLUNTEER FIRE COMPANIES AS PRESENTED BY THE APPLICABLE FIRE COMPANY CHIEF

WHEREAS, there exists a Division of Fire Suppression within the Township of West Milford; and

WHEREAS, the Division of Fire Suppression is comprised of six (6) volunteer fire companies operating throughout the Township; and

WHEREAS, individuals seeking to become a member of one of the volunteer fire districts are required to apply to the volunteer fire company within the area or district where they reside or work; and

WHEREAS, the application is considered and approved by the officers of the volunteer fire company and then appointment by the Mayor of the Township of West Milford is requested; and

WHEREAS, in an effort to ensure there is no delay in such appointments and to ensure that the volunteer fire companies are staffed appropriately, it has been requested that the Mayor be authorized to appoint a new member at the time qualification is determined rather than at the next regular meeting of the Township Council; and

WHEREAS, the Township Council has considered this request and determined that it is in the best interests of the Township and the Division of Fire Suppression to authorize the Mayor to appoint new members to the volunteer fire companies upon presentation of qualification by the appropriate officer.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, in the County of Passaic, State of New Jersey, that the Mayor of the Township of West Milford is hereby authorized to appoint new members to the volunteer fire companies upon receipt of the proper documentation reflecting the approval and qualification of said new member from the appropriate officer of the volunteer fire company.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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This Resolution shall take effect immediately.

Adopted: January 6, 2021

~ Resolution 2021 – 024 ~

MAYOR'S APPOINTMENT OF EDWARD STEINES AS FIRE COMMISSIONER IN ACCORDANCE WITH SECTION §15-47A OF THE TOWNSHIP CODE

Mayor's Appointment:

In accordance with Section §15-47A of the Code of the Township of West Milford, Mayor Michele Dale hereby appoints Edward Steines as Fire Commissioner to serve a two-year term from January 1, 2021 through December 31, 2022 as recommended by the Fire Chief's Association.

This resolution does not require action from the Council. It shall serve to memorialize an appointment made by Mayor Michele Dale.

Adopted: January 6, 2021

Agenda No. VI

2) Professionals – As Required by Code

~ Resolution 2021 – 025 ~

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

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby concur with the Mayor's appointment of Fred Semrau, Esq. to the position of Township Attorney in accordance with section §15-30 of the Township Code for a term of one year from January 1, 2021 through December 31, 2021.

Adopted: January 6, 2021

~ Resolution 2021 – 026 ~

MAYOR'S APPOINTMENT OF JAMES CERULLO AS MUNICIPAL AUDITOR WITH COUNCIL CONSENT

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby concur with the Mayor's appointment of James Cerullo to the position of Municipal Auditor in accordance with section §15-117 of the Township Code for a term of one year from January 1, 2021 through December 31, 2021.

Adopted: January 6, 2021

~ Resolution 2021 – 027 ~

MAYOR'S APPOINTMENT OF PAUL FERRIERO OF FERRIERO ENGINEERING INC. AS TOWNSHIP ENGINEER WITH COUNCIL CONSENT

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advice and consent to the Mayor's appointment of Paul Ferriero of Ferriero Engineering Inc. to the position of Township Engineer in accordance with section §15-57 of the Township Code.

Adopted: January 6, 2021

~ Resolution 2021 – 028 ~

MAYOR'S APPOINTMENT OF JOHN E. HORAN, ESQ. AS MUNICIPAL PROSECUTOR WITH COUNCIL CONSENT

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do provide advice and consent to the Mayor's appointment of John E. Horan, Esq. to the position of Municipal Prosecutor in accordance with section §15-78 of the Township Code for the 2021 calendar year.

Adopted: January 6, 2021

~ Resolution 2021 – 029 ~

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advise and consent to the Mayor's appointment of Paul Uhlik, Esq. to the position of Municipal Public Defender in accordance with section §15-79 of the Township Code for the 2021 calendar year.

Adopted: January 6, 2021

Moved: Erik Seconded: Lichtenberg
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden
Voted Nay: None
Motion Carried:

Mayor Dale asked to move resolutions 2021-30 through 2021-34.

Agenda No. VI

5) Miscellaneous Appointments

~ Resolution 2021 – 030 ~

MAYOR'S APPOINTMENT OF CATHERINE SHANAHAN AS COMMISSIONER TO THE NEW JERSEY HEALTH INSURANCE FUND

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advice and consent to the Mayor's appointment of Catherine Shanahan as Commissioner to represent the Township of West Milford's interests as a member of the New Jersey Health Insurance Fund (HIF).

Adopted: January 6, 2021

~ Resolution 2021 – 031 ~

MAYOR'S APPOINTMENT OF WILLIAM SENANDE AS COMMISSIONER, CATHERINE SHANAHAN AS ALTERNATE COMMISSIONER AND DENYSE TODD AS SAFETY DELEGATE TO THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advice and consent to the Mayor's appointment of William Senande as Commissioner, Catherine Shanahan as Alternate Commissioner and Denyse Todd as Safety Delegate to represent the Township of West Milford's interests as a member of the Morris County Municipal Joint Insurance Fund (MJIF).

Adopted: January 6, 2021

~ Resolution 2021 – 032 ~

MAYOR'S APPOINTMENT OF CATHERINE SHANAHAN AS COMMISSIONER AND DENYSE TODD AS DEPUTY COMMISSIONER TO THE NEW JERSEY SUSTAINABLE ENERGY JOINT MEETING (NJSEM)

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advice and consent to the Mayor's appointment of Catherine Shanahan as Commissioner and Denyse Todd as Deputy Commissioner to represent the Township of West Milford's interests as a member of the New Jersey Sustainable Energy Joint Meeting (NJSEM).

Adopted: January 6, 2021

~ Resolution 2021 – 033 ~

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

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

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Township of West Milford in the County of Passaic, in the State of New Jersey hereby appoints the Township Administrator to serve as the Public Agency Compliance Officer for 2021.

BE IT FURTHER RESOLVED, that in accordance with NJAC 17:27 the Township Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the State of New Jersey, Department of the Treasury, Division of Contract Compliance & EEO Monitoring Program in Trenton, NJ or via email to cca@mailbox@treas.nj.gov

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Adopted: January 6, 2021

~ Resolution 2021 – 034 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC, STATE OF NEW JERSEY MAKING AN APPOINTMENT TO THE PASSAIC COUNTY SOLID WASTE ADVISORY COUNCIL

BE IT RESOLVED, by the Mayor and Township Council of the Township of West Milford that they do hereby make the following appointment as a Township Representative to the Passaic County Solid Waste Advisory Council:

David Stires, Township Representative - Term expires 12/31/2021

Adopted: January 6, 2021

Moved: Erik Seconded: Marsden
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden
Voted Nay: None
Motion Carried:

Mayor Dale asked to move resolutions 2021-035 through 2021-46 including resolution 2021-053.

Agenda VII

Action Items

1) Resolutions Authorizing Professional Services Contracts

~ Resolution 2021 – 035 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING ADVICE & CONSENT TO THE MAYOR'S APPOINTMENT OF FRED SEMRAU, ESQ. AS TOWNSHIP ATTORNEY IN ACCORDANCE WITH SECTION §15-30 OF THE TOWNSHIP CODE AND AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT FOR SAME

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

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

WHEREAS, the term of a contract for this service is one year from January 1, 2021 through December 31, 2021; and

WHEREAS, Fred Semrau, Esq. will provide legal services as sought by the Township of West Milford at the annual compensation not to exceed \$140,000.00; and

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

WHEREAS, the Chief Financial Officer has certified the availability of funds for these services, said funds to be encumbered from 01-201-20-155-501 in an amount not to exceed \$140,000.00 without prior written consent from the Township Council; and

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby provide advice and consent to the Mayor's appointment of Fred Semrau, Esq. to the position of Township Attorney in accordance with section §15-30 of the Township Code for a term of one year from January 1, 2021 through December 31, 2021.

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

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

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

Adopted: January 6, 2021

~ Resolution 2021 – 036 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY PROVIDING ADVICE & CONSENT TO THE MAYOR'S APPOINTMENT OF JAMES CERULLO AS MUNICIPAL AUDITOR WITH COUNCIL CONSENT IN ACCORDANCE WITH SECTION §15-117 OF THE TOWNSHIP CODE AND AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR SAME

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

WHEREAS, the 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, James Cerullo of the firm Wielkotz & Company LLC will provide auditing services in accordance with their proposal; and

WHEREAS, Wielkotz & Company LLC has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of Wielkotz & Company 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 for these services, said funds to be encumbered from 01-201-20-135-578.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby concur with the Mayor's appointment of James Cerullo to the position of Municipal Auditor in accordance with section §15-117 of the Township Code for a term of one year in an amount not to exceed \$65,000.00.

BE IT FURTHER RESOLVED that the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey authorizes the Mayor and the Township Clerk to enter into a contract with Wielkotz & Company LLC, 401 Wanaque Avenue, Pompton Lakes, NJ 07442 as described herein; and

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

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

Adopted: January 6, 2021

~ Resolution 2021 – 037 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITH HAWKINS, DELAFIELD, & WOODS, LLP FOR BOND COUNSEL SERVICES

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

WHEREAS, the 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, Robert Beinfeld of the firm Hawkins, Delafield & Wood, LLP will provide legal services as bond counsel in an amount not to exceed \$43,000.00; and

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WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from various accounts pursuant to "Section 20" of the Local Bond Law in an amount not to exceed \$43,000.00 from account 04-215-55-828-003 without prior written approval from the Township Council.

WHEREAS, Robert Beinfield, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of Hawkins, Delafield & Wood, LLP from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has recommended that Hawkins, Delafield & Woods, LLP be retained to provide Bond Counsel services to the Township of West Milford.

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 Mayor and Township Clerk be and are hereby authorized to execute a contract with Hawkins, Delafield, & Woods, LLP of One Gateway Center, Newark, NJ 07102 for professional bond counsel services in an amount not to exceed \$43,000.00 which shall include services administered as bond counsel to the Township.
2. This contract is awarded as a "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
3. The duration of the contract shall be for the 2021 calendar year.
4. The total fee authorized for this contract shall not exceed \$43,000.00 without the prior written approval of the Township Council.
5. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: January 6, 2021

~ Resolution 2021 – 038 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR & OPEN PROFESSIONAL SERVICE CONTRACT FOR LABOR COUNSEL TO MARK SEMERARO

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

WHEREAS, the Township Council has determined that Mr. Semeraro's services encompass all responsibilities associated with an appointment as Labor Counsel to represent the Township with regard to all labor matters in an amount not to exceed \$60,000.00; 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, Mark Semeraro, Esq. has submitted a Business Entity Disclosure Certification which certifies that his firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of Kaufman, Semeraro, Leibman from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds said funds to be encumbered from account # 01-201-20-155-502 for services rendered as the Township Labor Counsel and for services rendered in conjunction with the above referenced legal matters; 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 Mark Semeraro, Esq. of the firm Kaufman, Semeraro, Leibman, LLC, with offices located at 2 Executive Drive #530, Fort Lee, NJ 07024 to serve as Special Labor Counsel and to work with the Township Administrator on labor matters on behalf of the Township at a rate of \$165 per hour and in an amount not to exceed \$60,000.00.
2. The total fee authorized for this contract shall not exceed \$60,000.00 without the prior written approval of the Township Council.

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3. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: January 6, 2021

~ Resolution 2021 – 039 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR THE POSITION OF TOWNSHIP ENGINEER IN ACCORDANCE WITH SECTION §15-35.1 OF THE TOWNSHIP CODE AND TO WORK ON OPEN SPACE MATTERS AS DICTATED BY THE TOWNSHIP COUNCIL

WHEREAS, the Township of West Milford has a need to appoint a Township Engineer or firm as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5* as appropriate and section §15-35.1 of the Township Code; and,

WHEREAS, with the creation of a dedicated source of tax revenue ("Open Space Trust Fund") for the acquisition of open space, the Township has worked hard in attempting to obtain various parcels of land throughout the Township for open space purposes; and

WHEREAS, The Township Council must perform due diligence prior to expending open space funds on property acquisition and from time to time, such due diligence requires engineering review of certain facets of any given property being considered for open space acquisition; 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, Paul Ferriero of Ferriero Engineering, Inc. will provide Engineering Services in an amount not to exceed \$47,000.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4* from account 01-201-20-165-450 for Engineer Services and from account 19-295-56-100-700 for Open Space Matters.

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the Open Space Matters said funds to be encumbered from the Township's Open Space Trust Account.

WHEREAS, Ferriero Engineering, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm Ferriero Engineering, Inc. from making any reportable contributions through the term of the contract; and

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

1. The Mayor and Township Clerk be and are hereby authorized to execute a contract with Ferriero Engineering, Inc. for professional Engineering Services as Township Engineer in an amount not to exceed \$47,000.00.
2. The Mayor and Township Clerk be and are hereby authorized to execute a contract with Ferriero Engineering, Inc. to perform due diligence at the Council's direction on properties to be considered for open space acquisition in an amount not to exceed \$3,000.00.
3. This contract is awarded as a "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
4. The duration of the contract shall be for the 2021 calendar year.
5. The total fee authorized for these contracts shall not exceed \$47,000.00 for Engineering Services and \$3,000.00 for Open Space Matters without the prior written approval of the Township Council.
6. 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: January 6, 2021

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~ Resolution 2021 – 040 ~

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 PIAZZA & ASSOCIATES, INC. FOR AFFORDABLE HOUSING COMPLIANCE AND MONITORING SERVICES IN ACCORDANCE WITH SECTION §470-69.1-C.(4) OF THE TOWNSHIP CODE IN AN AMOUNT NOT TO EXCEED \$4,800.00

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

WHEREAS, the Township wishes to award a contract without competitive bidding 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, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; 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. 216 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. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: January 6, 2021

~ Resolution 2021 – 041 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO J CALDWELL & ASSOCIATES LLC TO SERVE AS PLANNING CONSULTANT

WHEREAS, the Mayor and Council of the Township of West Milford has a need to appoint a Professional Planner and planner services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, Jessica Caldwell of Caldwell & Associates LLC has provided professional planning services as sought by the Township of West Milford at a rate of \$125.00 per hour; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from account number 02-213-41-734-002 in an amount not to exceed \$130,000.00; and

WHEREAS, J Caldwell & Associates LLC has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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reportable contributions have not been made 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 J Caldwell & Associates LLC from making any reportable contributions through the term of the contract; 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 bid and the contract itself must be made available for public inspection.

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

1. The Township Council hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Jessica Caldwell of J Caldwell & Associates LLC with offices located at 145 Spring Street, Suite E, Newton, NJ, 07860 as professional planner and planning services including zoning services, application reviews and inspection reviews for the Township of West Milford in an amount not to exceed \$130,000.00. The agreement shall be on file in the office of the Township Clerk.
2. The term of the contract shall be for services from January 1, 2021 to December 31, 2021.
3. Notice of this action shall be published once in the Township’s official newspaper as required by law.

Adopted: January 6, 2021

~ Resolution 2021 – 042 ~

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 TOM GILMARTIN FOR REGISTERED ENVIRONMENTAL HEALTH SPECIALIST IN THE TOWNSHIP’S HEALTH DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$24,266.00

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

WHEREAS, the Chief Financial Officer has determined and certified that the amount will not exceed \$24,266.00; and

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

WHEREAS, the term of a contract for this service shall be January 1, 2021 to December 31, 2021; and

WHEREAS, Tom Gilmartin will provide REHS services as sought by the Township of West Milford and outlined in a contract on file in the Office of the Township Clerk in an amount not to exceed \$24,266.00; and

WHEREAS, all REHS services will be as assigned and scheduled by the Township Health Officer; and

WHEREAS, Tom Gilmartin has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit him from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds to be encumbered from account number 01-201-27-335-480.

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

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

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

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~ Resolution 2021 – 043 ~

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 JOHN THEESE FOR REGISTERED ENVIRONMENTAL HEALTH SPECIALIST IN THE TOWNSHIP'S HEALTH DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$24,266.00

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

WHEREAS, the Chief Financial Officer has determined and certified that the amount will not exceed \$20,000.00; and

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

WHEREAS, the term of a contract for this service shall be January 1, 2021 to December 31, 2021; and

WHEREAS, John Theese will provide REHS services as sought by the Township of West Milford and outlined in a contract on file in the Office of the Township Clerk in an amount not to exceed \$24,266.00; and

WHEREAS, all REHS services will be as assigned and scheduled by the Township Health Officer; and

WHEREAS, John Theese has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit him from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds to be encumbered from account number 01-201-27-335-480.

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

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

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

Adopted: January 6, 2021

~ Resolution 2021 – 044 ~

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 FERRIERO ENGINEERING INC. FOR SEPTIC PLAN REVIEW

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

WHEREAS, Ferriero Engineering, Inc. will provide licensed professional engineer services as sought by the Township of West Milford and outlined in a contract on file in the Office of the Township Clerk in an amount not to exceed \$55,440.00; 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

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WHEREAS, the term of a contract for this service shall be January 1, 2021 to December 31, 2021;
and

WHEREAS, Ferriero Engineering Inc. will provide septic plan review services as sought by the Township of West Milford to review applications submitted to the Health Department; and

WHEREAS, Ferriero Engineering Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit him from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to *N.J.A.C. 5:30-5.4*, said funds to be encumbered from account 01-201-27-335-480.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey authorizes the Mayor and the Township Clerk to enter into a contract with Ferriero Engineering, Inc. as described herein to the satisfaction of the Township Administrator; and

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

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

Adopted: January 6, 2021

~ Resolution 2021 – 045 ~

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 PHOENIX ADVISORS LLC FOR CONTINUING DISCLOSURE SERVICES IN AN AMOUNT NOT TO EXCEED \$1,150.00

WHEREAS, the Township of West Milford, in the County of Passaic, New Jersey has previously issued its bonds, bond anticipation notes and/or other debt obligations (the "Bonds") and

WHEREAS, in connection with the issuance of certain Bonds and for purposes of assisting underwriters to comply with Rule 15c-12 under the Securities Exchange Act of 1934, the Township has covenanted and/or entered into one or more undertakings or agreements to provide Continuing Disclosure Agent Services agreement (the "CDA's") to the public marketplace; and

WHEREAS, it is beneficial to retain assistance of appropriately registered experts in the field of municipal bond finance, with knowledge and experience in these matters, to assist in assuring compliance with CDA's and to stand ready to provide advice as needed with the issuance of municipal debt as Municipal Advisor of Record; and

WHEREAS, Phoenix Advisors LLC provides such Continuing Disclosure Agent Services and is an independent registered municipal advisor under the SEC regulations; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these services, said funds to be encumbered from 04-215-55-826-023 in an amount not to exceed \$1,150.00 without prior written consent from the Township Council; and

WHEREAS, Phoenix Advisors LLC has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of Phoenix Advisors from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has recommended that Phoenix Advisors LLC be retained to provide Continuing Disclosure Agent Services agreement services to the Township of West Milford.

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

1. The Mayor and Township Clerk be and are hereby authorized to execute a contract with Phoenix Advisors LLC for Continuing Disclosure Agent Services applicable to bonds and notes in an amount not to exceed \$1,150.00.
2. This contract is awarded without competitive bidding as a "Professional Services" pursuant to N.J.S.A. 19:44A-20 et seq. and the local public contracts law.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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3. The term of this contract shall be until December 31, 2021.
4. The total fee authorized for this contract shall not exceed \$1,150.00 without the prior written approval of the Township Council.
5. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: January 6, 2021

~ Resolution 2021 – 046 ~

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

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

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from account 01-201-20-150-450 in an amount not to exceed \$6,000.00; and

WHEREAS, Scott Holzhauer, CTA, SCGREA has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that he 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 Scott Holzhauer from making any reportable contributions through the term of the contract; and

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

1. The Township Mayor and Township Clerk be and are hereby authorized to execute a contract with Scott Holzhauer, CTA, SCGREA for professional services to assist the Township with Tax appeals filed in the Tax Court of New Jersey in an amount not to exceed \$6,000.00.
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 term of this contract shall be through December 31, 2021.
4. The total fee authorized for this contract shall not exceed \$6,000.00 without the prior written approval of the Township Council.
5. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: January 6, 2021

~ Resolution 2021 – 053 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE VOZZA AGENCY TO SERVE AS RISK MANAGEMENT CONSULTANT FOR THE TOWNSHIP

WHEREAS, the Township of West Milford is a member of the Morris County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund; and

WHEREAS, the Vozza Agency has offered the Township of West Milford professional risk management consulting services as required in the bylaws of the Morris Joint Insurance Fund and Municipal Excess Joint Insurance Funds; and

WHEREAS, the Vozza Agency shall be paid by the Township of West Milford a fee as compensation for services rendered, an amount equal to (5%) of the Township of West Milford's annual assessment as promulgated by the Funds.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, in the county of Passaic, State of New Jersey does hereby appoint The Vozza Agency as its Risk Management Consultant in accordance with the Fund's bylaws for the period of January 1, 2021 to December 31, 2021 as follows:

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1. The Mayor and Township Clerk be and are hereby authorized and directed to execute a Risk Management Consultant agreement with The Vozza Agency with offices located at One Depot Square, PO Box 100 Park Ridge, NJ 07656 for a term January 1, 2021 to December 31, 2021.
2. Notice of this action shall be published once in the Township's official newspaper as required by law according to N.J.S.A. 40A:11-5(1)(a)(i).
3. This resolution and contracts shall be available in the office of the Township Clerk.

Adopted: January 6, 2021

Moved: Erik Seconded: Goodsir
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden
Voted Nay: None
Motion Carried:

Agenda VII

Action Items

2) Resolutions Authorizing Miscellaneous Contract

~ Resolution 2021 – 047 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A MONTH-TO-MONTH CARETAKER AGREEMENT WITH JANETTE WEBER TO SERVE AS CARETAKER OF WESTBROOK PARK

WHEREAS, the Township of West Milford previously authorized caretaker agreements for Westbrook Park; and

WHEREAS, the Department of Community Services & Recreation has recommended that Janette Weber continue to serve in this capacity.

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. The Mayor and Township Clerk be and are hereby authorized to execute a caretaker agreement with Janette Weber to serve as caretaker of Westbrook Park for the period January 1, 2021 through December 31, 2021 on a month-to-month basis.
2. Said agreement is contingent upon Ms. Weber completing a successful interview with the Township Administrator and satisfactory completion of a background check in accordance with Township requirements for same.
3. The Chief Financial Officer shall receive a copy of the aforementioned agreement and make appropriate adjustments with respect to any 1099 reporting to the IRS.
4. This Resolution shall take effect immediately.

Adopted: January 6, 2021

Moved: Erik Seconded: Goodsir
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden
Voted Nay: None
Motion Carried:

Agenda VIII

Public Comments

Mayor Dale opened the meeting to the public after advising that there is a five-minute limit for each speaker.

None

There being no one wishing to be heard Councilwoman Erik moved to close the public portion of the meeting.

Moved: Erik Seconded: Goodsir
Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Mayor and Council Comments

None

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Adjournment

There being no further business to come before the Council, the Governing Body adjourned the meeting at 7:27 p.m.

Moved: Erik Seconded: Goodsir
Voted Aye: Unanimous voice vote
Voted Nay: None
Motion Carried.

Approved: January 20, 2021

Respectfully submitted:

Sherry Zbrzeski, Keyboarding Clerk II

MICHELE DALE, MAYOR

WILLIAM SENANDE, TOWNSHIP CLERK