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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: June 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 1 of 36  
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The Regular Meeting of the Governing Body was called to order by Mayor Michele Dale at 6:30 p.m.

**Adequate Notice Statement**

Mayor Dale read the following statement:

Pursuant to the provisions of the Open Public Meetings Act (N.J.S.A. 10:4-8) adequate notice of this Regular Meeting was advertised in the Herald News and the Record in its issue of May 24, 2022 posted on the bulletin board in the main corridor of Town Hall and on file in the Office of the Township Clerk.

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

Agenda No. I

**Pledge of Allegiance**

Mayor Dale led all in attendance in the pledge of allegiance to the flag.

Agenda No. II

**Roll Call**

Present: Councilmembers Ada Erik, Michael Chazukow, Marilyn Lichtenberg, Kevin Goodsir, David Marsden  
Absent: Warren Gross  
Also Present: Mayor Michele Dale, Township Administrator William Senande, Township Attorney Ed Pasternak

Agenda No. III

**Reading of or Approval of Unapproved Minutes**

May 18, 2022 Regular Meeting Minutes  
June 8, 2022 Special Meeting Minutes

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Moved: Erik Seconded: Lichtenberg  
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Marsden  
Voted Nay: None  
Motion carried:  
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Agenda No. IV

**Meetings**

July 13, 2022 Workshop/Regular Meeting  
August 17, 2022 Workshop/Regular Meeting  
September 7, 2022 Workshop Meeting

Agenda No. V

**Proclamations**

None.

Agenda No. VI

**Presentations & Recognitions**

Eagle Scout – Zachary Joseph Rodek – Mayor Dale presented Zachary with a plaque. His project took over 200 hours and there were many volunteers that helped to restore the outdoor classroom at Apshawa Elementary adding benches and a white board cabinet. Zachary will be attending TCNJ and is currently undecided on his major.

Recognition – Zachary McPhee & Jennifer Monego – Beautification Day was a success with almost 400 bags of garbage, almost 200 bags of recycling, 89 tires, two tons of metal and close to a ton of construction material being collected. Over 400 people participated which is a great turnout. The recycling coordinator said that Zachary designed a great t-shirt with which everyone was very pleased. Jennifer Monego is a teacher helping out with the project. The Committee said thank you. Zachary intends to study animation at the County College of Morris.

Recognition – EDC Award – Vesuvio’s – Jo Ann Blom wanted to thank people for their patronage and support of Vesuvio’s in lieu of a family member attending. A plaque will be hung in the restaurant.

Agenda No. VII

**Executive Session**

None.

Agenda No. VIII

**Discussion Items / Official Communications**

1.	Ordinance – Park Definition – Administrator Senande incorporated the comments made at the last meeting into the language of the ordinance. Councilwoman Erik and Councilwoman Lichtenberg expressed that they were pleased with the changes that added more restrictions. Councilman
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	Chazukow was not happy with those changes. He is of the opinion that marijuana is safer than alcohol and there are no such prohibitions on liquor licenses and does not feel there should be for marijuana. The consensus has to move forward.
2.	Ordinance – Special Police Officers – Mr. Senande indicated that the change was to go from 2 hours to three hours. It will be a benefit to the special police. Usually, due to the large size of the Township they are called out for over 2 hours anyway. The consensus was to move forward.
3.	Ordinance – LOSAP – The increase is for \$100. Councilwoman Erik broached the subject of ambulance coverage on the weekends and Administrator Senande is looking into the breakdown of the hours. The consensus was to move forward.
4.	Resolution – Budget Cap Relief – Mr. Senande indicated that the joint insurance fund is asking that a resolution be made asking the State to make insurance increases exempt from the budget cap. Insurance costs can be unpredictable and expensive. They are asking for Statewide support. The consensus was to move forward.

Agenda No. IX

**Unfinished Business, Final Passage of Ordinances**

Agenda No. IX 1

~ Ordinance 2022 – 024 ~

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

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

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

**§ 135-2 Department of Community Services and Recreation**

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

The Department of Community Services and Recreation is to provide all volunteers currently serving as a Member of a Township fire company, ambulance squad, Search and Rescue or Community Emergency Response Team or currently serving as an appointed Member of a Township board, committee or commission established by ordinance a \$5 discount for their own pre-registration for each of the programs and events offered by the Department. All such volunteers shall also be entitled to receive the below rates for Bubbling Springs: Individual Rate: \$30, Couple Rate \$45 and Family rate \$100. Identification required for registration.

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

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

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

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

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

Introduced: May 4, 2022  
Adopted: June 15, 2022  
Effective Date: July 5, 2022

This Ordinance was introduced on May 4, 2022 and the Notice of Public Hearing was published in the Herald News on May 10, 2022. The Governing Body will open the meeting to the public to speak on this Ordinance only.

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

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Motion to vote to adopt Ordinance 2022-024

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Moved: Erik Seconded: Lichtenberg  
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Marsden  
Voted Nay:  
Motion carried:  
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Agenda No. IX 2

~ Ordinance 2022 – 025 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING CHAPTER 135 “FEES AND COSTS” TO ADD A NEW SECTION 135-42 ENTITLED “FEES AND SPECIAL SERVICE CHARGES” UNDER THE NEW JERSEY OPEN PUBLIC RECORDS ACT (OPRA)” WITHIN THE TOWNSHIP CODE**

**WHEREAS**, the Township Council wishes to update the Township Code, as to fees and special service charges under the New Jersey Open Public Records Act, N.J.S.A. 47:1A, et seq.; and

**WHEREAS**, N.J.S.A. 47:1A-5 directs that if the costs of duplication or production charged by a vendor exceeds routine charges, the actual direct cost of same without any additional surcharge for labor costs shall be paid; and

**WHEREAS**, the Township Code currently authorizes at Section 135-1, “Fees and costs established”; and

**WHEREAS**, the Township Council wishes to create a new section 135-42, to be entitled “Fees and Special Service Charges Under the New Jersey Open Public Records Act (OPRA)” to ensure clarity with regard to such requests.

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of West Milford, Passaic County, New Jersey, that the Code of the Township of West Milford shall be amended to create a new Section 135-42, and to read as follows:

**SECTION 1.** § 135-42 Fees, special service charges and special charges; when charged; amounts authorized.

**§ 135-42.1 Purpose**

New Jersey has adopted the Open Public Records Act, N.J.S.A. 47:1A-5, which has as its general purpose making government records more available to the public than they have been in the past. In certain instances, the production of voluminous records, archived records, or records in a format which is not the usual format maintained by the municipality or other special circumstances would be costly and time consuming. The New Jersey Open Public Records Act permits the municipality to require the payment of fees, special service charges and/or special charges as a prerequisite to the production of records requiring extraordinary time and effort, special equipment or special formatting.

**§ 135-42.2 Ordinary requests for information.**

The statutory fee schedule shall apply to routine requests under the Open Public Records Act. The fees of N.J.S.A. 47:1A-5 are hereby incorporated herein as such fees schedule presently exists or as such fees might appear in future modifications or amendments of the statute.

At present time, fees under N.J.S.A. 47:1A-5 for routine copies of municipal documents are:

Pages 1 through 10:	\$0.75 per page
Pages 11 through 20:	\$0.50 per page
All pages after 20:	\$0.25 per page

**§ 135-42.3 Establish deputy custodians of records.**

The establishment of the position of Deputy Custodians of Records within the Township of West Milford are as follows:

**A.** Chief of Police.  
However, all requests must be made directly to the Custodian of Records, the Municipal Clerk.

**§ 135-42.4 No research or interpretation may be compelled.**

Nothing in this section shall require the Custodian or Deputy Custodians of documents or any other municipal official to examine, analyze, tabulate, or otherwise interpret documents which are subject to production under the New Jersey Open Public Records Act.

**§ 135-42.5 Special service charge/special charges authorized.**

**A.** Charges authorized. The Municipal Clerk or Deputy Custodian of documents qualifying for mandatory production as governmental records under the New Jersey Open Public Records Act shall be entitled to special service charges and/or special charges as set forth in this section.

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- B.** Requests to be in writing. Any requests for documents shall be made to the Municipal Clerk in writing and preferably on a form established by the Municipal Clerk for such purposes.
- C.** Advance notice of fees, special service charges and special charges; deposit. Any requester of government records which may be eligible for the imposition of a fee, special charge or special service charge under this section shall receive advance notice of the amount of fees and charges before any work is started. The Municipal Clerk shall require prepayment of such charges before causing the work to begin.

**§ 135-42.6 Fees, special service charges and special charges; when charged; amounts authorized.**

- A.** Duplication or other work beyond capability of municipal-in-house work force. Whenever the in-house municipal work force or available municipal equipment is insufficient to duplicate or produce government records in a timely fashion, the Municipal Clerk may cause such duplication or production to be accomplished by outside vendors such as copy centers or producers of digital images. If the costs of such duplication or production charged by such vendors exceeds the routine charges set forth in N.J.S.A. 47:1A-5, the actual direct cost of same without any additional surcharge for labor costs shall be paid.
- B.** Special service charged authorized. Whenever government records cannot be reproduced by regular copying equipment or fulfillment of the request would involve extraordinary time and effort (for example, where a large number of records must be recovered from storage or substantive staff time is required to review, redact, sort and/or assemble records), charges may be imposed as follows:
  - (1) The actual cost (materials and supplies but no staff labor) of duplication or reproduction; plus
  - (2) A special service charge of \$32 per hour or the actual direct cost of labor (if less) shall be imposed for each hour of extraordinary time predicted to be utilized to respond to the request.
- C.** Rates for in-house production of prints or blueprints. Any prints or blueprints produced in-house in response to a governmental records request shall be produced for \$28 per page.
- D.** Digital records. If a request for governmental records involves production or conversion of digital or computerized records or film which is:
  - (1) In a medium not routinely used by the agency (i.e., electronic or film).
  - (2) Not routinely developed or maintained by an agency; or
  - (3) Requiring a substantial amount of manipulation or programming of information technology.
- E.** The requester shall pay fees and special charges incurred by the Township of West Milford if the conversion is done directly by the Township of West Milford as follows:
  - (1) Direct costs (no overhead) to comply with the request; plus
    - (a) Special charges; the lesser of the cost of technology and labor actually incurred or \$45 per hour.

**§ 135-42.7 Notice of requester of copyright laws.**

- A.** The Township of West Milford may be compelled by New Jersey Law to produce or duplicate governmental records, but no compliance with these legal obligations shall be deemed to constitute a license, sublicense or waiver of copyright laws.
- B.** The Municipal Clerk shall give the following notice to any requester of governmental records.

**NOTICE — COPYRIGHT LAWS**

You must comply with U.S. copyright laws. These laws may restrict your right to use, duplicate or modify the records provided to you by the Township of West Milford.

You should consult your own legal counsel as severe civil and criminal penalties exist for violation of copyright laws.

**§ 135-42.8 Waivers for governmental or educational requester.**

The Mayor, Clerk or Township Council (by resolution) may waive the fees or other charges otherwise chargeable if the requestor of governmental records is a governmental or educational entity.

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

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

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

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

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



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§ 110-4.2 Engineering Specific Requirements (Application and/or Lot Development Plan)

- A. Name, address, email and telephone number of the owner and/or applicant.
- B. Tax map block and lot of the property in question.
- C. The zone, the building envelope and perpendicular offsets to any existing and/or proposed structures. A zoning chart shall compare required, existing and proposed conditions.
- D. The property boundary survey along with any existing and/or proposed easements.
- E. Existing topography at 2' contour intervals, using North American Vertical Datum 1988 (NAVD88).
- F. All waterways (swales, brooks, streams, ponds, lakes, etc.), major rock formations and any other notable natural features.
- G. All existing and proposed drainage structures, drywells, pipes, curbs, retaining walls, sidewalks and the edge of pavement/traveled way within the property and within the street right-of-way.
- H. The location of the existing and/or proposed well, septic system, sanitary sewer (with existing and proposed elevations), and public water as well as surrounding wells and septic systems if impacted by the proposed improvements.
- I. The FEMA special flood hazard area (elevation and designation), if impacting the proposed improvements. The Lot Development Plan shall specify the absence of such if none.
- J. N.J.D.E.P. wetlands, wetland transition areas and stream classification (with riparian buffers), if applicable as per N.J.A.C.7:7A and N.J.A.C. 7:13. The Lot Development Plan shall specify the absence of such if none. Provide documentation as needed.
- K. All soil erosion control devices in accordance with the Hudson Essex Passaic Soil Conservation District and the *Standards for Soil Erosion and Sediment Control in New Jersey*. Minimum provisions include but are not limited to filter fabric fences, inlet filters (where applicable), and a stone construction entrance.
- L. All proposed retaining walls (including elevations, top & bottom) must be shown. Wall heights shall not exceed the limits defined in Section 500-68, "*General Provisions and Design Standards*", of the Township Code.
- M. The proposed limit of disturbance line and total area, in square feet, of disturbance.
- N. The existing and proposed area of impervious surface.
- O. The proposed elevations of the following key locations:
  - i. All areas of proposed grade changes (including proposed contours and spot elevations)
  - ii. All building corners
  - iii. Finished floor and roof ridge elevations and/or garage floor elevation
  - iv. Centerline of driveway, at the building and at the edge of pavement/traveled way
- P. Construction details shall be provided for all proposed site improvements.
- Q. No improvements other than access driveways, utility service and the like shall be permitted within the right-of-way.
- R. The sight distance for proposed driveways shall be shown and must meet the required sight distance for the posted speed, as defined in Section 500-76, "*General Provisions and Design Standards*" of the Township Code.
- S. The sight distance for existing driveways shall be addressed, when required, prior to final approval.
- T. The sight distance for intersecting streets (corner lots) shall be shown and must meet the required sight distances as defined in AASHTO (American Association of State Highway and Transportation Officials).
- U. Flood Hazard Area regulations as per N.J.A.C. 7:13 including but not limited to flood hazard areas, riparian zones and associated buffers. Provide documentation as needed.
- V. New Jersey Highlands rules and regulations as per N.J.A.C. 7:38.
- W. Provisions of Township Code Chapter 460 Soil Removal and Soil Fill, as needed.
- X. Provisions of Township Code Chapter 470 Subdivision of Land and Site Plan Review, Article XV Stormwater Management, as needed.
- Y. Provisions of Township Code Chapter 371, Tree Removal, as needed.
- Z. Provisions of Township Code Chapter 470-44, Zoning Permits, as needed.

§ 110-4.3 Engineering Design Standards

- A. The driveway location (if applicable) with the proposed centerline percent of grade and typical section must be shown and meet the following conditions:
  - i. Driveways must maintain a maximum 5% grade for 25' from the edge of pavement / traveled way. Any driveway accessing a County road must meet County standards prior to final approval. A County driveway permit is required before a Lot Development Permit will be issued. Provide documentation as needed.
  - ii. The maximum allowable driveway grade is 16%. For driveways that exceed 10% grade, a 2-car parking area (at less than 10% grade) must be provided, near the street and outside of the right-of-way.
  - iii. A driveway turnaround must be provided for driveways constructed on arterial and collector roads. Driveway turnarounds may be required on local roads, as per the Township. Driveway turnarounds shall be a maximum of 30' wide.
  - iv. Driveways shall be 15' wide maximum except for turnarounds, off-street parking areas and garage areas.
  - v. Driveways shall be paved, or approved equal, a minimum of 50', beginning at the edge of pavement/curb line of the street, including off-street parking (if applicable).

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- vi. Driveway pavement shall be a minimum of 2" thick hot mix asphalt over 4" thick, compacted, dense graded aggregate. Other driveway surfaces may be accepted, upon the approval of the Township.
- vii. Driveway pavement will not be required for unpaved streets but must be constructed of a minimum 4" thick, compacted, dense graded aggregate.
- viii. Driveway entrances shall be designed to be as near perpendicular to the street and sloped to pervious areas.
- ix. Safety protection/guiderail must be provided along driveway side slopes in fill areas when there is a 2' or greater drop within 10' of the edge of the driveway.
- x. Where driveway curb cuts are needed, a full depth drop curb is required.
- B. Due to the increase in impervious area, drywell(s) will be required for all Lot Development Plans where the impervious surface increases by 500 square feet or more. If information is provided that soil conditions make drywells infeasible, alternative designs for infiltration, rain gardens, etc. may be submitted for review and approval. Roof leaders, subsurface drains and/or concentrated stormwater run-off shall be tied into or directed to the drywell(s). Provisions must be shown for drywell overflow. Drywell(s) shall be sized as per §470-74(B)2. Drainage calculations shall be provided. The minimum separation between any well or septic field and drywell shall be 50'.
- C. New concentrated stormwater discharge points to adjoining properties are not permitted.
- D. All disturbed areas must be stabilized at a maximum 2:1 slope.
- E. Retaining walls greater than 4' in height must be approved by the Construction Official. Structural calculations shall be prepared by a licensed Professional Engineer in the State of New Jersey if required by the Construction Official. Approval by the Construction Official may be required if the distance between two walls is less than twice the combined wall height and the combined wall height greater than 4'.
- F. All soil erosion and sediment control measures shall be designed and installed in accordance with the *Standards for Soil Erosion and Sediment Control in New Jersey* and any applicable prior approvals.

§ 110-4.4 Review of Lot Development Plan

- A. All Lot Development Plans shall be reviewed by the Department of Planning and Building, Zoning Department, Engineering Division and Department of Health.
  - i. The Engineering Division shall review all Lot Development Plans as defined to be Minor Development as per §470-43B within 10 working days of receipt from the preceding reviewing agency. The review shall determine if the applicant has completed all requirements and provisions herein mentioned by §110-4.1-4.3. Upon making such determination, the Engineering Division shall forward the findings to the next reviewing agency.
  - ii. The Engineering Division shall be responsible for the following aspects of review:
    - a. All aspects of the design of the driveway.
    - b. Proposed grading of all disturbed areas, excluding the septic field.
    - c. All storm drainage improvements.
    - d. Any road improvements required by a prior approval.
  - iii. Inspections shall be required for improvements to the infrastructure within a Township right-of-way.
  - iv. The Township Engineer shall review all Lot Development Plans as defined to be Major Development as per §470-43C. There shall be no time limit for the review of a Major Development. An escrow account shall be established with the Township for review and inspection costs.
- B. No building permit shall be submitted unless the Construction Official receives approval from all reviewing agencies.

§ 110-4.5 Relocation

- A. If, after excavation of the property shown on the Lot Development Plan, subsurface conditions, by way of rock shelf, high water table or other natural obstacles, shall prevent the location of the improvements, as shown on the Lot Development Plan, and that it is necessary to move the location of the improvements, including vertical changes, or stormwater mitigation provisions to a place other than shown on the Lot Development Plan, then the applicant shall communicate with the Department of Planning and Building, Engineering Division and Department of Health and notify the Township of the intent for relocation. All construction activity, other than that occurring to mitigate and maintain the ongoing impact to the property and adjacent properties, shall cease until submission and approval of a revised Lot Development Plan in accordance with all aforementioned statutes and ordinances. Any conditions of approval as determined by the reviewing agencies as part of the review shall be satisfied.

§ 110-4.6 Issuance of Certificate of Occupancy / As-Built Survey Requirements

- A. Any application for residential construction requiring a Lot Development Plan will require an as-built survey prepared by a New Jersey licensed land surveyor. The application shall comply with the following:
  - i. All conditions of approval during the Township review of the Lot Development Plan shall be completed.
  - ii. Four signed and sealed copies of the as-built survey shall be provided in aforesaid application.
  - iii. The as-built survey must show the following (where applicable):

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- a. The location of all buildings with perpendicular offsets to the property lines.
  - b. The first floor, roof ridge and/or garage floor elevations.
  - c. The location of the septic system (field and tanks).
  - d. The location of the sewer lateral and water service line (if applicable).
  - e. The location of the potable well(s).
  - f. The location and the percent of grade for the driveway, parking areas and turnaround.
  - g. All drainage improvements, including inlets, pipes, swales, drywells, etc., with grate elevations.
  - h. Finished contours and/or spot elevations where the grading has deviated from the approved Lot Development Plan and in areas to demonstrate proper grading.
  - i. The post-development sight distance for driveways (where applicable).
  - j. The total post-development impervious area. If improvement items remain, a separate note shall be included indicating the additional remaining impervious area.
  - k. For all retaining walls greater than 4' in height, three copies of a certification, signed and sealed by a New Jersey licensed professional engineer must be submitted stating that the wall(s), in its as-built condition, is structurally sound and stable.
  - l. Any conditions determined as part of the Township approval.
- B. All as built surveys shall be reviewed by the Department of Planning and Building, Engineering Division and Department of Health.
- i. The Engineering Division shall review all applications for certificate of occupancy for Minor Developments as defined per §470-73B within 10 working days of receipt from the preceding reviewing agency. The Engineering Division shall be responsible to review the following:
    - a. All aspects of the final construction of the driveway.
    - b. The final grading and stabilization for all disturbed areas, excluding the septic field.
    - c. All as-built storm drainage improvements.
    - d. Completion of road improvements required by a prior approval.
  - ii. The Township Engineer shall review all applications for certificate of occupancy for Major Developments as defined per §470-73C. There shall be no time limit for the review of a Major Development.
- C. Incomplete as-built survey items or site improvements may be bonded for at the discretion of the Township. Safety items and road improvements will not be eligible for bonding. An IRS (W-9) must be provided with the bond. All bonds and requisite documentation are to be submitted to the Finance Department.
- D. In the event that the Township review shall find that the premises, as completed by the applicant, shall not have been in substantial compliance with the Lot Development Plan submitted showing the aforementioned items to be completed or safety items remain incomplete, such report shall be forwarded to the Department of Planning and Building, and a copy to the applicant, and no certificate of occupancy shall be issued until substantial compliance with the work on the site, in accordance with the approved Lot Development Plan for the building permit, shall have been made.

**§ 110-4.7 Waivers and Exceptions**

- A. Standards for relief. Waivers from strict compliance with the stormwater Engineering Design Standard of §110-4.3B shall only be granted upon showing that meeting the standards would result in an exceptional hardship on the applicant, that subsurface conditions are not conducive to the required standard, or that the benefits to the public good of the deviation from the standards would outweigh any detriments of the deviation. A hardship will not be considered to exist if reasonable reductions or alterations to the scope of the project would eliminate the noncompliance. All requests for relief shall be submitted on behalf of the applicant by a New Jersey licensed engineer.
- B. Exceptions. A Lot Development Plan shall not be required for a proposed addition, accessory structure or garage if such proposed improvement would result in the creation of impervious area of less than 500 square feet, disturbs less than 2,500 square feet of land area, or if less than 50% of the existing foundation requires replacement (as determined by the Construction Official), if applicable.

**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 immediately upon final passage, approval and publication as required by law.

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



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Introduced: May 18, 2022  
Adopted: June 15, 2022  
Effective Date: July 5, 2022

This Ordinance was introduced on May 18, 2022 and the Notice of Public Hearing was published in the Herald News on May 24, 2022. The Governing Body will open the meeting to the public to speak on this Ordinance only.

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

Motion to vote to adopt Ordinance 2022-026

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Moved: Erik Seconded: Lichtenberg  
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Marsden  
Voted Nay:  
Motion carried:  
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Agenda No. IX 4

~ Ordinance 2022 – 027 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 135, FEES AND COSTS, SECTION 135-32 SITE PLAN REVIEW OF THE REVISED GENERAL ORDINANCES**

**WHEREAS**, the Township Administrator, Department of Building and Planning, Engineering Division and Department of Health have recommended substantial revisions to the current regulations governing site plan review for detached single-family dwellings; and

**WHEREAS**, the Mayor and Township Council have reviewed said revisions and believe that the changes promote public safety and are in the public interest by ensuring that all lot development plans are designed to today's engineering standards; and

**WHEREAS**, the Township of West Milford desires to require Major Development escrow accounts to always satisfy such engineering review costs incurred when required.

**NOW BE IT ORDAINED**, by the Township Council of the Township of West Milford, in the County of Passaic and State of New Jersey, that the Code of the Township of West Milford §135-32 shall be amended as follows:

**SECTION 1.** Chapter 135, Fees and Costs, Section 135-32, Site plan review, is hereby amended to read as follows:

§ 135-32 Lot Development Plan Review

- I. Lot Development Plan review and inspection fee for new buildings: \$250.
- J. Lot Development Plan review and inspection fee for additions, accessory buildings, garages or other impervious surfaces: \$125.
- K. If the Lot Development Plan review qualifies as a Major Development per §470-73, the applicant shall also pay to the Township of West Milford a review fee escrow deposit beginning at \$1,000 in addition to the base application fees set forth pursuant to §135-32A and §135-32B.
  - i. If, during the processing of the application, the funds remaining in the escrow account are depleted below \$250, the applicant shall deposit additional funds to bring the escrow account to at least \$500 before the application shall continue to be processed by the approving authority and prior to action on the application. By mutual agreement, the applicant and the approving authority may agree to another payment schedule where the size and scope of the application may warrant it. Upon final disposition of the application, unused funds in the escrow deposit account shall be returned to the applicant, pursuant to the procedure set forth in N.J.S.A. 40:55D53.2. If there should become a delinquency in an escrow account that goes unpaid and the applicant fails to deposit the additional funds as required by this section, such failure shall be considered a violation of this chapter, which payment may be enforced by the land use administrator or his/her designee by way of summary action in municipal court.

**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.



TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop/Regular Meeting
Date of Meeting: June 15, 2022
Time of Meeting: 6:30 p.m.
Minute Page No: Page 11 of 36

This Ordinance was introduced on May 18, 2022 and the Notice of Public Hearing was published in the Herald News on May 24, 2022. The Governing Body will open the meeting to the public to speak on this Ordinance only.

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

Motion to vote to adopt Ordinance 2022-028

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

Agenda No. IX 6

~ Ordinance 2022 – 029 ~

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

WHEREAS, Ordinance 2022-008 was adopted April 5, 2002 and the Bubbling Springs Park Guest Membership and Daily Pass (per person/per day) needs the word “prepaid” deleted; and

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

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

§ 135-2 Department of Community Services and Recreation

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

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

Table with 4 columns: Item number, Description, Fee, and Additional Info. Rows include: 1. Person under 2 years of age: No charge; 2. Person from 2 years to 17 years of age: \$5.00; 3. A person from 18 to 61 years of age: \$15.00, \$20.00 Non-Resident; 4. Family pass (for up to 4 guests) (each additional guest regardless of age): \$25.00, \$5.00; 5. Seniors (Ages 62+): \$3.00

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

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

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

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

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

Introduced: May 18, 2022
Adopted: June 15, 2022
Effective Date: July 5, 2022

This Ordinance was introduced on May 18, 2022 and the Notice of Public Hearing was published in the Herald News on May 24, 2022. The Governing Body will open the meeting to the public to speak on this Ordinance only.

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



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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

Minutes of: Governing Body Workshop/Regular Meeting  
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- feet, measured from building-to-building, of a residential use.
  - (d) Buildings: All facilities shall be enclosed in heated/air-conditioned buildings, not in greenhouses, hoop houses, or outdoors.
  - (e) Odor control: The facility shall provide an air treatment system with sufficient odor absorbing ventilation and exhaust systems such that and odor generated inside the facility is not detectable by a person of reasonable sensitivity at the property line of the subject property. Odor from the facility shall be monitored on an annual basis at the discretion of the Township by a licensed, qualified contractor chosen by the Township.
  - (f) Signage: Signs shall be limited to the address, name of the company and emergency contact information located on one ground sign not to exceed 24 square feet.
  - (g) State license: The facility must have a valid license to operate from the State of New Jersey.
- C. Any cannabis facility is subject to compliance with all state laws, regulations and guidelines with respect to cannabis licenses issued by the State of New Jersey.

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

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

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

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

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

Introduced: June 15, 2022  
Adopted:  
Effective Date:

Second reading and public hearing for this Ordinance is set for the Workshop/Regular Meeting of the Township Council scheduled for July 13, 2022. Notice of this public hearing shall be published in the Herald News on or about June 21, 2022.

Councilman Marsden suggested that odor control would not apply to the transportation of cannabis because they should not be holding anything on a site. Councilwoman Lichtenberg indicated that under B. 2. (e) ...qualified contractor chosen by the Township... it should also state that the expense for that will be paid by the business owner. The point has been mentioned previously and added to other cannabis ordinances. Councilman Chazukow indicated that there is need for discussion surrounding types of greenhouses. He feels warehouse type growing facilities will be a drain on the power grid and would like to eliminate the prohibition of sustainability.

Mayor Dale indicated that her understanding was that the State regulated the security of the building, with cultivation in a heated, air conditioned building, not in greenhouses, hoop houses, or outdoors. Councilman Marsden pointed out that if you were to be able to remove the roof off a structure, you would then have an issue with odor control. Councilman Chazukow indicated that early in the growing season, the first few months, there is no odor and the odor is produced when the plant is flowering.

There was more discussion regarding greenhouses and Councilman Chazukow indicated he would like to make a motion to write an ordinance addressing certain issues. Attorney Pasternak indicated that we would not be able to go against any State laws. Councilman Chazukow indicated that the State was looking to promote sustainability. Attorney Pasternak indicated that this introduction was just for the overlay zone.

There was clarification made that the Council roll call vote was a motion to move forward with Ordinance 2022-030. The vote was re-taken for the purposes of the record.

Motion to move forward.

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

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TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop/Regular Meeting
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Mayor Dale informed the Council that a motion was not needed in order to proceed with the creation of a draft ordinance regarding Councilman Chazukow's request for more specifics for greenhouses. The Council gave consensus on the matter.

Agenda No. XII 2

~ Ordinance 2022 - 031 ~

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

WHEREAS, Ordinance 2022-008 was adopted April 5, 2022 and the Bubbling Springs Park Guest Membership and Daily Pass (per person/per day) needs the word "prepaid" deleted; and

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

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

§ 135-2 Department of Community Services and Recreation

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

C. Bubbling Springs Park Guest Membership and Daily Pass (per person/per day)

Table with 4 columns: Item number, Description, Fee amount, and Resident/Non-Resident status. Rows include: 1. Person under 2 years of age: No charge, Resident & Non Resident; 2. Person from 2 years to 17 years of age: \$5.00, Resident & Non Resident; 3. A person from 18 to 61 years of age: \$15.00 Resident, \$20.00 Non-Resident; 4. Family pass (for up to 4 guests) (each additional guest regardless of age): \$25.00 Resident, \$5.00 Non-Resident; 5. Seniors (Ages 62+): \$3.00, Resident & Non Resident.

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

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

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

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

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

Introduced: June 15, 2022
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Workshop/Regular Meeting of the Township Council scheduled for July 13, 2022. Notice of this public hearing shall be published in the Herald News on or about June 21, 2022.

Motion to move forward.

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

Agenda No. XII 3

~ Ordinance 2022 - 032 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROPRIATING \$98,283.10 FROM RESERVE FOR CAPITAL PURCHASES

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: June 15, 2022  
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**WHEREAS**, the Township Council of the Township of West Milford did authorize the use of General Funds for Capital Purchases in the 2017, 2018 and 2019 budget processes; and

**WHEREAS**, when said funds are not expended in the year in which they are appropriated an ordinance is required to reserve those funds for their intended purpose; and

**WHEREAS**, the projects could be funded by the issuance of bonds it if were not being permanently funded by the capital funds on hand; and

**WHEREAS**, this ordinance shall appropriate \$98,283.10 from the Reserve for Capital Purchases.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the sum of \$98,283.10 be appropriated as follows:

Fire Equipment	\$98,283.10
<b>TOTAL</b>	<b>\$98,283.10</b>

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

Introduced: June 15, 2022  
Adopted:  
Effective Date:

Second reading and public hearing for this Ordinance is set for the Workshop/Regular Meeting of the Township Council scheduled for July 13, 2022. Notice of this public hearing shall be published in the Herald News on or about June 21, 2022.

Motion to move forward.

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Moved: Erik Seconded: Lichtenberg  
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Marsden  
Voted Nay:  
Motion carried:  
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Mayor Dale asked to move resolutions 2022-219 through 2022-246.

Agenda No. XII 4

~ Resolution 2022 – 219 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO ENTER INTO A LEASE WITH VETERANS OF FOREIGN WARS POST 7198 AS TO THE CONCESSION STAND, LOCATED AT BLOCK 5307, LOT 11.02 IN THE TOWNSHIP OF WEST MILFORD**

**WHEREAS**, a Concession Stand was constructed on Block 5307, Lot 11.02 near Melody Lake; and

**WHEREAS**, Veterans of Foreign Wars Post 7198 (hereinafter “the VFW”) wishes to lease such structure, at the rate of \$1.00 per year, for a period of ten years and ending June 30, 2032; and

**WHEREAS**, the Township of West Milford (hereinafter “the Township”) wishes to enter into such agreement, as VFW is willing improve, repair and maintain the property, as well as install an Americans with Disability Act compliant toilet proximate to the building; and

**WHEREAS**, all such improvements shall be made without reimbursement to the VFW and

**WHEREAS**, the Township and the VFW have agreed to the terms and conditions set forth in the Lease Agreement on file in the Clerk’s Office and incorporated herein.

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

1. The Lease agreement between the Township of West Milford and Veterans of Foreign Wars Post 7198 (Block 5307, Lot 11.02) for a ten-year term commencing July 1, 2022 and ending June 30, 2032 is hereby approved, and the Mayor and Township Clerk are hereby authorized and directed to execute same.

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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2. The Clerk shall forward a copy of this Resolution to the Township Administrator and Chief Financial Officer.

This Resolution shall take effect immediately.

Adopted: June 15, 2022

Agenda No. XII 5

**~ Resolution 2022 – 220 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING RESOLUTION 2021-330 FOR GENERATOR INSTALLATION WITH BARONE ENGINEERING ASSOCIATES, LLC FOR \$12,000 TO INCREASE THE CONTRACT VALUE FOR AN ADDITIONAL \$4,200**

**WHEREAS**, by virtue of Resolution 2021-330 adopted September 8, 2021 the Township Council did award the contract with Barone 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**, Resolution 2021-330 and the related Professional Services Contract did authorize services in an amount not to exceed \$12,000; and

**WHEREAS**, the Township Administrator has been advised that the Township needs to necessitate an amendment in an additional amount not to exceed \$4,200; 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 01-201-28-374-802; and

**WHEREAS**, supplemental necessary work was not considered before the initial contract which caused the additional amount of funding required to complete the job; and

**WHEREAS**, these additional funds are needed for preparation of bid documents per West Milford standards, review of contractor's shop drawings and the pre-purchase review of the generator.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey that they do hereby authorized the Township Administrator to approve an amendment of \$4,200 to Barone Engineering Associates, LLC which amount is in excess of the approved contract amount of \$12,000 bringing the contract total to an amount not to exceed \$16,200.

Adopted: June 15, 2022

Agenda No. XII 6

**~ Resolution 2022 – 221 ~**

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

**WHEREAS**, Resolution 2022-155 was adopted on April 6, 2022 to authorize the Township of West Milford Police Department to request and acquire excess Department of Defense Equipment through the 1033 Program from January 1, 2022 to December 31, 2022; and

**WHEREAS**, a skid steer, trucks and one van have been added to Resolution 2022-155; and

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

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

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



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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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

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

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

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

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

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

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

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

Adopted: June 15, 2022

Agenda No. XII 7

~ Resolution 2022 – 222 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY TO AWARD A PROFESSIONAL SERVICES CONTRACT TO PINTO CONSULTING, LLC FOR APPRAISAL AND APPRAISAL SERVICES AS TO NEWARK WATERSHED PROPERTIES**

**WHEREAS**, there exists a need for professional services to be rendered to the Township of West Milford (hereinafter also, the "Township") as to appraisal services as to the Newark Watershed properties (hereinafter also, the "Subject Property"), specifically in connection with the impact of "Open Space" or preservation status upon the value of the Subject Property; and

**WHEREAS**, the Township wishes to retain the services of Pinto Consulting, LLC, located at 21 Cherry Tree Lane, Chester, NJ, 07930, to secure such appraisal services for the Township; and

**WHEREAS**, in accordance with its proposal dated May 13, 2022, and as on file in the Clerk's Office, the Township shall be subject to an appraisal fee of no more than \$2,500.00, inclusive of expenses, and with further details as set forth within the proposal; and

**WHEREAS**, such appraisal fee shall be paid by resolution of the Governing Body; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this services; said funds to be encumbered from account number 01-201-20-161-450; and

**WHEREAS**, the Local Public Contracts Law N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of contracts for professional services without competitive bid, and the contract itself, must be made available for public inspection.

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

Minutes of: Governing Body Workshop/Regular Meeting  
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**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, as follows:

1. The Township of West Milford hereby awards and authorizes the Mayor and Clerk to execute an agreement with Pinto Consulting, LLC, located at 21 Cherry Tree Lane, Chester, NJ, 07930, for professional services in accordance with its proposal of May 13, 2022 which is on file in the Clerk's Office.
2. This contract is awarded without competitive bidding as a professional service, in accordance with the provisions of the Local Public Contracts Law, and such services are performed by a person authorized by law to practice a recognized profession.
3. The total fee authorized for this contract is subject to the terms of the proposal and agreement.
4. Notice of this action shall be published once in the Township's official newspaper, as required by law.
5. A copy of this resolution shall be provided to the Treasurer and/or Chief Financial Officer of the Township of West Milford, and to Pinto Consulting, LLC, located at 21 Cherry Tree Lane, Chester, NJ, 07930 for their information and guidance.

This Resolution shall take effect immediately.

Adopted: June 15, 2022

Agenda No. XII 8

~ Resolution 2022 – 223 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE FROM LAKE MANAGEMENT SCIENCES INC. IN ACCORDANCE WITH THE TOWNSHIP PURCHASING POLICY AND IN ACCORDANCE WITH THE PAY-TO-PLAY LAW N.J.S.A. 19:44A-20.5 ET SEQ. FOR SEASONAL TREATMENT OF LAKES**

**WHEREAS**, the Township of West Milford has a need for seasonal control of algae, rooted vegetation and phragmite with treatments to the Nosenzo Pond, Lower Bubbling Springs Park, Upper Mount Laurel lakes which expenses would exceed the Pay-to-Play threshold of \$17,500; and

**WHEREAS**, after receiving quotes from vendors, Lake Management Sciences Inc. has been selected and has complied with state Pay-to-Play regulation by completing and submitting a Business Entity Disclosure Certification; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that purchases from Lake Management Sciences Inc. is hereby authorized and approved provided that the required 3 quotes per request be obtained and total purchases not to exceed the bid threshold.

Adopted: June 15, 2022

Agenda No. XII 9

~ Resolution 2022 – 224 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE FROM EAGLE POINT AMMUNITION AS A VENDOR THAT HOLDS A STATE CONTRACT PURSUANT TO N.J.S.A. 40A:11-12 (A) IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICIES 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 this resolution and 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 or Cooperative Pricing contract; and

**WHEREAS**, the Township Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase in excess of the former bid threshold of \$17,500.00 and that the purchase shall warrant use of State contract, cooperative pricing contract or a minimum of three quotations; 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 Contract for Police Ammunition awarded to Eagle Point Ammunition which expenses would exceed the threshold of \$17,500.00; and

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**WHEREAS**, the above referenced vendor has complied with 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 material 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 Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute purchases to the above referenced vendor within the budget appropriation established for this purpose.

Adopted: June 15, 2022

Agenda No. XII 10

~ Resolution 2022 – 225 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, 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 ADDITIONAL AMOUNT NOT TO EXCEED \$25,000.00**

**WHEREAS**, the Township of West Milford by virtue of Resolution 2022-111 awarded a contract to Eastern Concrete Materials, Inc. for the purchase of crushed stone; and

**WHEREAS**, the Director of Public Works has submitted a written recommendation for the purchase of additional crushed stone; and

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

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

1. The Mayor and Township Council hereby authorizes an expenditure of funds through the Morris County Cooperative Pricing Council, Contract #9 (Crushed Stone and Sand) to Eastern Concrete Materials, Inc., 250 Pehle Ave., Suite 503, Saddle Brook, NJ 07663 for the purchase of additional crushed stone thereby increasing the not to exceed amount from \$20,000.00 to \$45,000.00.
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: June 15, 2022

Agenda No. XII 11

~ Resolution 2022 – 226 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE INTENT TO PURCHASE HEAVY DUTY TRUCK SUSPENSION PARTS AND SERVICE FROM STANDARD SPRINGS INC. IN ACCORDANCE WITH THE TOWNSHIP PURCHASING POLICY AND IN ACCORDANCE WITH THE PAY-TO-PLAY LAW N.J.S.A. 19:44A-20.5 ET SEQ.**

**WHEREAS**, the Township of West Milford has a need for repairs to heavy duty truck suspensions which expenses would exceed the Pay-to-Play threshold of \$17,500; and

**WHEREAS**, the heavy duty trucks in need of these repairs are generally Fire Engines or snow removal trucks, whose operation is needed in emergencies and/or road plowing during snowstorms and repairs must be completed in a timely manner to continue such operations and in the rare instance of needing to be towed for such repairs to be performed where prior towing costs have been between \$850.00 to over \$1,800.00; and

**WHEREAS**, Standard Springs Inc. is located in the closest proximity to the Township, thereby reducing towing expenses to the lowest cost and whose response time for repairs has been 1-3 days; and

**WHEREAS**, the response time quoted from other vendors has been 1-3 weeks, leaving the Township to rely on alternate emergency and/or snow removal vehicles for an extended period of time; and

**WHEREAS**, after multiple attempts to request quotes from other vendors with no response after 2-3 weeks and receiving one response from Standard Springs Inc. in less than 24 hours; and

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**WHEREAS**, Standard Springs Inc. has complied with 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 purchases from Standard Springs Inc. is hereby authorized and approved provided that the required 3 quotes per request attempt to be obtained and total purchases not to exceed the bid threshold or budgeted appropriation established for this purpose for the remainder of 2022 calendar year.

Adopted: June 15, 2022

Agenda No. XII 12

~ Resolution 2022 – 227 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE INTENT TO PURCHASE FROM MONTAGUE TOOL & SUPPLY IN ACCORDANCE WITH THE TOWNSHIP PURCHASING POLICY AND IN ACCORDANCE WITH THE PAY-TO-PLAY LAW N.J.S.A. 19:44A-20.5 ET SEQ. - AMENDED**

**WHEREAS**, the Township Council did approve Resolution 2022-146 to purchase from Montague Tool & Supply using three quotations; and

**WHEREAS**, Montague Tool & Supply holds multiple Bergen County Co-Op contracts covering hand tools, small power tools, Stihl power tools and accessories, grounds maintenance items, equipment repairs; and

**WHEREAS**, the Township is a member of the Bergen County Co-Op and therefore can take advantage of the discounted prices; and

**WHEREAS**, the expenses would exceed the Pay-to-Play threshold of \$17,500 and Montague Tool & Supply has complied with State Pay-to-Play regulation by completing and submitting a Business Entity Disclosure Certification; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that purchases from Montague Tool & Supply is hereby authorized and approved provided that purchases are made through the Bergen County Cooperative pricing contract or a minimum of three quotations when the purchase is not covered under a Cooperative pricing contract and the total purchases are not to exceed the budgeted appropriation established for this purpose for the remainder of the 2022 calendar year.

Adopted: June 15, 2022

Agenda No. XII 13

~ Resolution 2022 – 228 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF PAVING MATERIALS FROM TILCON NEW YORK, INC. THROUGH MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #5 (PAVING MATERIALS) IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$10,000**

**WHEREAS**, the Township of West Milford by virtue of Resolution 2022-112 awarded a contract to Tilcon New York, Inc. for the purchase of paving materials; and

**WHEREAS**, the Director of Public Works has submitted a written recommendation for the purchase of additional paving materials; 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: 01-201-26-290-361.

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

1. The Mayor and Township Council hereby authorizes an expenditure of funds through the Morris County Cooperative Pricing Council, Contract #5 Paving Materials to Tilcon New

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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- York, Inc., 9 Entin Road, Parsippany, NJ 07054 for the purchase of additional paving materials thereby increasing the not to exceed amount from \$30,000.00 to \$40,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: June 15, 2022

Agenda No. XII 14

~ Resolution 2022 – 229 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF PAVEMENT MARKINGS FOR TOWNSHIP ROADWAYS THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #36 (TRAFFIC STRIPING ON ROADS) TO DENVILLE LINE PAINTING, INC. NOT TO EXCEED \$25,000**

**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 #36, Traffic Striping on Roadways to Denville Line Painting, Inc.

**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 Township of West Milford anticipates a need for Pavement Markings in 2022; and

**WHEREAS**, the Director of Public Works has reviewed the Morris County Cooperative Pricing Council's contract and related specifications and has submitted a written recommendation for the Township of West Milford to purchase Pavement Markings through the Morris County Cooperative Pricing Council, Contract #36 in an amount not to exceed \$25,000.00; 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 01-201-26-290-622;

**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 the Department of Public Works to purchase Pavement Markings, in an amount not to exceed \$25,000.00, through the Morris County Cooperative Pricing Council, Contract #36, to Denville Line Painting, Inc. 2 Green Pond Road, Rockaway, NJ 07866.
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: June 15, 2022

Agenda No. XII 15

~ Resolution 2022 – 230 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF TRAFFIC STRIPING FOR TOWNSHIP ROADWAYS THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #36 (TRAFFIC STRIPING ON ROADS) TO DENVILLE LINE PAINTING, INC. NOT TO EXCEED \$145,000**

**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 #36, Traffic Striping on Roadways to Denville Line Painting, Inc.

**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 Township of West Milford anticipates a need for Traffic Striping in 2022; and

**WHEREAS**, the Director of Public Works has reviewed the Morris County Cooperative Pricing Council's contract and related specifications and has submitted a written recommendation for the Township

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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of West Milford to purchase Traffic Striping on Roadways through the Morris County Cooperative Pricing Council, Contract #36 in an amount not to exceed \$145,000.00; 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 01-201-26-290-623;

**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 the Department of Public Works to purchase Traffic Striping on Roadways, in an amount not to exceed \$145,000.00, through the Morris County Cooperative Pricing Council, Contract #36, to Denville Line Painting, Inc. 2 Green Pond Road, Rockaway, NJ 07866.
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: June 15, 2022

Agenda No. XII 16

~ Resolution 2022 – 231 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR DISPOSAL/RECYCLING OF MUNICIPAL STREET SWEEPINGS TO DEER CARCASS REMOVAL SERVICES, LLC. THROUGH THE SOMERSET COUNTY COOPERATIVE PRICING SYSTEM, CONTRACT #CC-0067-22 (DISPOSAL/RECYCLING OF MUNICIPAL ROAD CLEAN-UP MATERIALS) IN AN AMOUNT NOT TO EXCEED \$50,000.00**

**WHEREAS**, the Township of West Milford is a member of the Somerset County Cooperative Pricing System by virtue of Resolution 2021-405 adopted November 3, 2021; and

**WHEREAS**, the Somerset County Cooperative Pricing System has awarded Contract #CC-0067-22, Disposal/Recycling of Municipal Road Clean-up Materials to Deer Carcass Removal Services, LLC.,

**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 Township has the need to dispose/recycle approximately 4,000 tons of Municipal Road Clean-up Materials (Street Sweepings); and

**WHEREAS**, the Director of Public Works has submitted a written recommendation that the Township of West Milford utilize the services of Deer Carcass Removal Services LLC., for the removal of Municipal Road Clean-up Materials (Street Sweepings) of approximately 1,050 tons of material through the use of Somerset County Cooperative Pricing System, Contract #CC-0067-22 in an amount not to exceed \$50,000.00; 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 01-201-26-290-303;

**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 Somerset County Cooperative Pricing System, Contract #CC-0067-22, to Deer Carcass Removal Services, LLC, PO Box 328, Cream Ridge, NJ 08514 for the Disposal/Recycling of Municipal Road Clean-up Materials (approximately 1,050 tons) in an amount not to exceed \$50,000.00 for this service.
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: June 15, 2022

Agenda No. XII 17

~ Resolution 2022 – 232 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE SERVICES OF TREE KING FOR TREE REMOVAL SERVICES AS A VENDOR THAT HOLDS A CO-OP CONTRACT PURSUANT TO N.J.S.A. 40A:11-12 (A) IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICIES AND PAY-TO-PLAY LAW N.J.S.A. 19:44A-20.5 ET SEQ.**

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**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 this resolution and 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 or Cooperative Pricing contract; and

**WHEREAS**, the Township Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase in excess of the former bid threshold of \$17,500.00 and that the purchase shall warrant use of State contract, cooperative pricing contract or a minimum of three quotations; and

**WHEREAS**, the Township of West Milford has a need on a timely basis to purchase goods and services utilizing the Morris County Co-Op Contract #18 for Tree Removal Services awarded to Tree King which expenses would exceed the threshold of \$17,500.00; and

**WHEREAS**, the above referenced vendor to comply with 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 material 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 Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute purchases to the above referenced vendor within the budget appropriation established for this purpose.

Adopted: June 15, 2022

Agenda No. XII 18

**~ Resolution 2022 – 233 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A CONTRACT FOR GUIDE RAIL THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL - CONTRACT #26: BEAM GUIDE RAIL & SAFETY ENDS (INSTALLED) TO ROAD SAFETY SYSTEMS, LLC**

**WHEREAS**, the Township of West Milford is a member of the Morris County Cooperative Pricing Council (State Identifier Number 6MOCCP); and

**WHEREAS**, the Morris County Cooperative Pricing Council has awarded Contract #26: Beam Guide Rail & Safety Ends (Installed) to Road Safety Systems, LLC and said contract was awarded through the open and competitive bidding process in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

**WHEREAS**, the Township Supervising Engineering Aide has reviewed the Morris County Cooperative Pricing Council's contract and related specifications and has submitted a written recommendation that the Township of West Milford award a contract for Guide Rail to Road Safety Systems, LLC, utilizing the Morris County Cooperative Pricing Council - Contract #26: Beam Guide Rail & Safety Ends (Installed); and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this purchase, said funds of \$35,000.00 are to be encumbered from account numbered 04-215-55-837-003, respectively; and

**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 the award of a contract through the Morris County Cooperative Pricing Council - Contract #26: Beam Guide Rail & Safety Ends (Installed) to Road Safety Systems, LLC in an amount not to exceed \$35,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: June 15, 2022

Agenda No. XII 19

**~ Resolution 2022 – 234 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A CONTRACT FOR ROADWAY CRACK SEALING**

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL - CONTRACT #6: ROAD RESURFACING, CATEGORY C: CRACK SEALANT TO REIVAX CONTRACTING CORPORATION**

**WHEREAS**, the Township of West Milford is a member of the Morris County Cooperative Pricing Council (State Identifier Number 6MOCCP); and

**WHEREAS**, the Morris County Cooperative Pricing Council has awarded Contract #6: Road Resurfacing, Category C: Crack Sealant to Reivax Contracting Corporation and said contract was awarded through the open and competitive bidding process in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

**WHEREAS**, the Township Supervising Engineering Aide has reviewed the Morris County Cooperative Pricing Council's contract and related specifications and has submitted a written recommendation that the Township of West Milford award a contract to Reivax Contracting Corporation through the Morris County Cooperative Pricing Council – Contract #6: Road Resurfacing, Category C: Crack Sealant; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this purpose, said funds are to be encumbered from account number 04-215-55-837-003; and

**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 the award of a contract through the Morris County Cooperative Pricing Council - Contract #6: Road Resurfacing, Category C: Crack Sealant to Reivax Contracting Corporation, 165 River Road, Flemington, NJ 08822, in an amount not to exceed \$50,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: June 15, 2022

Agenda No. XII 20

**~ Resolution 2022 – 235 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF HOSE/PUMP AND LADDER TESTING THROUGH WATERWAY INC. FOR THE TOWNSHIP FIRE DEPARTMENT IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICIES**

**WHEREAS**, the Township Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase or purchases in excess of the former bid threshold of \$17,500.00 and that the purchases shall warrant use of State contract, Cooperative Pricing contract or a minimum of three quotations; and

**WHEREAS**, The Fire Department, in compliance with N.F.P.A. regulations needs to have the pumps, hose and ladders tested annually; and

**WHEREAS**, the cost of this testing does not exceed the \$17,500.00 threshold; and

**WHEREAS**, three (3) quotes were solicited and two (2) quotes were received and Waterway was the lowest quote at \$14,200.00; and

**WHEREAS**, the above referenced vendor shall comply with State Pay-to-Play regulations by completing and submitting a Business entity Disclosure Certification; 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 01-201-25-266-339.

**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 a purchase order to Waterway, PO Box 5007, Old Bridge, NJ 08857, for the testing of the Fire Departments Pumps, Hose and Ladders

Adopted: June 15, 2022

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**~ Resolution 2022 – 236 ~**



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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE INTENT TO PURCHASE FROM SHI INTERNATIONAL AS A VENDOR THAT HOLDS A STATE CONTRACT PURSUANT TO N.J.S.A. 40A:11-12 (A) IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICIES 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 this resolution and 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 or Cooperative Pricing contract; and

**WHEREAS**, the Township Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase in excess of the former bid threshold of \$17,500.00 and that the purchase shall warrant use of State contract, cooperative pricing contract or a minimum of three quotations; 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 contract and Co-Op contracts for computer equipment, including toner cartridges, software updates, yearly maintenance contracts and more awarded to SHI International which expenses would exceed the threshold of \$17,500.00; and

**WHEREAS**, the above referenced vendor has complied with 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 material shall be undertaken until such time as the funding for the goods or services are certified by the Chief Financial Officer; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute purchases to the above referenced vendor within the budget appropriation established for this purpose.

Adopted: June 15, 2022

Agenda No. XII 22

~ Resolution 2022 – 237 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO SPATIAL DATA LOGIC FOR SERVICES RELATED TO THE SUPPORT, PORTAL ACCESS, MAINTENANCE AND LICENSE FEES**

**WHEREAS**, the Township has a need for services related to the maintenance and support of certain proprietary multi-departmental municipal management software programs, specifically Spatial Data Logic; and

**WHEREAS**, the Township requires (19) nineteen licenses for the period from July 1, 2022 through June 30, 2023 at a cost of \$1,600 each and an additional (2) two licenses for the Fire Marshal for the period from July 1, 2022 through December 31, 2022 at a cost of \$800 each; and

**WHEREAS**, N.J.S.A. 40A:11-5(1) (dd) provides that the award of a contract for the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software is an exception to the bidding requirements of the Local Public Contracts Law; and

**WHEREAS**, Spatial Data Logic, 285 Davidson Ave, Suite 302, Somerset, NJ 08873 has agreed to perform these services on behalf of the Township; and

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

**WHEREAS**, this contract is being awarded as a non-fair and open contract not to exceed the amount of \$32,000 for the regular maintenance for the period from July 1, 2022 through June 30, 2023; and

**WHEREAS**, the Chief Financial Officer has certified the availability of the funds from various accounts as appropriated by the Governing Body in the 2022 Municipal Budget.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey approves the continuation of the maintenance, licenses, support and portal access with Spatial Data Logic as the owner of the software program.

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**~ Resolution 2022 – 238 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF FIRE INSPECTION AND RECORDS MANAGEMENT SOFTWARE FOR FIRE INSPECTION SERVICES THROUGH NEW JERSEY STATE CONTRACT 20-TELE-01510 (T3121) AWARDED TO DELL, INC. THROUGH PROPHOENIX CORPORATION**

**WHEREAS**, the Township Fire Marshal of the Township of West Milford has determined it to be in the best interest of the municipality to purchase new Fire Inspection and Records Management Software; and

**WHEREAS**, the State of New Jersey has engaged in competitive bidding for these products and services and has awarded one of the contracts to Dell, Inc. in accordance with the State of New Jersey Local Public Contracts Law; and

**WHEREAS**, the cost of said Fire Inspection and Records Management Software is \$22,477.00, a product of ProPhoenix Corporation, 502 Pleasant Valley Avenue, Suite 1, Moorestown, NJ 08057 through state contract including first year of subscription for licenses, with an annual subscription renewal cost of \$7,256.00 after one year; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this product said funds to be encumbered from account 19-295-56-120-520.

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

1. The Township Council of the Township of West Milford hereby authorizes the purchase of Fire Inspection and Records Management Software in accordance with New Jersey State Contract 20-TELE-01510 (T3121) which authorizes such goods and services in accordance with the local public contracts law.
2. The amount of these goods and services shall not exceed \$22,477.00 without advance written approval from the Governing Body.

Adopted: June 15, 2022

Agenda No. XII 24

**~ Resolution 2022 – 239 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE CLEAN UP AND A LIEN ON 12 QUINTON ROAD**

**WHEREAS**, the condition of 12 Quinton Road poses a risk to the health, safety and welfare of the residents of the Township of West Milford as the debris on the property attracts rodents, insects and other animals; and

**WHEREAS**, the property owner has not corrected the condition after being issued various notices; and

**WHEREAS**, the Township Code Section 285-11 permits the Township to abate the condition and place a lien on the property under certain conditions; and

**WHEREAS**, the Township's Zoning Officer has provided a report of the work proposed and the steps taken to try to have the condition abated by the property owner; and

**WHEREAS**, removing the debris and abate the dangerous condition will require two 20-yard containers and four Public Works employees at a total estimated cost of approximately \$2,000; and

**WHEREAS**, a lien can be placed on the property for the work required to abate the dangerous condition.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Township of West Milford hereby authorizes the debris at 12 Quinton Road to be removed in order to abate the hazardous condition.

**BE IT FURTHER RESOLVED** that a lien shall be place on the property for all expenses incurred as a result of abating the hazardous condition.

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**BE IT FURTHER RESOLVED** that a copy of the resolution approving the expenses and costs, whereupon the same, shall be certified by the Township Clerk and filed with the Tax Collector of the Township, who shall be responsible for the collection and a copy of the report and resolution for the collection, and a copy of the report and resolution shall be sent by certified mail, return receipt requested, to the owner.

Adopted: June 15, 2022

Agenda No. XII 25

**~ Resolution 2022 – 240 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) FOR THE MILLING AND RESURFACING OF CLINTON ROAD – SECTION 5 BETWEEN PASSAIC COUNTY BRIDGE #177 AND STEPHENS ROAD**

**WHEREAS**, the NJDOT is accepting applications for the fiscal year 2023 Municipal Aid Program; and

**WHEREAS**, the Township's Engineering Division has recommended that the following application be submitted for the milling and resurfacing of Clinton Road – Section 5 between Passaic County Bridge #177 and Stephens Road (1.6 miles); and

**WHEREAS**, the Township's Engineering Division submits the following application for consideration to the Township Council:

<b>Project: Clinton Road – Section 5</b>	
Milling and resurfacing of Clinton Road between Passaic County Bridge #177 and Stephens Road (1.6 miles)	
Grant Application:	\$525,000
Township Contribution:	\$340,000
Estimated Cost for Entire Project:	\$865,000
<b>Grant Application No.</b>	<b>MA-2023-Clinton Road-Section 5-00253</b>

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Township Council of the Township of West Milford formally approve the grant application for the above stated project; and

**BE IT FURTHER RESOLVED** that the Township Engineering Division Agency Administrator is hereby authorized to submit the grant application as identified above to the New Jersey Department of Transportation through S.A.G.E. (System for Administering Grants Electronically) on behalf of the Township of West Milford; and

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of West Milford and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Adopted: June 15, 2022

Agenda No. XII 26

**~ Resolution 2022 – 241 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) FOR BIKEWAY IMPROVEMENTS TO WESTBROOK ROAD BETWEEN RIDGE ROAD AND THE WESTBROOK TEEN CENTER, INCLUDING WIDENING, RESURFACING AND STORMWATER COMPLIANCE**

**WHEREAS**, the NJDOT is accepting applications for the fiscal year 2023 Bikeway Program; and

**WHEREAS**, the Township's Engineering Division has recommended that the following application be submitted for Bikeway Improvements to Westbrook Road between Ridge Road and the Westbrook Teen Center, including widening, resurfacing and stormwater compliance; and

**WHEREAS**, the Township's Engineering Division submits the following application for consideration to the Township Council:

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**  
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<b>Project: Westbrook Road – Section 4</b>	
Bikeway Improvements to Westbrook Road between Ridge Road and the Westbrook Teen Center (0.8 miles), including Widening, Resurfacing and Stormwater Compliance	
Grant Application:	\$580,000
Township Contribution:	\$386,000
Estimated Cost for Entire Project:	\$966,000
<b>Grant Application No.</b>	<b>BIKE-2023-Westbrook Road – Section 4-00010</b>

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Township Council of the Township of West Milford formally approve the grant application for the above stated project; and

**BE IT FURTHER RESOLVED** that the Township Engineering Division Agency Administrator is hereby authorized to submit the grant application as identified above to the New Jersey Department of Transportation through S.A.G.E. (System for Administering Grants Electronically) on behalf of the Township of West Milford; and

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of West Milford and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Adopted: June 15, 2022

Agenda No. XII 27

~ Resolution 2022 – 242~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) FOR THE MILLING AND RESURFACING OF MAPLE ROAD**

**WHEREAS**, the NJDOT is accepting applications for the fiscal year 2023 Municipal Aid Program; and

**WHEREAS**, the Township's Engineering Division has recommended that the following application be submitted for the milling and resurfacing of Maple Road (1.6 miles); and

**WHEREAS**, the Township's Engineering Division submits the following application for consideration to the Township Council:

<b>Project: Maple Road</b>	
Milling and resurfacing of Maple Road (1.6 miles)	
Grant Application:	\$567,000
Township Contribution:	\$378,000
Estimated Cost for Entire Project:	\$945,000
<b>Grant Application No.</b>	<b>MA-2023-Maple Road-00254</b>

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Township Council of the Township of West Milford formally approve the grant application for the above stated project; and

**BE IT FURTHER RESOLVED** that the Township Engineering Division Agency Administrator is hereby authorized to submit the grant application as identified above to the New Jersey Department of Transportation through S.A.G.E. (System for Administering Grants Electronically) on behalf of the Township of West Milford; and

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of West Milford and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Adopted: June 15, 2022

Agenda No. XII 28

~ Resolution 2022 – 243 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES AND PLENARY RETAIL DISTRIBUTION LICENSE FOR THE 2022- 2023 LICENSE YEAR**

**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**WHEREAS**, applications for renewal of Plenary Retail Consumption Licenses and one Plenary Retail Distribution License for the 2022-2023 License year have been processed on the ABC POSSE website and reviewed; and

**WHEREAS**, these licenses have received Tax Clearance and if applicable a Special Ruling for the 2022-2023 year; and

**WHEREAS**, the Township Council has conducted a public review of the applications 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 applications are complete in all respects.
2. The applicants are 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 these licenses be renewed to the current owners as follows:

<b>2022-2023 Active Plenary Retail Consumption Licenses</b>	
<b>JOSEF LANG HOLDINGS INC.</b> t/a The Lake Shore Inn Bar 399 Lakeshore Drive, Hewitt, NJ 07421 <b>1615-33-035-008</b>	<b>STAMMY LLP</b> t/a Country Cottage Restaurant & Bar 1745 Macopin Road, West Milford, NJ 07480 <b>1615-33-015-010</b>
<b>2022-2023 Active Plenary Retail Distribution License</b>	
<b>HIGHLAND WINE &amp; LIQUOR LLC</b> t/a Highland Wine & Liquor 1926 Union Valley Road, Unit K, Hewitt, NJ 07421 <b>1615-44-038-001</b>	

<b>2022-2023 Active Plenary Retail Consumption Licenses with Conditions</b>	
<b>LICENSEE</b>	<b>CONDITIONS</b>
<b>GRASSHOPPER IRISH PUB &amp; RESTAURANT LLC</b> t/a Grasshopper Irish Pub & Restaurant 2891 Route 23, Newfoundland, NJ 07435 <b>1615-33-005-006</b>  <b>Conditions cont'd next page</b>	<ol style="list-style-type: none"> <li>1. Persons are not to leave the property of the licensed premise or the extended premise with alcoholic beverages.</li> <li>2. A written notice to advise patrons not to leave the extended premise with alcoholic beverages must be posted and the exit gate shall be alarmed.</li> <li>3. Outdoor deck approved as a smoking area for existing customers not as an additional dining area.</li> <li>4. A maximum occupancy for the outside deck area with tables and chairs is 42 patrons by NJAC 5:70-3.2(a)5, F-601.6 and the Township Building Construction Officials.</li> <li>5. If noise becomes an issue additional restriction will be applied.</li> </ol>
<b>SUNWOO TRADE LLC</b> t/a Route 23 Ichiban Wok & Sushi 3055 Route 23, Oak Ridge, NJ 07438 <b>1615-33-016-007</b>	<ol style="list-style-type: none"> <li>1. Second floor occupancy load must be strictly adhered to.</li> </ol>
<b>SPIRITS OF VREELAND LLC</b> t/a The Vreeland Store 1383 Macopin Road, West Milford, NJ 07480 <b>1615-33-022-003</b>	<ol style="list-style-type: none"> <li>1. The front porch area is not licensed.</li> </ol>
<b>4ZIP SQUARE CORP</b> t/a Blini Restaurant & Pizzeria 216 Cahill Cross Road, West Milford, NJ 07480 <b>1615-33-023-006</b>	<ol style="list-style-type: none"> <li>1. No food, drinks or alcoholic beverages served on porch area or patio area prior to resolution of Township Zoning and Site Plan requirements.</li> <li>2. ADA parking to be in compliance with State requirements.</li> </ol>
<b>LUCS GARAGE LLC</b> t/a Lucs Garage LLC 1934 Greenwood Lake Turnpike, Hewitt, NJ 07421 <b>1615-33-030-011</b>	<ol style="list-style-type: none"> <li>1. Total seating for establishment must not exceed 78 bar/restaurant seats as per NJPDES No. NJG0239038 PI ID#444444. Submitted drawing does not indicate any seating on rear outdoor deck.</li> <li>2. Occupancy load must be adhered to.</li> <li>3. Any existing and/or new fencing in the rear of the building will require a Zoning permit.</li> </ol>

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**  
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<b>2022-2023 Active Plenary Retail Consumption Licenses with Conditions</b>	
<b>LICENSEE</b>	<b>CONDITIONS</b>
<b>WEST MILFORD BAR &amp; LIQUORS INC.</b> t/a Westbrook Hootch Hut 717 Otterhole Road, West Milford, NJ 07480 <b>1615-33-033-002</b>	1. License Certificate must be properly displayed. 2. Copy of most recent long form license application must be kept on licensed premises.

<b>2022-2023 Inactive / Pocket Licenses with Itemized Conditions Below</b>	
<b>PLAZA BAR &amp; LIQUORS INC.</b> 1930 Union Valley Road, Hewitt, NJ 07421 <b>1615-33-010-003</b>	<b>THREE SHEETS LLC</b> 322 Lakeside Road, Hewitt, NJ 07421 <b>1615-33-011-005</b>
<b>NONNA NINA LLC</b> 15 Colony Drive, Monroe, NY 10950 <b>1615-33-017-009</b>	<b>PFA REALTY LLC</b> 1611 Greenwood Lake Turnpike Hewitt, NJ 07421 <b>1615-33-020-009</b>
<b>JAY BHOLE LIQUOR CORPORATION</b> 3052 NJ 23, Oakridge, NJ 07438 <b>1615-33-027-013</b>	
<b>CONDITIONS</b> 1. 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 or (re)opening the license, inspections of premises must be made and satisfactory recommendations must be received by the Fire, Health, Building, Zoning and Police Departments. 3. Prior to activating or (re)opening the license, Licensee must submit pages 1, 2, and 11 of the 12-page ABC application to the Township Clerk's Office with date of activation. 4. Health Department Retail Food Establishment license must be acquired with detailed floor plans and satisfactory recommendation received from Health prior to opening.	

**NOW, THEREFORE, BE IT RESOLVED** that the Township Clerk is directed to issue the license certificates for the Mayor and Township Council of the Township of West Milford but keep on file the inactive/pocket licenses until such time they are sited at a location.

Adopted: June 15, 2022

Agenda No. XII 29

~ Resolution 2022 – 244 ~

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

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

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

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

<b>License Nos.</b>	<b>2022 SOLICITOR LICENSE</b>
2022-11 thru 13	Aptive Environmental LLC
<b>License Nos.</b>	<b>2022 PEDDLER LICENSE</b>
2022-01	Kerri Cardona-Niosi & Joseph Niosi - Cherry on Top Ice Cream LLC

Adopted: June 15, 2022

Agenda No. XII 30

~ Resolution 2022 – 245~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE USE OF PREMIUM PAY TO PAYOUT COMPENSATORY TIME EARNED BY POLICE OFFICERS DURING THE PANDEMIC**

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**WHEREAS**, the American Rescue Plan Act allows for the use of funds for revenue loss to be used for support of municipal services; and

**WHEREAS**, Police Officers were permitted to earn additional compensatory time in the amount of 5,803 hours while municipal offices remained closed to the public during the pandemic as the nature of police work increased their potential exposure to Covid-19; and

**WHEREAS**, the work performed was essential to maintaining the health and safety of the Township.

**WHEREAS**, the additional compensatory time had a value of \$344,694.78 when earned; and

**WHEREAS**, the value of compensatory time increases annually in proportion to contractually required salary increases; and

**WHEREAS**, reducing accrued compensatory time reduces the potential of a staffing shortage.

**NOW, THEREFORE, BE IT RESOLVED** that Police Officers may elect to have compensatory time earned during the pandemic paid out up to a maximum of \$2,500.

**BE IT FURTHER RESOLVED** that Police Officers must elect to receive this payout by November 30, 2022.

**BE IT FURTHER RESOLVED** that workers must be employed by the Township in good standing and regularly performing police duties on the date of this resolution in order to receive Premium Pay.

**BE IT FURTHER RESOLVED** workers shall receive the Premium Pay as soon as practical after electing to receive the payout.

Adopted: June 15, 2022

Agenda No. XII 31

**~ Resolution 2022 – 246~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY IN SUPPORT OF 4TWENTY SOMEWHERE, LLC'S CANNABIS BUSINESS**

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

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

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

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

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

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

**WHEREAS**, 4Twenty Somewhere, LLC has expressed interest in siting such a retail cannabis dispensary at 1938 Union Valley Road, Unit I (Block 6701, Lot 10); and

**WHEREAS**, the proposed location is within the Township's Community Commercial Zone; and

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

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**NOW, THEREFORE, BE IT RESOLVED**, that the West Milford Township Council supports the safe and appropriate siting of a retail cannabis dispensary within the Township's Community Commercial Zone by 4Twenty Somewhere, LLC to the extent consistent with applicable state and local statutes, rules, regulations and ordinances.

Adopted: June 15, 2022

Councilwoman Erik indicated that it was about time for Resolution 2022-219.

Motion to move Resolutions 2022-194 through 2022-203 and 2022-215 and 2022-216

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 Moved: Lichtenberg Seconded: Erik  
 Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Marsden  
 Voted Nay:  
 Motion carried:  
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Agenda No. XIII

**Consent Agenda**

**~ Resolution 2022 – 247 ~**

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

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

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

**Resolutions:**

- a) **2022-248** – Refund Recreation Fees
- b) **2022-249** – Refund Street Excavation Bond Fee
- c) **2022-250** – Refund Other Liens
- d) **2022-251** – Refund of Overpayment
- e) **2022-252** – Reinstatement of Taxes

Adopted: June 15, 2022

Agenda No. XIII a

**~ Resolution 2022 – 248 ~**

**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:

<b>BOB ROSS SENIOR PAINTING CLASS</b>	
\$70.00	Laurel O'Rourke 16 East Sunset Hill Road Blairstown, NJ 07825
<b>SOCCER SQUIRTS</b>	
\$160.00	Madison Bright 10 Juniper Road Highland Lakes, NJ 07422
<b>SWIM LESSONS</b>	
\$75.00	Kellie Burba 7 Wayside Road Hewitt, NJ 07421
<b>DAY CAMP</b>	
\$190.00	Carla Morgan 25 Renault Rd West Milford, NJ 07480

Adopted: June 15, 2022

Agenda No. XIII b



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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**~ Resolution 2022 – 249 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF STREET EXCAVATION BOND FEE**

**BE IT RESOLVED**, that the following street opening bond fee upon the recommendation of the Township Engineering Department be refunded:

Receipt No.	Refund Amount	Refund to	Street Excavation Project Permit No.
613972	\$300.00	Michael Benant 89 Lincoln Ave West Milford, NJ 07480	2021-19

Adopted: June 15, 2022

Agenda No. XIII c

**~ Resolution 2022 – 250 ~**

**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
19-0041	10/15/2019	06711-008	\$1,950.34	ALPHA TAX LIEN GROUP PO BOX 869 LAKEWOOD, NJ 08701
<b>TOTAL</b>			<b>\$1,950.34</b>	

Adopted: June 15, 2022

Agenda No. XIII d

**~ Resolution 2022 – 251 ~**

**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
01404-005.02	CORELOGIC CENRALIZED REFUNDS P.O. BOX 9202 COPPELL, TX 75019-9760	\$1,502.95	2022	2
02315-017	CLASSIC BUSINESS SOLUTIONS 267 AMBOY AVE, SUITE 12 METUCHEN, NJ 08840	\$2,570.00	2022	2
16004-010	EVIDENT TITLE AGENCY, INC. 874 POMPTON AVE; SUITE B2 CEDAR GROVE, NJ 07009	\$2,570.00	2022	2
05501-017	CORELOGIC CENTRALIZED REFUNDS P.O. BOX 9202 COPPELL, TX 75019-9760	\$2,838.00	2022	2
06701-010	TREASURER	\$78,351.00	2022	1

**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY ROAD WEST MILFORD, NJ 07480			
16802-008	ELIZABETH & JOSEPH VENGEN 137 DOREMUS ROAD OAK RIDGE, NJ 07438	\$3,034.00	2022	2
		<b>\$90,865.95</b>		

Adopted: June 15, 2022

Agenda No. XIII e

~ Resolution 2022 – 252 ~

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

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

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

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

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

BLOCK/LOT	NAME	AMOUNT	INT	YEAR	REASON
16805-003	Carolyn Mahon	\$1,785.00		2022	2
05708-021	Karen Keegan	\$1,123.00		2022	2
09702-005	John J. Trahan	\$1,423.98		2022	2
10801-002	Stuart Steele	\$1,035.76		2022	4
05501-008	Francis George Miller	\$1,938.00		2022	2
14201-015	John P. Lascari	\$3,996.00	\$17.39	2022	2
12307-031	Loraine Messina	\$ 989.61	\$ 0.35	2022	2
05311-001.16	Jean M. Delgado	\$ 906.00	\$ 3.22	2022	2
05315-002.07	Jennifer Teixeira	\$ 973.00	\$ 4.11	2022	2

Adopted: June 15, 2022

Motion to move Resolutions 2022-194 through 2022-203 and 2022-215 and 2022-216

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

Agenda No. XIV

**Approval of Expenditures**

~ Resolution 2022 – 253 ~

**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	\$1,095,177.14
3	Reserve Account	12,142.87
2	Grants	21,268.80
6	Refunds	93,611.29

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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1	General Ledger	0.00
26	Refuse	255,709.58
4	Capital	110,440.71
19	Animal Control	399.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	26,603.23
19	Scala Trust	0.00
16	Development Escrow	1,462.75
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	14,751.72
Total		\$1,631,567.09
Less Refund Resolution		-93,611.29
<b>Actual Bills List</b>		<b>\$1,537,955.80</b>
Other Payments		
Payroll		\$532,753.09
Payroll		522,612.46
Board of Education		4,913,376.00
State of NJ, Dog Report		91.80
State of NJ, Dog Report		57.60
<b>Total Expenditures</b>		<b>\$7,506,846.75</b>

Adopted: June 15, 2022

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 Moved: Erik Seconded: Lichtenberg  
 Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Marsden  
 Voted Nay: None  
 Motion carried:  
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Agenda No. XV

**Reports of Administrator, Mayor and Council Members**

Mayor Dale – The Independence Day Celebration is going to take place at the High School on July 1<sup>st</sup> and the rain date is scheduled for July 3<sup>rd</sup>. There will be food trucks, music and entertainment. Mayor Dale will be speaking to the Library Board about moving their concert series to Veteran’s Park. It would be a better location. Mayor Dale congratulated and thanked the Council, especially Councilwoman Lichtenberg who has done a great job with Veteran’s Park and also procuring a building for the Veterans and made a generous donation to repair the roof. In response to Brown’s Point comments Mayor Dale hopes that progress will be made with regard to public access to Greenwood Lake.

Councilman Marsden – No report.

Councilwoman Erik – Brought in a sample map from the EDC created by a vendor to show the Council. Perhaps it is something we could use for the town.

Councilman Chazukow – Attended a press conference at Brown’s Point which the State has begun to manage and they are planning a lot of improvements. Brown’s Point is the only free public access to the lake. He is thankful that careful thought is going into what is being done and there are additional uses being added to the park and it is not just being repurposed. Greenwood Lake needs to be invested in. He thanked the State representatives for coming and for the discussions that took place in this time of transition.

Councilwoman Lichtenberg –The West Milford Highlands Family Success Center and the Health Advisory Board are working on a mental health wellness fair to take place in September. The Friends of Wallisch had a successful Annual Barn Sale this past weekend. July 13<sup>th</sup> and August 10<sup>th</sup> there will be a stress relieving drum circle at the Wallisch Estate. The West Milford Municipal Alliance is sponsoring Heros for Cool Kids. High school students are trained to mentor sixth graders. Councilwoman Lichtenberg congratulated the town’s high school students in receiving a 4<sup>th</sup> Place United Prevention Award from Passaic County for their program presentations. The \$500 dollars received will go toward a healthy wellness project. Congratulations also to Robert Nicholson and Geoff Belinfante for receiving awards for

