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

Minutes of: Governing Body Workshop and Regular Meeting  
Date of Meeting: August 11, 2021  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 1 of 35  
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The Workshop and Regular Meeting of the Governing Body was called to order by Mayor Michele Dale at 6:30 p.m.

**Adequate Notice Statement**

Mayor Dale read the following statement:

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

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

Agenda No. I

**Pledge of Allegiance**

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

Agenda No. II

**Roll Call**

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

Agenda No. III

**Reading of or Approval of Unapproved Minutes**

July 14, 2021 Workshop/Regular Meeting Minutes

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

**Meetings**

Mayor Dale noted the future meeting schedule:

September 8, 2021 Workshop Meeting  
September 22, 2021 Regular Meeting  
October 6, 2021 Workshop Meeting

Agenda No. V

**Proclamations**

None

Agenda No. VI

**Presentations**

Richard H. Burdnik – Chief DeVore from the Police Department presented a plaque in recognition of Passaic County Sheriff Richard H. Burdnik for his exemplary service during the last year. Mayor Dale was complementary as well and said she appreciated the relationship with the County. Sheriff Burdnik humbly accepted the plaque for the entire Passaic County Sheriff's Department and promised to continue with the supportive relationship.

Public Hearing-Liquor License Transfer Authorizing the Place to Place Transfer of Plenary Retail Consumption License 1615-33-032-012 Expansion of Premise – Seeing no one was there to speak from the public, the Mayor asked for a roll call vote.

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Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Gross, Marsden  
Voted Nay: None  
Motion carried:  
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TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 11, 2021
Time of Meeting: 6:30 p.m.
Minute Page No: Page 2 of 35

Agenda No. VII

Executive Session

None

Agenda No. VIII

Discussion Items / Official Communications

Table with 2 columns: Item Number and Description. Item 1: Ordinance 2021-013 (Defeated): Planning & Zoning Recommendations. Item 2: Ordinance: Priority of Locations for the Siting of Communications Antennas.

Agenda No. IX

Unfinished Business, Final Passage of Ordinances

Agenda No. IX 1

~ Ordinance 2021 - 007 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ADDING A NEW CHAPTER ENTITLED "FIVE-YEAR TAX ABATEMENT PROGRAM FOR WEST MILFORD REHABILITATION AREAS" TO THE CODE OF THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Township Council has determined that tax abatement programs permitted by statute are beneficial to developers and could encourage development within the Township; and

WHEREAS, a review of the Township Code demonstrates that there are currently no provisions for such abatement programs to be available to developers in the Township; and

WHEREAS, the Township Council has determined that it is necessary to amend the Code to establish provisions and procedures for a five-year tax abatement program for renovations within West Milford's rehabilitation areas; and

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of West Milford, Passaic County, New Jersey, that the Code of the Township of West Milford shall be amended to add a new Chapter entitled "Five-Year Tax Abatement Program for West Milford Rehabilitation Areas" to read as follows:

SECTION 1. New Chapter entitled Five-Year Tax Abatement Program for West Milford Rehabilitation Areas

§ XXX-1 Definitions.

All terms utilized in this Chapter not specifically defined herein shall conform to the meanings set forth in the Five Year Exemption and Abatement Law ("Act"). For ease of reference, the definitions set forth in the Act as of the date of the adoption of this Chapter are attached hereto as Exhibit A. However, if the definitions set forth in the Act shall be subsequently amended, then the Act, and not Exhibit A, shall control.

§ XXX-2 Statement of Purpose.

The Township hereby determines to utilize the authority granted under Article VIII, Section I, paragraph 6 of the New Jersey Constitution to establish the eligibility of certain dwellings, commercial structures and industrial structures for exemptions, as provided in this Chapter and as permitted by the Act, throughout West Milford's Rehabilitation Areas.

§ XXX-3 Exemptions Authorized to be Implemented by Tax Assessor.

The Township hereby determines to provide for the exemption from taxation of certain improvements and certain new construction occurring within Rehabilitation Areas throughout the Township. To the extent that a property owner shall apply to the Tax Assessor within the time period prescribed by the New Jersey Department of Treasury in accordance with the Act, which currently requires submission within thirty (30) calendar days following completion of the improvements or construction for which the exemption is sought, and shall provide documentation to the Tax Assessor, in a form and manner acceptable to the Tax Assessor and consistent with the Act, of compliance with this section, such property owner shall be

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

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

Governing Body Workshop and Regular Meeting  
August 11, 2021  
6:30 p.m.  
Page 3 of 35

---

entitled to the relevant exemption enumerated herein without any need for action by the Township Council.

**§XXX-4 Residential - Improvements.**

The Township hereby determines to provide for the exemption from taxation of certain improvements made to dwellings, on the following terms and conditions:

- (1) The term "dwelling", for purposes of this Section shall include condominium residential units but not cooperative type residential properties.
- (2) The term "dwelling", for purposes of this Section shall not include "multiple dwellings", as defined by the Act.
- (3) Only dwellings that are more than twenty (20) years old shall be eligible for exemption.
- (4) The term "improvements", for purposes of this subsection, shall mean a modernization, rehabilitation, renovation, alteration or repair which produces a physical change in an existing building or structure that improves the safety, sanitation, decency or attractiveness of the structure as a place for human habitation, and which does not change its permitted use.
- (5) To the extent that a dwelling shall comply with the requirements set forth at subsections (1) through (4), above, in determining the value of real property for each dwelling unit, the Township shall regard the first \$15,000 in the Assessor's full and true value of improvements for each dwelling unit primarily and directly affected by the improvements as not increasing the value of the property for a period of five years, notwithstanding that the value of the property to which the improvements are made is increased thereby. During the exemption period, the assessment on any property pursuant to this paragraph shall not be less than the assessment thereon existing immediately prior to the improvements, except if there is damage to the dwelling through action of the elements sufficient to warrant a reduction.

**§XXX-5 Residential New Construction.**

The Township hereby determines to provide for an exemption of 30% of the Assessor's full and true value for a period of five years following construction of new dwellings. The term "dwelling", for purposes of this Section, shall include condominium residential units but not cooperative type residential units, and shall not include multiple dwellings. This exemption is to be granted notwithstanding that the value of the property upon which the construction occurs is increased thereby.

**§XXX-6 Residential - Multiple Dwellings - Improvements.**

- (1) The Township hereby determines to provide for an exemption of 100% of the Assessor's full and true value for a period of five years following the construction of improvements to multiple dwellings. The term "multiple dwelling" shall have that meaning ascribed to it by the Act. The definition of "multiple dwelling" set forth in the Act as of the date of adoption of this Chapter is set forth at Exhibit A, attached hereto.
- (2) This exemption is to be granted notwithstanding that the value of the property upon which the construction occurs is increased thereby. During the exemption period, the assessment on any property pursuant to this Section shall not be less than the assessment thereon existing immediately prior to the improvements, except if there is damage to the multiple dwelling through action of the elements sufficient to warrant a reduction.

**§XXX-7 Commercial - Improvements.**

The Township hereby determines to provide for the exemption from taxation of certain improvements made to commercial structures, on the following terms and conditions:

- (1) For purposes of this Chapter, the term commercial structure relates to office, retail and like uses, but does not include multiple dwellings.
- (2) For purposes of this Chapter, the term commercial structure shall include a structure which contains both residential units and some other commercial use (for example, retail), provided that the structure is not part of a condominium or cooperative regime and further provided that the structure does not qualify as a multiple dwelling under the Act.
- (3) To the extent that improvements to a commercial structure shall comply with the requirements set forth at subsections (1) and (2), above, the Township hereby determines to provide for an exemption of 100% of the Assessor's full and true value for a period of five years following the construction of the improvements. This exemption is to be granted notwithstanding that the value of the property upon which the construction of the improvement occurs is increased thereby.

**§XXX-8 Industrial - Improvements.**

The Township hereby determines to provide for the exemption from taxation of certain improvements made to industrial structures, on the following terms and conditions:

- (1) Improvements must be made to both the interior and exterior of a structure in order to qualify for exemption under this section.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Workshop and Regular Meeting  
August 11, 2021  
6:30 p.m.  
Page 4 of 35

- (2) Only improvements with a cost of less than \$1,000,000 shall be eligible for exemption under this section.
- (3) No less than twenty-five percent of the improvement cost shall be attributable to the exterior improvements.
- (4) To the extent that improvements to an industrial structure shall comply with the requirements set forth at subsections (1) through (3), above, the Township hereby determines to provide for an exemption of 100% of the Assessor's full and true value for a period of five years following the construction of the improvements. This exemption is to be granted notwithstanding that the value of the property upon which the construction of the improvement occurs is increased thereby.
- (5) To the extent that improvements to a commercial structure do not comply with one or more of subsections (1) through (3), above, a property owner is not eligible for exemption under this section but may apply to the Township for consideration of the proposed exemption in accordance with Section 5 hereof.

**§XXX-9 Exemptions Requiring Application to the Township Council.**

- A. Exemptions for Which Application is Required. The Township hereby determines that any property owner seeking exemption from taxation with respect to industrial improvements which do not meet the requirements of Section (1) through Section (3), respectively, shall make application to the Township Council in accordance with this section, within the time period prescribed by the New Jersey Department of Treasury in accordance with the Act, which currently requires submission within thirty (30) calendar days following completion of the improvements or construction for which the exemption is sought. However, nothing in this ordinance shall prohibit a property owner who has made more than \$1,000,000 in industrial improvements which otherwise comply with the applicable requirements from foregoing exemption of the improvements in excess of \$1,000,000 and seeking instead an as of right exemption from the Assessor to the limits permitted by the Section above.
- B. Contents of Application. Applicants for an exemption under this Section shall provide the Township Council and the Assessor with the following information:
  - (1) A general description of the project for which exemption is sought, and an estimated schedule of completion for the project;
  - (2) A legal description of all real estate necessary for the project;
  - (3) Plans, drawings and other documents as may be required by the Township Council to demonstrate the structure and design of the project;
  - (4) A description of the number, classes and type of employees to be employed at the project site within two years of completion of the project;
  - (5) A statement of the reasons for seeking an exemption on the project, and a description of the benefits to be realized by the Township and the property owner if an exemption is granted;
  - (6) Estimates of the cost of completing the project;
  - (7) A statement showing (i) the real property taxes currently being assessed at the project site; (ii) estimated tax payments that would be made annually by the property owner with respect to the project during the period of the exemption, and (iii) estimated tax payments that would be made by the property owner with respect to the project during the first full year following the termination of the exemption;
  - (8) A description of any lease agreements between the property owners and proposed users of the project, and a history and description of the users' businesses;
  - (9) A certification by the property owner listing (i) all properties within the Township owned by the property owner or in which the property owner has an interest and (ii) all agreements with the Township to which the property owner is a party; and
  - (10) Such other pertinent information as the Township may require.
- C. Review and Recommendation by Assessor. Within thirty (30) days of receipt of the information set forth at Section 5(b), above, the Assessor shall review the information provided and shall provide written recommendations to the Township Council with respect to same.
- D. Action by Township Council. Within sixty (60) days of receipt of the Assessor's recommendations, the Township Council shall consider the application for exemption, and shall by resolution either: disapprove the exemption; or approve an exemption of 100% of the value of the improvements for a five-year period following the completion of construction.
- E. Additional Exemptions When Property Already Subject to Exemption. The Township hereby determines that an additional improvement or construction completed on a property already granted a previous exemption pursuant to this Ordinance during the period in which the previous exemption is in effect, shall be eligible to qualify for an additional exemption under the standards identified in this Ordinance. The additional improvement or construction shall be considered as separate for purposes of calculating the exemption, except that the assessed value of any previous improvement or construction shall be added to the assessed valuation as it was prior to that improvement or construction for the purpose of determining the assessed value of the property for which any additional exemption is to be subtracted.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 11, 2021
Time of Meeting: 6:30 p.m.
Minute Page No: Page 5 of 35

- F. Tax Delinquency. No exemption shall be granted pursuant to this Ordinance with respect to any property for which real estate taxes or other municipal charges are delinquent or remain unpaid, or for which penalties and interest for non-payment of taxes are due.
G. Revaluation During Exemption Period. In the event that the Township implements a revaluation or reassessment during the exemption period for any property, any exemptions granted hereunder shall continue to apply but at a valuation level consistent with the revaluation or reassessment.
H. Revision of Base Assessment During Exemption Period. The granting of an exemption for a particular property shall not prejudice the right of the Township to appropriately examine and revise the assessment during the five-year exemption period in the event the base assessment is found to be improperly valued and assessed.

§XXX-10 Effective Date; Sunset Provision.

Upon final passage and publication as provided by law, this Ordinance shall take effect upon final passage, approval and publication as required by law and shall authorize the Township to grant exemptions up to a 5-year period.

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

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

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

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

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

This Ordinance was introduced on January 20, 2021 and tabled. The Administrator asked that this Ordinance be voted down by the Governing Body as it is being revised.

Moved: Lichtenberg Seconded: Erik
Voted Aye: Goodsir, Gross
Voted Nay: Erik, Chazukow, Lichtenberg, Marsden
Motion to vote down as currently written

Agenda No. IX 2

~ Ordinance 2021 – 030 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER §15 ADMINISTRATION OF GOVERNMENT ARTICLE XXIII SENIOR CITIZENS COMMITTEE (ADVISORY) OF THE REVISED GENERAL ORDINANCES

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

§15 Administration of Government

Section 1. Article XXIII Senior Citizens Committee (Advisory) Section §15-102. Established members terms, §15-104 Organization, officers and §5-105 Meetings is authorized to amend the following:

§ 15-104. Organization; officers.

The Committee shall elect a Chairperson and a Vice Chairperson at its organizational meeting in January.

§ 15-105. Meetings.

The Committee shall hold regular monthly meetings at the same time and day of each month in the Town Hall or as set in its organizational meeting in January (at the Recreation Center). Special meetings may be called in accordance with rules adopted by the Committee. The Committee may make and amend rules and regulations concerning the conduct of its meetings.

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 11, 2021
Time of Meeting: 6:30 p.m.
Minute Page No: Page 6 of 35

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

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

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

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

Introduced: July 14, 2021
Adopted: August 11, 2021
Effective Date: August 31, 2021

This Ordinance was introduced on July 14, 2021 and the Notice of Public Hearing was published in the Herald News on July 20, 2021. The Governing Body will open the meeting to the public to speak on this Ordinance only.

The public portion was opened. Seeing no one Councilwoman Erik moved to close. Second by Councilwoman Lichtenberg.

Discussion that Senior (Advisory) Committee meetings had been scheduled to take place at the Recreation Center and this minor change would be reflected in the ordinances adopted.

Motion to adopt.

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

Agenda No. IX 3

~ Ordinance 2021 – 031 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY TO REPURPOSE FUNDS FROM THE RESERVE FOR CAPITAL

WHEREAS, the Township Council of the Township of West Milford did authorize the use of General Funds for Capital Purchases in the 2012 budget process for truck vaults and radar units; and

WHEREAS, the funds are no longer needed for the purpose for which they were originally budgeted for; 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 repurpose \$8,000 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 \$8,000 be repurposed as follows:

Table with 2 columns: Item, Amount. Row 1: Dump Truck, \$8,000. Row 2: ARTICLE ITOTAL, \$8,000.

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

Introduced: July 14, 2021
Adopted: August 11, 2021
Effective Date: August 31, 2021

This Ordinance was introduced on July 14, 2021 and the Notice of Public Hearing was published in the Herald News on July 20, 2021. The Governing Body will open the meeting to the public to speak on this Ordinance only.

The public portion was opened. Seeing no one Councilwoman Erik moved to close. Second by Councilwoman Lichtenberg

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 11, 2021
Time of Meeting: 6:30 p.m.
Minute Page No: Page 7 of 35

Motion to adopt.

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

Agenda No. IX 4

~ Ordinance 2021 - 032 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROPRIATING \$40,000 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 2018 budget process; and

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

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

WHEREAS, this ordinance shall appropriate \$40,000 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 \$40,000 be appropriated as follows:

Table with 2 columns: Item, Amount. Rows: Snow Equipment (\$36,000), Office Furniture/Equipment (\$4,000), TOTAL (\$40,000)

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

Introduced: July 14, 2021
Adopted: August 11, 2021
Effective Date: August 31, 2021

This Ordinance was introduced on July 14, 2021 and the Notice of Public Hearing was published in the Herald News on July 20, 2021. The Governing Body will open the meeting to the public to speak on this Ordinance only.

The public portion was opened. Seeing no one Councilwoman Erik moved to close. Second by Councilwoman Lichtenberg

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

Mayor Dale had asked that Christine Roy, New Jersey Counsel for Tennessee Gas Pipeline attend tonight so that Council members could ask any questions they may have. Councilman Chazukow asked if there was going to be a secondary manual shut off placed somewhere off site. Ms. Roy indicated that the site was chosen because there are two pipes already there and there would be minimal new disturbance or impacts to the wetlands or the environment. There has been correspondence between the DEP and TGP and approval has been granted from the Highlands. The pipeline is monitored 24/7 from Houston Controls and there are systems in place to shut everything down in case of an emergency. Ms. Roy indicated that the pipeline can be shut down remotely and the Mayor clarified that the question is if there would be a manual shut off and where would it be in case other systems in place failed. Ms. Roy indicated she would get answers to the Mayor and Council.

Councilwoman Erik asked about equipment being replaced as it ages out. Things will eventually need to be replaced and she questioned how that be handled. Ms. Roy indicated that she believed the intention was to always work with the Township. Mayor Dale indicated that the resolution could be amended to state that the replacement of equipment that has "timed out" would not be a tax burden expected to fall on West Milford tax payers. Councilwoman Erik expressed concerns about training and due to the fact that squads are made up of volunteers, training would need to be continuous. Ms. Roy indicated that as it states in the contract currently, there would be annual hands-on training, whatever was the requirement.

Councilman Marsden had concerns regarding the age and condition of the pipes and the possibility of the ultrasound not finding a defective weld. Ms. Roy indicated that TGP was going to be held to the higher

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

Minutes of: Governing Body Workshop and Regular Meeting  
Date of Meeting: August 11, 2021  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 8 of 35

---

safety standards and said that there could be follow up about that subject with the correct people. The Mayor wanted to be informed about planned blowdowns and unplanned blowdowns, when they occur, how long they occur. There was more discussion about contract specifics. Mayor Dale is expecting transparency with TGP, so that if residents chose to leave home when a blowout was scheduled or even if they decided to stay home, it would be their choice, but it is important to be transparent with the public. The Mayor confirmed that the agreement is contingent upon the required approvals from FERC.

Agenda No. X

**Public Comments**

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

Laura Ashtyani – 32 Hoplar Place, Newfoundland indicated nothing should be signed until FERC get final approvals and EIS completed with public comments. Ms. Ashtyani is concerned with cyber security, and what company will be monitoring it and also, how and when residents are to be notified of blowdowns. There is no mention of water quality monitoring of waste water storage and removal. The insurance coverage is vague. Ms. Ashtyani wanted to know where the public could view the insurance agreement. Any required special equipment should be paid for by TGP. Inspections are not mentioned, and where the public can see inspection reports.

Melissa Blaeur -- 67 Ramapo Road, Hewitt, wanted the Council to consider public safety. Climate change should be considered and there is still time to avoid catastrophic warming, fossil fuels being a great contributor, need to cease. Ms. Blauer opposes the project and feels that entities that should have been included were not. Public opinion was not taken into consideration and a huge fossil fuel entity has been allowed to swoop in and rob us from being able to use this land for green energy. We must invest in the future and be more forward thinking for our children and grandchildren. There is an incalculable liability to the drinking water for 3.5 million North Jersey residents. FERC's comment on the Environmental Impact Statement is due out on August 23, 2021. It is the wrong path to our future.

Christine Clark -- 24 Florida Ave, Jefferson, indicated that the pollutants that are released in a blowdown can spread 10 miles, in toxic air plumes causing nausea, pulmonary infections and in time cancers and increase risk of stroke and heart attack. It is not safe. The blowdowns sound like explosions and are scary and also Ms. Clark is concerned with property values, and the Monksville Reservoir being 2000 feet away. Ms. Clark has concerns regarding the surrounding forests and the accountability of TGP.

Paula Rigovan – Teaneck, has worked to stop fracked gas and fossil fuels in other places and commented that Governor Murphy has instructed New Jersey to pivot away from the fossil fuels and fracked gas and move in the direction and create a renewable energy micro-grid to power the trains and that is the future. She listed numerous fires, floods, droughts, taking place across the globe and said that climate disaster is not the future, it is now. West Milford should not be contributing to this. The compressor station would be close to a school and that is scary, with the banging and the blowdowns. Ms. Rigovan urged the Council to vote down the resolution.

Margaret Wood – 324 Germantown Road, is disturbed by the faith that the Council has placed in TGP and presented excerpts from a study from the Business Insider Website on corporate psychology and psychopathy. 1 in 5 CEO's are psychopaths. Research conducted by forensic psychologist Nathan Brooks from Bond University found 21 percent of 261 corporate professionals had significant psychopathic traits. Ms. Wood added that fracked gas contains Volatile Organic Compounds mixed into it that are toxic to the health of the people. The 65 year old pipeline is 15 years past its prime. The VOC's that leak out are endocrine disruptors and disrupt hormones that control our bodies, and expressed concerns about the effects on children and contamination of the air, water and soil and feels the fracked gas CEOs have deceived the Council. Ms. Wood implored the Council to vote the resolution down.

Norma Stehle – 23 Gifford Road, Hewitt, FERC continues to be unable to determine significance with regard to climate change. New York Times report for August 9, by the Inter-Governmental Panel on Climate Change, the most comprehensive study to date based on 14,000 studies and approved by 195 nations, there is no doubt that all the rise of global temperatures since the nineteenth century has been driven by nations burning fossil fuels, clearing forests and loading the atmosphere with greenhouse gases like carbon dioxide and methane. The atmospheric levels have not been this high in two million years. West Milford's proposal is completely contradictory to the UN Report and is a source of fracked gas. Governor Murphy is currently considering the termination of the TGP just as he did with the Meadowlands gas pipeline project, both which only benefit New York.

Karl Stehle – 23 Gifford Road, West Milford resident for 51 years, former educator, spoke about the confusion surrounding climate change. According to studies even if emissions were cut starting today there would still be an increase of greenhouse gases for the next 20 to 30 years. The main culprit is fracked gas and that is the main product for the TGP. It is methane gas, which is 21 times more powerful than carbon dioxide that study was done and released to major papers throughout the world. Mr. Stehle cited statistics about gas companies spending over ten million dollars to misinform the public, saying fracked gas and gas in general is clean and not harmful. Mr. Stehle has solar and indicated his electric bill is about \$7 a month and this is the direction the Township should be going, not with fracked gas and requested a reconsider for the resolution or at least to table a motion until FERC submits a definitive opinion on whether this is a safe product to introduce to our Township. Mr. Stehle is disappointed in the



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

Minutes of: Governing Body Workshop and Regular Meeting  
Date of Meeting: August 11, 2021  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 9 of 35

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Town Council because not one member, stood up to represent the citizens who have concerns and have petitioned against this TGP compressor station.

Renee Alessio – 39 Hillcrest Drive, Hewitt became aware of the resolution 2021-296 authorizing the agreement with the TGP. Ms. Alessio had to ask Administration to post the agreement rather than making residents go to Town Hall to review it. Ms. Alessio brought up some points from the agreement. Some of her concerns had been brought up at tonight’s meeting but she feels that the agreement is in favor of TGP and not the Township and pointed out that the Township residents only had one day to review the agreement and so it should not be passed tonight, the people of the Town should have at least a month to review it. Passing the resolution would be a betrayal of those who have spoken out against the project. Neighboring Ringwood, Vernon, Wantage and other towns have passed resolutions opposing the project. The agreement has no mention of many of the concerns that have been brought up by the concerned public for months, blowdowns, water monitoring, air quality, health and safety concerns, cyber security, climate change, inspection reports. The new UN report stating that this is “CODE RED” for humanity came out. New fossil fuel infrastructure adds to the cumulative effect of greenhouse gases.

Alexandra Swander – 112 Timber Lane Newfoundland, commented on Governor Murphy’s new executive order 251 to require masks in schools. Free New Jersey Kids has filed a lawsuit against it. There is a sample letter that is being handed out. She had a letter from the Wall Township Board of Education President requesting the Governor table the order.

Henrietta Schafer – 22 Broadway, speaking as a parent the particulate matter that is released from these compressor stations dramatically increases the risks of childhood cancer and she is opposed to the compressor station. Ms. Schafer has written a resolution for the Council opposing Governor Murphy’s mask mandate, a symbolic resolution stating that masking our children should be the right of the parents and not the school or the Governor.

Michael Hensley – Indicated that he would like the Council to entertain a resolution against the Governor’s mask mandate, did not want children to wear masks and masks are ineffective. His liberty does not stop where someone else’s fear begins. The virus does not impact kids like it impacts everyone else. Kids need to be able to read visual cues from faces and social nuances.

Robert Souders – 391 High Crest Drive, referred to cannabis and is interested in getting a class 5 retail license and wants the tax revenue created to stay in Town. Asked the Council to address the zoning aspect of the Ordinance so that he can proceed with figuring out where he could set up shop in West Milford.

There being no one else wishing to be heard, Councilwoman Erik made a motion, seconded by Councilwoman Lichtenberg and carried by unanimous voice vote to close the public comment period.

Agenda No. XI

**Council Comments**

Councilwoman Erik stated that parents should have the say about wearing masks over the State or the school.

There was discussion regarding the possible resolution opposing the mask mandate and Mayor Dale indicated that she believed the request was that the resolution be drafted tonight, added to the agenda and passed tonight. The urgency stems from the next Council meeting being September 8<sup>th</sup> and the timing of the next Board of Education meeting and the eventual start of school.

Mayor Dale encouraged the people of the Township to reach out to the Council and not just her, to voice their concerns, as she usually does not vote, unless there is a tie and a majority vote is needed. Mayor Dale asked for a consensus vote to take some time to write the resolution and be able to vote on it and adopt it tonight, once the Council comment portion of the meeting is over.

The non-unanimous consensus was to move forward with the resolution.

Agenda No. XII

**New Business, Introduction of Ordinance, Resolutions**

Agenda No. XII 1

~ Ordinance 2021 – 033 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ADDING A NEW SECTION §500-191, NOTICE OF ZONING VIOLATION; TIME TO ABATE AND TO MODIFY ALL CODE PROVISIONS REGARDING ABATEMENT OF ZONING ISSUES, AND TO REQUIRE SUCH ABATEMENT NO LATER THAN TWENTY (20) DAYS AFTER AN OWNER LEARNS OF THE VIOLATION**

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

Minutes of: Governing Body Workshop and Regular Meeting  
Date of Meeting: August 11, 2021  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 10 of 35

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**WHEREAS**, the Township Council has determined upon a review of the Town Code of West Milford Township that in various Zoning provisions, differing time periods are set forth to abate zoning violations, upon an owner learning of such violation; and

**WHEREAS**, the Township Council wishes to provide a standardized period of time for an owner to abate such violations; and

**WHEREAS**, having a standardized period of time to abate noted zoning violations will allow conformity between differing code sections, and establish fairness and predictability, and better allow enforcement actions should they become necessary.

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of West Milford, Passaic County, New Jersey, that the Code of the Township of West Milford shall be amended to add a new section, setting forth the time for a property owner to abate a zoning violation as follows:

**SECTION 1.** General Code [Blanket] Update.

Chapter 500. Zoning.

**§500-191; Notice of Zoning Violation; Time to Abate.**

Upon learning of a violation, which shall describe the zoning violation in detail, an owner shall be given twenty (20) days to abate the zoning violation.

All zoning sections which currently reflect such abatement to occur "within a time specified by the Zoning Officer" or otherwise reflect either a lesser or greater term to abate such violation shall be herewith updated to reflect twenty (20) days to abate such zoning violation.

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

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

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

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

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

Introduced: August 11, 2021  
Adopted:  
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for September 22, 2021. Notice of this public hearing shall be published in the Herald News on or about August 17, 2021.

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

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Mayor Dale asked to move resolutions 2021-290 through 2021-313

Agenda No. XII 2

~ Resolution 2021 – 290 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONSTRUCTION CONTRACT TO RIVERVIEW PAVING, INC. FOR THE CLINTON ROAD – SECTION 3 PROJECT**

**WHEREAS**, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on July 16, 2021 at 10:00 am for the resurfacing of Clinton Road as per the bid specifications; and

**WHEREAS**, the Township of West Milford received three (3) bids for this contract; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 11, 2021
Time of Meeting: 6:30 p.m.
Minute Page No: Page 11 of 35

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

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

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from accounts numbered 04-215-55-833-003; and

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

- 1. The Township Council hereby awards a contract to Riverview Paving, Inc., 859 Willow Grove Street, Hackettstown, NJ 07840 for the Clinton Road – Section 3 project subject to the review and approval of the New Jersey Department of Transportation in an amount not to exceed \$306,223.29.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Riverview Paving, Inc. in accordance with its bid for said resurfacing of Clinton Road in the Township of West Milford.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: August 11, 2021

Agenda No. XII 3

~ Resolution 2021 – 291 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF TRAFFIC STRIPING FOR TOWNSHIP ROADWAYS THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #36 (TRAFFIC STRIPING ON ROADS) TO DENVILLE LINE PAINTING, INC.

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

WHEREAS, the Morris County Cooperative Pricing Council has awarded Contract #36, Traffic Striping on Roadways to Denville Line Painting, Inc.

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

WHEREAS, the Township of West Milford anticipates a need for Traffic Striping in 2021; and

WHEREAS, the Director of Public Works has reviewed the Morris County Cooperative Pricing Council's contract and related specifications and has submitted a written recommendation for the Township of West Milford to purchase Traffic Striping on Roadways through the Morris County Cooperative Pricing Council, Contract #36 in an amount not to exceed \$145,000.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number 01-201-26-290-623;

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

- 1. The Township Council hereby authorizes the Department of Public Works to purchase Traffic Striping on Roadways, in an amount not to exceed \$145,000.00, through the Morris County Cooperative Pricing Council, contract #36, to Denville Line Painting, Inc. 2 Green Pond Road, Rockaway, NJ 07866.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: August 11, 2021

Agenda No. XII 4

~ Resolution 2021 – 292 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF PAVEMENT MARKINGS FOR TOWNSHIP ROADWAYS THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #36 (TRAFFIC STRIPING ON ROADS) TO DENVILLE LINE PAINTING, INC.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 11, 2021
Time of Meeting: 6:30 p.m.
Minute Page No: Page 12 of 35

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

WHEREAS, the Morris County Cooperative Pricing Council has awarded Contract #36, Traffic Striping on Roadways to Denville Line Painting, Inc.

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

WHEREAS, the Township of West Milford anticipates a need for Pavement Markings in 2021; and

WHEREAS, the Director of Public Works has reviewed the Morris County Cooperative Pricing Council's contract and related specifications and has submitted a written recommendation for the Township of West Milford to purchase Traffic Striping on Roadways through the Morris County Cooperative Pricing Council, Contract #36 in an amount not to exceed \$25,000.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number 01-201-26-290-622;

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

- 1. The Township Council hereby authorizes the Department of Public Works to purchase Traffic Striping on Roadways, in an amount not to exceed \$25,000.00, through the Morris County Cooperative Pricing Council, contract #36, to Denville Line Painting, Inc. 2 Green Pond Road, Rockaway, NJ 07866.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: August 11, 2021

Agenda No. XII 5

~ Resolution 2021 - 293 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING RESOLUTION 2021-038 TO INCREASE THE CONTRACT VALUE WITH MARK SEMERARO, ESQ. OF THE FIRM KAUFMAN, SEMERARO, LEIBMAN, LLC FOR SPECIAL LABOR COUNSEL SERVICES TO INCREASE THE NOT TO EXCEED AMOUNT BY \$60,000

WHEREAS, by virtue of Resolution 2021-38 adopted January 6, 2021 the Township Council did authorize the engagement of Special Labor Counsel services to be provided by Mark Semeraro, Esq. of Kaufman, Semeraro, Leibman, LLC; and

WHEREAS, Resolution 2021-038 and the related Professional Services Contract did authorize services in an amount not to exceed \$60,000; and

WHEREAS, the Township Administrator has been advised that the Township's needs, necessitates an amendment in an additional amount not to exceed \$60,000; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds and said funds to be encumbered from account 01-201-20-155-502 for \$60,000.00; and

WHEREAS, that a notice of this action shall be published in accordance with law, and said notice to provide that the originally awarded Professional Services Contract, and this resolution serving as the Addendum to the Contract are available for public inspection in the office of the Township Clerk and that the professional services offered by Mark Semeraro, Esq. are extended by an additional twelve months or until the conclusion of the legal matter, whichever comes first.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that they do hereby authorize the Township Administrator to approve an amendment of \$60,000 to Mark Semeraro, Esq. for Special Labor Services which amount is in excess of the approved contract amount of \$60,000 bringing the contract total to an amount not to exceed \$120,000 and re-engaging the services of Mark Semeraro, Esq. for an additional twelve months or until the conclusion of this legal matter, whichever comes first.

This Resolution shall take effect immediately.

Adopted: August 11, 2021

Agenda No. XII 6

~ Resolution 2021 - 294 ~

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

Minutes of: Governing Body Workshop and Regular Meeting  
Date of Meeting: August 11, 2021  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 13 of 35

---

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY REJECTING A BID FOR PROFESSIONAL ANIMAL CONTROL SERVICES AUTHORIZING RE-BID OF SAME**

**WHEREAS**, the Township of West Milford solicited bids on July 30, 2021 for Professional Animal Control Services; and

**WHEREAS**, in response to the "Notice to Bidders" the Township received one (1) bid; and

**WHEREAS**, said bid has been duly reviewed by the Chief of Police and the Township Attorney; and

**WHEREAS**, the one (1) bid was concluded to be "not responsive" due to failure of providing Professional Information Required; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that the bid received on July 30, 2021 for Professional Animal Control Services is hereby rejected for the reason stated above.

**BE IT FURTHER RESOLVED**, that the Chief of Police and the Township Clerk's Office be and are hereby authorized to reject the bid for this project and rebid for this project.

Adopted: August 11, 2021

Agenda No. XII 7

~ Resolution 2021 – 295 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF AN EMERGENCY CONTRACT FOR ANIMAL CONTROL SERVICES TO TYCO ANIMAL CONTROL SERVICES**

**WHEREAS**, the existing Animal Control Officer resigned from the Township effective May 31, 2021; and

**WHEREAS**, the Township of West Milford Police Department needs Certified Animal Control Officers to provide animal control services to the Township; and

**WHEREAS**, the Township of West Milford Police Department is seeking to outsource animal control services with Tyco Animal Control Service which requires a Request for Proposal and the appropriate time for advertising; and

**WHEREAS**, the one (1) bid submitted by Tyco Animal Control was concluded to be "not responsive" due to failure of providing Professional Information Required; and

**WHEREAS**, the Chief of Police and the Township Clerk's Office be and are hereby authorized to reject the bid for this project and rebid for this project; and

**WHEREAS**, Tyco Animal Control Service shall provide emergency services in the interim for a month-to-month period for a cost of \$6,500.00 monthly, Monday through Friday 8:00 a.m. to 7:00 p.m.; and

**WHEREAS**, a call shall be deemed an emergency between the hours of 7:00 p.m. and 8:00 a.m. and will be charged an additional \$60.00 per call.

**WHEREAS**, the Chief Financial Officer has certified as the availability of funds and encumbrances for this purchase shall come from account number 01-201-20-161-450; and

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

1. The Mayor and Township Council hereby approve the actions of the Administrator and Chief to award a month-to-month emergency contract until a contract is awarded based on the RFP to Tyco Animal Control Service, 1 Stouts Lane, Ho-Ho-Kus, NJ 07423 in an amount not to exceed \$10,000.00.
2. The Mayor and Township Clerk are hereby authorized and directed to execute an emergency month-to-month contract with service in accordance to the emergency proposal of services from Tyco Animal Control Service for animal control services to the Township.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 11, 2021
Time of Meeting: 6:30 p.m.
Minute Page No: Page 14 of 35

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

This Resolution will take effect immediately.

Adopted: August 11, 2021

Agenda No. XII 8

~ Resolution 2021 – 296 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING AN AGREEMENT WITH TENNESSEE GAS PIPELINE COMPANY

WHEREAS, Tennessee Gas Pipeline Company, L.L.C. (hereinafter "Tennessee") is a "natural gas company" under the Natural Gas Act of 1938, 15 U.S.C. §717 et seq. ("Natural Gas Act"), and, as such, is regulated by the Federal Energy Regulatory Commission ("FERC") as to facilities, construction, rates, and types of service, and regulated by the United States Department of Transportation's Pipeline and Hazardous Materials Safety Administration under the Natural Gas Pipeline Safety Act, 49 U.S.C. §60101, et seq. ("Pipeline Safety Act"), as to minimum safety standards; and

WHEREAS, as part of Tennessee's proposed East 300 Upgrade Project (the "Project"), Tennessee is proposing to construct Compressor Station 327 on property identified as Block 4601, Lot 17, in the Township ("Property"); and

WHEREAS, on June 30, 2020, Tennessee filed an application for a Certificate of Public Convenience and Necessity ("Certificate") with the FERC for authorization to construct, operate, and maintain the Project, with an anticipated in-service date of November 1, 2022; and

WHEREAS, without prejudice to its rights and obligations under the Natural Gas Act, the Pipeline Safety Act, and their implementing regulations, Tennessee is interested in working and cooperating with the Township as to the construction of Compressor Station 327; and

WHEREAS, the Township acknowledges that Congress, through the Natural Gas Act, has regulated comprehensively the siting, construction and operation of natural gas facilities, state and local regulations pertaining to these same issues are preempted; and

WHEREAS, the Township wishes to memorialize its intention to work with Tennessee throughout the course of the Project by entering into an Agreement to address, among other things, ad valorem taxes to be paid as a result of the construction of the compressor station, all as more particularly set forth herein See Agreement Attached as "Exhibit A."

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

- 1. The Mayor is hereby authorized and directed to execute said Agreement, and take all actions as necessary thereafter to effectuate its terms.
2. This Resolution, along with the Agreement, shall be available for public inspection in the office of the Township Clerk.
3. This Resolution shall take effect immediately.

Adopted: August 11, 2021

Agenda No. XII 9

~ Resolution 2021 – 297 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY DETERMINING THAT LANDS AND PROPERTIES ARE NO LONGER NEEDED FOR PUBLIC USE, AND AUTHORIZING AN EASEMENT IN THE PUBLIC RIGHT OF WAY FOR WATER TESTING

WHEREAS, the Township of West Milford (hereinafter, "the Township") is the owner of certain lands and premises within the Township of West Milford, and has a Public Right of Way which exists on Moore Road within the Township; and

WHEREAS, Suez Water New Jersey Inc. (hereinafter "Suez"), is responsible for the water system in West Milford; and

WHEREAS, Suez has informed the Township that the water system does not have online monitors for key water quality parameters, such as chlorine concentration, pH, and turbidities, and such water quality parameters can only be measured through sampling; and

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

Minutes of: Governing Body Workshop and Regular Meeting  
 Date of Meeting: August 11, 2021  
 Time of Meeting: 6:30 p.m.  
 Minute Page No: Page 15 of 35

**WHEREAS**, Suez desires to install online monitors to review these key water quality parameters, for not only the benefit of operation efficiency and effectiveness, but also for the best benefit of the Township's residents, and the instruments to conduct such testing require a small flow of water to be pumped through monitors continuously for these measurements to be conducted, and with such discharge effluent needing to be continuously disposed; and

**WHEREAS**, due to the limitation of available sites to conduct such testing, there is no nearby sewer connection available except for a location located within the Public Right of Way currently existing on Moore Road; and

**WHEREAS**, a drywell installed at this location is the most effective option to accomplish such testing, with this proposed drywell being outside of the paved roadway, but still installed within the Public Right of Way; and

**WHEREAS**, and Suez has provided a survey of the location, on file in the Clerk's Office which has been reviewed by the Township's Engineering staff with no objection, and the Township determining that such land as identified is no longer needed for public use, and is a desired utility improvement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of West Milford as follows:

1. The Township of West Milford hereby declares that the lands as set forth in Schedule A on file in the Clerk's Office are no longer needed for public use; and
2. The Mayor of the Township of West Milford is hereby authorized to sign an easement, allowing such drywell to be installed in the Public Right of Way and as set forth in Schedule A on file in the Clerk's Office and made a part of easement; and
3. The Administrator, Municipal Clerk and any other Township employees are hereby authorized to accomplish all other necessary actions, including but not limited to processing any necessary permits, to effectuate the recording of such easement and installation of such drywell as a desired utility improvement.

The resolution shall take effect immediately.

Adopted: August 11, 2021

Agenda No. XII 10

~ Resolution 2021 – 298 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE DISPOSAL OF INOPERABLE VEHICLES AND EQUIPMENT THAT ARE OWNED BY THE MUNICIPALITY**

**WHEREAS**, the Township's Chief Mechanic has provided a list of Township owned vehicles which are not safe to operate and from which salvageable parts have been removed; and

**WHEREAS**, the vehicles and equipment listed below on Schedule "A" are no longer in use by the Township and are surplus to the needs of the Township; and

**WHEREAS**, the Public Works Department and Township Administrator recommend that these vehicles be disposed of for their scrap metal value.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council that the Township Administration is authorized to dispose of the vehicles and equipment listed on Schedule A as scrap metal after having secured the most favorable disposal price via a competitive quote process.

Adopted: August 11, 2021

Schedule A					
	YEAR	MAKE	MODEL	CONDITION	SERIAL OR VIN #
1	1993	Emergency One	Protector Fire Truck	Inoperable	4ENRAAA84P1002109
2	1996	International	Vactor	Inoperable	1HTGLAHT6TH341003
3	1998	John Deere	410E Backhoe Loader	Inoperable	T0410EX847107
4	1998	Ford	Alamo Reach Mower	Inoperable	084229B
5	2000	GMC	Passenger Bus	Inoperable	1GDHG31FXY1107559
6	2000	Ford	F350 4 x 4	Inoperable	1FTSX31L3YED81548
7	2002	International	7400 DT 466	Inoperable	1HTWDAAR93J049426
8	2005	International	7400 DT 466	Inoperable	1HTWDAAR86J219327
9	2006	Wacker	Roller RD11	Inoperable	5677549
10	2007	Dodge	Durango	Inoperable	1D8HB38P17F543608
11	2008	Ford	Crown Victoria	Inoperable	2FAFP71V78X132944
12	2008	Dodge	Charger	Inoperable	2B3KA43H18H320158

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

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

Governing Body Workshop and Regular Meeting  
 August 11, 2021  
 6:30 p.m.  
 Page 16 of 35

Schedule A					
	YEAR	MAKE	MODEL	CONDITION	SERIAL OR VIN #
13	2008	Ford	Expedition	Inoperable	1FMFU16518LA59703
14	2008	Chevrolet	Bus	Inoperable	1GBJG316181190972
15	2008	Ford	Focus	Inoperable	1FAHP34N78W292525
16	2009	Ford	F450 Ambulance	Inoperable	1FDAF47R69EA45857
17	2009	Ford	Crown Victoria	Inoperable	2FAHP71V19X134084
18	2009	Ford	Crown Victoria	Inoperable	2FAHP71V79X135188
19	2010	Ford	Crown Victoria	Inoperable	2FABP7BV9AX131894
20	2010	Ford	Crown Victoria	Inoperable	2FABP7BV4AX131897
21	2011	Ford	E450 Bus	Inoperable	1FD4E4FS4BDA83595
22	2011	Ford	Crown Victoria	Inoperable	2FABP7BV4BX169891
23	2012	GMC	Sierra 3500	Inoperable	1GT522CG9CZ206700
24	2012	Chevrolet	Tahoe	Inoperable	1GNSK2E05CR205179
25	2016	Ford	Explorer	Inoperable	1FM5K8AR8GGB97377

Agenda No. XII 11

~ Resolution 2021 – 299 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF A 2021 DRIVE SOBER OR GET PULLED OVER STATEWIDE LABOR DAY CRACKDOWN GRANT**

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford Hereby authorizes the acceptance of a 2021 Drive Sober or Get Pulled Over Year End Holiday Statewide Crackdown Grant in the amount of \$6,000.

Adopted: August 11, 2021

Agenda No. XII 12

~ Resolution 2021 – 300 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY REQUESTING A TIME EXTENSION OF THE PASSAIC COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AWARD FOR 2019**

**WHEREAS**, the Township of West Milford has participated in the Passaic County CDBG program since its inception; and

**WHEREAS**, in doing so applied for funding of a qualifying barrier-free project known as the “Renovations and Alterations to an Existing Toilet Room in Municipal Building #1 (Town Hall)”; and

**WHEREAS**, the Township was awarded funding of \$35,000 in 2019 from the CDBG program for this project; and

**WHEREAS**, a construction contract was awarded May 5, 2021, construction began June 21, 2021 and work has been performed to the extents of the contract agreement; and

**WHEREAS**, due to the unavailability of product materials, the project is anticipated to continue beyond the August 31, 2021 grant deadline; and

**WHEREAS**, changes to the construction schedule will necessitate an extension of the existing agreements and funding to October 31, 2021.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and the Township Council of the Township of West Milford accept this resolution to request a time extension for the 2019 CDBG grant



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

Minutes of: Governing Body Workshop and Regular Meeting  
 Date of Meeting: August 11, 2021  
 Time of Meeting: 6:30 p.m.  
 Minute Page No: Page 17 of 35

award to October 31, 2021 in order to complete the "Renovations and Alterations to an Existing Toilet Room in Municipal Building #1 (Town Hall)".

Adopted: August 11, 2021

Agenda No. XII 13

**~ Resolution 2021 – 301 ~**

**RESOLUTION AND GROUP AFFIDAVIT OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AS CERTIFICATION OF THE 2020 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 2020 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 (Director 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 11, 2021

Agenda No. XII 14

**~ Resolution 2021 – 302 ~**

**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 2020 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 2020 Audit Report of the Township of West Milford, County of Passaic, as required by N.J.S.A 40A:5-7.

<b>ASSETS</b>	<b>December 31 Year 2020</b>	<b>December 31 Year 2019</b>
Cash, Investments and Prepaid Debt Service	34,006,123.40	32,810,739.35
Taxes, Assessments, Liens and Utility Charges Receivable	3,128,203.93	3,726,667.95
Prospective Assessments Funded	0.00	0.00
Property Acquired for Taxes - Assessed Value	6,210,500.00	4,833,700.00
Accounts Receivable (and Inventory )	3,500,347.64	2,469,026.79
General Fixed Assets	49,797,491.08	45,065,388.25

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

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

Governing Body Workshop and Regular Meeting  
 August 11, 2021  
 6:30 p.m.  
 Page 18 of 35

Deferred Charges to Future Taxation - General Capital	30,800,835.09	32,186,536.69
Deferred Charges to Revenue of Succeeding Years	<u>10,875.00</u>	<u>14,269.88</u>
<b>TOTAL ASSETS</b>	<u>127,454,376.14</u>	<u>121,106,328.91</u>
<b>LIABILITIES, RESERVES AND FUND BALANCES</b>		
Bond and Notes Payable	31,524,444.00	33,046,040.75
Improvement Authorizations	4,370,499.44	4,955,459.02
Other Liabilities and Special Funds	22,991,971.64	20,246,412.57
Net Assets Available for Benefits	3,191,492.09	2,736,595.98
Investment in General Fixed Assets	49,797,491.08	45,065,388.25
Reserve for Certain Assets Receivable	9,117,203.16	8,351,729.78
Fund Balance	<u>6,461,274.73</u>	<u>6,704,702.56</u>
<b>TOTAL LIABILITIES, RESERVES AND SURPLUS</b>	<u>127,454,376.14</u>	<u>121,106,328.91</u>
<b>COMPARATIVE STATEMENT OF OPERATIONS &amp; CHANGE IN SURPLUS-CURRENT FUND</b>		
<b>Revenue and Other Income Realized</b>	<b>2020</b>	<b>2019</b>
Fund Balance Utilized	4,524,239.00	4,191,839.00
Miscellaneous - From Other Than Local - Property Tax Levies	8,766,896.31	7,257,159.89
Collection of Delinquent Taxes and Tax - Title Liens	1,352,581.38	1,645,951.66
Collection of Current Tax Levy	104,194,383.54	101,671,636.65
Other Credits to Income	<u>1,864,077.71</u>	<u>2,777,497.81</u>
<b>Total Income</b>	<u>120,702,177.94</u>	<u>117,544,085.01</u>

<b>Expenditures</b>	<b>2020</b>	<b>2019</b>
Budget Expenditures:		
Municipal Purpose	35,074,908.92	32,549,676.25
Special District Taxes	2,884,466.85	1,796,856.57
Municipal Open Space Tax	148,276.50	148,452.19
County Taxes	21,224,392.34	21,288,263.96
Local and Regional School Taxes	57,099,420.00	55,879,651.00
Other Expenditures	<u>78,893.12</u>	<u>470,720.20</u>
<b>Total Expenditures</b>	116,510,357.73	112,133,620.17
Less: Expenditures to be Raised by Future Taxes		
<b>Total Adjusted Expenditures</b>	<u>116,510,357.73</u>	<u>112,133,620.17</u>
Excess in Revenue	4,191,820.21	5,410,464.84
Fund Balance January 1	<u>6,113,444.75</u>	<u>4,894,818.91</u>
	10,305,264.96	10,305,283.75
Less: Utilized as Anticipated Revenue	<u>4,524,239.00</u>	<u>4,191,839.00</u>
Fund Balance December 31	<u>5,781,025.96</u>	<u>6,113,444.75</u>

**RECOMMENDATIONS**

1. That County Board tax appeals be recorded correctly in the tax software.
2. That Political Contribution Disclosure Forms be received from all vendors required to submit them.
3. That old escrow balances be reviewed and the proper action be taken.
4. That issued Dog Licenses be in agreement with the amounts reported on the monthly State Dog Reports.

\* \* \* \* \*

A Corrective Action Plan, which outlines actions the Township of West Milford will take to correct the findings listed above, will be prepared in accordance with federal and state requirements. A copy of it will be placed on file and made available for public inspection in the Office of the Township Clerk of the Township of West Milford within 45 days of this notice.

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 2020. 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 11, 2021

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 11, 2021
Time of Meeting: 6:30 p.m.
Minute Page No: Page 19 of 35

~ Resolution 2021 – 303 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE CLOSING OF BALANCES OF OLD ESCROW ACCOUNTS

WHEREAS, the Township has old escrow accounts, with no activity, that have unexpended balances, and

WHEREAS, the Township Auditor has recommended that the accounts listed below be closed and distributed to the Current Fund; and

WHEREAS, if the applicant should contact the Township regarding the refund of any unspent funds, provided the applicant is entitled to a refund, the monies will be returned; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford that the old escrow accounts with balances be cancelled and the monies distributed to the Current Fund until such time as the applicant in written form requests the funds be refunded.

Table with 3 columns: Account Number, Description, Closed Amount. Rows include Brookside Development, LLC (\$314.10), Brookside Development, LLC (\$215.20), A Sun Young Joo (\$225.34), and Lakeside Rd LLC (\$239.67).

Adopted: August 11, 2021

Agenda No. XII 16

~ Resolution 2021 – 304 ~

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$21,106,445 BOND ANTICIPATION NOTES OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY

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

- Section 1. Pursuant to a bond ordinance of The Township of West Milford, in the County of Passaic (the "Township") entitled: "Bond ordinance providing for the improvement of various roads in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$4,688,250 therefor and authorizing the issuance of \$4,465,000 bonds or notes of the Township for financing such appropriation", finally adopted on March 28, 2007 (#2007-06), bond anticipation notes of the Township in a principal amount not exceeding \$141,700 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
Section 2. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$3,342,360, and authorizing the issuance of \$3,175,242 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on September 3, 2008 (#2008-40), bond anticipation notes of the Township in a principal amount not exceeding \$87,400 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
Section 3. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$1,565,000, and authorizing the issuance of \$1,490,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on August 15, 2012 (#2012-15), bond anticipation notes of the Township in a principal amount not exceeding \$346,704 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
Section 4. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$1,940,600, and authorizing the issuance of \$1,605,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of

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

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Minutes of: Governing Body Workshop and Regular Meeting  
Date of Meeting: August 11, 2021  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 20 of 35

---

West Milford, in the County of Passaic, New Jersey”, finally adopted on April 17, 2013 (#2013-10), bond anticipation notes of the Township in a principal amount not exceeding \$1,098,403 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

- Section 5. Pursuant to a bond ordinance of the Township, entitled: “Bond ordinance appropriating \$2,214,000, and authorizing the issuance of \$1,839,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on June 25, 2014 (#2014-005), bond anticipation notes of the Township in a principal amount not exceeding \$1,375,417 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 6. Pursuant to a bond ordinance of the Township, entitled: “Bond ordinance appropriating \$3,557,200, and authorizing the issuance of \$3,201,200 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on June 30, 2015 (#2015-008), bond anticipation notes of the Township in a principal amount not exceeding \$2,453,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 7. Pursuant to a bond ordinance of the Township, entitled: “Bond ordinance appropriating \$3,250,000, and authorizing the issuance of \$2,850,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on May 4, 2016 (#2016-008), bond anticipation notes of the Township in a principal amount not exceeding \$2,454,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 8. Pursuant to a bond ordinance of the Township, entitled: “Bond ordinance appropriating \$2,837,121, and authorizing the issuance of \$2,375,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on April 5, 2017 (#2017-006), bond anticipation notes of the Township in a principal amount not exceeding \$1,906,512 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 9. Pursuant to a bond ordinance of the Township, entitled: “Bond ordinance providing for the improvement of Ridge Road and Reservoir Road in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$1,250,000 therefor and authorizing the issuance of \$689,272 bonds or notes of the Township for financing such appropriation”, finally adopted on April 18, 2018 (#2018-04), bond anticipation notes of the Township in a principal amount not exceeding \$652,972 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 10. Pursuant to a bond ordinance of the Township, entitled: “Bond ordinance appropriating \$2,401,250, and authorizing the issuance of \$2,187,137 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on August 15, 2018 (#2018-07), bond anticipation notes of the Township in a principal amount not exceeding \$2,080,037 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 11. Pursuant to a bond ordinance of the Township, entitled: “Bond ordinance appropriating \$1,135,000, and authorizing the issuance of \$444,600 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on April 28, 2019 (#2019-04), bond anticipation notes of the Township in a principal amount not exceeding \$444,600 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 12. Pursuant to a bond ordinance of the Township, entitled: “Bond ordinance appropriating \$2,425,000, and authorizing the issuance of \$2,309,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey”, finally adopted on June 12, 2019

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

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Minutes of: Governing Body Workshop and Regular Meeting  
Date of Meeting: August 11, 2021  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 21 of 35

---

(#2019 -09), bond anticipation notes of the Township in a principal amount not exceeding \$2,309,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 13. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance providing for improvement of various roads in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$151,000 therefor, directing a special assessment of part of the cost thereof and authorizing the issuance of \$143,800 bonds or notes of the Township for financing the same, finally adopted on August 11, 2021 (#2019-13), bond anticipation notes of the Township in a principal amount not exceeding \$143,800 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 14. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$3,071,405, and authorizing the issuance of \$2,443,900 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on April 22, 2020 (#2020-07), bond anticipation notes of the Township in a principal amount not exceeding \$2,443,900 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 15. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$3,617,500, and authorizing the issuance of \$3,169,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on April 7, 2021 (#2021-14), bond anticipation notes of the Township in a principal amount not exceeding \$3,169,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 16. All bond anticipation notes (the "notes") issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Township (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer and shall be signed and sealed by officials and officers of the Township in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes hereunder is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 17. Any note issued pursuant to this resolution shall be a general obligation of the Township, and the Township's faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 18. The Chief Financial Officer is hereby authorized and directed, if necessary, to execute an initial and final Subscription for Purchase and Issue of United States Treasury Securities – State and Local Government Series – Time Deposit Securities ("SLGS"), and any related certification, each in form and substance satisfactory to bond counsel to the Township. Bond Counsel to the Township is hereby authorized to execute said initial SLGS subscription letter on behalf of the Township. The Chief Financial Officer or bond counsel to the Township each is hereby authorized to execute said final SLGS subscription. In addition, the Chief Financial Officer is hereby authorized and directed, if necessary, to execute and deliver any agreement, document or instrument relating to the purchase of securities in lieu of SLGS.

Section 19. The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) execution of a Continuing Disclosure Undertaking,

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

Minutes of: Governing Body Workshop and Regular Meeting  
Date of Meeting: August 11, 2021  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 22 of 35

with respect to the notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Township, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 20. All action heretofore taken by Township officials and professionals with regard to the sale and award of the notes is hereby ratified, confirmed, adopted and approved.

Section 21. This resolution shall take effect immediately.

Upon motion of Councilwoman Erik, seconded by Councilman Chazukow, the foregoing resolution was adopted by the following vote:

AYES: Erik. Chazukow, Lichtenberg, Goodsir, Gross, Marsden  
NOES: None

**EXTRACT** from the minutes of a regular meeting of the Township Council of the Township of West Milford, in the County of Passaic, New Jersey, held at the Municipal Building, 1480 Union Valley Road in said Township on August 11, 2021 at 6:30 o'clock P.M.

PRESENT: Erik, Chazukow, Lichtenberg, Goodsir. Gross, Marsden  
ABSENT:

Adopted: August 11, 2021

Agenda No. XII 17

**~ Resolution 2021 – 305 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY SUPPORTING ASSEMBLY BILL NO. 5607**

**WHEREAS**, the New Jersey State Legislature is considering A5607; and

**WHEREAS**, A5607 prohibits discrimination against individuals who have not received COVID-19 vaccine; and

**WHEREAS**, A5607 would make it unlawful to ask any individual if the individual has received a COVID-19 vaccine, to require any individual to receive a COVID-19 vaccine or to require any individual to show proof of having received a COVID-19 vaccine as a condition of or prerequisite for 15 enumerated activities; and

**WHEREAS**, it is imperative that individual privacy is protected; and

**WHEREAS**, individuals have a right to make their own healthcare decisions.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council supports the adoption of A5607.

**BE IT FURTHER RESOLVED** that this resolution shall be forwarded to our State legislative representatives.

Adopted: August 11, 2021

Agenda No. XII 18

**~ Resolution 2021 – 306 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY RESCINDING RESOLUTION 2021-203 IN ITS ENTIRETY**

**WHEREAS**, the Township of West Milford had a need for a conceptual design to determine the use, occupancy egress and the proper code compliant modifications that are required to permit the closure of the interior stair access from lower level to upper level at the Westbrook Park Teen Center; and

**WHEREAS**, a proposal was requested and received from Brian Murphy Architect LLC for the preparation of a conceptual plan to permit the closure of the interior stair access from the lower level to the upper level; and

**WHEREAS**, the Director, Community Services & Recreation had recommended to award a contract for the conceptual design to separate the Westbrook Park Teen Center upper and lower level; and

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

Minutes of: Governing Body Workshop and Regular Meeting  
Date of Meeting: August 11, 2021  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 23 of 35

**WHEREAS**, Resolution 2021-203 was adopted on May 19, 2021 authorizing the award of a professional services contract to Brian Murphy Architect, LLC; and

**WHEREAS**, the Director, Community Services & Recreation had a discussion with the Township Administrator that recognized the project cannot proceed at the present time.

**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 Resolution 2021-203 adopted May 19, 2021 is hereby rescinded and the contract awarded to Brian Murphy in a total amount not to exceed \$1,250.00 is voided.

Adopted: August 11, 2021

Agenda No. XII 19

**~ Resolution 2021 – 307 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PLACE TO PLACE TRANSFER (EXPANSION OF PREMISES) OF PLENARY RETAIL CONSUMPTION LICENSE 1615-33-032-012 MEP VENTURES LLC T/A VAULT LIQUORS**

**WHEREAS**, an application has been received for a Place to Place Transfer (Expansion of Premises) of 2021 - 2022 Plenary Retail Consumption License 1615-33-032-012 held by Ted and Grazi Porebski trading as Vault Liquors 1618 Union Valley Road, West Milford, NJ 07480; and

**WHEREAS**, the Township has conducted a public investigation of the applicant as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control, and

**WHEREAS**, as a result of that investigation the Township Council has determined the following:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A. B.C. laws and regulations.
3. The approval is in compliance and does not waive any municipality, county, or state laws with respect to the establishment.
4. Recommendations have been received from all applicable departments and the Health and Building Departments have conditions to the expansion of premises listed below.

**WHEREAS**, as a further result of the public investigation and upon the recommendation of the Police Department the Township Council authorizes the license be transferred as an expansion to the interior premises with the conditions listed below.

**NOW, THEREFORE, BE IT RESOLVED** that the application is hereby approved and the Township Clerk is authorized to endorse the transfer on the license and issue same as follows:

LICENSE	CONDITIONS
<b>MEP VENTURES LLC</b> t/a Vault Liquors 1618 Union Valley Road West Milford, NJ 07480 <b>1615-33-032-012</b>	1. All necessary Health Department approvals will be obtained by the applicant prior to operation of the expansion. A sign off from the Health Department will be required. 2. All Building and Zoning Department permits are required prior to the operation of the expansion.

Adopted: August 11, 2021

Agenda No. XII 20

**~ Resolution 2021 – 308 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF POCKET (INACTIVE) PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2021- 2022 LICENSE YEAR**

**WHEREAS**, applications for renewal of Plenary Retail Consumption License for the 2021- 2022 License year have been processed on the ABC POSSE website and reviewed; and

**WHEREAS**, these licenses have received a Tax Clearance Certificate and if applicable a Special Ruling for the 2021-2022 year; and

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

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

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

Minutes of: Governing Body Workshop and Regular Meeting  
 Date of Meeting: August 11, 2021  
 Time of Meeting: 6:30 p.m.  
 Minute Page No: Page 24 of 35

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

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

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

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

LICENSEE	CONDITIONS
<b>SAHANAS LIQUORS INC.</b> 116 Cupsaw Avenue, Ringwood, NJ 07456 <b>1615-33-030-010</b>	Conditions stated above in resolution

Adopted: August 11, 2021

Agenda No. XII 21

~ Resolution 2021 – 309 ~

**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 2021 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 2021 in the sum of \$291,042.00 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:  
 Strengthening Local Public Health Capacity Program 2022; \$291,042.00

**BE IT FURTHER RESOLVED** that a like some 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  
 Strengthening Local Public Health Capacity Program 2020; \$291,042.00

**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 11, 2021

Agenda No. XII 22

~ Resolution 2021 – 310 ~

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



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

Minutes of: Governing Body Workshop and Regular Meeting  
 Date of Meeting: August 11, 2021  
 Time of Meeting: 6:30 p.m.  
 Minute Page No: Page 25 of 35

**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 2021 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 2021 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:  
 Drive Sober or Get Pulled Over Campaign; \$6,000.00

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

General Appropriations  
 Operations – Excluded from CAPS  
 Public and Private Programs Offset by Revenue  
 Drive Sober or Get Pulled Over Campaign: \$6,000.00

**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 11, 2021

Agenda No. XII 23

~ Resolution 2021 – 311 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE CHANGE IN AMOUNT OF PETTY CASH FUND FOR POLICE ADMINISTRATION**

**WHEREAS**, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash fund, and,

**WHEREAS**, it is the desire of the Council, of the Township of West Milford, County of Passaic that the petty cash fund for the Police Administration be increased from \$200.00 to \$300.00.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of Township of West Milford, County of Passaic hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

Adopted: August 11, 2021

Agenda No. XII 24

~ Resolution 2021 – 312 ~

**RESOLUTION AUTHORIZING THE CANCELLATION OF OUTSTANDING CHECKS OVER SIX MONTHS OLD TO MUNICIPAL CASH BALANCES**

**WHEREAS**, the Chief Financial Officer has determined that the following Township of West Milford Payroll account checks have been outstanding for a period in excess of six months.

DATE	CHECK #	AMOUNT
11/5/2020	25704	\$ 15.00
11/5/2020	25741	15.00
12/11/2020	26114	450.00
12/17/2020	26168	63.00
12/17/2020	26312	50.00
	<b>TOTAL</b>	<b>\$593.00</b>

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

Minutes of: Governing Body Workshop and Regular Meeting  
Date of Meeting: August 11, 2021  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 26 of 35

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**NOW, THEREFORE, BE IT RESOLVED** that the above outstanding checks be restored to the Township cash balance.  
Adopted: August 11, 2021

Agenda No. XII 25

~ Resolution 2021 – 313 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A CONTRACT FOR THE 2021 WEST MILFORD TOWNSHIP ROAD RESURFACING PROGRAM THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL - CONTRACT #6: ROAD RESURFACING, CATEGORY A: HOT MIX ASPHALT (HMA), CATEGORY B: MILLING OF HOT MIX ASPHALT (IN PLACE) AND CATEGORY G: RESURFACING PREPARATIONS TO SCHIFANO CONSTRUCTION CORPORATION**

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

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

**WHEREAS**, the Township’s Supervising Engineering Aide has reviewed the Morris County Cooperative Pricing Council’s contract and related specifications and has submitted a written recommendation that the Township of West Milford award a contract for the 2021 West Milford Township Road Resurfacing Program project utilizing Category A: Hot Mix Asphalt (HMA), Category B: Milling of Hot Mix Asphalt (in place) and Category G: Resurfacing Preparations to Tilcon New York, Inc. through the Morris County Cooperative Pricing Council - Contract #6: Road Resurfacing; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for these purchases, said funds are to be encumbered from account number 04-215-55-834-004.

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

1. The Township Council hereby authorizes the award of a contract through the Morris County Cooperative Pricing Council - Contract #6: Road Resurfacing, Category A: Hot Mix Asphalt (HMA), Category B: Milling of Hot Mix Asphalt (in place) and Category G: Resurfacing Preparations to Schifano Construction Corporation, 1 Smalley Avenue, Middlesex, NJ 08846 in an amount not to exceed \$950,000.00.
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 11, 2021

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

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Agenda No. XIII

**Consent Agenda**

~ Resolution 2021 – 314 ~

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

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

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

**Resolutions:**

- a) **2021-315** – Refund Recreation Fees
- b) **2021-316** – Refund of Police Escrow
- c) **2021-317** – Refund of Overpayment
- d) **2021-318** – Refund of Street Excavation Bond Fee
- e) **2021-319** – Refund of Other Liens

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

Minutes of: Governing Body Workshop and Regular Meeting  
 Date of Meeting: August 11, 2021  
 Time of Meeting: 6:30 p.m.  
 Minute Page No: Page 27 of 35

- f) **2021-320** – Refund of Premium
- g) **2021-321** – Reinstatement of Taxes
- h) **2021-322** – Cancellation of Taxes

Adopted: August 11, 2021

Agenda No. XIII a

~ Resolution 2021 – 315 ~

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

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

<b>GOLF CAMP</b>			
\$240.00	Maura Rotroff 81 Forest Lake Drive Hewitt, NJ 07421	\$120.00	Chantelle Duffy 26 Yancy Terrace Hewitt, NJ 07421
\$120.00	Samantha Maloney 69 Rabbit Run Drive Newfoundland, NJ 07435	\$120.00	Kim Kelly 36 Shadyside Road Hewitt, NJ 07421
\$120.00	Ralph Rockefeller 132 Papscoe Road Hewitt, NJ 07421		
<b>DAY CAMP</b>			
\$220.00	Irena Kent 28 Caro Drive Oak Ridge, NJ 07438	\$125.00	Michael Perry 10 Rabbit Run Drive Newfoundland, NJ 07435
\$20.00	Colleen Czczuga 11 Moore Road West Milford, NJ 07480		
<b>YOUTH SOCCER CAMP</b>			
\$110.00	Christine Schouten 1 Vanessa Court West Milford, NJ 07480		
<b>SENIOR PROGRAMS</b>			
\$20.00	Liz Martinelli 7 Applegate Court West Milford, NJ 07480	\$40.00	Pauline Pluhar 27 McKinley Place West Milford, NJ 07480
<b>SWIM LESSONS</b>			
\$45.00	Jessica Hansel 72 Benjamin Blvd. Manahawkin, NJ 08050		
<b>MULTI SPORTS CAMP (morning &amp; afternoon)</b>			
\$315.00	Venkata Mannan 64 Garden Place Kinnelon, NJ 07405	\$120.00	Rebecca Zecca 129 Wesley Drive West Milford, NJ 07480
\$240.00	Kristen Monahan 44 Joseph Place West Milford, NJ 07480	\$175.00	Elena Myasnikova 21 Capstan Road West Milford, NJ 07480
\$175.00	Corina Mihailescu 489 Macopin Road West Milford, NJ 07480		
<b>FALL SOCCER</b>			
\$15.00	Amanda Batson 4 Sophie Avenue West Milford, NJ 07480		

Adopted: August 11, 2021

Agenda No. XIII b

~ Resolution 2021 – 316 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF POLICE OUTSIDE SERVICES UNUSED BALANCE OF ESCROW**

**BE IT RESOLVED**, that the following balance of a police outside services escrow be refunded:

Name	Account No.	Amount to be Refunded

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

Minutes of: Governing Body Workshop and Regular Meeting  
 Date of Meeting: August 11, 2021  
 Time of Meeting: 6:30 p.m.  
 Minute Page No: Page 28 of 35

Montana Construction Corp. 80 Contant Ave. Lodi, NJ 07644	19-295-56-140-454	\$7,871.04
Lawnewz, Inc. 126 Broadway, suite 606 New York City, NY 10001	19-295-56-140-460	\$310.30

Adopted: August 11, 2021

Agenda No. XIII c

**~ Resolution 2021 – 317 ~**

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

**WHEREAS**, there appears on the tax records overpayment as shown below and the Collector of Taxes recommends the refund of such overpayment.

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayment as shown below:

- REASON:**
- |                      |                               |
|----------------------|-------------------------------|
| 1. Incorrect Payment | 6. Tax Appeal County Board    |
| 2. Duplicate Payment | 7. Tax Appeal State Tax Court |
| 3. Senior Citizen    | 8. 100% Disabled Veteran      |
| 4. Veteran Deduction | 9. Replacement Check          |
| 5. Homestead Rebate  |                               |

Block/Lot	Name	Amount	Interest	Year	Reason
01815-002	KIMBERLY VENTURA 606 LAKESHORE DR HEWITT, NJ 07421	\$2,008.00		2021	2
02409-005	REBECCA SILVERMAN 18 DUNHAM RD HEWITT, NJ 07421	\$1,273.00		2021	2
09704-017	JACKSON & JANNA WEBB JR 5 CAMDEN PL WEST MILFORD, NJ 07480	\$3,882.00		2021	2
09801-025	JOHN & SUSAN ARDAN 881 UNION VALLEY RD WEST MILFORD, NJ 07480	\$3,105.00		2021	2
<b>TOTAL</b>		<b>\$10,268.00</b>			

Adopted: August 11, 2021

Agenda No. XIII d

**~ Resolution 2021 – 318 ~**

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

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

Receipt No.	Refund Amount	Refund to	Street Excavation Project Permit No.
761843	\$300.00	Boris Shtutman 100 Carlyle Dr. Apt 9AS Cliffside Park, NJ 07010	60 Reidy Place 2020-18

Adopted: August 11, 2021

Agenda No. XIII e

**~ Resolution 2021 – 319 ~**

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

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

Minutes of: Governing Body Workshop and Regular Meeting  
 Date of Meeting: August 11, 2021  
 Time of Meeting: 6:30 p.m.  
 Minute Page No: Page 29 of 35

**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
20-0058	10/13/2020	9901-007.01	\$176.05	711 FLIP LLC 1831 ROUTE 52 FISHKILL, NY 12524
20-0065	10/13/2020	12306-003	\$17,779.90	CHRISTIANA T C/F CE1/FIRSTTRUST PO BOX 5021 PHILADELPHIA, PA 19111
20-0068	10/13/2020	13901-011.01	\$10,294.55	FIG CUST FIGNJ19LLC & SEC PTY PO BOX 54226 NEW ORLEANS, LA 70154
19-0095	10/15/2019	15101-016	\$367,185.38	GREYMORR LLC BMO 85 P.O.BOX 1414 MINNEAPOLIS. MN 55480
20-0070	10/13/2020	15101-046	\$133,682.83	GREYMORR LLC BMO 85 P.O.BOX 1414 MINNEAPOLIS. MN 55480
<b>TOTAL</b>			<b>\$529,118.71</b>	

Adopted: August 11, 2021

Agenda No. XIII f

**~ Resolution 2021 – 320 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING RESOLUTION 2021-284 AUTHORIZING REFUND OF PREMIUM ADOPTED JULY14, 2021 TO CANCEL CHECK ISSUED TO INCORRECT LIEN HOLDER 07604-003**

**WHEREAS**, Resolution 2021-284 refund of premium adopted July 14, 2021 as show below issue check to Christiana Trust As Custodian, 2020 Howell Mill Rd. NW Suite C-5123 Atlanta GA 30318 on Block 07604 Lot 003

**WHEREAS**, the check was issued to the incorrect party; and

**WHEREAS**, upon the recommendation of the Collector of Taxes that Resolution 2021-284 be amended to cancel check issued to Christiana Trust As Custodian on block 07604 Lot 003; and

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers be and they are hereby authorized to cancel the check issued Christiana Trust As Custodian as crossed out and show below check refunding such overpayment as shown below:

**REASON:** 1. Refund Tax Lien Premium

Block/Lot	Name	Amount	Reason
07604-003 Cert# 14-0055	Christiana Trust As Custodian 2020 Howell Mill Rd. NW Suite C-513	<del>\$43,200.00.</del>	1
07604-003 Cert# 14-0055	ALTERNA TAX ASSEST GROUP 150 S. PINE ISLAND RD SUITE 417 PLANTATION, FL 33324	<b>\$43,200.00</b>	<b>1</b>
<b>Total</b>		<b>\$43,200.00</b>	

Adopted: August 11, 2021

Agenda No. XIII g

**~ Resolution 2021 – 321 ~**

**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

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

Minutes of: Governing Body Workshop and Regular Meeting  
 Date of Meeting: August 11, 2021  
 Time of Meeting: 6:30 p.m.  
 Minute Page No: Page 30 of 35

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

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

**REASON: INSUFFICIENT FUNDS**

<b>BLOCK/LOT</b>	<b>NAME</b>	<b>AMOUNT</b>	<b>YEAR</b>
00202-034	DEZHANG ZHENG	.19	2021
<b>TOTAL</b>		<b>\$0.19</b>	

Adopted: August 11, 2021

Agenda No. XIII h

~ Resolution 2021 – 322 ~

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

**WHEREAS**, there appears on the tax records balances as listed below; and

**WHEREAS**, the Collector of Taxes recommends the cancellation of taxes due to reasons listed below.

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

- REASONS:**
1. 100% Disabled Veteran
  2. Township Owned Property
  3. Veteran/Surviving Spouse of Veteran Deduction
  4. Senior Citizen/Disabled/Surviving Spouse Deduction

<b>Block/Lot</b>	<b>Name</b>	<b>Amount</b>	<b>Year</b>	<b>Reason</b>
00411-001	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$1,536.95 \$768.00	2021 2022	2
00409-005	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$311.28 \$156.00	2021 2022	2
01002-006	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$311.28 \$156.00	2021 2022	2
01001-013	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$330.74 \$166.00	2021 2022	2
01003-005	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$342.41 \$172.00	2021 2022	2
01809-008	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$147.86 \$74.00	2021 2022	2
02014-008	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$303.50 \$152.00	2021 2022	2
02015-005	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$151.75 \$76.00	2021 2022	2
02015-014	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$147.86 \$74.00	2021 2022	2
02405-007	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$303.50 \$152.00	2021 2022	2
04701-052	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$2,097.25 \$1,048.00	2021 2022	2
05301-040	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$1,124.50 \$562.00	2021 2022	2

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

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

Governing Body Workshop and Regular Meeting  
 August 11, 2021  
 6:30 p.m.  
 Page 31 of 35

Block/Lot	Name	Amount	Year	Reason
05706-001	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$315.17 \$158.00	2021 2022	2
05708-012	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$303.50 \$152.00	2021 2022	2
07903-004	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$311.28 \$156.00	2021 2022	2
11002-010	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$3,105.02 \$1,552.00	2021 2022	2
12001-013	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$5,968.79 \$2,984.00	2021 2022	2
12001-017	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$435.79 \$218.00	2021 2022	2
13301-028	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$1,949.39 \$974.00	2021 2022	2
13910-001	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$311.28 \$156.00	2021 2022	2
13911-001	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$303.50 \$152.00	2021 2022	2
13912-001	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$319.06 \$160.00	2021 2022	2
16907-001	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$1,108.94 \$554.00	2021 2022	2
16908-003	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$891.04 \$446.00	2021 2022	2
17302-006	TOWNSHIP OF WEST MILFORD 1480 UNION VALLEY RD WEST MILFORD, NJ 07480	\$2373.51 \$1,186.00	2021 2022	2
10403-001	SEK KAZIMIERZ 103 GREEN TERR WAY WEST MILFORD, NJ 07480	\$21,547.38 \$10,774.00	2021 2022	1
02004-012	PUIG-MARRERO MIGUEL A 29 LAKEWOOD RD HEWITT, NJ 7421	\$8,490.09 \$4,378.00	2021 2022	1
12105-004	GREGORY BEAUMONT 820 MACOPIN RD WEST MILFORD, NJ 07480	\$250.00	2021	3
03406-016	GEORGE ROBERTS 120 LAKESIDE ROAD HEWITT, NJ 07421	\$250.00	2021	3
07601-015	RICHARD A. GLUECK 42 OVERLOOK RD WEST MILFORD, NJ 07480	\$250.00	2021	3
15401-040	PAUL ROSS 52 POST PLACE NEWFOUNDLAND, NJ 07435	\$250.00	2021	3
05317-003.09	KATHLEEN JOBBAGY 6309 RICHMOND RD WEST MILFORD, NJ 07480	\$250.00	2021	3
00408-002	WALTER ROENSCH 33 MELROSE AVE HEWITT, NJ 07421	\$250.00	2021	3
05311-003.16	THOMAS FALK 2 RICHMOND RD UNIT 316 WEST MILFORD, NJ 07480	\$250.00	2021	3
09802-007	ALBERT JOECKS 8 LANCASTER LANE WEST MILFORD, NJ 07480	\$250.00	2021	3
07801-055.03	CARLO FIORANELLI 55C BEACON HILL RD WEST MILFORD, NJ 07480	\$250.00	2021	3

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

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

Governing Body Workshop and Regular Meeting  
 August 11, 2021  
 6:30 p.m.  
 Page 32 of 35

Block/Lot	Name	Amount	Year	Reason
15501-009	JOHN O'BRIEN 13 CIRCLE BLVD E NEWFOUNDLAND, NJ 07435	\$250.00	2021	3
06301-001	CHARLES SCHOENFELD 23 ADELAIDE TERR WEST MILFORD, NJ 07480	\$250.00	2021	3
05607-001	ROSEMARY WIGGINS 35 VINE AVE WEST MILFORD, NJ 07480	\$250.00	2021	3
9703-004.06	ANTHONY GENTILE 41 HUNTERDON PLACE WEST MILFORD, NJ 07480	\$250.00	2021	3
00404-018	RICHARD BERDAN 28 HAMILTON DR HEWITT, NJ 07421	\$250.00	2021	3
05315-001.10	MARYANN TERRACINO 7110 RICHMOND RD WEST MILFORD, NJ 07480	\$250.00	2021	3
10502-015	REBEKAH MANGER-PERALTA 38 OSAGE DR WEST MILFORD, NJ 07480	\$250.00	2021	3
00603-010	DANIEL YOUNGBLOOD 3 PIERMONT CT HEWITT, NJ 07421	\$250.00	2021	3
07001-017	JEROME GLACKEN 1674 UNION VALLEY RD WEST MILFORD, NJ 07480	\$250.00	2021	3
05305-003	CARL GLASER 107 ALPINE RIDGE RD WEST MILFORD, NJ 07480	\$250.00	2021	3
02506-002	DEAN PACHUTA 24 PASSAIC DR HEWITT, NJ 07421	\$250.00	2021	3
15502-013	RAYMOND GUARINO III 30 CIRCLE BLVD NEWFOUNDLAND, NJ 07435	\$250.00	2021	3
13701-051	ALBERT RUBIN 176 GERMANTOWN RD WEST MILFORD, NJ 07480	\$250.00	2021	3
02710-001	GLENN WAGNER 17 FLANDERS RD HEWITT, NJ 07421	\$250.00	2021	3
10601-018	ANTOINETTE MUNIZ 11 POST BROOK RD S WEST MILFORD, NJ 07480	\$250.00	2021	3
14901-012	CONNIE MCCABE 39 TIMBER LANE WEST MILFORD, NJ 07421	\$250.00	2021	3
01612-022	DIANE BRANNING 66 FAIRLAWN DR HEWITT, NJ 07421	\$250.00	2021	4
05505-003.14	EILEEN MCPARLAND 5314 RICHMOND RD WEST MILFORD, NJ 07480	\$250.00	2021	4
00905-014	PAUL WIELHOUSER P. O. BOX 417 HEWITT, NJ 07421	\$250.00	2021	4
<b>TOTAL</b>		<b>\$89,398.62</b>		

Adopted: August 11, 2021

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

Agenda No. XIV

**Approval of Expenditures**

~ Resolution 2021 – 323 ~

**RESOLUTION APPROVING THE PAYMENT OF BILLS**



TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting  
 Date of Meeting: August 11, 2021  
 Time of Meeting: 6:30 p.m.  
 Minute Page No: Page 33 of 35

**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	\$675,127.66
3	Reserve Account	10,979.45
2	Grants	22,868.36
6	Refunds	593,408.05
1	General Ledger	5,118,108.82
26	Refuse	254,230.09
4	Capital	7,425.15
19	Animal Control	3,200.05
19	Heritage Trust	250.00
19	Open Space Trust	4,000.00
19	Trust	5,774.29
19	Scala Trust	0.00
16	Development Escrow	901.75
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$6,696,273.67
	Less Refund Resolution	-593,408.05
	<b>Actual Bills List</b>	<b>\$6,102,865.62</b>
	Other Payments	
	Payroll	\$526,852.37
	Payroll	\$574,017.17
	WMBOE	4,913,376.00
	<b>Total Expenditures</b>	<b>\$12,117,111.16</b>

Adopted: August 11, 2021

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

Agenda No. XVIII

**Discussion Items / Official Communications**

- Discussion: Paul Finn from the Passaic County Health Department spoke about Harmful Algae Blooms and went into the details of a power point presentation. HABs are more frequent now and are more impactful. They are less dangerous when they are clumped together. When they become separated or when they die off quickly toxins are released. If a bloom is observed it can be screened and tested for levels of toxins. DEP also has a lake monitoring network. For more information [www.nj.gov/dep/hab](http://www.nj.gov/dep/hab)  
 Board of Health Dr. Charlene W. Gungil Health Officer gave a COVID-19 Report Update for West Milford, Passaic County. West Milford has had over 2,036 cases of COVID-19. Ten variants have been identified in West Milford. 378 variants have been identified throughout the County. In West Milford there were 39 deaths due to COVID- 19, and 1,748 in the County. We went from no cases for a couple days in June and now numbers are increasing. 5.5% positivity rate now, it is increasing. County wide fully vaccinated 71%. In West Milford we are 71 percent with one shot. The Delta variant spreads a lot faster and does not need as many organisms to be transmitted. There have been "break though" cases where people who are vaccinated get COVID but they do not need to be hospitalized. No deaths have been attributed to people who have been fully vaccinated. They have been continuing to do vaccination clinics. The Dr. advised to continue to mask up and wash hands and social distance.

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

Minutes of: Governing Body Workshop and Regular Meeting  
Date of Meeting: August 11, 2021  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 34 of 35

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The Mayor requested a ten minute recess while the resolution was written. The meeting resumed at 8:49 p.m. The Council had time to review Resolution 2021-324. Mayor Dale asked for a motion.

**~ Resolution 2021 – 324 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY OPPOSING EXECUTIVE ORDER 251, ANNOUNCED AUGUST 6, 2021**

**WHEREAS**, the Governor of New Jersey, Phillip Murphy, has enacted a new mask mandate (EO 251) for New Jersey school children announced on August 6, 2021; and

**WHEREAS**, the Governor has decreed that all New Jersey school children will wear a mask upon the return to school in September 2021, unless specific exemption criteria is met; and

**WHEREAS**, the Township of West Milford acknowledges potential risks to children from Covid 19, the Governing Body also acknowledges that it is the right and responsibility of individual parents and caregivers to make appropriate healthcare decisions for their own children including the right to assess both the costs and benefits of mask wearing.

**NOW, THEREFORE BE IT RESOLVED**, that this Governing Body endorses the fundamental rights of parents and guardians to make the decision of whether or not to send their children to school in a mask based on the parents and individual child’s healthcare needs and potential risks to others.

**NOW, THEREFOR BE IT RESOLVED** this in no way detracts from the potential seriousness of Covid-19 but rather affirms parental autonomy and authority in making appropriate decisions for their own children.

**BE IT FURTHER RESOLVED** that the Township Council acknowledges that parents and guardians along with their healthcare providers are in the best position and authority to make this determination for their own children.

This resolution shall take effect immediately.

Adopted: August 11, 2021

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

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**Agenda No. XV**

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

Mayor Dale – Asked that the full updated COVID -19 report be put on the Township Website for the public, thanked the Council for standing by their principles regarding the mask mandate and announced that the Town wide garage sale would be held on September 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup>. The Mayor will not be leading the 911 Ceremony this year because of an obligation but Council President Erik can lead the Ceremony.

Councilwoman Erik – The Beautification Committee is going to keep track of the list of “Adopt a Spots” and follow through to get people renewed.

Councilman Chazukow – The Heritage Committee had a good turn out with the concert by Contraband. September 25 at 2 p.m. the Enslows will be performing with authentic instruments for the time period. The Museum is open every Saturday from 1 to 4 p.m.

Councilwoman Lichtenberg –Friends of Wallisch Homestead is having a Zumba fundraiser at 10 a.m. August 21<sup>st</sup> and will be having a corn hole tournament August 28, 2021 at 1:00 p.m., rain date August 29, teams of two and anyone interested may sign up on [Wallischhomestead@gmail.com](mailto:Wallischhomestead@gmail.com) or the [FriendsofWallisch.org](http://FriendsofWallisch.org) website. The West Milford Lions Club and the Health Department will be having a Chuck Ening Memorial Health & Wellness Community Fair on September 11<sup>th</sup> from 11:30 to 2:30 p.m. at the West Milford Rec Center, rain date will be the 18<sup>th</sup> of September. There will be booths for health screening and also vaccines will be available. The “Night Out” event was a success. The Senior Olympics will be held in Sparta and the Seniors are practicing every Monday and Friday. Friends of the Library are looking for people to donate books, dates will follow and drop off will be behind the Presbyterian Church.

Councilman Goodsir – No report.

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

Minutes of: Governing Body Workshop and Regular Meeting  
Date of Meeting: August 11, 2021  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 35 of 35

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Councilman Gross – Has called the County to try to see if there was any services for caregivers.

Councilman Marsden – Has been working with a task force on Zoning Ordinance reform to make the process easier for the public.

Administrator Senande – No report.

Mr. Pasternak – No report.

Agenda No. XVI

**Appointments and Resignations**

None

Agenda No. XVII

**Adjournment**

There being no further business to come before the Council, the Governing Body adjourned the meeting at 9:00 p.m.

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

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Approved: September 8, 2021

Respectfully submitted:

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Deidre Ellis, Keyboarding Clerk II

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MICHELE DALE, MAYOR

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WILLIAM SENANDE, TOWNSHIP ADMINISTRATOR/CLERK