

## **TOWNSHIP OF WEST MILFORD**

THE FOLLOWING COMPRISES THOSE DOCUMENTS  
SUBMITTED TO THE TOWNSHIP COUNCIL FOR  
CONSIDERATION AND ACTION AT THE MARCH 7, 2018  
REGULARLY SCHEDULED WORKSHOP MEETING.

THESE ACTION ITEMS ARE SUBJECT TO CHANGE AND  
ARE PROVIDED HERETO AS A COURTESY.

ORDINANCES AND RESOLUTIONS THAT HAVE BEEN  
ADOPTED BY THE TOWNSHIP COUNCIL ARE POSTED ON  
THE TOWNSHIP WEBSITE UNDER "LOCAL LAW" AS SOON  
AS PRACTICABLE AFTER THE MEETING AT WHICH  
ACTION WAS TAKEN.

IT IS STRONGLY RECOMMENDED THAT ONE SEEKING A  
COPY OF THAT WHICH WAS ADOPTED BY THE  
TOWNSHIP COUNCIL OBTAIN THAT COPY UNDER THE  
LINK TO "LOCAL LAW".

EACH OF THE FOLLOWING RECORDS IS SUBJECT TO  
CHANGE AND/OR AMENDMENT BY THE TOWNSHIP  
COUNCIL PRIOR TO ADOPTION.

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution No. 2018 – 079 ~

### MOTION FOR EXECUTIVE SESSION

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 7<sup>th</sup> day of March, 2018 that:

1. Prior to the conclusion of this Workshop Meeting, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
  - ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
  - ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
  - ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
  - (X) b. (4) A collective bargaining agreement including negotiations.
    - PBA and SOA
  - ( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
  - ( ) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection: Investigation of violations of the law.
  - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
    - Litigation – New Vineland vs. WM
    - Attorney-Client Privilege – MUA
    - Attorney-Client Privilege – Council on Mandates
    - Attorney-Client Privilege – Tax Appeals
  - ( ) b. (8) Personnel matters.
  - ( ) b. (9) Deliberations after a public hearing that may result in penalties.
2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: March 7, 2018

Adopted this 7<sup>th</sup> day of March, 2018  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk

# Township of West Milford

Passaic County, New Jersey

## ~ Ordinance 2018 – 002 ~

### ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 135 "FEES," OF THE REVISED GENERAL ORDINANCES AMENDED

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

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

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

**A. Bubbling Springs Membership and Badge:**

	<u>Resident Rate</u>	<u>Non-Resident Rate</u>
(1) Family Membership (Consists of parent(s) and all children, up to and including full-time students living at home)	\$265.00	\$365.00
(2) Parent/Child Membership (One adult and One Child under the age of 18 living in the same residence)	\$225.00	\$325.00
(3) Individual Membership (Ages 13 to 61)	\$125.00	\$175.00
(4) Senior Individual Member (Age 62+)	\$25.00	\$35.00
(5) Senior Couple Membership	\$40.00	\$60.00
(6) Swim Team	First child \$100.00, Each Additional Child \$90.00	

**B. Bubbling Springs Park Guest Membership (per person/per day):**

(1) A person under 2 years of age:	No charge
(2) A person from 2 years to 17 years of age:	\$5.00
(3) A person from 18 to 61 years of age:	\$10.00
(4) Seniors (Ages 62+):	\$3.00

**C. Day Camp: Children (Kindergarten through Sixth Grade)**

(1) Fees:

EARLY BIRD: Through 4/27/18: 10% Off Regular Price when paid in full at time of registration

	<u>Full 8 Weeks</u>	<u>Weekly</u>	<u>Before Care</u>	<u>After Care</u>
REGULAR PRICE (through 6/1/18)	\$1,220.00	\$165.00	\$35.00/week	\$35.00/week
LATE FEE (After 6/1/18)	\$1,420.00	\$190.00	\$40.00/week	\$40.00/week

CAMP HOURS: 9:00 AM–4:00 PM  
 BEFORE CARE: 7:00 AM–9:00 AM  
 AFTER CARE: 4:00 PM–6:00 PM

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

Introduced: February 21, 2018

Adopted:

Effective Date:

TOWNSHIP OF WEST MILFORD  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY

ATTEST

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

By: \_\_\_\_\_  
Bettina Bieri, Mayor

**Township of West Milford**  
Passaic County, New Jersey

**~ Ordinance 2018 – 003 ~**

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 63, "ALCOHOLIC BEVERAGES", SECTION 7 "TRANSFER OF LICENSES; EXCEPTION; MEASUREMENT" OF THE TOWNSHIP CODE TO ELIMINATE AND REPEAL THE DISTANCE LIMITATIONS RELATING TO ISSUANCE OF LIQUOR LICENSES**

**WHEREAS**, the Township of West Milford currently has 31 active liquor licenses currently held by Township businesses; and

**WHEREAS**, the Township Council adopted an ordinance in 2017 permitting a D-License in order to encourage economic growth within the Township; and

**WHEREAS**, the Township does not have restrictions on similar or competing businesses for any other industry, license or use within the municipality; and

**WHEREAS**, the current 2,500 foot limitation was enacted prior to the municipality being subject to the restrictions of the Highlands Preservation Act; and

**WHEREAS**, the Highlands Act restrictions, in combination with the 2,500 foot development restriction, place significant limitations on the transfer and/or the location of licensed premises within the community; and

**WHEREAS**, Township records do not indicate any overwhelming or clear justification for retaining the 2,500 foot limitation; and

**WHEREAS**, the Township has received three (3) requests in the last 24 months for C-Licenses from potential licensees or business owners that were restricted by the 2,500 foot limitation;

**WHEREAS**, the distance requirement impacts the transfer of existing licenses or the establishment of a new business in the Township; and

**WHEREAS**, the limitation, as it stands, essentially drives zoning decisions and economic development decisions in the Township based on the location of the various C-Licenses and the Township Council wants to promote free enterprise for all property owners; and

**WHEREAS**, , business establishments that have abided by the 2,500 foot limitation, will now have the ability to move or relocate or at some point in time sell their license without being limited by said restrictions; and

**WHEREAS**, the Township Council has concluded that the Township's character, development, and business climate, as well as the needs of its residents, have changed significantly in the years since the distance restriction was originally adopted and thus desires to eliminate the 2,500 foot restriction requirement; and

**WHEREAS**, the Township has concluded that there is no practical business rationale for maintaining a certain distance between establishments having any type of liquor license; and

**WHEREAS**, the Township Council has concluded that there is no rational relationship between the asserted purpose of the 2,500 foot restriction and the health, safety and well-being of Township residents; and

**WHEREAS**, all licensees and applicants must still comply with all State requirements regarding liquor licenses as set forth in N.J.S.A. §33:1-1 *et seq.* and N.J.A.C. §13:2-1.1 *et seq.*; and

**WHEREAS**, the Council of the Township of West Milford finds it to be in the best interests of the Township and its citizenry to amend the current Township Code to do away with the distance restrictions; and

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

**SECTION 1.** Section 63-7 is amended to eliminate and repeal sub-sections A, B, C and D; Section 63-7 shall be amended to read as follows:

§ 63-7. Transfer of licenses.

E. The fee to transfer a liquor license, per the Division of Alcoholic Beverage Control of the State of New Jersey, is set forth in Chapter 135, Fees and Costs.

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

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

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

Introduced:

Adopted:

Effective Date:

TOWNSHIP OF WEST MILFORD  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY

ATTEST

\_\_\_\_\_  
Antoinette Battaglia,  
Township Administrator/Clerk

By: \_\_\_\_\_  
Bettina Bieri, Mayor

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2018 - 080 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ACCEPTING THE BIDS FOR THE SALE OF CERTAIN MUNICIPAL LANDS AND PROPERTIES FROM THE TOWNSHIP AUCTION OF FEBRUARY 21, 2018

**WHEREAS**, on February 21, 2018, the Township of West Milford conducted the sale of municipal properties no longer needed by the Township in accordance with Resolution 2018-042; and

**WHEREAS**, the Township Clerk reports that the schedule below outlines the bidders and their respective proposals to purchase said lands and recommends that the Township Council accept these bids.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of West Milford that the proposals set forth in the schedule below are hereby accepted and incorporated herein.

**BE IT FURTHER RESOLVED**, that the terms of such acceptance will be set forth in the Contracts of Sale to be prepared by the Township Attorney as set forth in Resolution 2018-042.

This Resolution shall be effective immediately.

Adopted:            March 7, 2018

Adopted this 7<sup>th</sup> day of March, 2018  
and certified as a true copy of an original.

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

SCHEDULE A TOWNSHIP OF WEST MILFORD - PROPERTY SALE - FEBRUARY 21, 2018						
Block	Lot	Name & Address	Bid Amount	Deposit	10% Fee	Amount Due
509	1	Michael & Marlese Hollenback 459 Warwick Tpke. Hewitt, NJ 07421	\$2,500.00	\$500.00	\$500.00	\$2,500.00
808	1	Danielle A. Centurione Douglas V. Krause 55 Shadyside Road Hewitt, NJ 07421	\$3,300.00	\$330.00	\$330.00	\$3,300.00
1001	15	Christopher Marrero 86 Westwood Blvd Westwood, NJ 07675	\$2,000.00	\$200.00	\$200.00	\$2,000.00
1002	5	Christopher Marrero 86 Westwood Blvd. Westwood, NJ 07675	\$800.00	\$80.00	\$80.00	\$800.00
1903	1	Walter J. Tencza Jr. c/o Laura Tencza 374 Gettysburg Way Lincoln Park, NJ 07035	\$500.00	\$50.00	\$50.00	\$500.00
1911	3	Neil Ottens 7 Parlin Court Hewitt, NJ 07421	\$600.00	\$60.00	\$60.00	\$600.00
2001	8	Joseph Marino 20 Quinton Road Hewitt, NJ 07421	\$1,600.00	\$160.00	\$160.00	\$1,600.00
2004	16	Andrea Evans 12 Metuchen Road Hewitt, NJ 07421	\$800.00	\$80.00	\$80.00	\$800.00
2012	14	Patrick J. Walsh 10 Alps Road Hewitt, NJ 07421	\$400.00	\$40.00	\$40.00	\$400.00
2101	6	David Sisco-Izak c/o Sisco Services LLC 38 Castle Rock Road Hewitt, NJ 07421	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.000

**Township of West Milford**  
Passaic County, New Jersey

**~ Resolution 2018 – 081 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMITTAL AND ACCEPTANCE OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR IMPROVEMENTS TO THE RECREATION CENTER ELEVATOR**

**WHEREAS**, the County of Passaic anticipates having \$600,000 available to eleven eligible municipalities of the County and to eligible non-profit agencies under the 2018 CDBG program; and

**WHEREAS**, the CDBG program funding is provided by the US Department of Housing and Urban Development and project selection is determined by the national objective to assist low and moderate income individuals; and

**WHEREAS**, barrier free access retrofits, in accordance with the Americans with Disabilities Act (ADA), are a qualified exception to the low-mod block requirement; and

**WHEREAS**, the Township has recently repurposed and occupied the Recreation Center at #66 Cahill Cross Road to include programs for senior citizens and adults with special needs; and

**WHEREAS**, the existing elevator is not in consistent working order and is essential for barrier free access to the second floor; and

**WHEREAS**, Federal funding for the current programs is dependent upon barrier free access to the program location.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and the Township Council of the Township of West Milford hereby authorize the submission of an application entitled Community Development Block Grant for \$50,000 for improvements to the Recreation Center Elevator.

Adopted: March 7, 2018

Adopted this 7<sup>th</sup> day of March, 2018  
and certified as a true copy of original.

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Antoinette Battaglia, Township Clerk

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2018 - 082 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A GRANT APPLICATION SUBMISSION TO THE PASSAIC COUNTY OPEN SPACE FARMLAND AND HISTORIC PRESERVATION TRUST FUND FOR REPAIRS TO WALLISCH HOMESTEAD BY THE FRIENDS OF WALLISCH HOMESTEAD

**WHEREAS**, the Passaic County Board of Chosen Freeholders (hereafter "Board") provide grants to municipalities and qualified non-profit corporations for the assistance in acquisition, development, stewardship, and historic preservation from the Passaic County Open Space, Farmland, and Historic Preservation Trust Fund (hereafter "Trust Fund"); and

**WHEREAS**, the Friends of Wallisch Homestead desires to further the public interest by obtaining funding in the amount of up to \$48,000.00 from the Board for the County to fund repairs to Wallisch homestead at a cost of up to \$48,000.00 (see project list below); and

**WHEREAS**, the Board shall determine if the application is complete and in conformance with the scope and intent of the Trust Fund program and the rules and regulations established pursuant to R20170349, and any subsequent resolutions passed by the Board governing the administration of the Trust Fund; and

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

1. The Mayor and Township Clerk be and hereby is authorized to make application, provided all required information and documents as required, and correspond as necessary for a grant to the Passaic County Open Space, Farmland, and Historic Preservation Trust Fund;
2. That the Mayor and Township Clerk is hereby authorized to execute a grant agreement and any amendment there with the County of Passaic for the Repairs to Wallisch Homestead;
3. That, if the funds provided by the County are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project or the applicant will decline the grant.
4. That, the applicant agrees to comply with all applicable federal, State, County, and local laws, rules, and regulations in its performance of the project; and
5. That this Resolution shall take effect immediately.

#### REPAIRS TO WALLISCH HOMESTEAD BY THE FRIENDS OF WALLISCH HOMESTEAD

**Priority #1 – Barn Rehabilitation**

1.a.	Structural analysis	\$6,000.00
1.b	Repair Barn cement floor and provide footings for support columns	\$16,000.00
1.c	Paint Barn	\$8,000.00
1.d	Replace gutters for barn	\$2,000.00
	<b>SUBTOTAL</b>	<b>\$32,000.00</b>

**Priority #2 – Main House Preservation/Restoration**

2.a.	Stabilize/Repair Right Wing Porch and steps	\$5,800.00
2.b	Replace gutters for house	\$2,500.00
	<b>SUBTOTAL</b>	<b>\$8,300.00</b>

**Priority #3 – Creamery Preservation/Restoration**

3.a.	Carpentry for wood trim, windows and doors	\$7,000.00
3.b	Replace gutters for creamery	\$1,500.00
	<b>SUBTOTAL</b>	<b>\$8,500.00</b>
<b>TOTAL ALL PROJECTS</b>		<b>\$48,800.00</b>

Adopted: March 7, 2018

Adopted this 7<sup>th</sup> day of March, 2018  
and certified as a true copy of an original

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2018 – 083 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE FILING OF THE APPLICATION OF 2018 SAMHSA DRUG FREE COMMUNITIES SUPPORT PROGRAM GRANT FOA SP-18-002 IN THE CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER 93.276

**WHEREAS**, The United States Substance Abuse and Mental Health Services Administration (SAMHSA) has grant funding available for its Drug Free Communities Support Program; and

**WHEREAS**, this grant program is more specifically identified as Substance Abuse and Mental Health Services Administration's Drug Free Communities Support Program Grant FOA SP-18-002 in the catalog of federal domestic assistance (CFDA) number 93.276; and

**WHEREAS**, this grant will provide up to \$125,000 per year for five (5) years or programs that will reduce substance abuse and establish coalitions between public and non-profit entities, as well as federal, state, county and municipal governments; and

**WHEREAS**, there is also an in-kind, dollar-for-dollar match required for the 2018 SAMHSA Drug Free Communities Support Program; and

**WHEREAS**, the Mayor and Council of the Township of West Milford endorse and support this 2018 SAMHSA Drug Free Communities Support Program Grant Application and desire to file an application which is due March 29, 2018, because of its benefits for our residents and it is in the best interests of the Township of West Milford; and

**WHEREAS**, The Township of West Milford desires to enter into a Memorandum of Understanding with Prevention Links, Inc. of Roselle, New Jersey, to provide some of the services required as part of the Drug Free Communities Support Program; and

**WHEREAS**, an application for such funds may not be filed nor funds spent in a municipality without authorization by the Governing Body:

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, Passaic County that:

1. The Mayor and Council of the Township of West Milford hereby endorse and authorize the filing of the 2018 SAMHSA Drug Free Communities Support Program Grant FOA SP-18-002 in the catalog of federal domestic assistance (CFDA) number 93.276
2. The Mayor and Council of the Township of West Milford agree to provide the in-kind match required by SAMHSA.
3. The Mayor and Council of the Township of West Milford agree to enter into a Memorandum of Understanding with Prevention Links, Inc. to provide some of the services required as part of the Drug Free Communities Support Program Grant
4. Upon receipt of the grant agreement from SAMHSA, the signature of the Mayor, Township Administrator and/or any other municipal official, or their successors in said titles, which is required on the grant agreement and any other documents necessary in connection therewith, is hereby authorized.
5. This Resolution shall take effect immediately.

Adopted: March 7, 2018

Adopted this 7<sup>th</sup> day of March, 2018  
and certified as true copy of an original.

Antoinette Battaglia, Township Clerk

## Township of West Milford

Passaic County, New Jersey

### ~ Resolution 2018 – 084 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION PRIOR TO THE ADOPTION OF THE 2018 BUDGET PER N.J.S.A. 40A:4-20**

**WHEREAS**, Local Budge Law N.J.S.A. 40A:4-1 states in part, in addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the governing body may, by resolution adopted by a 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year and,

**WHEREAS**, the Township of West Milford has obligatory expenses that exceed the temporary budget,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford by a 2/3 vote, that the following temporary budget appropriation be made and that a certified copy of the resolution be sent to DLGS:

Appropriation	Acct Number	2018 Temporary Budget
Administration, Fees for Services	01-201-20-100-450	\$65,000.00
<b>Total</b>		<b>\$65,000.00</b>

Adopted:            March 7, 2018

Adopted this 7<sup>th</sup> day of March, 2018  
and certified as a true copy of an original.

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution – 2018- 085 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO MATRIX CONSULTING GROUP FOR A COST EFFICIENCY AUDIT OF TOWNSHIP DEPARTMENTS AND OFFICES

**WHEREAS**, the Township of West Milford advertised for the receipt of sealed Request for Proposals (RFP's) to be received on January 26, 2018 at 10:00 a.m. for the Cost Efficiency Audit as per the proposals; and

**WHEREAS**, the Township of West Milford received four (4) RFP's for this contract; and

**WHEREAS**, said proposals have been duly reviewed by the Mayor and Council; and

**WHEREAS**, the bid received from Matrix Consulting Group 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 Mayor and Council has recommended for the award of this contract to Matrix Consulting Group; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for these services, said funds to be encumbered from account number 01-201-20-100-450.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of West Milford in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1. The Mayor and Township Clerk be and are hereby authorized to execute a contract with Matrix Consulting Group, 17A Steele Street, Worcester, MA 01607 for the Cost Efficiency Audit of Township Departments and Offices as per the Request for Proposals in an amount not to exceed \$65,000.00.
2. This contract is awarded as "Professional Services" pursuant to N.J.S.A. 19:44A-20 et seq. and the Local Public Contracts Law.
3. The total fee authorized for this contract shall not exceed \$65,000.00, without prior written approval of the Township Council.
4. That notice of this action shall be published in accordance with law and said notice to provide that the contract awarded and this resolution authorizing same are available in the office of the Township Clerk.

Adopted: March 7, 2018

Adopted this 7<sup>th</sup> day of March, 2018  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk

## Township of West Milford

Passaic County, New Jersey

### ~ Resolution 2018 - 086 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONTRACT TO CODY'S MOW MOW LAWN SERVICE, LLC FOR THE MAINTENANCE OF BALLFIELDS AND OTHER SITES**

**WHEREAS**, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on February 23, 2018 at 10:00 a.m. for Maintenance of Ball Fields and Other Sites as per the Bid Specifications; and

**WHEREAS**, the Township of West Milford received two (2) bids for this contract; and

**WHEREAS**, said bids have been duly reviewed and analyzed by Community Services & Recreation and the Township Attorney; and

**WHEREAS**, the bid received from the lowest bidder Cody's Mow Mow Lawn Service, LLC is complete; and

**WHEREAS**, the Chief Financial Officer has certified that encumbrances for these services shall come from account number 01-201-28-375-450.

**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 Cody's Mow Mow Lawn Service, LLC for Maintenance of Ballfields and Other Sites in an amount not to exceed \$45,600.00 for one year.
2. The Mayor and Township Clerk be and are hereby authorized and directed to execute a contract with Cody's Mow Mow Service, LLC in accordance with its bid for said maintenance of ballfields and other sites 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: March 7, 2018

Adopted this 7<sup>th</sup> day of March, 2018  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2018 - 087 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PROFESSIONAL INSURANCE ASSOCIATES, INC. TO SERVE AS RISK MANAGER CONSULTANT FOR THE TOWNSHIP

**WHEREAS**, the Township of West Milford is a member town of the North Jersey Municipal Employee Benefits Fund (hereinafter referred to as Fund) and Morris County Municipal Joint Insurance Fund (MJIF); and

**WHEREAS**, the bylaws of the Fund requires the fund Program Manager to perform certain consulting, field and marketing service to Fund members; and

**WHEREAS**, recognizing that members may have existing relationships with a licensed broker/consultant, the member may appoint, subject to approval of the Fund and Program Manager, another firm to perform the portion of the professional consulting services normally provided by the Program Manager to the member municipality as detailed in the Producers Agreement on file with the Township Clerks Office; and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Township Council of the Township of West Milford does hereby appoint Professional Insurance Associates, Inc. as it's Producer/Risk Manager Consultant for the term of January 1, 2018 through December 31, 2018 to represent and oversee the Townships participation in the NJMEBF and MJIF and requests that the Fund authorize a sub-contract between the Funds Program Manager and Professional Insurance Associates, Inc. named herein; and

**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 are hereby authorized and directed to execute an agreement with Professional Insurance Associates, Inc., with offices located at 429 Hackensack Street, PO Box 818, Carlstadt, NJ 07072-0818 to serve as the Township's Risk Manager Consultant for the 2018 calendar year.
2. Compensation for the provision of these services rendered shall be at five percent (5%) of the municipality's annual assessment as promulgated by the North Jersey Municipal Employee Benefits Fund and the Morris County Municipal Joint Insurance Fund
3. Compensation shall be made to the Professional Insurance Associates, Inc. through the Morris County Municipal Joint Insurance Fund and North Jersey Municipal Employee Benefits Fund pursuant to their customary payment schedule, as is standard practice in the industry.
4. The Township Commissioners to the Morris County Municipal Joint Insurance Fund and North Jersey Municipal Employee Benefits Fund shall keep themselves apprised of these payments by virtue of the regular payment of bills which are authorized and approved at the regular meetings of the MJIF and NJMEBF.
5. Notice of this action shall be published once in the Township's official newspaper as required by law according to N.J.S.A. 40A:11-5(1)(a)(I).
6. This resolution and contract shall be available in the office of the Township Clerk.

Adopted: March 7, 2018

Adopted this 7<sup>th</sup> day of March, 2018  
and certified as a true copy of an original

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Antoinette Battaglia, Township Clerk

**Township of West Milford**  
Passaic County, New Jersey

**~ Resolution 2018 - 088 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY, STATE OF NEW JERSEY APPOINTING PROFESSIONAL INSURANCE ASSOCIATES, INC. AS IT'S PRODUCER AS A MEMBER OF NORTH JERSEY MUNICIPAL EMPLOYEE BENEFITS FUND AND AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT AS HEALTH BENEFITS CONSULTANT**

**WHEREAS**, the Township of West Milford is a member town of the Morris County Municipal Joint Insurance Fund (MJIF) and North Jersey Municipal Employee Benefits Fund (hereinafter referred to as Fund); and

**WHEREAS**, the bylaws of the Fund requires the Fund Program Manager to perform certain consulting, field and marketing service to Fund members; and

**WHEREAS**, recognizing that members may have existing relationships with a licensed broker/consultant, the member may appoint, subject to approval of the Fund and Program Manager, another firm to perform the portion of the professional consulting services normally provided by the Program Manager to the member municipality as detailed in the Producers Agreement on file with the Township Clerks Office; and

**WHEREAS**, the Executive Committee of the North Jersey Municipal Employee Benefits Fund determines annually the fee payable to Producers based on the municipality's assessment which expenditure represents reasonable compensation for the services required and is included in the assessment for this Fund; and

**WHEREAS**, the judgmental nature of the consultant's duties renders comparative bidding impractical.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Township Council of the Township of West Milford does hereby appoint Professional Insurance Associates as it's Producer/Health Benefits Consultant for the term of January 1, 2018 through December 31, 2018; and requests that the Fund authorize a sub-contract between the Funds Program Manager and Professional Insurance Associates, Inc. named herein; and

**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 are hereby authorized and directed to execute the Health Benefits Consultant's agreement with Professional Insurance Associates with offices located at 429 Hackensack Street, PO Box 818, Carlstadt, NJ 07072-0818 for the 2018 calendar year.
2. Notice of this action shall be published once in the Township's official newspaper as required by law according to N.J.S.A. 40A: 11-5(1)(a)(l).
3. This resolution and contract shall be available in the Office of the Township Clerk.

Adopted: March 7, 2018

Adopted this 7<sup>th</sup> day of February, 2018  
and certified as a true copy of an original

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

## **Township of West Milford**

Passaic County, New Jersey

### **~ Resolution 2018 – 089 ~**

#### **RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR LABOR COUNSEL TO DAVID CORRIGAN, ESQ.**

**WHEREAS**, the Township of West Milford has a need to appoint Labor Counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

**WHEREAS**, the Township Council has determined that Mr. Corrigan's services encompass all responsibilities associated with an appointment as Labor Counsel to represent the Township with regard to all labor matters in an amount not to exceed \$60,000.00; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et. seq.) requires that the resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection; and

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

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds said funds to be encumbered from account # 01-201-20-155-502 for services rendered as the Township Labor Counsel and for services rendered in conjunction with the above referenced legal matters; and

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with David F. Corrigan, Esq. of the firm David F. Corrigan, LLC, with offices located at 54-B West Front St., Keyport, NJ 07735 to serve as Special Labor Counsel and to work with the Township Administrator on labor matters on behalf of the Township at a rate of \$125 per hour and in an amount not to exceed \$60,000.00.
2. The total fee authorized for this contract shall not exceed \$60,000.00 without the prior written approval of the Township Council.
3. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: March 7, 2018

Adopted this 7<sup>th</sup> day of February, 2018  
and certified as a true copy of an original

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Antoinette Battaglia, Township Clerk

# Township of West Milford

Passaic County, New Jersey

~ Resolution 2018 - 090 ~

## RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RE-ESTABLISHING AN AUTUMN LIGHTS COMMITTEE

**WHEREAS**, as a result of hard work and dedication invested by residents of the Township of West Milford, the Township has, for twenty three years, been proud to host an annual Autumn Lights Festival; and

**WHEREAS**, the Council believes there is sufficient public interest and an adequate number of willing volunteers to organize and operate the twenty-fourth Autumn Lights Festival in 2018.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford hereby re-establishes an Autumn Lights Committee for the purpose of undertaking and promoting an October 13, 2018 (rain date October 14, 2018) town-wide festival with the following provisions:

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council that it does hereby establish the Autumn Lights Committee with the following provisions:

1. **MEMBERSHIP:** The number of members shall be (10) ten members, one of whom shall be a liaison member of the Township Council; nine (9) shall be citizen members.
2. **CHAIRPERSON:** The committee shall appoint one member from the (9) nine citizen members to serve as Chair of the committee. **Rocky Hazelman shall serve as chairperson of the ALF Committee.**
3. **APPOINTING AUTHORITY:** The member of the Township Council shall be appointed by the Township Council. All other members shall be appointed by and shall serve at the pleasure of the Township Council. In the event that a member fails to attend three consecutive meetings of the committee, the Chairperson will advise the appointing authority in order to have a replacement appointed.
4. The members of the committee shall serve until December 31, 2018.
5. **SUNSET:** The continuing need for the Autumn Lights Committee shall be reviewed by the Township Council at its' 2019 re-organization meeting and the committee shall cease to exist at that time unless re-established by Council resolution.

Adopted: March 7, 2018

Adopted this 7<sup>th</sup> day of March, 2018  
and certified as a true copy of an original.

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

# Township of West Milford

Passaic County, New Jersey

~ Resolution 2018 - 091 ~

## RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RE-ESTABLISHING A BEAUTIFICATION/RECYCLING TASK FORCE COMMITTEE (ADVISORY)

**WHEREAS**, the Mayor & Township Council of the Township of West Milford wishes to re-establish a Beautification/Recycling Task Force Committee (Advisory); and

**WHEREAS**, the purpose of the committee shall be to develop and promote a beautification program within the Township of West Milford and to provide advice with regard to garbage and recycling matters in the Township; and

**WHEREAS**, the committee shall seek approval from the Township Administrator before proceeding with any beautification programs; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council that it does hereby re-establish the Beautification/Recycling Task Force Committee with the following provisions:

1. **MEMBERSHIP:** The number of members shall be (8) eight members, one of whom shall be a liaison member of the Township Council; five (5) shall be citizen members; one who shall be a representative from the West Milford commercial community; and one liaison member who shall be the Recycling Coordinator.
2. **CHAIRPERSON:** The committee shall appoint one member from the (8) members to serve as Chair of the committee
3. **APPOINTING AUTHORITY:** The member of the Township Council shall be appointed by the Township Council. All other members shall be appointed by and shall serve at the pleasure of the Township Council. In the event that a member fails to attend three consecutive meetings of the committee, the Chairperson will advise the appointing authority in order to have a replacement appointed.
4. **SUNSET:** The Committee shall cease to exist unless re-established by the Township Council at its Organizational Meeting in January 2019.

Adopted: March 7, 2018

Adopted this 7<sup>th</sup> day of March, 2018  
and certified as a true copy of an original.

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

## **Township of West Milford**

Passaic County, New Jersey

### **~ Resolution 2018- 092 ~**

#### **RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE APPOINTMENT OF A CLASS II SPECIAL LAW ENFORCEMENT OFFICER (SLEO II) FOR THE TOWNSHIP OF WEST MILFORD**

**WHEREAS**, the West Milford Police Department has recognized the need or a Class II Special Police Officer; and

**WHEREAS**, Nichole R. Hanrahan based on her qualifications, has been recommended to serve in the position of Class II Special Officer for the West Milford Township Police Department; and

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township West Milford, County of Passaic, State of New Jersey, hereby appoints Nichole R. Hanrahan to serve as a Class II Special Officer pursuant to Special Law Enforcement Officer's Act (*N.J.S.A. 40A:14-146.8 et seq.*)

Adopted:        March 7, 2018

Adopted this 7<sup>th</sup> day of March, 2018  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk

**Township of West Milford**  
Passaic County, New Jersey

**~ Resolution 2018 - 093 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SETTLEMENT OF CERTAIN TAX APPEALS**

**WHEREAS**, appeals of the real property tax assessments of the following properties have been filed in the Tax Court of New Jersey:

PROPERTY OWNER	BLOCK	LOT	ADDRESS
69 Maple Ave	10204	1	69 Maple Road
Borrelli, Eric	10808	16	28 Seymour Drive
Ganz, Emily & Garry	13102	30	89 Upper High Crest Road

; and

**WHEREAS**, the Tax Assessor, Appraiser and Township Attorney are of the opinion that it is in the best interest of the Township to settle these appeals.

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

1. The settlement of the following tax appeals filed at the Tax Court of New Jersey is hereby authorized as follows:

PROPERTY OWNER	YEAR	ORIGINAL ASSESSMENT	PROPOSED SETTLEMENT
69 Maple Ave	2012	\$1,263,900	\$1,263,900
	2013-2016	\$4,650,000	\$4,650,000
	2017	\$4,650,000	\$4,450,000
	2018	\$4,650,000	\$4,275,000
Borrelli, Eric	2015	\$202,100	\$169,600
	2016	\$202,100	\$169,600
	2017	\$202,100	\$169,600
Ganz, Emily & Gary	2015-2017	\$415,100	\$326,100

2. All refund checks are to be made payable to the attorneys for the taxpayer and the taxpayer. Refunds are to be made within 60 days from the date of the entry of Judgment and interest is waived on said refunds on the condition that the refund is paid within 60 days from the date of the entry of Judgment.

3. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.

4. The Tax Collector is hereby authorized to credit and/or refund the appropriate taxes in accordance with the terms of this Resolution.

5. This Resolution shall take effect immediately.

Adopted: March 7, 2018

Adopted this 7<sup>th</sup> day of March 2018  
and certified as a true copy of an original.

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

## **Township of West Milford**

Passaic County, New Jersey

### **~ Resolution 2018 – 094 ~**

#### **RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION PRIOR TO THE ADOPTION OF THE 2018 BUDGET PER N.J.S.A.. 40A:4-20**

**WHEREAS**, Local Budget Law N.J.S.A. 40A:4-1 states in part, in addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the governing body may, by resolution adopted by a 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year and,

**WHEREAS**, the Recreation Department applied for and received notification of award for the Recreational Opportunities for Individuals with Disabilities (ROID) Grant that will be valid from July 1, 2017 through June 30, 2018 which needs to be recognized in the temporary budget, and

**WHEREAS**, the receivable amount of \$20,000.00 and appropriation amount of \$20,000.00 with a \$4,000.00 local match should be added to the 2018 temporary budget; and,

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

1. The Township Council hereby authorizes the amendment of the 2018 temporary budget with an addition of an emergency temporary appropriation in the amount of \$24,000.00 by a 2/3 vote of the Governing Body.
2. The Township's 2018 adopted budget shall include this appropriation.

Adopted: March 7, 2018

Adopted this 7<sup>th</sup> day of March, 2018  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk

## Township of West Milford

Passaic County, New Jersey

### ~ Resolution 2018 – 095 ~

#### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING 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>Indoor Soccer</b>		
Ethan, Braden, Logan	\$20.00	Noreen Amundson 1293 Macopin Road West Milford, NJ 07480
Keith	\$75.00	Siobhan Carpenter 6 Newtown Drive West Milford, NJ 07480
<b>Red Cross Babysitter Program</b>		
Keith	\$115.00	Siobhan Carpenter 6 Newtown Drive West Milford, NJ 07480

Adopted: March 7, 2018

Adopted this 7<sup>th</sup> day of March, 2018  
and certified as a true copy of an original.

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

## Township of West Milford

Passaic County, New Jersey

### ~ Resolution 2018 – 096~

#### 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 Claims account checks have been outstanding for a period in excess of six months.

DATE	CHECK #	AMOUNT
1/19/2017	13040	50.00
2/16/2017	13310	2,057.08
2/16/2017	13345	5.95
3/17/2017	13545	422.47
4/20/2017	13830	15.00
4/20/2017	13912	8.00
5/18/2017	14111	50.00
5/18/2017	14143	1,437.00
6/22/2017	14401	140.00
6/22/2017	14418	60.00
7/13/2017	14546	300.00
8/17/2017	14777	100.00
8/17/2017	14820	15.40
<b>TOTAL</b>		<b>\$4,660.90</b>

**NOW, THEREFORE, BE IT RESOLVED** that the above outstanding checks be restored to the Township cash balance.

Adopted: March 7, 2018

Adopted this 7<sup>th</sup> day of March, 2018  
and certified as a true copy of an original.

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

#### CERTIFICATION

I, Antoinette Battaglia, Clerk of the Township of West Milford, Passaic County, New Jersey, do certify the above to be a true and correct copy of a resolution adopted by the governing body.

**Township of West Milford**  
Passaic County, New Jersey

~ Resolution No. 2018 - 097~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE PAYMENT OF BILLS**

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

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

Acct #	Account Name	Amount
1	Current Account	\$520,664.00
3	Reserve Account	60,651.85
2	Grants	1,532.75
6	Refunds	210.00
1	General Ledger	165.00
26	Refuse	82,447.00
4	Capital	10,093.00
19	Animal Control	80.10
19	Heritage Trust	0.00
19	Open Space Trust	61,645.31
19	Trust	4,216.18
19	COAH	0.00
16	Development Escrow	1,539.25
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$743,244.44
	Less Refund Resolution	-210.00
	<b>Actual Bills List</b>	<b>\$743,034.44</b>
	Other Payments	
	Payroll w/ Retro's	\$840,240.21
	<b>Total Expenditures</b>	<b>\$1,583,274.65</b>

Adopted: March 7, 2018

Adopted this 7<sup>th</sup> day of March, 2018  
and certified as a true copy of an original.

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk