
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: March 24, 2021
Time of Meeting: 6:30 pm
Minute Page No: Page 1 of 27

The Regular Meeting of the Governing Body was called to order by Mayor Michele Dale.

Adequate Notice Statement

Mayor Dale read the following statement:

PLEASE TAKE NOTICE, that in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., and Emergency Remote Meeting Protocol for Local Public Bodies, N.J.A.C. 5:39-1.1 et seq., and in consideration of the ongoing Governor-declared COVID-19 State of Emergency and Public Health Emergency, a hybrid in-person and remote meeting of the West Milford Township Council will be held on March 24, 2021 at 6:30 p.m. Due to social distancing requirements, in-person attendance will be limited to 25 people; once the limit is reached, individuals will be required to attend remotely. All members of the public who wish to participate in the meeting, which will include a public comment portion, may do so by calling into the service number: 1 (978) 990-5000 Access Code 424062#, at the designated meeting time.

Instructions to access the meeting will be available on the Township of West Milford website at www.westmilford.org. Written public comments may also be submitted to the Clerk via email at clerksoffice@westmilford.org not later than 2:30 pm on the day of the meeting. The email subject line MUST READ – “PUBLIC COMMENTS/QUESTIONS” and MUST INCLUDE the individual's name and address and identify the meeting and ordinance (if applicable) the comments are intended for, in order to be considered and be read into the record during the public comment portion of the meeting. There is a 5-minute limit on all public comments.

Pursuant to the provisions of the Open Public Meetings Act (N.J.S.A. 10:4-8) adequate notice of this Regular Meeting was advertised in the Herald News in its issue of December 27, 2020 and January 11, 2021; a copy was provided to the Record and posted on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Agenda No. I

Pledge of Allegiance

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

Agenda No. II

Roll Call

Present: Councilmembers Ada Erik, Michael Chazukow (arrived 6:35), Marilyn Lichtenberg
Kevin Goodsir, Warren Gross, David Marsden, Mayor Michele Dale
Absent: None
Also Present: Township Administrator/Clerk William Senande, Township Attorney Fred Semrau

Agenda No. III

Reading of or Approval of Unapproved Minutes

March 3, 2021 Workshop Meeting

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

Agenda No. IV

Meetings

Mayor Dale noted the future meeting schedule:

April 7, 2021 Workshop Meeting
April 21, 2021 Regular Meeting/Volunteer Night
May 5, 2021 Workshop Meeting

Agenda No. V

Proclamations

None

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Agenda No. VI

Presentations

Vulnerable Populations Outreach Coordinator – David Pardave – Mr. Pardave said he is a new hire from the Passaic County Health Department. He will help the senior and vulnerable population in West Milford get vaccinated. He said the County is trying to establish a vaccine site in West Milford. Mayor Dale provided a background.

Friend of Wallisch Update – Kerry O'Brien – Provided an update on the projects and events planned for this year.

Beautification and Recycling Committee Spring Cleanup Day – John Monahan – Promoted Spring Cleanup and provided the details.

Agenda No. VII

Executive Session

None

Agenda No. VIII

Discussion Items / Official Communication

None

Agenda No. IX

Action Items – Finance Matters

Agenda No. IX 1

Mayor Dale asked to move resolutions 2021-105 through 2021-107.

~ Resolution 2021 – 105 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY TO ANTICIPATE MISCELLANEOUS REVENUES IN THE 2021 BUDGET USING THE THREE-YEAR AVERAGE OF REALIZED REVENUES FROM THE PRIOR THREE YEARS

WHEREAS, the Covid 19 pandemic had an adverse effect on the anticipated municipal revenues in the 2020 municipal current fund budget; and

WHEREAS, Section 1 of P.L. 2020, c.74 amended N.J.S.A 40A:4-26 authorized the Director of the Division of Local Government Services (“Division”) to promulgate new standards for the anticipation of Covid-19 affected revenues in the FY2021 budget and if necessary, in future years; and

WHEREAS, for FY 2021, the Director authorizes the use of a three-year average for the calculation of affected revenues; and

WHEREAS, the Chief Financial Officer of the Township of West Milford, certifies that the following revenue was affected in 2020 by the Covid 19 pandemic and that the three-year average of the amounts realized in 2018-2020 be anticipated in the introduced budget for 2021.

Revenue Category	2018	2019	2020	Average
Recreation Fees	466,475	439,584	126,849	344,303

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that the above referenced revenues be anticipated using the three- year average as permitted by the amendments to 40A: 4-26, adopted by the P.L. 2020, c. 74.

Adopted: March 24, 2021

Agenda No. IX 2

~ Resolution 2021 – 106 ~

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that the following Deferred School Taxes be hereby increased for the year ended December 31, 2020 as follows:

	Deferred Local School Taxes
Amount Deferred 12/31/20	28,907,776.00
Amount Deferred 12/31/19	28,191,638.00
	716,138.00

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

Adopted: March 24, 2021

Agenda No. IX 3

~ Resolution 2021 – 107 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE INTRODUCTION OF THE 2021 MUNICIPAL BUDGET AND THE 2021 SOLID WASTE BUDGET

MUNICIPAL BUDGET NOTICE

Section 1.

Municipal Budget of the Township of West Milford, County of Passaic for the Fiscal year 2021.

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2021;

Be it Further Resolved, that said Budget be published in the Herald News in the issue of March 30, 2021.

The Governing Body of the Township of West Milford does hereby approve the following as the budget for the year 2021:

				Abstained	(
					(None
					(
RECORDED VOTE	(Erik	(
	(Chazukow	(
	Ayes (Lichtenberg	Nays (None			
	(Goodsir	((
	(Gross	(Absent	(None
	(Marsden	((

Notice is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Township of West Milford, County of Passaic, on March 24, 2021.

A hearing on the Budget and Tax Resolution will be held at the Municipal Building, on April 21, 2021 at 6:30 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2021 may be presented by taxpayers or other interested persons.

SOLID WASTE COLLECTION DISTRICT RESOLUTION

Section 1.

Municipal Budget of the Township of West Milford, County of Passaic for the Fiscal year 2021.

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2021;

Be it Further Resolved, that said Budget be published in the Herald News in the issue of March 30, 2021.

The Governing Body of the Township of West Milford does hereby approve the following as the budget for the year 2021:

				Abstained	(
					(None
					(
RECORDED VOTE	(Erik	(
	(Chazukow	(
	Ayes (Lichtenberg	Nays (None			
	(Goodsir	((
	(Gross	(Absent	(None
	(Marsden	((

Notice is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Township of West Milford, County of Passaic, on March 24, 2021.

A hearing on the Budget and Tax Resolution will be held at the Municipal Building, on April 21, 2021 at 6:30 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2021 may be presented by taxpayers or other interested persons.

Adopted: March 24, 2021

Public Hearing for the 2021 Budget is set for the April 21, 2021 Regular Meeting of the Governing Body. Notice of this public hearing may be published in the Herald News on or about March 30, 2021.

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

Agenda No. X

Unfinished Business, Final Passage of Ordinances

Agenda No. X 1

~ Ordinance 2021 – 006 ~

~ TABLED ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 500 “ZONING” TO ADD A NEW ARTICLE XVI ENTITLED “OUTDOOR PERFORMANCE PERMITS” AND AMENDING CHAPTER 135 “FEES AND COSTS” OF THE CODE OF THE TOWNSHIP OF WEST MILFORD

This Ordinance was introduced on January 20, 2021 and the Notice of Public Hearing was published in the Herald News on January 25, 2021. The Governing Body Tabled this Ordinance on February 17, 2021. 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.

Mr. Semrau proposed an amendment; Outdoor Dining shall also be considered a permitted accessory use for those restaurants that have been established with a pre-existing non-conforming use as defined by the Township Code and the Municipal Land Use Law.

Motion to table and amend Ordinance 2021-006

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

Agenda No. X 2

~ Ordinance 2021 – 015 ~

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

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

1. TEMPORARY, PART TIME AND SEASONAL EMPLOYEES

	Effective January 1, 2021
Special Police Officer Class I	\$23.00
Special Police Officer Class II	\$24.00
*Night Rate 11pm - 7am (Additional per hour)	\$2.00
Municipal Court Attendant Class I	\$23.00
Municipal Court Attendant Class II	\$24.00
Clothing Allowance	\$410.00

2. CLOTHING ALLOWANCE – Special Officers qualify for a clothing and maintenance allowance annually. Half the annual amount payable on or about December 1st of each year for those officers working a minimal of 35 hours since January 1st of that year, with an additional payment of \$2.50 each hour worked in addition to the minimum 35, with the total allowance not exceeding the maximum amount for that year regardless of the number of all hours worked.

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- Special Officers qualifying for a clothing and maintenance allowance upon the submission for receipts for actual purchases of up to: \$410.00 in 2021
3. HOLIDAY PAY – Officers shall be entitled to time and one-half pay for all hours worked on New Year’s Day, Easter, Memorial Day, July 4th, Labor Day and December 25.
 4. CALL-OUTS – All callouts are payable for time worked, with a minimum of two hours pay including mandatory training.
 5. Township Road Work - Callouts payable by normal hourly wage.
 6. Contractor Road Work - Callouts payable at \$30.00 per hour.
 7. GENERAL PROVISIONS – Any ordinance or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to such extent as they are in conflict or inconsistent.
 8. EFFECTIVE DATE – This ordinance shall take effect upon final passage and approval and publication as required by law.

Introduced: February 17, 2021
Adopted: March 24, 2021
Effective Date: April 13, 2021

This Ordinance was introduced on February 17, 2021 and the Notice of Public Hearing was published in the Herald News on February 23, 2021. 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 2021-015

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

Agenda No. X 3

~ Ordinance 2021 – 016 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 135 “FEES,” OF THE REVISED GENERAL ORDINANCES AMENDED

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

§ 135-2 Department of Community Services & Recreation is authorized to charge the following fees:

- J. PRIDE: Fee for 2021: \$40.00/Day Fee for 2022: \$65.00/Day Fee for 2023: \$95.00/Day
- N. Use of West Milford Recreation Center.
 - (1) \$25.00 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 §501c3 of the Federal Tax Code, with an established business address in West Milford Township.
 - (2) \$100.00 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 §501c3 of the Federal Tax Code.
 - (3) \$100.00 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: \$75.00 for 3 hours and \$25.00 for each additional hour.
 - (5) Exemptions:
 - (a) Fees will not be assessed to local nonprofit organizations defined in Subsection N (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.
 - (b) Fees will not be assessed to the West Milford Police Athletic League so long as the agreement between the Township of West Milford and West Milford PAL, dated June 3, 2015, remains in full effect.

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

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Effective Date: April 13, 2021

This Ordinance was introduced on March 3, 2021 and the Notice of Public Hearing was published in the Herald News on March 9, 2021. 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 2021-016

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

Agenda No. X 4

~ Ordinance 2021 – 017 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 84 “BICYCLES, SKATEBOARDS AND SCOOTERS” OF THE CODE OF THE TOWNSHIP OF WEST MILFORD ARTICLE II, MT. LAUREL SKATE PARK

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 84 “Bicycles, Skateboards and Scooters” Article II Mt. Laurel Skate Park of the aforesaid Revised General Ordinances is hereby amended to read as follows:

Article II Mt. Laurel Skate Park

§84-7 Skate Park registration required; fees.

A. Limits of use; Skating in the Mt. Laurel Skate Park is limited to the operation of skateboards and in-line skates.

§84-8 Skate Park rules and regulations.

- A. The skate park is a skate-at-your-own-risk facility, designed for skateboarding only. Bicycles, scooters and any type of motorized vehicles are not permitted at any time.
- B. Skate park hours are daily 10:00 a.m. to dusk. The park will be open year round (weather permitting).
- C. The park may be closed without notice or due to inclement weather. Do not skate when the equipment and/or surfaces are wet, snowy or icy.
- D. Safety equipment must be worn at all times: shirt, shoes, helmet, elbow pads and kneepads. All safety equipment must be securely fastened and worn per manufacturer's specifications.
- E. Participants must provide their own equipment.
- F. There shall be no modifications to the individual skate park ramps and attractions. No outside objects except equipment are allowed within the confines of the park, including bags, knapsacks, backpacks, etc.
- G. Food, glass, beverages, gum, pets and smoking are strictly prohibited.
- H. Spectators are welcome outside the confines of the perimeter fence.
- I. Boom boxes, radios and personal music devices (iPod, MP3 players, headphones and earphones) are prohibited.
- J. No organized events or contests of any kind are allowed in the skate park.
- K. All persons using the skate park must abide by all other park rules and regulations.
- L. Use of this park is a privilege, not a right. The Township expects that all users, guests and spectators will be respectful of others and those in the surrounding area. Profanity, obscene gestures, rowdiness, fighting or intentional damage to the facility will not be tolerated. If an individual skater and/or group of skaters is identified as having not adhered to these rules, it will result in loss of privileges to the facility.
- M. Skating is limited to within the fenced skate park area only. There shall be no skating in the parking lots, street, and basketball courts.
- N. All skate park participants must be at least five years old to use the park. Children under age 10 must be accompanied by an adult.
- O. Smoking, drugs, alcohol, profanity, vandalism, reckless and/or disruptive behavior in the skate park are prohibited.

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P. Report emergencies or injuries immediately to the West Milford Police Department, (973) 728-2800 or 911.

§ 84-9 Additional rules and regulations.

The Township Council of the Township of West Milford shall have the power to establish, by resolution, additional rules and regulations for the use and control of the skate park. Any such rules and regulations shall be posted at the skate park and shall have the same force and effect as any other provision of this article, and the violation thereof shall constitute violation of this article.

§ 84-10 Violations and penalties.

Any person violating or failing to comply with any of the provisions of this article, or any of the rules and regulations established pursuant hereto, shall be immediately ejected from the skate park and be subjected to a verbal warning for the first offense within the calendar year, a fine of \$25 for the second offense committed within the same calendar year, a fine of \$100 for the third offense committed within the same calendar year and a permanent forfeiture of the privilege to use the skate park for a fourth offense committed within the same calendar year. In the event the individual who has violated the terms of this article shall be a minor at the time of such violation(s), the individual's legal guardian shall be the individual who shall be responsible to respond to such violation(s) at the Township Municipal Court. In addition to or in lieu of the aforementioned fines, the Municipal Court may impose a period of community service.

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 by any court of competent jurisdiction, 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 3, 2021
Adopted: March 24, 2021
Effective Date: April 13, 2021

This Ordinance was introduced on March 3, 2021 and the Notice of Public Hearing was published in the Herald News on March 9, 2021. 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 2021-017

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

Agenda No. XI

Public Comments

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

The following Township residents and citizens expressed why they are opposed to the Tennessee Gas Pipeline proposed compressor station.

Melissa Brown Blaeuer – 67 Ramapo Road, Luke Slott – 10 Ponderosa Place, Norma Stehle – 23 Gifford Road, Laure Ashtyani – 32 Hopler Place, Renee Alessio – 39 Hillcrest Drive, Karl Stehle – 23 Gifford Road, Margaret Wood – Germantown Road, Robin Rose Bennett – 41 Terra Cotta Road, Roger Agnoli – 1103 Richmond Road, Robert Gabriele – 24 Cedar Lane, Denise – East Shore Road, Gary Paolazzi – 1519 Greenwood Lake Turnpike, Gail – Beacon Hill Road, Carolyn – 95 Brown Road, Wantage, Samantha – Denville, Rachel – Vernon, Clifton & Patricia Field – 193 Lake Shore Drive, Dyane McMahon – 641 Lake Shore Drive, Martin Leeds – 122 Upper Greenwood Road, Jay Huggins – 183 Long Pond Road, Brandy Springer – 8 Greenwood Ave, Dans Bekiers – 14 Brookfield Road, Jan Rose – 12 Riverside Road. Lisa Merlo – 69 Banker Road, Dana Proctor-Happle – 21 Renault Road

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Joan Brickman – 38A Lexington Lane, Susan & Thomas Latchford – 33F Concord Road, Paul Teshima – 21 Redding Place, Kim Duffy – 8 Flanders Road, Janet Donus – 2 Richmond Road, Apt. 201, Margaux Schneider – 154 Long Pond Road, Donna Corrente – 7 Dove Court, Adam Reimers – 19 Forge Road, Debra Hull – 39 Ramapo Road, Eberhard & Kerstin Dieterich – 107 Long Pond Road, Kurt Vogt – 70 Mountain Circle North, Jim Villano – 15 Belcher Avenue, Denise Von Wilke – 4 Richmond Road, Suite 116, Charles Walker – 3 Middlesex Court, Mary Ellen Teshima – 21 Redding Place, Towaco, Rich & Karen Szura – 34 Wanaque Road, Veronika Kohlbrenner – 192 Long Pond Road, Barbara Tirado – 3 Capstan Road, Ricky Bonstein – 32 Ramapo Road, Elizabeth Saciolo – 12 Grant Avenue, Meredith Williams – 10 Greenwich Road, Laura Slott – 10 Ponderosa Place, Lisa Alvarado – 2002 Clinton Road, Cindy Lenhoff – 105 Echo Lane, Highland Lakes, Michael & Chrisanne McGarvey – 249 Awosting Road, Craig Wardrop – 793 East Shore Road, Eileen Curran – 9 Ramapo Road.

The following Township residents and citizens expressed why they are in favor of the Tennessee Gas Pipeline proposed compressor station.

Mike Frawley – 108 High Crest Drive, Steven Covert – 17 Vine Avenue, Austin Miller – 1613 Macopin Road, John Moore – Nosenzo Pond Road, John O’Connell – Bisset Drive, Scott Miller – 1613 Macopin Road, Tanner Miller – 1613 Macopin Road, Peter Drake – 8G New Bedford Road, Sean Covert – 17 Vine Avenue, Linda Miller – 1613 Macopin Road, Peter Steele – 1613 Macopin Road, Daniel Ortega – 65 Springfield Avenue, Springfield.

There being no more comments from the public, Councilwoman Erik moved to close the public portion of the meeting.

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

Agenda No. XII

Council Comments

Councilman Marsden – Mentioned that he appreciates the passion everyone is speaking about in reference to the Tennessee Gas Pipeline proposed project. He noted that he has a Master’s Degree in Radiation Science. He expressed that he likes to deal with facts and not emotions. He reviewed and spoke about the Tennessee Gas Pipeline violations and he feels that people should have their facts in order before commenting on the project. He said the Council has to evaluate risk verses benefit.

Councilman Chazukow – Said he agrees with Councilman Marsden’s points and he believes green energy is the future. The Council has a responsibility to determine what the facts are and make a decision based on those facts.

Councilwoman Erik – Said she is not in favor of the Tennessee Gas Pipeline project. The Governing Body can’t stop the project but they can ask for requests/restrictions. She said she will vote no on resolution 2021-099 because it is written incorrectly.

Councilman Gross – Said it is difficult to make an opinion and vote on something that is not factual. He said resolution 2021-099 as its written is not good. He did not participate in writing the resolution and he feels the Governing Body should write a strong and factual resolution.

Agenda No. XIII

New Business, Introduction of Ordinance, Resolutions

Agenda No. XIII 1

~ Ordinance 2021 – 018 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING THE TOWNSHIP CODE CHAPTER 33 “PERSONNEL” OF THE REVISED GENERAL ORDINANCES 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 33 “Personnel” Article XI Criminal History Check of Employees and Volunteers of Nonprofit Youth Serving Organizations”, Section 33-33 Request for Criminal Background Checks” adding a section E below in the aforesaid Revised General Ordinances Background is hereby amended to read as follows:

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Article XI - Criminal History Background Checks of Employees and Volunteers of Nonprofit Youth-Serving Organizations

§33-33 Request for criminal background checks.

- A. The Township of West Milford requires that all employees and volunteers of youth-serving organizations involved in sponsored programs and/or utilizing the Township's recreational facilities request through the West Milford Township Department of Community Services and Recreation that a criminal history background check on each prospective and current coach of nonprofit youth-serving organizations be performed. No person will be permitted to act as an employee or volunteer until the results of the background checks have been received and reviewed by the Administrator of the Township. Said background check will be in accordance with:
- (1) The State Bureau of Identification, in accordance with N.J.A.C. 13:59-1.1 et seq. and with the procedures and guidelines adopted by the VRO; or
 - (2) An agency approved by the Township Police Chief which conducts an internet-based search of relevant databases which would indicate all criminal history for an individual comparable to the information obtained from the State Bureau of Identification.
- B. The West Milford Township Department of Community Services and Recreation shall conduct the criminal history record background check(s) only upon receipt of the written consent to the check(s) from the prospective or current employee or volunteer or from the organization itself.
- C. The VRO or the approved internet-based provider shall advise the Township Department of Community Services and Recreation of the eligibility of the prospective or current coach. Any information received by the Township shall be confidential.
- D. The organization shall bear the costs for conducting such checks for prospective or current coaches participating in cosponsored programs in accordance with the regulations established by the VRO or approved internet-based agency.
- E. The Township of West Milford requires that all volunteers of youth-serving organizations involved in programs and/or utilizing the Township's Recreational facilities through the West Milford Department of Community Services and Recreation shall be required to complete the free online Brain Injury Alliance of New Jersey/Rutgers Youth Sports Research Council - Concussion: What Youth Sports Coaches Need to Know. A certificate of completion shall be provided to the Recreation Director.

SECTION 2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other section or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION 3. All ordinances of the Township of West Milford which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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

SECTION 5. This Ordinance shall take effect as required by law and upon the posting of appropriate signs.

Introduced: March 24, 2021
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for April 21, 2021. Notice of this public hearing shall be published in the Herald News on or about March 30, 2021.

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Agenda No. XIII 2

~ Ordinance 2021 – 019 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, AND STATE OF NEW JERSEY ACCEPTING VIRGINIA LANE FOR USE AS A PUBLIC ROAD

WHEREAS, Virginia Lane is a roadway located within the boundaries of the Township of West Milford as shown on Filed Map 3604, filed in the Passaic County Clerk's Office on May 9, 2016; and

WHEREAS, the Township Engineer has inspected said roadway, prior to the expiration of the maintenance bond and has found same to be acceptable for Township acceptance; and

WHEREAS, the Township of West Milford does hereby determine to accept said roadway for public use as set forth herein for the benefit of the Township of West Milford and the public in general.

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

1. The Township of West Milford formally accepts Virginia Lane, from the easterly sideline of Wooley Road in a westerly direction to its terminus for use as a public road.
2. The West Milford Township Chief of Police and the West Milford Township Police Department are hereby notified that, upon the acceptance of a portion of said roadway for use as a public road, enforcement of the traffic laws of New Jersey Statutes Title 39 is now permitted.
3. If any article, section, subsection, term or condition of this Ordinance is declared invalid or illegal for any reason, the balance of the Ordinance shall be deemed severable and shall remain in full force and effect.
4. All ordinances or parts of ordinances or resolutions that are in conflict with the provisions of this Ordinance are repealed to the extent necessary.
5. This Ordinance shall take effect after publication and passage according to law.

Introduced: March 24, 2021

Adopted:

Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for April 21, 2021. Notice of this public hearing shall be published in the Herald News on or about March 30, 2021.

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

Agenda No. XIII 3

~ Resolution 2021 – 099 ~

~DEFEATED~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY OPPOSING THE CONSTRUCTION OF COMPRESSION TURBINES ON THE TENNESSEE GAS PIPELINE RUNNING THROUGH NORTHERN NEW JERSEY

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

Mayor Dale asked to move resolutions 2021-108 through 2021-123.

Agenda No. XIII 4

~ Resolution 2021 – 108 ~

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 2021 BUDGET

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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.

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 2021 temporary budget until adoption of 2021 budget by a 2/3 vote of the Governing Body.
2. The Township's 2021 adopted budget shall include these appropriations.

APPROPRIATION	ACCOUNT NUMBER	2021 TEMPORARY BUDGET
Administrator S&W	01-201-20-100-100	\$141,420
Administrator O.E.	01-201-20-100-200	\$46,483
TOTAL		\$187,903
Township Mayor & Council S&W	01-201-20-105-100	\$17,000
Township Mayor & Council O.E.	01-201-20-105-200	\$1,200
TOTAL		\$18,200
Information Technology S&W	01-201-20-140-100	\$76,385
Information Technology O.E.	01-201-20-140-200	26,225
TOTAL		\$102,610
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	\$82,000
TOTAL		\$92,000
Engineering S&W	01-201-20-165-100	\$144,250
Engineering O.E.	01-201-20-165-200	\$45,125
TOTAL		\$189,375
Insurance, Other	01-201-23-210-200	\$540,681
Insurance, Group	01-201-23-220-200	\$1,562,370
Health Benefit Waiver	01-201-23-230-200	\$40,000
TOTAL		\$2,143,051
Clerk S&W	01-201-20-120-100	\$113,686
Clerk O.E.	01-201-20-120-200	\$12,250
TOTAL		\$125,936
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	\$137,390
Treasurer O.E.	01-201-20-130-200	\$12,342
TOTAL		\$149,732
Annual Audit	01-201-20-135-200	\$-
Annual Audit Additional Services	01-201-20-135-200	\$25,000
TOTAL		\$25,000
Tax Collector S&W	01-201-20-145-100	\$88,179
Tax Collector O.E.	01-201-20-145-200	\$28,209
TOTAL		\$116,387
Tax Assessor S&W	01-201-20-150-100	\$110,125

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APPROPRIATION	ACCOUNT NUMBER	2021 TEMPORARY BUDGET
Tax Assessor O.E.	01-201-20-150-200	\$9,121
TOTAL		\$119,246
PLANNING BOARD O.E.	01-201-21-180-200	\$20,025
Planning, Comp. S&W	01-201-21-181-100	\$62,028
Planning, Comp. O.E.	01-201-21-181-200	\$27,575
TOTAL		\$89,603
Zoning O.E.	01-201-21-185-200	\$26,000
BOARD OF ADJUSTMENT O.E.	01-201-21-186-200	\$32,275
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	\$196,121
Building O.E.	01-201-22-195-200	29,395
TOTAL		\$225,516
Environmental Commission S&W	01-201-22-196-100	\$1,000
Environmental Commission O.E.	01-201-22-196-200	\$930
TOTAL		\$1,930
Police Patrol S&W	01-201-25-240-100	\$2,369,615
Police Patrol O.E.	01-201-25-240-200	\$98,484
Police Patrol-Purchase of Police Vehicles	01-201-25-240-900	-
Police Detective S&W	01-201-25-241-100	\$273,113
Police Administration S&W	01-201-25-242-100	\$292,875
Police Communication S&W	01-201-25-243-100	168,900
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		\$3,231,975
Emergency Management S&W	01-201-25-252-100	\$2,500
Emergency Management O.E.	01-201-25-252-200	\$17,750
TOTAL		\$20,250
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	\$82,165
Fire Prevention Bureau O.E.	01-201-25-265-200	\$7,300
Fire Co. Admin. S&W	01-201-25-266-100	5,795
Fire Co. Admin. O.E.	01-201-25-266-200	\$152,075
LOSAP	01-201-25-267-200	\$-
TOTAL		\$292,335
DPW Streets & Roads S&W	01-201-26-290-100	\$992,350
DPW Streets & Roads O.E.	01-201-26-290-200	293,200
DPW Buildings & Grounds S&W	01-201-26-291-100	\$30,292
DPW Buildings & Grounds O.E.	01-201-26-291-200	\$54,975
DPW Snow Removal S&W	01-201-26-294-100	\$250,000
DPW Snow Removal O.E.	01-201-26-294-200	\$1,067,000
DPW Vehicle Maintenance S&W	01-201-26-315-100	\$181,500

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APPROPRIATION	ACCOUNT NUMBER	2021 TEMPORARY BUDGET
DPW Vehicle Maintenance O.E.	01-201-26-315-200	\$187,000
TOTAL		\$3,056,317
Public Health S&W	01-201-27-330-100	\$36,769
Public Health O.E.	01-201-27-330-200	\$15,390
Vital Statistics S&W	01-201-27-331-100	\$16,550
Vital Statistics O.E.	01-201-27-331-200	\$10,625
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	\$59,685
Animal Control S&W	01-201-27-340-100	\$50,000
TOTAL		\$306,597
Recreation Programs S&W	01-201-28-370-100	\$93,264
Recreation Programs O.E.	01-201-28-370-200	\$66,500
Recreation.-Bubbling Springs S&W	01-201-28-371-100	\$0.00
Recreation.-Bubbling Springs O.E.	01-201-28-371-200	\$91,000
Recreation.-Admin. S&W	01-201-28-372-100	\$80,126
Recreation.-Admin. O.E.	01-201-28-372-200	\$8,700
Recreation.-Community Center S&W	01-201-28-374-100	\$60,591
Recreation.-Community Center O.E.	01-201-28-374-200	\$14,200
Recreation.-Parks Maintenance S&W	01-201-28-375-100	\$150,420
Recreation.-Parks Maintenance O.E.	01-201-28-375-200	67,000
Senior Citizen Services S&W	01-201-28-376-100	\$24,540
Senior Citizen Services O.E.	01-201-28-376-200	\$4,500
TOTAL		\$660,840
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	\$18,000
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	\$272,868
TOTAL		\$522,868
Municipal Court S&W	01-201-43-490-100	\$143,594
Municipal Court O.E.	01-201-43-490-200	\$12,000
Municipal Court Prosecutor S&W	01-201-43-491-101	\$19,775
Municipal Court Prosecutor O.E.	01-201-43-491-200	\$300
TOTAL		\$175,669
Utilities-Electricity	01-201-31-430-200	\$76,175
Utilities-Street Lights	01-201-31-435-200	\$32,750
Utilities-Telephone	01-201-31-440-200	\$72,500
Utilities-Natural Gas	01-201-31-446-200	\$27,250
Utilities-Fuel	01-201-31-460-200	\$220,250

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APPROPRIATION	ACCOUNT NUMBER	2021 TEMPORARY BUDGET
TOTAL		\$428,925
PERS	01-201-36-471-532	\$0
Social Security	01-201-36-472-533	\$325,000
Defined Contributions Retirement Prog	01-201-36-475-536	\$7,500
PFRS	01-201-36-473-534	\$0
TOTAL		\$332,500
Salaries & Wages Adjustment Account	01-201-37-480-501	-
Compensated Absences	01-201-38-485-110	\$84,500
Interlocal Agreement – Health	01-201-47-600-200	\$57,788
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		\$13,107,897
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		\$19,483,860
SOLID WASTE DISTRICT BUDGET		
Solid Waste S&W	26-201-55-500-100	\$58,529
Solid Waste O.E. All Other	26-201-55-500-200	\$103,525
Contractual Services	26-201-55-500-514	\$1,032,000
Disposal Fees	26-201-55-500-548	\$371,396
TOTAL		\$1,565,450

Adopted: March 24, 2021

Agenda No. XIII 5

~ Resolution 2021 – 109 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION PRIOR TO THE ADOPTION OF THE 2021 BUDGET PER N.J.S.A.. 40A:4-20

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; and

WHEREAS, the Township of West Milford Police Department wishes to purchase bullet proof vests with grant money awarded.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford by a 2/3 vote, that the following temporary budget receivable and appropriation be made and that a certified copy of the resolution be sent to DLGS:

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Appropriation	Acct Number	Amount
PERS	01-201-36-471-532	\$1,061,108.00
PFRS	01-201-36-473-534	\$1,718,982.00
	Total	\$2,780,090.00

Adopted: March 24, 2021

Agenda No. XIII 6

~ Resolution 2021 – 110 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONTRACT TO D'ONOFRIO & SON INC. FOR THE MAINTENANCE OF BALLFIELDS AND OTHER SITES

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on March 5, 2021 at 10:30 am for Maintenance of Ball Fields and Other Sites as per the Bid Specifications; and

WHEREAS, the Township of West Milford received one bid for this contract; and

WHEREAS, said bid has been duly reviewed and analyzed by the Director of Community Services & Recreation and the Township Attorney; and

WHEREAS, the bid received from the lowest bidder D'Onofrio & Son, Inc. is complete; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from account number 01-201-28-375-450.

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

1. The Township Council hereby awards a contract to D'Onofrio & Son Inc. 47 Van Ness Terrace, Maplewood, NJ 07040 for Maintenance of Ballfields and Other Sites in an amount not to exceed \$49,750.00 for one year.
2. The Mayor and Township Clerk be and are hereby authorized and directed to execute a contract with D'Onofrio & Son Inc. in accordance with its bid for said Maintenance of Ballfields and Other Sites in the Township of West Milford.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: March 24, 2021

Agenda No. XIII 7

~ Resolution 2021 – 111 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING EXPENDITURE OF FUNDS FOR THE INSTALLATION OF THE NEW HANDS FREE PLUMBING FIXTURES BY BSE MECHANICAL IN ACCORDANCE WITH THE STATES (DCA) EMERGENCY PURCHASING PROCEDURES RESULTING FROM THE GOVERNOR'S DECLARATION OF A STATE OF EMERGENCY VIA EXECUTIVE ORDER IN RESPONSE TO THE CORONAVIRUS OUTBREAK

WHEREAS, on March 9, 2020 the Governor of the State of New Jersey declared that a public health emergency and a state of emergency exists due to the corona virus (Covid 19); and

WHEREAS, by virtue of Executive Order #103 the Governor authorized the Emergency Management Coordinator to procure any goods or services needed to protect the health and safety of employees and the public and to prevent the spread of the virus; and

WHEREAS, the Emergency Management Coordinator is requesting the installation of hands free plumbing fixtures by BSE Mechanical to protect the health and safety of Township employees and the public and allow for the continuation of Municipal operations. This is in direct response to the Governor's declaration of a state of emergency in response to the corona virus outbreak; and

WHEREAS, the Township Council has received a recommendation from the Emergency Management Coordinator indicating the need to install hands free plumbing fixtures in the municipal building to prevent the spread of the virus; and

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WHEREAS, the Emergency Management Coordinator will make every effort to obtain multiple quotes or to utilize State or Co-Op contracts for all purchases when practicable; and

WHEREAS, the above purchase is being made in compliance with the directive of the Department of Community Affairs (DCA) for emergency procurement of goods or services where an emergency affecting the public health or safety requires such emergency purchases; and

WHEREAS, this purchase shall be made pursuant to N.J.S.A. 40A:11-6 (local public contracts law) and N.J.S.A 19:44A-20.12 emergency exemption to Pay-to-Play regulations in response to the corona virus outbreak. Funding for the goods or services are certified by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute purchases to the above referenced vendor in an amount not to exceed \$20,000.00.

Adopted: March 24, 2021

Agenda No. XIII 8

~ Resolution 2021 – 112 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PURCHASES FROM CLIFFSIDE BODY CORP. AS A STATE CONTRACT VENDOR PURSUANT TO N.J.S.A. 40A:11-12 (A) IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICES AND PAY TO PLAY LAW N.J.S.A. 19:44A-20.5 ET SEQ.

WHEREAS, the Township of West Milford, pursuant to N.J.S.A.40A:11-12 (a) and N.J.A.C. 5:34-7.29 (c) may, by virtue of this resolution and with a properly executed purchase order and without advertising for bids, purchase goods or services under any contract or contracts entered into on behalf of the State by the Division of Purchase and Property; and

WHEREAS, the Township of West Milford has a need on a timely basis to purchase goods and services utilizing the State Division of Purchase and Property contract for plow and sander parts awarded to Cliffside Body Corp. which expense would exceed the Pay-to-Play threshold of \$17,500; and

WHEREAS, the above vendor shall comply with the State pay-to-play regulations by completing and submitting a Business Entity Disclosure Certification; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute purchases to Cliffside Body Corp. as a state contract vendor within the budget appropriation established for this purpose.

Adopted: March 24, 2021

Agenda No. XIII 9

~ Resolution 2021 – 113 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING EXPENDITURE OF FUNDS FOR THE PURCHASE AND INSTALLATION OF RIGID VINYL FLOORING FROM BE CREATIVE TILE, CUSTOM WOODWORKING AND DESIGN LLC IN ACCORDANCE WITH THE STATES (DCA) EMERGENCY PURCHASING PROCEDURES RESULTING FROM THE GOVERNOR'S DECLARATION OF A STATE OF EMERGENCY VIA EXECUTIVE ORDER IN RESPONSE TO THE CORONAVIRUS OUTBREAK

WHEREAS, on March 9, 2020 the Governor of the State of New Jersey declared that a public health emergency and a state of emergency exists due to the coronavirus (Covid-19); and

WHEREAS, by virtue of Executive Order #103 the Governor authorized the Emergency Management Coordinator to procure any goods or services needed to protect the health and safety of employees and the public and to prevent the spread of the virus; and

WHEREAS, the Emergency Management Coordinator is requesting the purchase and installation of rigid vinyl flooring from Custom Woodworking and Design, LLC to protect the health and safety of Township employees and the public and allow for the continuation of Municipal operations. This is in direct response to the Governor's declaration of a state of emergency in response to the corona virus outbreak; and

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WHEREAS, the Township Council has received a recommendation from the Emergency Management Coordinator indicating the need to replace the carpeting in the first aid squad building with rigid vinyl flooring to allow for proper disinfection to prevent the spread of the virus; and

WHEREAS, the Emergency Management Coordinator will make every effort to obtain multiple quotes or to utilize State or co-op contracts for all purchases when practicable; and

WHEREAS, the above purchase is being made in compliance with the directive of the Department of Community Affairs (DCA) for emergency procurement of goods or services where an emergency affecting the public health or safety requires such emergency purchases; and

WHEREAS, this purchase shall be made pursuant to N.J.S.A. 40A:11-6 (local public contracts law) and N.J.S.A 19:44A-20.12 emergency exemption to Pay-to-Play regulations in response to the coronavirus outbreak. Funding for the goods or services are certified by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute purchases to the above referenced vendor in an amount not to exceed \$23,000.00

Adopted: March 24, 2021

Agenda No. XIII 10

~ Resolution 2021 – 114 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES

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

WHEREAS, the Township Council has determined that Roxbury Engineering Associates, LLC services will provide generator installation consulting/engineering services for the specifications on the installation of the generator at the Recreation Center; and

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

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number 04-215-55-827-013.

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Roxbury Engineering Associates, LLC, 3 Gold Mine Road, Suite 1, Roxbury Township, NJ 07836
2. The total fee authorized for this contract shall not exceed \$2,500.00 without the prior written approval of the Township Council.
3. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: March 24, 2021

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~ Resolution 2021 – 115 ~

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

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Pricing Council (State ID # 6-MCCoOp); and

WHEREAS, the Morris County Cooperative Pricing Council has awarded Contract #9 (Crushed Stone and Sand), to Eastern Concrete Materials Inc.; and

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

WHEREAS, the Director of Public Works has submitted a written recommendation that the Township of West Milford utilize Eastern Concrete Materials Inc., for the purchase of crushed stone through the use of the Morris County Cooperative Pricing Council, Contract #9 in an amount not to exceed \$20,000.00; and

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

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

1. The Township Council hereby authorizes an expenditure of funds through the Morris County Cooperative Pricing Council, contract #9, to Eastern Concrete Materials Inc., 250 Pehle Ave., Suite 503, Saddle Brook, NJ 07663 for the purchase of crushed stone for a not to exceed amount of \$20,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: March 24, 2021

Agenda No. XIII 12

~ Resolution 2021 – 116 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PURCHASES FROM AAA EMERGENCY SUPPLY CO., INC. AS A STATE CONTRACT VENDOR PURSUANT TO N.J.S.A. 40A:11-12 (A) IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICES AND PAY TO PLAY LAW N.J.S.A. 19:44A-20.5 ET SEQ.

WHEREAS, the Township of West Milford, pursuant to N.J.S.A.40A:11-12 (a) and N.J.A.C. 5:34-7.29 (c), may, by virtue of this resolution and with a properly executed purchase order and without advertising for bids, purchase goods or services under any contract or contracts entered into on behalf of the State by the Division of Purchase and Property; and

WHEREAS, the Township of West Milford has a need on a timely basis to purchase goods and services utilizing the State Division of Purchase and Property contract for firefighting equipment, services and repairs awarded to AAA Emergency Supply Co., Inc. which expense would exceed the Pay-to-Play threshold of \$17,500; and

WHEREAS, the above vendor shall comply with the State pay-to-play regulations by completing and submitting a Business Entity Disclosure Certification; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute purchases to AAA Emergency Supply Co., Inc. as a state contract vendor within the budget appropriation established for this purpose.

Adopted: March 24, 2021

Agenda No. XIII 13

~ Resolution 2021 – 117 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF EIGHTEEN (18) SCOTT X3 PRO-CGA-4.5 SCBA (2018 ED.) INCLUDING AIR CYLINDERS, ACCESSEORIES AND TRAINING THROUGH NJ STATE CONTRACT VENDOR AAA EMERGENCY SUPPLY COMPANY THROUGH NJ STATE CONTRACT # A80961

WHEREAS, the Township of West Milford Fire Commissioner has determined the need to replace Fire Company #6 Self Contained Breathing Apparatus (SCBA) for the safety of its members and to remain in compliance with NFPA and NJPEOSH Standards; and

WHEREAS, AAA Emergency Supply Company is an authorized SCOTT dealer under NJ State Contract #A80961; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, public bidding is not required when a purchase is made under a state contract in accordance with N.J.S.A. 40A:11-12; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account 04-215-56-915-000.

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

1. The Township Council hereby authorizes the Fire Commissioner to purchase eighteen (18) SCOTT X3 Pro-CGA-4.5 SCBA (2018ed), air cylinders, accessories, and training, in an amount not to exceed \$125,000.00 from AAA Emergency Supply Company, 635 North Broadway, White Plains, NY 10603 under NJ State Contract #A80961
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 24, 2021

Agenda No. XIII 14

~ Resolution 2021 – 118 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PURCHASES FROM OFFICE CONCEPTS GROUP AS A STATE CONTRACT VENDOR PURSUANT TO N.J.S.A. 40A:11-12 (A) IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICES AND PAY TO PLAY LAW N.J.S.A. 19:44A-20.5 ET SEQ.

WHEREAS, the Township of West Milford, pursuant to N.J.S.A.40A:11-12 (a) and N.J.A.C. 5:34-7.29 (c), may by virtue of this resolution and with a properly executed purchase order and without advertising for bids, purchase goods or services under any contract or contracts entered into on behalf of the State by the Division of Purchase and Property; and

WHEREAS, the Township of West Milford has a need on a timely basis to purchase goods and services utilizing the State Division of Purchase and Property contract for office supplies awarded to Office Concepts Group which expense would exceed the Pay-to-Play threshold of \$17,500; and

WHEREAS, the above vendor shall comply with the State pay-to-play regulations by completing and submitting a Business Entity Disclosure Certification; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute purchases to Office Concepts Group as a state contract vendor within the budget appropriation established for this purpose.

Adopted: March 24, 2021

Agenda No. XIII 15

~ Resolution 2021 – 119 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF PAVING MATERIALS FROM TILCON NEW YORK, INC. THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #5 (PAVING MATERIALS) IN AN AMOUNT NOT TO EXCEED \$30,000.00

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Pricing Council (State ID # 6-MCCoOp); and

WHEREAS, the Morris County Cooperative Pricing Council has awarded Contract #5 (Paving Materials), to Tilcon New York, Inc.; and

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

WHEREAS, the Director of Public Works has submitted a written recommendation that the Township of West Milford utilize Tilcon New York, Inc., for the purchase of paving materials through the use of the Morris County Cooperative Pricing Council, Contract #5 in an amount not to exceed \$30,000.00; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number: 01-201-26-290-361.

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

1. The Township Council hereby authorizes an expenditure of funds through the Morris County Cooperative Pricing Council, contract #5, to Tilcon New York, Inc., 9 Entin Road, Parsippany, NJ 07054 for the purchase of paving materials for a not to exceed amount of \$30,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: March 24, 2021

Agenda No. XIII 16

~ Resolution 2021 – 120 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC STATE OF NEW JERSEY DESIGNATING ALL PROPERTY THROUGHOUT THE TOWNSHIP AS AN AREA IN NEED OF REHABILITATION PURSUANT TO N.J.S.A. 40A:12A-14

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* ("Redevelopment Law"), authorizes municipalities to determine whether certain parcels, or all parcels, of land in the municipality constitute areas in need of rehabilitation; and

WHEREAS, the Redevelopment Law sets forth the procedures for the Township to declare an area in need of rehabilitation; and

WHEREAS, pursuant to the Redevelopment Law, the Township of West Milford (the "Township") has determined that all property within the boundaries of the Township should be considered for designation as an area in need of rehabilitation pursuant to N.J.S.A. 40A:12A-14(a), inclusive of any and all streets, "paper" streets, private drives and right of ways (the "Study Area"); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-14(a), the Governing Body must make a determination that a delineated area is in need of rehabilitation because any of the following conditions exist therein: (1) a significant portion of structures therein are in a deteriorated or substandard condition; (2) more than half of the housing stock in the delineated area is at least 50 years old; (3) there is a pattern of vacancy, abandonment or underutilization of properties in the area; (4) there is a persistent arrearage of property tax payments on properties in the area; (5) environmental contamination is discouraging improvements and investment in properties in the area; or (6) a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance; and

WHEREAS, Brian Townsend, the Township Tax Assessor, conducted a study of the Township and determined that 65.75% of the housing stock throughout the Township are at least 50 years old, therefore the Study Area meets the criteria set forth in subsection (2) of Section 14 of the Redevelopment Law, N.J.S.A. 40A:12A-14(a), as more than half the housing stock in the delineated Study Area is at least 50 years old and that a program of rehabilitation is expected to prevent further deterioration and to promote the overall development of the Township in accordance with the requirements of Section 14 of the Redevelopment Law, N.J.S.A. 40A:12A-14(a); and

WHEREAS, N.J.S.A. 40A:12A-14(a) provides that prior to the adoption of a resolution designating the Study Area as an area in need of rehabilitation, the Township must first submit a copy of the proposed resolution designating the Study Area to the Township Planning Board for its review and recommendations; and

WHEREAS, on February 3, 2021, the Township Council adopted Resolution 2021-073 referring this Resolution to the Planning Board for review and comment pursuant to Section 14 of the Redevelopment Law, N.J.S.A. 40A:12A-14(a); and

WHEREAS, based on the findings of the Township Tax Assessor, the Planning Board found that the Study Area satisfied the statutory criteria to be designated as an area in need of rehabilitation under Section 14 of the Redevelopment Law, N.J.S.A. 40A:12A-14(a); and

WHEREAS, on February 25, 2021, the Planning Board, acting by resolution, reviewed this Resolution and recommends its adoption and designation of the Study Area as an area in need of rehabilitation in accordance with Section 14 of the Redevelopment Law N.J.S.A. 40A:12A-14(a).

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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- 1) The aforementioned recitals are incorporated herein as though fully set forth at length.
- 2) The Township Council hereby designates the Study Area as an area in need of rehabilitation pursuant to Section 14 of the Redevelopment Law, N.J.S.A. 40A:12A-14(a).
- 3) A copy of this Resolution shall be provided to the Commissioner of the Department of Community Affairs for approval.
- 4) A copy of this Resolution shall be available for public inspection at the office of the Township Clerk.
- 5) This Resolution shall take effect immediately upon approval of the Commissioner of the Department of Community Affairs.

Adopted: March 24, 2021

Agenda No. XIII 17

~ Resolution 2021 – 121 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF POCKET (INACTIVE) PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2020- 2021 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption License for the 2020- 2021 License year have been processed on the ABC POSSE website and reviewed; and

WHEREAS, these licenses have received a Tax Clearance Certificate and Special Ruling for the 2020-2021 year; and

WHEREAS, the Township Council has conducted a public review of the application as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control; and

WHEREAS, as a result of that review the Township Council has determined as follows:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.

WHEREAS, the Police Department has recommended that the license be renewed to the current owners as a pocket (inactive) license with conditions.

1. Inactive/Pocket Licenses must submit a 12-page Place-to-Place Transfer application with detailed sketch of proposed site and a Police Investigation Request to the Township Clerk’s Office and receive satisfactory recommendations from the Health, Fire, Building, Zoning and Police Departments prior to siting this license.
2. Prior to activating the license, inspections of premises must be made and satisfactory recommendations must be received by the Fire, Health, Building, Zoning and Police Departments.
3. Licensee must submit applicable pages 1, 2, and 11 of the 12-page application to the Township Clerk’s Office with date of activation prior to activation or opening this license.
4. A Health Department Retail Food Establishment license must be acquired with detailed floor plans and satisfactory recommendation received in the Clerk’s Office prior to opening.

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk is directed to issue and hold the license certificates for the Mayor and Township Council of the Township of West Milford.

LICENSE/LICENSEE/T/A	CONDITIONS
LAKE FRONT LIQUORS LLC 198 Kitchell Lake Drive, West Milford 07480 1615-33-013-010	Conditions stated above in resolution
FAMILY ASSETS LLC 673 Macopin Road, West Milford, NJ 07480 1615-33-002-003	Conditions state above in resolution

Adopted: March 24, 2021

Agenda No. XIII 18

~ Resolution 2021 – 122 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE FILING OF THE APPLICATION FOR A 2021 SAMHSA DRUG FREE COMMUNITIES SUPPORT PROGRAM GRANT FOA CE-21-2102 IN THE CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER 93.276

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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WHEREAS, The United States Substance Abuse and Mental Health Services Administration (SAMHSA) has grant funding available for its Drug Free Communities Support Program; and

WHEREAS, this grant program is more specifically identified as Substance Abuse and Mental Health Services Administration's Drug Free Communities Support Program Grant FOA CE-21-2102 in the catalog of federal domestic assistance (CFDA) number 93.27CDC in the catalog of federal domestic assistance (CFDA) number 93.276; and

WHEREAS, this grant will provide up to \$125,000 per year for five (5) years or programs that will reduce substance abuse and establish coalitions between public and non-profit entities, as well as federal, state, county and municipal governments; and

WHEREAS, there is also an in-kind, dollar-for-dollar match required for the 2021 SAMHSA Drug Free Communities Support Program; and

WHEREAS, the Mayor and Council of the Township of West Milford endorse and support this 2021 SAMHSA Drug Free Communities Support Program Grant Application and desire to file an application which is due May 10, 2021, because of its benefits for our residents and it is in the best interests of the Township of West Milford; and

WHEREAS, the Township of West Milford will have a full time coordinator in charge of allocating money for the prevention of substance abuse in the Township of West Milford; and

WHEREAS, an application for such funds may not be filed nor funds spent in a municipality without authorization by the Governing Body.

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:

1. The Mayor and Council of the Township of West Milford hereby endorse and authorize the filing of the 2021 SAMHSA Drug Free Communities Support Program Grant FOA CE-21-2102 in the catalog of federal domestic assistance (CFDA) number 93.276
2. The Mayor and Council of the Township of West Milford agree to provide the in-kind match required by SAMHSA.
3. Upon receipt of the grant agreement from SAMHSA, the signature of the Mayor, Township Administrator and/or any other municipal official, or their successors in said titles, which is required on the grant agreement and any other documents necessary in connection therewith, is hereby authorized.
4. This Resolution shall take effect immediately.

Adopted: March 24, 2021

Agenda No. XIII 19

~ Resolution 2021 – 123 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,
STATE OF NEW JERSEY REJECTING BIDS FOR THE BUBBLING SPRINGS PARK BALLFIELD
RECONSTRUCTION PROJECT AUTHORIZING RE-BID OF SAME**

WHEREAS, the Township of West Milford solicited bids on March 12, 2021 for the Bubbling Springs Pak Ballfield Reconstruction Project; and

WHEREAS, in response to the "Notice to Bidders" the Township received five (5) bids; and

WHEREAS, said bids has been duly reviewed by the Director of Community Services & Recreation and the Township Attorney; and

WHEREAS, the five (5) bids exceeded the amount of funding appropriated; and

WHEREAS, pursuant to NJSA 40A:11-13.2 a local contracting unit may reject all bids that exceeds the contracting unit's appropriations for the goods or services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that the bids received on March 12, 2021 for the Bubbling Springs Park Ballfield Reconstruction Project is hereby rejected for the reason stated above.

BE IT FURTHER RESOLVED, that the Township Director of Community Services & Recreation and the Township Clerks Office be and are hereby authorized to reject all bids for this project and rebid for this project.

Adopted: March 24, 2021

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

Agenda No. XIV

Consent Agenda

~ Resolution 2021 – 124 ~

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) **2021-125** – Authorizing Release of Maintenance Bond
- b) **2021-126** – Authorizing Refund of Performance Bond
- c) **2021-127** – Authorizing Refund of Other Liens
- d) **2021-128** – Authorizing Refund of Overpayment
- e) **2021-129** – Authorizing Refund of Recreation Fees
- f) **2021-130** – Authorizing Reinstatement of Taxes

Adopted: March 24, 2021

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

Agenda No. XIV a

~ Resolution 2021 – 125 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING REFUND OF ENGINEERING DEPARTMENT PERFORMANCE GUARANTEES

BE IT RESOLVED, by the Township Council of the Township of West Milford that, upon the report and request of the Township's Engineering Department, the following Performance Guarantees be refunded as follows:

Name & Address	Road Project	Amount Refunded	Amount Remaining
Riverview Paving, Inc. 859 Willow Grove Street Hackettstown, NJ 07840	Ridge Road- Section 6	\$7,310.20	\$0

Adopted: March 24, 2021

Agenda No. XIV b

~ Resolution 2021 – 126 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RELEASE OF A MAINTENANCE SURETY BOND RECEIVED FOR WORK PERFORMED AT VIRGINIA LANE/WOOLEY ROAD, BLOCK 10001 LOT 19, BLOCK 10002 LOTS 1,3,4,6,7,8,9,10,12,14,16

WHEREAS, Virginia Lane Realty Associates, LLC has requested a release of the maintenance surety bond issued by Arch Insurance Company, Bond No. SU1142097-0000, submitted in connection with work performed at Virginia Lane/Wooley Road, Block 10001, Lot 19, and Block 10002, Lots, 1,3,4,6,7,8,9,10,12,14,16 in the Township of West Milford; and

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WHEREAS, the Township Engineer has reviewed the request, performed an inspection of the work completed, and recommend by correspondence, dated February 25, 2021, that the maintenance surety bond held in connection with this project, which is in the amount of \$71,089.50, be released.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of West Milford, in the County of Passaic and State of New Jersey, that it does hereby authorize that the maintenance surety bond held in connection with this project, which is in the amount of \$71,089.50, be released to Virginia Lane Realty Associates, LLC.

This Resolution shall take effect immediately.

Adopted: March 24, 2021

Agenda No. XIV c

~ Resolution 2021 – 127 ~

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
18-0046	10/09/2018	12307-007	\$45,341.16	CAZENOVIA CREEK FUNDING II; LLC PO BOX 54132 NEW ORLEANS, LA 70154
20-0015	10/13/2020	02006-004	\$30,599.17	FIG CUST FIGNJ19LLC & SEC PTY PO BOX 54226 NEW ORLEANS, LA 70154
TOTAL			\$75,940.33	

Adopted: March 24, 2021

Agenda No. XIV d

~ Resolution 2021 – 128 ~

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 | |

Block/Lot	Name	Amount	Year	Reason
07801-037.01	Corelogic Tax Services LLC 3001 Hackberry Rd Irving, TX 75063	\$1,592.24	2020	1
04105-001	Corelogic Tax Services LLC 3001 Hackberry Rd Irving, TX 75063	\$6,844.00	2021	2
06204-008.02	Town Title East 40 Midland Ave Paramus, NJ 07652	\$4,150.00	2021	2
07403-007	Equity Trust Company 1 Equity Way Westlake, OH 44145	\$2,116.00	2021	2

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01404-005.02	Corelogic Tax Services LLC 3001 Hackberry Rd Irving, TX 75063	\$1,537.00	2021	2
02408-004	Jersey Search Service LLC 5 Alyce Court Lawrenceville, NJ 08648	\$1,498.00	2021	2
00408-020	Atlantic American Title and Escrow 151 S. Main Street New City, NY 10956	\$2,215.00	2021	2
Total		\$19,952.24		

Adopted: March 24, 2021

Agenda No. XIV e

~ Resolution 2021 – 129 ~

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:

INDOOR FIELD HOCKEY		INDOOR YOUTH FIELD HOCKEY	
\$110.00	Christine Harvey 46 Morris Ave. West Milford, NJ 07480	\$110.00	Jennifer Gruenler 27 Post Brook Road South West Milford, NJ 07480
ANIMAL TRACKS PROGRAM			
\$20.00	Ewelina Aiossa 123 Rockburn Pass West Milford, NJ 07480		

Adopted: March 24, 2021

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~ Resolution 2021 – 130 ~

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: INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR
05312-001.04	Rosemary Cappola	\$789.00 \$791.98	2021
02203-004	Pamela C. French-Stern	\$3,495.00	2021
06201-023	Mary DeMasso	\$1,703.00	2021
05317-002.16	Diane Deaver	\$668.00	2021
00703-004	Diane Deaver	\$2,711.00	2021
09901-022	Candace Fluharty	\$5,771.00	2021
16001-003	Wang Xuguang	\$688,310.00	2021
04201-018	Donna Waletzki Moy	\$3,416.85	2021
10002-001	Joseph C. Messineo	\$4,296.00	2021
03605-002	SNSC Escrow	\$1,996.00	2021
01808-001	Corelogic Tax Services	\$50.00	2021
04801-036	Fritz Klantschi	\$350.00	2021
02311-001	Jeannette DeMarco	\$999.44	2021
06701-001.02 LOT	Ilona K. Pyrich	\$194.52	2021
Total		\$715,541.79	

Adopted: March 24, 2021

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Agenda No. XV

Approval of Expenditures

~ Resolution 2021 – 131 ~

RESOLUTION APPROVING THE PAYMENT OF BILLS

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

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

Acct #	Account Name	Amount
1	Current Account	\$606,278.11
3	Reserve Account	81,069.95
2	Grants	19,150.03
6	Refunds	27,502.44
1	General Ledger	4,147.75
26	Refuse	49,421.85
4	Capital	8,926.02
19	Animal Control	105.00
19	Heritage Trust	0.00
19	Open Space Trust	10,000.00
19	Trust	115,965.71
19	Scala Trust	0.00
16	Development Escrow	955.00
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	1,710.17
Total		\$925,232.03
Less Refund Resolution		-27,502.44
Actual Bills List		\$897,729.59
Other Payments		
Payroll		529,583.46
Treasurer, State of NJ Dog Report		161.40
Treasurer, State of NJ Dog Report		702.60
Enterprise Leasing		4,249.03
FIG c/f IGJN19LLC		30,599.17
Cazenovia Creek Funding II		45,341.16
Board of Education		4,817,963.00
Total Expenditures		\$6,326,329.41

Adopted: March 24, 2021

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

Agenda No. XVI

Reports of Administrator, Mayor and Council Members

Councilman Marsden – Provided an update on Assembly Bill A4843; Forest Stewardship Plans.

Councilwoman Erik – Said on March 1, 2021, the Governor passed Assembly Bill A4454; the law requires schools to teach grade K-12 about the political, economic, and social contributions of lesbian, gay, bisexual and transgender people. She expressed that there is no opt out for parents. She is asking for a resolution opposing Assembly Bill A4454. The Council gave consensus.

Councilman Chazukow – Asked why Bulk Ordinance 2021-013 was defeated after the second reading. He asked the Council for their thoughts.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: March 24, 2021
Time of Meeting: 6:30 pm
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He feels it's a great ordinance and he would like to bring it back. Councilwoman Erik explained why she voted no. Councilman Chazukow expressed that there is a substantial amount of legwork for the homeowners in the ordinance for something as simple as a shed. The Council agreed to send the ordinance to the Zoning Board for review. Councilman Chazukow provided a report on the Cannabis Regulatory Commission. He said there will be an information session held via Zoom hosted by the New Jersey League of Municipalities educating municipalities on how to navigate the adult use cannabis market and zoning. He will send the information to the Council and Administrator.

Councilwoman Lichtenberg – Said Passaic County Hope One will be at Utopia Deli on March 29th and at the Highlands Market on April 12th. They will provide certified peer recovery specialists. She mentioned the Senior Olympics will begin in September in Sparta.

Councilman Goodsir – Said he provided Administrator Senande the responsible bidder ordinance. He mentioned the Trout Derby will be on May 1st at the Recreation Center and registration opens March 29th. He promoted the Elks.

Councilman Gross – No report.

Mayor Dale – Said the Summer Concert Series is planned and scheduled. They are planning the Annual Firework Celebration and Autumn Lights Festival Celebration. She noted that normal operations will resume at Town Hall beginning April 5th. She urged the public to please social distance and wear mask.

Mr. Semrau – No report.

Administrator Senande – No report.

Agenda No. XVII

Appointments and Resignations

~ Resolution 2021 – 132 ~

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

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby accept the following resignation tendered to the Environmental Commission:

<u>Name</u>	<u>Position</u>	<u>Date Tendered</u>
Douglas Timothy Dalton	Environmental Commission Citizen Member Term expires 12/31/21	March 1, 2021

Adopted: March 24, 2021

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

Agenda No. XVIII

Adjournment

There being no further business to come before the Council, the Governing Body adjourned the meeting at 9:51 p.m.

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

Approved: April 7, 2021

Respectfully submitted:

Sherry Zbrzeski, Keyboarding Clerk II

MICHELE DALE, MAYOR

WILLIAM SENANDE, TOWNSHIP CLERK