

---

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 1 of 41

---

The Workshop/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 Workshop/Regular Meeting was advertised in the Herald News in its issue of July 19, 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**

July 13, 2022 Workshop/Regular Meeting Minutes

---

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

---

Agenda No. IV

**Meetings**

September 7, 2022 Workshop Meeting  
September 21, 2022 Regular Meeting  
October 5, 2022 Workshop Meeting

Agenda No. V

**Proclamations**

None

Agenda No. VI

**Presentations & Recognitions**

Police Department – Civilian Awards – The Mayor described that on June 5<sup>th</sup> on Route 23, there was a single vehicle rollover and two good Samaritans were attending to the accident victim prior to police arriving at the scene. Hannah Vanwoudenberg, an ER tech and Josiah Maynard an EMT had been communicating with the victim but then he stopped breathing. Police arrived on the scene and were able to remove him from the car and Hanna and Josiah performed CPR until responders arrived to take over. The victim was then medivacked over to St. Joseph's Medical Center and is now recovering from the accident. Mayor Dale thanked Hanna and Josiah as well as the police involved for all they did on behalf of the Township and the family of the victim.

Engineering Division – Update on Macopin Road Speed Limit. Chuck Carbone gave an overview of the features and the history of the road with engineering specifics. Horizontal and vertical geometry as well as accident history have been considered. The speed limit on the portion of the road being considered varies from 35 to 45 miles per hour. There was some discussion about the reasons for the speed limits in the different zones. Councilwoman Erik was of the opinion that the entire length from Vreeland to Cahill should be 35 mph as currently everyone speeds through that section. Councilman Goodsir disagreed with a drop in speed limit to 35 asking if more tickets would be written trying to enforce it. Mayor Dale did not think people would obey a 35 mph speed limit. Councilman Goodsir agreed with the change from Frederick Drive to Bubbling Springs. Councilman Chazukow suggested taking a closer look at prior accident locations. Mr. Carbone indicated that a packet would be given to the Administrator and it would be distributed to the Council.

Beautification Committee Award – Dave Stires thanked Jimmy the Barber for his past and continued contributions and donations to the Beautification Committee in regard to Beautification Day. He began

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop/Regular Meeting
Date of Meeting: August 15, 2022
Time of Meeting: 6:30 p.m.
Minute Page No: Page 2 of 41

his business in town in 1972 and is happy to make donations for beautification day, give away free haircuts and also donate to the local sports teams. The Rock-A-Holics will be playing at Wallisch September 10th at 1:30 p.m. Jimmy thanked everyone for the award.

Agenda No. VII

Executive Session

None.

Agenda No. VIII

Discussion Items / Official Communications

Table with 4 rows and 2 columns. Row 1: Docks and Piers - Administrator Senande indicated that the proposed ordinance draft was for creating a permitting process for private docks on Township lakes/ponds. Row 2: Cannabis on Lots of 10 Acres or More - Councilman Chazukow wanted the wording regarding order control to read "may be" monitored rather than "shall be". Row 3: Anti - Gifting Cannabis Ordinance - Attorney Pasternak indicated that there are ongoing issues. Row 4: Mayor Dale moved ahead to the public portion of the meeting in order to keep anyone wishing to speak from having to wait.

Agenda No. X

---

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 3 of 41

---

**Public Comments**

Richard Randazzo, 278 Wooley Road, mentioned that if you litter on the NJ Turnpike the fine is \$1000 and the Tennessee Gas Pipeline (TGP) was put through even though many of the public had presented a lot of facts. He was critical of the Council indicating they were making decisions and voting on things without reading a certain 261 page document from the Regulatory Commission. Mr. Randazzo's indicated that his understanding was that the cannabis businesses were approved for the Town as a means to get revenue and questioned how much revenue the Town had received. He indicated that the State had made \$4 million dollars and there has been \$80 million dollars in cannabis sales. He suggested bringing in the Feds to deal with people violating cannabis laws. Mr. Randazzo referred to an old case where a manufacturer was making more money than he was getting fined so he kept on dumping chemicals into the Chesapeake Bay. He believes there should be a heavy fine for violators. Mr. Randazzo complained that his taxes were ridiculous now.

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

Agenda No. XI

**Council Comments**

Mayor Dale responded to Mr. Randazzo saying that there was no vote to bring TGP to West Milford, it was decided by the Federal Energy Commission. No local approvals were needed. There has been no revenue collected because no marijuana businesses have officially opened. Two licenses have been approved by the State very recently. There has been a zero tax increase on the municipal side for the last five years. The debt has been reduced from 14% to 9.91% as well. The cannabis legislation is new and the State keeps changing things as issues arise and so does the Township because we are learning as we go. Mayor Dale indicated that as people we are not perfect but we try to get things right and we correct things when we get it wrong and does not appreciate the criticism meeting after meeting when everyone is working hard and doing their best. Additionally, other authorities besides Township Police have been contacted regarding the cannabis violations that are being committed. Mayor Dale does not appreciate inaccurate statements from the podium. Just because not every detail is being presented does not mean that work is not being done. Sometimes investigations cannot be discussed but that also does not mean that anything is being hidden. Mayor Dale invited Mr. Randazzo to call her to discuss any of his concerns.

Councilman Chazukow referred to comments made at a prior meeting regarding the location of a particular cannabis business being too close to a school and mentioned Mr. Randazzo had left prior to hearing how Councilman Chazukow and Councilman Marsden had gone to the site. He explained that on the map the location looks close but it is way outside the buffer and there are many obstacles between the two buildings.

Councilman Goodsir indicated that the Council worked with TGP in order to try and benefit the Town and for Mr. Randazzo to berate the Council and tell him he can't read is disrespectful.

Agenda No. IX

**Unfinished Business, Final Passage of Ordinances**

Agenda No. IX 1

**~ Ordinance 2022 – 034 ~**

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

**WHEREAS**, by virtue of Ordinance 2021-015, the Township of West Milford Mayor and Council authorized salaries and compensation for Special Police Officers; and

**WHEREAS**, there is no amendment to the Officers and Employees classified by job title with corresponding pay ranges in Ordinance 2021-015

**WHEREAS**, the Township Council wishes only to amend Item 4 CALL-OUTS in Ordinance 2021-015.

**BE IT ORDAINED** by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that pursuant to Chapter 33 entitled Personnel of the Revised General Ordinances of the Township of West Milford, New Jersey, 2007 the following Item 4 CALL-OUTS is amended as shown below

4. CALL-OUTS – All callouts are payable for time worked, with a minimum of three hours pay including mandatory training.

---

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 4 of 41

---

GENERAL PROVISIONS – Any ordinance or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to such extent as they are in conflict or inconsistent.

EFFECTIVE DATE – This ordinance shall take effect upon final passage and approval and publication as required by law.

Introduced: July 13, 2022  
Adopted: August 15, 2022  
Effective Date: September 4, 2022

This Ordinance was introduced on July 13, 2022 and the Notice of Public Hearing was published in the Herald News on July 19, 2022. The Governing Body will open the meeting to the public to speak on this Ordinance only.

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

Motion to adopt Ordinance 2022-034

---

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

---

Agenda No. IX 2

**~ Ordinance 2022 – 035 ~**

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 26 "LENGTH OF SERVICE AWARDS PROGRAM" SECTION 26-3 OF 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.** Section 26-3 "Criteria for members; maximum annual contribution per member" of the aforesaid Revised General Ordinances is hereby amended to read as follows:

- A. The LOSAP shall provide for the annual contributions to each eligible member that meets the criteria as follows:
  - (1) One hundred points are required for a member to be eligible for an annual contribution;
  - (2) Five years of service are required for vesting.
- B. The annual contribution shall be a maximum of \$800 per eligible member.

**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.

Introduced: July 13, 2022  
Adopted: August 15, 2022  
Effective Date: September 4, 2022

This Ordinance was introduced on July 13, 2022 and the Notice of Public Hearing was published in the Herald News on July 19, 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.

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 5 of 41  
-----

Motion to vote to adopt Ordinance 2022-035.

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

Agenda No. IX 3

**~ Ordinance 2022 – 037 ~**

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 500 “ZONING” SECTION 500-86 “SWIMMING POOLS (ABOVE AND BELOW GROUND)” TO CLARIFY FENCE REQUIREMENTS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP**

**WHEREAS**, the Mayor and Township Council determined the fencing requirements for swimming pools on residential lots is unclear in the Township Code; and

**WHEREAS**, the Mayor and Township Council wish to clarify the ordinance provisions for fencing requirements around residential swimming pools; and

**WHEREAS**, the Mayor and Township Council have determined that clarifying the ordinance would be beneficial to the general welfare of the community; and

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

**SECTION 1.** Chapter 500 “Zoning” Section 500-86 Swimming pools (above and belowground) is amended to read as follows:

§ 500-86 Swimming pools (above and below ground).

- B. A private, belowground residential swimming pool area shall be surrounded by a suitable fence with a self-latching gate at least four feet but no more than six feet in height.
- C. A private, aboveground residential swimming pool shall require a latched ladder.
- D. All swimming pools shall meet the appropriate design standards as set forth by the National Swimming Pool Institute and requirements of the Uniform Construction Code.

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

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

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

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

Introduced: July 13, 2022  
Adopted: August 15, 2022  
Effective Date: September 4, 2022

This Ordinance was introduced on July 13, 2022 and the Notice of Public Hearing was published in the Herald News on July 19, 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 Lichtenberg.

Motion to vote to adopt Ordinance 2022-037.

-----  
Moved: Erik                                       Seconded: Goodsir  
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Marsden

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 6 of 41  
-----

Voted Nay:  
Motion carried:  
-----

Agenda No. IX 4

~ Ordinance 2022 – 038 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 500 “ZONING” TO ADD SECTION 500-92 “EMERGENCY STANDBY GENERATORS” TO CLARIFY SITING FOR PERMANENT EMERGENCY STANDBY GENERATORS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP**

**WHEREAS**, the Mayor and Township Council determined setback requirements for the siting of emergency standby generators is unclear in the Township Code; and

**WHEREAS**, the Mayor and Township Council wish to clarify the ordinance provisions for emergency standby generators on residential and commercial lots; and

**WHEREAS**, the Mayor and Township Council have determined that clarifying the ordinance would be beneficial to the general welfare of the community, particular in protecting the public during emergency power outages.

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

**SECTION 1.** Chapter 500 “Zoning” Section 500-92 Emergency Standby Generators is added to read as follows:

§ 500-92. Emergency standby generators.

- A. The purpose of this section is to establish guidelines for siting permanent emergency standby generators to ensure their safe operation and prevent a nuisance to neighboring properties. This section shall apply to residential uses.
- B. As used in this section, the following terms shall have the meanings indicated:  
**EMERGENCY**  
Loss of power due to a power outage outside of the owner's control.

**EMERGENCY STANDBY GENERATOR**

A fuel-powered generator which is permanently connected to the electrical system of a structure and primarily operates in the event of a power outage in order to provide backup power. In the event of a power outage emergency standby generators automatically turn on, or are switched on by the owner and supply power. Once utility power is restored, the generator automatically transfers the electrical load back to the utilities or is manually switched off and power is turned back to the utilities. Emergency standby generators are also operated occasionally for maintenance purposes.

**PORTABLE GENERATOR**

Is not permanently connected to a building's electrical system, uses a self-contained fuel source and is portable for storage. Portable generators shall be outside when they are being utilized in the event of a power outage emergency or occasionally for maintenance purposes, and are not required to obtain approval pursuant to this section.

- C. Siting and placement requirements for all generators.
- (1) Emergency standby generators shall be considered minor accessory structures (if less than 25 kW in size) and must adhere to the requirements for minor accessory structures as set forth in § 500-92.1C. If the generator is larger than 25 kW, standard accessory structure standards apply.
  - (2) Generator placement must adhere to manufacturer guidelines.
- D. Permits.
- (1) All applicants for an emergency standby generator must submit a Zoning Permit Application. The application must include a site drawing on a raised-seal survey showing the proposed location of the standby generator and associated setbacks to all adjacent property lines. Noise in decibels based on distance from the unit must also be provided.
  - (2) Residential and non-residential applicants for an emergency standby generator with a maximum energy output of more than 25 kW shall submit an application for a minor site plan with the Planning Board, unless the generator is proposed in conjunction with a major site plan application.
- E. Time of use regulations.
- (1) Unlimited use during an emergency.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop/Regular Meeting
Date of Meeting: August 15, 2022
Time of Meeting: 6:30 p.m.
Minute Page No: Page 7 of 41

- (2) Exercise of the generator is permitted as required for maintenance, but not more than once a week, on weekdays, between the hours of 10:00 a.m. and 5:00 p.m. and not to exceed 30 minutes at a time.
F. Screening.
(1) Screening of the unit is required, if visible from any right-of-way or adjacent properties.
(2) Natural screening shall be used wherever possible.
(3) If, due to the characteristics of the given lot, natural screening is not possible, fences conforming to § 500-68 are permitted.
G. Noise attenuation.
(1) Generator operating sound output may not exceed the New Jersey Noise Control Act (N.J.S.A. 13:1G-1) as measured from the closest property line.
(2) Sound attenuation enclosures, screening and landscaping may be used to minimize noise on adjacent properties and bring noise output into compliance with the standards of the New Jersey Noise Control Act (N.J.S.A. 13:1G-1).
H. Fuel storage.
(1) If a generator is utilizing diesel fuel, the fuel storage tank shall be double-walled.
I. Regulatory compliance.
(1) Emergency standby generators shall be installed and operated in accordance with manufacturer's requirements as well as all federal, state and local codes, whichever is most stringent.
J. Application fee. Every application for the installation of a permanent standby generator shall be accompanied by a fee of \$40, which shall be separate from and in addition to any other zoning and building permit fees.
K. Violations and penalties. Any person, firm, corporation or entity which shall violate any provision of this section shall, upon conviction, be subject to a fine not exceeding \$500, and each day that such violation continues shall be deemed a separate offense.

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

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

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

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

Introduced: July 13, 2022
Adopted: August 15, 2022
Effective Date: September 4, 2022

This Ordinance was introduced on July 13, 2022 and the Notice of Public Hearing was published in the Herald News on July 19, 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.

Motion to vote to adopt Ordinance 2022-038.

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

Agenda No. IX 5

~ Ordinance 2022 – 039 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING CHAPTER 110 "CONSTRUCTION CODES, UNIFORM" OF THE CODE OF THE TOWNSHIP OF WEST MILFORD AS AMENDED

SECTION 1. Chapter 110-4.1 General Provisions.

- A. Prior to submitting a building permit for any single-family dwelling, accessory structure or garage, the applicant for the permit shall submit a Lot Development Plan to the Department of Planning and Building for Township approval.

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 8 of 41  
-----

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

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

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

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

Introduced: July 13, 2022  
Adopted: August 15, 2022  
Effective Date: September 4, 2022

This Ordinance was introduced on July 13, 2022 and the Notice of Public Hearing was published in the Herald News on July 19, 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 Lichtenberg.

Motion to vote to adopt Ordinance 2022-039.

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

Councilwoman Lichtenberg suggested that Council include Ordinance 2022-036 and Ordinance 2022-042 as introduced.

Agenda No. XII

**New Business, Introduction of Ordinances, Resolutions**

Agenda No. XII 1a

~ Ordinance 2022 – 036 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 500 ZONING OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP AMENDING SECTION 500-68 FENCES, WALLS AND SIGHT TRIANGLES TO CLARIFY THE MAXIMUM PERMITTED HEIGHT IN RESIDENTIAL DISTRICTS AND REVISE SECTION 420 LAND USE PROCEDURES TO UPDATE THE MINOR SOIL PERMIT DEFINITION**

**WHEREAS**, the Mayor and Township Council determined the maximum permitted height of fences and walls on lots in any residential district is unclear in the Township Code; and

**WHEREAS**, the Mayor and Township Council wish to clarify the ordinance provisions for the maximum height of fences and walls on lots in residential districts; and

**WHEREAS**, the Mayor and Township Council wish to clarify the ordinance definition for minor soil removal or soil fill permit; and

**WHEREAS**, the Mayor and Township Council have determined that clarifying the ordinance would be beneficial to the general welfare of the community; and

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

**SECTION 1.** Chapter 420 “Land Use Procedures” is amended to read as follows:

§420-6. Definitions.

MINOR SOIL REMOVAL OR SOIL FILL PERMIT



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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 9 of 41  
-----

A permit for the removal, fill or moving of more than 100 but less than 500 cubic yards of soil.

**SECTION 2.** Chapter 500 “Zoning” Section 500-68 Fences, walls and sight triangles: is amended to read as follows:

§500-68. Fences, walls and sight triangles.

- A. All permitted fences shall be situated on a lot in such a manner that the finished side of the fence shall face adjacent properties. No fence shall be erected of barbed wire, topped with metal spikes, or constructed of any material or in any manner which may be dangerous to persons or animals, except that these provisions shall not apply to farms or where necessary for the keeping of farm animals as provided in §500-90 and except further that fences permitted for commercial and industrial uses may be topped by a barbed wire protective barrier. Moreover, notwithstanding any other provisions of this section, retaining walls which are less than four feet in height, part of a larger project certified by an engineer, or on a site plan approved by the Township Engineer do not require a separate zoning or building permit application. Retaining walls which are four feet or over in height require both a zoning and building permit application. Any Township review of the submitted request shall consider the safety and aesthetic aspects of the proposed retaining wall.
- B. On any lot in any residential district, the maximum permitted height of a wall or fence is four feet in front yard areas and six feet in side or rear yard areas except:
- (1) A private, belowground residential swimming pool area shall be surrounded by a fence at least four feet, but no more than six feet, in height. Swimming pool areas shall be located in rear or side areas only. See §500-86 for additional standards.
  - (2) Corner lots may install a fence up to six feet in height on the secondary street frontage provided sight distance is not obstructed.
  - (3) A tennis court area, located in rear yard areas only, may be surrounded by a nonopaque fence, a maximum of 15 feet in height. The fence shall be set back from any lot line the distances required for accessory buildings in the zoning district as specified.
  - (4) Buffer areas shall meet the requirements specified in this chapter.
  - (5) Off-street parking, loading, and driveway areas shall meet the requirements specified in §500-73
  - (6) Where necessary for the keeping of farm animals as provided for in §500-90.

**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.

Introduced: August 15, 2022  
Adopted:  
Effective Date:

Second reading and public hearing for this Ordinance is set for the Workshop Meeting of the Township Council scheduled for September 7, 2022. Notice of this public hearing shall be published in the Herald News on or about August 19, 2022.

Motion to move Ordinance 2022-036.  
-----

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

Agenda No. XII 1

~ Ordinance 2022 – 040 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC STATE OF NEW JERSEY REGARDING A BY-LAW AMENDMENT TO THE WANAUKE VALLEY REGIONAL SEWERAGE AUTHORITY BY-LAWS**

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

Minutes of: Governing Body Workshop/Regular Meeting  
 Date of Meeting: August 15, 2022  
 Time of Meeting: 6:30 p.m.  
 Minute Page No: Page 10 of 41  
 -----

**WHEREAS**, the Township of West Milford is a member of the Wanaque Valley Regional Sewerage Authority (“WVRSA”); and

**WHEREAS**, the WVRSA recently amended its By-Laws to reflect changes and the laws and update same, inasmuch as the last amendment was in 1982; and

**WHEREAS**, while the By-Laws may be amended by a majority vote of the members of the WVRSA, Article II, Paragraph 7 of the By-Laws entitled, “Expenses; Compensation” requires parallel Ordinances be duly adopted by the Governing Bodies of the Member Municipalities authorizing the payment of expenses/compensation to the respective Commissioners; and

**WHEREAS**, the WVRSA wishes to provide expense reimbursement/compensation to the Commissioners to account for travel expenses, time dedicated to serving the WVRSA and to attract those willing to serve on the Authority given the history of vacancies and difficulty filling positions and to maintain quorums for its meetings. The WVRSA wishes to reimburse/compensate its Commissioners in an amount not to exceed \$250.00 per meeting provided the meeting was actually attended virtually or otherwise by the Commissioner.

**NOW THEREFORE BE IT ORDAINED** by the Township of West Milford, it hereby authorizes reimbursement of expenses/compensation to the Commissioners of the Wanaque Valley Regional Sewerage Authority in an amount not to exceed \$250.00 per meeting actually attended by the respective Commissioners, as set forth in Article II, Paragraph 7 of the By-Laws of the Wanaque Valley Regional Sewerage Authority.

This Ordinance shall take effect upon final passage and publication in accordance with the law.

Introduced: August 15, 2022  
 Adopted:  
 Effective Date:

Second reading and public hearing for this Ordinance is set for the Workshop Meeting of the Township Council scheduled for September 7, 2022. Notice of this public hearing shall be published in the Herald News on or about August 19, 2022.

Motion to move Ordinance 2022-040.

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

Agenda No. XII 2

~ Ordinance 2022 – 041 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING ARTICLE VII "OFFICE OF ADMINISTRATION" SECTION 15-38 "BUDGET" OF 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.** Article VII Office of Administration Section §15-38 Budget of the aforesaid Revised General Ordinances is hereby amended to read as follows:

**§ 15-38 Budget.**

The Township budget shall be prepared by the Municipal Administrator and the Treasurer and the following shall apply:

- A. Budget requests. Each year the Administrator shall require all department heads to submit requests for appropriations for the ensuing budget year, and to appear before him at public hearings which shall be held on the various requests.
- B. Budget document. Upon the basis of the department requests, the budget hearings, his/hers analysis of the needs and resources of the Township and such policy guides as may be prescribed by resolution of the Council, the Administrator shall prepare his recommended budget in the form required by general law for Township budgets. On or before February 10 in each year, unless extended by the Division of Local Government Services, the Administrator and Mayor shall present to the Council his/her budget document consisting of:

---

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 11 of 41

---

- (1) The recommended budget.
- (2) A budget message.
- C. Budget message. The budget message shall consist of such explanatory comments, exhibits and schedules concerning the budget as the Administrator may deem desirable, together with:
  - (1) An outline of the proposed financial policies for the ensuing budget year, including explanations of the important features of the budget and of any major changes in policy.
  - (2) An analysis of revenue and costs, and of work performance contemplated by the budget as far as appropriate units of measurement may have been developed and installed.
  - (3) A statement of pending capital projects and proposed new capital projects relating the amounts required for capital purposes to the down payments and other expenditures financed from current appropriations and to the amounts of bonds to be issued during the budget year.

**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.

Introduced: August 15, 2022

Adopted:

Effective Date:

Second reading and public hearing for this Ordinance is set for the Workshop Meeting of the Township Council scheduled for September 7, 2022. Notice of this public hearing shall be published in the Herald News on or about August 19, 2022.

Motion to move Ordinance 2022-041.

---

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

---

Agenda No. XII 2a

~ Ordinance 2022 – 042 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,  
STATE OF NEW JERSEY TO CREATE A NEW SECTION WITHIN CHAPTER 500 “ZONING” AND  
PROHIBITING THE GIFTING OF CANNABIS**

**WHEREAS**, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

**WHEREAS**, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c.16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act,” N.J.S.A. 24:6I-31 et seq. (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

**WHEREAS**, the Act establishes the following six marketplace classes of business licenses to be issued by the State of New Jersey Cannabis Regulatory Commission for the legal operation of cannabis establishments and other types of cannabis marketplace activity in the State, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and

---

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 12 of 41

---

Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the licensed cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

**WHEREAS**, section 31a of the Act, N.J.S.A. 24:6I-45a, authorizes municipalities to adopt ordinances and regulations prohibiting outright and/or limiting the number of any class of license “cannabis establishments” (defined in section 33 of the Act, N.J.S.A. 24:6I-33, as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors and cannabis delivery services allowed to operate within its municipal boundaries; and the location, manner and times of operation of such cannabis establishments, cannabis distributors and cannabis delivery services, except that the time of operations for cannabis delivery services, shall only be subject to the regulation by the Cannabis Regulatory Commission (the “Commission”); and

**WHEREAS**, section 31a of the Act, N.J.S.A. 24:6I-45a, also authorizes municipalities to establish certain civil penalties for violations of any ordinance or regulations governing cannabis establishments, distributors or delivery services that may operate in a municipality, as well as to their location, manner and times of operation; and

**WHEREAS**, section 31b of the Act, N.J.S.A. 24:6I-45b, authorizes municipalities to prohibit, by ordinance, the operation of any one or more classes of cannabis establishments, cannabis distributors, and the principal premises of a cannabis delivery service from anywhere in the municipality, but not the actual delivery of cannabis items and related supplies by a licensed cannabis delivery service operating outside the boundaries of the municipality; and

**WHEREAS**, section 31c of the Act, N.J.S.A. 24:6I-45c, authorizes municipalities to impose a separate local licensing or endorsement requirement as part of its restrictions on the number of cannabis establishments, distributors or delivery services; and

**WHEREAS**, section 40 of the Act, N.J.S.A. 40:48I-1, authorizes municipalities to adopt ordinances imposing a transfer tax on the sale of cannabis or cannabis items by a cannabis establishment located in the municipality on receipts from the sale of cannabis to other cultivators, sales between cannabis establishments, and any combination thereof, and sets forth the limits for same; and

**WHEREAS**, the Township of West Milford has specifically allowed cultivation (Cannabis Cultivator License Class 1), manufacturing (Cannabis Manufacturer License Class 2), wholesaler (Cannabis Wholesaler License Class 3), distribution (Cannabis Cultivator License Class 4), retailer (Cannabis Retailer License Class 5) and delivery (Cannabis Deliver License Class 6) under the Act, subject to municipal regulation where appropriate in the Township; and

**WHEREAS**, a number of individuals, cannabis businesses and/or license holders have been engaged, as part of their business activities, in “gifting” or otherwise providing free samples of marijuana or cannabis items in violation of New Jersey consumer protection laws; and

**WHEREAS**, such “gifting” is not authorized by the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, and such practice in certain carefully defined circumstances violates N.J.S.A. 2C:35-10a, a criminal statute.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Township Council of the Township of West Milford, County of Passaic, and the State of New Jersey that the Township of West Milford Code shall be amended and updated, as follows:

**SECTION 1.**

Within MEDICAL AND RECREATIONAL CANNABIS ACTIVITY” of the Code of the Township of West Milford, Section 500-195 Definitions shall be amended to include the definition of “Gifting” as noted below:

“Gifting” Shall mean any individual, cannabis business or license holder providing free samples of marijuana or cannabis items, either independent of, or in connection with the sale of other goods and or services.

**SECTION 2.**

Section 500 of the Medical and Recreational Cannabis Activity Code shall be further amended to include the following provision, to be included as new Section 500-205, and as noted below:

Section § 500-205 Gifting Prohibited.

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 13 of 41

-----

Under no circumstance shall any individual, cannabis business or cannabis license holder, under any class of license, engage in gifting cannabis or marijuana as defined herein. Any individual, cannabis business or cannabis license holder found in violation of this provision shall be subject to the provisions as set forth within this Chapter, including but not limited to Section 500-204 Civil Fines and Penalties, and depending upon other carefully defined circumstances, possible criminal prosecution.

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

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

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

**SECTION 6.** This Ordinance shall take effect upon final passage, approval, and publication as required by law.

Introduced: August 15, 2022  
Adopted:  
Effective Date:

Second reading and public hearing for this Ordinance is set for the Workshop Meeting of the Township Council scheduled for September 7, 2022. Notice of this public hearing shall be published in the Herald News on or about August 19, 2022.

Councilman Chazukow had some questions about the language and perhaps the ordinance being used against people who it was not intended to be used against. Attorney Pasternak indicated that it could be revised. It was agree that it could be further discussed.

Motion to move Ordinance 2022-042.

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

-----

Mayor Dale asked to move resolutions 2022-294 through 2022-313.

Agenda No. XII 3

~ Resolution 2022 – 294 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO BRIAN MURPHY ARCHITECT, LLC FOR ARCHITECTURAL SERVICES TO CONVERT THE NOSENZO POND PARK PAVILION INTO A NEW SENIOR CENTER/COMMUNITY CENTER ACTIVITIES**

**WHEREAS**, the Township of West Milford has a need for architectural services to convert the Nosenzo Pond Park Pavilion into a new Senior Center/Community Center; and

**WHEREAS**, the need for the completion of plans, specifications for construction documents for bidding permitting and construction and contract administration are needed; and

**WHEREAS**, a proposal was requested and received from Brian Murphy Architect LLC for architectural services; and

**WHEREAS**, the Local Public Contracts law (N.J.S.A. 40AL11-1, et seq.) requires that the resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for these services to be encumbered from account number 01-270-55-000-001.

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

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 14 of 41  
-----

1. The Mayor and Township Clerk be and are hereby authorized to execute a contract with Brian Murphy Architect, LLC, 179 Cahill Cross Road, Suite 202, West Milford, NJ 07480, for professional architectural services for this new Senior Center / Community Center project in an amount not to exceed \$49,000.00.
2. This contract is awarded as "Professional Services" pursuant to N.J.S.A. 19:44A-20 et seq. and the Local Public Contracts Law.
3. The total fee authorized for this contract shall not exceed \$49,000.00, without prior written approval of the Township Council.
4. That notice of this action shall be published in accordance with law and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: August 15, 2022

Agenda No. XII 4

~ Resolution 2022 – 295 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONSTRUCTION CONTRACT TO RIVERVIEW PAVING, INC. FOR THE CLINTON ROAD – SECTION 4 PROJECT**

**WHEREAS**, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on July 22, 2022 at 10:00 am for the resurfacing of Clinton Road as per the bid specifications; and

**WHEREAS**, the Township of West Milford received five (5) bids for this contract; and

**WHEREAS**, said bids have been duly reviewed and analyzed by the West Milford Township Engineering Division and the Township Attorney; and

**WHEREAS**, the bid received from the low bidder, Riverview Paving, Inc., has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

**WHEREAS**, the Chief Financial Officer has certified that encumbrances for these services shall come from accounts numbered 04-215-55-831-001 and 04-215-55-834-001; and

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

1. The Township Council hereby awards a contract to Riverview Paving, Inc., 859 Willow Grove Street, Hackettstown, NJ 07840 for the Clinton Road – Section 4 project subject to the review and approval of the New Jersey Department of Transportation in an amount not to exceed \$464,596.08.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Riverview Paving, Inc. in accordance with its bid for said resurfacing of Clinton Road – Section 4 in the Township of West Milford.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: August 15, 2022

Agenda No. XII 5

~ Resolution 2022 – 296 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONSTRUCTION CONTRACT TO AMERICAN ASPHALT & TRUCKING, LLC FOR THE 2022 TOWNSHIP ROAD RESURFACING – LAKE SHORE DRIVE PROJECT**

**WHEREAS**, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on August 5, 2022 at 10:00 am for the resurfacing of a section of Lake Shore Drive between Warwick Turnpike and Longhouse Drive as per the bid specifications; and

**WHEREAS**, the Township of West Milford received eight (8) bids for this contract; and

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 15 of 41  
-----

**WHEREAS**, said bids have been duly reviewed and analyzed by the West Milford Township Engineering Division and the Township Attorney; and

**WHEREAS**, the bid received from the low bidder, American Asphalt & Trucking, LLC, has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

**WHEREAS**, the Chief Financial Officer has certified that encumbrances for these services shall come from account numbered 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, as follows:

1. The Township Council hereby awards a contract to American Asphalt & Trucking, LLC, 818 Summer Avenue, Newark NJ 07104 for the 2022 Township Road Resurfacing – Lake Shore Drive project in an amount not to exceed \$520,964.00.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with American Asphalt & Trucking, LLC in accordance with its bid for said resurfacing of Lake Shore Drive in the Township of West Milford.
3. The Township’s Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: August 15, 2022

Agenda No. XII 6

~ Resolution 2022 – 297 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING LEASING OF THREE (3) 2022 GMC SIERRA 3500HD TRUCKS WITH PLOWS THROUGH SOURCEWELL NATIONAL COOPERATIVE CONTRACT #030122-EFM FROM ENTERPRISE FLEET MANAGEMENT**

**WHEREAS**, the Township is in need of procuring three (3) 2022 GMC Sierra 3500HD Trucks with plows through the lease program in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the leasing of such vehicles may be awarded without competitive bid to a vendor with a National Cooperative Contract in accordance with the requirements of the Local Public Contracts Law P.L. 2011, C.139 and N.J.S.A. 52:34-6.2; and

**WHEREAS**, the equipment and corresponding Sourcewell National Cooperative contract is #030122-EFM for Enterprise Fleet Management; and

**WHEREAS**, by virtue of Resolution 2014-354 adopted November 12, 2014, the Township formally joined the Sourcewell National Cooperative; and

**WHEREAS**, the Township will take delivery as soon as practicable after approvals are obtained; and

**WHEREAS**, the annual total for the three (3) lease payments is \$43,131.84, to be paid monthly upon commencement of lease and to be encumbered from account 01-201-26-290-230; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Township Council authorizes the Township Administrator to lease three (3) 2022 GMC Sierra 3500HD Trucks with plows as described above through Sourcewell National Cooperative Contract #030122-EFM through Enterprise Fleet Management, 1550 Route 23 North, Suite 101, Wayne, NJ 07470.

**BE IT FURTHER RESOLVED**, that this resolution shall be available for public inspection in the Office of the Township Clerk.

Adopted: August 15, 2022

Agenda No. XII 7

~ Resolution 2022 – 298 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING LEASING OF ONE (1) 2022 CHEVROLET SILVERADO 3500 HD TRUCK**

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 16 of 41  
-----

**WITH PLOW THROUGH SOURCEWELL NATIONAL COOPERATIVE CONTRACT #030122-EFM FROM ENTERPRISE FLEET MANAGEMENT**

**WHEREAS**, the Township is in need of procuring one (1) 2022 Chevrolet Silverado 3500 HD Truck with plow through the lease program in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the leasing of such vehicles may be awarded without competitive bid to a vendor with a National Cooperative Contract in accordance with the requirements of the Local Public Contracts Law P.L. 2011, C.139 and N.J.S.A. 52:34-6.2; and

**WHEREAS**, by virtue of Resolution 2014-354 adopted November 12, 2014, the Township formally joined the Sourcewell National Cooperative; and

**WHEREAS**, the equipment and corresponding Sourcewell National Cooperative contract is #030122-EFM from Enterprise Fleet Management; and

**WHEREAS**, the Township will take delivery as soon as practicable after approvals are obtained; and

**WHEREAS**, the annual total for one (1) lease payment is \$18,745.44, to be paid monthly upon commencement of lease and to be encumbered from account 01-201-26-290-230; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Township Council authorizes the Township Administrator to lease one (1) 2022 Chevrolet Silverado 3500 HD Truck with plow as described above through Sourcewell National Cooperative Contract #030122-EFM through Enterprise Fleet Management, 1550 Route 23 North, Suite 101, Wayne, NJ 07470.

**BE IT FURTHER RESOLVED**, that this resolution shall be available for public inspection in the Office of the Township Clerk.

Adopted: August 15, 2022

Agenda No. XII 8

~ Resolution 2022 – 299 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF FIFTEEN (15) SCOTT X3 PRO-CGA-4.5 SCBA (2018 ED.) INCLUDING AIR CYLINDERS, ACCESSORIES AND TRAINING THROUGH NJ STATE CONTRACT VENDOR AAA EMERGENCY SUPPLY COMPANY 635 NORTH BROADWAY WHITE PLAINS NY 10603 NJ STATE CONTRACT # 17-FLEET-00819**

**WHEREAS**, the Township of West Milford Fire Commissioner has determined the need to replace Fire Company #3 Self Contained Breathing Apparatus (SCBA) for the safety of its members and to remain in compliance with NFPA and NJPEOSH Standards; and

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

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

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account 04-215-55-834-006

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

1. The Township Council hereby authorizes the Fire Commissioner to purchase fifteen (15) Scott X3 Pro-CGA-4.5 SCBA (2018 ed.), air cylinders, accessories, and training, in an amount not to exceed \$129,999.66, with AAA Emergency Supply, under NJ State Contract # 17-FLEET-00819
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: August 15, 2022

Agenda No. XII 9

~ Resolution 2022 – 300 ~



---

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 17 of 41

---

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ACCEPTING THE GRANT FROM PASSAIC COUNTY OPEN SPACE, FARMLAND AND HISTORIC PRESERVATION TRUST FUND FOR BUBBLING SPRINGS PARK ADA PARKING AND SEATING (ATHLETIC FIELDS) IN THE TOWNSHIP OF WEST MILFORD**

**WHEREAS**, on March 2, 2022, the Township Council of West Milford approved the submission of a Passaic County Open Space, Farmland and Historic Preservation Trust Fund grant application for ADA parking and seating at Bubbling Springs (Athletic Fields) ; and

**WHEREAS**, the Passaic County Board of County Commissioners is vested with managing the property, finances and affairs of the County and governing the Open Space, Farmland, and Historic Preservation Trust Fund; and

**WHEREAS**, the requested \$30,000.00 application resulted in a \$30,000.00 award approved by Passaic County Board County Commissioners Resolution No. R-22-0611.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Township Council of the Township of West Milford formally accept the \$30,000.00 grant received for the above stated project.

Adopted: August 15, 2022

Agenda No. XII 10

~ Resolution 2022 – 301 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF A 2022 DRIVE SOBER OR GET PULLED OVER STATEWIDE LABOR DAY CRACKDOWN GRANT**

**WHEREAS**, statistics show that there are increased incidences of impaired driving during the Year End Holiday season; and

**WHEREAS**, to aid municipalities in addressing this increased volume and to help offset the increased cost of police enforcement during these periods, the State of New Jersey offers grant funds to certain municipalities; and

**WHEREAS**, the Division of Highway Traffic Safety has grant monies available that may be used to assist the Township in offsetting the costs associated with the need for increased DWI enforcement & monitoring thereby providing for overall public safety at the Year End Holiday season; and

**WHEREAS**, the West Milford Police Department has an obligation to keep our roadways safe.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford hereby authorizes the acceptance of a 2022 Drive Sober or Get Pulled Statewide Labor Day Crackdown Grant beginning August 19, 2022 through September 5, 2022 in the amount of \$7,000.00.

Adopted: August 15, 2022

Agenda No. XII 11

~ Resolution 2022 – 302 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING APPLICATION BY THE TOWNSHIP OF WEST MILFORD HERITAGE COMMITTEE TO THE PASSAIC COUNTY CULTURAL & HERITAGE COUNCIL (PCCHC) FOR A 2023 LOCAL ARTS AND CULTURAL PROGRAM RE-GRANT FOR THE WEST MILFORD MUSEUM**

**WHEREAS**, the Passaic County Cultural and Heritage Council (PCCHC), through the 2023 Passaic County Local Arts Program Re-Grant, is offering grant funding for Special Projects or General Operating Support to Passaic County organizations that demonstrate a high degree of professionalism in sponsoring or producing arts activities in performing, visual and literary arts for the public which will take place with a public presentation between January 1, 2023 and December 31, 2023; and

**WHEREAS**, the West Milford Heritage Committee, an advisory body to the Mayor and Township Council of the Township of West Milford, reviewed the arts and cultural program proposal at their regular meetings held on May 10, 2022 and July 12, 2022, and approved the application for a grant in an amount not to exceed \$1,000 for two historical music performances by professional musicians at the West Milford Museum:

---

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 18 of 41

---

Music Through the Ages: West Milford - a sample of social events and music common in the 18<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup> century in West Milford.

The sixth New Hampshire Contra-Band, a Civil War era camp band, with musicians performing on period instruments used in the 1800's.

**WHEREAS**, the PCCHC, requires 50% in matching funds, made up of at least 50% in a cash match, which will be provided by the West Milford Heritage Committee through the Heritage Trust Account, as well as donations and volunteer hours; and

**WHEREAS**, the deadline for submission of the 2022 Local Arts Program Grant application under the PCCHC is August 11, 2022, with notification of grant awards projected for November 2022.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Township Council of the Township of West Milford, County of Passaic, New Jersey hereby approves the submission of a 2223 Local Arts Program Re-Grant application to the PCCHC in an amount not to exceed \$1,000 by the West Milford Heritage Committee for hosting historic musical performances at the West Milford Museum.

Adopted: August 15, 2022

Agenda No. XII 12

~ Resolution 2022 – 303 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC, STATE OF NEW JERSEY TO PROVIDE A BUBBLING SPRINGS LIFEGUARD INCENTIVE PROGRAM FOR THE 2022 SEASON**

**WHEREAS**, the Township of West Milford is aware of a hiring shortage of Lifeguards for the 2022 summer season; and

**WHEREAS**, it is deemed to be in the best interests of the residents of the Township of West Milford to provide this incentive program to ensure the Bubbling Springs Lake is properly staffed for the 2022 summer season; and

**WHEREAS**, anyone who completes the Lifeguard Training class, applies and is hired on as a Lifeguard at Bubbling Springs and does not have a call out for any of their scheduled shifts prior to their last day of work shall be reimbursed the \$305 fee that was paid for the Lifeguard class; and

**WHEREAS**, all existing Bubbling Springs Lifeguards shall receive \$100 at the end of the season if they have no call outs of their scheduled shifts from the start of the season until their last scheduled day; and

**WHEREAS**, all existing Bubbling Springs Lifeguards shall receive \$50 at the end of the season if they have one call out of their scheduled shifts from the start of the season until their last scheduled day; and

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Township Council of the Township of West Milford, County of Passaic, New Jersey hereby approves the Lifeguard incentive program for the 2022 season.

This Resolution shall take effect immediately.

Adopted: August 15, 2022

Agenda No. XII 13

~ Resolution 2022 – 304 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY IN SUPPORT OF THE ACTF NJ 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

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 19 of 41  
-----

**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 cultivation 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**, ACTF NJ, LLC has expressed interest in siting such a retail cannabis dispensary at 1612 Union Valley Road (Block 7006, Lot 1); 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 cultivators that may operate in the Community Commercial Zone.

**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 Cannabis Community Commercial Zone by ACTF NJ, LLC to the extent consistent with applicable state and local statutes, rules, regulations and ordinances.

Adopted: August 15, 2022

Agenda No. XII 14

~ Resolution 2022 – 305 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF MEMBERSHIP IN THE MORRIS COUNTY MUNICIPAL JOINT INSURANCE FUND**

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

**WHEREAS**, said renewed membership terminates as of December 31, 2022 unless earlier renewed by agreement between the Municipality and the Fund; and

**WHEREAS**, the Municipality desires to renew said membership;

**NOW THEREFORE**, be it resolved as follows:

1. West Milford Township agrees to renew its membership in the Morris County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Morris County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

Adopted: August 15, 2022

Agenda No. XII 15

~ Resolution 2022 – 306 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE INTENT TO PURCHASE FROM CUSTOM BANDAG-WHARTON 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.**

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 20 of 41  
-----

**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 purchase of tires awarded to Custom Bandag-Wharton 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; 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: August 15, 2022

Agenda No. XII 16

~ Resolution 2022 – 307 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE INTENT TO PURCHASE FROM FIRE AND SAFETY SERVICES 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 Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase or purchases in excess of the Pay-to-Play threshold of \$17,500 and that the purchases 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 emergency vehicle parts and have repairs performed from the above named vendor as the New Jersey authorized Pierce Manufacturing dealer which expenses would exceed the Pay-to-Play threshold of \$17,500; and

**WHEREAS**, Fire and Safety Services 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 Fire and Safety Services is hereby authorized and obtained and total purchases not to exceed the budgeted appropriation established for this purpose for the remainder of 2021 calendar year.

Adopted: August 15, 2022

Agenda No. XII 17

~ Resolution 2022 – 308 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD IN THE COUNTY OF PASSAIC NEW JERSEY AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$12,033,125 BOND ANTICIPATION NOTES**

**BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, AS FOLLOWS:**

**Section 1.** Pursuant to a bond ordinance of The Township of West Milford, in the County of Passaic (the "Township") entitled: "Bond ordinance providing for improvement of various roads in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$151,000 therefor,

---

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 21 of 41

---

directing a special assessment of part of the cost thereof and authorizing the issuance of \$143,800 bonds or notes of the Township for financing the same, finally adopted on August 14, 2019 (#2019-13), bond anticipation notes of the Township in a principal amount not exceeding \$136,200 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

**Section 2.** Pursuant to a bond ordinance of the Township, entitled: “Bond ordinance appropriating \$3,071,405, and authorizing the issuance of \$2,443,900 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on May 20, 2020 (#2020-07), bond anticipation notes of the Township in a principal amount not exceeding \$2,443,790 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

**Section 3.** Pursuant to a bond ordinance of the Township, entitled: “Bond ordinance appropriating \$3,617,500, and authorizing the issuance of \$3,169,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on April 7, 2021 (#2021-14), bond anticipation notes of the Township in a principal amount not exceeding \$3,168,135 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

**Section 4.** Pursuant to a bond ordinance of the Township, entitled: “Bond ordinance providing for improvement of various roads in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$1,500,000 therefor, directing a special assessment of part of the cost thereof and authorizing the issuance of \$1,428,000 bonds or notes of the Township for financing the same”, finally adopted on May 4, 2022 (#2022-021), bond anticipation notes of the Township in a principal amount not exceeding \$1,428,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

**Section 5.** Pursuant to a bond ordinance of the Township, entitled: “Bond ordinance appropriating \$5,432,000, and authorizing the issuance of \$4,857,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on May 4, 2022 (#2022-022), bond anticipation notes of the Township in a principal amount not exceeding \$4,857,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

**Section 6.** All bond anticipation notes (the “notes”) issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Township (the “Chief Financial Officer”), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer and shall be signed and sealed by officials and officers of the Township in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, and the Chief Financial Officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes hereunder is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

**Section 7.** Any note issued pursuant to this resolution shall be a general obligation of the Township, and the Township’s faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

**Section 8.** The Chief Financial Officer is hereby authorized and directed, if necessary, to execute an initial and final Subscription for Purchase and Issue of United States Treasury Securities – State and Local Government Series – Time Deposit Securities (“SLGS”), and any related certification, each in form and substance satisfactory to bond counsel to the Township. Bond Counsel to the Township is hereby authorized to execute said initial SLGS subscription letter on behalf of the Township. The Chief Financial Officer or bond counsel to the Township each is hereby authorized to execute said final SLGS subscription. In addition, the Chief Financial Officer is hereby authorized and directed, if necessary, to execute and deliver any agreement, document or instrument relating to the purchase of securities in lieu of SLGS.

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

Minutes of: Governing Body Workshop/Regular Meeting  
 Date of Meeting: August 15, 2022  
 Time of Meeting: 6:30 p.m.  
 Minute Page No: Page 22 of 41  
 -----

**Section 9.** The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Township, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

**Section 10.** All action heretofore taken by Township officials and professionals with regard to the sale and award of the notes is hereby ratified, confirmed, adopted and approved.

**Section 11.** This resolution shall take effect immediately.

Adopted: August 15, 2022

Agenda No. XII 18

~ Resolution 2022 – 309 ~

**RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF BONDS OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, INTO A SINGLE ISSUE OF GENERAL BONDS AGGREGATING \$14,295,000 IN PRINCIPAL AMOUNT**

**BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, AS FOLLOWS:**

Section 1. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit described in Section 2 hereof, authorized pursuant to bond ordinances of the local unit heretofore adopted, shall be combined into a single and combined issue of bonds in the principal amount of \$14,295,000.

Section 2. The principal amount of the bonds of the several issues of bonds to be combined into a single issue as above provided, the bond ordinance authorizing each of said several issues described by reference to its title and date of adoption, and the period or average period of usefulness determined in each of said bond ordinances are respectively as follows:

<b>Principal Amount of Bonds</b>	<b>Title of Ordinance and Date of Adoption</b>	<b>Period or Average Period of Usefulness (in Years)</b>
\$68,200 bonds	“Bond ordinance providing for the improvement of various roads in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$4,688,250 therefor and authorizing the issuance of \$4,465,000 bonds or notes of the Township for financing such appropriation”, finally adopted on March 28, 2007 (#2007-06)	10
\$63,600 bonds	“Bond ordinance appropriating \$3,342,360, and authorizing the issuance of \$3,175,242 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on September 3, 2008 (#2008-40)	9.27
\$325,654 bonds	“Bond ordinance appropriating \$1,565,000, and authorizing the issuance of \$1,490,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on August 15, 2012 (#2012-15)	12.38
\$1,085,532 bonds	“Bond ordinance appropriating \$1,940,600, and authorizing the issuance of \$1,605,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on April 17, 2013 (#2013-10)	10.10
\$1,263,456 bonds	“Bond ordinance appropriating \$2,214,000, and authorizing the issuance of \$1,839,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on June 25, 2014 (#2014-05)	9.36

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

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

Governing Body Workshop/Regular Meeting  
 August 15, 2022  
 6:30 p.m.  
 Page 23 of 41  
 -----

\$2,250,352 bonds	“Bond ordinance appropriating \$3,557,200, and authorizing the issuance of \$3,201,200 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on June 30, 2015 (#2015-08)	9.06
\$2,281,786 bonds	“Bond ordinance appropriating \$3,250,000, and authorizing the issuance of \$2,850,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on May 4, 2016 (#2016-08)	11.30
\$1,771,565 bonds	“Bond ordinance appropriating \$2,837,121, and authorizing the issuance of \$2,375,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on April 5, 2017 (#2017-06)	10.32
\$616,543 bonds	“Bond ordinance providing for the improvement of Ridge Road and Reservoir Road in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$1,250,000 therefor and authorizing the issuance of \$689,272 bonds or notes of the Township for financing such appropriation”, finally adopted on April 18, 2018 (#2018-04)	10
\$1,948,312 bonds	“Bond ordinance appropriating \$2,401,250, and authorizing the issuance of \$2,187,137 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on August 15, 2018 (#2018-07)	10.72
\$423,500 bonds	“Bond ordinance appropriating \$1,135,000, and authorizing the issuance of \$444,600 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on April 28, 2019 (#2019-04)	11.12
\$2,196,500 bonds	“Bond ordinance appropriating \$2,425,000, and authorizing the issuance of \$2,309,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on June 12, 2019 (#2019-09)	10.86

Section 3. The following matters are hereby determined with respect to said combined issue of bonds:  
 (a) The average period of usefulness, taking into consideration the respective amounts of obligations presently authorized to be issued pursuant to each of said bond ordinances, respectively, is 10.36 years.  
 (b) The bonds of said combined issue shall be designated “General Bonds of 2022” and shall mature within the said average period of usefulness hereinabove determined.  
 (c) The bonds of said combined issue shall be sold and issued in accordance with the provisions of said Local Bond Law applicable to the sale and issue of a single issue of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:  
 (a) None of the bonds of the several issues of bonds described in Section 2 hereof has been heretofore sold or issued and the several bond ordinances described in Section 2 hereof have not heretofore been rescinded and now remain in full force and effect as authorizations for the amount of bonds set forth opposite the title of the several bond ordinances described in said Section 2 hereof.  
 (b) No bonds are authorized by any of the bond ordinances described in Section 2 hereof, except bonds in the amount set opposite the title of said bond ordinances in Section 2 hereof.  
 (c) The several purposes for the financing of which the bonds described in Section 2 hereof have been authorized to be issued pursuant to the respective bond ordinances described in Section 2 hereof are purposes for which bonds of this local unit may lawfully be issued pursuant to said Local Bond Law and are not purposes for which a deduction may be taken in any annual or supplemental debt statement of the local unit.

Section 5. This resolution shall take effect immediately.

Adopted: August 15, 2022

Agenda No. XII 19

~ Resolution 2022 – 310 ~

**RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF \$14,295,000 GENERAL BONDS OF 2022 OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, AND PROVIDING FOR THEIR SALE**

---

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 24 of 41

---

**BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, AS FOLLOWS:**

Section 1. Terms of Bonds. The \$14,295,000 General Bonds of 2022 (the "Bonds") of the Township of West Milford, New Jersey (the "Township"), referred to and described in the resolution adopted pursuant to the Local Bond Law of the State of New Jersey, by the Township Council of the Township on August 15, 2022, entitled "Resolution providing for the combination of certain issues of bonds of the Township of West Milford, in the County of Passaic, New Jersey, into a single issue of General Bonds aggregating \$14,295,000 in principal amount" and authorized by certain bond ordinances of the Township therein described, shall be dated the date of delivery thereof, shall bear interest payable semi-annually on September 15 and March 15 in each year, commencing March 15, 2023, expressed in a multiple of 1/8 or 1/20 of 1%, shall mature in the principal amount of \$1,215,000 on September 15, 2023, \$1,265,000 on September 15, 2024, \$1,310,000 on September 15, 2025, \$1,360,000 on September 15, 2026, \$1,410,000 on September 15, 2027, \$1,460,000 on September 15, 2028, \$1,515,000 on September 15, 2029, \$1,535,000 on September 15, 2030, \$1,585,000 on September 15, 2031 and \$1,640,000 on September 15, 2032, and shall each bear a distinctive number to distinguish it from all other Bonds of said issue.

Section 2. Book-Entry-Only Bonds. The Bonds shall be issued by means of a book-entry system with no physical distribution of bond certificates made to the public. The Bonds shall be issued in registered form and bond certificates for each maturity will be issued to The Depository Trust Company, New York, New York ("DTC"), registered in the name of its nominee Cede & Co., and immobilized in its custody. A book-entry system will be employed, evidencing ownership of the Bonds in principal amount of \$5,000 or any \$1,000 increment in excess thereof, with transfers of ownership affected on the records of DTC and its participants pursuant to rules and procedures adopted by DTC and its participants. The successful bidder, as a condition to the delivery of the Bonds, will be required to deposit the bond certificates with DTC, registered in the name of Cede & Co. So long as Cede & Co. is the registered owner of the Bonds, principal and redemption price, if any, of and interest on the Bonds will be payable by the Township or its agent to DTC or its nominee as registered owner of the Bonds. The Bonds shall be executed in the name of the Township by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, under the seal of the Township affixed, imprinted or otherwise reproduced thereon and attested by the manual signature of its Township Clerk.

Section 3. Redemption. (A) The Bonds maturing prior to September 15, 2030 are not subject to redemption prior to maturity at the option of the Township. The Bonds maturing on or after September 15, 2030 are subject to redemption prior to maturity at the option of the Township upon notice as described below in whole or in part, in any order of maturity and by lot within a maturity if less than all the Bonds of such maturity are to be redeemed, on any date on or after September 15, 2029, at a redemption price equal to 100% of the principal amount thereof, together with interest accrued, if any, to the date fixed for redemption.

(B) Notice of redemption shall be given by first-class mail, postage prepaid, to the registered owners of the Bonds or portions thereof to be redeemed, not less than thirty (30) days nor more than sixty (60) days prior to the redemption date, but such mailing shall not be a condition precedent to such redemption and failure so to mail any such notice shall not affect the validity of any proceedings for the redemption of Bonds. If notice of redemption shall have been given as aforesaid, the Bonds or portions thereof specified in said notice shall become due and payable at the redemption price on the redemption date therein designated and if, on the redemption date, moneys for payment of the redemption price of all the Bonds to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, then from and after the redemption date interest on such Bonds shall cease to accrue and become payable. Less than all of a Bond in a denomination in excess of \$5,000 may be so redeemed, and in such case, upon the surrender of such Bond, there shall be issued to the registered owner thereof, without charge therefor, for the unredeemed balance of the principal amount of such Bond, Bonds of like series, designation, maturity and interest rate in any of the authorized denominations.

Section 4. Form of Bonds. The Bonds shall be in substantially the following forms with such changes and modifications as may be required, necessary, convenient or desirable for delivery thereof (including the inclusion of mandatory sinking fund provisions if term Bonds are specified by the successful bidder):



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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 25 of 41  
-----

**UNITED STATES OF AMERICA STATE OF NEW JERSEY**  
**THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC**  
**GENERAL BOND OF 2022**

**Number:** R-G  
**Registered Owner:** Cede & Co  
**Principal Amount:** \$ \_\_\_\_\_  
**Dated Date:** September 15, 2022  
**Interest Rate:** \_\_\_\_\_ %  
**Maturity Date:** September 15, \_\_\_\_\_  
**CUSIP Number:** 954515

**THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC** (the "Township"), a municipal corporation of the State of New Jersey, situate in said County of Passaic, hereby acknowledges itself indebted and for value received promises to pay to the above-stated Registered Owner or registered assigns, the above-stated Principal Amount on the above-stated Maturity Date upon presentation and surrender of this bond, and to pay to the registered owner hereof interest on such sum, from the date of this bond until it matures or is redeemed, at the above-stated Interest Rate per annum payable March 15, 2023 and semi-annually thereafter on March 15 and September 15 in each year. Principal or redemption price, if any, of this bond will be paid in lawful money of the United States of America at the office of the Chief Financial Officer, Municipal Building, 1480 Union Valley Road, West Milford, New Jersey. Interest on this bond will be payable by check or draft mailed to the registered owner hereof whose name appears on the registration books of the Township on March 1 and September 1 next preceding each interest payment date.

This bond is transferable only upon the books of the Township kept for that purpose at the office of the Chief Financial Officer, Municipal Building, 1480 Union Valley Road, West Milford, New Jersey (the "Transfer Agent"), by the registered owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or such duly authorized attorney, and thereupon the Township shall issue in the name of the transferee a new bond or bonds of the same aggregate principal amount and series, designation, maturity and interest rate as the surrendered bond. The Township, the Transfer Agent and any paying agent of the Township may treat and consider the person in whose name this bond is registered as the holder and absolute owner hereof for the purpose of receiving payment of, or on account of, the principal and interest due hereon and for all other purposes whatsoever.

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of the State of New Jersey, and as provided by resolution of the Township Council of the Township, entitled: "Resolution providing for the combination of certain issues of bonds of the Township of West Milford, in the County of Passaic, New Jersey, into a single issue of General Bonds aggregating \$14,295,000 in principal amount", adopted on August 15, 2022 and the bond ordinances referred to therein.

The bonds maturing prior to September 15, 2030, are not subject to redemption prior to maturity at the option of the Township. The bonds maturing on or after September 15, 2030, are subject to redemption prior to maturity at the option of the Township upon notice as described below in whole or in part, in any order of maturity and by lot within a maturity if less than all the bonds of such maturity are to be redeemed, on any date on or after September 15, 2029, at a redemption price equal to 100% of the principal amount thereof, together with interest accrued, if any, to the date fixed for redemption.

Notice of redemption shall be given by first-class mail, postage prepaid, to the registered owners of the bonds or portions thereof to be redeemed, not less than thirty (30) days nor more than sixty (60) days prior to the redemption date, but such mailing shall not be a condition precedent to such redemption and failure so to mail any such notice shall not affect the validity of any proceedings for the redemption of bonds. If notice of redemption shall have been given as aforesaid, the bonds or portions thereof specified in said notice shall become due and payable at the redemption price on the redemption date therein designated and if, on the redemption date, moneys for payment of the redemption price of all the bonds to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, then from and after the redemption date interest on such bonds shall cease to accrue and become payable. Less than all of a bond in a denomination in excess of \$5,000 may be so redeemed, and in such case, upon the surrender of such bond, there shall be issued to the registered owner thereof, without charge therefor, for

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 26 of 41  
-----

the unredeemed balance of the principal amount of such bond, bonds of like series, designation, maturity and interest rate in any of the authorized denominations.

The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal of or redemption price, if any, and interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed, and that the issue of bonds of which this is one does not exceed any limitation imposed thereon by said Constitution or statutes.

**IN WITNESS WHEREOF, THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC** has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, and its corporate seal to be affixed, imprinted or reproduced hereon, and this bond and said seal to be attested by the manual signature of its Township Clerk and this bond to be dated the above-stated Dated Date.

**THE TOWNSHIP OF WEST MILFORD,  
IN THE COUNTY OF PASSAIC**

(SEAL)

**ATTEST:**

By \_\_\_\_\_  
Mayor

\_\_\_\_\_  
Township Clerk

\_\_\_\_\_  
Chief Financial Officer

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations (additional abbreviations may also be used though not in the following list):

**TEN COM** – as tenants in common  
**TEN ENT** – as tenants by the entireties  
**JT TEN** – as joint tenants with right of survivorship and not as tenants in common

**UNIF GIFT MIN ACT**  
Custodian  
\_\_\_\_\_  
(Cust) (Minor)  
under Uniform Gifts to Minors Act  
\_\_\_\_\_  
State

**ASSIGNMENT**

**FOR VALUE RECEIVED** the undersigned hereby sells, assigns and transfers unto  
**PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE (FOR COMPUTER RECORD ONLY)**

\_\_\_\_\_  
(Please Print or Typewrite Name and Address of Transferee)

the within Bond, and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_ Attorney, to transfer the within Bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

**NOTICE:** The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 27 of 41  
-----

Sale of Bonds and Publication of Notice. The Bonds shall be sold upon electronic bids submitted on either Grant Street Group's MuniAuction website or the Parity Electronic Bid System of i-Deal LLC (as shall be determined by the Chief Financial Officer of the Township after consultation with the Township auditor and bond counsel) on August 31, 2022 until 11:00 o'clock A.M. (or such other date or time as shall be determined by the Chief Financial Officer of the Township after consultation with the Township auditor and bond counsel) and the Township Clerk is hereby authorized and directed to (a) cause a notice of such sale to be published at least once, the first publication to be at least seven days prior to said sale in the "Herald News", a newspaper published in the County of Passaic, and circulating in the municipality, and (b) cause a summary of the notice of sale to be published at least once, the first publication to be at least seven days prior to said sale in "The Bond Buyer", a financial newspaper published and circulating in the City of New York, New York.

Section 5. Forms of Notices. Said notice of sale and said summary of notice of sale and shall be in substantially the following forms, respectively, with such changes and modifications as may be approved by the Chief Financial Officer of the Township after consultation with the Township auditor and bond counsel:

**NOTICE OF SALE**  
**THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY**  
**\$14,295,000 GENERAL BONDS OF 2022**

**ELECTRONIC BIDS** will be received by the Chief Financial Officer of the Township of West Milford, in the County of Passaic, New Jersey (the "Township"), via the PARITY® Electronic Bid System ("PARITY®") of i-Deal LLC ("i-Deal") on **Wednesday, August 31, 2022**, until 11:00 a.m., eastern time, at which time they will be publicly announced, for the purchase of \$14,295,000 General Bonds of 2022 (the "Bonds") of the Township due on September 15 as follows:

\$1,215,000 in 2023, \$1,265,000 in 2024, \$1,310,000 in 2025, \$1,360,000 in 2026,  
\$1,410,000 in 2027, \$1,460,000 in 2028, \$1,515,000 in 2029, \$1,535,000 in 2030,  
\$1,585,000 in 2031 and \$1,640,000 in 2032.

Payment Dates. The Bonds will be dated the date of delivery thereof and will bear interest at the rate or rates per annum specified by the successful bidder therefor in accordance with this Notice of Sale payable on March 15 and September 15 in each year until maturity or earlier redemption, commencing March 15, 2023. The record dates for the payment of principal of and interest on the Bonds will be the March 1 and September 1 next preceding each such payment date.

Book-Entry Only. The Bonds will be issued in book-entry form only, initially in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC"). Purchasers will not receive certificates representing their interests in the Bonds. Individual purchases will be in the principal amount of \$5,000 or integral multiples of \$1,000 in excess thereof. Payments of principal or redemption price, if any, and interest will be made by the Township or its agent to DTC for subsequent disbursement to DTC participants to then be remitted to the beneficial owners of the Bonds.

Redemption. The Bonds maturing prior to September 15, 2030 are not subject to redemption prior to their stated maturities. The Bonds maturing on or after September 15, 2030 are subject to redemption prior to their stated maturities at the option of the Township upon mailed notice, as described in the resolution of the Township authorizing the Bonds, in whole or in part, in any order of maturity and by lot within a maturity if less than all the Bonds of such maturity are to be redeemed, on any date on or after September 15, 2029, at a redemption price equal to 100% of the principal amount thereof, together with interest accrued, if any, to the date fixed for redemption.

Bank Qualification. The Bonds **will not** be designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

Interest Rate and Price Parameters. Each bid must specify in a multiple of one-eighth (1/8<sup>th</sup>) or one-twentieth (1/20<sup>th</sup>) of one percent (1%) the rate or rates of interest which the Bonds are to bear. Not more than one rate of interest may be specified for the Bonds of the same maturity. There is no limitation on the number of rates of interest that may be specified. The difference between the highest and the lowest rates of interest specified shall not exceed two percent (2%). No bid shall be considered that offers to pay an amount less than the principal amount of the Bonds offered for sale (i.e., \$14,295,000). Any bid premium must not exceed one percent (1%) of the principal amount of the Bonds offered for sale (i.e., \$142,950).

Basis of Award. The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest true interest cost. Such true interest cost shall be computed, as to each bid, by determining the interest rate, compounded semi-annually, necessary to discount the debt service payments to the date of the Bonds and to the price bid. If two (2) or more bidders offer the same lowest true interest cost, then the Bonds will be awarded to one (1) of such bidders selected by lot from among all such bidders. The

---

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 28 of 41

---

right is reserved to reject any and all bids and, to the extent permitted by law, to waive any irregularity or informality in any bid.

**Good Faith Deposit.** Each bidder is required to deposit a certified or cashier's or treasurer's check drawn upon a bank or trust company payable to the order of the Township of West Milford, in the County of Passaic, New Jersey, for \$285,900 (the "Deposit Amount"). In lieu of the foregoing, a bidder may deliver the Deposit Amount via a wire transfer of immediately available funds to the Township. Wiring instructions may be obtained by contacting the Chief Financial Officer of the Township, Ellen Mageean at [treasurer@westmilford.org](mailto:treasurer@westmilford.org) or (973) 728-2752. Such check or wire transfer must be received by the Chief Financial Officer of the Township at or before 11:00 a.m., eastern time, on the bid date at the Municipal Building, 1480 Union Valley Road, West Milford, New Jersey, 07480. No interest on the Deposit Amount will accrue to the successful bidder. The Deposit Amount will be applied in part payment for the Bonds or to secure the Township from any loss resulting from the failure of the successful bidder to comply with the terms of its bid.

**Award and Closing.** Award of the Bonds to the successful bidder, or rejection of all bids, is expected to be made promptly after receipt of the bids, but a bidder may not withdraw its bid until after 2:00 p.m., eastern time, of the day of such bid-receipt and then only if such award has not been made prior to the withdrawal. The Bonds will be delivered and shall be paid for in immediately available funds on or about September 15, 2022, at such place in Newark, New Jersey, and on such business day and at such hour, as the undersigned shall fix on five (5) business days' notice to the successful bidder, or at such other place and time as may be agreed upon with the successful bidder.

**PARITY®.** Each bid must be submitted via PARITY®. No bidder will see any other bidder's bid, nor will any bidder see the status of its bid relative to other bids (e.g., whether its bid is a leading bid). To the extent any instructions or directions set forth on PARITY® conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY®, potential bidders may contact PARITY® at i-Deal at (212) 404-8102. The Township may, but is not obligated to, acknowledge its acceptance in writing of any bid submitted electronically via PARITY®. Each bidder further agrees that: (1) if a bid submitted electronically via PARITY® is accepted by the Township, the terms of this Notice of Sale and the information that is electronically transmitted via PARITY® shall form a contract and the successful bidder shall be bound by the terms of such contract, (2) PARITY® is not an agent of the Township and the Township shall have no liability whatsoever based on any bidder's use of PARITY®, including but not limited to any failure by PARITY® to correctly or timely transmit information provided by the Township or information provided by the bidder, (3) the Township may choose to discontinue use of electronic bidding via PARITY® by issuing a notification to such effect via TM3 News Services, or by other available means, no later than 3:00 p.m., eastern time, on the last business date prior to the bid date, (4) once the bids are communicated electronically via PARITY® to the Township, each bid shall be deemed to be an irrevocable offer to purchase the Bonds on the terms provided in this Notice of Sale and (5) each bidder shall be solely responsible to make necessary arrangements to access PARITY® for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the Township nor i-Deal shall have any duty or obligation to provide or assure such access to any bidder, and neither the Township nor i-Deal shall be responsible for a bidder's failure to register to bid or for the proper operation of, or have any liability for any delays or interruptions of, or any damages caused by, PARITY®. The Township is using PARITY® as a communication mechanism, and not as the Township's agent, to conduct the electronic bidding for the Bonds. By using PARITY®, each bidder agrees to hold the Township harmless for any harm or damages caused to such bidder in connection with its use of PARITY® for bidding on the Bonds.

**Change in Federal Tax Law.** The successful bidder may at its option refuse to accept the Bonds if prior to their delivery any income tax law of the United States of America shall provide that the interest thereon is taxable, or shall be taxable at a future date, for federal income tax purposes, and in such case the Deposit Amount paid by it will be returned and the successful bidder will be relieved of its contractual obligations arising from the acceptance of its bid.

**Bond Insurance Option.** If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of a bidder, any purchase of such insurance or commitment therefor shall be at the sole option and expense of the bidder and any increased costs of issuance of the Bonds resulting by reason of such insurance, unless otherwise paid, shall be paid by such bidder. Any failure of the Bonds to be so insured or of any such policy of insurance to be issued shall not in any way relieve the successful bidder of its contractual obligations arising from the acceptance of its bid for the purchase of the Bonds.

**Establishment of Issue Price (10% Test or Hold-the-Offering-Price Rule May Apply if Competitive Sale Requirements are Not Satisfied – Bidder Option).** The successful bidder shall assist the Township in establishing the issue price of the Bonds and shall execute and deliver to the Township at closing an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, with such modifications as may be appropriate or necessary, in the reasonable judgment of the successful bidder, the Township and bond counsel to the Township. The form of such certificate is available from bond counsel to the Township.

---

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

---

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 29 of 41

---

The Township intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining “competitive sale” for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the “competitive sale requirements”) because: (1) the Township shall disseminate this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters, (2) all bidders shall have an equal opportunity to bid, (3) the Township may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds and (4) the Township anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid. Unless a bidder is purchasing the Bonds for its own account and not with a view to distribution or resale to the public, a bidder by submitting its bid represents that it is an underwriter of municipal bonds that has an established industry reputation for underwriting new issuances of municipal bonds.

In the event that the competitive sale requirements are not satisfied, the Township shall so advise the successful bidder. In such event, unless the successful bidder is purchasing the Bonds for its own account and not with a view to distribution or resale to the public, the successful bidder shall elect to treat (i) the first price at which 10% of a maturity of the Bonds (the “10% test”) is sold to the public as the issue price of that maturity and/or (ii) the initial offering price to the public as of the sale date of any maturity of the Bonds as the issue price of that maturity (the “hold-the-offering-price rule”), in each case applied on a maturity-by-maturity basis. The successful bidder shall advise the Township if any maturity of the Bonds does not satisfy the 10% test as of the date and time of the award of the Bonds. The successful bidder shall promptly advise the Township which of such maturities of the Bonds shall be subject to the 10% test or shall be subject to the hold-the-offering-price rule. Bids will not be subject to cancellation in the event that the competitive sale requirements are not satisfied. Bidders should prepare their bids on the assumption that some or all of the maturities of the Bonds will be subject to either the 10% test or the hold-the-offering-price rule in order to establish the issue price of the Bonds.

By submitting a bid, the successful bidder shall (i) confirm that the underwriters have offered or will offer the Bonds to the public on or before the date of award at the offering price or prices (the “initial offering price”), or at the corresponding yield or yields, set forth in the bid submitted by the successful bidder and (ii) agree, on behalf of the underwriters participating in the purchase of the Bonds, that the underwriters will neither offer nor sell unsold Bonds of any maturity to which the hold-the-offering-price rule shall apply to any person at a price that is higher than the initial offering price to the public during the period starting on the sale date and ending on the earlier of the following: (1) the close of the fifth (5th) business day after the sale date or (2) the date on which the underwriters have sold at least 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public. The winning bidder will advise the Township promptly after the close of the fifth (5th) business day after the sale date whether it has sold 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public.

If the competitive sale requirements are not satisfied and the successful bidder has elected the 10% test to apply to any maturity of the Bonds, then until the 10% test has been satisfied as to each such maturity of the Bonds, the successful bidder agrees to promptly report to the Township the prices at which the unsold Bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the closing date has occurred, until either (i) all Bonds of that maturity have been sold or (ii) the 10% test has been satisfied as to the Bonds of that maturity, provided that, the successful bidder’s reporting obligation after the closing date may be at reasonable periodic intervals or otherwise upon request of the Township or bond counsel to the Township.

The Township acknowledges that, in making the representations set forth above, the successful bidder will rely on (i) the agreement of each underwriter to comply with the requirements for establishing issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds, as set forth in an agreement among underwriters and the related pricing wires, (ii) in the event a selling group has been created in connection with the initial sale of the Bonds to the public, the agreement of each dealer who is a member of the selling group to comply with the requirements for establishing issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds, as set forth in a selling group agreement and the related pricing wires and (iii) in the event that an underwriter or dealer who is a member of the selling group is a party to a third-party distribution agreement that was employed in connection with the initial sale of the Bonds to the public, the agreement of each broker-dealer that is a party to such agreement to comply with the requirements for establishing issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds, as set forth in the third-party distribution agreement and the related pricing wires. The Township further acknowledges that each underwriter shall be solely liable for its failure to comply with its agreement regarding the requirements for establishing issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds, and that no underwriter shall be liable for the failure of any other underwriter, or of any dealer who is a member of a selling group, or of any broker-dealer that is

---

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

---

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 30 of 41

---

a party to a third-party distribution agreement to comply with its corresponding agreement to comply with the requirements for establishing issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds.

By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each third-party distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such third-party distribution agreement, as applicable: (A)(1) to report the prices at which it sells to the public the unsold Bonds of each maturity allocated to it, whether or not the closing date has occurred, until either all Bonds of that maturity allocated to it have been sold or it is notified by the successful bidder that the 10% test has been satisfied as to the Bonds of that maturity, provided that, the reporting obligation after the closing date may be at reasonable periodic intervals or otherwise upon request of the successful bidder and (2) to comply with the hold-the-offering-price rule, if applicable, if and for so long as directed by the successful bidder and as set forth in the related pricing wires, (B) to promptly notify the successful bidder of any sales of Bonds that, to its knowledge, are made to a purchaser who is a related party to an underwriter participating in the initial sale of the Bonds to the public (each such term being used as defined below) and (C) to acknowledge that, unless otherwise advised by the underwriter, dealer or broker-dealer, the successful bidder shall assume that each order submitted by the underwriter, dealer or broker-dealer is a sale to the public and (ii) any agreement among underwriters or selling group agreement relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter or dealer that is a party to a third-party distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such third-party distribution agreement to (A) report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it, whether or not the closing date has occurred, until either all Bonds of that maturity allocated to it have been sold or it is notified by the successful bidder or such underwriter that the 10% test has been satisfied as to the Bonds of that maturity, provided that, the reporting obligation after the closing date may be at reasonable periodic intervals or otherwise upon request of the successful bidder or such underwriter and (B) comply with the hold-the-offering-price rule, if applicable, if and for so long as directed by the successful bidder or the underwriter and as set forth in the related pricing wires.

Sales of any Bonds to any person that is a related party to an underwriter participating in the initial sale of the Bonds to the public (each such term being used as defined below) shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale: (i) "public" means any person other than an underwriter or a related party, (ii) "underwriter" means (A) the successful bidder, (B) any person that agrees pursuant to a written contract with the successful bidder to form an underwriting syndicate to participate in the initial sale of the Bonds to the public and (C) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (B) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the public), (iii) "related party" means any entity if an underwriter and such entity are subject, directly or indirectly, to (I) more than 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (II) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another) or (III) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other) and (iv) "sale date" means the date that the Bonds are awarded by the Township to the successful bidder.

**CUSIP Numbers.** It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for the failure or refusal of the successful bidder to accept delivery of and pay for the Bonds. The CUSIP Service Bureau charge for the assignment of CUSIP numbers on the Bonds shall be the responsibility of and shall be paid for by the successful bidder.

**Initial and Continuing Disclosure.** A preliminary official statement (the "Preliminary Official Statement") relating to the Bonds is available at [www.munihub.com](http://www.munihub.com) and the Preliminary Official Statement is deemed final as of its date by the Township for purposes and within the meaning of Rule 15c2-12 of the Securities and Exchange Commission. A final official statement (the "Official Statement") will be delivered to the successful bidder within seven (7) business days of the award of the Bonds. In order to assist bidders in complying with said Rule 15c2-12, the Township will undertake to provide certain continuing disclosure as further described in the Preliminary Official Statement.

**Legal Opinion and Closing Documents.** The successful bidder will be furnished, without cost, with the approving opinion of the law firm of Hawkins Delafield & Wood LLP, bond counsel to the Township, to the effect that the Bonds are valid and legally binding obligations of the Township and, unless paid from other sources, are payable from ad valorem taxes levied upon all the taxable property therein without limitation as to rate or amount. The obligations under this Notice of Sale to deliver or accept the Bonds

---

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 31 of 41

---

pursuant to this Notice of Sale shall be conditioned on the availability to the successful bidder and delivery at the time of delivery of the Bonds of the said approving opinion and of certificates in form and tenor satisfactory to said law firm evidencing the proper execution and delivery of the Bonds and receipt of payment therefor and including a statement, dated as of the date of such delivery, to the effect that, except as may be disclosed in the Official Statement, there is no litigation pending or (to the knowledge of the signer or signers thereof) threatened relating to the Bonds.

Postponement and Adjustments. The Township reserves the right to postpone, from time to time, the date and time established for receipt of bids and the right to adjust the maturity schedule of the Bonds. Any such postponement or adjustment will be published on TM3 News Services, or by other available means, not less than twenty-four (24) hours prior to the sale. If any date fixed for the receipt of bids and the sale of the Bonds is postponed, an alternative sale date will be announced via TM3 News Services, or by other available means, at least forty-eight (48) hours prior to such alternative sale date.

Availability of Information. Additional information regarding the sale, may be obtained from Hawkins Delafield & Wood LLP, bond counsel to the Township, One Gateway Center, Newark, New Jersey, 07102-5311 (Telephone: 973-642-8584).

**WILLIAM SENANDE**, Township Clerk

Dated: August 17, 2022

**SUMMARY OF NOTICE OF SALE**

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

**\$14,295,000 GENERAL BONDS OF 2022**

**ELECTRONIC BIDS** for the above-described bonds (the "Bonds") will be received by the Chief Financial Officer of the Township of West Milford, in the County of Passaic, New Jersey (the "Township"), via the PARITY® Electronic Bid System of i-Deal LLC on **Wednesday, August 31, 2022**, until 11:00 a.m., local time. As described in the full Notice of Sale, a good faith check or a wire transfer must be received by the Chief Financial Officer of the Township prior to or simultaneously with the submission of a bid. The Bonds shall mature on September 15 as follows:

\$1,215,000 in 2023, \$1,265,000 in 2024, \$1,310,000 in 2025, \$1,360,000  
in 2026, \$1,410,000 in 2027, \$1,460,000 in 2028, \$1,515,000 in 2029,  
\$1,535,000 in 2030, \$1,585,000 in 2031 and \$1,640,000 in 2032.

The Bonds will be dated the date of delivery thereof, and will bear interest, payable on March 15 and September 15 in each year until maturity or earlier redemption (ascending rates and only one rate per maturity), commencing March 15, 2023, at the rate or rates per annum specified, in multiples of one-eighth (1/8) or one-twentieth (1/20) of one percent (1%), by the successful bidder in accordance with the full Notice of Sale. The Bonds will be issued in book-entry form only and **will not** be designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. The Bonds are subject to redemption prior to their stated maturities at the option of the Township in accordance with the full Notice of Sale.

Copies of the full Notice of Sale and the Preliminary Official Statement are available at [www.munihub.com](http://www.munihub.com) and may also be obtained by contacting Hawkins Delafield & Wood LLP, bond counsel to the Township, One Gateway Center, Newark, New Jersey, 07102-5311 (Telephone: 973-642-8584).

**WILLIAM SENANDE**, Township Clerk

Dated: August 17, 2022

Section 6. Additional Matters Contained in Bonds. The Chief Financial Officer is hereby authorized and, if necessary or advisable in the opinion of Hawkins Delafield & Wood LLP, directed (a) to cause the applicable CUSIP numbers (if any) assigned for each of said bonds by the CUSIP Service Bureau of Standard & Poor's Corporation of New York, New York, to be printed on the Bonds, and (b) to cause, in the event that the Bonds shall qualify for issuance of any policy of municipal bond insurance, at the option of the purchaser thereof, such legend or reference (if any) of such insurance to be printed (at the expense of such purchaser) on the Bonds in such form as shall be satisfactory to Hawkins Delafield & Wood LLP.

Section 7. Delivery of Related Documents. Upon the date of issue of the Bonds, being the date of delivery of the Bonds to the successful bidder and the payment of the purchase price thereof in accordance with the contract of sale, the Chief Financial Officer is hereby authorized and directed, as of the date of issue, to deliver to said bidder (a) an arbitrage and use of proceeds certificate with respect to the Bonds in such form as shall be satisfactory to Hawkins Delafield & Wood LLP under and for the purposes of Section 148 of the Internal Revenue Code of 1986, as amended to said date of issue (the "Code"), (b) an undertaking to provide continuing disclosure in order to assist said bidder in complying with Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12") in a form satisfactory to Hawkins Delafield & Wood LLP and (c) such other documents as may be useful, necessary, convenient or desirable in connection with the issuance of the Bonds.

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 32 of 41  
-----

Section 8. Delegation of Power to Award Bonds. The Township Council of the Township, as the governing body thereof, does by this resolution designate the Chief Financial Officer of the Township, or such other Township official as may be deemed appropriate (the "Chief Financial Officer"), to sell and award the Bonds in accordance with the advertised terms of public sale. The Chief Financial Officer or other Township official making such sale shall report in writing to this governing body at its next meeting thereafter as to the principal amount, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser. The Chief Financial Officer or other Township official is hereby further authorized and directed to do and accomplish all matters and things necessary or desirable to accomplish the sale of the Bonds including, after consultation with the Township auditor and bond counsel, (a) adjusting the maturity schedule of the Bonds and (b) postponing and rescheduling from time to time the sale of the Bonds in accordance with the provisions set forth in the notice of sale and as provided by law.

Section 9. Reserved.

Section 10. Preliminary Official Statement. All action taken to date by the officials, employees and agents of the Township with respect to the issuance of the Bonds, including the preparation of a Preliminary Official Statement with respect thereto be and the same hereby are approved, ratified, adopted and confirmed and the Chief Financial Officer of the Township is hereby authorized to deliver said Preliminary Official Statement for its use in the sale, resale and distribution of the Bonds. The Chief Financial Officer of the Township or such other Township official as may be appropriate is hereby authorized and directed to deem said Preliminary Official Statement final as of its date for purposes and within the meaning of Rule 15c2-12.

Section 11. Final Official Statement. The execution, delivery and dissemination of a final Official Statement in substantially the same form as said Preliminary Official Statement with such changes, insertions and omissions as may be approved by the Chief Financial Officer of the Township with respect to the issuance of the Bonds by and on behalf of the Township, is hereby authorized, and the Chief Financial Officer of the Township or such other Township official as may be deemed appropriate is hereby authorized and directed to execute the same in the name and on behalf of the Township Council and is further authorized to deliver said final Official Statement in executed form for its use in the sale, resale and distribution of the Bonds. The execution of said final Official Statement by the Chief Financial Officer of the Township or such other Township official as may be deemed appropriate shall be conclusive evidence of any approval required hereby.

Section 12. Actions to be Taken on Behalf of the Township. The Township Administrator, the Chief Financial Officer of the Township and the Township Clerk are hereby authorized to do all matters necessary, useful, convenient or desirable to accomplish the sale and delivery of the Bonds, including without limitation matters relating to the provision of electronic bids for the Bonds, the obtaining of a credit rating for the Bonds and the filing of continuing disclosure materials on the Electronic Municipal Market Access website maintained by the Municipal Securities Rulemaking Board.

Section 13. Prior Action. All action heretofore taken by Township officials and professionals relating to the sale of the Bonds is hereby ratified, confirmed, adopted and approved.

Section 14. Effective Date. This resolution shall take effect immediately.  
The foregoing resolution was adopted by the following vote:

Adopted: August 15, 2022

Agenda No. XII 20

~ Resolution 2022 – 311 ~

**RESOLUTION AND GROUP AFFIDAVIT OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AS CERTIFICATION OF THE 2021 ANNUAL AUDIT**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Township Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Township Council; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall, by resolution, certify to the Local Finance Board of the



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

Minutes of: Governing Body Workshop/Regular Meeting  
 Date of Meeting: August 15, 2022  
 Time of Meeting: 6:30 p.m.  
 Minute Page No: Page 33 of 41  
 -----

State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

**WHEREAS**, the members of the Governing Body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the Governing Body attached hereto; and

**WHEREAS**, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local Governing Body whom, after a date fixed for compliance, fails or refuses to obey an order of the director (Direct of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of West Milford, in the County of Passaic, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Adopted: August 15, 2022

Agenda No. XII 21

~ Resolution 2022 – 312 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE SUMMARY OF SYNOPSIS OF AUDIT REPORT FOR PUBLICATION FOR THE 2021 AUDIT IN ACCORDANCE WITH N.J.S.A. 40A:5-7**

Attention is directed to the fact that a summary of the audit report, together with the recommendations, is the minimum required to be published pursuant to N.J.S.A 40A:5-7. Summary of Synopsis of 2021 Audit Report of the Township of West Milford, County of Passaic, as required by N.J.S.A 40A:5-7.

<b>ASSETS</b>	December 31 Year 2021	December 31 Year 2020
Cash, Investments and Prepaid Debt Service	38,281,843.28	34,006,123.40
Taxes, Assessments, Liens and Utility Charges Receivable	2,724,170.65	3,128,203.93
Property Acquired for Taxes - Assessed Value	6,204,500.00	6,210,500.00
Accounts Receivable (and Inventory)	4,083,442.60	3,500,347.64
General Fixed Assets	48,661,603.38	49,797,491.08
Deferred Charges to Future Taxation – General Capital	29,753,532.48	30,800,835.09
Deferred Charges to Revenue of Succeeding Years	360.02	10,875.00
<b>TOTAL ASSETS</b>	<b>129,709,452.41</b>	<b>127,454,376.14</b>
<b>LIABILITIES, RESERVES AND FUND BALANCES</b>		
Bond and Notes Payable	30,400,033.80	31,524,444.00
Improvement Authorizations	6,252,604.98	4,370,499.44
Other Liabilities and Special Funds	22,705,110.98	22,991,971.64
Net Assets Available for Benefits	3,663,459.31	3,191,492.09
Investment in General Fixed Assets	48,661,603.38	49,797,491.08
Reserve for Certain Assets Receivable	8,677,292.65	9,117,203.16
Fund Balance	9,349,347.31	6,461,274.73
<b>TOTAL LIABILITIES, RESERVES AND SURPLUS</b>	<b>129,709,452.41</b>	<b>127,454,376.14</b>
	<u>2021</u>	<u>2020</u>
<u>Revenue and Other Income Realized</u>		
Fund Balance Utilized	3,725,684.00	4,524,239.00
Miscellaneous - From Other Than Local Property Tax Levies	9,154,168.61	8,766,896.31
Collection of Delinquent Taxes and Tax Title Liens	1,248,393.35	1,352,581.38

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

Minutes of: Governing Body Workshop/Regular Meeting  
 Date of Meeting: August 15, 2022  
 Time of Meeting: 6:30 p.m.  
 Minute Page No: Page 34 of 41  
 -----

Collection of Current Tax Levy	105,130,968.87	104,194,383.54
Other Credits to Income	3,467,407.45	1,864,077.71
<b>Total Income</b>	<b>122,726,622.28</b>	<b>120,702,177.94</b>
<u>Expenditures</u>		
Budget Expenditures:		
Municipal Purpose	33,688,623.79	35,074,908.92
Special District Taxes	2,886,078.41	2,884,466.85
Municipal Open Space Tax	147,713.98	148,276.50
County Taxes	20,859,599.20	21,224,392.34
Local and Regional School Taxes	58,388,036.00	57,099,420.00
Other Expenditures	45,733.42	78,893.12
<b>Total Expenditures</b>	<b>116,015,784.80</b>	<b>116,510,357.73</b>
Less: Expenditures to be Raised by Future Taxes		
<b>Total Adjusted Expenditures</b>	<b>116,015,784.80</b>	<b>116,510,357.73</b>
Excess in Revenue	6,710,837.48	4,191,820.21
Fund Balance January 1	5,781,025.96	6,113,444.75
	12,491,863.44	10,305,264.96
Less:		
Utilized as Anticipated Revenue	3,725,684.00	4,524,239.00
<b>Fund Balance December 31</b>	<b>8,766,179.44</b>	<b>5,781,025.96</b>

**RECOMMENDATIONS**

None

\* \* \* \* \*

The above Summary of Synopsis was prepared from the Report of Audit of the Township of West Milford, County of Passaic, for the calendar year 2021. This Report of Audit, submitted by James Cerullo, C.P.A., R.M.A. of Wielkotz & Company, LLC is on file at the Township Clerk's Office and may be inspected by any interested person.

\* \* \* \* \*

Adopted: August 15, 2022

Agenda No. XII 22

~ Resolution 2022 – 313 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUES AND APPROPRIATION**

**WHEREAS** N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget and,

**WHEREAS**, the Director may also approve the insertion of any item of appropriation for an equal amount,

**WHEREAS**, the Township of West Milford wishes to amend its 2022 Budget to include an amount as revenue,

**NOW THEREFORE, BE IT RESOLVED** that the Governing body of the Township of West Milford hereby requests the Director of the Division of Local Government Services to approve the insertion of an item in the budget of the year 2022 which is now available as a revenue from:

Special Items of General Revenue Anticipated with Prior Written consent of the Director of Local Government Services:  
 Public and Private Revenues Off-Set with Appropriations:  
 Emergency Management Agency Assistance; \$10,000.00

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

Minutes of: Governing Body Workshop/Regular Meeting  
 Date of Meeting: August 15, 2022  
 Time of Meeting: 6:30 p.m.  
 Minute Page No: Page 35 of 41  
 -----

**BE IT FURTHER RESOLVED** that a like sum be and the same is hereby appropriated under the caption of:

General Appropriations	
(A) Operations – Excluded from CAPS	
Public and Private Programs Offset by Revenue	
Emergency Management Agency Assistance;	\$10,000.00
Local Match	\$ 0.00

**BE IT FURTHER RESOLVED**, that the Township Finance Department will electronically file with the State of NJ in accordance with LFN 2014-11.

Adopted: August 15, 2022

Motion to move resolutions 2022-294 through 2022-313

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

Agenda No. XIII

**Consent Agenda**

~ Resolution 2022 – 314 ~

**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) **2022-315** – Recreation Refund
  - b) **2022-316** – Building Refund
  - c) **2022-317** – Refund Other Liens
  - d) **2022-318** – Refund Overpayment
  - e) **2022-319** – Reinstatement of Taxes

Adopted: August 15, 2022

Agenda No. XIII a

~ Resolution 2022 – 315 ~

**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:

FIELD HOCKEY GOLD-SUMMER			
\$50.00	Allison Schmits 344 Otterhole Road West Milford, NJ 07480		
DAY CAMP BEFORE CARE			
\$65.00	Kimberly Tolnai 7 Edgescumb Road West Milford, NJ 07480		
TENNIS CAMP			
\$170.00	Maura Rotroff 81 Forest Lake Drive Hewitt, NJ 07421	\$80.00	Jackie Blauvelt 12 Haddon Road Hewitt, NJ 07421
PADDLE BOARDING			

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

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

Governing Body Workshop/Regular Meeting  
 August 15, 2022  
 6:30 p.m.  
 Page 36 of 41

\$40.00	Robin Caton 468 Morsetown Road West Milford, NJ 07480	\$40.00	LeeAnn Gennett 42 Treetop Court Bloomingdale, NJ 07403
<b>MULTI SPORT CAMP</b>			
\$358.00	Ingrid Rodriguez 1234 Westbrook Road West Milford, NJ 07480	\$179.00	Katherine Amundson 181 High Crest Drive West Milford, NJ 07480
\$179.00	Yelena Barzman 158 Ridge Road West Milford, NJ 07480	\$179.00	Irma Parkin 35 Weedon Drive West Milford, NJ 07480
<b>GIRLS FUN CAMP</b>			
175.00	Krystal LaNeve 108 Continental Road West Milford, NJ 07480		
<b>ZUMBA GOLD</b>			
\$30.00	Virginia Zaccaro 26 McKinley Place West Milford, NJ 07480		
<b>DAY CAMP AFTERCARE</b>			
\$135.00	Svetlana Akimov 232 Mulberry Road Ramsey, NJ 07446		
<b>NIGHT TIME CHAIR YOGA-AUGUST</b>			
\$25.00	Patty Gray 3 C Beacon Hill Road West Milford, NJ 07480	\$25.00	Thomas Decker 55 Beacon Hill Rd Unit G West Milford, NJ 07480
<b>DAY CAMP</b>			
\$150.00	Kimberly Hall 111 Germantown Road West Milford, NJ 07480		
<b>FALL SOCCER</b>			
\$65.00	Marisa Gough 34 Center Street West Milford, NJ 07480	\$70.00	Deana Pezzino 34 Rolling Ridge Road West Milford, NJ 07480

Adopted: August 15, 2022

Agenda No. XIII b

~ Resolution 2022 – 316 ~

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

**BE IT RESOLVED**, that the following Building Department permit fee be refunded:

Name	Account No.	Amount to be Refunded
Lonnie Brinker 104 Long Pond Rd Hewitt, NJ 07421	01-192-08-160-199	\$281.00

Adopted: August 15, 2022

Agenda No. XIII c

~ Resolution 2022 – 317 ~

**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:

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

Minutes of: Governing Body Workshop/Regular Meeting  
 Date of Meeting: August 15, 2022  
 Time of Meeting: 6:30 p.m.  
 Minute Page No: Page 37 of 41

Certificate No.	Certificate Date	Block/Lot/Qual	Reimbursement Amount	Pay to Lien Holder
21-0049	10/12/2021	10803-002	\$40,756.81	MIRTHA MIRANDA 13 MOUNTAINSIDE ROAD WEST MILFORD, NJ 07480
21-0046	10/12/2021	09801-028.05	\$24,094.77	EVOLVE BANK & TRUST 6070 POPLAR AVE. SUITE 200 MEMPHIS, TN 38119
<b>TOTAL</b>			<b>\$64,851.58</b>	

Adopted: August 15, 2022

Agenda No. XIII d

**~ Resolution 2022 – 318 ~**

**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  | 10. Trust Assessment          |

Block/Lot	Name	Amount	Year	Reason
10808-020	Wells Fargo Bank Attn: Refunds/Financial Support P.O. Box 14506 Des Moines, IA 50328-0001	\$2,120.00	2022	2
06701-010	Treasurer Township Of West Milford 1480 Union Valley Rd West Milford, NJ 07480	\$78,351.00	2022	1

Adopted: August 15, 2022

Agenda No. XIII e

**~ Resolution 2022 – 319 ~**

**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 | <b>INSUFFICIENT FUNDS</b>       |
| 2 | <b>NO ACCOUNT/CANNOT LOCATE</b> |
| 3 | <b>ACCOUNT CLOSED</b>           |
| 4 | <b>STOP PAYMENT</b>             |
| 5 | <b>INVALID ACCOUNT NUMBER</b>   |

BLOCK/LOT	NAME	AMOUNT	INT	YEAR	REASON
02003/002.02	N. & Letetia Lengares	\$1,437.71		2022	2
09501-009	Title Mark Maker	\$1,985.48		2021/2022	2
00504-001	Alexander Bernardi	\$223.00		2022	1

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

Minutes of: Governing Body Workshop/Regular Meeting  
 Date of Meeting: August 15, 2022  
 Time of Meeting: 6:30 p.m.  
 Minute Page No: Page 38 of 41  
 -----

14702-010	Mary Caputo	\$200.92		2022	2
03512-004	Benny Fatal	\$4,269.00		2022	1
11101-027	Ekho Carter	\$6.00		2022	2
02512-005	Lauria Alessandrrro	\$544.00		2022	5
12305-002	Joseph Lambert	\$1,989.00		2022	2

Adopted: August 15, 2022

Motion to move resolutions 2022-314 through 2022-319.

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

Agenda No. XIV

**Approval of Expenditures**

~ Resolution 2022 – 320 ~

**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	\$800,152.83
3	Reserve Account	2,619.78
2	Grants	27,205.20
6	Refunds	66,866.58
1	General Ledger	8,120.00
26	Refuse	520,582.32
4	Capital	81,606.00
19	Animal Control	0.00
19	Heritage Trust	0.00
19	Open Space Trust	3,142.00
19	Trust	33,314.26
19	Scala Trust	0.00
16	Development Escrow	10,415.00
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	25,185.08
Total		\$1,579,209.05
	Less Refund Resolution	-66,866.58
	<b>Actual Bills List</b>	<b>\$1,512,342.47</b>
	Other Payments	
	Payroll	611,152.89
	BOE	5,001,253.00
	Payroll	574,951.88
	NJ Motor Vehicle Commission	60.00
	Enterprise Lease	14,889.42
	MTAG c/f FIG Capital Invest NJ 13	110,481.71
	Passaic County Taxes	5,516,396.46
	Passaic County Open Space Taxes	107,722.76
	<b>Total Expenditures</b>	<b>\$13,449,250.59</b>

---

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 39 of 41

---

Adopted: August 15, 2022

---

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

---

Agenda No. XV

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

Mayor Dale – Mayor Dale has received inquiries about the spraying along the roads by the County. We did have an agreement with the County that they would not spray the roads, yet the roads were sprayed. We were not officially notified that they were going to be spraying and the Mayor has been in touch with the County Administrator Mr. DeNova and is looking into it. Mayor Dale would like to establish official communications with Brown’s Point in order to be proactive and know if there are any park closures and what is going on at the park. The Mayor would also like the DPW Road Supervisor and any police that drive by to report if they see it closed. The Mayor referred to a recent HAB in Greenwood Lake where the lake was shut down by the Health Commissioner because they were told to on the County level. There was miscommunication. We formed the Health Advisory Board, Mayor Dale wasn’t notified, and Awosting wasn’t informed, where normally there would be communication. Mayor Dale would like to avoid this in the future. Mayor Dale does not want to shut down any beaches unless the Governing Body meets.

Councilman Chazukow – People are curious about the boat launch at Brown’s point. Residents are upset that it has been closed all summer. Councilman Chazukow would like to know who is doing the feasibility study and also find a way for residents to be able to add their input. Even though it is a State owned park, it is very important to the people who live here. Councilman Chazukow made a plea for people to reach out to the State.

Councilwoman Lichtenberg – Saturday August 27 there will be a Corn Hole competition at Wallisch Homestead at 1:00 p.m. Those interested my contact [wallischhomestead@gmail.com](mailto:wallischhomestead@gmail.com) . The Book Sale is coming up in September and you may donate at the West Milford Presbyterian Church. The Chuck Eninger Health, Wellness and Community Fair is coming up September 10<sup>th</sup> from 11:30-2:30 p.m. at the West Milford Recreation Center parking lot.

Councilman Goodsir – Registration for Fall adult co-ed volleyball is opening up starting Mondays on August 19 from 7-8:30 p.m for beginners and 8:30 to 10:00 p.m. for advanced players. Military Banners will be back on the Township website on November 1, 2022 for purchase. Thank you to Eagle Scout Sean McNalley for his work on the benches at Nosenzo Pond. Practice is underway for the Senior Olympics. West Milford is hosting this year, Wednesday, September 21 with a rain date of September 27. Friday August 26 sliced steak at the Elks Club from 5-8:00 p.m.

Councilman Marsden – Thanked Councilman Goodsir for working hard on the roof for the Veterans.

Councilwoman Erik – Visited the State Park a little over a month ago with Councilwoman Lichtenberg and was told by the State Park Police that they were not allowed to be there. The trail heads had been closed off. Attorney Pasternak indicated that we may have no authority to tell the State what they can and cannot do. We can talk with people but we are unable to enforce anything. To this point Mayor Dale indicated that just because we no longer have the lease with the State does not mean that they could not have come in and done whatever they wanted anyway, at any time. That is the common misconception with this issue. On the topic of “gifting” of marijuana. Councilwoman Erik made a complaint about the activity on the highway (Route 23). There were 9 cars there and people were stepping out of their cars into the highway. Originally that area was allowed to have a food truck. Since then, the food truck has been sold and there is a cannabis truck operating there. Mayor Dale responded to Councilwoman Erik’s comments letting everyone know that violations had been written up every day for those operating illegally. The Police Chief and the Passaic County Prosecutor’s Office have been working very closely together to address the issue.

Administrator Senande – No report.

Attorney Pasternak – No report.

Agenda No. XVI

**Appointments and Resignations**

Council wished to make an appointment to the Senior Citizen’s Advisory Committee. Councilwoman Lichtenberg made a motion to appoint Kathryn Denout. Seconded by Councilwoman Erik.

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 40 of 41  
-----

Motion to accept the appointment.

-----  
Moved: Erik Seconded: Lichtenberg  
Voted Aye: All were in favor  
Voted Nay: None  
Motion carried:  
-----

Councilwoman Erik made a motion to appoint Mike Hensley to the Board of Adjustment. Seconded by Councilwoman Lichtenberg.

Motion to accept the appointment.

-----  
Moved: Erik Seconded: Lichtenberg  
Voted Aye: All were in favor  
Voted Nay: None  
Motion carried:  
-----

Agenda No. XVIII

**Discussion Items/Official Communications**

- |    |   |
|----|---|
| 1. | <p>Board of Health – Mark Mora, Chief RHS via shared Services Agreement gave out reports and addressed certain issues. Regarding the HAB issue he clarified that the beach closure was his call and he did so with the information he had at the time. It was triggered by a bouy that was some distance away, and the fact it was so far away did not become clear until he spoke with the DEP. Going forward better communication will take place before a beach is closed. Mayor Dale gave the steps of the beach closure procedure. Administration would be notified and the Governing Body would assemble to review the reports given and then the Governing Body would make the decision whether or not to close the beach. A quorum would be necessary. The Township Attorney indicated that a special emergency meeting could be called and the newspaper notice would need to be put in the paper within 48 hours. Mr. Mora clarified that when his department gets notified by the DEP they send their own inspector out to evaluate if the HAB is even affecting the beach. If it is determined that it is, then Administration would then be notified. The DEP is going to leave it up to the local entity and will not be the ones closing a swimming area.</p> <p>There is a new lead free certification law. It became effective on July 22, 2022. The law obligates municipalities to conduct lead hazard assessment inspections in all rental units. An owner occupied single family would be exempt. Councilman Marsden indicated that the DCA was already doing it when there were four or more units. Mr. Mora indicated that was true if the rental had been registered with the DCA for the last 5 years and did not have any violations. It would affect any properties established previous to 1978.</p> <p>Dave Pardave gave the schedule for upcoming health screenings. There will be one at the Presbyterian Church on August 31, 2022 3-7:00 p.m. They will be partnering with ShopRite and the nutritionist there to provide education and dietary recommendations for anyone having an irregular reading, glucose for example. Fall health screenings will be the first Wednesday of September, October and November from 10 a.m. to 2 p.m. at ShopRite. There will be child health screening once a month by appointment only. Passaic County will be at 930 Riverview Drive in Totowa on Mondays and Thursdays distributing monkey pox vaccines by appointment focusing on high risk individuals, or people who have been exposed in the last 14 days. The phone number is 973-881-4396.</p> <p>Mayor Dale requested more information to be able to give to residents regarding the new water tests for PFOAs and POAs. She wants to know what are the costs for testing and the risks from a health standpoint and what resources are available for remediation. Mr. Mora would also like input as he would like to improve the website. Councilman Marsden made the point that we are currently getting a lot of plastics in our rain water as well and wonders if there is any information with regard to that.</p> |
|----|---|

Agenda No. XVII

**Adjournment**

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

The meeting adjourned at 8:42 p.m.



---

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

Minutes of: Governing Body Workshop/Regular Meeting  
Date of Meeting: August 15, 2022  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 41 of 41

---

Approved: September 7, 2022

Respectfully submitted:

\_\_\_\_\_  
Deidre Ellis, Keyboarding Clerk II

\_\_\_\_\_  
MICHELE DALE, MAYOR

\_\_\_\_\_  
WILLIAM SENANDE, TOWNSHIP CLERK