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

Minutes of: Governing Body Workshop Meeting  
Date of Meeting: March 4, 2020  
Time of Meeting: 6:30 pm  
Minute Page No: Page 1 of 18  
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The Workshop Meeting of the Governing Body was called to order by Mayor Michele Dale.

**Adequate Notice Statement**

Mayor Dale read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Workshop meeting was advertised in the Herald News in its issue of November 11, 2019 and January 5, 2020; copies were provided to the Suburban Trends, the Record and Star Ledger and posted continuously 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, Andrena Pegel, Marilyn Lichtenberg, Kevin Goodsir  
Warren Gross, Patricia Gerst, Mayor Michele Dale  
Absent: None  
Also Present: Township Administrator/Clerk William Senande, Township Attorney Fred Semrau

Agenda No. III

**Reading of or Approval of Unapproved Minutes**

February 19, 2020 Executive Session  
February 19, 2020 Regular Meeting  
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Moved: Erik Seconded: Gerst  
Voted Aye: Erik, Pegel, Lichtenberg, Goodsir, Gross, Gerst  
Voted Nay: None  
Motion Carried:  
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Agenda No. IV

**Meetings**

Mayor Dale noted the future meeting schedule:

March 18, 2020 Regular Meeting  
April 1, 2020 Workshop Meeting  
April 22, 2020 Regular Meeting

Councilwoman Erik asked if they can move the April 1, 2020 meeting to April 8, 2020 because she has a conflict. Councilman Goodsir noted that he will be on vacation April 1, 2020. The Council agreed to move the April 1, 2020 meeting to April 6, 2020.

Mayor Dale noted that she will switch the agenda around.

Agenda No. VI

**Presentations**

Recognition of Edward "Pops" Ollearo – Mr. Ollearo was joined at the podium by Mayor Dale, his friends and family. Mayor Dale noted that Mr. Ollearo has been a member of the Upper Greenwood Lake Fire Company for over 50 years.

Agenda No. VII

**Proclamations**

MS Awareness – Amy and Lindsay accepted the proclamation.

National Nutrition Month – Megan the Registered Dietitian at ShopRite accepted the proclamation.

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Agenda No. VIII

**Discussion Items**

1.	Discussion: 2020 Solid Waste Budget: Mr. Casey provided an overview of the proposal. He noted that this budget reflects a five cent tax increase in order to fund this operation. Mayor Dale explained why it is not cost effective for the Township to do the garbage collection. Mr. Casey said there is cost structure that is in place for the next five years. Mayor Dale noted that she and Administrator Senande are working on taking the municipal portion of the taxes and breaking them down so the residents have a better understanding of how their tax dollars are distributed within the municipality. Mr. Casey expressed that the tax maps have to be updated eventually. Mayor Dale explained that she has been working on something with the attorney and they will need the tax maps. She asked if the topic can be added to executive session. Mr. Semrau replied in the affirmative. Mayor Dale expressed that they need to focus on funding the road resurfacing. She recommended removing the stream cleaning and the request for one DPW truck. Mr. Casey noted they will move in that direction and he will provide a draft ordinance at the next meeting.
2.	Discussion: Redevelopment - 1938 Union Valley Road: Mayor Dale noted that this is time sensitive. Mr. Semrau explained that the Township Planner determined that the property meets the qualifications of a redevelopment area. If the Council adopts a resolution confirming that they designate the land an area of redevelopment, in the future they can address zoning and restructuring from a tax perspective for a benefit of the Township. He noted that nothing changes at the property without the proper approvals. Councilwoman Pegel said she agrees with this program and thinks it is a fantastic idea. She said the Council has her full support. Councilwoman Lichtenberg expressed that she hopes to see this happening in other areas of the Township. Mayor Dale thanked the Council for their support.

Agenda No. IX

**Public Comments**

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

Samuel Mantilla, 130 Otterhole Road – Expressed his issue about the recycling of cardboard boxes. He said he agrees that they need to rebuild the community. He said he would be happy to help the community.

Eric Bunk, 31 Vista Road, West Milford – Thanked the Council for the 2<sup>nd</sup> Amendment resolution. He spoke about his outlooks on the resolution.

Bob Nicholson, 20 Hyde Road, Stockholm – Said it's a problem for the taxpayers because the schools are losing State Aid. He said that he is disturbed that Josh Gottheimer was trying to get a redevelopment for Sussex and Warren County when West Milford Township is 100% in the Highlands.

Richard Randazzo, 278 Wooley Road – Said he still hasn't heard if there was a decision made about rescinding the previous Administrator's term. He expressed his feelings on the former A&P property. He said Township Employees should contribute money towards their health benefits and pension. He suggested that the Township look into leasing the trucks for the DPW.

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

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Moved: Erik                      Seconded: Lichtenberg  
Voted Aye: Unanimous voice vote  
Voted Nay: None  
Motion carried.  
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Agenda No. X

**Council Comments**

Councilwoman Lichtenberg – Said that she agrees with Mr. Nicholson regarding Congressman Gottheimer. She asked if Congressman Gottheimer can come to West Milford and address the Council about his plan.

Councilman Goodsir – Explained why it's not cost effective to lease DPW trucks.

Mayor Dale – Noted that the Township employees are required to pay a portion of their health benefits through Chapter 78.

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Councilman Gross – Would like someone from the Board of Education to explain why they see no decrease in the school budget costs when they see less students.

Councilwoman Erik – Asked if there was a reduction in the cost of permits. Mayor Dale said there is no reduction or special treatment when it comes to permitting.

Agenda No. XI

**Action Items**

Agenda No. XI 1

~ Ordinance 2020 – 004 ~

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY CONCERNING SALARIES AND COMPENSATION FOR PART TIME AND SEASONAL EMPLOYEES**

**BE IT ORDAINED** by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that pursuant to Chapter 33 entitled Personnel of the Revised General Ordinances of the Township of West Milford, New Jersey, 2007 the following Officers and Employees here below stated shall be classified by job title with the corresponding pay ranges:

**TEMPORARY, PART TIME AND SEASONAL EMPLOYEES**

<b>JOB TITLE</b>	<b>WAGE RATE</b>
Recreation Attendant (includes coffeehouse monitors, volley ball referees, program assistants)	\$10.30 - \$20.00 per hour
Substitute Lake Director	\$12.00 - \$20.00 per hour
Recreation Aide (includes, concession/gate monitors, seasonal maintenance workers, program specialist)	\$10.30 - \$20.00 per hour
Swim Instructor	\$10.30 - \$15.00 per hour
Head Swim Instructor/Swim Team Coordinator	\$15.00 - \$30.00 per hour
Lifeguard/Head Lifeguard	\$10.30 - \$15.00 per hour
Day Camp Director	\$12.00 - \$25.00 per hour
Day Camp Counselor	\$10.30 - \$16.00 per hour
Day Camp Nurse	\$28.75 - \$35.00 per hour
Seasonal Omni Bus	\$12.00 - \$28.00 per hour
Programs for the Disabled:	
Summer Aide	\$8.50 - \$12.00 per hour
Aide	\$9.50 - \$17.00 per hour
Teacher	\$15.00 - \$20.00 per hour
Recreation Program Instructor	\$20.00 - \$75.00 per hour
Building Service Worker (Monitor)	\$9.00 - \$14.00 per hour

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

This ordinance shall take effect 20 days after its final passage by the Township Council.

Introduced: March 4, 2020

Adopted:

Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled March 18, 2020. Notice of the public hearing shall be published in the Herald News on or about March 9, 2020.

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 Moved: Erik                      Seconded: Lichtenberg  
 Voted Aye: Erik, Pegel, Lichtenberg, Goodsir, Gross, Gerst  
 Voted Nay: None  
 Motion Carried:  
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Agenda No. XI 2

~ Ordinance 2020 – 005 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RENAMING THE ATHLETIC FIELD AT NOSENZO PARK TO THE “LEGACY FIELD”**

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**WHEREAS**, there exists in the Township of West Milford, Passaic County, New Jersey a municipal park currently known as Nosenzo Park; and

**WHEREAS**, Ordinance 2019-011 renamed the athletic field in said park for a single long-time municipal employee; and

**WHEREAS**, the Township Council seeks to rename the athletic field at Nosenzo Park as the "Legacy Field" and recognize all employees that serviced the Township of West Milford in a particularly exceptional manner; and

**WHEREAS**, the Township Council seeks to recognize all employees that served the Township of West Milford for a minimum of 40 years; and

**WHEREAS**, Paul Reilly is the only Parks Department employee with 40 years of service and deserves special recognition; and

**WHEREAS**, Fred Stewart died in the line of duty and deserves special recognition.

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

**SECTION 1.** The athletic field located within Nosenzo Park shall hereafter be known as the "Legacy Field".

**SECTION 2.** Signage for Legacy Field shall include the names, department served and years of service for all employees that served the Township of West Milford for a minimum of 40 years.

**SECTION 3.** The sign for the field shall list Paul Reilly first in recognition of his years of services in the Parks Department.

**SECTION 4.** The sign shall list Fred Stewart at the bottom and in a manner that denotes his dedication and sacrifice to the Fire Department.

**SECTION 5.** The appropriate municipal officials are hereby authorized to execute any collateral documents necessary to effectuate the purposes of this Ordinance.

**SECTION 6.** 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 7.** 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.

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

Introduced: March 4, 2020  
Adopted:  
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for March 18, 2020. Notice of this public hearing shall be published in the Herald News on or about March 9, 2020.

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Moved: Erik Seconded: Lichtenberg  
Voted Aye: Erik, Pegel, Lichtenberg, Goodsir, Gross, Gerst  
Voted Nay: None  
Motion Carried:  
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Mayor Dale asked to move resolutions 2020-117 through 2020-134

Agenda No. XI 3

~ Resolution 2020 – 117 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE FILING OF THE APPLICATION OF 2020 SAMHSA DRUG FREE COMMUNITIES SUPPORT PROGRAM GRANT FOA SP-17-001 IN THE CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER 93.276**

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**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-17-001 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 2020 SAMHSA Drug Free Communities Support Program; and

**WHEREAS**, the Mayor and Council of the Township of West Milford endorse and support this 2020 SAMHSA Drug Free Communities Support Program Grant Application and desire to file an application which is due April 3, 2020, 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 will have a full time coordinator whose services will be charged to the grant and who will be in charge of allocating money for the prevention of substance abuse in the Township of West Milford; 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 2020 SAMHSA Drug Free Communities Support Program Grant FOA SP-17-001 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. 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.
4. This Resolution shall take effect immediately.

Adopted: March 4, 2020

Agenda No. XI 4

~ Resolution 2020 – 118 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR BARRIER-FREE ACCESS AND A.D.A. IMPROVEMENTS TO THE JOHNER BUILDING**

**WHEREAS**, the County of Passaic anticipates having \$700,000 available to twelve eligible municipalities of the County and to eligible non-profit agencies under the 2020 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 (A.D.A.), are a qualified exception to the low-mod requirement; and

**WHEREAS**, the Johner Building is utilized as an office for the Fire Department and by the Office of Emergency Management; and

**WHEREAS**, the public entrance is not compliant with A.D.A. Guidelines and Design Standards; and

**WHEREAS**, the A.D.A. Committee has identified A.D.A. compliance for the Johner Building entrance as a desirable project.

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**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 2020 Community Development Block Grant for \$60,000 for A.D.A. improvements to the Johner Building entrance.

Adopted: March 4, 2020

Agenda No. XI 5

~ Resolution 2020 – 119 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REGARDING MUNICIPAL COUNCIL FAIR HOUSING**

**WHEREAS**, the Township of West Milford supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. It is the policy of the Township of West Milford to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The Township of West Milford further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. Therefore, the Municipal Council of the Township of West Milford do hereby approve the following resolution.

**NOW, THEREFORE, BE IT RESOLVED**, that within available resources, the Township of West Milford will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New Jersey Division on Civil Rights and the U.S. Department of Housing and Urban Development, as appropriate.

**BE IT FURTHER RESOLVED**, that the Township of West Milford shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New Jersey Law Against Discrimination, and any local laws or ordinances.

**BE IT FURTHER RESOLVED** that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

Adopted: March 4, 2020

Agenda No. XI 6

~ Resolution 2020 – 120 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF A 2020 COMMUNITY POLICING DEVELOPMENT (COPS) MICROGRANT**

**WHEREAS**, the West Milford Police Department has an obligation to maintain a positive relationship with our youth, while keeping them informed of the dangers of narcotics; and

**WHEREAS**, all state, local and tribal law enforcement agencies that have primary law enforcement authority are eligible to apply and the focus of this Microgrant is on rural towns' and

**WHEREAS**, funding may be utilized to offset expenditures pertaining to police related in-school activities, particularly the R.E.A.L. and L.E.A.D. programs (Not to be used as S.R.O.); and

**WHEREAS**, CPD can provide awards between \$10,000 - \$100,000 of funding for selected applicants and the West Milford Police Department will be applying for \$20,000, citing Youth Engagement as the premise' and

**WHEREAS**, if awarded, this grant will run for the duration of one calendar year (12 consecutive months), before expiration date and the applicant will need to re-apply for future funding.

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**NOW THEREFORE, BE IT RESOLVED**, the Township Council of the Township of West Milford hereby authorizes the submission of a 2020 Community Policing Development (COPS) Microgrant to offset the costs of promoting Youth Engagement through police related in-school activities. As the application will dictate, West Milford is requesting \$20,000 of the total available awards of \$2,300,000 offered by the grantor. No local cash match is required.

Adopted: March 4, 2020

Agenda No. XI 7

~ Resolution 2020 – 121 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY DECLARING WEST MILFORD A SECOND AMENDMENT TOWNSHIP**

**WHEREAS**, the Second Amendment to the United States Constitution provides: “A well regulated militia necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed”; and

**WHEREAS**, in District of Columbia v. Heller, 554 U.S. 570 (2008) the United States Supreme Court affirmed that the Second Amendment protects an individual right of law-abiding citizens to keep and bear arms, and is unconnected to militia or military service; and

**WHEREAS**, in Heller, the United States Supreme Court further explained that the “Second Amendment does not protect those weapons [which are] not typically possessed by law-abiding citizens for lawful purposes ...” Id. at 625; and

**WHEREAS**, abridging the rights of law-abiding gun owners that possess and use firearms for lawful purposes does not reduce the criminal use of firearms by violent offenders for unlawful purposes; and

**WHEREAS**, violations of existing laws, statutes and regulations are already criminal offenses, many being felonies; and

**WHEREAS**, New Jersey gun control laws are “highly purposed and conscientiously designed toward preventing criminal and other unfit elements from acquiring firearms while enabling the fit elements of society to obtain them with minimal burdens and inconveniences” Burton v. Stills, 53 N.J. 86 (1968); and

**WHEREAS**, after a law-abiding citizen has completed an application to purchase a handgun and for N.J. Firearms Purchaser Identification Card, and the Chief of Police of the Township of West Milford has thoroughly reviewed and approved such applications in accordance with applicable laws of this State, upon issuance of a permit to purchase a handgun and/or a N.J. Firearms Purchaser Identification Card that citizen has established that they are of good character, fitness and lawfully qualified to purchase and possess a firearm unless and until they otherwise become unqualified.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, that the Township is hereby declared a “Second Amendment Lawful Gun Owner Township” as further described in detail as follows:

- i. The Township supports the rights of lawful gun owners to lawfully use firearms for self-defense, to lawfully hunt, and to lawfully participate in shooting sports up to and including Olympic sports in accordance with Federal and State laws;
- ii. The Township opposes interference with, or infringement of, the rights of law-abiding citizens to legally purchase and lawfully own, possess, and use firearms in accordance with Federal and State laws;
- iii. The Township espouses to hold accountable and protect against violent criminal offenders and those who are unqualified and/or unfit to purchase, own, possess, and use firearms instead of irrational and/or disproven attempts to control lawful use of firearms for self-defense, hunting and sport;
- iv. The Township recognizes that it and its residents must at all times comply with all applicable Federal and State laws and regulations, and this resolution shall in no way be interpreted or construed as supporting the illegal purchase, ownership, possession and/or use of a firearm;
- v. Nothing in this Resolution shall be deemed to be the law of the Township of West Milford, nor shall it change, infringe upon or enhance any rights; and

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- vi. This Resolution is a statement of opinion of the Mayor and Counsel of the Township of West Milford, and it is not binding upon any citizen.

Adopted: March 4, 2020

Agenda No. XI 8

~ Resolution 2020 – 122 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY CITING THE 10 COMMANDMENTS OF PUBLIC CIVILITY**

**WHEREAS**, the Governing Body of the Township of West Milford has agreed to pass a resolution listing guidelines to follow while representing or acting on behalf of the Township of West Milford; and

**WHEREAS,**

1. Thou shalt not rudely interrupt a colleague midsentence nor speak over a colleague while she/he is speaking; and
2. Thou shalt not assume that shrillness of tone is a substitute for substantive dialogue; and
3. Thou shalt treat the members of the public with the same courtesy as you would if they were members of your body and perhaps more importantly, require that they treat you and your colleagues the same way; and
4. Thou shalt not resort to zingers designed solely to embarrass your target; and
5. Thou shalt, where possible, explore areas of common ground where legitimate disagreements exist in an effort to move forward on matters of public importance; and
6. Thou shalt not allow legitimate critique of policy and practice to become a personal attack aimed at the person who devised the policy or implements the practice; and
7. Thou shalt always recognize that your colleagues were also elected, just as you were, and deserve the same level of respect for having run and won; and
8. Thou shalt not ridicule or belittle a colleague or a member of the public simply because he or she disagrees with you on an issue; and
9. Thou shalt not pretend something is much more important than it really is simply to score points with an audience; and
10. Thou shalt always remember that it is okay to agree to disagree, and that reasonable people can indeed disagree reasonably.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, hereby authorize the posting of The 10 Commandments of Public Civility in Town Hall, located at 1480 Union Valley Road, West Milford, New Jersey.

Adopted: March 4, 2020

Agenda No. XI 9

~ Resolution 2020 – 123 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING AN INTERLOCAL SERVICE AGREEMENT WITH THE CITY OF PATERSON FOR COMMUNICABLE DISEASE SERVICES**

**WHEREAS**, the Township of West Milford provides health services for its residents through a locally funded and operated Health Department; and

**WHEREAS**, state regulations require that local Health Department provide certain communicable disease treatment and prevention services; and

**WHEREAS**, the Township Council wishes to approve the 2020 inter local services contract with the City of Paterson to provide tuberculosis communicable disease prevention and treatment services since the provision of these required services through the joint service arrangement is a cost effective means of providing the required services; and

**WHEREAS**, the cost of these services is \$300.00 per year and is provided for in the Township 2020 budget for health services.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the Interlocal Service Agreement with the City of Paterson for health care services is hereby approved and the Mayor and Municipal Clerk are authorized to execute the contract on behalf of the Township.

Adopted: March 4, 2020

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Agenda No. XI 10

**~ Resolution 2020 – 124 ~**

**A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING RESOLUTION 2020-105 AUTHORIZING THE USE OF ESCROW FUNDS FROM THE LEASE OF THE HILLCREST FACILITY TO BE APPLIED TO THE PURCHASE OF A NEW TURF FIELD BY THE WEST MILFORD TOWNSHIP BOARD OF EDUCATION**

**WHEREAS**, on February 19, 2020 the Township adopted Resolution 2020-105 authorizing the use of escrow funds from the lease of the Hillcrest Facility to be used toward the purchase of a new turf field; and

**WHEREAS**, Resolution 2020-105 did not adequately reflect the complete financial arrangement between the Board of Education and the Township of West Milford for the new turf field; and

**WHEREAS**, the Township Engineer has advised that the existing turf field is near the end of its useful life and the Board of Education has proposed that it would like to obtain proposals for the construction of a new turf field which will cost in the range of \$725,000; and

**WHEREAS**, the Township and the Board of Education have agreed to split the reasonable cost of the project equally.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford, in the County of Passaic, State of New Jersey, the Township of West Milford, in an effort to support its obligation with respect to the construction of a new turf field, as well as to continue its support of recreational opportunities for its residents, hereby authorizes the transfer of the escrow funds remaining from the Hillcrest lease in the amount of \$310,564.96 to the West Milford Board of Education solely for the purposes of the construction and installation of a new turf field at the West Milford High School for an estimated cost of \$725,000.

**BE IT FURTHER RESOLVED** that the Township and Board of Education have agreed that the transferred escrow monies shall represent a portion of the 50% of the reasonable cost of a new turf field for which the Township is responsible, and that the Township shall contribute whatever remaining monies are necessary to satisfy its 50% contribution in a total amount not to exceed \$51,935.04 (\$362,500 less \$310,564.96).

**BE IT FURTHER RESOLVED** that the Township and the Board of Education hereby agree that the total contribution by the Township will satisfy the Township's obligation for this project and the parties will continue to work in a collaborative manner to share and utilize the turf field once the project has been completed.

This Resolution shall take effect immediately.

Adopted: March 4, 2020

Agenda No. XI 11

**~ Resolution 2020 – 125 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO FERRIERO ENGINEERING, INC. FOR DESIGN OF THE REHABILITATION OF THE BUBBLING SPRINGS LOWER POND DAM**

**WHEREAS**, the Bubbling Springs Lower Pond Dam is essential to the water quality of the upper swimming lake; and

**WHEREAS**, the dam does not meet current New Jersey Department of Environmental Protection, Bureau of Dam Safety and Flood Control standards; and

**WHEREAS**, the Township of West Milford has been awarded a low interest Dam Safety loan in the amount of \$460,000 to fund the construction of the dam rehabilitation project; and

**WHEREAS**, the previous consulting engineering firm contracted to provide design services for the dam rehabilitation has been dissolved; and

**WHEREAS**, since 2010, Ferriero Engineering, Inc., has been performing Dam Safety required inspections and reports for other Township owned dams; and

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

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**WHEREAS**, the Chief Financial Officer has certified the availability of funds for these services to be encumbered from account number 04-215-55-812-013.

**NOW, THEREFORE, BE IT RESOLVED** by the 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 Ferriero Engineering, Inc., 180 Main Street, P.O. Box 571, Chester, NJ 07930, for professional engineering services for the design of the rehabilitation of the Bubbling Springs Lower Pond Dam in an amount not to exceed \$84,500.00.
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 \$84,500.00, 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: March 4, 2020

Agenda No. XI 12

~ Resolution 2020 – 126 ~

**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 REHABILITATE THE NOSENZO POND PARK PAVILION**

**WHEREAS**, in 2011 the Township acquired the Nosenzo Pond Park (formerly CYO) property for Green Acres Open Space and Recreation; and

**WHEREAS**, to date there have been multiple park improvement projects funded partially by Passaic County Open Space, Farmland and Historic Preservation funds; and

**WHEREAS**, there is a desire to rehabilitate and repurpose the existing underutilized open pavilion; and

**WHEREAS**, a proposal was requested and received from a local architect for the preparation of a conceptual plan; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the 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 Brian Murphy Architect, LLC, 179 Cahill Cross Road – Suite 202, West Milford, NJ 07480, for professional architectural services for conceptual design to rehabilitate the Nosenzo Pond Park pavilion in an amount not to exceed \$9,500.00.
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 \$9,500.00, 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: March 4, 2020

Agenda No. XI 13

~ Resolution 2020 – 127 ~

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

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

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

**WHEREAS**, the Morris County Cooperative Pricing Council has awarded Contract #9 (Crushed Stone, Gravel and Sand), to Eastern Concrete Materials Inc.; and

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

**WHEREAS**, the Director of Public Works has submitted a written recommendation that the Township of West Milford utilize Eastern Concrete Materials Inc., for the purchase of crushed stone through the use of the Morris County Cooperative Pricing Council, Contract #9 in an amount not to exceed \$20,000.00; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number: 01-201-26-290-360 (\$20,000.00).

**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 an expenditure of funds through the Morris County Cooperative Pricing Council, contract #9, to Eastern Concrete Materials Inc., 250 Pehle Ave., Suite 503, Saddle Brook, NJ 07663 for the purchase of crushed stone for a not to exceed amount of \$20,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the Office of the Township Clerk.

Adopted: March 4, 2020

Agenda No. XI 14

~ Resolution 2020 – 128 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF PAVING MATERIALS FROM TILCON NEW YORK, INC. THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #5 (PAVING MATERIALS) IN AN AMOUNT NOT TO EXCEED \$30,000.00**

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

**WHEREAS**, the Morris County Cooperative Pricing Council has awarded Contract #5 (Paving Materials), to Tilcon New York, Inc., and

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

**WHEREAS**, the Director of Public Works has submitted a written recommendation that the Township of West Milford utilize Tilcon New York, Inc., for the purchase of paving materials through the use of the Morris County Cooperative Pricing Council, Contract #5 in an amount not to exceed \$30,000.00; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number: 01-201-26-290-361 (\$30,000.00).

**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 an expenditure of funds through the Morris County Cooperative Pricing Council, contract #5, to Tilcon New York, Inc., 9 Entin Road, Parsippany, NJ 07054 for the purchase of paving materials for a not to exceed amount of \$30,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the Office of the Township Clerk.

Adopted: March 4, 2020

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

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**~ Resolution 2020 – 129 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING EXPENDITURE OF FUNDS FOR THE PURCHASE OF SIGN MATERIALS IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICIES AND PAY-TO-PLAY LAW N.J.S.A. 19:44A-20.5 ET SEQ.**

**WHEREAS**, the Township Council of the Township of West Milford adopted ordinance 2013-020 to create the position of Qualified Purchasing Agent in the municipality and subsequently adopted resolution 2013-330 appointing a Qualified Purchasing Agent (QPA) and increasing the bid threshold from \$17,500.00 to \$40,000.00; and

**WHEREAS**, as a condition to the increase in the bid threshold, the Township Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase in excess of the former bid threshold of \$17,500.00 and that the purchase shall warrant use of State contract, cooperative pricing contract or a minimum of three quotations; and

**WHEREAS**, the Department of Public Works is requesting the purchase of sign materials (sign blanks, faces, reflective materials, posts and hardware), from Garden State Highway Products, Traffic Safety & Equipment Co., and American Traffic Safety Materials through use of either cooperative pricing contracts or a minimum of three quotations, which expenses would exceed the aggregate quote threshold of \$17,500.00; and

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

**WHEREAS**, the Township Council has received a recommendation from the Director of Public Works indicating the anticipated need to purchase various sign materials which expenses would exceed the aggregate quote threshold of \$17,500.00; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute purchases to the above referenced vendors in an amount not to exceed \$40,000.00 per vendor for the remainder of the 2020 calendar year and within the budget appropriation established for this purpose.

Adopted: March 4, 2020

Agenda No. XI 16

**~ Resolution 2020 – 130 ~**

**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 2020 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 Solid Waste 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:

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<b>Appropriation</b>	<b>Acct Number</b>	<b>2020 Temporary Budget</b>
S&W	26-201-55-500-100	\$62,000.00
O.E.	26-201-55-500-200	\$47,708.00
Recycling Collection	26-201-55-500-514	\$400,000.00
Garbage Collection	26-201-55-500-515	\$700,000.00
Tipping Fees	26-201-55-500-548	\$230,000.00
	<b>Total</b>	<b>\$1,439,708.00</b>

Adopted: March 4, 2020

Agenda No. XI 17

~ Resolution 2020 – 131 ~

**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>Cooking</b>		
Amelia	\$85.00	Jeryl Spencer 67 Mcewen Street Warwick, NY 10990
Eriyls	\$75.00	Natalia Moya 22 Walker Avenue West Milford, NJ 07480
<b>Red Cross Babysitter Class</b>		
Emma	\$35.00	Maryann Baumohl 17 Lenape Trail West Milford, NJ 07480
Mikayla	\$35.00	Christina Bennett 1451 Union Valley Road West Milford, NJ 07480
Gianna	\$35.00	Kristine Buzzelli 29 Duralee Court West Milford, NJ 07480
Shelby	\$35.00	Mary Durant 27 Mt. Circle North West Milford, NJ 07480
Aubrey	\$35.00	Nicole Fritz 18 Cherbourg Drive West Milford, NJ 07480
Olivia	\$35.00	Caryn Gallione 15 Wanaque Road Hewitt, NJ 07421
Olivia	\$35.00	Christie Kinahan 36 Edgecumb Road West Milford, NJ 07480
Cameron	\$35.00	Janette Larionoff 11 Plumridge Road West Milford, NJ 07480
Lily	\$35.00	Fred Shafer 22 Broadway West Milford, NJ 07480
Emma	\$35.00	Denise Shorter 8 Bradrick Lane West Milford, NJ 07480
Alexandra	\$35.00	Laura Slavin 94 Edward Drive Ringwood, NJ 07456
Lily	\$35.00	Theresa Struck 100 Edward Drive Ringwood, NJ 07456

Adopted: March 4, 2020

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

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**~ Resolution 2020 – 132 ~**

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

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

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

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

**REASON: 1. INSUFFICIENT FUNDS**

<b>Block/Lot</b>	<b>Name</b>	<b>Amount</b>	<b>Year</b>
6303-13	Anderson Inserra West	1,763.00	2020
6303-12	Anderson Inserra West	963.00	2020
6303-11	Anderson Inserra West	591.00	2020
15803-15	Joseph Chapmen	2,915.00	2020
9707-8	John Edward Deley	2,202.00	2020
2406-18	Audubon Rd Enterprise Llc	5,804.92	2019
4303-16	Gorudo Sushi Llc	2,907.42	2019
8201-1	Scott Walker Access Redevelopment Llc	2,000.00	2019
15803-15	Joseph Chapman	2,946.47	2020
11001-17	Karen Mosher	1,529.15	2020
12101-5	Maryellen Gillen	1,348.59	2020
9710-7	Rosemarie & Henry Koster Jr	2,322.00	2020
	<b>TOTAL</b>	<b>\$27,292.55</b>	

Adopted: March 4, 2020

Agenda No. XI 19

**~ Resolution 2020 – 133 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CANCELLATION OF TAX LIEN PREMIUM**

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

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

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

<b>Block / Lot</b>	<b>Lien Certificate No.</b>	<b>Premium Amount</b>
07604-003	14-0055	\$43,200.00
<b>TOTAL</b>		<b>\$43,200.00</b>

Adopted: March 4, 2020

Agenda No. XI 20

**~ Resolution 2020 – 134 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2019**

**WHEREAS**, applications have been made for the new licenses and the renewal of various Licenses for the 2020 license year; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford does hereby approve the issuance of 2019 Licenses as listed below:

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

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License No.	2019 SOLICITOR LICENSE
2019-01	Alex Log Home Restoration – Alex Fajsz
2019-02	Alex Log Home Restoration – Hedvig Hoffmann

Adopted: March 4, 2020

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 Moved: Erik                      Seconded: Lichtenberg  
 Voted Aye: Erik, Pegel, Lichtenberg, Goodsir, Gross, Gerst  
 Voted Nay: None  
 Motion Carried:  
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Agenda No. XII

**Approval of Expenditures**

~ Resolution 2020 – 135 ~

**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	\$403,133.27
3	Reserve Account	45,324.25
2	Grants	9,327.77
6	Refunds	580.00
1	General Ledger	0.00
26	Refuse	66,875.43
4	Capital	31,689.75
19	Animal Control	0.00
19	Heritage Trust	0.00
19	Open Space Trust	1,007.00
19	Trust	4,795.59
19	Scala Trust	0.00
16	Development Escrow	91,309.03
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$654,042.09
	Less Refund Resolution	-580.00
	<b>Actual Bills List</b>	<b>\$653,462.09</b>
	Other Payments	
	Payroll	534,886.27
	Lasser Hochman Trust	199,985.00
	<b>Total Expenditures</b>	<b>\$1,388,333.36</b>

Adopted: March 4, 2020

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 Moved: Erik                      Seconded: Lichtenberg  
 Voted Aye: Erik, Pegel, Lichtenberg, Goodsir, Gross, Gerst  
 Voted Nay: None  
 Motion Carried:  
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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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Agenda No. XIII

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

Mayor Dale – Read a letter from Assemblywoman BettyLou DeCroce in regards to the algae bloom. She thanked the new CASA Coordinator Katherine McGurr for her efforts in getting the Take Away the Vape grant from Hackensack Meridian Health. She provided an update on the Orange and Rockland vegetation process.

Councilman Gross – Read resolution 2020-121.

Councilwoman Gerst – No report.

Councilwoman Erik – Provided an update on Beautification Day and the Heritage Committee. She said she hopes the Council received an email from Bob Nicholson in reference to the JAG (Jersey Access Group). She explained that they are trying to take away the franchise fee for cable television. She urged the Council to read and support it. Mayor Dale noted that she will add this to a meeting agenda for discussion.

Councilwoman Pegel – No report.

Councilwoman Lichtenberg – Provided an update on the boards/committees she serves on. Spoke about an event at the Living Word Church.

Councilman Goodsir – Mentioned that they were down volunteers last year for Beautification Day. He noted the Trout Derby has been moved to May 2. He provided an update on the Recreation Advisory Committee and encouraged the residents to attend and share their input.

Administrator Senande – No report.

Mr. Semrau – Provided an explanation on resolution 2020-136.

~ Resolution 2020 – 136 ~

**A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ACCEPTING THE PLANNING BOARD'S RESOLUTION DETERMINING THAT THE PROPERTY IDENTIFIED AS BLOCK 6701 LOT 10 BE DESIGNATED AS A NON-CONDEMNATION REDEVELOPMENT AREA IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (“Redevelopment Law”) authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

**WHEREAS**, pursuant to the Redevelopment Law, the Planning Board of the Township of West Milford (“Planning Board”) was asked to consider whether the property located at Block 6701 Lot 10 and generally described as the “Study Area”, could be determined to be an Area in Need of Redevelopment as summarized in a study prepared by J Caldwell & Associates, LLC dated February 7, 2020; and

**WHEREAS**, on November 6, 2019, the Township Council of the Township of West Milford adopted Resolution 2019-339 authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether the property identified as Block 6701 Lot 10 meets the criteria set forth in the Redevelopment Law and should be designated as a Non-Condemnation Redevelopment Area, as that term is defined by the Redevelopment Law; and

**WHEREAS**, the Planning Board conducted a preliminary investigation of the Study Area to determine whether it should be designated as a Non-Condemnation Redevelopment Area in accordance with the criteria and procedures set forth in N.J.S.A. 40A:12A-5 and 40A:12A-6; and

**WHEREAS**, as part of its preliminary investigation, the Planning Board directed J Caldwell & Associates, LLC to prepare an Area In Need of Redevelopment Investigation Study (“Area in Need Study”) for the Planning Board to consider in determining whether the Study Area should be designated a Non-Condemnation Redevelopment Area; and

**WHEREAS**, J Caldwell & Associates, LLC, licensed Professional Planner Jessica C. Caldwell, P.P., A.I.C.P., prepared a report with accompanying maps, diagrams and documents entitled, “Area in Need of Redevelopment Study 1938 Union Valley Road Block 6701 Lot 10”, dated February 7, 2020, showing the boundaries of the proposed redevelopment area and location of the parcel of property included therein, along with a statement setting forth the basis for the investigation in accordance with N.J.S.A. 40A:12A-6(b)(1); and



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

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Agenda No. V

**Executive Session**

**~ Resolution 2020 – 116 ~**

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 4<sup>th</sup> day of March, 2020 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.
  - ( ) b. (4) A collective bargaining agreement including negotiations
  - ( ) 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
    - Attorney Client Privilege - Council on Mandates
    - Attorney Client Privilege - Newark Watershed Litigation
    - Litigation - Tobias vs. WM
  - ( ) 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 4, 2020

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Moved: Erik                      Seconded: Gerst  
Voted Aye: Unanimous voice vote  
Voted Nay: None  
Motion carried.  
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The Governing Body went into executive session at 8:23 p.m.  
The Governing Body returned to the public meeting at 9:06 p.m. with all present as before

Agenda No. XV

**Adjournment**

There being no further business to come before the Council, the Governing Body adjourned the meeting at 9:07 p.m.

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Moved: Pegel                      Seconded: Lichtenberg  
Voted Aye: Unanimous voice vote  
Voted Nay: None  
Motion carried.  
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Approved: March 18, 2020

Respectfully submitted:

\_\_\_\_\_  
Sherry Zbrzeski, Keyboarding Clerk II

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

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