
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 19, 2021
Time of Meeting: 6:30 p.m.
Minute Page No: Page 1 of 17

The Regular Meeting of the Governing Body was called to order by Mayor Michele Dale.

Adequate Notice Statement

Mayor Dale read the following statement:

PLEASE TAKE NOTICE, that in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., and Emergency Remote Meeting Protocol for Local Public Bodies, N.J.A.C. 5:39-1.1 et seq., and in consideration of the ongoing Governor-declared COVID-19 State of Emergency and Public Health Emergency, a hybrid in-person and remote meeting of the West Milford Township Council will be held on May 19, 2021 at 6:30 p.m. Due to social distancing requirements, in-person attendance will be limited to 25 people; once the limit is reached, individuals will be required to attend remotely. All members of the public who wish to participate in the meeting, which will include a public comment portion, may do so by calling into the service number: 1 (978) 990-5000 Access Code 424062#, at the designated meeting time.

Instructions to access the meeting will be available on the Township of West Milford website at www.westmilford.org. Written public comments may also be submitted to the Clerk via email at clerksoffice@westmilford.org not later than 2:30 p.m. on the day of the meeting. The email subject line MUST READ – “PUBLIC COMMENTS/QUESTIONS” and MUST INCLUDE the individual's name and address and identify the meeting and ordinance (if applicable) the comments are intended for, in order to be considered and be read into the record during the public comment portion of the meeting. There is a 5-minute limit on all public comments.

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
David Marsden, Mayor Michele Dale
Absent: Councilman Gross was not present for roll call but arrived at 6:48p.m.
Also Present: Township Administrator William Senande, Attorney Ed Pasternack for Township Attorney
Fred Semrau

Agenda No. III

Reading of or Approval of Unapproved Minutes

May 5, 2021 Executive Session
May 5, 2021 Regular Meeting

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

Agenda No. IV

Meetings

Mayor Dale noted the future meeting schedule:

June 9, 2021 Regular Meeting
July 14, 2021 Regular/Workshop Meeting
August 11, 2021 Regular/Workshop Meeting

Agenda No. V

Proclamations

None

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Regular Meeting
May 19, 2021
6:30 p.m.
Page 2 of 17

Agenda No. VI

Presentations

West Milford Players – President Erika Crocco indicated that the group was a non-profit theatre group that had been operating since 1980. The stage they had been using at the Macopin Middle School had been lost and they are using the Stage at Bubbling Springs. The group performs three shows a year and donates to non-profit charities. Ms. Crocco thanked the volunteers and Parks and Recreation and asked for continued support and indicated that the group was looking for spaces in Town in which they could perform, either for free or for a minimal fee.

Agenda No. VII

Executive Session

None

Agenda No. VIII

Discussion Items / Official Communications

Ordinance Further Amending Chapter 460 Soil removal and Soil Fill

1.	Discussion: Ordinance Further Amending Chapter 460 Soil removal and Soil Fill: Edward Pasternak Esq. representing the Township Attorney indicated that he would do his best to answer any questions the Council may have but noted that an additional section C had been added to the draft that gives more detail in regard to the compliance and certification per the code. Councilwoman Erik was in favor of the clarification of the draft now stipulating where the soil was coming from. Administrator Senande indicated that that change occurred due to a point that was raised by Councilman Gross initially. Councilman Chazukow questioned if the minor soil fill permit fee could be applied to the major soil fill fee if the threshold were to be surpassed. Mr. Pasternak indicated that he was currently unsure but would check and incorporate the Councils wishes. The Council gave consensus to move forward with that change.
2.	Discussion: Draft Ordinance: Ice Retardant Systems at Greenwood Lake: Councilwoman Erik indicated that page 2B needs to be eliminated and Mr. Pasternak agreed that it would preclude anyone from having a koi pond and the language would be changed. Councilwoman Eric also noted that the draft was intended for Greenwood Lake only. The Council gave consensus to move forward with the changes.
3.	Discussion: Draft Ordinance: Moving Park Maintenance Service to the DPW: The Township Administrator indicated that this would formalize the structure and that it was working out well since the change was implemented about a year ago. The Council gave consensus.

Agenda No. IX

Unfinished Business, Final Passage of Ordinances

None

Agenda No. XII

New Business, Introduction of Ordinance, Resolutions

Agenda No. XII 1

~ Ordinance 2021 – 022 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING ARTICLE XXIV “LIBRARY BOARD OF TRUSTEES” SECTION § 15-108 “MEMBERS; APPOINTMENT; TERM” OF THE REVISED GENERAL ORDINANCES OF WEST MILFORD

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

SECTION 1. Article XXIV Library Board of Trustees”, Section § 15-108 Members, Appointment, Term is hereby amended to read as follows:

§ 15-108 Members; appointment; term.

- A. The Board of Trustees of the West Milford Township Library heretofore established in the Township shall continue, and the present members thereof shall continue until their respective terms expire. The Board of Trustees shall consist of seven members, one of whom shall be the Mayor, and one of whom shall be the Superintendent of Schools. The other five members shall be appointed by the Mayor, with the advice and consent of the Council, and at least four of five citizen members must reside within the Township. Upon the expiration of the term of office of any Trustee, the Mayor shall appoint a citizen for a term of five years in the same manner as the original appointment was made. Vacancies occurring in the Board of Trustees shall be filled for

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 19, 2021
Time of Meeting: 6:30 p.m.
Minute Page No: Page 3 of 17

the unexpired term only, in the same manner as the original appointments are made.

SECTION 2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other section or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

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

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5. This Ordinance shall take effect as required by law and upon the posting of appropriate signs.

Introduced: May 19, 2021
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for June 9, 2021. Notice of this public hearing shall be published in the Herald News on or about May 25, 2021.

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

Councilman Gross arrived at the meeting. 6:48 p.m.

Agenda No. XII 2

~ Ordinance 2021 – 023 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING ARTICLE VII, OFFICE OF ADMINISTRATION, CHAPTER 15-36 "PURCHASING PROCEDURES" TO ADD A NEW SECTION CHAPTER 15-36.1, ENTITLED "RESPONSIBLE BIDDER REQUIREMENTS" OF THE CODE OF THE TOWNSHIP OF WEST MILFORD

WHEREAS, pursuant to N.J.S.A. 40:48-1 et seq. the New Jersey Legislature delegated to municipalities the responsibility to promulgate regulations designed to promote the public health, safety, and welfare of its citizens; and

WHEREAS, the Township Council has determined that minimum requirements for all contractors bidding on publicly-funded projects are necessary; and

WHEREAS, a review of the Township Code demonstrates that there are currently no provisions for minimum requirements for all contractors bidding on publicly-funded projects; and

WHEREAS, the provisions of this ordinance are intended to supplement, not replace, existing contractor qualification and performance standards or criteria currently required by the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., other contracting provisions, or other legislative obligations set forth by the State of New Jersey; and

WHEREAS, the lowest bidder model promulgated by Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., does not take into consideration contractor's reputation, past performance, and workforce quality; and

WHEREAS, the Township Council has determined that it is necessary to amend the Township of West Milford Code to establish a method for the minimum requirements for all contractors bidding on publicly-funded projects, so that taxpayers get the quality that they deserve, and to ensure contractors meet local qualifications; and

WHEREAS, as a condition of performing work on a public construction project and/or construction projects, all bidders, shall comply with the Responsible Bidder Requirements to ensure that responsible and responsive contractors who provide the highest quality work in accordance with Township of West Milford standards are awarded public bids.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of West Milford, Passaic County, New Jersey, that Chapter 15-36 "Purchasing Procedures" shall be amended to add a new section Chapter 15-36.1, entitled "Responsible Bidder Requirements" to read as follows:

SECTION 1. Responsible Bidder Requirements

§ ____. Purpose.

(1) The Township of West Milford solicits bids and/or proposals on many different types of construction contracts and therefore must take into account the qualifications of contractors and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Regular Meeting
May 19, 2021
6:30 p.m.
Page 4 of 17

- subcontractors due to the substantial taxpayer investments involved in the public construction project(s).
- (2) The Township of West Milford has the right to adopt licensing, regulations, and ordinances pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. to ensure the performance capabilities of prospective bidders.

§____. Responsible Bidder Requirements.

- (1) All contractors and subcontractors that perform work on projects valued at or above \$250,000.00 or more shall meet the requirements of this article.
- (2) All contractors and subcontractors, irrespective of the number of laborers, shall provide that at least thirty-three percent (33%) of such laborers have primary residence in the Township of West Milford.
- (3) The contractor shall confirm and verify its past performance and work history, current qualifications, and performance capabilities.
- (4) A contractor or subcontractor shall submit a Responsible Bidder Certification at the time it submits its bid for the contract work, and provide the information contained in sections 1-3 above.
- a. If the contractor or subcontractor is not able to meet the percentage requirements set forth in section (2), they shall note that the specialized labor force needed to complete the project cannot be found in the Township of West Milford. The Township of West Milford may take that into consideration when deciding to award specific contracts.
- (5) If the Township of West Milford concludes that the qualifications and background of the prospective contractor or subcontractor are met, it shall issue a written notice that the contractor is a Responsible Bidder.
- (6) If the Township of West Milford concludes that the qualifications and background of the prospective contractor or subcontractor are not met, it shall issue a written notice that the contractor is a not Responsible Bidder, and shall thereafter conduct a review of the next lowest, Responsible Bidder or, if necessary, rebid the project.
- (7) A contractor or subcontractor shall submit a Responsible Bidder Certification each time it submits its bid.

§____. Penalties.

If the Township of West Milford determines that a contractor or subcontractor provides false or misleading material information that was provided knowingly or with reckless disregard for the truth, the bidder shall be subject to the penalties as outlined under N.J.S.A. 40A:11-34.

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: May 19, 2021

Adopted:

Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for June 9, 2021. Notice of this public hearing shall be published in the Herald News on or about May 25, 2021.

Discussion: Councilman Goodsir indicated that on page 2, the percentage was 10% and it should have been 33%, given most contractors in West Milford hire around 4-5 workers, so if they had 5, one would need to be a resident of West Milford and if they had 6 employees they would need to have 2 from West Milford. Waivers would come into play if no one from West Milford were to be available, the Township would not be acting as a headhunter. Mr. Pasternak indicated that we would exceed the State and Federal Guidelines and will add an extra step.

Mayor Dale requested Councilwoman Erik amend her vote to move to include the amendments.

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Regular Meeting
May 19, 2021
6:30 p.m.
Page 5 of 17

Agenda No. XII 3

~ Ordinance 2021 - 024 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY FOR CREATING A NEW CHAPTER OF THE CODE OF THE TOWNSHIP OF WEST MILFORD FOR UNREASONABLE INTERFERENCE OF NOISE FROM COMMERCIAL CONSTRUCTION DURING NIGHTTIME HOURS AND WEEKENDS

WHEREAS, the Township of West Milford has an interest in promoting its citizens reasonable use of their property without unreasonable interference by commercial construction; and

WHEREAS, the disruption of commercial construction impacts the reasonable use of and quiet enjoyment of property and detracts from the use and enjoyment of such private property; and

WHEREAS, the Mayor and Township Council desire to mitigate noise at prescribed hours from power equipment or other noise producing activities; and

WHEREAS, the Mayor and Township Council recognize the need for commercial construction, but seek to limit large commercial projects during a small window of time on the weekends and overnight; and

WHEREAS, the Mayor and Township Council have concluded that such limitations are warranted, not unreasonable, and in the general public's best interest and welfare.

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

SECTION 1.

§ ____ Intent and Purpose.

The Township of West Milford has an interest in promoting its citizen's reasonable use of their property, without the unreasonable interference of noise from commercial construction during nighttime hours, and on weekends.

§ ____ Definitions.

As used in this section:

COMMERCIAL CONSTRUCTION — Shall mean and include anyone engaged in the business of cement or concrete contracting, either flat, form or wall work, or as a masonry contractor; or as a carpentry contractor; or as a general building contractor; or any person engaged in the business of construction, alteration or repair of buildings or other structures, including but not limited to electrical work, plumbing, roofing, siding, swimming pools, tennis courts, patios, pool decks, driveways, retaining walls, signs, billboards, sidewalks or street pavement; or anyone engaged in the business of demolishing or moving any building or buildings, in whole or part. Landscaping, including but not limited to the use of lawnmowers, gas powered leaf blowers, edging tools. Engaging in the construction, repair or alteration of any building, structure or street or sidewalk pavement for which a permit is required under any ordinance of the Township of West Milford, and/or construed as doing business as a contractor in the Township of West Milford.

CONSTRUCTION VEHICLES AND EQUIPMENT — Shall mean any truck, tractor, trailer, generator, compressor, power tools, pump, bulldozer, cement mixer or similar vehicle, lawnmower, leaf blower or equipment used in connection with the construction work being performed on the site, but shall not include passenger automobiles.

FULLY-ENCLOSED BUILDING — Shall mean any residential or commercial structure having a full roof, and on which all windows, entry and garage doors have been installed.

INTERIOR WORK — Shall mean any commercial construction covered by this section that is wholly performed in a fully-enclosed building with all windows, doors and garage doors in a closed position.

LEGAL HOLIDAYS — Shall mean New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Eve Day and Christmas Day.

§ ____ Exemptions.

1. Owners or occupants of a building or structure who perform the work of a building contractor on such building or structure, provided that such owner or occupant performs and supervises his/her own work.
2. Building contractors employed by the Township or any of its agencies. Unless otherwise provided by law, builders, owners or occupants shall comply with all other rules and regulations established by this section.
3. Emergency waivers with respect to health, safety and welfare purposes.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 19, 2021
Time of Meeting: 6:30 p.m.
Minute Page No: Page 6 of 17

§ Rules and Regulations.

- 1. No building contractor shall permit any of the contractor's employees, principals, agents, or subcontractors to report to any work site in the Township, or to assemble or congregate on any public street in the vicinity thereof, prior to 15 minutes before the starting time set forth in paragraph 2 below, or to remain on the work site more than 15 minutes beyond the closing hour.
2. All construction and demolition activity, excluding emergency work, shall not be performed between the hours of 6:00 p.m. and 7:00 a.m. on weekdays and Saturdays.
3. All commercial construction and use of construction vehicles and equipment excluding emergency work, shall be prohibited on Sundays and Legal Holidays.
4. Notwithstanding the prohibitions contained above:
a) Owners or occupants of property who perform the work of a building contractor on their own building or structure or who perform interior work on fully enclosed buildings may perform such work on weekdays, Saturdays and between 10:00 a.m. to 5:00 p.m. on Legal Holidays.

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

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

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

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

SECTION 6. A copy of this Ordinance shall be immediately filed with the Secretary of State of the State of New Jersey.

Introduced: May 19, 2021
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for June 9, 2021. Notice of this public hearing shall be published in the Herald News on or about May 25, 2021.

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

Mayor Dale asked to move resolutions 2021-202 through 2021-209 including resolution 2021-216.

Agenda No. XII 4

~ Resolution 2021 - 202 ~

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

WHEREAS, the Township has a need for services related to the maintenance and support of certain proprietary multi-departmental municipal management software programs, specifically Spatial Data Logic for the calendar year June 2021 - June 2022; and

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

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

WHEREAS, this contract is being awarded as a non-fair and open contract in the fixed amount of \$24,800 for the regular maintenance for the period from June 2021 to June 2022; and

WHEREAS, the Chief Financial Officer has certified the availability of the funds from various accounts as appropriated by the Governing Body in the 2021 Municipal Budget.

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

Adopted: May 19, 2021

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 19, 2021
Time of Meeting: 6:30 p.m.
Minute Page No: Page 7 of 17

Agenda No. XII 5

~ Resolution 2021 – 203 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO BRIAN MURPHY ARCHITECT, LLC FOR CONCEPTUAL DESIGN TO SEPARATE THE WESTBROOK PARK TEEN CENTER UPPER AND LOWER LEVEL

WHEREAS, the Township of West Milford has 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, the closure will facilitate the lease of the upper level to an alternative entity and create a lower level space with one exit; 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 Local Public Contracts law (N.J.S.A. 40AL11-1, et seq.) requires that the resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these services to be encumbered from account number 01-201-28-375-600.

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

1. The Mayor and Township Clerk be and are hereby authorized to execute a contract with Brian Murphy Architect, LLC, 179 Cahill Cross Road, Suite 202, West Milford, NJ 07480, for professional architectural services for determining use, occupancy egress, and the proper code compliant modifications required to permit the closure of the interior stair access from lower level to upper level in an amount not to exceed \$1,250.00.
2. This contract is awarded as "Professional Services" pursuant to N.J.S.A. 19:44A-20 et seq. and the Local Public Contracts Law.
3. The total fee authorized for this contract shall not exceed \$1,250.00, without prior written approval of the Township Council.
4. That notice of this action shall be published in accordance with law and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: May 19, 2021

Agenda No. XII 6

~ Resolution 2021 – 204 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONTRACT TO MIKE FITZPATRICK CONTRACTORS, INC FOR THE BUBBLING SPRINGS BALLFIELD RECONSTRUCTION PROJECT

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on April 30, 2021 at 10:00 am for Bubbling Springs Ballfield Reconstruction Project; and

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

WHEREAS, said bid has been duly reviewed and analyzed by the Director Community Services & Recreation and the Township Attorney; and

WHEREAS, the bid received from the lowest bidder, Mike Fitzpatrick Contractors, Inc. is complete; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from account number 04-215-55-830-003.

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 awards a contract to Mike Fitzpatrick Contractors, Inc. in an amount not to exceed \$109,222.50.
2. The Mayor and Township Clerk be and are hereby authorized and directed to execute a contract with Mike Fitzpatrick Contractors, Inc. in accordance with its bid for said Bubbling Springs Ballfield Reconstruction Project in the Township of West Milford.
3. The Township's Chief Financial Officer has certified the availability of funds for same.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 19, 2021
Time of Meeting: 6:30 p.m.
Minute Page No: Page 8 of 17

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

Adopted: May 19, 2021

Agenda No. XII 7

~ Resolution 2021 – 205 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE TAX COLLECTOR TO ISSUE ESTIMATED TAX BILLS FOR THE THIRD QUARTER INSTALLMENT OF 2021 TAXES

WHEREAS, N.J.S.A. 54:4-66.3, pursuant to Section 3 of P.L. 1994 c. 72 and 54:4-66.2, the Township Council of the Township of West Milford has determined that the Tax Collector will be unable to complete the mailing and delivery of the tax bills by June 15, 2021 due to the absence of a certified tax rate; and

WHEREAS, The Tax Collector, in consultation with the Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 and they have both signed a certification showing the tax levies for the previous year, and the range of permitted estimated tax levies; and

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Tax Collector requests the Council to approve the estimated tax levy of \$106,590,530 at a tax rate of \$3.905; which is between the mandated estimated range proposed by the Local Government Services. Approval will enable the Township to meet its financial obligations, maintain the tax collection rate, and provide uniformity for tax payments and save the unnecessary cost of interest expenses on borrowing.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, hereby authorizes that:

- 1. The Tax Collector of the Township of West Milford is hereby authorized and directed to prepare and issue estimated tax bills for the Township of West Milford for the third quarter installment of 2021 taxes.
2. The entire estimated tax levy for 2021 is hereby set at \$106,590,530. The estimated tax rate for 2021 is hereby set at \$3.905.
3. In accordance with the law, the third quarter installment of 2021 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to the Tax Collector and Chief Financial Officer of the Township of West Milford for their records.

Adopted: May 19, 2021

Agenda No. XII 8

~ Resolution 2021 – 206 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY FOR THE CANCELLATION OF MUNICIPAL ALLIANCE GRANT FOR 2019 AND 2020, TAKE VAPE AWAY GRANT, NJACCHO COVID 19 GRANT, ANJEC GRANT AND CDBG ELEVATOR GRANT

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

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

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

Table with 2 columns: Grant Name and Amount. Rows include Municipal Alliance Grant 2019 (\$19,562.63), Municipal Alliance Grant 2020 (\$23,030.00), Take VAPE Away Grant (\$3,000.00), NJACCHO COVID 19 Grant (\$3.31), ANJEC Grant (\$180.73), and CDBG Elevator Grant (\$16,534.55).

Adopted: May 19, 2021

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Regular Meeting
May 19, 2021
6:30 p.m.
Page 9 of 17

Agenda No. XII 9

~ Resolution 2021 – 207 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING A SINGLE DAY EVENT FOR THE COLLECTION OF TIRES AND WAIVING OF THE FEE AT THE TOWNSHIP RECYCLING CENTER AND THE TOWNSHIP DROP OFF CENTER

WHEREAS, the Township operates a Recycling Drop Off Center for the convenience of local residents as well as to provide a location for the collection and disposal of specialized recyclable materials; and

WHEREAS, the collection of car and light truck tires for this single day event at the Township's Recycling Drop Off Center will be for a maximum of 400 car and light truck tires, without a fee, which will be collected on a first come first serve basis, with a limit of 4 tires per household,. This would help to eliminate tires being thrown out throughout the Township; and

WHEREAS, the Township Administrator, Director of Public Works and Recycling Coordinator recommend that the following collection of car and light truck tires be advertised for this single day event at the Recycling Center on Saturday, June 26, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the following single day event for a no fee tire collection at the Recycling drop off Center be approved.

- 1. For the established day of Saturday, June, 26th 2021 for the car and light truck tire collection event the fees would be waived.
2. The single day tire collection event will begin at 8 a.m. and end at 2 p.m. on the established day or until such time the 400 hundred tire limit has been achieved.
3. This single day event, will utilize funding from the Recycling Tonnage Grant, not to exceed \$800.00.
4. Proof of residency is required.

BE IT FURTHER RESOLVED that certified copies of this Resolution be provided to the Director of Public Works for his advertisement and implementation and that the above changes not occur until the public has been advised through a direct mailing as well as electronic means.

Adopted: May 19, 2021

Agenda No. XII 10

~ Resolution 2021 – 208 ~

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

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

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

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

- 1. The submitted applications are complete in all respects.
2. The applicants are qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicants have disclosed to the issuing authority the source of all additional financing obtained in the previous license year.

WHEREAS, the Police Department has recommended that the licenses be renewed to the current owners.

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

Table with 2 columns: LICENSEE and LICENSEE. Row 1: THE 2236 CORPORATION (t/a Elks Lodge, 1860 Union Valley Road, West Milford, NJ 07480, 1615-33-031-001) and STAMMY LLP (t/a Country Cottage Restaurant & Bar, 1745 Macopin Road, West Milford, NJ 07480, 1615-33-015-010). Row 2: M&M DISCOUNT LIQUORS LLC (t/a M&M Discount Liquors) and JAMES ANTHONY DELI & RESTAURANT INC. (t/a Greenwood Lake Discount Liquors & Pub).

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: May 19, 2021
 Time of Meeting: 6:30 p.m.
 Minute Page No: Page 10 of 17

2021-2022 ACTIVE LICENSES	
574A Macopin Road, West Milford, NJ 07480 1615-33-009-007	2019 Greenwood Lake Turnpike, Hewitt, NJ 07421 1615-33-021-005
AMERICAN LEGION POST #289 t/a American Legion Post #289 177 Lincoln Avenue, West Milford, NJ 07480 1615-31-037-001	MEP VENTURES, LLC t/a Vault Liquors 1618 Union Valley Road, West Milford, NJ 07480 1615-33-032-012

Adopted: May 19, 2021

Agenda No. XII 11

~ Resolution 2021 – 209 ~

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 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:
 Click It or Ticket 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
 (A) Operations – Excluded from CAPS
 Public and Private Programs Offset by Revenue
 Click It or Ticket 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: May 19, 2021

Agenda No. XII 12

~ Resolution 2021 – 216 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY FOR A MASTER LEASE PURCHASE AGREEMENT DATED AS OF 5/18/2021, BETWEEN LEASE SERVICING CENTER, INC. dba NCL GOVERNMENT CAPITAL (LESSOR) AND TOWNSHIP OF WEST MILFORD (LESSEE) AND SCHEDULE NO. 001 THERETO DATED AS OF MAY 18, 2021

At a duly called meeting of the Governing Body of the Lessee (as defined in the Agreement) held on May 19, 2021 the following resolution was introduced and adopted;

BE IT RESOLVED by the Governing Body of Lessee as follows:

1. Determination of Need. The Governing Body of the Lessee has determined that a true and very real need exists for the acquisition of the Equipment described on Exhibit A of Schedule No. 001 to the Master Lease Purchase Agreement dated as of May 18, 2021 between Township of West Milford (Lessee) and Lease Servicing Center, Inc. dba NCL Government Capital (Lessor).

2. Approval and Authorization. The Governing Body of Lessee has determined that the Agreement and Schedule, substantially in the form presented to this meeting, are in the best interest of the Lessee for the acquisition of such Equipment and the Governing Body hereby approves the entering into of the Agreement and Schedule by the Lessee and hereby designates and authorizes the following person(s) to execute and deliver the agreement and Schedule of Lessee's behalf with such changes thereto as such person(s) deem(s) appropriate and any related documents, including and Escrow Agreement, necessary to the consummation of the transaction contemplated by the Agreement and Schedule. The Township of West Milford is authorized to enter into the lease/purchase financing with Lease Servicing Center, Inc. dba NCL Government Capital to finance their new Vector Combination

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: May 19, 2021
 Time of Meeting: 6:30 p.m.
 Minute Page No: Page 11 of 17

Sewer Cleaner Mounted on 2020 Freightliner Chassis from Jack Doheny Company in the amount of \$401,439.19 with 5 annual payments of \$88,282.74.
 Adopted: May 19, 2021

Motion to adopt Resolution Nos: 2021-202 through 2021-209 as well as 2021-016

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

Agenda No. XIII

Consent Agenda

~ Resolution 2021 – 210 ~

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) **2021-211** – Refund of Recreation Fees
- b) **2021-212** – Authorize Reinstatement of Taxes
- c) **2021-213** – Cancel Overpayment
- d) **2021-214** – Reissue to Property Party

Adopted: May 19, 2021

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

Agenda No. XIII a

~ Resolution 2021 – 211 ~

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:

COED VOLLEYBALL			
\$40.00	Pete Orlando 16 Yellowstone Ave Hewitt, NJ 07421	\$80.00	Silvia Feldman 38 Longhouse Drive Hewitt, NJ 07421
SPRING REC SOCCER			
\$55.00	Megan Rinaldi 37 Adelaide Terrace West Milford, NJ 07480	Price	Make check to
SKATEBOARD CLINIC			
\$35.00	Bonnie Nordlinger 34 Manchester Ct. Wayne, NJ 07470		
SENIOR BOB ROSS PAINTING			
\$35.00	Marge Dooley 41 Red Barn Lane West Milford, NJ 07480		

Adopted: May 19, 2021

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Regular Meeting
 May 19, 2021
 6:30 p.m.
 Page 12 of 17

Agenda No. XIII b

~ Resolution 2021 – 212 ~

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

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

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

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

REASON: INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR
07801-055.07	Nancy J. Decker	\$2,100.00	2021
13807-003	Doreen Shoba	\$232,300.00	2021
15401-019	Einrenhofer John	\$2,089.00	2021
12001-030	David Lowell	\$2,721.00	2020/2021
00408-017	Plains Commerce Bank	\$2,066.00	2021
09703-006	Qudsia Bakhtyar	\$2,133.00	2021
12901-005	Caryle Allison	\$4,603.00	2021
05010-002	Michael Bell	\$2,757.00	2021
00601-04	Anna Su	\$2,160.60	2021
04901-034	Nigel W. Turner	\$3,467.00	2021
TOTALS		\$256,396.60	

Adopted: May 19, 2021

Agenda No. XIII c

~ Resolution 2021 – 213 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING RESOLUTION 2021-173“REFUND OF OVERPAYMENT” ADOPTED APRIL 21, 2021 TO CANCEL OVERPAYMENT TO BLOCK 03005 LOT 008 AND REISSUE TO PROPER PARTY

WHEREAS, Resolution 2021-173 “Refund of Overpayment” adopted on April 21, 2021 as shown below issued a check refund of over payment to FIG NJ19 LLC on Block 03005-008; and

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

WHEREAS, upon the recommendation of the Collector of Taxes that Resolution 2021-173 be amended to cancel the refund check issued to FIG NJ19 LLC on Block 03005 Lot 008; and

NOW, THEREFORE, BE IT RESOLVED that the proper officers be and they are hereby authorized to cancel the check issued to FIG NJ19 LLC as crossed out and shown below.

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

Block/Lot	Name	Amount	Year	Reason
02406-004	Matthew Weaver 94 Upper Greenwood Lake Rd Hewitt, NJ 07421	\$1,040.00	2021	2
00604-004	Monnett, Raymond & Grecco, M 71 Witte Rd Hewitt, NJ 07421	\$300.37	2021	6
02006-004	Fig NJ19 LLC P.O. Box 54472 New Orleans, LA 70154	\$1,436.00	2021	1
03005-008	FIG NJ19 LLC P.O. Box 54472 New Orleans, LA 70154	\$1,899.15	2021	1
Total		\$4,675.52		

Adopted: May 19, 2021

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Regular Meeting
 May 19, 2021
 6:30 p.m.
 Page 13 of 17

Agenda No. XIII d

~ Resolution 2021 – 214 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING RESOLUTION 2021-173 “REFUND OF OVERPAYMENT” ADOPTED APRIL 21, 2021 TO CANCEL OVERPAYMENT TO BLOCK 03005 LOT 008 AND REISSUE TO PROPER PARTY

WHEREAS, Resolution 2021-173 “Refund of Overpayment” adopted April 21, 2021 was paid to FIG NJ19 LLC on Block 03005 Lot 008; and

WHEREAS, upon the recommendation of the Collector of Taxes that Resolution 2021-173 be amended to cancel the check to FIG NJ19 LLC on Block 03005 Lot 008 and reissue to Investa Funding LLC as listed below.

NOW, THEREFORE BE IT RESOLVED, that the proper officers be and they are hereby authorized to cancel the check to FIG NJ19 LLC and reissue a check to Investa Funding LLC as listed below:

REASON: INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	YEAR	Reason
03005-008	FIG NJ19 LLC P.O. Box 54472 New Orleans, LA 70154	\$1,899.15	2021	Wrong Party
03005-008	Investa Funding LLC Christiana Trust as Custodian For GSRAN-Z, LLC 2020 Howell Mill Road, STE C-513 Atlanta, GA 30318	\$1,899.15	2021	Reissue payment to correct party
Total		\$1,899.15		

This resolution shall take effect immediately.

Adopted: May 19, 2021

Agenda No. XIV

Approval of Expenditures

~ Resolution 2021 – 215 ~

RESOLUTION APPROVING THE PAYMENT OF BILLS

WHEREAS, the Township Treasurer has submitted to the members of the Township Council a supplemental report listing individual disbursement checks prepared by this office in payment of amounts due by the Township.

NOW, THEREFORE, BE IT RESOLVED that the Township Treasurer’s report of checks prepared by the Treasurer’s Office be approved and issued as follows:

Acct #	Account Name	Amount
1	Current Account	\$459,837.99
3	Reserve Account	5,249.19
2	Grants	1,170.40
6	Refunds	1,863.00
1	General Ledger	144.25
26	Refuse	8,250.00
4	Capital	935.80
19	Animal Control	0.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	22,250.04
19	Scala Trust	0.00
16	Development Escrow	4,080.00
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$503,780.67

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Regular Meeting
May 19, 2021
6:30 p.m.
Page 14 of 17

Less Refund Resolution	-1,863.00
Actual Bills List	\$501,917.67
Other Payments	
Payroll	\$488,938.56
Treasurer, State of NJ permit	150.00
Enterprise Lease	22,074.32
Total Expenditures	\$1,013,080.55

Adopted: May 19, 2021

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

There was time to spare before the Public Portion of the meeting could begin and Mayor Dale gave an update on the investigation opened up by the BPU (Board of Public Utilities) into Optimum/Altice. Mayor Dale indicated that she testified at the trial and there were 300 participants and 60 speakers. 300 comments were submitted to the BPU and related to service inadequacies, not receiving internet speeds that were contracted, slower speeds, no competitive options, outages, equipment failures, spotty service and high service fees. The Board is reviewing the merger agreement, and are requesting information from Altice regarding (1) the company's current infrastructure and its ability to provide reliable service; (2) information about deployed resources to insure reliable service; (3) an outline of expenditures the company made for improvements in infrastructure dating from 2016 to 2021; (4) monetary commitments for network expansion in New Jersey compared to those in New York. There are concerns of the residents in West Milford with the financial commitment of Altice notwithstanding their profits and the promise Altice to provide the same commitment to New Jersey as it did to New York pursuant to the merger agreement. The BPU also wanted information regarding the various aspects of customer service and requested the results of the customer satisfaction surveys. Altice will need to respond to these requests and questions by May 27, 2021.

At this time the Mayor indicated that it was after 7:00 p.m. and the public portion of the meeting could begin. Councilwoman Erik made a motion that the time of the public portion be moved to 6:45 p.m. instead of 7:00 p.m. but no sooner.

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

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.

Jo Ann Blom – Co-Chair of the Beautification/Recycling Committee, wanted to thank all of the committee members and volunteers that cleaned up outside the former library building.

John Monahan, 26 High Street - indicated that this year the Beautification/Recycling Committee had a good turnout for cleanup day and listed local businesses that donated. He thanked the Cub Scout Troop 159 and the Girl Scouts.

Lynne Blackowski – from the Beautification/Recycling Committee thanked Dave Stires, West Milford Recycling and Solid Waste Coordinator for the terrific job he does within the work week and as a volunteer.

Jo Ann Blom – Indicated that there was a need for Economic Commissioners if anyone were interested. She also expressed great appreciation and gratitude for the people who have been doing the vaccinations and testing at Camp Hope.

Renee Alessio, 39 Hillcrest – Indicated that she was displeased with the procedure and wait time to respond to what was said at the previous meetings. Took issue with quotes from the Mayor regarding the age of the Tennessee Gas pipeline. The TGP Representative at the last meeting, indicated that both pipelines would be connected to the compressor station but failed to answer the questions that had been asked by residents. She raised concerns about cumulative impacts and loopholes. Criticism of the meeting process. Clarification that fracked gas goes through the pipeline.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 19, 2021
Time of Meeting: 6:30 p.m.
Minute Page No: Page 15 of 17

Unnamed person – She complained that information was not easily acquired on the Township Website and residents needed to search hard for the information regarding the gas pipeline. The pipeline company was not transparent. Her takeaway was that the pipes were 65 years old and that is 15 years past life expectancy, questions regarding the number of blow outs and how high they go were never answered by TGP but there would be at least one per year, with no installation of a flame mitigation system to protect the forest as used in the industry by many others. Other concerns/questions regarding quantity of VOCs and monitoring. A plea was made to have the Mayor and Council sign the Resolution opposing the station and send it to Governor Murphy, since plenty of time has been given to fact check and see how dangerous it is to our Town.

Richard Randazzo 278 Wooley Road – Commented on the noise ordinance 2021-024, the exception portion needs clarification, and perhaps there was a typo, but why did the hours change from 6 p.m. to 7 a.m. in place in 2017 to 6 p.m. to 6 a.m. He appreciated there being no construction, unless it is an emergency allowed on Sundays and legal holidays. Gould Road should not be a legal cut-through for heavy equipment.

Mayor Dale read some comments that had been submitted by the public.

Eileen Kerin, Ramapo Road – Indicated that the meeting with the TGP was disappointing and controlled by the TGP, thank you for trying. She had received a letter from Josh Gottheimer regarding clean cost effective energy, wind and solar 80,000 clean energy jobs have been created. New Jersey is the third largest generator of solar energy in the country. Please make a resolution to oppose the compressor station on Burnt Meadow Road.

Barbara Stomber, Kiwanis Drive, Wayne – Stated the dire need to cut fossil fuels, referring to an Article in the New York Times, titled Nations Must Drop Fossil Fuels Fast- World Energy Body Warns.

Marcia Buttery-291 Wooley Road – A caller, indicated that the heavy equipment is continually travelling by her house and that the whole house shakes and is in favor of the day of rest.

A nameless woman from the audience indicated that the Mayor and Council did not have the facts and there is an elaborate deception being portrayed by TGP. A history was given about the timing of the pipeline and a graph was shown with an explanation of the loops given. The loops had a larger diameter and ran along the side of the older pipeline. The purpose of the loops was deceptive, it looked like small changes with small environmental impact, when in fact it was the equivalent of adding another separate, larger pipeline. They were hiding massive cumulative environmental damage across two states and they were sued and lost. References are available for the cases mentioned. An explanation of the endocrine system and its reaction to smaller vs. larger parts per million/billion. The law is written to measure larger quantities of contaminants. The endocrine system reads small quantities as hormones. Endocrine disruption causes many problems, minor, major and even death.

There being no more comments from the public, Councilwoman Erik moved to close the public portion of the meeting.

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

Agenda No. XI

Council Comments

Councilman Goodsir – Indicated it was a good day at Bubbling Springs and the clean-up went well and thanked everyone.

Councilwoman Erik – Responded that she does not wear a mask because she has had both vaccines and has also donated two pints of high anti-body blood. Regarding the “back room”, Councilwoman Erik swore an oath not to give out that information until the proper time. In response to Mr. Randazzo, the numbers should be changed, and regarding Wooley Road, there needs to be something done because the trucks travelling on that road are dangerous. Is a ban possible? Administrator Senande indicated that he would have the Traffic and Engineering Departments look into this and would report back. On June 26 every resident can bring 4 car or light truck tires to the Recycling Center at no charge 8 a.m. to 2 p.m. The cutoff number of tires is 400, once that number is achieved, no more tires will be collected.

Councilman Gross – Defended the Council and the work that they do and indicated that the Council does not denigrate the residents for what they believe and how they think things should be and the Council in turn should not be denigrated.

Councilman Chazukow – Indicated that the Council was trying to do their due diligence, the link to the meeting was posted on the front page of the web site, not hidden. Referenced an audience members concern about attendance, suggesting that perhaps the lack thereof was indicative of the community embracing the cause. Feels strongly that a person’s vaccination status is no one else’s business. Believes ZOOM will have post-pandemic usefulness. Edward Pasternak explained a bit of the language

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 19, 2021
Time of Meeting: 6:30 p.m.
Minute Page No: Page 16 of 17

as a question was posed about the noise ordinance, another example of an exemption besides an emergency could be a project deadline date, in order to get grant money, for instance.

Mayor Dale – Indicated that she previously addressed the residents with the information she had been given and would follow up asking specifics of the ages and location of the pipes in the pipeline. She told the woman who had presented the pipeline loop drawings that she found it helpful to the Council and to the public as a whole. Regarding TGP the Mayor indicated that her role was not to speak for the Company but to do her due diligence to protect the people in this Township if it is put through and would follow through to get the questions posed at the last meeting answered.

Councilwoman Lichtenberg – Agreed that Ordinance 2021-024 required some revision. Informed all that Camp Hope was still doing vaccinations from 9 a.m. to 2 p.m. on Thursdays and that she had both vaccinations but still wears the mask as much as possible.

Councilman Marsden – Spoke about National Gas Pipeline Volatile Organic Compounds emissions and mortality rates. Various everyday activities and their mortality rates. Dr. Hendricks, the Author of the article indicated that there is little to no risk in regard to environmental exposures. Dr. Hendricks indicated that he was analyzing major sources, more than 10 tons of a single hazardous component or 25 tons of combined hazardous components were considered major pollutant of VOC's. Statistics were given. When broken down by State it appears there is no correlation between compressor stations and health risks from what could be seen in NJ, on Title 5's and West Milford will not be a Title 5. Councilman Marsden indicated that the more likely threat was from the possible corrosion of the pipes themselves and spoke about the ages of the pipes suggesting there should be a maintenance game plan whether we get the compressor station or not because the pipes are already there and that the environmental exposures were not as concerning. Perhaps if the compressor station comes to fruition and money is received by the Township, an investment in solar farming could be made and we could get rechargeable cars for the Township.

Agenda No. XV

Reports of Administrator, Mayor and Council Members

Mayor Dale – The Veterans will be holding a Memorial Day Ceremony at Veteran's Park on Monday, May 31, 2021 at 11:00 am. We hope to be back to all the traditional events next year.

Councilman Goodsir – No report

Councilman Gross – Thanked those who were helpful when he went into the hospital recently.

Councilman Marsden – Nothing additional. (Report in Council Comments.)

Councilwoman Erik – No report (Included with Council Comments.)

Councilman Chazukow – No report

Councilwoman Lichtenberg – Friends of Wallisch are having their Art Show this Saturday from 10-4 p.m. and Sunday from 10-3 p.m. Stigma Free Creates Opportunities to Thrive Highlands Family Success Center and the Municipal Alliance are sponsoring Scott's Fun Walk/Run at the Recreation Center this Sunday May 23, 2021. Registration starts at 9 and the Run/Walk starts at 10 a.m. Thank you to Troop 44G for planting flowers at Veteran's Park as well as a host of Churches were listed and thanked for volunteering in the Park and conducting food drives and also for helping some seniors, some disabled people, and Veterans with yard work.

Administrator Senande – No report.

Mr. Pasternak – No report.

Agenda No. XVI

Appointments and Resignations

None

Agenda No. XVIII

Discussion Items / Official Communications

- | | |
|----|--|
| 1. | Discussion: Board of Health Dr. Charlene W. Gungil Health Officer gave a COVID-19 Report Update for West Milford, Passaic County 05/19/2021. There have been 1959 cases and 38 deaths which were contained in a long term facility. Data shows increases after Thanksgiving and Christmas but there were improvement in numbers across the Board. Variants are tested for only when someone does not respond well to treatment. The stronger Indian Variant is in NJ but down in central NJ. 1700 deaths in Passaic County, Wayne being high due to its 20 long term facilities. Testing continues. Numbers continue to go down because mask wearing, vaccines, hand washing, all the things we know now to do has proven to be effective. Dr. Gungil indicated that out of 60,000 vaccinated about 30 had some type of reaction and if you are vaccinated you may get the virus but you will not get as |
|----|--|

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 19, 2021
Time of Meeting: 6:30 p.m.
Minute Page No: Page 17 of 17

	sick and most likely won't die from it. The Mayor asked that the detailed information from this report be posted on the Website and schedule dates on Channel 77. Mayor Dale wants to keep a close watch on the condition of the lakes and what the DEP has to say regarding algae bloom. Dr. Gungil indicated that the ratings changed last year were still in effect.
--	---

Agenda No. XVII

Adjournment

There being no further business to come before the Council, the Governing Body adjourned the meeting at 8:48 p.m.

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

Approved: June 9, 2021

Respectfully submitted:

Deidre Ellis, Keyboarding Clerk II

MICHELE DALE, MAYOR

WILLIAM SENANDE, TOWNSHIP ADMINISTRATOR/CLERK