

## **TOWNSHIP OF WEST MILFORD**

THE FOLLOWING COMPRISES THOSE DOCUMENTS  
SUBMITTED TO THE TOWNSHIP COUNCIL FOR  
CONSIDERATION AND ACTION AT THE APRIL 3, 2019  
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

### **~ Ordinance 2019 – 004 ~**

**BOND ORDINANCE APPROPRIATING \$1,135,000 AND AUTHORIZING THE ISSUANCE OF \$444,600 BONDS OR NOTES OF THE TOWNSHIP FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY**

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

The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Township of West Milford, in the County of Passaic, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$1,135,000 including the aggregate sum of \$22,400 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes and including also (i) in the case of the improvement or purpose described in paragraph (a) of said Section 3, the sum of \$273,000 received or expected to be received by the Township from the New Jersey Department of Transportation, as a grant-in-aid of financing said improvement or purpose, (ii) in the case of the improvement or purpose described in paragraph (b) of said Section 3, the sum of \$315,000 received or expected to be received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement or purpose and (iii) in the case of the improvement or purpose described in paragraph (c) of said Section 3, the sum of \$80,000 received or expected to be received by the Township from the Passaic County Open Space Trust Fund as a grant-in-aid of financing said improvement or purpose.

For the financing of said improvements or purposes and to meet the part of said \$1,135,000 appropriations not provided for by application hereunder of said down payments and grants, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$444,600 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$444,600 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES
<p>(a) Improvement of Awosting Road in and by the Township by the construction or reconstruction therein of a roadway pavement at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2 22 of said Local Bond Law), together with all sidewalks, curbing, structures, appurtenances, milling, drainage improvements, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the \$450,000 appropriation hereby made therefor being inclusive of the amount of \$273,000 received or expected to be received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement</p>	450,000	168,500
<p>(b) Improvement of Canister Road in and by the Township by the construction or reconstruction therein of a roadway pavement at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2 22 of said Local Bond Law), together with all sidewalks, curbing, structures, appurtenances, milling, drainage improvements, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the \$500,000 appropriation hereby made therefor being inclusive of the amount of \$315,000 received or expected to be received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement</p>	500,000	176,100
<p>(c) Improvement of municipally-owned properties and facilities in and by the Township, including Bubbling Springs Park by the renovation of the athletic fields, together with all drainage facilities, walkways, structures, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the \$185,000 appropriation hereby made therefor being inclusive of the amount of \$80,000 received or expected to be received by the Township from the County of Passaic Open Space Trust Fund as a grant-in-aid of financing said improvement</p>	185,000	100,000
<b>Totals</b>	<b>\$1,135,000</b>	<b>\$444,600</b>

Except as otherwise stated in paragraphs (a), (b) and (c) above with respect to the said grants-in-aid of financing the purposes described in said paragraphs, the excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

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

The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 11.12 years.

The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$444,600, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

Amounts not exceeding \$180,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof (and, in particular, such costs have been included in the improvement described in Section 3(c) of this bond ordinance).

The funds from time to time received by the Township on account of the \$668,000 grants referred to in Section 1 of this bond ordinance shall be used for financing the improvements or purposes described in paragraphs (a), (b) and (c) of Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Township authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of said improvements or purposes shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this bond ordinance.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at no less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

Introduced:  
Adopted:  
Effective Date:

TOWNSHIP OF WEST MILFORD  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY

ATTEST:

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

By: \_\_\_\_\_  
Michele Dale, Mayor

# Township of West Milford

Passaic County, New Jersey

## ~ Ordinance 2019 - 005 ~

### AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER X, TRAFFIC, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY

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

**SECTION 1.** Chapter X, Traffic, Section 10-3, Parking, Schedule I, is hereby amended in regard to prohibited parking at any time along the following street or portion thereof as follows:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Davenport Road	Both	From the intersection of Caro Drive to the Jefferson Township line

**SECTION 2.** Regulatory signs shall be erected to affect the above designated No Parking Zone.

**SECTION 3.** If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other section or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**SECTION 4.** 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 5.** 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 6.** This Ordinance shall take effect as required by law and upon the posting of appropriate signs.

Introduced:  
Adopted:  
Effective Date:

TOWNSHIP OF WEST MILFORD  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY

ATTEST:

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

By: \_\_\_\_\_  
Michele Dale, Mayor

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2019 – 107 ~

**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 \$42,525.00 from the Board for the County to fund repairs to Wallisch Homestead at a cost of up to \$42,525.00 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 R2017-0349, 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 are 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 are hereby authorized to execute a grant agreement and any amendment thereof 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.

**Proposed Projects to Wallisch Homestead by the Friends of Wallisch Homestead**  
**Barn Restoration**

1.a.	Repair plaster & paint first floor interior
1.b	Electrical work (wiring for ceiling lights and outlets)

**Creamery Restoration**

3.a	Carpentry repair and exterior painting of doors and windows
3.b	Electrical work (wiring for ceiling lights and outlets)
3.c	Exterior Carpentry repair and painting of soffits and replace gutters

Adopted: April 3, 2019

Adopted this 3<sup>rd</sup> day of April, 2019  
 and certified as a true copy of an original.

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

## **Township of West Milford**

Passaic County, New Jersey

### **~ Resolution 2019 – 108 ~**

#### **RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE 2019 WEST MILFORD FIREWORKS DISPLAY TO BE HELD AT THE BOARD OF EDUCATION MCCORMACK FIELD**

**WHEREAS**, the West Milford Community Services & Recreation Department wishes to use the McCormack Field property to hold a display of fireworks on Wednesday, July 3, 2019 with a rain date of July 5, 2019; and

**WHEREAS**, the West Milford Board of Education Officials have approved the use of the property known as McCormack Field to hold a fireworks display.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, that based upon the West Milford Board of Education's approval of McCormack Field, it does hereby approve the special event by the West Milford Community Services & Recreation and Garden State Fireworks Inc. to conduct a fireworks display on Wednesday, July 3, 2019 with a rain date of July 5, 2019.

Adopted: April 3, 2019

Adopted this 3<sup>rd</sup> day of April, 2019  
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 2019 – 109 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO GARDEN STATE FIREWORKS, INC. FOR THE TOWNSHIP'S FOURTH OF JULY CELEBRATION IN AN AMOUNT NOT TO EXCEED \$10,000.00**

**WHEREAS**, the Township is in need of professional pyrotechnics handler services for the 2019 Fourth of July celebration; and

**WHEREAS**, Garden State Fireworks, Inc. has vast experience and expertise in providing such services in New Jersey, and to the Township; and

**WHEREAS**, the Township wishes to retain the services of Garden State Fireworks, Inc. to assist the Township of West Milford in providing a Fourth of July celebration by preparing and displaying a fireworks exhibition; and

**WHEREAS**, the total amount of the contract shall not exceed \$ 10,000.00 and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for these services and shall come from the Fireworks Trust Account 19-295-56-120-202; and

**WHEREAS**, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; and

**WHEREAS**, Garden State Fireworks, Inc. has received the Township's Political Contribution Disclosure Form and 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 Garden State Fireworks, Inc. from making any reportable contributions through the term of the contract, 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 bid and the contract itself must be made available for public inspection.

**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 are hereby authorized to execute an agreement with Garden State Fireworks, Inc. PO Box 403 Millington, NJ 07946 for professional pyrotechnics fireworks display in an amount not to exceed \$10,000.00.
2. This contract is awarded without competitive bidding, as the total price of the contract shall not exceed the \$17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3.
3. The total fee authorized for this contract shall not exceed \$ 10,000.00 without the prior written approval of the Township Council.
4. Notice of this action shall be published in the Township's official newspaper as required by law.

Adopted: April 3, 2019

Adopted this 3<sup>rd</sup> day of April, 2019  
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 2019 – 110 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION AGREEMENTS WITH THE RINGWOOD SOCCER ASSOCIATION AND THE VERNON SOCCER ASSOCIATION FOR PARTICIPATION IN THE WEST MILFORD SOCCER ASSOCIATION PROGRAM**

**WHEREAS**, the West Milford Soccer Association (WMSA) offers an annual program to members thereto; and

**WHEREAS**, the WMSA has recommended the execution of contracts with the Ringwood Soccer Association and the Vernon Soccer Association to complement and improve their existing program; and

**WHEREAS**, the Township of West Milford wishes to enter into Agreements with the Ringwood Soccer Association and the Vernon Soccer Association to allow for their participation in the West Milford Soccer Association's Program.

**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 Mayor and the Township Clerk be and are hereby authorized to enter into agreements for the Spring 2019 soccer season with the Ringwood Soccer Association and the Vernon Soccer Association under the terms and conditions set forth in the Agreement.
2. This resolution and these agreements shall be available for public inspection in the office of the Township Clerk.

Adopted: April 3, 2019

Adopted this 3<sup>rd</sup> day of April, 2019  
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 2019 – 111 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING A CHANGE IN THE SPENDING ALLOCATION OF THE OPEN SPACE TRUST FUND IN ACCORDANCE WITH §239-2 OF THE TOWNSHIP CODE

**WHEREAS**, on February 19, 2014 the Township Council did adopt Ordinance 2014-001 which ordinance provides for the collection of taxes dedicated for the purpose of funding an open space, recreation, farmland and historic preservation trust fund; and

**WHEREAS**, Ordinance 2014-001 was subsequently codified in the Township code in Chapter 239, "Open Space, Recreation, and Farmland and Historic Preservation Trust Fund"; and

**WHEREAS**, §239-2 established rules for the utilization of these open space funds; and

**WHEREAS**, §239-2 C allows the Governing Body of the Township of West Milford to change the spending allocation in said ordinance for a given calendar year on the condition that said reallocation of funds be approved by five affirmative votes of the Township Council; and

**WHEREAS**, at the Special Budget meeting of March 27, 2019 the Township Council did, by motion, second and roll call, give direction for the transfer and use of Open Space Trust Fund monies which directions are hereby ratified in accordance with §239 of the Township Code; and

**WHEREAS**, there remains a balance of \$1,193,367 in the open space trust fund account which is dedicated solely to property acquisitions because said funds were raised by taxation for that purpose prior to the adoption of Ordinance 2014-001 and those funds are not subject to the reallocation provision in §239-2 of the Township code; and

**WHEREAS**, there are balances in the open space trust fund account which are subject to reallocation having been raised through taxation as follows as of March 24, 2019:

- \$ 122,121 for the purposes of land acquisition
- \$ 59,936 for the purpose of improving recreational facilities
- \$ 59,853 for the purpose of historic preservation and conservation; and

**WHEREAS**, whenever possible for a multitude of years, successive Township Councils have approved grant applications for the rehabilitation and improvement of various and multiple recreational facilities in the Township; and many of those grant applications have been successful whereby the Township has received grant funds from various sources to rehabilitate or improve recreational facilities in incremental phases throughout the Township; and

**WHEREAS**, the provisions of §239-2 C affords the Township Council the ability to change the spending allocation in one calendar year and the Township Council affirms that such reallocation is in the best interest of the municipality; and

**WHEREAS**, the Township has received grant funding for lighting at Nosenzo Pond which grants require a Township match of \$42,000; and

**WHEREAS**, the Township Council authorizes the CFO and CS&R Director to utilize funds in the recreation development line of the Open Space Trust Fund for this purpose; and

**WHEREAS**, the Township has received grant funding for a new playground at Nosenzo Pond with a required match of \$29,000; and

**WHEREAS**, the Township Council hereby directs the CFO and CS&R Director to utilize funds from the recreation development line in the Open Space Trust Fund for this purpose which leaves a shortfall of \$11,064 for this project; and

**WHEREAS**, the Director of Community Services & Recreation has advised that the roof at the Rec Center must be repaired because of a number of leaks that are causing damage to the gym floors; and

**WHEREAS**, the Township Council recognizes the importance of maintaining the municipal infrastructure and wishes to accomplish this goal without raising taxes or increasing municipal debt for that purpose; and

**WHEREAS**, the Township Council hereby authorizes the CFO to transfer the remaining funds from the land acquisition line in the Open Space Trust Account to the recreation development line for the purposes of funding the roof repair and the remaining balance of the new playground at Nosenzo Pond.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford that the funding allocation in the Township's Open Space Trust Account be and is hereby changed in accordance with §239-2 of the Township Code as follows:

Funding in the land acquisition line of the open space trust account shall be transferred into the recreation account to fund the projects outlined above; and

**BE IT FURTHER RESOLVED**, that funding allocations as outlined herein below shall be applied:

Existing funding in the Recreation Development line of \$42,000 shall be used for the Nosenzo Pond Lighting Project to bring this project to conclusion and complement the grant funds received for this purpose.

Existing funding in the Recreation Development line of \$17,936 shall be used for the Nosenzo Playground Project to bring this project to conclusion and complement the grant funds received for this purpose.

\$122,121 in the Land Acquisition Line shall be transferred to the Recreation Development Line of the Open Space Trust Account for the purposes of funding the remaining balance of \$12,000 for the Nosenzo Playground Project and \$110,121 for repairs to the Recreation Center roof.

**BE IT FURTHER RESOLVED** that the Township Council hereby directs the CFO to restore funds transferred from land acquisition to recreation development for the Nosenzo Playground Project to the land acquisition line when that line has been replenished through tax collection.

**BE IT FURTHER RESOLVED**, that in accordance with the Township code this funding allocation does not affect the allocation of funds collected through taxation in future years in accordance with the allocations for same outlined in Chapter §239 of the Township code.

Adopted: April 3, 2019

Adopted this 3<sup>rd</sup> day of April, 2019  
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 2019 – 112 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO JUDGE MARGARET MARY McVEIGH TO SERVE AS A HEARING OFFICER IN AN AMOUNT NOT TO EXCEED \$5,000.00**

**WHEREAS**, the agreements executed by Mr. Timothy Ligus and the Township of West Milford to resolve personnel and civil matters provide that an independent hearing officer be retained to adjudicate any issues that may arise in the future; and

**WHEREAS**, the Honorable Judge Margaret Mary McVeigh served as a Passaic County Superior Court Judge from 1992 until 2016; and

**WHEREAS**, the Township wishes to retain the services of Retired Judge Margaret Mary McVeigh to serve as a hearing officer based on the need for such services; and

**WHEREAS**, the Township Attorney recommends the appointment of a Hearing Officer for the purposes outlined herein and in accordance with the agreements referenced herein; and

**WHEREAS**, the total amount of the contract shall not exceed \$5,000.00 and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for these services and shall come from account number 01-201-20-161-450; and

**WHEREAS**, Judge Margaret Mary McVeigh, has received the Township's Political Contribution Disclosure Form and 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 Judge Margaret McVeigh from making any reportable contributions through the term of the contract, 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 bid and the contract itself must be made available for public inspection.

**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 are hereby authorized to execute an agreement with Judge Margaret Mary McVeigh, DeMarco & DeMarco, 912 Belmont Avenue, North Haledon, NJ for professional arbitration services in an amount not to exceed \$5,000.
2. This contract is awarded without competitive bidding, as the total price of the contract shall not exceed the \$17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3.
3. The total fee authorized for this contract shall not exceed \$5,000 without the prior written approval of the Township Council.
4. Notice of this action shall be published in the Township's official newspaper as required by law.

Adopted: April 3, 2019

Adopted this 3<sup>rd</sup> day of April, 2019  
and certified as a true copy of an original.

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

## **Township of West Milford**

Passaic County, New Jersey

### **~ Resolution 2019 – 113 ~**

#### **RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING RESOLUTION 2018-237 AND RESOLUTION 2018-256 WHICH PROVIDES FOR MANDATORY DIRECT DEPOSIT FOR ALL EMPLOYEES AND ELECTED OFFICIALS**

**WHEREAS**, on September 5, 2018, Resolution 2018-237 was adopted authorizing mandatory direct deposit for all employees and elected officials with an effective date of October 1, 2018; and

**WHEREAS**, on September 19, 2018, Resolution 2018-256 was adopted authorizing the extension of the effective date to March 31, 2019; and

**WHEREAS**, the Township Council believes that it is in the best interest of the Township of West Milford to extend the effective date to December 31, 2019.

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of West Milford that, Resolution 2018-237 and Resolution 2018-256 be and are hereby amended to change the deadline date for mandatory direct deposit of net pay for all employees and elected officials of the Township of West Milford from March 31, 2019 to December 31, 2019.

Adopted: April 3, 2019

Adopted this 3<sup>rd</sup> day of April 2019  
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 2019 – 114 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE 2019 TEMPORARY CAPITAL BUDGET

**WHEREAS**, the Township of West Milford desires to constitute the 2019 Temporary Capital Budget of said municipality by inserting therein the following projects:

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

Section 1. The 2019 Temporary Capital Budget of the Township of West Milford is hereby constituted by the adoption of the schedule to read as follows:

Temporary Capital Budget of the  
Township of West Milford  
County of Passaic, New Jersey  
Projects Scheduled for 2019  
Method of Financing

<u>Project</u>	<u>Est. Costs</u>	<u>Other</u>	<u>Grant Funds</u>	<u>Capital Imp. Fund</u>	<u>Capital Surplus</u>	<u>Bonds</u>
Improvement of Roads	\$950,000		\$588,000	\$17,400		\$344,600
Improvement to Municipal Owned Properties	\$185,000		\$80,000	\$5,000		\$100,000

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for 2019 Temporary Capital Budget, to be included in the 2019 Permanent Capital Budget as adopted.

Adopted: April 3, 2019

Adopted this 3rd day of April, 2019  
and certified as a true copy of an original.

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

## Township of West Milford

Passaic County, New Jersey

### ~ Resolution 2019 – 115 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING A TEMPORARY APPROPRIATION PRIOR TO THE ADOPTION OF THE 2019 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 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	2019 Temporary Budget
Chair Lift Grant	02-213-41-806-000	\$27,446
Total		\$27,446

Adopted: April 3, 2019

Adopted this 3<sup>rd</sup> day of April, 2019  
and certified as a true copy of an original.

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

## Township of West Milford

Passaic County, New Jersey

### ~ Resolution 2019 – 116 ~

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

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

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

Certificate No.	Certificate Date	Block/Lot/Qual	Reimbursement Amount	Pay to Lien Holder
18-0050	10/09/2018	14113-007	\$2,045.56	Brian Law 23 Westport Irvine, CA 92620
17-0063	10/10/2017	13906-007.06	\$25,007.33	Fig Capital Investment NJ13, LLC 1000 Riverside Ave Suite 400 Jacksonville , Florida 32204
<b>Total</b>			<b>\$27,052.89</b>	

Adopted: April 3, 2019

Adopted this 3<sup>rd</sup> day of April, 2019  
and certified as a true copy of an original.

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

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

~ Resolution 2019 – 117 ~

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

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

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

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

Block/Lot	Name	Amount	Year	Reason
07702-009	Reddin Masri Attorneys at Law 1177 Union Valley Road LLC 485 Totowa Ave Totowa, NJ 07512	\$3,752.00	2018	7
	<b>TOTAL</b>	<b>\$3,752.00</b>		

Adopted: April 3, 2019

Adopted this 3<sup>rd</sup> day of April, 2019  
and certified as a true copy of an original.

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

## Township of West Milford

Passaic County, New Jersey

### ~ Resolution 2019 – 118 ~

#### 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 &amp; Bob Ross 3/24</b>		
Autumn	\$105.00	Jennifer Iwaszczuk 21 Delmont Road Hewitt, NJ 07421
<b>Spring Break Camp</b>		
Owen & Cooper	\$274.00	Marie Rem 230 Germantown Road West Milford, NJ 07480
<b>Indoor Soccer</b>		
Noah Aarons	\$60.00	Taicha Rodriguez-Aarons 1670 Macopin Road West Milford, NJ 07480

Adopted: April 3, 2019

Adopted this 3<sup>rd</sup> day of April, 2019  
and certified as a true copy of an original.

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

## Township of West Milford

Passaic County, New Jersey

### ~ Resolution 2019 – 119 ~

#### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF ESCROW MONIES

**BE IT RESOLVED**, by the Township Council of the Township of West Milford that, based upon the report and request of the Planning Department the following Escrow monies be refunded:

<b>Name &amp; Address</b>	<b>Application No.</b>	<b>Amount of Escrow</b>	<b>Amount of Refund</b>
Hiering, Dupignac, Stanzione, Dunn & Beck, P.C. 64 Washington Street Toms River, NJ 08753	ZB04-15-03 16-288-56-705-70	\$6,450.00	\$4,984.00

Adopted: April 3, 2019

Adopted this 3<sup>rd</sup> day of April, 2019  
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 2019 – 120 ~

### RESOLUTION 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 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	\$173,483.41
3	Reserve Account	53,713.59
2	Grants	3,418.81
6	Refunds	36,227.89
1	General Ledger	0.00
26	Refuse	125,758.04
4	Capital	166,074.40
19	Animal Control	0.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	4,178.80
19	Scala Trust	0.00
16	Development Escrow	2,210.00
19	Tax Sale Trust	0.00
21	Assessment Trust	19,589.35
	Special Reserve	0.00
Total		\$584,654.29
	Less Refund Resolution	-36,227.89
	<b>Actual Bills List</b>	<b>\$548,426.40</b>
	Other Payments	
	Payroll	\$583,050.64
	Treasurer, State of New Jersey	\$7000.00
	<b>Total Expenditures</b>	<b>\$1,138,477.04</b>

Adopted: April 3, 2019

Adopted this 3<sup>rd</sup> day of April, 2019  
and certified as a true copy of an original.

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

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2019 – 121 ~

### MOTION FOR EXECUTIVE SESSION

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 3<sup>rd</sup> day of April, 2019 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 – Local Ordinances
    - Attorney Client Privilege – Council on Mandates
    - Attorney Client Privilege - March 6, 2019 Executive Session Minutes
    - Litigation - B&B Organic Waste Recycling LLC
  - ( ) 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: April 3, 2019

Adopted this 3<sup>rd</sup> day of April, 2019  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk