
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: March 16, 2022
Time of Meeting: 6:30 p.m.
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The Regular Meeting of the Governing Body was called to order by Mayor Michele Dale at 6:31 p.m.

Adequate Notice Statement

Mayor Dale read the following statement:

Pursuant to the provisions of the Open Public Meetings Act (N.J.S.A. 10:4-8) adequate notice of this Regular Meeting was advertised in the Herald News and the Record in its issue of January 11, 2022, posted on the bulletin board in the main corridor of Town Hall and on file in the Office of the Township Clerk.

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

Agenda No. I

Pledge of Allegiance

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

Agenda No. II

Roll Call

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

Absent:

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

Agenda No. III

Reading of or Approval of Unapproved Minutes

March 2, 2022 Regular Meeting Minutes

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

Agenda No. IV

Meetings

March 16, 2022 Regular Meeting
April 6, 2022 Workshop Meeting
April 20, 2022 Regular Meeting/Volunteer Night

Agenda No. VI

Presentations

Eagle Scout Award – Mayor Dale presented the Eagle Scout Award to Ryan Slamiak and congratulated him. For his project he built four picnic tables for the Weis Ecology Center and hopes to become an Environmental Scientist in the future. Mayor Dale thanked him for his contribution to the Township.

Eagle Scout Award – Mayor Dale presented the Eagle Scout Award to Max Charles Slifer and congratulated him. His project was building a fire ring and patio at the Apshawa Fire House and future plans are to become a plumber. Mayor Dale thanked him for his contribution to the Township.

All the parents are very proud. Less than 8% of scouts become Eagle Scouts.

Agenda No. V

Proclamations

MS Awareness Week – Mayor Dale read the proclamation and declared March 13-19, 2022, as MS Awareness Week encouraging all New Jerseyans to learn more about multiple sclerosis and what they can do to support individuals with MS and their families.

Janice Sangle thanked the Mayor and Council for proclaiming this week MS week and said she is one of the 2.8 million people worldwide who has MS. It's more widespread than previously reported and she explained how MS is a disease of the central nervous system that interrupts the flow of information within the brain and between the brain and the body. She listed various symptoms and said wheelchair access has become more important than ever. Ms. Sangle encouraged people not to be afraid to lend a helping

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hand if you see a person struggling with a door for instance. The Multiple Sclerosis Society has provided her with vital support and information in the past starting in 1991. She encouraged everyone to visit the website www.nmss.org. MS Squeaky Wheels is a self-help group that meets virtually the fourth Wednesday of every month from 12-1:30 p.m. for more information call Ms. Sangle, 973-728-1282 or email her at jsangle@optonline.net.

Bobbie Driscoll has had MS since she was 26. Fatigue is a huge factor for her. She gets an infusion every six months that costs \$67,000. She thanked Janice Sangle and Janet Wilcox for being such good representatives.

Mayor Dale asked and received consensus from the Council to go ahead and start the Public Portion of the meeting. Mayor Dale explained how the public portion is conducted to the people in attendance.

Agenda No. X

Public Comments

Corinna Castagna, 24 Orchard Lane, thanked Councilman Chazukow for getting back to her, though there were still some unanswered questions. She indicated that the water issue was not the only point that she had made at the previous meeting and there needs to be more review and research done to determine specific impacts before Ordinance 2022-007 is adopted. Research should come holistically from scholars and from the field and not from one source. According to an email Ms. Castagna received from Councilman Chazukow, he had not received the Sustainability Plan set forth by the State licensing process yet. She would like it to be shared once it is received and she wonders why the Council is comfortable in passing 2022-007 when it has not been reviewed in full. Council members have an inherent ethical filter built into their positions and were elected to represent members of the community and not just businesses.

Patricia Wenzel, 31 Bearfort Road, thanked the Council for adding that the Township laws must be followed to Ordinance 2022-007 as well as that the monitoring costs of the possible odor situation will be incurred by the business and not the taxpayer. Ms. Wenzel still has concerns about the liability issue with regard to cultivation and manufacturing. The businesses should have to provide that instead of possibly the tax payers having to pay. Out of concern for proximity to children, Newburyport Massachusetts required all cannabis businesses be restricted to industrial areas. Ms. Wenzel would like to see the distance from a school be a minimum of a mile and a half. The change making cannabis businesses a permitted use in all areas except residential areas is a concern as well because it is a huge shift. If the Council votes this through it will be the most irresponsible thing ever done in this Town. If the Zoning Officer has the only say in what gets approved what are his credentials and what are the certifications required of a municipal Zoning Officer? The appeals processed was brought up, with regard to a Zoning Officer's decision. Ms. Wenzel indicated she was in agreement with Ms. Castagna and that the Council is not ready to pass these ordinances. Vote no and do your Zoning Officer, citizens and yourselves a favor.

Kevin Vanderbeck, 17 Bearfort Road, questioned the size and structure of the buildings used to grow cannabis as well as how zoning was going to handle this. He wants to know the net effect and does not approve of 2022-007. There is a lot to consider here. Mr. Vanderbeck advised the Council to talk to the Police Department because marijuana is a gateway drug. He shared that he had lost his daughter recently and also a nephew.

Tim Barnes, 13 Harvey Road, thanked the Council for their service to the Township. He would like there to be more restrictions added to the cannabis ordinances. Mr. Barnes feels that cannabis is not a good fit for our town and that the benefits are short-sighted. Decriminalization of pot and growing it and selling it in West Milford are not the same thing. Just because West Milford residents may favor nuclear energy doesn't mean they want a reactor at Brown's Point. Mr. Burns indicated that the Council suggested that perhaps the added revenue from cannabis sales could be used for drug recovery programs. Perhaps faulty trampoline sales can also fund our First Aid squads. With regard to the Planning Board reviewing 2022-007 and 2022-012 to see if they harmonized with the Master Plan, Mr. Barnes got nervous because words were being redefined. Don't call a school a school or a playground a park, call it something else and then it won't apply. There will be unintended consequences and costly strain placed on an already strained infrastructure. He believes the Council cares so please don't be the Council "opens the gate".

Ken Kruta, 247 Bearfort Road, lived in Massachusetts recently and said the shops and businesses were legalized there. He said that the negative effects that were feared did not come to pass. Also, no one had a problem with the Valley View Pub when it was a bar and finds that a bit hypocritical.

Bob Nicholson, Stockholm, indicated he has watched the Council for years and he doesn't think any of the Mayor's or Councilmembers or Administrators or Attorneys take anything lightly and people are just divided. Laws can always be changed.

Richard Randazzo, 278 Wooley Road, questioned why have ordinances if people don't follow the rules anyway. Now we are not wearing masks, but when we were supposed to wear masks the Council did not. He read an article about West Milford being a second amendment township. He was concerned that there was no discussion regarding this and feels the Council is acting not on behalf of the citizens of the Township. Mr. Randazzo brought up the article in the West Milford Messenger where it mentioned that

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the Council was going to have the Planning Board review the cannabis ordinance. He had questions about the procedure for passage of ordinances and concerns that when cannabis comes into town how the police will be able to enforce things as there is so much area to cover. He read that during a Council meeting on February 2, 2022, Mayor Dale indicated that the general feedback she got from the residents was that they did not want cannabis businesses located here in West Milford. Perhaps if cannabis businesses were to be designated in a certain area it would be easier on the police force.

Bill Martone, 10 Bradley Court, read a prepared statement that James Bennett, 1786 Union Valley Road had written. The statement stated that he was an honor roll student in 8th grade and began smoking pot and began failing classes his freshman year of school. He smoked pot for 38 years or so. He sold weed when he lived in Bergen County. Mr. Bennett expressed regret for diminishing the quality of life of the people he sold marijuana to and some other people who committed crimes to get money for their habit. He had been a coach and some of the kids that had smelled of pot, eventually overdosed on heroin. People who start out smoking pot often turn to harder drugs. Since when did life become so cheap? There is more tar in pot than cigarettes and smoking pot for all those years gave him COPD and emphysema. Marijuana causes cognitive issues. He referenced cigarettes, giving the example of how it was legal, people got hooked, there was a huge class action lawsuit, laws were made including warning labels on the packaging stating that smoking may cause lung cancer and birth defects. He questioned if a bus driver could smoke pot since it was legal and also if pot was purchased in West Milford, who would be responsible in case of an accident. He feels the state will take the lion's share of the money and the Township will get pennies and that also it will increase crime.

Richard Schaefer, 33 Pinecliff Lake Drive, is an engineer and a planner with a lot of experience in the town. Taking a pragmatic view, he asked the Council to consider the cost factor and profitability, stating that an additional police officer would cost roughly \$200,000. We have industrial areas, let's be practical where people are able to purchase cannabis. He doesn't want to see it, we have other great things to look at. He will hold the Council accountable come the next election.

Nick Padovani, 11 Seminole Way, commented that Councilman Chazukow keeps saying he has heard enough, and would like to speak to him more about his views since he is so passionate. Mr. Padovani indicated that at the last meeting he brought up the allocation of funds for drug treatment and did not see that in the updated ordinance. He questioned if there was an awareness about the emergency that is the drug problem here. Even though people will say that marijuana is not a gateway drug, it is all interconnected and it is a complicated issue. He asked the Council to slow down and look at this issue and would like to see 20% of the funds from the industry go to this issue.

Sandra Spear, 4 Freehold Court, shared that she had a son that died at age 27 from a drug overdose. She and many friends share the personal experience of pot being a gateway drug. She is appalled at the Council's decision to allow cannabis businesses in town. She would like the Council to consider what this will cost our town. Route 23 in West Milford is already known as the heroin highway. She took issue with a huge sign in town that depicts bloodshot eyes and a tongue hanging out, calling it disgusting and not funny. Our town is better than that.

Ann Coleback, 30 Glen Rock Road, Stockholm, gave a testimonial about her experience with pot. She went from being a good student at age 15 when she started smoking pot and got addicted. She lost her drive and had failing grades. She feels that allowing cannabis is a terrible trade off. She told the Council if put through it is going to come back to bite you and your kids.

John Van Duyne, 116 Vreeland Road, indicated that his daughter had gotten arrested in high school for having pot paraphernalia and since then, after being scared, is doing well but he feels this is bad. If 2022-007 and 2022-012 had been placed on the ballot for the election they would not have been passed due to a large majority vote of no. Mr. Van Duyne indicated these ordinances appeal to the underachieving portion of society. He suggested we fill empty storefronts with reputable businesses that will help produce revenue for the town, not pot businesses. Mr. Van Duyne also suggested that a crowd funded page might work for raising money for the needed radios and people would gladly give to that instead of having marijuana businesses here in town.

David Lampona, Franklin, is against criminalizing marijuana and feels that most people do not want businesses and cultivation here in town. He shared his personal experience with marijuana which led to cognitive decline and an eventual suicide attempt. Mr. Lampona isn't against people having the freedom to do what they will in their own homes but is against inviting people from other towns to come to West Milford and purchase marijuana, as it's certain they will also be smoking it here. Not everyone is an addict and nobody wants to see anyone harm themselves but the truth is that smoking causes cancer. The zoning issue needs to be reconsidered.

There being no one else wishing to be heard, Councilman Goodsir made a motion, seconded by Councilwoman Lichtenberg and carried by unanimous voice vote to close the public comment period.

Agenda No. XI

Council Comments

Mayor Dale – Clarified that the role of the Planning Board is to have an ordinance drafted and then let the Planning Board review it and make sure it is consistent with the Master Plan. The Planning Board

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process and procedure is the same in every township. In response to comments made about the Second Amendment, resolutions have to get memorialized on a yearly basis and the Council plays by the rules and nothing is done in secret. Mayor Dale also clarified that Ordinance 2022-007 already exists and that this version on the agenda this evening is an amendment. The amendment was made for the industrial zones. In answer to the qualifications of a zoning officer, the zoning officer is a certified zoning officer holding a certificate from Rutgers University. There was clarification that the 24 day appeals period for a zoning application was basically for people applying for a zoning permit but then disagreeing with the zoning officer's decision to deny the application. Township Attorney Ed Pasternak indicated that a conditional use automatically goes before the Planning Board. A permitted use would be a use permitted. The burden of proof for one verses the burden of proof for the other. The Mayor explained that this cuts out the additional step with the Planning Board, if it is already a permitted use and the Board is going to say it is a permitted use anyway, why go before the board. Mayor Dale indicated that if someone gets approval to do something under an ordinance, if that ordinance were to be changed or taken away, the approval would be grandfathered. Mayor Dale said these ordinances are on the books and this is the second reading, if they were to be repealed everything that has been done and permitted so far is still going to continue, it can't change. The decisions made were not knee jerk reactions. Mayor Dale told the audience that there were redevelopment projects being done and commercial spaces have been filled. There is actually a lack of commercial space. Also, the definition of a school is determined by the State.

Councilman Gross – Has served on the Council and Planning Board and anyone inferring that Council members are on the take should be able to be sued because it's deformation.

Councilman Chazukow – Thanked Ms. Castagna for voicing intelligent concerns. Due to the fact that we are 100% in the Highlands Preservation, there will be no more development. Toxins such as pesticides are not allowed in the cultivation of cannabis. In response to other points made the climate is different in Oregon and California and they grow outdoor. The water issue in Boonton may apply however. As an answer to why he feel comfortable passing the cannabis ordinance without seeing certain studies is that certain things will be looked at by the state and he wants to restrict the Councils authority to their purvue. He is not gaining anything personally. It's the Cannabis Regulatory Enforcement and Medical Marijuana Act. When you remove criminality you need to replace it with something and we are replacing it with regulation. Greenhouses are not allowed under the cannabis ordinances. This is a stigma free community and we don't stigmatize anyone for addiction, mental handicaps, or disabilities. He rejects the gateway theory. He does not feel 2% profit is shortsighted, it is just an additional benefit to the other benefits of regulation. Cannabis helps with cancer, MS and Alzheimer's and is neuroprotective so it does not cause brain damage.

Councilman Marsden – Shared a story about a cousin who died in a car accident, apparently his the driver and his cousin were stoned and drinking. He understands tragic loss like those shared by the public. He stressed the need for tolerance. His own mother didn't take edibles when she was sick and could have benefited, due to the stigma. The war on drugs didn't work. Pot is here and we are going to regulate it. Councilman Marsden would rather see someone buying legalized marijuana where it's tested and you know what is in it, than an LSD laced joint bought off the streets. Education is the key. We need to educate the kids. In answer to the water issue of 6 gallons a day per plant, he found that study to be from a 1996 grower's manual. He reminded everyone that when it was grown illegally the growing conditions were different and now green measures are rewarded at a State level. Also the heavy water use is for about three months of the growing cycle. Certainly the water usage will need to be monitored. He looked into research on cannabis being a gateway drug and it is not settled science. As Council members it is public record that they file financial disclosure statements and would have to report any revenue and businesses.

Councilman Goodsir – Alcohol was his gateway drug. It kills more people than all the other drugs combined. Since the onset of the pandemic he has started the trout derby, the CERT team, has worked to get the banners for the Veterans and is starting a soup kitchen. Feel free to run against him next election.

Agenda No. VII

Executive Session

None.

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Agenda No. VIII

Discussion Items / Official Communications

1.	Ordinance: Amend Chapter 110 Construction Codes, Uniform Section 110-4 Site Plan Review for Single Family Dwellings Administrator Senande outlined that this was a very detailed ordinance and it does not change the procedure but it codifies the procedures so that they can be enforced. Mayor Dale said this allows for equal enforcement. Councilman Gross said there is a lot of detail here and he wants to discuss it with the Engineering Department. There was discussion. Mr. Senande said this was a draft and can be tweaked. We could have Engineering attend the next meeting. The consensus was to move forward.
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Agenda No. IX

Unfinished Business, Final Passage of Ordinances

Agenda No. IX 1

~ Ordinance 2022 – 007 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC STATE OF NEW JERSEY AMENDING CHAPTER 500 “ZONING” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP TO PERMIT AND UPDATE PERMITTED ZONING AREAS FOR THE CULTIVATION, MANUFACTURING, WHOLESALE, DISTRIBUTION, RETAIL AND DELIVERY OF CANNABIS WITH THE TOWNSHIP - AMENDED

WHEREAS, in 2021 the Township of West Milford adopted an ordinance allowing for the cannabis business licenses within the township, limited to certain zones; and

WHEREAS, the governing body wishes to expand the areas where such businesses might operate in the Township to include all zones with the exception of residential zones.

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey as follows that the following code sections only are repealed and replaced as follows:

SECTION 1.

Article XVII Cannabis Cultivation, Manufacturing, Wholesale, Distribution, Retail and Delivery

§ 500-192 Cannabis Cultivator, Manufacturer, Wholesaler and Distributor

- A. Cannabis Cultivator, Manufacturer, Wholesaler and Distributors shall be a conditional use in all zones of the Township of West Milford, with the exception that no such conditional use shall occur in any residential zone, and subject to the following:
- (1) Eligible Locations: Facilities shall be at least 500 feet from any parks and 1,000 feet from any schools.
 - (2) Lot Area: The minimum lot area shall be one (1) acre.
 - (3) Setback: The minimum front yard setback shall be 50 feet or the minimum zone standard, whichever is greater.
 - (4) Buildings: All facilities shall be enclosed in heated/air-conditioned buildings, not in greenhouses, hoop houses or outdoors.
 - (5) Odor Control: The facility shall provide an air treatment system with sufficient odor absorbing ventilation and exhaust systems such that and odor generated inside the facility is not detectable by a person of reasonable sensitivity at the property line of the subject property. Odor from the facility shall be monitored on an annual basis at the discretion of the Township by a licensed, qualified contractor chosen by the Township. All monitoring costs shall be incurred by the business.
 - (6) Signage: Signs shall be limited to the address, name of the company and emergency contact information located on one (1) ground sign not to exceed 24 square feet.
 - (7) State License: The facility must have a valid license to operate from the State of New Jersey.
 - (8) Any cannabis facility is subject to compliance with all laws, regulations and guidelines with respect to cannabis licenses issued by the State of New Jersey and the Township of West Milford.

§ 500-193 Cannabis Retailer

- A. Cannabis retailer shall be a conditional use in all zones of the Township of West Milford, with the exception that no such conditional use shall occur in any residential zone, and subject to the following:
- (1) Eligible Locations: Facilities shall be at least 500 feet from any parks and 1,000 feet from any schools.
 - (2) Location: Cannabis retailers shall be separate and distinct from growing operations.
 - (3) Buildings: All Cannabis retailers shall be enclosed in heated/air-conditioned permanent buildings, not trailers, outdoors, movable kiosks, etc.
 - (4) Signage: Signs shall be limited to location identification/name of business. Signage shall not promote consumption of any cannabis products.
 - (5) Site Plan Approval: When seeking site plan approval, the Applicant for Cannabis Retailer services shall submit a safety and security plan and emergency services access plan.
 - (6) Accessibility: Any cannabis retailer shall have only one primary public access point, which shall be directly adjacent to the right of way or parking area of the building. Access should not be through common entrances with other uses.
 - (7) Hours of operation for cannabis retailers shall be limited to 9:00 a.m. to 10:00 p.m.
 - (8) Interior Security: Cannabis retailers' interiors shall provide a secure location for storage of products, with minimum products in any customer service area.

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- (9) Exterior Loitering and Security: People shall not be permitted to congregate outside of a cannabis retailer, loiter or wait in line to access the cannabis retailer. The facility shall have a plan in place if interior capacity is exceeded, i.e. numbers are given and customers wait in their vehicles until called.
- (10) Product Consumption. No products shall be permitted to be consumed on-site.
- (11) State License: The facility must have a valid license to operate from the State of New Jersey.
- (12) Any cannabis facility is subject to compliance with all laws, regulations and guidelines with respect to cannabis licenses issued by the State of New Jersey and the Township of West Milford.

§ 500-194 Cannabis Delivery

- A. Cannabis Delivery shall be a conditional use in all zones of the Township of West Milford, with the exception that no such conditional use shall occur in any residential zone, and subject to the following:
 - 1) Eligible Locations: Facilities shall be at least 500 feet from any parks and 1,000 feet from any schools.
 - 2) Location: Cannabis Delivery shall be separate and distinct from growing operations.
 - 3) Buildings: All Cannabis Delivery services shall be enclosed in heated/air-conditioned permanent buildings, not trailers, outdoors, movable kiosks, etc.
 - 4) Signage: Signs shall be limited to location identification/name of business. Signage shall not promote consumption of any cannabis products.
 - 5) Site Plan Approval: When seeking site plan approval, the Applicant for Cannabis Delivery services shall submit a safety and security plan and emergency services access plan.
 - 6) Interior Security: Cannabis Delivery services interiors shall provide a secure location for storage of products.
 - 7) Exterior Loitering and Security: Customers shall not be permitted to pick up products from a Cannabis Delivery service.
 - 8) Product Consumption. No products shall be permitted to be consumed on-site.
 - 9) State License: The facility must have a valid license to operate from the State of New Jersey.
 - 10) Any cannabis facility is subject to compliance with all State laws, regulations and guidelines with respect to cannabis licenses issued by the State of NJ.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. The Township Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. The Township Clerk is further directed to refer this Ordinance to the Township Planning Board, pursuant to N.J.S.A. 40:55D-64. Upon the adoption of this Ordinance, after public hearing, the Township Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Passaic County Planning Board, as required by N.J.S.A. 40:55D-16

SECTION 5. This Ordinance shall take effect after publication and passage according to law.

Introduced: February 2, 2022
Adopted: March 16, 2022
Effective Date: April 5, 2022

This Ordinance was introduced on February 2, 2022 and the Notice of Public Hearing was published in the Herald News on February 8, 2022. The Governing Body will open the meeting to the public to speak on this Ordinance only.

Bob Nicholson, Stockholm, pointed out that the Ordinances involving marijuana are meant for adults 21 years of age and older, not meant for children.

There being no one else wishing to be heard, Councilwoman Erik made a motion, seconded by Councilman Goodsir and carried by unanimous voice vote to close the public comment period.

Motion to adopt Ordinance 2022-007 by Councilwoman Erik seconded by Councilman Chazukow.

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

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~ Ordinance 2022 – 008 ~

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

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

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

§ 135-2 Department of Community Services and Recreation

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

A. Bubbling Springs Membership and Badge:

		Resident Rate	Non-Resident Rate
1.	Family Membership Consists of parent(s) & all children, up to & including full-time students living at home	\$275.00	\$375.00
2.	Parent/Child Membership (One adult & One Child under the age of 18 living in the same residence)	\$235.00	\$335.00
3.	Individual Membership (Ages 13 to 61)	\$135.00	\$185.00
4.	Senior Individual Member (Age 62+)	\$30.00	\$40.00
5.	Senior Couple Membership	\$45.00	\$65.00
6.	Swim Team: First Child Each Additional Child	\$150.00 \$100.00	

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

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

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

Fees: 10% Off Regular Price when all 8 weeks are paid in full by April 15, 2022				
	Full 8 Weeks	Weekly	Before-Care	After-Care
(through May 31)	\$1,365	\$175.00	\$40.00/week	\$40.00/week
(As of June 1)	\$1,521	\$195.00	\$45.00	\$45.00
Camp Hours: 9:00 am-4:00pm			7:00am- 9:00 am	4:00 pm-6:00 pm

Day Camp registration is open to West Milford resident only

D. Swim Lessons:

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

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

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

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

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

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

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Introduced: February 16, 2022
Adopted: March 16, 2022
Effective Date: April 5, 2022

This Ordinance was introduced on February 16, 2022 and the Notice of Public Hearing was published in the Herald News on February 22, 2022. The Governing Body will open the meeting to the public to speak on this Ordinance only.

There being no one wishing to be heard, Councilwoman Erik made a motion, seconded by Councilman Chazukow and carried by unanimous voice vote to close the public comment period.

Motion to adopt Ordinance 2022-008 by Councilwoman Erik Seconded by Councilman Marsden.

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

Agenda No. IX 3

~ Ordinance 2022 – 009 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING SECTION 135 “FEES AND COSTS” SECTION 135-18 “FOOD ESTABLISHMENTS” WITHIN THE CODE OF THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Governing Body of the Township of West Milford seeks to update the annual fee for mobile retail food establishments, and specifically set forth and permit “food trucks” as a form of mobile retail food establishment within the Township; and

WHEREAS, such food truck operation shall be permitted as a mobile retail food establishment upon payment of an annual fee in the amount of \$500.00.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of West Milford, Passaic County, New Jersey, that the Code of the Township of West Milford shall be amended to repeal and replace Part II, General Legislation, Section 135-18, Food establishments only, to read as follows:

SECTION 1. § 135-18 Food establishments.

The following fees shall apply for licenses required under Chapter **163** Food Establishments, Retail:

- A. Temporary retail food establishment and agricultural markets: \$40.
- B. Mobile retail food establishments, including but not limited to food truck: \$500.00 annually.
- C. All other retail food establishments shall be \$150 annually, except that for establishments which only offer prepackaged food for sale (for a period of seven days), the fee shall be \$40 annually.
- D. There shall be an additional fee of \$25 for each re-inspection of any license.
- E. Community residence and bed-and-breakfast retail food establishments: \$100 per year.
- F. Nonprofit food license: \$40 per year.
- G. Risk Type 1: \$105.
- H. Risk Type 2: \$160.
- I. Risk Type 3: \$250.
- J. Risk Type 4: \$250.

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

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

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

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

SECTION 6. This Ordinance may be renumbered for codification purposes.

Introduced: February 16, 2022
Adopted: March 16, 2022

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: March 16, 2022
Time of Meeting: 6:30 p.m.
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Effective Date: April 5, 2022

This Ordinance was introduced on February 16, 2022 and the Notice of Public Hearing was published in the Herald News on February 22, 2022. The Governing Body will open the meeting to the public to speak on this Ordinance only.

There being no one wishing to be heard, Councilwoman Erik made a motion, seconded by Councilman Goodsir and carried by unanimous voice vote to close the public comment period.

Motion to adopt Ordinance 2022-009 by Councilwoman Erik seconded by Councilwoman Lichtenberg

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

Agenda No. IX 4

~ Ordinance 2022 – 010 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING SECTION 163 “FOOD ESTABLISHMENTS RETAIL” TO ADD FOOD TRUCKS WITHIN THE CODE OF THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Governing Body of the Township of West Milford seeks to allow food trucks to operate within the Township of West Milford; and

WHEREAS, other municipalities permit food trucks, especially but not limited to special events where such services are enjoyed by the public; and

WHEREAS, the Township in allowing food trucks to operate, seeks to regulate the licensing and such operation for the public’s health, welfare and benefit; and

WHEREAS, the Township Committee wishes to establish such licensing and operating standards for food trucks, to ensure efficient, safe and successful operations within the Township; and

WHEREAS, the Township Health Officer and Board of Health shall remain responsible for ensuring food trucks, like any other food establishment in the Township, meets all health requirements and operating standards.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of West Milford, Passaic County, New Jersey, that the Code of the Township of West Milford shall be amended to repeal and replace Part II, General Legislation, Section 163, Food Establishments, Retail, to read as follows:

SECTION 1. Chapter 163, Food Establishments, Retail

§ 163-1 License required.

It shall be unlawful for any person to conduct a retail food establishment as defined in N.J.A.C. 8:24 without obtaining a license from the Health Department and displaying that license in a conspicuous place within the establishment.

§ 163-2 Compliance with retail food establishment provisions of State Sanitary Code.

It shall be unlawful for any person to conduct a retail food establishment without complying with all the provisions of the retail food establishment provisions of the State Sanitary Code as set forth in N.J.A.C. 8:24-1.1 et seq.

§ 163-3 Fees.

The fees for licenses required under this chapter are included in Chapter 135, Fees and Costs.

§ 163-4 License period; renewal; transferability.

- A. Licenses issued under the provisions of this chapter shall expire annually on June 30 of each year, and application for renewal together with the required fee shall be submitted prior to June 30 of each year.
- B. A certificate or license issued by another health department is not transferable.

§ 163-5 Food Trucks.

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Food trucks are herein defined as a mobile “retail food establishment” and subject to compliance with all applicable provisions for retail food establishments, pursuant to the State Sanitary Code and as set forth in N.J.A.C. 8:24-1.1 et seq. Food trucks shall be allowed to operate within the Township of West Milford only upon payment of the required annual fee.

Food truck operation shall be allowed on both private and public property, upon designation of specific dates, and only upon written approval of the property owner. For any Food truck operation seeking to occur on Township property, such written approval shall be by Township Administrator, and as delegated by the governing body.

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

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

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

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

SECTION 6. This Ordinance may be renumbered for codification purposes.

Introduced: February 16, 2022
Adopted: March 16, 2022
Effective Date: April 5, 2022

This Ordinance was introduced on February 16, 2022 and the Notice of Public Hearing was published in the Herald News on February 22, 2022. The Governing Body will open the meeting to the public to speak on this Ordinance only.

There being no one wishing to be heard, Councilwoman Erik made a motion, seconded by Councilwoman Lichtenberg and carried by unanimous voice vote to close the public comment period.

Motion to adopt Ordinance 2022-010 by Councilwoman Erik seconded by Councilman Marsden.

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

Agenda No. IX 5

~ Ordinance 2022 – 011 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING SECTION 15 “ADMINISTRATION OF GOVERNMENT” SECTION 15-23 “CUSTODIAN OF RECORDS” WITHIN THE CODE OF THE TOWNSHIP OF WEST MILFORD

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

SECTION 1. Chapter 15. Administration of Government. Article IV. Township Clerk. §15-23 Custodian of Records of the aforesaid Revised General Ordinances is hereby amended to read as follows:

§ 15-23. Custodian of Records.

The Clerk shall have custody of and shall safely keep all records, books and documents of the Township, except those committed by charter or ordinance to any other office or transferred thereto by the Mayor. The Clerk shall, upon request and upon the payment of the fees prescribed therefor by resolution of the Council for the use of the Township, furnish a certified copy of any such paper in his custody, under the corporate Seal of the Township.

- A. The Township Clerk shall serve as the Custodian of Records for all official books, papers and documents of the Township, including all of its departments and divisions, except for those books, papers, and documents created and maintained by the Police Department. The Custodian of Records shall receive all requests for inspection or copies of the Township’s public records and shall fulfill all duties required under the Open Public Records Act, N.J.S.A. 47:1A-1, et seq. and the Common Law Right of Access.

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- B. Chief of Police to serve as Deputy Custodian of Records.
The Chief of Police, or his designee, shall serve as the Deputy Custodian of Records for all official books, papers, and documents of the Police Department, and shall receive all requests for inspection or copies of the Police Department’s records.
- C. Reports to the Custodian of Records.
The Deputy Custodian of Records shall report to the Custodian of Records periodically, but not less than once per month, every request for inspection or copies of Police Department records received, fulfilled, or denied by him.
- D. Salary.
Neither the Custodian of Records nor the Deputy Custodian or Records shall receive any annual salary for performing the duties set forth in the article.

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

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

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

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

SECTION 6. This Ordinance may be renumbered for codification purposes.

Introduced: February 16, 2022
Adopted: March 16, 2022
Effective Date: April 5, 2022

This Ordinance was introduced on February 16, 2022 and the Notice of Public Hearing was published in the Herald News on February 22, 2022. The Governing Body will open the meeting to the public to speak on this Ordinance only.

There being no one wishing to be heard, Councilwoman Erik made a motion, seconded by Councilman Marsden and carried by unanimous voice vote to close the public comment period.

Motion to adopt Ordinance 2022-011 by Councilwoman Erik seconded by Councilwoman Lichtenberg.

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

Agenda No. IX 6

~ Ordinance 2022 – 012 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 500 “ZONING” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP TO UPDATE AS A PERMITTED USE, ZONING AREAS FOR THE CULTIVATION, MANUFACTURING, WHOLESALE, DISTRIBUTION, RETAIL AND DELIVERY OF CANNABIS WITHIN THE TOWNSHIP

WHEREAS, in 2021 the Township of West Milford adopted an ordinance allowing for the cannabis business licenses as a conditional use within the township, limited to certain zones; and

WHEREAS, the governing body wishes to update the ordinance to reflect areas where such businesses shall be allowed to operate in the Township as a permitted use, and to include all zones, with the exception of residential zones.

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey as follows that the following code sections only are repealed and replaced as follows:

SECTION 1.

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Article XVII Cannabis Cultivation, Manufacturing, Wholesale, Distribution, Retail and Delivery

§ 500-192 Cannabis Cultivator, Manufacturer, Wholesaler and Distributor

A. Cannabis Cultivator, Manufacturer, Wholesaler and Distributors shall be a permitted use in all zones of the Township of West Milford, with the exception that no such permitted use shall occur in any residential zone (LR, R-1, R-2, R-3, R-4, R-11, R-1PN, SHD/R-2 Zones), and subject to the following:

- (1) Eligible Locations: Facilities shall be at least 500 feet from any parks and 1,000 feet from any schools.
- (2) Lot Area: The minimum lot area shall be one (1) acre.
- (3) Setback: The minimum front yard setback shall be 50 feet or the minimum zone standard, whichever is greater.
- (4) Buildings: All facilities shall be enclosed in heated/air-conditioned buildings, not in greenhouses, hoop houses or outdoors.
- (5) Odor Control: The facility shall provide an air treatment system with sufficient odor absorbing ventilation and exhaust systems such that and odor generated inside the facility is not detectable by a person of reasonable sensitivity at the property line of the subject property. Odor from the facility shall be monitored on an annual basis at the discretion of the Township by a licensed, qualified contractor chosen by the Township. All monitoring costs shall be incurred by the business.
- (6) Signage: Signs shall be limited to the address, name of the company and emergency contact information located on one (1) ground sign not to exceed 24 square feet.
- (7) State License: The facility must have a valid license to operate from the State of New Jersey.
- (8) Any cannabis facility is subject to compliance with all State laws, regulations and guidelines with respect to cannabis licenses issued by the State of NJ and the Township of West Milford.

§ 500-193 Cannabis retailer

A. Cannabis retailer shall be a permitted use in all zones of the Township of West Milford, with the exception that no such permitted use shall occur in any residential zone (LR, R-1, R-2, R-3, R-4, R-11, R-1PN, SHD/R-2 Zones), and subject to the following:

- (1) Eligible Locations: Facilities shall be at least 500 feet from any parks and 1,000 feet from any schools.
- (2) Location: Cannabis retailers shall be separate and distinct from growing operations.
- (3) Buildings: All Cannabis retailers shall be enclosed in heated/air-conditioned permanent buildings, not trailers, outdoors, movable kiosks, etc.
- (4) Signage: Signs shall be limited to location identification/name of business. Signage shall not promote consumption of any cannabis products.
- (5) Site Plan Approval: When seeking site plan approval, the Applicant for Cannabis Retailer services shall submit a safety and security plan and emergency services access plan.
- (6) Accessibility: Any cannabis retailer shall have only one primary public access point, which shall be directly adjacent to the right of way or parking area of the building. Access should not be through common entrances with other uses.
- (7) Hours of operation for cannabis retailers shall be limited to 9:00 a.m. to 10:00 p.m.
- (8) Interior Security: Cannabis retailers' interiors shall provide a secure location for storage of products, with minimum products in any customer service area.
- (9) Exterior Loitering and Security: People shall not be permitted to congregate outside of a cannabis retailer, loiter or wait in line to access the cannabis retailer. The facility shall have a plan in place if interior capacity is exceeded, i.e., numbers are given and customers wait in their vehicles until called.
- (10) Product Consumption. No products shall be permitted to be consumed on-site.
- (11) State License: The facility must have a valid license to operate from the State of New Jersey.
- (12) Any cannabis facility is subject to compliance with all State laws, regulations and guidelines with respect to cannabis licenses issued by the State of NJ and the Township of West Milford.

§ 500-194 Cannabis Delivery

A. Cannabis Delivery shall be a permitted use in all zones of the Township of West Milford, with the exception that no such permitted use shall occur in any residential zone (LR, R-1, R-2, R-3, R-4, R-11, R-1PN, SHD/R-2 Zones), and subject to the following:

- 1) Eligible Locations: Facilities shall be at least 500 feet from any parks and 1,000 feet from any schools.
- 2) Location: Cannabis Delivery shall be separate and distinct from growing operations.
- 3) Buildings: All Cannabis Delivery services shall be enclosed in heated/air-conditioned permanent buildings, not trailers, outdoors, movable kiosks, etc.
- 4) Signage: Signs shall be limited to location identification/name of business. Signage shall not promote consumption of any cannabis products.
- 5) Site Plan Approval: When seeking site plan approval, the Applicant for Cannabis Delivery services shall submit a safety and security plan and emergency services access plan.
- 6) Interior Security: Cannabis Delivery services interiors shall provide a secure location for storage of products.
- 7) Exterior Loitering and Security: Customers shall not be permitted to pick up products from a Cannabis Delivery service.
- 8) Product Consumption. No products shall be permitted to be consumed on-site.
- 9) State License: The facility must have a valid license to operate from the State of New Jersey.

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10) Any cannabis facility is subject to compliance with all State laws, regulations and guidelines with respect to cannabis licenses issued by the State of NJ.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. The Township Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. The Township Clerk is further directed to refer this Ordinance to the Township Planning Board, pursuant to N.J.S.A. 40:55D-64. Upon the adoption of this Ordinance, after public hearing, the Township Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Passaic County Planning Board, as required by N.J.S.A. 40:55D-16

SECTION 5. This Ordinance shall take effect after publication and passage according to law.

Introduced: February 16, 2022
Adopted: March 16, 2022
Effective Date: April 5, 2022

This Ordinance was introduced on February 16, 2022 and the Notice of Public Hearing was published in the Herald News on February 22, 2022. The Governing Body will open the meeting to the public to speak on this Ordinance only.

There being no one wishing to be heard, Councilwoman Erik made a motion, seconded by Councilman Marsden and carried by unanimous voice vote to close the public comment period.

Motion to adopt Ordinance 2022-012 by Councilwoman Erik seconded by Councilman Goodsir.

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

At this time Mayor Dale requested clarification on a first and second motion for Ordinance 2022-007 and the record shall reflect, as with the rollcall vote for 2022-007 above, a first by Councilwoman Erik and second by Councilman Chazukow.

Agenda No. XII

New Business, Introduction of Ordinances, Resolutions

Agenda No. XII 1

~ Ordinance 2022 – 017 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 15 “ADMINISTRATION” SECTION 15-36 “PURCHASING PROCEDURES” WITHIN THE CODE OF THE TOWNSHIP OF WEST MILFORD

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

SECTION 1 Article VII Office of Administration Chapter 15-36 Purchasing Procedures are amended as follows:

§ 15-36 Purchasing procedures.

A. Requisition. All purchases made for any supplies, materials, equipment or contractual services (except professional services, those unique in nature and not subject to competition and those awarded by resolution of Council), shall be pursuant to a written requisition from the Director of the department, office or agency whose the appropriation will be charged, approval of the Administrator and the certification of the Chief Financial Officer that a sufficient unencumbered balance of appropriation is available to pay therefor. All such purchases exceeding \$3,000, for a single purchase or aggregate, shall have at least three quotes solicited from manufacturers, firms or dealers unless purchased from a state contract or Co-Op. All such purchase contracts in excess of the bid threshold shall conform to applicable requirements of state statutes for

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competitive bidding.

- B. Award of contracts; execution. Where contracts are by law required to be let to competitive public bidding, the Council may, upon recommendation of the Administrator with respect to all contracts other than public works contracts, and upon recommendation of the Township Engineer with respect to public works contracts, let the contract in the manner prescribed by law. The Mayor, or in the event of his/her inability to act, the Council President, shall execute and sign contracts let and authorized pursuant thereto, and their respective signatures shall be attested by the Township Clerk.
- C. Standards and tests. The Administrator shall establish and approve uniform standards for requisitions and purchases; shall control the delivery of all supplies, materials and equipment and other items purchased; and can make or cause to be made proper test checks and inspections thereof. The ordering department shall ascertain whether the supplies, materials, equipment and other items purchased comply with the specifications and shall cause laboratory or other tests to be made whenever in his opinion it is necessary to determine whether the materials or supplies furnished are of the quality and standard required, and shall accept or reject the deliveries in accordance with the results of his inspection.
- D. Storerooms, stockrooms, or storage places. The Administrator shall control any general storerooms, stockrooms, or storage places, which the Council may authorize. The Administrator may make transfers of supplies, materials and equipment between departments, officers and agencies; sell surplus, obsolete, unused or waste supplies, materials and equipment; and make any other sales authorized by Council.
- E. Emergencies. In emergency situations, the Administrator shall establish a procedure for the purchase of any materials and supplies and/or services required for the immediate protection of the public health, safety, morals or welfare and have the authority to negotiate and award such contracts on behalf of the municipality in accordance with N.J.S.A. 40A:11-6

§ 15-36.1 Responsible bidder requirements.

- A. Purpose.
 - (1) The Township of West Milford solicits bids and/or proposals on many different types of construction contracts and therefore must take into account the qualifications of contractors and subcontractors due to the substantial taxpayer investments involved in the public construction project(s).
 - (2) The Township of West Milford has the right to adopt licensing, regulations, and ordinances pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., to ensure the performance capabilities of prospective bidders.
- B. Responsible bidder requirements.
 - (1) All contractors and subcontractors that perform work on projects valued at or above \$250,000 or more shall meet the requirements of this article.
 - (2) All contractors and subcontractors, irrespective of the number of laborers, shall provide that at least 33% of such laborers have primary residence in the Township of West Milford.
 - (3) The contractor shall confirm and verify its past performance and work history, current qualifications, and performance capabilities.
 - (4) A contractor or subcontractor shall submit a responsible bidder certification at the time it submits its bid for the contract work, and provide the information contained in Subsection B (1) through (3) above.
 - (a) If the contractor or subcontractor is not able to meet the percentage requirements set forth in Subsection B(2), they shall note that the specialized labor force needed to complete the project cannot be found in the Township of West Milford. The Township of West Milford may take that into consideration when deciding to award specific contracts.
 - (5) If the Township of West Milford concludes that the qualifications and background of the prospective contractor or subcontractor are met, it shall issue a written notice that the contractor is a responsible bidder.
 - (6) If the Township of West Milford concludes that the qualifications and background of the prospective contractor or subcontractor are not met, it shall issue a written notice that the contractor is a not responsible bidder, and shall thereafter conduct a review of the next lowest responsible bidder or, if necessary, rebid the project.
 - (7) A contractor or subcontractor shall submit a responsible bidder certification each time it submits its bid.
- C. Penalties. If the Township of West Milford determines that a contractor or subcontractor provides false or misleading material information that was provided knowingly or with reckless disregard for the truth, the bidder shall be subject to the penalties as outlined under N.J.S.A. 40A:11-34.

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- SECTION 2.** All ordinances of the Township of West Milford, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.
SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
SECTION 4. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.
SECTION 5. This Ordinance may be renumbered for codification purposes.

Introduced: March 16, 2022
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for April 20, 2022. Notice of this public hearing shall be published in the Herald News on or about March 22, 2022.

Motion to move forward.

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

Agenda No. XII 2

~ Ordinance 2022 – 017 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER §285, “PROPERTY MAINTENANCE” SECTION §285-12 “VACANT, ABANDONED AND FORECLOSED PROPERTIES” OF THE REVISED GENERAL ORDINANCES

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

SECTION 1. Chapter 285 “Property Maintenance”, §285-12 Vacant, Abandoned and Foreclosed Properties is amended as follows:

B. Registration of Vacant, Abandoned, and Foreclosed Properties

Registration. The responsible party for a vacant, abandoned, or foreclosed, residential property shall immediately file a certificate of registration with the Township Clerk after receipt of notice, that the property has been determined to be vacant, abandoned or foreclosed upon, or immediately after the responsible party assumes ownership of or responsibility for a property already determined to be vacant, abandoned, or foreclosed upon. A certificate of registration shall remain valid for one year from the date of issuance and renewal shall be required annually that reverts back to the initial registration date if the property remains vacant and abandoned.

- SECTION 2.** All ordinances of the Township of West Milford, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.
SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
SECTION 4. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.
SECTION 5. This Ordinance may be renumbered for codification purposes.

Introduced: March 16, 2022
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for April 20, 2022. Notice of this public hearing shall be published in the Herald News on or about March 22, 2022.

Motion to move forward.

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

Agenda No. XII 3

~ Ordinance 2022 – 019 ~

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

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

SECTION 1 Chapter 135 “Fees & Costs”, § 135-2 Department of Community Services and Recreation” had additional fees and items amended to read as follows:

§ 135-2 Department of Community Services and Recreation

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

C. Day Camp registration incentives:

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

E. A nonrefundable maintenance fee of \$25 shall be charged for each group use permit that requires the opening, closing and/or cleaning of a facility.

F. Permit fees: Bubbling Springs Members will be charged a nonrefundable administrative/user fee of \$30 for guest groups numbering more than 25 people. Permits must be filled out at the Parks and Recreation office. Groups of under 25 do not need to have a permit or pay a maintenance fee. They must make arrangements with the Lake Director prior to the party.

G. Use of Teen Center/Coffee House.

- (1) Event permits may be issued for use of the West Milford Teen Center/Coffee House by the Community Services and Recreation Department. The fee for such use shall be a one-time fee of \$150 for a four hour rental. Time exceeding the initial four hours shall be charged at the rate of \$25 per hour. Each event shall require a security deposit of \$200.
- (2) Use of the Teen Center shall be subject to all requirements associated with the issuance of event permits under Township policy, and the Township’s caretaker must be present during any event.

H. Use of West Milford Recreation Center

- (1) \$25 per hour, per gym rental fees to local nonprofit organizations upon the issuance of permits and proof of proper insurance has been provided. Local nonprofit organizations are defined as registered organizations under § 501(c)(3) of the Federal Tax Code, with an established business address in West Milford Township.
- (2) \$100 per hour, per gym rental fees to nonlocal not-for-profit organizations based outside the Township of West Milford. Nonprofit organizations are defined as registered organizations under § 501(c)(3) of the Federal Tax Code.
- (3) \$100 per hour, per gym rental fees to local for-profit organizations upon the issuance of permits and proof of proper insurance has been provided.
- (4) Concession Stand rental fee: \$75 for three hours and \$25 for each additional hour.
- (5) Exemptions:
 - (a) Fees will not be assessed to local nonprofit organizations defined in Subsection I(1) if requested use occurs during regular operating hours of the West Milford Recreation Center, as established by the Township of West Milford Department of Community Services.

I. The Department of Community Services and Recreation is to provide all currently appointed members of boards, committees and commissions established by ordinance a \$5 discount for their own registration for each of the programs and events offered by the Department. All such members shall also be entitled to receive the same rates for Bubbling Springs as is provided to seniors.

J. Event permits may be issued for use of the Recreation rooms of the Township Library by the Community Services and Recreation Department. The fee for such use shall be \$0.

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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- SECTION 3.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
- SECTION 4.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.
- SECTION 5.** This Ordinance may be renumbered for codification purposes.

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

Introduced: March 16, 2022
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for April 20, 2022. Notice of this public hearing shall be published in the Herald News on or about March 22, 2022.

Motion to move forward.

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

Mayor Dale asked to move resolutions 2022-122 through 2022-129.

Agenda No. XII 4

~ Resolution 2022 – 122 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD TO ENTER INTO A LEASE AGREEMENT WITH KYH PROPERTIES FOR A PUBLIC PLAYGROUND ON PRIVATELY OWNED PROPERTY

WHEREAS, the Township of West Milford Library previously entered into a lease agreement with a private property owner, to construct a public playground on privately owned land on August 20, 1991, for a thirty (30) year term; and

WHEREAS, the current private land owner, KYH Properties, and the Township desire to continue such lease of land for a further ten (10) year term, and for rent in the amount of one (1) dollar for that full term (Lease Agreement on file in Clerk’s Office); and

WHEREAS, the current private land owner, KYH Properties requested a survey and will provide such survey of the property at a later date

WHEREAS, it is deemed to be in the best interests of the residents of the Township of West Milford and the Township of West Milford to extend this lease, so persons can patronize this playground; and

WHEREAS, to effectuate this agreement, the Township of West Milford wishes to enter into a lease that will fully set forth the complete terms of the agreement; and

WHEREAS, in accordance with the provisions of N.J.S.A. 40A:12-5(a)(1), the Township is authorized to lease property; and

WHEREAS, prior to execution of the agreement, the governing body of the Township of West Milford will also adopt a resolution approving execution of the lease agreement.

NOW THEREFORE BE IT RESOLVED by the Township of West Milford, in the County of Passaic and State of New Jersey, that the Mayor is hereby authorized to execute the above referenced lease agreement, and the Clerk instructed to take any necessary actions in furtherance of such execution and intent.

This Resolution shall take effect immediately.

Adopted: March 16, 2022

Agenda No. XII 5

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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~ Resolution 2022 – 123 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PARTICIPATION IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE WEST MILFORD TOWNSHIP POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT - AMENDED

WHEREAS, Resolution 2022-055 was adopted on January 5, 2022 to authorize the Township of West Milford Police Department to request and acquire excess Department of Defense Equipment through the 1033 Program from January 1, 2022 to December 31, 2022; and

WHEREAS, the following items are added to Resolution 2022-055 (20) communications consoles, (50) lights and illuminators, (2) camera equipment, (50) rifle and pistol magazines; and

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the Governing Body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through the 1033 Program.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey that the West Milford Township Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31st of the current calendar year from January 1, 2022 to December 31, 2022.

NOW, THEREFORE, BE IT FURTHER RESOLVED that West Milford Township Police Department is hereby authorized to acquire items of Non Controlled and/or Controlled Equipment property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the West Milford Township Police Department, without restriction.

NOW, THEREFORE, BE IT FURTHER RESOLVED that West Milford Township Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes (1) utility truck, (1) 5.56 millimeter rifles, (1) 308 cal. rifle.

BE IT FURTHER RESOLVED that the West Milford Township Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property.

BE IT FURTHER RESOLVED that the West Milford Township Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request, authorization terminating on December 31st of the current calendar year from January 1, 2022 to December 31, 2022.

Adopted: March 16, 2022

Agenda No. XII 6

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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~ Resolution 2022 – 124 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING RESOLUTION 2021-154 TO EXTEND THE CONTRACT FOR FOOD CONCESSIONS AT BUBBLING SPRINGS TO THE JOSHUA TREE

WHEREAS, by virtue of Resolution 2021-154 adopted on April 21, 2021 the Township Council did authorize the contract for food concessions at Bubbling Springs to Shawn Leonardo, owner of The Joshua Tree; and

WHEREAS, the existing contract with The Joshua Tree expired on December 31, 2021; and

WHEREAS, by virtue of the bid specifications as written the contract may be extended for one (1) year for the Food Concessions at Bubbling Springs at the sole option of the Township; and

WHEREAS, the Township Administrator has been advised that the Department of Community Services does recommend extending the existing contract until December 31, 2022; and

WHEREAS, the Township of West Milford will receive revenue from the award of a contract to The Joshua Tree for the management and operation of the Bubbling Springs Food Concessions in the amount of \$1,323.75 which includes the five percent (5%) increase per year as permitted above for the extension of the contract for this year; and

WHEREAS, this resolution serves as the Addendum to the contract and are available for public inspection in the office of the Township Clerk; and

NOW THEREFORE BE IT RESOLVED the Township Council hereby authorizes the Mayor and Township Administrator to approve the amendment to extend the existing contract to December 31, 2022 with The Joshua Tree for the food concessions at Bubbling Springs in accordance with the contract for same.

This Resolution shall take effect immediately.

Adopted: March 16, 2022

Agenda No. XII 7

~ Resolution 2022 – 125 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING AGREEMENT BETWEEN THE TOWNSHIP OF WEST MILFORD AND BRIGHTLY SOFTWARE INC. THROUGH SOURCEWELL NATIONAL COOPERATIVE CONTRACT #090320-SDI FOR THEIR SOFTWARE PROGRAM KNOWN AS MOBILE 311 FOR THREE (3) YEARS IN AN AMOUNT NOT TO EXCEED \$27,364.09

WHEREAS, the Township of West Milford became a member of Sourcewell (formerly the National Joint Powers Alliance-NJPA) by virtue of Resolution 2014-354 adopted November 12, 2014; and

WHEREAS, the Sourcewell National Cooperative has awarded Contract #090320-SDI through the open competitive bidding process and in accordance with N.J.S.A. 40A:11 et seq., Local Public Contracts Law authorizing Public Administration software purchases; and

WHEREAS, the Township of West Milford may award a contract without competitive bid to a vendor with a National Cooperative Contract in accordance with the requirements of the Local Public Contract Law P.L. 2011, C.139 and N.J.S.A.52:34-6.2, and

WHEREAS, the Township of West Milford has a need for this software program for use by the Department of Public Works; and

WHEREAS, Brightly Software Inc., (formerly known as Dude Solutions, Inc.) provides a software program known as Mobile 311 that has been uniquely designed for West Milford Township's needs by the Department of Public Works; and

WHEREAS, Brightly Software Inc. has been awarded Contract #090320-SDI through the Sourcewell National Cooperative Purchasing program; and

WHEREAS, Brightly Software Inc. has provided an agreement for a term of three (3) years, which reflects a savings of 4% on the annual subscription renewal price over the term of the agreement. Annual subscription prices for 2022 being \$8,595.33; for 2023 being \$9,111.05 and 2024 being \$9,657.71; and

WHEREAS, the Director of Public Works has submitted a written recommendation for the Township to enter into this agreement; and

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WHEREAS, the Chief Financial Officer has certified as to the availability of funds for year 2022, said funds to be encumbered from account number: 01-201-26-290-498 and funds will be budgeted in 2023 and 2024 based on the terms of the agreement.

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

1. The Mayor and Township Council hereby authorizes an agreement to Brightly Software Inc., 11000 Regency Parkway, Suite 400, Cary, NC 27518 for their software program known as Mobile 311 for three (3) years beginning January 1, 2022 and expiring December 31, 2024 in an amount not to exceed \$27,364.09.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: March 16, 2022

Agenda No. XII 8

~ Resolution 2022 – 126 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PAYMENT TO FIRST ENVIRONMENT FOR ENVIRONMENTAL TESTING ON TOWNSHIP PROPERTY KNOWN AS BLOCK 6002 LOTS 18.02 AND 28.03

WHEREAS, the Township of West Milford owns Block 6002 Lots 18.02 and 28.03 and is utilized by a third party; and

WHEREAS, the materials being stored on the property raised environmental concerns; and

WHEREAS, the Township participates in an Environmental Joint Insurance Fund; and

WHEREAS, the Environmental Joint Insurance Fund recommended undertaking environmental testing of the property at their expense; and

WHEREAS, the Township employed First Environment to conduct such testing; and

WHEREAS, the preliminary testing revealed concerning contaminant on the property; and

WHEREAS, the Township requested that First Environment conduct a second round of testing to better understand the source of the contaminants; and

WHEREAS, the total cost to date of the testing is \$46,754.55; and

WHEREAS, the Township has paid First Environment \$20,142.07 for invoices 41647, 41777 and 42129; and

WHEREAS, \$26,612.48 remains outstanding for invoices 42273 and 42375; and

WHEREAS, Resolution 2022-086 authorized the payment of these two invoices, along with a third invoice that was erroneously included; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds in budgetary line item 01-201-20-161-450; and

WHEREAS, the Administration recommends payment to First Environment in the amount of \$26,612.48.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of West Milford that the Chief Financial Officer is hereby authorized to make payment in the amount of \$26,612.48 to First Environment, 10 Park Place Bldg. 1A Suite 504, Butler, NJ 07405.

Adopted: March 16, 2022

Agenda No. XII 9

~ Resolution 2022 – 127 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF A DEED FOR BLOCK 6404, LOT 7, WITHIN THE TOWNSHIP OF WEST MILFORD AS A DONATION

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WHEREAS, the owner of real property located at 301 Marshall Hill Road and 1745 Greenwood Lake Turnpike, Block 6404, Lot 7 (hereinafter, the “subject property”) seeks to donate such property to the Township of West Milford; and

WHEREAS, the Governing Body wishes to accept this generous gift; and

WHEREAS, the Administration has made an investigation and finds that there are no records in the Health Department files, and no reports of observed contamination sources on the property in question; and,

WHEREAS, there are tax arrears as to improvements outstanding on the property, which the Township upon receipt of a Deed for the property, would cancel and the Township would then be the owners of the aforesaid property.

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

1. It does hereby authorize the acceptance of a Deed from the owner of the lot referred to as Block 6404, Lot 7, as a donation, upon receipt and review by the Township Attorney of a report of title showing that the owner has good title to the property, and can convey same to the Township subject to the above referenced tax lien, or any other due diligence issues including but not limited to estate taxes, other liens or bulk sales requirements.
2. The Township Attorney is authorized to accept title to the Deed, subject to the condition above, and to record same and to obtain an Affidavit of Title from the seller as to the property in question.

Adopted: March 16, 2022

Agenda No. XII 10

~ Resolution 2022 – 128 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY IN SUPPORT OF MOUNTAIN VIEW FARMACY LLC CANNABIS BUSINESS

WHEREAS, on January 18, 2010, Governor Jon Corzine signed the New Jersey Compassionate Use Medical Marijuana Act, N.J.S.A. 24:61-1 et seq., which provided for the legalization of medical marijuana and creation of a program to allow persons suffering from qualifying debilitating medical conditions to obtain medical marijuana in a safe, timely and compassionate manner; and

WHEREAS, the State of New Jersey in 2018 amended its regulatory scheme so as to expand the scope of citizens to whom medical marijuana may be prescribed and so as to make medical marijuana more accessible and available to many of the citizens who need it; and

WHEREAS, on November 3, 2020, the Marijuana Legalization Amendment was approved by voters in New Jersey, which legalized the possession and use of cannabis for residents twenty-one years of age or older; and

WHEREAS, on February 22, 2021, Governor Phil Murphy signed into law the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, which established the adult use cannabis program in the State of New Jersey; and

WHEREAS, the Township of West Milford endorses the adult use cannabis program in the State of New Jersey, as well as the medical use program, which provides needed relief to the many persons suffering from chronic and/or debilitating illnesses who may benefit from this program; and

WHEREAS, the Township of West Milford supports the safe and appropriate siting of a micro retail cannabis dispensary within the Township's LMI Zone, where such facilities are permitted as a conditional use pursuant to Chapter 500-193, to the extent consistent with applicable state and local statutes, rules, regulations, and ordinances; and

WHEREAS, Mountain View Pharmacy, a New Jersey limited liability company in good standing, has expressed interest in siting such a micro retail cannabis dispensary within the Township's LMI Zone; and

WHEREAS, the Township of West Milford has not imposed any limits on the number of micro retail cannabis dispensary that may operate in the LMI Zone.

NOW, THEREFORE, BE IT RESOLVED, that the West Milford Township Council supports the safe and appropriate siting of a micro retail cannabis dispensary within the Township's Cannabis LMI Zone as a conditional use by Mountain View Pharmacy LLC to the extent consistent with applicable state and local statutes, rules, regulations and ordinances.

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Agenda No. XII 11

~ Resolution 2022 – 129 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE EMERGENCY TEMPORARY AUTHORIZATIONS PRIOR TO THE ADOPTION OF THE 2022 BUDGET

WHEREAS, Local budget law N.J.S.A. 40A:4-1 states in part, in addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the governing body may, by resolution adopted by a 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year and,

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

1. The Township Council hereby authorizes the emergency authorization to be included in the 2022 temporary budget until adoption of 2022 budget by a 2/3 vote of the Governing Body.
2. The Township's 2022 adopted budget shall include these appropriations.

APPROPRIATION	ACCOUNT NUMBER	2022 TEMPORARY BUDGET
Administrator S&W	01-201-20-100-100	\$145,920
Administrator O.E.	01-201-20-100-200	\$25,000
TOTAL		\$170,920
Township Mayor & Council S&W	01-201-20-105-100	\$22,000
Township Mayor & Council O.E.	01-201-20-105-200	\$1,200
TOTAL		\$23,200
Information Technology S&W	01-201-20-140-100	\$78,015
Information Technology O.E.	01-201-20-140-200	\$20,000
TOTAL		\$98,015
Legal O.E.	01-201-20-155-200	\$138,000
General Services S&W	01-201-20-161-100	\$10,000
General Services O.E.	01-201-20-161-200	\$73,000
TOTAL		\$83,000
Engineering S&W	01-201-20-165-100	\$124,600
Engineering O.E.	01-201-20-165-200	\$49,982
TOTAL		\$174,582
Insurance, Other	01-201-23-210-200	\$540,000
Insurance, Group	01-201-23-220-200	\$1,587,000
Health Benefit Waiver	01-201-23-230-200	\$40,000
TOTAL		\$2,167,000
Clerk S&W	01-201-20-120-100	\$111,475
Clerk O.E.	01-201-20-120-200	\$8,431
TOTAL		\$119,906
Elections S&W	01-201-20-146-100	\$750
Elections O.E.	01-201-20-146-200	\$8,400
TOTAL		\$9,150
Treasurer S&W	01-201-20-130-100	\$144,350
Treasurer O.E.	01-201-20-130-200	\$10,000
TOTAL		\$154,350
Annual Audit	01-201-20-135-200	\$-
Annual Audit Additional Services	01-201-20-135-200	\$15,000
TOTAL		\$15,000

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Tax Collector S&W	01-201-20-145-100	\$90,075
Tax Collector O.E	01-201-20-145-200	\$25,605
TOTAL		\$115,680
Tax Assessor S&W	01-201-20-150-100	\$110,125
Tax Assessor O.E.	01-201-20-150-200	\$10,000
TOTAL		\$120,125
PLANNING BOARD O.E.	01-201-21-180-200	\$20,025
Planning, Comp. S&W	01-201-21-181-100	\$63,090
Planning, Comp. O.E.	01-201-21-181-200	\$27,775
TOTAL		\$90,865
Zoning S&W	01-201-21-185-100	\$25,000
Zoning O.E.	01-201-21-185-200	\$52,255
TOTAL		\$77,255
BOARD OF ADJUSTMENT O.E.	01-201-21-186-200	\$35,275
Historic Preservation S&W	01-201-20-175-100	\$780
Historic Preservation O.E.	01-201-20-175-200	\$500
TOTAL		\$1,280
Building S&W	01-201-22-195-100	\$188,601
Building O.E.	01-201-22-195-200	\$25,000
TOTAL		\$213,601
Environmental Commission S&W	01-201-22-196-100	\$1,000
Environmental Commission O.E.	01-201-22-196-200	\$1,000
TOTAL		\$2,000
Police Patrol S&W	01-201-25-240-100	\$2,390,850
Police Patrol O.E.	01-201-25-240-200	\$171,250
Police Patrol-Purchase of Police Vehicles	01-201-25-240-900	-
Police Detective S&W	01-201-25-241-100	-
Police Administration S&W	01-201-25-242-100	\$268,470
Police Communication S&W	01-201-25-243-100	\$168,750
Police Comm. O.E.	01-201-25-243-400	\$6,250
Police Specials S&W	01-201-25-244-100	\$18,000
Police Specials O.E.	01-201-25-244-200	\$4,738
TOTAL		\$3,028,308
Emergency Management S&W	01-201-25-252-100	\$5,203
Emergency Management O.E.	01-201-25-252-200	\$23,000
TOTAL		\$28,203
First Aid - WMFAS Contributions	01-201-25-260-200	\$54,250
First Aid - UGLFAS Contributions	01-201-25-260-200	\$22,875
TOTAL		\$77,125
Aid To Vol. Fire Co.	01-201-25-255-200	\$45,000
Fire Prevention Bureau S&W	01-201-25-265-100	\$77,760
Fire Prevention Bureau O.E.	01-201-25-265-200	\$7,300
Fire Co. Admin. S&W	01-201-25-266-100	\$5,550
Fire Co. Admin. O.E.	01-201-25-266-200	\$155,575
LOSAP	01-201-25-267-200	\$-
TOTAL		\$291,185
DPW Streets & Roads S&W	01-201-26-290-100	\$1,065,240
DPW Streets & Roads O.E.	01-201-26-290-200	\$332,245
DPW Buildings & Grounds S&W	01-201-26-291-100	\$67,840
DPW Buildings & Grounds O.E.	01-201-26-291-200	\$62,475
DPW Snow Removal S&W	01-201-26-294-100	\$250,000
DPW Snow Removal O.E.	01-201-26-294-200	\$1,042,000

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DPW Vehicle Maintenance S&W	01-201-26-315-100	\$192,500
DPW Vehicle Maintenance O.E.	01-201-26-315-200	\$138,700
TOTAL		\$3,151,000
Public Health S&W	01-201-27-330-100	\$64,000
Public Health O.E.	01-201-27-330-200	\$21,023
Vital Statistics S&W	01-201-27-331-100	\$18,100
Vital Statistics O.E.	01-201-27-331-200	\$3,125
Housing Standard Bureau O.E.	01-201-27-332-441	\$4,000
Environmental Health S&W	01-201-27-335-100	\$113,578
Environmental Health O.E.	01-201-27-335-200	\$65,535
Animal Control O.E.	01-201-27-340-200	\$37,998
TOTAL		\$327,358
Recreation Programs S&W	01-201-28-370-100	\$80,289
Recreation Programs O.E.	01-201-28-370-200	\$66,500
Recreation.-Bubbling Springs S&W	01-201-28-371-100	\$40,000
Recreation.-Bubbling Springs O.E.	01-201-28-371-200	\$80,000
Recreation.-Admin. S&W	01-201-28-372-100	\$81,151
Recreation.-Admin. O.E.	01-201-28-372-200	\$8,450
Recreation.-Community Center S&W	01-201-28-374-100	\$53,275
Recreation.-Community Center O.E.	01-201-28-374-200	\$17,700
Recreation.-Parks Maintenance S&W	01-201-28-375-100	\$163,104
Recreation.-Parks Maintenance O.E.	01-201-28-375-200	\$70,000
Senior Citizen Services S&W	01-201-28-376-100	\$25,765
Senior Citizen Services O.E.	01-201-28-376-200	\$4,500
TOTAL		\$690,733
Veteran's Bureau S&W	01-201-20-172-100	\$668
Veteran's Bureau O.E.	01-201-20-172-200	\$75
TOTAL		\$743
Celebration of Public Events O.E.	01-201-30-420-200	\$19,000
Mass Transportation S.W	01-201-30-432-100	\$28,250
Mass Transportation O.E.	01-201-30-432-200	-
TOTAL		\$28,250
Library S&W	01-201-29-390-100	\$250,000
Library O.E.	01-201-29-390-200	\$277,025
TOTAL		\$527,025
Municipal Court S&W	01-201-43-490-100	\$144,394
Municipal Court O.E.	01-201-43-490-200	\$12,250
Municipal Court Prosecutor S&W	01-201-43-491-101	\$19,775
Municipal Court Prosecutor O.E.	01-201-43-491-200	\$300
Public Defender	01-201-43-495-450	\$5,000
TOTAL		\$181,719
Utilities-Electricity	01-201-31-430-200	\$66,675
Utilities-Street Lights	01-201-31-435-200	\$32,750
Utilities-Telephone	01-201-31-440-200	\$70,000
Utilities-Natural Gas	01-201-31-446-200	\$27,250
Utilities-Fuel	01-201-31-460-200	\$182,500
TOTAL		\$379,175
PERS	01-201-36-471-532	\$1,025,357

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Social Security	01-201-36-472-533	\$330,000
Defined Contributions Retirement Prog	01-201-36-475-536	\$7,500
PFRS	01-201-36-473-534	\$1,555,199
TOTAL		\$2,918,056
Salaries & Wages Adjustment Account	01-201-37-480-501	-
Compensated Absences	01-201-38-485-110	\$45,000
Interlocal Agreement – Health	01-201-47-600-200	\$58,650
Def. Charge – Ord. 00-09 Rec. Fac. Contr.	01-201-46-886-596	\$-
Reserve for Tax Appeals	01-201-46-886-667	\$-
Def. Charge - Ord. 07-06 Various Rd. Imp.	01-46-887-531	\$-
Reserve for Uncollected Taxes	01-201-50-899-200	\$-
TOTAL		\$-
GRANTS	G-02-41	\$-
SUBTOTAL		\$15,580,756
Capital Improvements Fund	01-201-44-900-200	-
Cap. Improv. Fund-Fire Emer Equip.	01-201-44-900-230	-
TOTAL		\$-
Debt Service Total		\$3,597,373
TOTAL OPERATING BUDGET		\$19,190,629
SOLID WASTE DISTRICT BUDGET		
Solid Waste S&W	26-201-55-500-100	\$64,352
Solid Waste O.E. All Other	26-201-55-500-200	\$93,925
Contractual Services	26-201-55-500-514	\$1,068,000
Disposal Fees	26-201-55-500-548	\$388,460
TOTAL		\$1,614,737

Adopted: March 16, 2022

Councilman Marsden questioned if we were to be reimbursed on 2022-126 and it was confirmed by the Township Attorney that we would be.

Motion to move Resolutions 2022-122 through 2022-129

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

Agenda No. XIII

Consent Agenda

~ Resolution 2022 – 130 ~

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

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

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

Resolutions:

- a) **2022-131** – Refund Recreation Fees
- b) **2022-132** – Various 2022 Licenses
- c) **2022-133** – Refund of Overpayment
- d) **2022-134** – Refund Other Lien
- e) **2022-135** – Reinstatement of Taxes

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- f) **2022-136** – Tax Title Lien Sale-Two Notices
- g) **2022-137** – Tax Title Lien Sale

Adopted: March 16, 2022

Agenda No. XIII a

~ Resolution 2022 – 131 ~

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

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

COED VOLLEYBALL			
\$80.00	Ken Anderson 17 Peter Road West Milford, NJ 07480		
PICKLEBALL CLINIC			
\$60.00	Dave Stern 24 Bergen Avenue Waldwick, NJ 07463		
BOB ROSS PAINTING - SENIOR			
\$35.00	Maryann Leppert 17 Waerbury Road Warwick, NY 10990		
ACTIVE ADULT COMBO			
\$10.00	Kathleen Babcock 77 Rolling Ridge Road West Milford, NJ 07480	\$10.00	Ofelia Callioni 121 Richmond Road West Milford, NJ 07480
\$10.00	Merry Eggerling 25 Cleveland Drive West Milford, NJ 07480	\$10.00	Maryann Leppert 17 Waerbury Road Warwick, NY 10990
\$10.00	Joyce Moninger 37 Aspen Lane West Milford, NJ 07480	\$10.00	Susan O'Banion 6325 Richmond Road West Milford, NJ 07480
\$10.00	Shirley Parrello 667 Morsetown Road West Milford, NJ 07480	\$10.00	Anita Tornow 5220 Richmond Road West Milford, NJ 07480
\$10.00	Virginia Zaccaro 26 McKinley Place West Milford, NJ 07480	\$10.00	Lynn Oblinger 56 Bayonne Drive Hewitt, NJ 07421
\$10.00	Judy Barry 23 Woodside Drive West Milford, NJ 07480	\$10.00	Thomas Decker 55 Beacon Hill Road Unit G West Milford, NJ 07480
\$10.00	Gail Kahler 55C Beacon Hill Road West Milford, NJ07480		
ACTIVE AGERS			
\$15.00	Judy Barry 23 Woodside Drive West Milford, NJ 07480	\$15.00	Thomas Decker 55 Beacon Hill Road Unit G West Milford, NJ 07480
\$15.00	Betty Bayer 7 Chester Road Hewitt, NJ 07421	\$15.00	Grace Britt 5103 Richmond Road West Milford, NJ 07480
\$15.00	Linda Chrzanowski 9120 Richmond Road West Milford, NJ 07480	\$15.00	Fannie Didomenico 167 High Crest Drive West Milford, NJ 07480
\$15.00	Peggy Dolan 37 Quigley Road Hewitt, NJ 07421	\$15.00	Ginny Faulkner P.O. Box 274 West Milford, NJ 07480
\$15.00	Elise Finn 49 Pinecliff Lake Drive West Milford, NJ 07480	\$15.00	Joanne Gallagher 5106 Richmond Road West Milford, NJ 07480
\$15.00	Linda Hoffmeister 7111 Richmond Road West Milford, NJ 07480	\$15.00	Robert Jacobus 224 Morsetown Road West Milford, NJ 07480
\$15.00	Susan Johnson 1510 Greenwood Lake Tpk. Hewitt, NJ 07421	\$15.00	Jeanette Keller 5 Orleans Lane West Milford, NJ 07480
	Doris Levitzki		Pamela McGlashan

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\$15.00	15 Ryan Court West Milford, NJ 07480	\$15.00	4101 Richmond Road West Milford, NJ 07480
\$15.00	Patricia New 649 Lakeshore Drive Hewitt, NJ 07421	\$15.00	Ann Niechwadowicz 100 Wooley Road West Milford, NJ 07480
\$15.00	Dot Novak 22 Birch Avenue West Milford, NJ 07480	\$15.00	Elizabeth O'Neill 2305 Richmond Road West Milford, NJ 07480
\$15.00	Arlene Pluta 11 Timber Lane New Foundland, NJ 07435	\$15.00	Betty Roche 21 Doe Run Hewitt, NJ 07421
\$15.00	Janice Schwarz 121 Dale Road Ringwood, NJ 07456	\$15.00	Elaine Sheeran 14 O'Leary Road West Milford, NJ 07480
\$15.00	Vallerie Varick 4A New Bedford Road West Milford, NJ 07480	\$15.00	Lynn Oblinger 56 Bayonne Drive Hewitt, NJ 07421
BOATING SAFETY			
\$128.00	Courtney Lombardo 63 Hudson Drive West Milford, NJ 07480		

Adopted: March 16, 2022

Agenda No. XIII b

~ Resolution 2022 – 132 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2022

WHEREAS, applications have been made for the new licenses and the renewal of various Licenses for the 2022 license year; and

WHEREAS, reports of recommendation have been received from applicable Township Departments recommending the issuance of said licenses as listed below.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford does hereby approve the issuance of 2022 Licenses as listed below:

License No.	2022 CLOTHING BINS
2022-18 2022-19-20-21	NJ AmVets – OGS Recycling LL dba HELPSY 210 Marshall Hill Road (1)-Marshall Hill Elementary School 666 Macopin Road (3) Apshawa Volunteer Fire Company #1

Adopted: March 16, 2022

Agenda No. XIII c

~ Resolution 2022 – 133 ~

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

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

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

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

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Block/Lot	Name	Amount	Year	Reason
12305-013	William Mathes 18 Crescent Rd West Milford, NJ 07480	\$1,899.00	2022	8
04102-008	Billy Ward 144 Long Pond Rd Hewitt, NJ 07421	\$4,377.00	2022	8
01404-008	Masessa & Cluff 1524 Route 23 North Butler, NJ 07405	\$635.76	2022	2
01802-023	Belmont Title and Settlement 886 Belmont Avenue, Suite D North Haledon, NJ 07508-2564	\$1,716.00	2022	2
02511-001	Masessa & Cluff 1524 Route 23 North Butler, NJ 07405	\$2,234.00	2022	2
TOTAL		\$10,861.76		

Adopted: March 16, 2022

Agenda No. XIII d

~ Resolution 2022 – 134 ~

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

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

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

Certificate No.	Certificate Date	Block/Lot/Qual	Reimbursement Amount	Pay to Lien Holder
21-0008	10/12/2021	01913-001	\$73,113.40	CHRISTIANA TRUST AS CUSTODIAN P.O. BOX 71278 PHILADELPHIA, PA 19176
17-0057	10/10/2017	12208-001	\$59,415.66	USBANK C/F PC7 FIRSTRUST BANK 50 SOUTH 16 TH ST, SUITE 2050 PHILADELPHIA, PA 19102
TOTAL			\$132,529.06	

Adopted: March 16, 2022

Agenda No. XIII e

~ Resolution 2022 – 135 ~

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

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

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

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

- REASON:**
- 1 INSUFFICIENT FUNDS
 - 2 NO ACCOUNT/CANNOT LOCATE
 - 3 ACCOUNT CLOSED
 - 4 STOP PAYMENT

BLOCK/LOT	NAME	AMOUNT	INT	YEAR	REASON
03004-007	Anthony T. Veltri	\$2,410.00		2022	2
17001-016	Adam Richard Pinter	\$4,092.00		2022	2
04201-025	Susan De Santi	\$2,728.00		2022	1
04801-007	LLC Allied Title	\$5,239.38	\$292.70	2021	2

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Table with 6 columns: ID, Name, Amount 1, Amount 2, Year, Count. Rows include individuals like Alexei Masanko, Mary E. Lockenvitz, Joseph Messineo, Frederic Maute, Martin Glen Leeds, 492 Frank J Kasabri, Laura Katona, and a TOTAL row.

Adopted: March 16, 2022

Agenda No. XIII f

~ Resolution 2022 - 136 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE TAX COLLECTOR TO SEND TWO (2) NOTICES OF TAX SALES TO ALL PROPERTIES INCLUDED IN THE TAX TITLE LIEN SALE

WHEREAS, N.J.S.A. 54:5-19.1, authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of Local Government Services, and

WHEREAS, the rules and regulations require a municipality to send two (2) notices of tax sales to all properties included in said sale; and

WHEREAS, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, the Township of West Milford wishes to charge \$25.00 per notice mailed which will be assessed; specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of West Milford, that a fee of \$25.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2022 electronic tax sale.

Adopted: March 16, 2022

Agenda No. XIII g

~ Resolution 2022 - 137 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A 2022 TAX TITLE LIEN SALE

WHEREAS, the Collector of Taxes has requested that the Township conduct a 2022 Township Tax Title Lien Sale on Tuesday, October 11, 2022; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that the proper officers be and are hereby authorized and directed to conduct a 2022 Tax Title Lien Sale on-line @ www.realauction.com on Tuesday, October 11, 2022; site opens on September 12, 2022.

Adopted: March 16, 2022

Motion to move Resolutions 2022-130 through Resolution2022-137 by Councilwoman Erik seconded by Councilman Marsden.

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

Agenda No. XIV

Approval of Expenditures

~ Resolution 2022 - 138 ~

RESOLUTION APPROVING THE PAYMENT OF BILLS

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Councilman Goodsir – Elk’s Club will be having Wing Night this Friday. We received 64 Veteran Banner applications and originally the idea was to get people to sponsor the brackets as well but the Elks stepped up and donated over \$1800. He wanted to thank Fred Semrau and Councilmembers Marsden, Erik, Lichtenberg and the Mayor as well. The Soup Kitchen is coming along and a chef has been found. A man with MS who is going to donate his time and prepare food.

Councilman Gross – Has been talking to Trenton regarding parking on Otterhole Road and he needs to send them the trail map once it is finished and he has it.

Councilman Marsden – Happy Birthday to granddaughter Adrianna.

Administrator Senande – No report.

Attorney Sullivan – No report.

Agenda No. XVI

Appointments and Resignations

Agenda No. XVI

~ Resolution 2022 – 139 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ACCEPTING RESIGNATIONS TENDERED

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby accept the following resignations tendered to the Environmental Commission and the Zoning Board of Adjustment:

Name	Position	Date Tendered
David Ofshinsky	Environmental Commission Citizen Member Term expires 12/31/22	February 26, 2022
Michael Gerst	Zoning Board of Adjustment Citizen Member Term expires 12/31/25	March 10, 2022

Adopted: March 16, 2022

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

Councilwoman Lichtenberg wished to nominate Rebecca Barnes to the Municipal Alliance Committee. Seconded by Councilwoman Erik.

Move to close and confirm Councilwoman Erik. Seconded Councilman Goodsir.

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

Councilwoman Eric wished to nominate Citizen Leadership applicant #3 to the open seat on the Zoning Board of Adjustment. Seconded by Councilman Gross.

Councilman Goodsir wished to nominate Zoning Board of Adjustment Alternate #1 to the open seat on the Zoning Board of Adjustment.

Move to close and confirm Councilwoman Erik. Seconded Councilwoman Lichtenberg.

Roll call for Citizen Leadership applicant #3 to open seat.

Moved: Erik Seconded: Gross
Voted Aye: Erik, Lichtenberg, Gross
Voted Nay: Chazukow, Goodsir, Marsden
Motion carried: TIE

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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There was some confusion.

Motion by Councilwoman Erik, seconded by Councilman Chazukow for another roll call vote for clarification.

Second and official roll call for Citizen Leadership applicant #3 to open Board of Adjustment seat.

Moved: Erik Seconded: Gross
Voted Aye: Erik, Lichtenberg, Gross
Voted Nay: Chazukow, Goodsir, Marsden
Motion carried: TIE

Roll call vote for Zoning Board of Adjustment Alternate #1 to the open seat on the Zoning Board of Adjustment.

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

Roll call vote for Citizen Leadership applicant #1 to the open alternate #1 position for Zoning Board of Adjustment.

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

Councilwoman Lichtenberg nominated Will Cytowitz to the Insurance Committee. Seconded by Councilman Goodsir.

Roll call for Will Cytowitz to the Insurance Committee

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

Agenda No. XVIII

Adjournment

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

The meeting adjourned at 9:29 p.m.

Approved: April 6, 2022

Respectfully submitted:

Deidre Ellis, Keyboarding Clerk II

MICHELE DALE, MAYOR

WILLIAM SENANDE, TOWNSHIP CLERK