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

Minutes of: Governing Body Regular Meeting  
Date of Meeting: August 16, 2023  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 1 of 29

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The Regular Meeting of the Governing Body was called to order by Mayor Michele Dale at 6:30 p.m.

**Adequate Notice Statement**

Mayor Dale read the following statement:

Pursuant to the provisions of the Open Public Meetings Act (N.J.S.A. 10:4-8) adequate notice of this Regular Meeting was advertised in the Herald News in and The Record in its issue of January 10, 2023, February 14, 2023 and posted on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

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

Agenda No. I

**Pledge of Allegiance**

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

Agenda No. II

**Roll Call**

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

Mayor Dale indicated that Councilman Conlon had informed her prior to the meeting that he would be attending a legislative event this evening and would be unable to attend the meeting.

Agenda No. III

**Reading of or Approval of Unapproved Minutes**

July 12, 2023 Executive Session Meeting Minutes  
July 12, 2023 Regular Meeting Minutes

Motion to approve the minutes.

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

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Agenda No. IV

**Meetings**

September 13, 2023 Regular Meeting  
October 4, 2023 Regular Meeting  
October 18, 2023 Regular Meeting

Agenda No. V

**Proclamations**

None

Agenda No. VI

**Presentations**

Mayor Dale shared sad news. Ed Steines passed away this morning. Mayor Dale read a statement. Ed Steines was the DPW Director and started working for the Township April 1, 1985. In 1979 he started working as a volunteer firefighter and donated countless hours of his time to the Town. He also volunteered on the First Aid Squad whenever needed. He served as the Fire Commissioner since 2000 and the OEM Coordinator since 2011. He will be greatly missed. All present observed a moment of silence in his memory.

Mayor Dale also asked that we take a moment to remember Lt. Governor Sheila Oliver, who did a lot for the State of New Jersey in the various positions she held during her tenure. All present observed a moment of silence in her memory.

Agenda No. VII

**Executive Session**

None

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Agenda No. VIII

**Discussion Items / Official Communications**

|    |  |
|----|--|
| 1. | Ordinance – Amend Sections 300-42 Removal of Septic Tank Sludge and 300-446 Fees<br>-Administrator Senande had been asked to contact two local companies that do a lot of pumping in Town to see if the requirement of the lists would be burdensome. This ordinance would set the fee structure for the licensing and also requires a list of all pumping that took place the prior year. The lists are something that the companies maintain anyway, so it's not additional work. Mayor Dale did not want to make it more difficult for the companies. Councilman Marsden indicated that it may actually make it easier to keep records. Councilwoman Lichtenberg is very much in favor and that's why she wanted it written initially. Councilwoman Erik made a motion to move forward and Councilwoman Lichtenberg seconded. Council gave consensus.   |
| 2. | Ordinance – Remove Chapter 195-8 Requiring Monitoring Wells in Junk yards<br>-Administrator Senande indicated the ordinance has been on the books for about 10 years and as part of the renewal or transfer of the license the properties are required to have a well but unfortunately the ordinance doesn't contain the criteria of what the wells need to be tested for. We can remove this portion and continue to relicense the junk yards in Town and then if need be, add it later on and include what they need to be tested for. Councilwoman Erik made a motion to remove the section. Councilman Chazukow seconded. All were in favor.  |
| 3. | Ordinance – Amend 500-12 Area & Yard Requirements and Amend 500-72 Non-Conforming Lots Structures and Uses to Change Permitted Maximum Building Coverage<br>-Administrator Senande indicated that this will allow larger accessory structures on larger properties. The cap is currently 1500 sq. ft. Councilman Marsden indicated it will create more \$ in taxes and that maybe it could be based on a percentage of the overall lot size, perhaps a cap of 2%. Zoning Officer Michael Gerst referred to the spreadsheet that he had provided to the Council. He questioned if Council would want to do a percentage based on the zone or property size. If it were to be based on the property size the zone would not matter. Councilman Marsden indicated that there are properties in certain zones that have sizes that are currently non-conforming so he feels that going with a percentage of the property size overall makes sense and would be a good compromise.<br>Mr. Gerst was in agreement and advised there should be a cap, explaining that if someone had a property with 30 acres, the accessory structure could be extremely large. Council gave consensus to move forward. Administrator Senande will prepare a first draft and it can be placed on the agenda for the next meeting ready for introduction. |
| 4. | Ordinance – Adding New Section 500-72B Structures – Mr. Gerst explained that the purpose of the ordinance is to make it easier for residents to build or square off their homes because it will eliminate the need for a variance, by allowing people to square off their houses because they are already within the setbacks. He has been repeatedly told by the Zoning Board of Adjustment that these types of applications are deminimis, and yet he has to deny the application the way it stands currently. Mayor Dale said the idea is to make it easier for residents to do what they want to do with their properties and thanked Mr. Gerst. Council gave consensus to move forward.   |
| 5. | Ordinance – Amend 500-90 Permit Certain Farm Exotic Animals and Updating 500-66 Accessory Buildings Paragraphs C, D, F, and G<br>_Administrator Senande indicated that this ordinance adds more animals to the list. We currently allow sheep, pigs and goats and this would allow for other animals of similar size. Mr. Gerst said we have llamas, rheas and alpacas and other animals that are appearing in Town but they are currently not allowed. Nothing will change on the setbacks or the rules. Also, the last chicken ordinance inadvertently outlawed roosters. Roosters will be allowed on properties measuring 5 acres. Councilwoman Erik stressed the importance of fencing to keep animals on your property. Regarding the stipulation of having one animal on one acre, Mr. Gerst said there are some smaller animals, herd animals that do better with the company of other animals as companions. Since a pygmy goat is not the same size as a cow, it doesn't make sense that the same rules would apply. The ordinance still needs more discussion and work but it is improving. It will remain a discussion item.  |
| 6. | Ordinance – Amend 500-193 Establishing Cannabis Walk-up Window Standards and Adding Definitions – Councilman Chazukow invited Tom Sena from the Mt View Farmacie in case anyone had questions. Councilman Chazukow indicated that the draft states that people have to check in at the front desk inside the facility before they can access the walk up window and thought the idea was not to make people have to enter the premises. Orders could be placed on line and ID could be shown at the window and the exchange could take place in that manner. There was discussion about State rules verses local Township rules and Attorney Pasternak said he was unaware of any State requirement that would force a person to check in at a facility in order to use a walk up window and we can make our own rules, though the State could supersede them if it  |

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was required. The idea was to remove that phrasing and the Council gave consensus and there will be a draft ordinance prepared for the next meeting.

Agenda No. IX

Public Comments

Josephine Beck – Chairperson for the Historic Preservation Commission, had questions regarding new laws for lead based paint and the cleanup that might be involved. She wanted to know who the responsible party would be, so that things would be handled correctly in the future.

Tom Sena – General Manager for the Mt. View Farmacie thanked the Council and people in Town for being so welcoming. He mentioned getting into the business to especially help the elderly with ailments and hopes to run a smooth operation moving forward. He indicated he would have no problem obeying any and all rules required and is in favor of open communication.

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

Agenda No. X

Council Comments

Councilman Marsden indicated that the problem occurs with lead paint when it starts to crack and there are paint chips, or if the wall becomes damaged and sanding is required, at that point you can't fix it yourself.

Attorney Pasternak advised the best first step would be to contact the Health Officer. He agreed with Councilman Marsden but advised specific issues should be addressed to the Health Officer.

Mayor Dale said there was no expectation for volunteers in Town to be remediating an issue like this on Township property.

Administrator Senande indicated that these new rules applied to rental properties.

Health Officer Charlene Gungill indicated that another instance where the issue might come to the attention of the Health Department is when a child is found to have an elevated levels of lead in their blood, a level higher than 2.5 micrograms/deciliter of blood. When that occurs, they follow up to see where the child lives and go from there.

Administrator Senande indicated that the new resolution was to cover one and two unit rentals because three and four family unit rentals were already covered.

Mayor Dale clarified that it did not apply to Township public properties.

Councilman Chazukow thanked Mr. Sena for coming to the meeting.

Agenda No. XI

Unfinished Business, Final Passage of Ordinances

Agenda No. XI 1

~ Ordinance 2023 – 017 ~

ORDINANCE CONCERNING SALARIES AND COMPENSATION FOR ADMINISTRATIVE, CONFIDENTIAL AND UNAFFILIATED EMPLOYEES

BE IT ORDAINED, by the Township Council of the Township of West Milford, in the County of Passaic, New Jersey that pursuant to Chapter 33 entitled Personnel of the Revised General Ordinances of the Township of West Milford, New Jersey, 1976, the following Officer(s) and Employee(s) here below stated shall be classified by job title with the corresponding pay ranges:

DEPARTMENT AND OFFICE HEADS

Table with 3 columns: JOB TITLE, MINIMUM, MAXIMUM. Row 1: Assistant Director of Public Works, \$45,000.00, \$110,000.00

- 1. The aforelisted Officer(s) and Employee(s) shall be compensated in accordance with the preceding Salary Range.
2. BENEFITS: Benefits relating to vacation, sick days, personal days, longevity, holidays, bereavement leave and medical insurance shall be those as contained in the contract between the West Milford Municipal Employees Guild (AFSCME 3301) and the Township of West Milford or any employment agreement consistent with applicable law.

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3. OVERTIME: If not otherwise eligible for overtime compensation by contract or law, each full-time department and division head in lieu of overtime compensation as provided in the Guild contract, shall receive three (3) vacation days and up to 35 compensatory hours annually, the latter earned hour for hour for hours worked above forty per week. All other full-time employees listed in this ordinance if not otherwise eligible for overtime compensation by contract or law, shall receive 21 compensatory hours annually, plus one half hour for each hour worked above thirty-five or forty hours per week depending on the applicable contract for the employee's department. Vacation and compensatory time may be used or accumulated as follows: vacation days may be carried for up to one year from January 1 following the year earned, and compensatory hours may be taken no later than April 1 of the year following the year earned.
4. Stipend Positions will not be subject to increases unless specifically authorized by Resolution of the Governing Body.
5. 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. This ordinance shall take effect 20 days after its final passage by the Township Council.

Introduced: July 12, 2023  
Adopted: August 16, 2023  
Effective Date: September 5, 2023

This Ordinance was introduced on July 12, 2023 and the Notice of Public Hearing was published in the Herald News on or about July 18, 2023. The Governing Body will open the meeting to the public to speak on this ordinance only.

Seeing no one wished to speak Councilwoman Erik made a motion to close the public portion. Seconded by Councilwoman Lichtenberg. All were in favor.

Motion to Adopt Ordinance 2023-017.

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Moved: Erik Seconded: Lichtenberg  
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Marsden  
Voted Nay: None  
Motion carried:  
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Agenda No. XI 2

~ Ordinance 2023 – 018 ~

**ORDINANCE APPROPRIATING \$175,000 FROM RESERVE FOR CAPITAL PURCHASES**

**WHEREAS**, the Township Council of the Township of West Milford did authorize the use of General Funds for Capital Purchases in the 2023 budget processes; and

**WHEREAS**, an ordinance is required to reserve those funds for their intended purpose; and

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

**WHEREAS**, this ordinance shall appropriate \$175,000 from the Reserve for Capital Purchases.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the sum of \$175,000 be appropriated as follows:

|                                       |                  |
|---------------------------------------|------------------|
| Extricating Equipment                 | \$50,000         |
| Diesel Exhaust System                 | \$65,000         |
| First Aid Pave Ridge Road Parking Lot | \$50,000         |
| WM 77 Portable Video System           | \$10,000         |
| <b>TOTAL</b>                          | <b>\$175,000</b> |

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

Introduced: July 12, 2023  
Adopted: August 16, 2023  
Effective: August 26, 2023

This Ordinance was introduced on July 12, 2023 and the Notice of Public Hearing was published in the Herald News on or about July 18, 2023. The Governing Body will open the meeting to the public to speak on this ordinance only.

Seeing no one wished to speak Councilwoman Erik made a motion to close the public portion. Seconded by Councilwoman Lichtenberg. All were in favor.

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Motion to Adopt Ordinance 2023-018.

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Moved: Erik Seconded: Lichtenberg  
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Marsden  
Voted Nay: None  
Motion carried:  
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Agenda No. XI 3

~ Ordinance 2023 – 019 ~

**ORDINANCE ADDING A NEW CHAPTER ENTITLED “SOCIAL MEDIA” TO THE CODE OF THE TOWNSHIP OF WEST MILFORD**

**WHEREAS**, a review of the Township policy and procedures shows that there are currently no provisions for social media in the Township Code; and

**WHEREAS**, the Township Council has determined that it is necessary to establish within the Code, regulations regarding the use of social media; and

**WHEREAS**, the Township Council wishes to amend the Code of the Township of West Milford to add a new Chapter entitle Social Media to read as follows:

**NOW THEREFORE BE IT ORDAINED**, by the Township the Township Council finds that the purpose of this social media policy is to establish enforceable rules for the use of social media by Township officers and employees when engaged in Township business. Social media at this time refers to Facebook, Instagram, and any other form of communication that is open to response or comment.

**SECTION 1** New Chapter “Social Media” is created to read as follows:

**WHEREAS**, rules are necessary to assure that communications made on behalf of the Township are properly authorized and in correct form; that communications to the municipality by means of social media which can be viewed by the public are appropriate and pertinent; that all communications to the municipality are directed to the proper recipient; and that the sender is clearly and fully informed that a message received by means of social media is not a substitute for required reporting procedures.

**WHEREAS**, the objective of the use of social media by the Township or its departments is to expand and facilitate communication between the Township and its residents, taxpayers and the general public, so that interested citizens may also share township information. Users are encouraged to submit comments, questions and concerns, but please note that township social media sites may serve as moderated online discussions and not public forums.

**WHEREAS**, this policy governs all social media use by or on behalf of the Township and/or its departments.

**WHEREAS**, the Township shall have a single presence on each social media site approved for use. Any pages or sites created and/or maintained by an individual department or instrumentality of the Township require prior approval of the Township Administrator, and shall comply with this Social Media Policy.

**WHEREAS**, all Township presence and activity on social media are an integral part of the Township’s information networks and must comply with all rules and policies governing the Township’s computers and electronic media, including but not limited to the applicable Municipal Internet Access and Use Guidelines.

**WHEREAS**, all Township use of social media, including use by departments or instrumentalities of the Township, are responsible for complying with applicable federal, state, and county laws, regulations, and policies. This includes adherence to established laws and policies regarding copyright, records retention, Freedom of Information Act (FOIA), Open Public Record Act (OPRA), First Amendment, privacy laws, sunshine laws, and information security policies (if applicable) established by the Municipality, its departments, affiliated boards, commissions and authorities.

**WHEREAS**, wherever possible, links to more information should direct users back to the Municipality’s official website.

**WHEREAS**, employees representing Municipal government on social media outlets must identify themselves by name, and when relevant, by role at the Municipality. All Municipal policies are applicable to interactions on social media sites when acting in an official capacity and representing the Municipality.

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**WHEREAS**, the designated municipal webmaster shall monitor content on all social media sites to ensure adherence to the Social Media Policy for appropriate use, message, and branding consistent with the goals of the Municipality.

**WHEREAS**, no “friending” or other special relationship between a Township employee and a third person is permitted.

**WHEREAS**, social media sites are not to be used for making any official communications to the Township, for example, reporting crimes or misconduct, reporting dangerous conditions, giving notice required by any statute, ordinance or regulation (e.g. notice of claim). Prominent notice of this paragraph shall be displayed on every Township social media site, along with the appropriate contact information for submitting such a communication.

**WHEREAS**, the Municipal Webmaster shall have the authority to remove any Prohibited Content (see below) from any Township social media site at any time, subject to archiving and retention requirements. See section I, Prohibited Content.

- I. Prohibited Content
  - 1. The following content is prohibited and subject to removal  
Comments unrelated to the particular post being commented upon; Comments that promote, foster, or perpetuate discrimination on the basis of creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation; Comments containing vulgar, offensive, threatening, or harassing language, personal attacks, or unsupported accusations; Obscene or sexually suggestive or explicit content or links to obscene or sexual content; Illegal activity or encouragement of Illegal activity; Information that may compromise the safety or security of the public or public systems; Comments from children under 13 cannot be posted in order to comply with the Children’s Online Privacy Protection ACT. By posting on a Township media site, users acknowledge that they are at least 13 years old; content that violates a legal ownership interest of any other party; Comments with website, email or Internet links of any kind. Content that incites violence. Photographs or videos. Personal information of a person other than the poster. Spamming or repetitive content.
  - 2. Persons posting prohibited content are subject to being barred from posting comments on Township Social Media.
- II. Applicability  
This policy shall apply to all Municipal agencies and departments as well as any affiliated government or non-government agency or official permitted by the Municipality to post on Municipal social media sites.

**SECTION 2.** 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 3.** This Ordinance may be renumbered for purposes of codification.

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

Introduced: July 12, 2023  
Adopted: August 16, 2023  
Effective Date: September 5, 2023

This Ordinance was introduced on July 12, 2023 and the Notice of Public Hearing was published in the Herald News on or about July 18, 2023. The Governing Body will open the meeting to the public to speak on this ordinance only.

Seeing no one wished to speak Councilwoman Erik made a motion to close the public portion. Seconded by Councilwoman Lichtenberg. All were in favor.

Motion to Adopt Ordinance 2023-019.

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

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Agenda No. XII

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

Agenda No. XII 1

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~ Ordinance 2023 – 020 ~

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF STOWAWAY BRIDGE IN AND BY THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$488,200 THEREFOR, DIRECTING A SPECIAL ASSESSMENT OF THE COST THEREOF, AND AUTHORIZING THE ISSUANCE OF \$464,950 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE SAME.**

**BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a local improvement to be made or acquired by The Township of West Milford, in the County of Passaic, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$488,200, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$23,250 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$488,200 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$464,950 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$464,950 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of Stowaway Bridge by the reconstruction thereof, and being utilized by those properties identified on the official tax map of the Township as Lots 1 and 5 in Block 7702, Lots 1 and 2 in Block 7501, Lots 1 to 3 in Block 7502, Lots 2 to 6, 8 to 11, 13 and 14 in Block 7503, Lots 1, 3 and 4 in Block 7504, Lots 1 to 3 in Block 7505, Lots 1 to 4, 6 and 7 in Block 7506, Lots 1 to 3 in Block 7507, and Lots 19 to 29 in Block 7508, together with all structures, appurtenances, equipment, site work, studies, design, engineering, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$464,950.

(c) The estimated cost of said purpose is \$488,200, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$23,250 down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Township may lawfully acquire or make as a local improvement.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is thirty (30) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$464,950, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$150,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

(e) Nothing will be contributed by the Township at large to payment of the cost of said improvement or purpose, the estimated maximum amount of the special assessments to be levied on property specially benefitted by said improvement is \$488,200, and the number of annual installments in which all such special assessments may be paid is twenty (20).

Section 5. The cost of said local improvement shall be paid by special assessments which shall be levied in accordance with law on property specially benefitted thereby, as nearly as may be in proportion to and not in excess of the peculiar benefit, advantage or increase in value which the respective lots and parcels of real estate shall be deemed to receive by reason of said local improvement. The owner of any land upon which any such assessment shall have been made may pay such assessment in the number of





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**WHEREAS**, the total amount of the contract shall not exceed \$94,896.19

**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 Township Fire Marshal to purchase two (2) 2023 Dodge Durango Pursuit AWD Utility vehicles, in an amount not to exceed \$94,896.19, through New Jersey State Contract #23-Fleet-34933 from Nielsen of Morristown, 200 Ridgedale Ave, Morristown, N.J. 07960
2. The Township Chief Financial Officer has certified the availability of funds shall be encumbered from account number 19-295-56-120-520 for same.

Adopted: August 16, 2023

Agenda No. XII 4

~ Resolution 2023 – 293 ~

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

**WHEREAS**, the Township of West Milford by virtue of Resolution 2023-083 awarded a contract to Tilcon New York, Inc. for the purchase of crushed stone and sand; and

**WHEREAS**, the Township of West Milford by virtue of Resolution 2023-219, increased the not to exceed amount for the purchase of crushed stone and sand to \$40,000.00; and

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

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

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

1. The Mayor and Township Council hereby authorizes an expenditure of funds through the Morris County Cooperative Pricing Council, Contract #9 (Crushed Stone and Sand) to Tilcon New York, Inc., 9 Entin Road, Parsippany, NJ 07054 for the purchase of additional crushed stone and sand thereby increasing the not to exceed amount from \$40,000.00 to \$60,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: August 16, 2023

Agenda No. XII 5

~ Resolution 2023 – 294 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ONE ASCO 300 SERIES TRANSFER SWITCH THROUGH STATE CONTRACT T2732 THROUGH WARSHAUER GENERATOR, LLC**

**WHEREAS**, Warshauer Generator, LLC was awarded State Contract # T2732 which provides the goods and services needed; and

**WHEREAS**, Community Services & Recreation would like to purchase one ASCO 300 Series Transfer Switch under State Contract #T2732 from Warshauer Generator, LLC in the amount of \$20,000 and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account 04-215-55-840-004 for \$20,000.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute the purchase order issued to Warshauer Generator, 800 Shrewsbury Avenue, Tinton Falls, NJ 07724 for one ASCO 300 Series Transfer Switch for Community Services & Recreation at a cost of \$20,000

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Agenda No. XII 6

~ Resolution 2023 – 295 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ONE ASCO 300 SERIES TRANSFER SWITCHTHROUGH STATE CONTRACT T2732 THROUGH WARSHAUER GENERATOR, LLC**

**WHEREAS**, Warshauer Generator, LLC was awarded State Contract #T2732 which provides the goods and services needed; and

**WHEREAS**, Community Services & Recreation would like to purchase one ASCO 300 Series Transfer Switch under State Contract #T2732 from Warshauer Generator, LLC in the amount of \$15,334 and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account 04-215-55-840-004 for \$15,334.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute the purchase order issued to Warshauer Generator, 800 Shrewsbury Avenue, Tinton Falls, NJ 07724 for one ASCO 300 Series Transfer Switch for Community Services & Recreation at a cost of \$15,334.

Adopted: August 16, 2023

Agenda No. XII 7

~ Resolution 2023 – 296 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ONE ASCO 7000 SERIES TRANSFER SWITCH THROUGH STATE CONTRACT T2732 THROUGH WARSHAUER GENERATOR, LLC**

**WHEREAS**, Warshauer Generator, LLC was awarded State Contract #T2732 which provides the goods and services needed; and

**WHEREAS**, Community Services & Recreation would like to purchase one ASCO 7000 Series Transfer switch under State Contract #T2732 from Warshauer Generator, LLC in the amount of \$16,000 and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account 04-215-55-840-004 for \$16,000.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute the purchase order issued to Warshauer Generator, 800 Shrewsbury Avenue, Tinton Falls, NJ 07724 for one ASCO 7000 Series Transfer Switch for Community Services & Recreation at a cost of \$16,000

Adopted: August 16, 2023

Agenda No. XII 8

~ Resolution 2023 – 297 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ONE TORNATECH FIRE PUMP CONTROLLER WITH TRANSFER SWITCH THROUGH PAC PUMP**

**WHEREAS**, Pac Pump which provides the goods and services needed; and

**WHEREAS**, Community Services & Recreation would like to purchase one Tornatech fire pump controller with transfer switch from Pac Pump in the amount of \$26,200; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account 04-215-55-840 -004 for \$26,200

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute the purchase order issued to Pac Pump, 106 Hobart Street Hackensack, NJ 07601 for one Tornatech fire pump controller with transfer switch for Community Services & Recreation at a cost of \$26,200.

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

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Adopted: August 16, 2023

Agenda No. XII 9

~ Resolution 2023 – 298 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PURCHASES FOR REPAIR/REPLACEMENT OF TIRES FOR VEHICLES AND EQUIPMENT THROUGH STATE CONTRACT 20-FLEET-00948 AND/OR STATE CONTRACT 20-FLEET-00708 FROM CUSTOM BANDAG, INC.**

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

**WHEREAS**, the Township of West Milford has a need on a timely basis to purchase goods and services utilizing the above contracts awarded to Custom Bandag, Inc., 36-38 Meadow Avenue, Wharton, NJ 07885, which expenses would exceed the threshold of \$17,500.00; and

**WHEREAS**, Custom Bandag, Inc., 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 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 16, 2023

Agenda No. XII 10

~ Resolution 2023 – 299 ~

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

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

**WHEREAS**, the Township requires (11) eleven licenses for the period from July 31, 2023 through July 30, 2024 at a cost of \$1,700 each; and

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

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

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

**WHEREAS**, this contract is being awarded as a non-fair and open contract not to exceed the amount of \$18,700 for the regular maintenance for the period from July 31, 2023 through July 30, 2024; and

**WHEREAS**, the Chief Financial Officer has certified the availability of the funds from various accounts as appropriated by the Governing Body in the 2023 Municipal Budget.

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

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

Adopted: August 16, 2023

Agenda No. XII 11

~ Resolution 2023 – 300 ~

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

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

**WHEREAS**, the Township is a member of the Bergen County Co-Op and therefore can take advantage of the discounted prices and has a need on a timely basis to purchase hand tools, small power tools, Stihl power tools and accessories, grounds maintenance items and equipment repairs; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that purchases from Montague Tool & Supply is hereby authorized and approved provided that purchases are made through the Bergen County Cooperative pricing contract or a minimum of three quotations when the purchase is not covered under a Cooperative pricing contract and the total purchases are not to exceed the budgeted appropriation established for this purpose for the remainder of the 2023 calendar year.

Adopted: August 16, 2023

Agenda No. XII 12

~ Resolution 2023 – 301 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE ARCHITECTURAL SERVICES OF BARTON ROSS & PARTNERS INC. IN ACCORDANCE WITH THE PAY-TO-PLAY LAW N.J.S.A. 19:44A-20.5 ET SEQ.**

**WHEREAS**, the Friends of Wallisch have the need to hire an architect for the preservation plan for the Wallisch Homestead ; as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Township received a grant from the Highlands Council in the amount of \$30,500 for this purpose, and

**WHEREAS**, Barton Ross & Partners Inc. will comply with state pay-to-play regulation by completing and submitting a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that Barton Ross & Partners, Inc. will not make any reportable contributions through the remainder of the year; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds to be encumbered form account number 02-213-41-875-000; and

**WHEREAS**, the architectural services will exceed \$17,500 and should not exceed the bid threshold of \$40,000.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that the architectural services are hereby authorized and approved and total purchases not to exceed \$30,500.

Adopted: August 16, 2023

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

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Agenda No. XII 13

~ Resolution 2023 – 302 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PURCHASES FROM FIRE AND SAFETY SERVICES IN ACCORDANCE WITH THE PAY-TO-PLAY LAW N.J.S.A. 19:44A-20.5 ET SEQ.**

**WHEREAS**, The Township of West Milford has a need 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 2023 calendar year.

Adopted: August 16, 2023

Agenda No. XII 14

~ Resolution 2023 – 303 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR DISPOSAL/RECYCLING OF RESIDENTIAL YARD WASTE AND AUTHORIZING THE PURCHASE OF MATERIALS FROM RVH MULCH SUPPLY, LLC IN ACCORDANCE WITH PAY-TO-PLAY LAW N.J.S.A. 19:44A-20.5**

**WHEREAS**, the Township of West Milford has a need on a timely basis to dispose of (recycle) residential yard waste (grass/leaves) from the recycling center and to purchase materials (mulch/top soil) for various projects throughout the Township from RVH Mulch Supply, LLC., which expenses would exceed the threshold of \$17,500.00; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that purchases from and expenditures to RVH Mulch Supply, LLC is hereby authorized and approved provided that purchases/expenditures are made through a State contract, cooperative pricing contract or a minimum of three (3) quotations when the purchases/expenditures are not covered by State or cooperative contract and the total purchases/ expenditures are within the budgeted appropriation established for this purpose for the remainder of the 2023 calendar year.

Adopted: August 16, 2023

Agenda No. XII 15

~ Resolution 2023 – 304 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE USE OF SERVICES FROM US SPORTS INSTITUTE INC. IN ACCORDANCE WITH THE PAY-TO-PLAY LAW N.J.S.A. 19:44A-20.5**

**WHEREAS**, the Township of West Milford has been providing multi sports programs for the youth of West Milford using US Sports Institute Inc.; and

**WHEREAS**, due to the popularity of these programs the Recreation Department is approaching the \$17,500 threshold; and

**WHEREAS**, the Recreation Department reached out to other vendors that offer similar programs however three (3) quotes obtained were “no quotes” as per the non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

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**WHEREAS**, the Township of West Milford Council has requested that any purchase over \$17,500 be approved by Council; and

**WHEREAS**, US Sports Institute Inc. will comply with state pay-to-play regulation by completing and submitting a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that US Sports Institute Inc. will not make any reportable contributions through the remainder of the year; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds to be encumbered from account number 01-201-28-370-687; and

**WHEREAS**, US Sports Institute Inc. will exceed the \$17,500 and should not exceed the bid threshold of \$40,000.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that US Sports Institute Inc. is hereby authorized and approved as the provided three (3) no quotes were obtained and total purchases not to exceed \$40,000.

Adopted: August 16, 2023

Agenda No. XII 16

~ Resolution 2023 – 305 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,  
STATE OF NEW JERSEY REJECTING ALL BIDS RECEIVED FOR REGISTRATION SERVICES OF  
FORECLOSURE MORTGAGE PROPERTIES**

**WHEREAS**, the Township of West Milford solicited bids on July 11, 2023 at 10:00 a.m. for the Registration Services of Foreclosure Mortgage Properties; and

**WHEREAS**, in response to the Notice to Bidders the Township received two (2) bids; and

**WHEREAS**, said bids have been duly reviewed by the Township Administrator and the Township Attorney; and

**WHEREAS**, between the two (2) bids received, one failed to submit a mandatory item and therefore rendered a fatal defect and unresponsive and the other did not respond to the specifications of the RFP and was rejected, 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 the bids received on July 11, 2023 for the Registration Services of Foreclosure Mortgage Properties are hereby rejected for the reasons stated above.

Adopted: August 16, 2023

Agenda No. XII 17

~ Resolution 2023 – 306 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF  
NEW JERSEY ACCEPTING GRANT FOR THE MILLING AND RESURFACING OF CLINTON ROAD  
BETWEEN PASSAIC COUNTY BRIDGE #177 AND STEPHENS ROAD AND EXECUTION OF  
AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT)**

**WHEREAS**, on June 15, 2022, the Township Council of the Township of West Milford approved the submission of an NJDOT grant application to fund a portion of the milling and resurfacing of Clinton Road between Passaic County Bridge #177 and Stephens Road (1.6 miles) under the 2023 Municipal Aid Program; and

**WHEREAS**, the requested \$525,000 application resulted in a \$462,340 award approved by the NJDOT Commissioner; and

**WHEREAS**, the Township of West Milford approved funding for the remaining project costs of the preliminary construction cost estimate; and

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

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

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**BE IT FURTHER RESOLVED** that the Township of West Milford acknowledges that a contract for construction must be executed no later than November 23, 2024, as per the grant term requirements established by the New Jersey Department of Transportation.

Approved: August 16, 2023

Agenda No. XII 18

~ Resolution 2023 – 307 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ACCEPTANCE GRANT FOR THE MILLING AND RESURFACING OF MAPLE ROAD AND EXECUTION OF AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT)**

**WHEREAS**, on June 15, 2022, the Township Council of the Township of West Milford approved the submission of an NJDOT grant application to fund a portion of the milling and resurfacing of Maple Road (1.6 miles) under the 2023 Municipal Aid Program; and

**WHEREAS**, the requested \$567,000 application resulted in a \$477,040 award approved by the NJDOT Commissioner; and

**WHEREAS**, a local capital budget request to fund the balance of the preliminary construction cost estimate will be provided by the Engineering Division.

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

**BE IT FURTHER RESOLVED** that the Township of West Milford acknowledges that a contract for construction must be executed no later than November 23, 2024, as per the grant term requirements established by the New Jersey Department of Transportation.

Approved: August 16, 2023

Agenda No. XII 19

~ Resolution 2023 – 308 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ACCEPTING GRANT FOR THE MILLING AND RESURFACING OF WESTBROOK ROAD – SECTION 4 BETWEEN RIDGE ROAD AND THE WESTBROOK TEEN CENTER AND EXECUTION OF AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT)**

**WHEREAS**, on May 17, 2023, the Township Council of the Township of West Milford approved the submission of an NJDOT grant application to fund a portion of the milling and resurfacing of Westbrook Road between Ridge Road and the Westbrook Teen Center (0.8 miles) under the 2023 Local Transportation Project Fund; and

**WHEREAS**, the requested \$668,000 application resulted in a \$475,000 award approved by the NJDOT Commissioner; and

**WHEREAS**, a local capital budget request to fund the balance of the preliminary construction cost estimate will be provided by the Engineering Division; and

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

**BE IT FURTHER RESOLVED** that the Township of West Milford acknowledges that a contract for construction must be executed no later than June 28, 2025, as per the grant term requirements established by the New Jersey Department of Transportation.

Approved: August 16, 2023

Agenda No. XII 20

~ Resolution 2023 – 309 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ACCEPTING LEAD GRANT ASSISTANCE PROGRAM (LGAP) FUNDING FROM DCA FOR THE PURPOSE OF OFF-SETTING THE COSTS TO PROVIDE REQUIRED INSPECTIONS OF RENTAL DWELLINGS FOR LEAD-BASED PAINT HAZARDS**

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

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**WHEREAS**, effective July 22, 2022, the Legislature enacted P.L. 2021, c. 182, "An Act concerning certain lead-based paint hazard and residential rental property and establishing lead-based paint hazard programs, supplementing P.L. 2003, c. 311 (C. 52:27D-437.1 et al.) amending various parts of the statutory law, and making an appropriation;" and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-437.16(b)(1) a municipality that maintains a permanent local agency for the purpose of conducting inspections and enforcing laws, ordinances, and regulations concerning buildings and structures, is required to inspect for lead-based paint hazards in certain specified single-family, two-family, and multiple rental dwellings, at the time periods set forth in the statute; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-437.16(b)(2) a municipality that does not maintain such a permanent local agency must hire a lead evaluation contractor, certified to provide lead paint inspection services by the DCA, or enter a shared services agreement as permitted by law, for the purpose of conducting the inspections for lead-based paint hazards; and

**WHEREAS**, Pursuant to Section 9 of P.L. 2021, c. 182, the State of New Jersey has allocated the sum of \$3,900,000 to effectuate the purposes of P.L. 2021, c. 182 (C. 52:27D-437.16). Further, pursuant to the FY 2023 Appropriations Act (P.L. 2022, Chapter 49), DCA received a grant-in-aid amount of \$3,900,000 for P.L. 2021, c. 182, for a total of \$7,800,000 in appropriations to effectuate the purpose of the Act; and

**WHEREAS**, DCA has allocated \$7,000,000 of this appropriation to the development of the Lead Grant Assistance Program ("LGAP") for the issuance of grant funds to municipalities for the purpose of assisting in municipal compliance with P.L. 2021, c. 182; and

**WHEREAS**, the Division of Local Government Services (DLGS), within DCA, administers the LGAP; and

**WHEREAS**, the LGAP exists to provide funding to help off-set the costs to municipalities to provide the required inspections at stipulated times of certain single-family, two-family, and multiple rental dwelling units for lead-based paint hazards, pursuant to P.L. 2021, c. 182; and

**WHEREAS**, an authorized municipal officer must execute the grant agreement in order to receive LGAP funding.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Council of the Township of West Milford in the County of Passaic and State of New Jersey does hereby authorize the Township Mayor to sign the grant agreement and thus bind the Township of West Milford to the grant agreement's terms in order to receive the \$13,800 grant from the DLGS.

Adopted: August 16, 2023

Agenda No. XII 21

~ Resolution 2023 – 310 ~

**THIS RESOLUTION WAS REMOVED PRIOR TO THE MEETING.**

Agenda No. XII 22

~ Resolution 2023 – 311 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER NO. 2 TO CIFELLI & SON GENERAL CONTRACTING, INC. FOR THE ADDITIONAL CURB REPLACEMENT IN THE TOWNSHIP FOR AN INCREASE NOT TO EXCEED \$5,500.00**

**WHEREAS**, the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey authorized the award of a construction contract for the replacement of curb throughout the Township on June 14, 2023, by Resolution 2023-218; and

**WHEREAS**, the contract was awarded through the Morris County Cooperative Pricing Council Contract #6: Road Resurfacing, Category E: Granite & Concrete Vertical Curb – (Purchase & Installation); and

**WHEREAS**, additional concrete curb was discovered to be in disrepair and requiring replacement since Change Order No. 1 was approved on July 12, 2023 by Resolution 2023-287; and

**WHEREAS**, the work will be in accordance to the Morris County Cooperative Pricing Council contract; and

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

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**WHEREAS**, due to the unforeseen and unanticipated conditions of the project the Engineering Division is recommending to increase the contract amount to accommodate the Change Order No. 2 which total amount of increase for the project is \$5,500.00 or 7.80%; and

**WHEREAS**, based upon the aforementioned Change Order No 2 the total amount of the contract is now \$76,000.00; and

**WHEREAS**, the Chief Financial Officer has certified to the availability of funds for this change order, said funds to be paid from account no. 04-215-55-833-008.

**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 is hereby authorized to exceed the original contract award with prior approved Change Order No. 1 of \$70,500.00 to Cifelli & Son General Contracting, Inc., 81 Franklin Avenue, Nutley, NJ 07110 by an amount not to exceed \$5,500.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution change order and contract shall be available for public inspection in the Office of the Township Clerk.

Adopted: August 16, 2023

Agenda No. XII 23

~ Resolution 2023 – 312 ~

**RESOLUTION AND GROUP AFFIDAVIT OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC STATE OF NEW JERSEY AS CERTIFICATION OF THE 2022 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 2022 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 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 16, 2023

Agenda No. XII 24

~ Resolution 2023 – 313 ~

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

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**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE SUMMARY OF SYNOPSIS OF AUDIT REPORT FOR PUBLICATION FOR THE 2022 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 2022 Audit Report of the Township of West Milford, County of Passaic, as required by N.J.S.A 40A:5-7.

| <u>ASSETS</u>  | December 31<br>Year 2022 | December 31<br>Year 2021 |
|--|--------------------------|--------------------------|
| Cash, Investments and Prepaid Debt Service               | 42,987,112.07            | 38,281,843.28            |
| Taxes, Assessments, Liens and Utility Charges Receivable | 2,805,245.02             | 2,724,170.65             |
| Prospective Assessments Funded                           | 0.00                     | 0.00                     |
| Property Acquired for Taxes - Assessed Value             | 6,319,900.00             | 6,204,500.00             |
| Accounts Receivable ( and Inventory )                    | 3,390,985.44             | 4,083,442.60             |
| General Fixed Assets                                     | 49,717,167.38            | 48,661,603.38            |
| Deferred Charges to Future Taxation -                    |                          |                          |
| General Capital  | 33,648,125.00            | 29,753,532.48            |
| Deferred Charges to Revenue of Succeeding Years          | 25,192.57                | 360.02                   |
| TOTAL ASSETS   | 138,893,727.48           | 129,709,452.41           |
| <u>LIABILITIES, RESERVES AND FUND BALANCES</u>           |                          |                          |
| Bond and Notes Payable                                   | 34,014,206.74            | 30,400,033.80            |
| Improvement Authorizations                               | 9,404,248.84             | 6,252,604.98             |
| Other Liabilities and Special Funds                      | 22,856,712.88            | 22,705,110.98            |
| Net Assets Available for Benefits                        | 3,161,207.71             | 3,663,459.31             |
| Investment in General Fixed Assets                       | 49,717,167.38            | 48,661,603.38            |
| Reserve for Certain Assets Receivable                    | 8,928,070.70             | 8,677,292.65             |
| Fund Balance   | 10,812,113.23            | 9,349,347.31             |
| TOTAL LIABILITIES, RESERVES AND SURPLUS                  | 138,893,727.48           | 129,709,452.41           |
| <u>Revenue and Other Income Realized</u>                 | <u>2022</u>              | 2021                     |
| Fund Balance Utilized                                    | 3,215,395.00             | 3,725,684.00             |
| Miscellaneous - From Other Than Local                    |                          |                          |
| Property Tax Levies                                      | 8,420,227.32             | 9,154,168.61             |
| Collection of Delinquent Taxes and Tax                   |                          |                          |
| Title Liens  | 1,070,777.19             | 1,248,393.35             |
| Collection of Current Tax Levy                           | 107,905,424.12           | 105,130,968.87           |
| Other Credits to Income                                  | 2,621,847.62             | 3,467,407.45             |
| Total Income   | 123,233,671.25           | 122,726,622.28           |
|  |                          |                          |
| <u>Expenditures</u>                                      |                          |                          |
| Budget Expenditures:                                     |                          |                          |
| Municipal Purpose  | 33,206,443.28            | 33,688,623.79            |
| Special District Taxes                                   | 3,300,080.75             | 2,886,078.41             |
| Municipal Open Space Tax                                 | 548,010.60               | 147,713.98               |
| County Taxes   | 21,733,339.80            | 20,859,599.20            |
| Local and Regional School Taxes                          | 59,487,773.00            | 58,388,036.00            |
| Other Expenditures                                       | 497,022.98               | 45,733.42                |
| Total Expenditures                                       | 118,772,670.41           | 116,015,784.80           |
| Less: Expenditures to be Raised by Future Taxes          |                          |                          |
| Total Adjusted Expenditures                              | 118,772,670.41           | 116,015,784.80           |
| Excess in Revenue  | 4,461,000.84             | 6,710,837.48             |
| Fund Balance January 1                                   | 8,766,179.44             | 5,781,025.96             |
|  | 13,227,180.28            | 12,491,863.44            |
| Less:  |                          |                          |
| Utilized as Anticipated Revenue                          | 3,215,395.00             | 3,725,684.00             |
| Fund Balance December 31                                 | 10,011,785.28            | 8,766,179.44             |

Minutes of: Governing Body Regular Meeting  
Date of Meeting: August 16, 2023  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 20 of 29  
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**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 2022. 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 16, 2023

Agenda No. XII 25

~ Resolution 2023 – 314 ~

**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 2023 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 2023 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:  
NJ Highlands Council for Stormwater Compliance; \$85,250.00

**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  
NJ Highlands Council for Stormwater Compliance; \$85,250.00

**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 16, 2023

Agenda No. XII 26

~ Resolution 2023 – 315 ~

**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 2023 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 2023 which is now available as a revenue from:

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

Minutes of: Governing Body Regular Meeting  
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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:  
Lead Grant Assistance Program (LGAP); \$13,800.00

**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  
Lead Grant Assistance Program (LGAP); \$13,800.00  
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 16, 2023

Agenda No. XII 27

**~ Resolution 2023 – 316 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ACCEPTING THE RESIGNATION OF JAMES DEVORE, CHIEF OF POLICE**

**WHEREAS**, James DeVore, on January 3, 2023, submitted a formal notification of his retirement to the Township Administrator; and

**WHEREAS**, the effective date of his retirement is January 1, 2024; and

**WHEREAS**, James DeVore serves as the Chief of Police in the Department of Public Safety; and

**WHEREAS**, the Chief of Police position is essential to the effectual administration of municipal government.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford that his retirement is accepted.

**BE IT FURTHER RESOLVED** that the Township Administrator shall coordinate with the Mayor to ensure that the Department of Public Safety continues to provide the highest level of service.

This Resolution shall take effect immediately.

Adopted: August 16, 2023

Agenda No. XII 28

**~ Resolution 2023 – 317 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE HIRING OF (1) ONE POLICE OFFICER THROUGH THE MORRIS COUNTY PUBLIC SAFETY TRAINING ACADEMY ALTERNATE ROUTE PROGRAM**

**WHEREAS**, the Alternate Route program gives individuals interested in becoming police officers the opportunity to attend a police training academy at their own expense prior to being hired by a police department; and

**WHEREAS**, the program creates a pool of trained officers for communities to hire while saving local police departments the expenditure associated with officer training; and

**WHEREAS**, (1) one police officer resigned from the West Milford Police Department in 2022 creating a vacancy; and

**WHEREAS**, the West Milford Police Department wishes to fill such position by hiring (1) police officer that has completed the Alternate Route Program through the Morris County Public Safety Training Academy.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey that the West Milford Township Police Department is hereby authorized to hire 1 (one) police officer qualified by the Morris County Public Safety Training Academy, Alternate Route Program.

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

Minutes of: Governing Body Regular Meeting  
Date of Meeting: August 16, 2023  
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Adopted: August 16, 2023

Agenda No. XII 29

**~ Resolution 2023 – 318 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF A NEW JUNK YARD LICENSE FOR MILFORD MOTORS LLC LOCATED AT BLOCK 12501 LOT 19 FOR THE LICENSE YEAR 2023**

**WHEREAS**, application has been made for the new junk yard license for the 2023 license year located at 110 Weaver Road Block 12501 Lot 19; and

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

**WHEREAS**, this junk yard has historically existed in the Township although the Township Code currently limits the number of junk yards/shops to only three (3); and

**WHEREAS**, the Township Code Section 195-8 requires junk yards to have monitoring wells in order to issue a licenses; and

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford does hereby approve the issuance of the 2023 License as listed below:

| <b>License No.</b> | <b>2023 JUNK YARDS</b>   |
|--------------------|--|
| 2023-05            | Milford Motors LLC – Emad Jaber<br>110 Weaver Road<br>West Milford, NJ 07480 |

Adopted: August 16, 2023

Agenda No. XII 30

**~ Resolution 2023 – 330 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING AN AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) FOR THE NEW JERSEY STATE HIGHWAY ROUTE 23 BRIDGE REPLACEMENT OVER THE PEQUANNOCK RIVER AND PATERSON HAMBURG TURNPIKE**

**WHEREAS**, the NJDOT plans to make roadway and drainage improvements to New Jersey State Highway Route 23 as part of the bridge replacement over the Pequannock River and Paterson Hamburg Turnpike; and

**WHEREAS**, these improvements will affect High Crest Drive; and

**WHEREAS**, High Crest Drive is a Township-owned roadway and as such is the responsibility of the Township; and

**WHEREAS**, in order to prevent future legal or maintenance issues in these areas, it is necessary that the Parties apportion the jurisdiction for highway maintenance and control in an equitable manner required by N.J.S.A. 27:7-1 to -44.22.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Township Clerk are hereby authorized to sign Jurisdictional Agreement #4936 on behalf of the Township of West Milford and that their signatures constitute acceptance of the terms and conditions of the agreement and approves the execution of the agreement.

Adopted: August 16, 2023

Councilman Chazukow questioned if the Board of Education was going to be contributing to the project regarding Resolution 2023-301. Administrator Senande indicated that we worked with the Friends of Wallisch and the funds are coming out of a Highlands grant.

Motion amended for clarification to move Resolutions 2023-292 through 2023-318 (excluding 2023-310) and including Resolution 2023-330.

-----  
Moved: Erik                      Seconded: Lichtenberg  
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Marsden  
Voted Nay: None  
Abstain:

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

Minutes of: Governing Body Regular Meeting  
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Motion carried:

Agenda No. XIII

**Consent Agenda**

~ Resolution 2023 – 319 ~

**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) **2023-320** – Recreation Fee Refunds
- b) **2023-321** – Building Permit Refund
- c) **2023-322** – Health Fee Refund
- d) **2023-323** – Zoning Board Escrow Monies Refund
- e) **2023-324** – Refund Other Liens
- f) **2023-325** – Reinstatement of Taxes
- g) **2023-326** – Overpayment Refunds
- h) **2023-327** – Grant Cancellations

Adopted: August 16, 2023

Agenda No. XIII a

~ Resolution 2023 – 320 ~

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

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

| <b>ARCHERY</b>         |   |           |  |
|------------------------|---|-----------|--|
| \$210.00               | 45 Grove Street<br>Wanaque, NJ 07465          | \$200.00  | 718 Warwick Tpke.<br>Hewitt, NJ 07421      |
| \$200.00               | 1 Highview Drive<br>West Milford, NJ 07480    |           |  |
| <b>TENNIS CAMP</b>     |   |           |  |
| \$80.00                | 34 Circle Blvd.<br>Newfoundland, NJ 07435     |           |  |
| <b>DAY CAMP</b>        |   |           |  |
| \$450.00               | 153 Oak Ridge Road<br>Oak Ridge, NJ 07438     | \$285.00  | 456 Lake Shore Drive<br>Hewitt, NJ 07421   |
| \$186.50               | 239 Point Breeze Drive<br>Hewitt, NJ 07421    | \$170.00  | 24 Hancock Drive<br>West Milford, NJ 07480 |
| \$635.00               | 97 Vreeland Road<br>West Milford, NJ 07480    | \$1091.70 | 95 Lincoln Ave.<br>West Milford, NJ 07480  |
| \$225.00               | 10 Alpine Lane<br>West Milford, NJ 07480      |           |  |
| <b>PADDLE BOARDING</b> |   |           |  |
| \$90.00                | 65 Vreeland Road<br>West Milford, NJ 07480    | \$50.00   | 53 Overlook Road<br>West Milford, NJ 07480 |
| \$50.00                | 75 Sterling Road<br>Greenwood Lake, NY 10925  |           |  |
| <b>FALL SOCCER</b>     |   |           |  |
| \$90.00                | 40 Gould Road<br>Newfoundland, NJ 07435       |           |  |
| <b>LEGO CAMP</b>       |   |           |  |
| \$140.00               | 14 Old Greenwood Lake Tpk<br>Hewitt, NJ 07421 |           |  |
| <b>LIFEGUARD CLASS</b> |   |           |  |
| \$310.00               | 14 Capstan Rd<br>West Milford, NJ 07480       |           |  |

Adopted: August 16, 2023

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

Minutes of: Governing Body Regular Meeting  
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Agenda No. XIII b

~ Resolution 2023 – 321 ~

**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 |
|---|--|-----------------------|
| Vision Solar<br>Attn: Bill Gilcrest<br>511 Route 168<br>Blackwood, NJ 08012 | 01-192-08-160-190 (\$450)<br>01-192-08-160-191 (\$260)<br>01-192-08-160-200 (\$50) | \$760.00              |

Adopted: August 16, 2023

Agenda No. XIII c

~ Resolution 2023 – 322 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A LICENCE RENEWAL REFUND TO THE WEST MILFORD PHARMACY**

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

| Name & Address  | Account No.   | Amount to be Refunded |
|---|---|-----------------------|
| West Milford Pharmacy<br>1495 Union Valley Road<br>West Milford, NJ 07480 | Food License Renewal<br>Application- 23-0066<br>Overpayment | \$50.00               |

Adopted: August 16, 2023

Agenda No. XIII d

~ Resolution 2023 – 323 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A REFUND FOR ZONING BOARD ESCROW MONIES**

**BE IT RESOLVED**, that Resolution compliance has been met:

| Address   | Account No.       | Amount to be Refunded |
|---|-------------------|-----------------------|
| 228 Cahill Cross Road<br>West Milford, NJ 07480 | 16-288-56-705-145 | \$1061.60             |

Adopted: August 16, 2023

Agenda No. XIII e

~ Resolution 2023 – 324 ~

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

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

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

| Certificate No. | Certificate Date | Block/Lot/Qual | Reimbursement Amount | Pay to Lien Holder   |
|-----------------|------------------|----------------|----------------------|--|
| 22-0019         | 10/11/2022       | 05708-030      | \$30,867.57          | EVOLVE BANK & TRUST<br>6000 POPLAR AVE; SUITE 300<br>MEMPHIS, TN 38119 |
| <b>TOTAL</b>    |                  |                | <b>\$30,867.57</b>   |  |

Adopted: August 16, 2023

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

Minutes of: Governing Body Regular Meeting  
 Date of Meeting: August 16, 2023  
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Agenda No. XIII f

~ Resolution 2023 – 325 ~

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

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

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

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

- REASON:**
- 1. **INSUFFICIENT FUNDS**
  - 2. **NO ACCOUNT/CANNOT LOCATE**
  - 3. **ACCOUNT CLOSED**
  - 4. **STOP PAYMENT**
  - 5. **UNAUTHORIZED CORP DEBIT**
  - 6. **NO SIGNATURE**
  - 7. **UCF (Uncollectable Funds)**
  - 8. **NON-TRANSACTION ACCOUNT**

| BLOCK/LOT    | NAME                  | AMOUNT     | YEAR | REASON |
|--------------|-----------------------|------------|------|--------|
| 02320/004    | Weiss, Susan          | \$3,227.00 | 2023 | 2      |
| 04301/004    | Saye, John            | \$3,544.00 | 2023 | 2      |
| 05504/003.12 | Beata, Swiatek        | \$692.00   | 2023 | 2      |
| 16001/003    | Patel, Raj            | \$7,098.00 | 2023 | 1      |
| 02018/005    | Clark, Taylor         | \$1,030.00 | 2023 | 5      |
| 14701/027    | Munteanu, Cornel      | \$2,169.00 | 2023 | 2      |
| 16307/023    | Grant, Sage           | \$2,931.00 | 2023 | 1      |
| 05507-003.06 | Radcliffe Scot Dunham | \$2,938.00 | 2023 | 2      |
| 04404-016    | Pamela Tuschmann      | \$1,855.00 | 2023 | 1      |
| 03503-012    | Lend More LLC         | \$5,156.00 | 2023 | 2      |
| 02307-007    | Management 24 Asset   | \$21.94    | 2023 | 5      |
| 13906-018    | John J Waliogora      | \$2,727.00 | 2023 | 8      |
| 05003-004    | Deborah Wiley         | \$4,388.00 | 2023 | 2      |

Adopted: August 16, 2023

Agenda No. XIII g

~ Resolution 2023 – 326 ~

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

| Block/Lot | Name  | Amount      | Year | Reason |
|-----------|---|-------------|------|--------|
| 06701-010 | Treasurer<br>Twp. Of West Milford<br>1480 Union Valley Road<br>West Milford, NJ 07480 | \$80,308.50 | 2023 | 1      |
| 02415-006 | 1524 Route 23 North<br>Butler, NJ 07405   | \$1,262.00  | 2023 | 2      |
|           |   | \$81,570.50 |      |        |

Adopted: August 16, 2023

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

Minutes of: Governing Body Regular Meeting  
 Date of Meeting: August 16, 2023  
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Agenda No. XIII h

~ Resolution 2023 – 327 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY FOR THE CANCELLATION OF GRANTS THAT ARE NO LONGER VALID**

**WHEREAS**, there exists grant receivable balances and corresponding unexpended grant appropriations which are no longer valid; and

**WHEREAS**, it is necessary to formally cancel the receivable balance and its offsetting appropriation balance.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford that the following grant receivables and appropriation balances be cancelled:

|   |            |
|---|------------|
| PASSAIC COUNTY CULTURAL HERITAGE 2022     | \$ 500.00  |
| PASSAIC COUNTY CULTURAL HERITAGE-WALLISCH | \$4,110.00 |
| DISTRACTED DRIVERS CAMPAIGN 2023          | \$2,353.60 |
| RECYCLING TONNAGE                         | \$ .60     |
| STATE BODY ARMOR                          | \$ .86     |
| FEDERAL BULLET PROOF VEST                 | \$ .79     |

Adopted: August 16, 2023

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

**Approval of Expenditures**

~ Resolution 2023 – 328 ~

**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    | \$539,736.59          |
| 3                        | Reserve Account    | 8,852.50              |
| 2                        | Grants             | 47,291.39             |
| 6                        | Refunds            | 117,997.87            |
| 1                        | General Ledger     | 193,849.00            |
| 26                       | Refuse             | 288,764.55            |
| 4                        | Capital            | 53,110.00             |
| 19                       | Animal Control     | 1,197.00              |
| 19                       | Heritage Trust     | 200.00                |
| 19                       | Open Space Trust   | 9,082.50              |
| 19                       | Trust              | 21,225.65             |
| 19                       | Scala Trust        | 0.00                  |
| 16                       | Development Escrow | 5,316.25              |
| 19                       | Tax Sale Trust     | 0.00                  |
| 21                       | Assessment Trust   | 0.00                  |
|                          | Special Reserve    | 87.00                 |
| Total                    |                    | \$1,286,710.30        |
| Less Refund Resolution   |                    | -117,997.87           |
| <b>Actual Bills List</b> |                    | <b>\$1,168,712.43</b> |
| Other Payments:          |                    |                       |
| Payroll                  |                    | \$1,226,675.19        |

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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August 16, 2023
6:30 p.m.
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Table with 2 columns: Item, Amount. Rows include BOE (5,223,074.00), Enterprise Lease (21,256.70), Treasurer, State of NJ permits (200.00), HEPSCD (925.00), Passaic County tax (5,186,558.70), Passaic County Open Space tax (112,911.06), and Total Expenditures (\$12,940,313.08).

Adopted: August 16, 2023

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

Agenda No. XV

Reports of Mayor, Council Members, Administrator, and Attorney

Councilman Marsden – No report.

Councilwoman Erik – August 25, 2023 there will be a Worship Concert held at the Wallisch Estate. It was well attended last month and for anyone interested it begins at 7 p.m.

Councilman Chazukow – No report.

Councilwoman Lichtenberg – The Friends of Wallisch Homestead are having a book sale at the barn September 15 through September 17. There will be a Medical Sharps Collection on Sunday September 17 from 10 a.m. to 3 p.m. at the DPW building at 30 Lycosky Drive. Needles can be dropped off by residents in sealed rigid containers. There will be a free Family Wellness Clinic at Macopin School on September 23 from 10-2 p.m. sponsored by the Municipal Alliance, Lion’s Club and the Highlands Family Success Center. September 30 is tire recycling day. Residents can bring up to 8 tires to the recycling center from 9-2 p.m. and you need to bring ID to show proof of residency.

Councilman Goodsir –The Bubbling Springs Concert Series was a great success. Thank you to all the food trucks and sponsors of the event. Registration is open for a new program where ages 16 and older can learn the fundamentals of TV, video and film production. Registration is open for Bob Ross art classes for children grades 3-6 and adults starting in September. Registration is now open for co-ed volleyball for adults with beginner and advanced divisions. Cooking classes are now available. Registration is now open for youth field hockey travel team for girls in grades 3-8. The Elks have added a children’s menu to their Friday night dinners. September 30th the Friends of Wallisch will be having their music festival and it was a lot of fun last year so people should plan on attending.

Mayor Dale - Read a statement from Councilman Conlon. He was unable to attend the meeting tonight due to a scheduling conflict with his professional job requirements. Councilman Conlon attended the funeral for Lieutenant Governor Sheila Oliver in Newark. She was the first woman of color to serve as the Assembly Speaker and Lieutenant Governor in New Jersey and was a true lover of the Garden State. Condolences to the family. Councilman Conlon also expressed sadness on the loss of Ed Steines, having had years of friendship and recently working together for countless hours during the Kanouse wildfires. He served the Township for over 40 years and words cannot do justice to his legacy. He will be greatly missed.

Administrator Senande – No report.

Attorney Pasternak – No report.

Mayor Dale indicated that the budget summary was done and would be mailed out soon. It explains and gives a breakdown of where tax dollars are spent. There were no audit findings for the second year in a row and that is significant. We were able to get 50% of the money for the new police communications system from the federal government and that reduced the burden on the tax payers. The Town wide garage sale will take place September 15, 16 and 17, people can participate with no permit needed. The list and the map are in progress. The Autumn Lights Festival is October 7, 2023 and Mayor Dale is looking forward to all the things that have been planned.

Agenda No. XVI

Appointments and Resignations

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**  
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|                  |                                |
|------------------|--------------------------------|
| Minutes of:      | Governing Body Regular Meeting |
| Date of Meeting: | August 16, 2023                |
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**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ACCEPTING RESIGNATION TENDERED**

**BE IT RESOLVED**, by the Township Council of the Township of West Milford that they do hereby accept the following resignation tendered to the Health Advisory Board:

| Name         | Position   | Date Tendered |
|--------------|--|---------------|
| Evelina Sodt | Health Advisory Board<br>Citizen Member<br>Term expires 12/31/25 | July 20, 2023 |

Adopted: August 16, 2023

A motion was made by Councilwoman Erik and seconded by Councilwoman Lichtenberg to accept the resignation tendered. All were in favor.

Agenda No. XVII

**Discussion Items/Official Communications**

|    |   |
|----|---|
| 1. | <p>Board of Health- Dr. Charlene Gungil, Araceli Pintle and Dave Pardave approached the podium. Dr. Gungil gave highlights on the State required 2022 Annual Report. The nursing staff is here for 3 or 4 days a week to provide services to residents. Services are also provided by an Epidemiologist, who works with residents of Milford Manor and school nurses to help prevent communicable diseases from spreading and give advice. We now have a Registered Environmental Health Specialist 3 or 4 days a week who supervises the team in West Milford. There are also Health Educators available. Well care child clinics provide shots and services to children from the ages of 6 months to 17 years old. Adult clinics are also provided and vaccinations as well as blood pressure screenings and other types of screenings are conducted. 268 doses of Covid vaccines were administered during the year. There were 10 communicable disease outbreaks. There was one case of a child with an elevated lead level. The acceptable level had been lowered last year to 2.5 micrograms/deciliter of blood. The case was investigated and abated. There have been no cases of monkey pox in West Milford.</p> <p>Dr. Gungil went over some of the statistics from the report and the number of cases of Covid for 2022 were 3292. The cases of Lyme disease actually went down with 76 new cases reported. There were 60 cases of type A flu.</p> <p>David Pardave gave details about health education and outreach programs. There were several Covid vaccination events and radon kits were distributed in July. There were health clinics held at the farmers market during June, July and August. There will be fall health screenings at ShopRite. There will be a Lyme disease program on September 20 at Town Hall that will also be available on Zoom. A spotted red lantern fly update will be forthcoming.</p> <p>Dr. Gungil indicated that there were 69 health education programs conducted. 442 people were reached and 75 businesses were reached.</p> <p>Araceli Pintle described some of the Health education events including Scott's Fun Run in May and also there were events at the Highlands Family Success Center where the focus was on cancer, breast cancer specifically. They participated in National Night Out and have given out free Covid test kits. There is a County Environmental Health Act Program. There is a Mosquito Control Program and a Recycling Program as well. 68 different requests for services took place in West Milford. Fish are used to help control the mosquito population, 2700 fish were stocked, they don't rely on just fogging an area. Mosquitos are also trapped and tested to see what diseases they harbor.</p> <p>Dr. Gungil mentioned that the services are offered to anyone in Passaic County not just residents of West Milford.</p> <p>Mayor Dale had some questions regarding the reports, timeline and length of time from submittal of an application to when it is approved. Dr. Gungil said she was aware of the request and that Mark Mora was working diligently on getting that answer. Mayor Dale feels that if the timespan is greater than two weeks there should be some notation made as to the reason why. She understands that each application is different and may present unique circumstances, for instance, the engineer need to make an adjustment, but the public perception seems to be that the Township departments are the reason for delays and why it can take so long.</p> |
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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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|--|---|
|  | <p>Councilwoman Erik asked when the Red Lanternfly lecture was to take place. There is a soft date scheduled for October 17, 2023.</p> <p>Councilman Marsden asked about the percentage of West Nile Virus that was tested in the waters. He was concerned that 20% seemed high. Dr. Gungil indicated that West Nile Virus was found in pools that were tested in eight municipalities in Passaic County. None were found in West Milford. The testing has been conducted since May and that was the first time pools tested positive. Two new people have been added to the team that bring a lot of experience with mosquitos. Councilman Marsden is interested to see what the Lyme Disease numbers will be this year because of the mild temperatures last winter. The ticks have been extremely bad.</p> |
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Agenda No. XVIII

**Adjournment**

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Moved: Erik                      Seconded: Lichtenberg  
Voted Aye: Unanimous voice vote  
Voted Nay: None  
Motion carried.  
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The meeting adjourned at 7:42 p.m.

Approved: September 13, 2023

Respectfully submitted:

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

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

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