

Minutes of:	Governing Body Regular Meeting
Date of Meeting:	April 02, 2025
Time of Meeting:	6:30 p.m.
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None

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Agenda No. IX

Discussion Items / Official Communications

None

Agenda No. XII

Action Items – Finance Matters

Presentations

Capital Budget Overview – Administrator Senande went over the proposal for this year's Capital Budget. \$7,565,934 has been requested by the Department Heads, and he is recommending that the total be \$4,462,510. Grant funding has been received for Westbrook Road and Clinton Road, Longhouse Drive, Warwick Turnpike and Lincoln Avenue have pending grant awards. Guiderail replacement and crack sealing remains the annual request of \$50,000 for each and Administrator Senande recommends \$140,000 for road resurfacing. Digitizing the tax maps are not funded this year, more work needs to be done. Alternative funding will be used for the pergola at Bubbling Springs and for floating obstacles at Bubbling Springs. Grants are pending for the replacement of the Community Shuttle, once those come through for the van, the remaining funds can come out of the Capital Budget. The salt shed at DPW depot 3 has a cost of \$400,000 to be replaced. We have been repairing it continuously and it needs to be replaced. The DPW Mason Dump Truck is being funded for \$142,000 along with an \$80,000 pick-up truck for parks. Alternative funding will be used to pay for two loader buckets at a cost of \$22,000 for both. Garage truck lifts are not funded and will be a future improvement for the garage. We have replaced one of the fuel tanks and need to do a second one, but it will not be done with this years' capital.

Regarding the Department of Public Safety, the Police Department has requested six patrol vehicles, costing \$360,000. Four will be purchased through capital budget funds and the other two will utilize forfeiture funds. A drone replacement costing \$26,000 and the evidence refrigerator costing \$13,656 will be paid for with alternative funding. Turnout gear for the firehouses will be funded by a grant and distributed equally amongst the fire houses. Fire extrication equipment for \$30,000 and fire department equipment for \$72,000 will also be purchased with alternative funding. The replacement of Dygos Field turf is included at a cost of \$1,500,000. Administrator Senande concluded that the total recommendation for the budget is \$4,462,510.

Mayor Dale indicated that we have never had forfeiture funds before, and it's nice to see that we are able to get that funding and not have to go out and borrow funding. We have received more grants and that allows us to keep capital expenses down. Alternative funding means that it is being funded through the operating budget or through open space.

Annual Debt Plan – CFO Ellen Mageean – Indicated the debt balance had been updated. As of the end of 2024 she calculated the debt to include the payments that were going to be made, so that the 2025 number is going to be the ending balance. She also added the debt that was going to be incurred based on the capital budget that was presented. An ordinance was done at a previous meeting for Westbrook Road, because it needed to be done in order to get the grant. We have to make a 5% down payment on the capital when we take out debt. The total debt for 2025 is \$33,659,208. Regarding the bond from 2016, part of it is for the library and is paid for by the library, so the number reflect the net from what the library pays. That gets included as a revenue in our budget every year to offset the expense of the debt service. \$205,000 is our portion of the 2016 bond. For 2022 the amount is \$1,310,000. The Bond Anticipation Notes is \$576,855. The total debt service principal is \$2,091,855 with interest of \$1,160,785 for the total of \$3,252,640.

Mayor Dale opened the meeting to the public comment portion.

Agenda No. X

Public Comments

Jim Foody – Complemented Mayor Dale and Council for getting grants and saving the tax payers money. He hopes there is no increase in budget for the Township as there is already a 4.73% tax increase from the School Board, and a 1.8% increase from the County. Electric bills have gone up and there is inflation and the situation with the tariffs is only going to make things worse. He indicated that he disagrees with the Township giving any money for Dygos Field because the School Board is taxing so much already. Mr. Foody asked that Council allow the vote on the school budget to be placed back in the hands of the people. He has had conversations with the Business Administrator and there are a lot of ways they could be saving money. Mr. Foody indicated that he has heard from many, many people, that the Mayor and Council are contemplating getting rid of the Building Department and he doesn't know why they would do that. He indicated that he has done projects throughout the years, and fees have gone up in order to keep the Department self-sufficient. To get rid of that Department would be "insane". The Department gives great customer service, he has been able to ask questions and get answers regarding his various projects. Mr. Foody has heard that the State was asked to take over, feels it would be a big mistake and doesn't know why anyone would want to do that. From his experience he knows that the Building

Department treats the residents well. He indicated that it doesn't make sense to him to do this and he hopes that the Mayor and Council give it some serious thought. He indicated that we have gotten rid of the Health Department, and he heard that the County people are asking contractors things that they should know, and then if you get rid of the Building Department, why are we paying the Mayor \$135,000, there is nothing to oversee. He hopes that they don't get rid of the Building Department.

Tim La Point – Indicated that he has heard the same rumors as Mr. Foody. He is a contractor who lives in West Milford and works mostly in the North Jersey area. He is in year three of finishing his licenses to become a State Inspector all the way up through Construction Official. Mr. La Point indicated that if the Council gives the Building Department to the State it will be the biggest mistake they are ever going to make. He questioned what would be done if there is an emergency like when last year there was a microburst and everyone needed to get a cut-in card to get their service turned back on. If you have a guy coming in once a week it is not going to work. Currently there are part-time guys coming in, and the utility companies won't do hook-ups unless an inspector signs off. He indicated that the State currently emails him on a regular basis to say please come work for us, because they do not have enough inspectors. They can't cover the Towns that they have and how they would even entertain this is beyond him. He has spoken with people at the State and they are used to dealing with small towns. They are not dealing with towns that do 15,000 permits. You are required to pay the State for open permits. There are probably a lot of open permits in West Milford. You are also going to force local people to lose their jobs. You have a technical person there who is extremely good at her job. The portal is being used now, which a lot of towns do, and that is one of the best things you could ever do. The State doesn't use it, they are not going to put your information in a portal and people are not going to know the status of their permits or where they are. All that will result is that the local business people and homeowners will be annoyed and they are the ones who vote. If there is an issue, inspections will be put off for weeks. Right now there is a guy who comes out every day, or every three days, depending on the subcode and most towns are like that. It is normal to have part-time inspectors and contractors are used to that. The problem will arise when there is an emergency. If a tree fell and this building lost power, where would the State inspector come from. Mr. La Point indicated that the inspector would say, I will see you next Tuesday because that is my day in West Milford. They have to use their own cars and do not get a State car. It is not like the County, with the Health Department. He indicated that the Health Department is a disaster and he has dealt with them many times. They lose more paperwork and screw more stuff up here than any other Health Department he knows in New Jersey. Admittedly there is a learning curve but they have lost paperwork that they were responsible for signing off on. The Building Department is supposed to be autonomous. Most Towns take a small percentage of money off the top, but the fees are meant to cover the Department. That used to be stated in the codebook, and about five years ago that went away. He indicated that most Towns have an ordinance stating that and questioned where ours was.

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

Agenda No. XI

Council Comments
None

CFO Ellen Mageean continued with the 2025 Budget Overview presentation. She indicated that the Township has maintained a zero tax levy on the municipal portion of taxes for the past 9 budget cycles and the 2025 budget also reflects a net \$0 on a tax increase. The 2024 Budget was \$39,903,491.08 and the 2025 Budget is \$39,672,447.01 a decrease of \$234,044.07. Contractual expenses are fixed expenses and the total amount increased by \$789,959.93. The non-contractual expenses which are at the discretion of the Council decreased by \$1,025,529. Some examples of contractual fixed expenses are employee wage increases once contracts are negotiated, the library tax which is set by the State based on our assessment, garbage and recycling, licensing fees for software and insurance costs. Insurance costs increased \$655,000. CFO Mageean indicated that we lost the State Municipal Relief Fund of \$242,295. The retail cannabis overall sales were \$10,964,135 and the municipality receives 2% of the gross sales. Our 2024 cannabis revenue was \$219,282.70 for a net revenue loss of \$23,012.30.

Mayor Dale proceeded to dispel some myths and disinformation. She indicated that it was a false statement to say that the cost of borrowing is up so that the Council could deliver a 0% tax increase. The actual cost of debt service within the budget has decreased by \$816,979. Also, the Council has not misappropriated funds to deliver a zero tax increase. The Township Administration prepares the budget based on the requests from the Municipal departments, First Aid Squad and Fire Departments. Once approved by the Governing Body they give the CFO the authority to contact Bond Council. They prepare the Bond Ordinance and any items that do not meet the qualifications of capital cannot be included in the Ordinance. This gives the CFO the authority to obtain short term debt in support of the capital projects, which is done each year in September.

Mayor Dale indicated that another myth that is circulating is that the Mayor and Council took money from the proposed senior center to get lights for the ball field. This is false. The Township utilized the fund balance to fund the lights rather than borrowing the money. They did not use the Passaic County contributions to the center to fund anything else. The Township still has those funds and will be

earmarking another project. Additionally, once the County decided to rehabilitate the Johner building and provide senior services at that location, expending those funds for the original project would have been a duplication of services and a waste of the funding.

Councilman Conlon addressed the myth that selected elected officials took away voters’ power to vote on the budget. It is false. No one or two public servants can effectuate that change without a majority vote through a policy change. The vote was held on the school budget only, not the Township, County or State budgets. If a budget was voted down, it went to the Council to cut a number and then it was final. There was no public input on the Council’s review other than public comments and no chance to vote. The current process requires a vote if the budget exceeds the 2% cap. The previous 30 year school tax increases averaged over 4% prior to a change in 2012. Since then it has averaged under the 2% cap, including 2 years of zero school tax increases. The State has taken away \$45,670,270 in state aid from BOE since 2018. The municipality has had a zero increase in budget while the State has come in, taken the money and reallocated it, away from our school district. CFO Mageean gave a grant history overview. In 2020 it equaled \$540,361; 2021 = \$1,136,252; 2022 = \$595,359; 2024 = \$4,791,738 which included the communications system grant of \$2,893,000; and 2024 = \$1,735,581.

Agenda No. XII 1

~ Ordinance 2025 – 013 ~

ORDINANCE TO EXCEED THE CALENDAR YEAR 2025 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

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

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

WHEREAS, the Township Council hereby determines that a 1.00% increase in the budget for said year, amounting to \$399,034.91 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of West Milford, in the County of Passaic, a majority of the full authorized membership of this Governing Body affirmatively concurring, that, in the CY 2025 budget year, the final appropriations of the Township of West Milford shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$1,396,622.18, and that the CY 2025 municipal budget for the Township of West Milford be approved and adopted in accordance with this ordinance; and,

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

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

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

Introduced: April 2, 2025
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for May 7, 2025. Notice of this public hearing shall be published in the Herald News on or about April 8, 2025.

Motion to move Ordinance 2025-013.

Moved:Conlon

Seconded: Erik

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

Voted Nay:None

Motion carried:

Agenda No. XII 2

~ Resolution 2025 – 176 ~

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

WHEREAS, pursuant to the Local Budget Law N.J.S.A. 40A:4-1 et seq., all provisions for the introduction and public hearing of the 2025 Municipal and Solid Waste Budgets for the Township of West Milford have been met; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the 2025 Municipal and Solid Waste Budgets shall be read by title.

Adopted: April 2, 2025

Motion to move Resolution 2025-176.

Moved:Conlon

Seconded: Erik

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

Voted Nay:None

Motion carried:

Agenda No. XII 3

~ Resolution 2025 – 177 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE INTRODUCTION OF THE 2025 MUNICIPAL BUDGET AND THE 2025 SOLID WASTE BUDGET

MUNICIPAL BUDGET NOTICE

Section 1.
Municipal Budget of the Township of West Milford, County of Passaic for the Fiscal year 2025.
Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2025;
Be it Further Resolved, that said Budget be published in the Herald News in the issue of April 8, 2025.
The Governing Body of the Township of West Milford does hereby approve the following as the budget for the year 2025:

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

Notice is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Township of West Milford, County of Passaic, on April 2, 2025.
A hearing on the Budget and Tax Resolution will be held at the Municipal Building, on May 7, 2025 at 6:30 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2025 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 2025.
Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2025;

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

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

	Deferred Local School Taxes
Amount Deferred 12/31/24	32,870,876
Amount Deferred 12/31/23	<u>31,338,443</u>
	1,532,433

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

Agenda No. XIII

Unfinished Business, Final Passage of Ordinances

Agenda No. XIII 1

~ Ordinance 2025 – 006 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING PART 1 ADMINISTRATIVE LEGISLATION CHAPTER 10-3 PARKING TO CREATE A NEW SECTION 10-3.10 PROHIBITING CERTAIN OVERNIGHT COMMERCIAL VEHICLE PARKING WITHIN THE TOWNSHIP CODE

WHEREAS, in order to maintain the public’s health, safety and welfare, the Mayor and Township Council of the Township of West Milford recognize the need to update Chapter 10-3, to prohibit certain commercial vehicles from parking overnight on all roadways; and

WHEREAS, upon the recommendation of the Township of West Milford Police Department, this update is necessary to maintain public safety.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Township Council of the Township of West Milford, County of Passaic, and the State of New Jersey that the Township of West Milford Code shall be amended and updated, only as follows to add the following section to be entitled 10-3.10 Overnight Parking of Certain Commercial Vehicles Prohibited.

SECTION 1. 10:3.10 Overnight Parking of Certain Commercial Vehicles Prohibited

A. Definitions. As used in this subsection:

LARGE COMMERCIAL VEHICLES shall mean those vehicles weighing more than 3.5 tons with a height of more than 9.5 feet, including installed accessories and/or cargo area/work platform more than 14 feet in length.

MEDIUM COMMERCIAL VEHICLES shall mean those vehicles weighing less than 3.5 tons and less than 9.5 feet in height, including installed accessories and/or cargo area/work platform less than 14 feet in length.

LIGHT COMMERCIAL VEHICLES shall mean those weighing less than 2.5 tons and a cargo area/work platform that is less than the height of the vehicle cab and less than 9 feet in length.

PARK OR PARKING shall mean the standing or waiting on a street, road or highway of a vehicle not actually engaged in receiving or discharging passengers or merchandise, unless in obedience to traffic regulations or traffic signs or signals.

PERSON shall mean natural persons, firms, associations, partnerships and corporations.

PICKUP TRUCK shall mean a truck or other motor vehicle with an open back designed, used or maintained primarily for the regular transportation of property or delivery of services.

STORE shall mean keeping for safe care or custody whether temporarily or permanently.

TRUCK shall mean every motor vehicle designed, used or maintained primarily for the regular transportation of property or delivery of services.

Van shall mean an enclosed motor vehicle designed, used or maintained primarily for the regular transportation of property or delivery of services.

B. Parking Restrictions. No person shall park or store any Large Commercial vehicle on any residential street, highway, right-of-way, public place or private road within the Township between the hours of 9:00 p.m. and 7:00 a.m.

C. Exceptions. Nothing herein shall be deemed to prohibit the parking or storing of any commercial vehicles, or equipment related thereto, on a residential street while it is being used in the transaction of business with the owner or occupant of residential property in the area or is in the area for the purpose of installing, maintaining or performing public utility services.

D. Overnight parking of medium and light commercial vehicles owned by residents is limited to no more than one and two per household, respectively. Alternatively, one household may park on-street overnight a maximum of one medium and one light commercial vehicle.

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F. Enforcement. Enforcement of these regulations shall be the responsibility of the Police Department. It shall also be the responsibility of all the Township departments to report any suspected violations of these regulations to the Police Department.

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

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

Introduced: March 19, 2025
Adopted: April 2, 2025
Effective Date: April 22, 2025

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

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

~ Ordinance 2025 – 007 ~

SECTION 1. Chapter 152 Fire Prevention

A. Definitions. For the purpose of this section, the following definitions shall apply:

As defined by the manufacturers, approved containers for open burning.

Trunks and branches of trees and bushes, but does not include leaves, needles, vines or brush smaller than three inches in diameter.

NOISANCE
Any odor, emission, or event that prevents the reasonable use and enjoyment of one's property.

OPEN BURNING

An outdoor fire where wood or any combustible materials are burned for recreational purposes. Open burning is allowed at single-family homes, duplexes and townhomes with a permit, provided the regulations set forth herein are met.

TREATED LUMBER

Dry wood which has been milled and dried and has been treated or combined with any petroleum product, glue, chemical, preservative, adhesive, stain, paint or other substance.

UNTREATED LUMBER

Dry wood which has been milled and dried but which has not been treated or combined with any petroleum product, glue, chemical, preservative, adhesive, stain, paint or other substance.

- B. Open burning regulations.
- (1) Open burning in approved containers shall be allowed with a permit, at single-family homes, duplexes, townhomes, subject to the regulations contained herein.

(2) Fires shall be limited to a maximum three-foot diameter and two-foot height, and must be contained in a noncombustible chiminea, outdoor fireplace, fire pit or other method, approved by the Fire Prevention Officer.

(3) All openings in the container or fire pit must be covered with wire mesh or other screening materials that will prevent the passage of sparks or embers.

(4) Fires must be kept at least 10 feet from any structure or combustible exterior wall.

(5) Fires must be constantly attended.

(6) No such fire or container used for open burning may be used on any porch, deck, balcony or any other portion of a building; within any room or space; under any building overhang.

(7) The burning of yard waste, leaves, brush, vines, evergreen needles, branches smaller than three inches in diameter, treated lumber, garbage, paper products or anything other than seasoned firewood as set forth herein is prohibited.

(8) All open fires as set forth herein shall be extinguished at the discretion of the Fire Prevention Officer or Police Department.

(9) The Fire Prevention Officer or police officer may order any open fire, or use of a chiminea, outdoor fireplace or fire pit which creates a nuisance, to be extinguished.

(10) A permit is required from the New Jersey Forest Fire Service for burning in approved fire pits, and outdoor fireplaces. (Exceptions: Chimineas, gas/propane fire pits, barbecue grills)

(11) All burning shall be prohibited when the New Jersey State Forest Fire Service issues a burn ban. (Exceptions: gas/propane fire pits and barbecue grills).
- C. Enforcement.
- (1) This section shall be administered by the Division of Fire Prevention and the Police Department.

(2) Any person, firm or corporation violating any of the provisions of this section, shall be liable to a fine not exceeding the sum of \$1,500, or to imprisonment not exceeding 90 days, or both.

- SECTION 2.**

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

If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.
- SECTION 4.**

This Ordinance may be renumbered for purposes of codification.
- SECTION 5.**

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

Introduced:

Adopted:

Effective Date:

March 19, 2025

April 2, 2025

April 22, 2025

This ordinance was introduced on March 19, 2025 and notice of the public hearing was published in the Herald News on March 25, 2025. The Governing Body will open the meeting to the public to speak on this ordinance only.

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

Councilman Chazukow indicated that he understood that the intention was to have our ordinances in line with the State and has no objection to that but in his opinion the State is overreaching and requiring a permit for the residents is not going to prevent any fires, it just creates an additional inconvenience and slowly erodes our freedoms.

Motion to move Ordinance 2025-007.

Moved:

Conlon

Seconded: Erik

Voted Aye:

Erik, Lichtenberg, Conlon, Marsden

Voted Nay:

Chazukow, Goodsir

Motion carried:

Agenda No. XIII 3

~ Ordinance 2025 – 008 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC AMENDING
CHAPTER 141 FILMING SECTION 141-3 INSURANCE OF PERMITS, BOND REQUIREMENT,
REGULATIONS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST
MILFORD

WHEREAS, the Township Council wishes to amend the Township Code to the following;

SECTION 1. Chapter 141 FILMING

§ 141-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:
FILMING — The taking of still or motion pictures either on film or videotape or similar recording medium, for commercial or educational purposes intended for viewing on television, in theaters or for institutional uses. The provisions of this chapter shall not be deemed to include the "filming" of news stories within the Township of West Milford.
PUBLIC LANDS — Any and every public street, highway, sidewalk, square, public park or playground or any other public place within the Township which is within the jurisdiction and control of the Township of West Milford.

§ 141-2. Permit required; application.

- A. No person or organization shall film or permit filming on public property within the Township of West Milford without first having obtained a permit from the office of the Township Clerk, which permits shall set forth the approved location of such filming and the approved duration of such filming by specific reference to day or dates. Said permit must be readily available for inspection by Township officials at all times at the site of the filming.
- B. All permits shall be applied for and obtained from the office of the Township Clerk during normal business hours. Application for such permits shall be in a form approved by the Township Clerk and be accompanied by a permit fee in the amount established pursuant to this chapter in § 141-4 herein.¹
- C. One permit shall be sufficient to authorize outdoor or indoor filming for a period not to exceed five days, provided that the maximum number of permits that may be authorized in any calendar year for premises located in a residential zone shall not exceed two without a waiver pursuant to § 141-3 of this chapter.
- D. If a permit is issued, and due to inclement weather or other good cause, filming does not in fact take place on the dates specified, the Township Clerk may, at the request of the applicant, issue a new permit for filming on other dates subject to full compliance with all other provisions of this chapter. No additional fee shall be paid for this permit.

§ 141-3. Issuance of permits; bond requirement; regulations.

- A. No permits will be issued by the Township Clerk unless applied for prior to 10 days before the requested shooting date; provided, however, that the Township Administrator may waive the ten-day period if, in his judgment, the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified.
- B. No permit shall be issued for filming upon public lands unless the applicant shall provide the Township with satisfactory proof of the following:

(1) Proof of insurance coverage as follows:

(a) \$1,000,000 CSL, General liability covering all operations and products of the film maker.

(b) Workers compensation covering all employees of film maker (if any).

(c) \$1,000,000 CSL Auto liability covering all owned, non-owned and hired autos of said film maker (if any will be used).

(d) \$1,000,000 CSL Liquor Law Legal liability (if any will be allowed).

(e) \$1,000,000 CSL liability for unmanned aircraft (drones) (if any will be used).

(f) The limits above are the minimum, the Township may require higher liability limits and/or other coverages upon review of the application, i.e., nature of activities planned, use of drones or other manned or unmanned aircraft or any other reason it deems necessary.

(g) Said insurance certificate listed in a, c & e above shall name the Township of West

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Milford, its officials, agents and employees as additional insured(s) for the use of the property and all operations conducted while filming within the Township of West Milford.

- (2) An agreement, in writing, whereby the applicant agrees to indemnify and save harmless the Township of West Milford from any and all liability, expense, claim or damages resulting from the use of public lands.
 - (3) The posting of a cash bond of \$500 or a maintenance bond of \$1,000, running in favor of the Township and protecting and insuring that the location utilized will be left, after filming, in a satisfactory condition, free of debris, rubbish and all equipment, and that due observance of all Township ordinances, laws and regulations will be followed. Upon the completion of the filming, the Township will return the bond if there has been no damage to public property or public expense caused by the filming.
- C. The hiring of an off-duty West Milford police officer for the times indicated on the permit. The holder of the permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the West Milford Police Department with respect thereto.
 - D. The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets. The holder shall avoid any interference with previously scheduled activities upon public lands and limit, to the extent possible, any interference with normal public activity on such public lands. Where the applicant's production activity, by reason of location or otherwise, will directly involve and/or affect any businesses, merchants or residents, these parties shall be given written notice of the filming at least three days prior to the requested shooting date and be informed that objections may be filed with the Township Clerk, said objections to form a part of applicant's application and be considered in the review of the same. Proof of service of notification to adjacent property owners shall be submitted to the Township Clerk within two days of the requested shooting date.
 - E. Filming in residential zones shall be permitted Monday through Friday between the hours of 8:00 a.m. and 7:00 p.m. or sunset, whichever is earlier, provided that night scenes can be approved in the permit, and hours can be extended if the police officer on the scene determines that there is legitimate delay and the time extension will not greatly inconvenience neighbors.
 - F. The Township Administrator may refuse to issue a permit whenever he determines, on the basis of objective facts and after a review of the application and a report thereon by the Police Department and by other Township agencies involved with the proposed filming site, that filming at the location and/or the time set forth in the application would violate any law or ordinance or would unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare. Further, the Township reserves the right to require one or more on-site patrolmen in situations where the proposed production may impede the proper flow of traffic, the cost of said patrolman to be borne by the applicant as a cost of production. Where existing electrical power lines are to be utilized by the production, an on-site licensed electrician may be similarly required if the production company does not have a licensed electrician on staff.
 - G. Any person aggrieved by a decision of the Township Administrator denying or revoking a permit or a person requesting relief pursuant to Subsection H may appeal to the Township Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Administrator. An appeal from the decision of the Administrator shall be filed within 10 days of the Administrator's decision. The Township Council shall set the matter down for a hearing within 30 days of the day on which the notice of appeal was filed. The decision of the Township Council shall be in the form of a resolution supporting the decision of the Township Council at the first regularly scheduled public meeting of the Township Council after the hearing on the appeal, unless the appellant agrees in writing to a later date for the decision. If such a resolution is not adopted within the time required, the decision of the Administrator shall be deemed to be reversed, and a permit shall be issued in conformity with the application, or the relief pursuant to Subsection H shall be deemed denied.
 - H. The Township Council may authorize a waiver of any of the requirements or limitations of this chapter, and may authorize filming other than during the hours herein described or may extend the duration of a permit beyond five days or may permit filming at a particular location in a residential zone on more than two occasions during any one calendar year or may waive any other limitation or requirement of this chapter whenever it determines that strict compliance with such limitations will pose an unreasonable burden upon the applicant and that such a permit may be issued without endangering the public's health, safety and welfare.
 - I. Copies of the approved permit will be sent to the Police and Fire Departments before filming takes place and the New Jersey Film Commission. The applicant shall permit the Fire Prevention Bureau or other Township inspectors to inspect the site and the equipment to be used. The applicant shall comply with all safety instructions issued by the Fire Prevention Bureau or other Township inspectors.
 - J. In addition to any other fees or costs mentioned in this chapter, the applicant shall reimburse the Township for any lost revenue, such as parking meter revenue, repairs to public property or other revenues that the Township was prevented from earning because of filming.

§ 141-4. Fees.
The fees for the issuance of permits authorized by this chapter are set forth in Chapter 135, Fees and Costs.

§ 141-5. Violations and penalties.
Any person violating this chapter or these rules and regulations, upon conviction thereof, shall be subject to the penalties imposed in Chapter 1, Article III, General Penalty, of the Township Code. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

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

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

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

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

Introduced: March 19, 2025
Adopted: April 2, 2025
Effective Date: April 22, 2025

This ordinance was introduced on March 19, 2025 and notice of the public hearing was published in the Herald News on March 25, 2025. The Governing Body will open the meeting to the public to speak on this ordinance only.

Seeing no one wishing to speak Councilman Conlon made a motion to close the public portion.
Seconded by Councilwoman Lichtenberg.

Motion to move Ordinance 2025-008.

Moved: Conlon

Seconded: Goodsir

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

Voted Nay: None

Motion carried:

Agenda No. XIV

New Business, Introduction of Ordinances, Resolutions

Agenda No. XIV 1

~ Ordinance 2025 – 009 ~

**ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VIII, DEPARTMENT OF FINANCE,
SECTION 15-41 DIVISION OF TAX COLLECTIONS OF THE REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY**

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

SECTION 1. Chapter VIII Department of Finance, Section 15-41, Division of Tax Collections, is hereby amended as follows:

§ 15-41. Division of Tax Collections.

Within the Department of Finance there shall be a Division of Tax Collections. The head of the division shall be the Township Tax Collector. The Municipal Tax Collector shall receive and collect all moneys assessed or raised by taxation or assessment for any purpose. The Collector shall enter in suitable books or other records to be kept by him the sums received each day together with the account to which each receipt is credited. Within 48 hours after the receipt of any moneys of the municipality, or on the first banking day thereafter, the Collector shall deposit such moneys in the authorized public depository of the municipality to the credit of the appropriate account. He shall report to the Council, at least once each month at the same time as the Treasurer is required to report, all receipts and deposits and cash on hand belonging to the municipality. Within 60 days after the end of the fiscal year, and at such other times as may be required by the Council, the Collector shall make and furnish a detailed and true list of all delinquent taxpayers for the next preceding year or for such period as the Council may require. He shall

Minutes of:	Governing Body Regular Meeting
Date of Meeting:	April 02, 2025
Time of Meeting:	6:30 p.m.
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~~A. Appointment of Tax Collector. The Tax Collector shall be appointed by the Mayor with the advice and consent of the Council. Every municipal tax collector shall hold his/her office for a term of 4 years from the first day of January next following his/her appointment. Vacancies other than due to expiration of term shall be filled by appointment for the unexpired term. shall serve for the term of the Mayor and shall receive such compensation as shall be provided by ordinance~~

~~B. Assistant Township Tax Collector. The Mayor with the advice and consent of the Council may appoint an Assistant Township Tax Collector, who shall receive such compensation as shall be provided by ordinance. The duties of the Assistant Township Tax Collector shall be to assist the Tax Collector in the performance of his duties, herein stated, and in accordance with general law and local ordinance, and to act as the Acting Tax Collector during the absence of a Tax Collector.~~

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 or 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 and upon the posting of appropriate signs.

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

Motion to move Ordinance 2025-009.

~ Ordinance 2025 – 010 ~

A. **§ 15-113. Terms.**

B. The members of the Commission shall have staggered terms as follows for their initial appointments:

- (1) The Mayor or Mayor's designee shall serve for the term of the Mayor.
- (2) The Council liaison member shall be appointed for one year.

- (3) President of the West Milford Chamber of Commerce or their designee shall be appointed for one year.

(4) Citizen members No. 1 and No. 2 shall be appointed for the term of the Mayor.

(5) Citizen members No. 3 and No. 4 shall be appointed for one year.

(6) Citizen members No. 5 and No. 6 shall be appointed for two years.

(7) Citizen members No. 7 and No. 8 shall be appointed for three years.

(8) Alternate member No. 1 shall be appointed for a two-year term.

(9) Alternate member No. 2 shall be appointed for a one-year term.
- C. Thereafter, citizen members No. 3 through No. 8 shall be appointed for three-year terms, and alternate members No. 1 and No. 2 shall be appointed for two-year terms.
- SECTION 2. All ordinances of the Township of West Milford which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

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

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

Introduced:

Adopted:

Effective Date:

April 2, 2025

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for April 23, 2025. Notice of this public hearing shall be published in the Herald News on or about April 8, 2025.

Motion to move Ordinance 2025-010.

Moved:

Voted Aye:

Voted Nay:

Motion carried:

Erik

Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden

None

Seconded: Conlon

Agenda No. XIV 3

~ Ordinance 2025 – 011 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,
STATE OF NEW JERSEY AMENDING CHAPTER 141 FILMING WITH FILM READY NEW JERSEY
REQUIREMENTS WITHIN THE TOWNSHIP CODE

WHEREAS, the New Jersey Motion Picture and Television Commission (“NJMPTVC or “the Commission”) provides a five step program that educates, trains, and certifies New Jersey municipalities regarding film production “best practices”; and

WHEREAS, upon completion of this program, a municipality is awarded a “Film Ready” designation by the Commission, which is helpful in attracting film makers to the Township; and

WHEREAS, the Township has completed all of the steps to become a “Film Ready” locality, except for updating its local ordinance to match those terms as proposed by the Commission, and so as to maintain consistency throughout the State; and

WHEREAS, encouraging prospective film makers to make films in the Township creates opportunity and revenue, and serves the public’s health, safety and welfare.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Township Council of the Township of West Milford, County of Passaic, and the State of New Jersey that only the following sections of Township of West Milford Code Chapter 141 Film, shall be amended as follows:

SECTION 1. Chapter 141 Filming

§ 141-2 Permit required; application

- B. One permit shall be sufficient to authorize outdoor or indoor filming, provided that the maximum number of permits that may be authorized in any calendar year for premises located in a residential zone shall not exceed two without a waiver pursuant to § 141-3 of this chapter.

§ 141-3 Issuance of permits; bond requirement; regulations.

- A.

No permits will be issued by the Township Clerk unless applied for prior to four (4) days before the requested shooting date; provided, however, that the Film Permit Representative may waive the four (4) day period if, in his judgment, the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified.
- B.

(4) The hiring of an off-duty police officer shall not be required for a permit but may be requested by the permit requestor.
- E.

Filming in residential zones shall be permitted Monday through Sunday between the hours of 7:00 a.m. and 9:00 p.m. (camera wrap) and 10:00 p.m. (crew wrap), provided that night scenes can be approved in the permit, and hours can be extended if there is a legitimate delay and that any time extension will not greatly inconvenience neighbors.
- H.

The Film Permit Representative, who shall be the Township Business Administrator or his designee, may authorize a waiver of any of the requirements or limitations of this chapter, and may authorize filming other than during the hours herein described or may extend the duration of a permit or may permit filming at a particular location in a residential zone on more than two occasions during any one calendar year or may waive any other limitation or requirement of this chapter whenever it determines that strict compliance with such limitations will pose an unreasonable burden upon the applicant and that such a permit may be issued without endangering the public's health, safety and welfare.

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

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

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

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

Introduced: April 2, 2025
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for April 23, 2025. Notice of this public hearing shall be published in the Herald News on or about April 8, 2025.

Motion to move Ordinance 2025-011.

Moved: Erik

Seconded: Conlon

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

Voted Nay: None

Motion carried:

Agenda No. XIV 4

~ Ordinance 2025 – 012 ~

ORDINANCE TO AMEND CHAPTER 264, ARTICLE II CANVASSERS AND SOLICITORS OF THE
REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF
PASSAIC, STATE OF NEW JERSEY

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 II Canvassers and Solicitors is hereby amended in the following sections as follows:

§ 263-10. Fees; deposit.

- A. The fee for a canvasser's or solicitor's license is set forth in Chapter 135, Fees and Costs, payable to the Township to defray the cost of investigating, fingerprinting if necessary, printing, processing and issuing the permit.
- B. ~~In addition, a deposit of \$10 shall be made by applicant with the Township Clerk to assure the return of the badge or certification number as provided for in § 263-13.~~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of:
Date of Meeting:
Time of Meeting:
Minute Page No:

Governing Body Regular Meeting
April 02, 2025
6:30 p.m.
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§ 263-11. Registration.

Where, by reason of any federal or state law, any person is deemed to be legally exempt from the provisions of this article or from the requirement of securing a license or permit as herein provided, notwithstanding thereof, such person shall before engaging in any type of soliciting or canvassing, as defined in this article, first register on ~~application~~ forms provided by the Township ~~Clerk with the Chief of Police,~~ furnishing all of the information as provided for in § 203-2. If the Chief of Police, after proper investigation, shall be satisfied that the registrant is not entitled to the exemption above stated, he shall decline to register him, or after investigation, shall find the registrant's character or business responsibility to be unsatisfactory, he shall decline to register him. If the Chief of Police, after investigation, shall find the registrant's character or business responsibility to be satisfactory, he shall ~~communicate his findings in writing to the Township Clerk's office issuing the license within a reasonable time after the application has been filed~~ ~~issue a certificate of registration.~~ The Application ~~which~~ shall contain the signature of the Chief of Police, and shall show the name and address of the registrant, the name and address of his employer, if any, the kind of goods to be sold by him, or the kind of services to be performed or furnished, the date of issuance and the length of time the registration shall be effective, as well as the license number and other identifying description of any vehicle used in such soliciting or canvassing. The Chief of Police shall keep a permanent record of all registrations. These provisions are to be so applied as not to occasion an undue burden upon interstate commerce, but to be applied for the general protection of the public health, welfare and safety.

§ 263-12. Hours.

No canvassing or soliciting by anyone holding a permit or license or certification of registration shall be done except ~~Monday through Saturday~~ between the hours of 9:00 a.m. ~~to 30 minutes past sunset.~~ ~~and 5:00 p.m. each weekday.~~

§ 263-13. Exhibition of license.

Solicitors and canvassers are required to exhibit their licenses or registrations at the request of any citizen. They shall be required to wear the badge or identification number furnished them on the outer clothing, so that they may be visible at all times while they are canvassing or soliciting. ~~When the permittee shall cease operation under the permit in any event, or on the expiration of the permit, the permittee shall surrender his permit and badge or identification number to the Township Clerk, who in receipt of same shall refund the deposit made for the badge or identification in accordance with § 263-10.~~

§ 263-14. Loud noises and speaking devices.

No solicitor or canvasser, nor any person in his behalf, shall shout, make any cry out, blow a horn, ring a bell or use any sound device, including any loud-speaking radio or sound-amplifying system upon any of the streets, alleys, parks or other public places of the Township or upon any private premises in the Township where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the streets, avenues, alleys, parks or other public places, for the purpose of attracting attention to any goods, wares or merchandise or services which the licensee or registrant proposes to sell.

A.

§ 263-15. Use of streets.

No licensee or registrant shall have any exclusive right to any location in the public streets, nor shall he be permitted a stationary location, nor shall he be permitted to operate in any congested area where his operation might impede or inconvenience the public. He shall not be permitted to stand or remain in any one place for the purpose of soliciting or canvassing of any goods, wares or merchandise, or for any services, for which he has secured a license or registered as per this article, for a period longer than 15 minutes. For the purpose of this section, the judgment of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.

B.

§ 263-16. Police enforcement.

- A. It shall be the duty of any police officer of the Township of West Milford to require any person seen soliciting or canvassing, and who is not known by such officer to be duly licensed or registered, to produce his solicitor's or canvasser's license ~~or registration~~ certificate, and to enforce the provisions of this article against any person found to be violating the same.
- B. The Chief of Police shall report to the Township Clerk all convictions for violations of this article, and the Township Clerk shall maintain a record for each license issued and record the reports of violations therein.

C.

§ 263-17. Exemptions.

- A. The definition of "solicitor" or "canvasser" shall not include persons soliciting or canvassing toward persons within the Township or originating within the Township in behalf of the following, the Township Council reserving to permit by resolution solicitation for any of the following which may originate out of the Township:
 - (1) United Fund.
 - (2) Heart, cancer and similar funds.
 - (3) Red Cross.

- (4) Nationally chartered veterans' organizations.

(5) Sister Kenny.

(6) March of Dimes.

(7) Churches.

(8) Volunteer fire companies.

(9) First aid squads.

(10) Schools, parent-teachers' associations and other educational activities.

(11) Hospitals.

(12) Any other charitable organizations or activity not conducted for profit.
- B.

In addition, the definition shall not include any person engaged in the delivery of goods, wares or merchandise or other articles or things in the regular course of business, from established local business places, and to persons or premises ordering or entitled to receive same.
- SECTION 2.

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

If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.
- SECTION 4.

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

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

Introduced:

Adopted:

Effective Date:

April 2, 2025

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for April 23, 2025. Notice of this public hearing shall be published in the Herald News on or about April 8, 2025.

Motion to move Ordinance 2025-012.

Moved:

Conlon

Seconded:

Goodsir

Voted Aye:

Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden

Voted Nay:

None

Motion carried:

Mayor Dale asked to move Resolutions 2025-179 through 2025-180

Agenda No. XIV 5

~ Resolution 2025 – 179 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A CONTRACT FOR THE BUBBLING SPRINGS CONCESSION STAND TO THE JOSHUA TREE FOOD SERVICE

WHEREAS, pursuant to authorization by the Mayor and Township Council of the Township of West Milford, the Township received sealed competitive bids for concession services at Bubbling Springs in accordance with the bid specifications on March 21, 2025 at 10:00 a.m.; and

WHEREAS, the Township of West Milford received one (1) bid for this contract from The Joshua Tree Food Service; and

WHEREAS, said bid has been duly reviewed and analyzed by the West Milford Township Attorney and Township Recreation Director; and

WHEREAS, the Local Public Contracts Law requires that competitive bidding contracts be awarded to the lowest, responsible, responsive bidder; and

WHEREAS, the bid received from the lowest qualified bidder The Joshua Tree Food Service has been found to be in proper form and in compliance with the provisions of N.J.S.A. §40A:11-23.5 and the specifications as written.

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

1.

The Mayor and Township Council hereby award a contract to The Joshua Tree Food Service, PO Box 739, Branchville, New Jersey 07826 for the provision of concession services at Bubbling Springs.

2.

The Mayor and Township Clerk are hereby authorized and directed to execute a contract with The Joshua Tree Food Service in accordance with the bid specifications and its bid for provision of concession services at Bubbling Springs as agreed upon.
3.

This resolution and contract shall be available for public inspection in the office of the Township Clerk.

This Resolution will take effect immediately.

Adopted: April 2, 2025

Agenda No. XIV 6

~ Resolution 2025 – 180 ~

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

WHEREAS, the NJ Air Show plans and hosts the 16th annual air show in West Milford Township; and

WHEREAS, the NJ Air Show has requested permission for the following events to be held on Friday, June 13, 2025, Saturday, June 14, 2025 and Sunday, June 15, 2025, with Fireworks Displays and Pyrotechnics at Greenwood Lake Airport; and

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

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

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that permission is hereby granted to the NJ Air Show to hold the aforementioned activities on June 13-15, 2025.

BE IT FURTHER RESOLVED, all Township of West Milford related fees be waived for the NJ Air Show.

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

Adopted: April 2, 2025

Motion to move Resolutions 2025-179 through 2025-180.

Moved:

Conlon

Seconded:

Goodsir

Voted Aye:

Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden

Voted Nay:

None

Abstain:

Motion carried:

Agenda No. XV

Consent Agenda

~ Resolution 2025 – 181 ~

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:

Minutes of:	Governing Body Regular Meeting
Date of Meeting:	April 02, 2025
Time of Meeting:	6:30 p.m.
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- a) **2025-182** – Refund Other Liens
- b) **2025-183** – Cancel Outstanding Checks

~ Resolution 2025 – 182 ~

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:

~ Resolution 2025 – 183 ~

DATE	CHECK #	AMOUNT
5/2/2024	35173	\$40.00
6/13/2024	35343	\$750.00
9/19/2024	35772	\$10.00
9/19/2024	35921	\$225.00
	TOTAL	\$1,025.00

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

~ Resolution 2025 – 184 ~

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	\$112,161.64
3	Reserve Account	97,685.55
2	Grants	35,478.17
6	Refunds	110,501.13
1	General Ledger	11,278.00
26	Refuse	898.65
4	Capital	5,388.00
19	Animal Control	689.40
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	9,252.62
16	Development Escrow	280.00
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$383,613.16
Less Refund Resolution		-110,501.13
Actual Bills List		\$273,112.03
Other Payments:		
Payroll		583,459.61
Enterprise		22,388.31
B and B Disposal		175,000.00
Total Expenditures		\$1,053,959.95

Adopted: April 2, 2025

Moved: Erik

Seconded: Lichtenberg

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

Voted Nay: None

Motion carried:

Agenda No. XVII

Reports of Mayor, Council Members, Administrator, and Attorney

Councilwoman Erik – Gave a status report on the roadside clean up. Several roads had been done and others were is the process. 670 bags of garbage has been collected, 278 hours have been spent picking up the streets and 27 tires have been cleaned up. Next month a big effort will be made to go all around Upper Greenwood Lake. T-shirts are given out after people volunteer twice. If people do a third monthly cleanup they will receive a hoodie. Volunteers also get coupons for free pizza. Saturday, April 26 is Beautification Day. Anyone is welcomed to attend but people must wear the new green litter patrol T-shirt to win the prizes.

Councilman Chazukow – No report.

Councilwoman Lichtenberg – There will be a Wellness Family Festival on April 5th at the High School, and it should double what was had in the past. There will be activities for people of all ages. Both the gym and cafeteria will be utilized so it won’t matter if it rains.

Councilman Goodsir – Registration is now open for the Spring Soccer season. The registration deadline is April 6th. Registration is now open for the Learn to Garden Program. Come learn how to plan, start and grow your own garden with educator Judy DeJosia from Growing with Food. Registration is now open for the Pump Track Clinic with Instructor Kathi Krause with Dirt, Rock N Root Training. The Recreation

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Department has expanded open gym hours to offer more time. Also an Open Gym Calendar has been created to easily see when and what time open gym will be happening. It is located on the Recreation page of the Township website. The Elks will be hosting a fish fry on Good Friday. There will be an Easter Egg hunt for the kids.

Councilman Conlon –The Economic Development Commission has been stewarding the Mayor's Business Spotlight Program and has received a third applicant. It's a free way to spotlight your business. Businesses can provide information about their businesses and the goods and services they provide. Any local businesses that are interested can email the EDC at EDC@westmilford.org or Conlon@westmilford.org. He met with Giancarlo DiLorenzo from the Passaic County Economic Development Department who has been meeting with local community leaders and EDC members to support economic development in the 16 different municipalities in Passaic County. Councilman Conlon thanked all those responsible for the budget and the presentation of the budget. He indicated that the Township is in great financial shape and this is a great plan that accommodates the residents and the individual struggles people are going through in the financial climate that we are in. He commended the Mayor, the Administrator, the CFO and all the Department Heads.

Councilman Marsden – Indicated that at first he was in agreement, thinking people should not have to get a permit to have a fire pit. In the time it took for the next meeting to happen, there was a fire from a fire pit. He looked into the process and the application is free and they come out and do an inspection. There is no fee for the permit. The permit lasts for 90 days and while it is annoying, due to the fires that we have had throughout the State, he understands the desire to take a look at the fire pits. The process is pretty painless. They sent Councilman Marsden an application and came out right away to do the inspection.

Mayor Dale indicated that the consensus for the entire Council is that they don't like it, but historically it has always been a requirement. The issue is that our Town Code has not been updated to uphold the State requirement. Mayor Dale indicated that people tend to look at the local rules rather than what the State rules may be for things. If we don't update the local rules and if something happens or the State comes out, people may be issued fines and then they could say that they looked at the local code but found nothing.

Administrator Senande – No report.

Attorney Pasternak – No report.

Mayor Dale – Announced that the Township was finally going to have our first sports complex in one area with multi-purpose fields. In response to an earlier comment, Mayor Dale indicated that if this could have been done on Township property it would have been done. It was not possible due to the Highlands Act. It is a need that has been expressed throughout the community for many years. This will reduce the wear and tear that is placed on the other fields and allow us to fix them properly. Other properties were taken into consideration and we are not just giving the school board money we are building a field on school board property for Town use and the use of the school. Our children don't care if they are playing on a Township property field or a school board field. To suggest that the Township is just giving money away to the school board is misleading. The reason why the location for the fields works is because if an entity owns property prior to the Highlands Act going into effect they receive an exemption to be able to put a field like this within the municipality.

Mayor Dale indicated that there were two things that have been requested for some years now. One was Senior nutrition and a Senior Center because Seniors rely on County services. The second was a sports complex that had lights. Mayor Dale indicated that she was proud that they got it done and the money used wasn't borrowed but was taken out of existing funds. Things can be fact checked so the Mayor and Council are very careful about what is said and other people should be careful too.

Agenda No. XVIII

Appointments and Resignations

Mayor Dale indicated that there were eight people nominated for 2024 Volunteer of the Year. Councilwoman Erik nominated #8. Councilman Goodsir nominated #2. Councilman Conlon indicated that there was an impressive crop of candidates this year.

Roll Call for nominee #8

Voted Aye: Erik, Chazukow, Lichtenberg, Marsden
Voted Nay: Goodsir, Conlon

Roll Call for nominee #2

Voted Aye:

Voted Nay:

Chazukow, Goodsir, Conlon, Marsden

Erik, Lichtenberg

The vote was tied. There was discussion as to whether the role could be shared by two people. It was given to a husband and a wife in the past. Councilwoman Erik made a motion to nominate both of the volunteers. Seconded by Councilwoman Lichtenberg. All were in favor of both candidates to receive the award. None were opposed.

Mayor Dale announced that the former Mayors' selection for the Mary B. Haase Lifetime Volunteer Award is JoAnn Blom. Mayor Dale announced that the 2024 Volunteer of the Year #8 nominee was Dorrie Torp and #2 was Jim Cosgrove. Councilman Goodsir indicated that Jim Cosgrove is a master plumber and was a charter member of the CERT Team. He is always out directing traffic and was Elk of the year two years ago and he's an extraordinary volunteer.

Councilwoman Erik said anyone who wanted to meet Dorrie Torp could come to the Health and Wellness Fair this coming weekend. Councilwoman Lichtenberg added that she has also run the Senior Family Fair previously and the Special Needs Fair and a number of community events at Town Hall being on the Health Advisory Board and she is also the secretary for the West Milford Municipal Alliance.

Councilman Conlon indicated that many people know both people and they both exemplify what this award is all about. Councilwoman Erik indicated that it was a hard choice to make.

Councilman Conlon made a motion to appoint Peggy Noble as Citizen 7 to the Economic Development Committee. Seconded by Councilwoman Lichtenberg. Councilwoman Erik made a motion to close and confirm. All were in favor.

CFO Ellen Mageean requested consent from the Council to go to the Bond Council and proceed with the Bond Ordinance to prepare it for the May 7, 2025 meeting. Council gave consensus.

Agenda No. XIX

Adjournment

Moved:

Voted Aye:

Voted Nay:

Motion carried.

Conlon

Unanimous voice vote

None

Seconded: Goodsir

The meeting adjourned at 7:40 p.m.

Approved: April 23, 2025

Respectfully submitted:

Deidre Ellis, Keyboarding Clerk III

MICHELE DALE, MAYOR

WILLIAM SENANDE, TOWNSHIP CLERK