

TOWNSHIP OF WEST MILFORD

**THE FOLLOWING COMPRISES THOSE DOCUMENTS
SUBMITTED TO THE TOWNSHIP COUNCIL FOR
CONSIDERATION AND ACTION AT THE AUGUST 14, 2019
REGULARLY SCHEDULED WORKSHOP & REGULAR
MEETING.**

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

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

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

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

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 194 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC AND STATE OF NEW JERSEY FOR SELF-EXAMINATION OF THE 2019 BUDGET RESOLUTION (AS REQUIRED BY DCA)

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of West Milford has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2019 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of West Milford that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Approved: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 195 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE ADOPTION OF THE 2019 MUNICIPAL BUDGET

WHEREAS the Township Council has completed its review of the General Fund Budget , revised the proposal from the Administration where it deemed necessary, and held the required public hearings.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Milford of the County of Passaic that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$23,282,395.00 (Item 2 below) for municipal purposes, and
 - (b) _____ (Item 3 below) for school purposes in Type 1 School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,
 - (c) _____ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18:9-3) and the certification to the County Board of taxation of
 - (d) \$148,030.00 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
 - (e) \$1,007,594.00 (Item 5 below) Minimum Library Tax
- the following summary of general revenues and appropriations.

RECORDED VOTE	(((Ayes ((((((Nays (((Abstained (((Absent ((
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SUMMARY OF REVENUES

1 General Revenues			
Surplus Anticipated		08-100	3,891,839.00
Miscellaneous Revenues Anticipated		40004-10	5,977,935.00
Receipts from Delinquent Taxes		15-499	1,100,000.00
2 AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)		07-190	23,282,395.00
3 AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 7, Sheet 42	07-195		
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191		
4 To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S.A. 40a:4-14)	07-191		
5 AMOUNT TO BE RAISED BY TAXATION FOR MINIMUM LIBRARY LEVY			
	07-192		1,007,594.00
Total Revenues		40000-00	35,259,763.00

SUMMARY OF APPROPRIATIONS

6 GENERAL APPROPRIATIONS:		
Within "CAPS"	xxxxxx	xxxxxxxxxxxxxx
(a&b) Operations including Contingent	xxxxxx	xxxxxxxxxxxxxx
(e) Deferred Charges and Statutory Expenditures – Municipal	30001-00	23,756,089.00
(g)Cash Deficit	30004-00	3,169,000.00
Excluded from "CAPS"	46-885	
(a) Operations – Total Operations Excluded from "CAPS"	xxxxxxx	xxxxxxxxxxxxxx
(c)Capital Improvements	60023-00	1,279,644.00
(d) Municipal Debt Service	60002-00	270,000.00
(e)Deferred Charges – Municipal	60003-00	4,505,030.00
(f)Judgements	60024-00	30,000.00
(n)Transferred to Board of Education for Use of Local Schools (NJSA 40A:48-17.1 & 17.3)	37-480	
(g)Cash Deficit	29-405	
(k)For Local District School Purposes	46-885	
(m)Reserve for Uncollected taxes (include Other Reserves if any)	60008-00	
7 SCHOOL APPROPRIATIONS – TYPE I SCHOOL DISTRICTS ONLY (NJSA 40A:4-13)	50-899	2,250,000.00
Total Appropriations	60010-00	
	30000-00	35,259,763.00

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 10th day of July, 2019. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2019 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 196 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE ADOPTION OF THE 2019 SOLID WASTE BUDGET

WHEREAS, the Township Council has completed its review of the Solid Waste Budget ,revised the proposal from the Administration where it deemed necessary, and held the required public hearings.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Milford of the County of Passaic that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$1,791,290.00 (Item 2 below) for amount to be raised by taxation for Solid Waste Collection District.

RECORDED VOTE	((Abstained	(
	(((
	(((
	Ayes	(Nays	((
	(((
	((Absent	(
	(((

SUMMARY OF REVENUES AND APPROPRIATIONS

1 General Revenues		
Surplus Anticipated		58,320.00
Miscellaneous Revenues Anticipated		70,000.00
2 AMOUNT TO BE RAISED BY TAXATION FOR SOLID WASTE COLLECTION DISTRICT		1,791,290.00
TOTAL REVENUES		1,919,610.00
3 General Appropriations		
Operations		1,919,610.00
Deferred Charges		
Statutory Expenditures		
Judgement		
Deficit in Operations in Prior Years		
Surplus (General Budget)		
TOTAL APPROPRIATIONS		1,919,610.00

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 10th day of July, 2019. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2019 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 222 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 14th day of August, 2019 that:

1. Prior to the conclusion of this Workshop / Regular 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.
 - Litigation – Battinelli
 - Contract Negotiations – Westbrook Park
 - () 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: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2019 – 013 ~

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, APPROPRIATING \$151,000 THEREFOR, DIRECTING A SPECIAL ASSESSMENT OF PART OF THE COST THEREOF, AND AUTHORIZING THE ISSUANCE OF \$143,800 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE SAME FOR WALNUT, JEFFERSON, PAUL AND HARRISON STREETS

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:

- Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a local improvement to be made or acquired by The Township of West Milford, in the County of Passaic, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$151,000, said sum, except as described below, being inclusive of all appropriations heretofore made therefor and including the sum of \$7,200 as the down payment for said improvement or purpose required by law 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 being exclusive of the sum of \$200,000 heretofore appropriated therefor by ordinance #2015-08 of the Township and the sum of \$150,000 heretofore appropriated therefor by ordinance #2016-08 of the Township (collectively, the "Prior Ordinances").
- Section 2. For the financing of said improvement or purpose and to meet the part of said \$151,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$143,800 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$143,800 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.
- Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of various roads in and by the Township, including the reconstruction and resurfacing of all or portions of Walnut Street, Jefferson Street, Paul Street and Harrison Street, so as to provide a roadway pavement at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in section 40A:2-22 of said Local Bond Law) and being those lands designated on the official tax map of the Township as Lots 1 to 4 in Block 16002, Lots 1, 2, 4 and 10 in Block 16003, Lots 2 to 4 in Block 16004, Lots 1 and 16 to 19 in Block 16005 and Lots 1.01, 1.02, 5 and 6 in Block 16006, including all storm water drainage facilities, milling, excavation, grading, grates, inlets, catch basins, manholes, pipes curbing, fencing, structures, tree removal, appurtenances, equipment, site work, 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.
- (b) The estimated maximum amount of bonds or notes to be issued for said purpose pursuant to this bond ordinance is \$143,800, said amount being exclusive of any bonds or notes to be issued for said purpose pursuant to the Prior Ordinances.
- (c) The estimated cost of said purpose is \$501,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor pursuant to this bond ordinance being the amount of the said \$7,200 down payment for said purpose and the amount of the said \$350,000 heretofore appropriated for said purpose by the Prior Ordinances.

- Section 4. The following additional matters are hereby determined, declared, recited and stated:
- (a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Township may lawfully acquire or make as a local improvement.
 - (b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.
 - (c) 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 \$143,800, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.
 - (d) An aggregate amount not exceeding \$21,000 for interest on said obligations, costs of issuing said obligations 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 cost of said improvement financed by this bond ordinance and is included in the foregoing estimate thereof.
 - (e) As provided in Section 5 of this bond ordinance, \$350,000 of the cost of said improvement or purpose will be contributed by the Township at large to payment of the cost of said improvement or purpose, and the estimated maximum amount of the special assessments to be levied on property specially benefitted by said improvement is \$151,000, and the number of annual installments in which all such special assessments may be paid is ten (10).
- Section 5. The Township shall pay \$350,000 of the cost of said local improvement, and said amount shall be and hereby is contributed by the Township at large to payment of the cost of said local improvement. The cost of said local improvement, to the extent not met by the said amount contributed by the Township at large, shall be paid by special assessments which shall be levied in accordance with law on property specially benefitted thereby, as nearly as may be in proportion to and not in excess of the peculiar benefit, advantage or increase in value which the respective lots and parcels of real estate shall be deemed to receive by reason of said local improvement. The owner of any land upon which any such assessment shall have been made may pay such assessment in the number of equal annual installments hereinabove determined, all as may be provided in accordance with law and with legal interest on the unpaid balance of the assessment.
- Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, acting chief financial officer or treasurer of the Township (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. 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 from time to time at public or private sale at not less than par 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.

Section 7. 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.

Section 8. 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.

Section 9. 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: July 10, 2019

Adopted:

Effective Date:

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST:

Diane Curcio, Acting Township Clerk

By: _____
Michele Dale, Mayor

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2019 - 014 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A SPECIAL ASSESSMENT TO ENSURE THE COLLECTION AND PROPER ADMINISTRATION AND REPAYMENT OF THE LOAN MONIES TO THE 2019 UPPER CREST LAKE DAM RESTORATION LOAN FUND AND/OR NJDEP PURSUANT TO DAM RESTORATION & INLAND WATER LOAN PROGRAM

WHEREAS, the Upper Crest Lake Dam in West Milford Township is owned by the Farm Crest Acres Associations, Inc. (the Association) and has been determined to be in need of certain repairs, improvements and/or restoration to be brought up to standards in compliance with the New Jersey Dam Safety Standards, N.J.A.C. 7:20-1.1 ET SEQ.; and

WHEREAS, the Association has applied for a long-term, low interest loan to the State of New Jersey for \$600,000.00 to finance repairs and renovations to the Upper Crest Lake Dam; and

WHEREAS, on May 22, 2019, the Mayor and Township Council passed a resolution authorizing the execution of a loan agreement between the Township of West Milford and the Farm Crest Acres Association Inc. for the Upper Crest Lake Dam; and

WHEREAS, N.J.A.C. 7:24A-1 et seq. requires the Township of West Milford to serve as co-applicant with Farm Crest Acres Association, Inc.; and

WHEREAS, the 2003 Dam Bond Act, allocated ninety-five million (\$95,000,000.00) dollars to the 2003 Dam, Lake, and Stream Revolving Loan Fund, a revolving, non-lapsing fund ("2003 Fund") to provide loans, subject to the regulations set forth in Dam Restoration and Inland Waters Loan Program N.J.A.C. 7:24A-1.1 et seq., payable over twenty years (20), at two percent (2%) interest, to private lake associations, such as the Farm Crest Acres Association, Inc. to accomplish dam rehabilitation projects: and

WHEREAS, subsequently the Township of West Milford and the Farm Crest Acres Association Inc. applied for a low interest loan under the State of New Jersey acting by and through the New Jersey DEP Loan Program; and

WHEREAS, pursuant to the submitted loan application, the State of New Jersey has estimated the cost of the actual work on the dam to be approximately \$600,000; and

WHEREAS, the 2003 Dam Bond Act specifically provides:

The cost of payment of the principal and interest on any loan made to the owner of a private dam, or to a private lake association, as a co-applicant with a local government unit, ***shall be assessed***, in the same manner as provided for the assessment of local improvements generally under chapter 56 of Title 40 of the Revised Statutes, ***against the real estate benefited thereby in proportion to and not in excess of the benefits conferred***, and such assessments shall bear interest and penalties from the same time and at the same rate as assessments for local improvements in the municipality where they are imposed, and from the date of confirmation shall be a first and paramount lien upon the real estate assessed to the same extent, and be enforced and collected in the same manner, as assessments for local improvements. P.L.2003, Chapter 162, 5f(1). and;

WHEREAS, the final costs of the project will not be determined until the Dam repairs and renovations to Upper Crest Lake Dam and Lower Crest Lake Dam are complete.

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

SECTION 1. The assessments levied under this Ordinance shall include any and all of the reasonable and necessary costs incurred in connection with the Farm Crest Acres Association, Inc. project, including but not limited to the repayment of the Loan monies, the interest thereon, any associated penalties, late payments and other charges imposed in connection therewith, as provided under P.L.2003, Chapter 162, 3. An estimate of costs relating to this project is attached hereto as Exhibit A.

SECTION 2. The Township Clerk shall cause a notice of this proposed assessment to be mailed to the owner(s) of real estate impacted by the special assessment prior to the commencement of the Farm Crest Acres Association, Inc. repair and renovation project. The notice shall contain a description of the property impacted sufficiently to identify it. Such notice shall be served in accordance with the law and proof of service shall be filed with the tax office within ten (10) days after such service. A copy of the list of affected property owners is attached to this Ordinance as "Exhibit B."

SECTION 3. The special assessment assessed against each impacted property shall constitute a first and paramount lien as provided for in P.L.2003, Chapter 162, 5f(1).

SECTION 4. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 5. All Ordinances or parts of Ordinances which are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

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

SECTION 7. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

INTRODUCED:
ADOPTED:
EFFECTIVE DATE:

ATTEST:

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

Diane Curcio, Acting Township Clerk

By: _____
Michele Dale, Mayor

**EXHIBIT A
ESTIMATE OF COSTS**

**EXHIBIT B
FARM CREST PROPERTY LIST**

OWNER & ADDRESS REPORT

WEST MILFORD

FARM CREST PROPERTY OWNERS

07/24/19 Page 1 of 6

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
16701	1		2	VALLE MICHAEL 63 CREST LAKE DR OAK RIDGE, NJ 07438	63 CREST LAKE DR.	
16701	2		2	OSTLUND STEVEN C & NANCY M TRUSTEES 55 CREST LAKE DR OAK RIDGE NJ 07438	55 CREST LAKE DR.	
16701	3		2	SHULHA YULIA 47 CREST LAKE DR WEST MILFORD NJ 07438	47 CREST LAKE DR.	
16701	4		2	SANMAN REGINA A/K/A-R.MICCICHE 37 CREST LAKE DR OAK RIDGE NJ 07438	37 CREST LAKE DR.	
16701	5		2	BARAN PATRICIA 31 CREST LAKE DR. OAK RIDGE, N.J. 07438	31 CREST LAKE DR.	
16701	6		2	FREDERICKS WILLIAM M & FRAVLEY, O 23 CREST LAKE DR OAK RIDGE, NJ 07438	23 CREST LAKE DRIVE	
16701	7		2	BUOD DONALD & JULIE 13 CREST LAKE DR OAK RIDGE NJ 07438	13 CREST LAKE DRIVE	
16701	8		2	SCALA-BREW ALAINA 3 CREST LAKE DRIVE OAK RIDGE, N.J. 07438	3 CREST LK DR	
16701	9		2	JAHIS JOHN & TINA 3 OLD HOOP POLE ROAD OAK RIDGE N.J. 07438	3 OLD HOOP POLE RD.	
16701	10		2	DECKER RICHARD L & LOIS O 106 DOREMUS DR. OAK RIDGE, N.J. 07438	106 DOREMUS DR.	
16701	14		2	JENNINGS THOMAS & A 158 DOREMUS RD. OAK RIDGE, N.J. 07438	158 DOREMUS RD.	
16701	15		2	MAZZETTI KEVIN & LAGIN JENAN 87 CREST LAKE DR OAK RIDGE, NJ 07438	87 CREST LAKE DRIVE	
16702	1		2	SCHNIDT JARUSZ & ANNA 35 LAND OF OAKS DR OAK RIDGE NJ 07438	35 LAND OF OAKS DR	
16702	2		2	JENKINS HAROLD G. & PATRICIA 25 LAND OF OAKS DR. OAK RIDGE, N.J. 07438	25 LAND OF OAKS DR.	
16702	3		2	GONZALEZ ANTHONY D 19 LAND OF OAKS OAK RIDGE, NJ 07438	19 LAND OF OAKS DR.	
16702	4		2	KORTENBOUT NICO J & KHEIRA 11 LAND OF OAKS DR OAK RIDGE NJ 07438	11 LAND OF OAKS DR.	
16702	5		2	HERVETTI FAMILY LLC 5 LAND OF OAKS DR OAK RIDGE NJ 07438	5 LAND OF OAK DR.	
16702	6		2	MORRELL JAMES & KIR 29 OLD HOOP POLE ROAD OAK RIDGE NJ 07438	29 OLD HOOP POLE RD.	
16702	7		2	RODRIGUEZ KATHERINE 6 CREST LAKE DR OAK RIDGE NJ 07438	6 CREST LAKE DR.	

EXHIBIT B - cont'd

OWNER & ADDRESS REPORT

WEST MILFORD

FARM CREST PROPERTY OWNERS

07/24/19 Page 2 of 6

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
16702	8		2	LYONS, CANDY ROVANIA 14 CREST LAKE DR OAK RIDGE NJ 07438	14 CREST LAKE DR.	
16702	9		2	COURTNEY, ANDREW & AIDA 20 CREST LAKE DR. OAK RIDGE, NJ 07438	20 CREST LAKE DR.	
16702	10		2	WHITE, THOMAS & DONNA 30 CREST LAKE DRIVE OAK RIDGE N J 07438	30 CREST LAKE DRIVE	
16703	8		2	SULLIVAN, JOHN & ANITA 4 LAND OF OAKS DR. OAK RIDGE, N.J. 07438	4 LAND OF OAKS DR.	
16703	9		2	JIRONSCHEK, ROBERT & MARGARET 10 LAND OF OAKS DR. OAK RIDGE, N.J. 07438	10 LAND OF OAKS DR.	
16703	10		2	DELLAPI, MONY & ANTONIETTA 16 LAND OF OAKS DR OAK RIDGE, N.J. 07438	16 LAND OF OAKS DR.	
16703	11		2	VILLALOBOS, WILLIAM & CHRISTINE 24 LAND OF OAKS DRIVE OAK RIDGE, N.J. 07438	24 LAND OF OAKS DR.	
16703	12		2	OPAT, HENRY J. & DOROTHEA J. 30 LAND OF OAKS DR. OAK RIDGE, NJ 07438	30 LAND OF OAKS DR.	
16703	13		2	HAZEN, SUSAN & BRIAN 34 LAND OF OAKS DR OAK RIDGE, N.J. 07438	34 LAND OF OAKS DR.	
16703	14		2	OPAT, JASON & KIMBERLY 26 LAND OF OAKS DRIVE OAK RIDGE, N.J. 07438	42 LAND OAKS DR.	
16703	15		2	NIXON, GERALD M. & ANN L. 40 CREST LAKE DRIVE OAK RIDGE, NJ 07438	40 CREST LAKE DR.	
16703	16		2	GREENWOOD, RICHARD E. & BERNICE E. 50 CREST LAKE DR. OAK RIDGE, NJ 07438	50 CREST LAKE DR.	
16703	17		2	MARXEN, JAMES E. & KATHLEEN 58 CREST LAKE DR. OAK RIDGE, NJ 07438	58 CREST LAKE DR.	
16704	1		1SF	WHITE, SHARON 4 OLD HOOP POLE RD OAK RIDGE, N.J. 07438	4 OLD HOOP POLE RD	
16704	2		2	BAEZ, MICHAEL & IVETTE 12 OLD HOOP POLE RD. OAK RIDGE, N.J. 07438	12 OLD HOOP POLE RD.	
16704	3		2	PAVLIN, THOMAS & JHONE 22 OLD HOOP POLE RD OAK RIDGE NJ 07438	20 OLD HOOP POLE RD.	
16704	4		2	KIRK, JOELLEN & KEVIN 34 PASSAIC AVE FAIRFIELD NJ 07004	28 OLD HOOP POLE RD.	
16704	5		2	STANLEY, MELVIN T & DIANE C 34 OLD HOOP POLE OAK RIDGE, N.J. 07438	34 OLD HOOP POLE	
16704	6		2	KENYI, WAREK & KATARZHA 40 OLD HOOP POLE OAK RIDGE, NJ 07438	40 OLD HOOP POLE	

EXHIBIT B – cont'd

WEST MILFORD		OWNER & ADDRESS REPORT					07/24/19 Page 3 of 6
FARM CREST PROPERTY OWNERS							
BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots	
16704	7		2	PIRES KENNETH & CHELSEA 46 OLD HOOP POLE RD OAK RIDGE, NJ 07438	46 OLD HOOP POLE		
16704	8		2	BAXTER R DONALD UX 52 OLD HOOP POLE OAK RIDGE, N.J. 07438	52 OLD HOOP POLE		
16801	1		2	HUNTING PROPERTIES LLC 97 GREENDALE DR OAK RIDGE, NJ 07438	97 GREENDALE DR		
16801	2		2	TAHAN PAUL B JR & MARIA 93 GREENDALE DR OAK RIDGE NJ 07438	93 GREENDALE DR.		
16801	3		2	SHELDON PHILIP & TINA 87 GREENDALE DR OAK RIDGE NJ 07438	87 GREENDALE DR.		
16801	4		2	CLARK THEODORE & CARRIE 81 GREENDALE DR OAK RIDGE, N.J. 07438	81 GREENDALE DR.		
16801	5		2	KORALIS S & RHONDA 75 GREENDALE DR. OAK RIDGE, NJ 07438	75 GREENDALE DR.		
16801	6		2	KEARNEY TIMOTHY & EMELIA ANN 67 GREENDALE DR OAK RIDGE NJ 07438	67 GREENDALE DRIVE		
16801	7		2	CORNELL SCOTT & RENEE 63 GREENDALE DR OAK RIDGE NJ 07438	63 GREENDALE DR.		
16801	8		2	BRUGALETTA, JOHN & MARY 57 GREENDALE DR. OAK RIDGE, NJ 07438	57 GREENDALE DR.		
16802	1		2	GENTILE GARY & PATRICIA 53 GREENDALE DR OAK RIDGE, N.J. 07438	53 GREENDALE DR		
16802	2		2	SZYMAJSKI MATTHEW R 45 GREENDALE DR OAK RIDGE NJ 07438	45 GREENDALE DR		
16802	3		2	RODRIGUEZ RAYMOND & KENYA 37 GREENDALE DR OAK RIDGE NJ 07438	37 GREENDALE DR		
16802	4		2	ZIEGLER BRUCE & JUDITH H/W 29 GREENDALE DR OAK RIDGE NJ 07438	29 GREENDALE DR		
16802	5		2	SCHUMACHER ANDREW & GAIL 21 GREENDALE DR OAK RIDGE NJ 07438	21 GREENDALE DR		
16802	6		2	FIELD JASON & CORRINE 15 GREENDALE DR OAK RIDGE NJ 07438	15 GREENDALE DR		
16802	7		2	BROCK RYAN & COLLEEN 11 GREENDALE DR OAK RIDGE, NJ 07438	11 GREENDALE DR		
16802	8		2	VENSEN, JOSEPH & ELIZABETH 137 DOREMUS RD OAK RIDGE NJ 07438	137 DOREMUS RD.		
16802	9		2	CAMPION JAMES & MOORE ERIN 129 DOREMUS RD OAK RIDGE NJ 07438	129 DOREMUS RD.		

EXHIBIT B - cont'd

WEST MILFORD

OWNER & ADDRESS REPORT

FARM CREST PROPERTY OWNERS

07/24/19 Page 4 of 6

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
16802	10		2	PARENTE RUDOLPH A 121 DOREMUS RD. OAK RIDGE, N.J. 07438	121 DOREMUS RD.	
16803	1		2	WITTEN DANIEL & DIANA 27 CREST HILL DR. OAK RIDGE, N.J. 07438	27 CREST HILL DR.	
16803	2		2	BIONDELLO JOSEPH & JUDITH 17 CREST HILL DR OAK RIDGE NJ 07438	17 CREST HILL DR.	
16803	3		2	DOREMUS WARREN 9 CREST HILL DR. OAK RIDGE, N.J. 07438	9 CREST HILL DR.	
16803	4		2	ROXEO JASON & KATE 1 CREST HILL DR OAK RIDGE NJ 07438	1 CREST HILL DR	
16803	5		2	US BANK TRUST NA C/O RESICAP 3630 PEACHTREE RD NE 1500 ATLANTA, GA 30326	16 GREENDALE DRIVE	
16803	6		2	YARBROUGH WILLIAM T & KAREN L 28 GREENDALE DR OAK RIDGE, NJ 07438	28 GREENDALE DRIVE	
16803	7		2	JAGIELLO DAVID & TARA 43 CREST HILL DR OAK RIDGE NJ 07438	43 CREST HILL DR.	
16804	1		2	STENEKEH, STEVEN & CAROLE A. 58 GREENDALE DR OAK RIDGE NJ 07438	58 GREENDALE DR.	
16804	2		2	THAM CHEE-LUNG & WEE-CHIANG MEDITZ 36A SALEM ALLEY WEST MILFORD, NJ 07480	70 GREENDALE DR.	
16804	3		2	RATHYEN RALPH & PURDY BARBARA E 76 GREENDALE DR OAK RIDGE NJ 07438	76 GREENDALE DR.	
16804	4		2	DOBBS GEORGE & ANNEUANI 84 GREENDALE DR. OAK RIDGE, N.J. 07438	84 GREENDALE DR.	
16804	5		2	SULLIVAN PAUL J & MEGAN 90 GREENDALE DR OAK RIDGE NJ 07438	90 GREENDALE DRIVE	
16804	6		2	WORTH ROBY & RITA 102 GREENDALE DR OAK RIDGE, N.J. 07438	102 GREENDALE DR	
16804	7		2	CAVALLARO RALPH & PAVELA 112 GREENDALE RD. OAK RIDGE, N.J. 07438	112 GREENDALE RD.	
16804	8		2	PREVITY, JOHN P & MARIANNE 119 CREST LAKE DRIVE OAK RIDGE, N.J. 07438	119 CREST LAKE DRIVE	
16804	9		2	FETTER EDWARD J & GLORIA M ET ALS 115 CREST LAKE DR OAK RIDGE NJ 07438	115 CREST LAKE DRIVE	
16804	10		2	ALLENDEH MARY ANNE 109 CREST LAKE DRIVE OAK RIDGE, N.J. 07438	109 CREST LAKE DRIVE	
16804	11		2	ANDERSON JAMES & DOROTHY 103 CREST LAKE DR OAK RIDGE, NJ 07438	103 CREST LAKE DRIVE	

EXHIBIT B - cont'd

WEST MILFORD		OWNER & ADDRESS REPORT					07/24/19 Page 5 of 6
FAHM CREST PROPERTY OWNERS							
BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots	
16804	12		2	HARION TYLER & ALFRED W & KIM H 161 DOREMUS RD OAK RIDGE NJ 07438	161 DOREMUS RD.		
16804	13		2	ZYVROZ RICHARD & JOAN 151 DOREMUS RD. OAK RIDGE, N.J. 07438	151 DOREMUS RD.		
16804	14		2	VAN DYKE HALEI 12 CREST DR OAK RIDGE NJ 07438	12 CREST HILL DRIVE		
16804	15		2	SCHNEIDER RONALD & STACEY H/W 18 CREST HILL DR OAK RIDGE NJ 07438	18 CREST HILL DRIVE		
16804	16		2	SHARTS DANA A 24 CREST HILL DR OAK RIDGE NJ 07438	24 CREST HILL DRIVE		
16804	17		2	FARIAS DONALD & CARRIE 30 CREST HILL DR OAK RIDGE NJ 07438	30 CREST HILL DRIVE		
16804	18		2	VINALES, DANIEL & JOANNE 34 CREST HILL DRIVE OAK RIDGE, N.J. 07438	34 CREST HILL DRIVE		
16804	19		2	MACARIO JAMES S. & TRACY D. 40 CREST HILL DR OAK RIDGE NJ 07438	40 CREST HILL DRIVE		
16805	1		2	VANDENBERG, JOHN M. & KARIN R. 118 CREST LAKE DR. OAK RIDGE, NJ 07438	118 CREST LAKE DR.		
16805	2		2	BENNETT RANDOLPH & AMY 120 CREST LAKE DR OAK RIDGE, N.J. 07438	120 GREENDALE DR.		
16805	3		2	MANON PAUL D. & CAROLYN J. 2 SANDLOR TERR. OAK RIDGE, NJ 07438	2 SANDLOR TERR.		
16805	4		2	KATZGRAV KEITH & DONNA 12 SANDLOR TERR. OAK RIDGE, NJ 07438	12 SANDLOR TERR.		
16805	5		2	BIEGEL KEITH & QUINN, THERESA 104 CREST LAKE DRIVE OAK RIDGE NJ 07438	104 CREST LAKE DR.		
16806	1		2	LEAK DONALD & ELAINE 100 CREST LAKE DR OAK RIDGE N.J. 07438	100 CREST LAKE DR.		
16806	2		150	EVANG-LUTH CHURCH 104 PARADISE RD. OAK RIDGE, NJ 07438	13 SANDLOR TERR.		
16806	3		2	POLCZER ERIK F 5 SANDLOR TERR OAK RIDGE NJ 07438	5 SANDLOR TERR.		
16806	4		2	BRANDT RYAN & QUAS JESSICA 1 SANDLOR TERRACE OAK RIDGE NJ 07438	1 SANDLOR TERR.		
16806	5		2	LOGAN EDWARD & PEGGY H/W 160 GREENDALE DR OAK RIDGE N.J. 07438	160 GREENDALE DR.		
16806	6		2	O'CONNOR RICHARD & KERRY 168 GREENDALE DR OAK RIDGE NJ 07438	168 GREENDALE DR.		

EXHIBIT B – cont'd

WEST MILFORD		OWNER & ADDRESS REPORT				FARM CREST PROPERTY OWNERS		07/24/19 Page 6 of 6
BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Adj'l Lots		
16806	7		2	PRETINO DAVID & CHRISTINE 86 CREST LAKE DR OAK RIDGE NJ 07438	86 CREST LAKE DR.			
16807	1		2	LEICHTWEISZ, GEORGE & JOANNE 82 CREST LAKE DRIVE OAK RIDGE, NJ 07438	82 CREST LAKE DRIVE			
16807	2		2	DREXLER, DANIEL & DENISE 169 GREENDALE DR. OAK RIDGE, NJ 07438	169 GREENDALE DRIVE.			
16807	3		2	AMEND JANE & GROSSVANH, MICHAEL 161 GREENDALE DR OAK RIDGE NJ 07438	161 GREENDALE DR.			
16807	4		2	REBISH CLAUDETTE 155 GREENDALE DR OAK RIDGE, NJ 07438	155 GREENDALE DR.			
16808	1		2	MCMAHARA PATRICK AS ANDREA J MW TIC 149 GREENDALE DR OAK RIDGE NJ 07438	149 GREENDALE DRIVE			
16808	2		2	KENNEDY, STEVEN D. & SHARON 143 GREENDALE DRIVE OAK RIDGE, NJ 07438	143 GREENDALE DRIVE			
16808	3		2	RESIGNO HARRY J & ROSEMARY 135 GREENDALE DRIVE OAK RIDGE NJ 07438	135 GREENDALE DR.			
16808	4		2	EVANS, ROBERT & ANNETTE 125 GREENDALE RD OAK RIDGE NJ 07438	125 GREENDALE DR.			
16808	5		2	MARKWICK FRANK & JENNIFER 119 GREENDALE DR. OAK RIDGE, NJ 07438	119 GREENDALE DR.			
16808	6		2	BUONFORTE ANGELO J. 111 GREENDALE DR. OAK RIDGE, NJ 07438	111 GREENDALE DR.			
16808	7		2	CAMPBELL ROBERT J. & BETTY ANN 105 GREENDALE DR. OAK RIDGE, NJ 07438	105 GREENDALE DR.			
16906	6		2	WAGEE LINDA 27 OLD GATE HILL LAKE STONY POINT, NY 10980	151 GREENDALE DRIVE			

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2019 - 015 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A SPECIAL ASSESSMENT TO ENSURE THE COLLECTION AND PROPER ADMINISTRATION AND REPAYMENT OF THE LOAN MONIES TO THE 2019 LOWER CREST LAKE DAM RESTORATION LOAN FUND AND/OR NJDEP PURSUANT TO DAM RESTORATION & INLAND WATER LOAN PROGRAM

WHEREAS, the Lower Crest Lake Dam in West Milford Township is owned by the Farm Crest Acres Associations, Inc. (the Association) and has been determined to be in need of certain repairs, improvements and/or restoration to be brought up to standards in compliance with the New Jersey Dam Safety Standards, N.J.A.C. 7:20-1.1 ET SEQ.; and

WHEREAS, the Association has applied for a long-term, low interest loan to the State of New Jersey for \$600,000.00 to finance repairs and renovations to the Lower Crest Lake Dam; and

WHEREAS, on May 22, 2019, the Mayor and Township Council passed a resolution authorizing the execution of a loan agreement between the Township of West Milford and the Farm Crest Acres Association Inc. for the Lower Crest Lake Dam; and

WHEREAS, N.J.A.C. 7:24A-1 et seq. requires the Township of West Milford to serve as co-applicant with Farm Crest Acres Association, Inc.; and

WHEREAS, the 2003 Dam Bond Act, allocated ninety-five million (\$95,000,000.00) dollars to the 2003 Dam, Lake, and Stream Revolving Loan Fund, a revolving, non-lapsing fund ("2003 Fund") to provide loans, subject to the regulations set forth in Dam Restoration and Inland Waters Loan Program N.J.A.C. 7:24A-1.1 et seq., payable over twenty years (20), at two percent (2%) interest, to private lake associations, such as the Farm Crest Acres Association, Inc. to accomplish dam rehabilitation projects; and

WHEREAS, subsequently the Township of West Milford and the Farm Crest Acres Association Inc. applied for a low interest loan under the State of New Jersey acting by and through the New Jersey DEP Loan Program; and

WHEREAS, pursuant to the submitted loan application, the State of New Jersey has estimated the cost of the actual work on the dam to be approximately \$600,000; and

WHEREAS, the 2003 Dam Bond Act specifically provides:

The cost of payment of the principal and interest on any loan made to the owner of a private dam, or to a private lake association, as a co-applicant with a local government unit, **shall be assessed**, in the same manner as provided for the assessment of local improvements generally under chapter 56 of Title 40 of the Revised Statutes, **against the real estate benefited thereby in proportion to and not in excess of the benefits conferred**, and such assessments shall bear interest and penalties from the same time and at the same rate as assessments for local improvements in the municipality where they are imposed, and from the date of confirmation shall be a first and paramount lien upon the real estate assessed to the same extent, and be enforced and collected in the same manner, as assessments for local improvements. **P.L.2003, Chapter 162, 5f(1).** and;

WHEREAS, the final costs of the project will not be determined until the Dam repairs and renovations to Lower Crest Lake Dam and Lower Crest Lake Dam are complete.

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

SECTION 1. The assessments levied under this Ordinance shall include any and all of the reasonable and necessary costs incurred in connection with the Farm Crest Acres Association, Inc. project, including but not limited to the repayment of the Loan monies, the interest thereon, any associated penalties, late payments and other charges imposed in connection therewith, as provided under P.L.2003, Chapter 162, 3. An estimate of costs relating to this project is attached hereto as Exhibit A.

SECTION 2. The Township Clerk shall cause a notice of this proposed assessment to be mailed to the owner(s) of real estate impacted by the special assessment prior to the commencement of the Farm Crest Acres Association, Inc. repair and renovation project. The notice shall contain a description of the property impacted sufficiently to identify it. Such notice shall be served in accordance with the law and proof of service shall be filed with the tax office within ten (10) days after such service. A copy of the list of affected property owners is attached to this Ordinance as "**EXHIBIT B.**"

SECTION 3. The special assessment assessed against each impacted property shall constitute a first and paramount lien as provided for in P.L.2003, Chapter 162, 5f(1).

SECTION 4. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 5. All Ordinances or parts of Ordinances which are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

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

SECTION 7. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

INTRODUCED:
ADOPTED:
EFFECTIVE DATE:

ATTEST:

Diane Curcio, Acting Township Clerk

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

By: _____
Michele Dale, Mayor

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 - 223 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY CONFIRMING THE MAYOR'S APPOINTMENT OF ELLEN MAGEEAN AS CHIEF FINANCIAL OFFICER WITH COUNCIL CONSENT

WHEREAS N.J.S.A. 40a:9-140.10 requires each municipality in New Jersey to have a Chief Municipal Finance Officer who meets the certification requirements established by the N.J. Department of Community Affairs; and

WHEREAS Ellen Mageean was appointed as Acting Municipal Finance Officer in Resolution 2016-381-adopted on December 7, 2016 with the provision that she obtain the necessary certification from N.J. Department of Community Affairs within the time limitations prescribed by the State; and

WHEREAS Ellen Mageean has completed the required coursework and successfully passed the required proficiency test administered by the State and is now a Certified Municipal Finance Officer; and

WHEREAS the Mayor has nominated Ellen Mageean for the position of Chief Financial Officer under Section 15-43 of the Code of Ordinances of the Township of West Milford.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic that the recommendation of the Mayor is hereby accepted and that the Township Council do hereby provide advise and consent to the Mayor's appointment of Ellen Mageean to the position of Chief Financial Officer for a four year term to expire December 31, 2022, in accordance with section §15-43 of the Township Code and the N.J.S.A. 40A9-140.10.

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 224 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY IN FAVOR OF CONTINUED IN-LIEU-OF TAX PAYMENTS FOR MUNICIPALITIES TO ENCOURAGE OPEN SPACE ACQUISITION WHICH IS CRITICAL TO NEW JERSEY'S WATER SUPPLY

WHEREAS, in 1961, the Green Acres Program was created with the mission "to achieve, in partnership with others, a system of interconnected open spaces, whose protection will preserve and enhance New Jersey's natural environment and its historic, scenic, and recreational resources for public use and enjoyment"; and

WHEREAS, with the support and participation of public and private partners, the Green Acres Programs has protected over a half million acres of open space and has provided hundreds of outdoor recreation facilities throughout the state; and

WHEREAS, the success of New Jersey's Open Space program, including Green Acres is threatened by the loss of in-lieu-of tax payments, which are made by the State to municipalities in order to mitigate the impact of the loss of property tax revenues because of the State's purchase of open space; and

WHEREAS, cuts in funding for this program threaten vital open space and farmland acquisition by discouraging continued and expanded participation by localities due to potential losses in urgently needed Property Tax Revenues; and

WHEREAS, this program represents less than one-half percent of the State's \$37 billion FY 19 annual budget; and

WHEREAS, the program is presently funded in an uneven and unfair manner among localities, further discouraging widespread participation; and

WHEREAS, the in-lieu-of tax payment program is an inexpensive and efficient way to insure adequate, clean water supplies to the people of the State which is imperative to our quality of life.

NOW, THEREFORE, BE IT RESOLVED, that the Township of West Milford, wishes that it be known that we strongly support the goals of the Payment In-Lieu of Taxes Program for Open Space; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the members of the New Jersey State Legislature, the Commissioner of Department of Environment Protection and the Governor of the State of New Jersey.

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 225 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING SUBMISSION OF THE CORRECTIVE ACTION PLAN FOR THE YEAR ENDED DECEMBER 31, 2018 TO THE STATE OF NEW JERSEY, DIVISION OF LOCAL GOVERNMENT SERVICES

WHEREAS, all municipalities operating under the Local Fiscal Affairs Law must prepare and submit a Corrective Action Plan as part of their annual audit process, and

WHEREAS, the Township of West Milford has by Resolution accepted the 2018 audit as prepared and presented by the Township Auditors, and

WHEREAS, Ellen Mageean, the Chief Financial Officer for the Township of West Milford has prepared a Corrective Action Plan to address the findings and recommendations for the 2018 audit and presented copies of same to the Mayor, Council, and Administrator,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, in the County of Passaic, that the Corrective Action Plan, attached hereto and made a part hereof, be approved for submission to the Division of Local Government Services.

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

**Township of West Milford
Corrective Action Plan
For Audit as of December 31, 2018**

Findings #1

Description: *That all recreation timesheets contain proper approval.*
Analysis: *Recreation timesheets did not include the proper signatures.*
Corrective Action: *All proper approvals are now included on recreation timesheets.*
Implementation Date: *March 2019*

Findings #2

Description: *That all senior citizen and veteran applications be available for audit.*
Analysis: *The senior citizen and veteran applications were not available in the tax assessor office.*
Corrective Action: *The tax assessor has been made aware that all applications are required to be available for audit and has implemented a system so that they will be available.*
Implementation Date: *May 2019*

Findings #3

Description: *That a Fixed Asset Inventory report be available for audit and be updated for additions and deletions.*
Analysis: *Fixed Asset report was not available for audit.*
Corrective Action: *Fixed Assets report will be updated and available for audit.*
Implementation Date: *August 2019*

Ellen Mageean, Chief Financial Officer

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 226 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE EMERGENCY TEMPORARY AUTHORIZATIONS PRIOR TO THE ADOPTION OF THE 2019 BUDGET

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that the following:

1. The Township Council hereby authorizes the emergency authorization to be included in the 2019 temporary budget until adoption of 2019 budget by a 2/3 vote of the Governing Body.
2. The Township's 2019 adopted budget shall include these appropriations.

APPROPRIATION	ACCOUNT NUMBER	2019 TEMPORARY BUDGET
Administrator S&W	01-201-20-100-100	\$192,928
Administrator O.E.	01-201-20-100-200	\$92,965
TOTAL		\$285,893
Township Mayor & Council S&W	01-201-20-105-100	\$34,000
Township Mayor & Council O.E.	01-201-20-105-200	\$2,400
TOTAL		\$36,400
Information Technology S&W	01-201-20-140-100	\$136,630
Information Technology O.E.	01-201-20-140-200	\$49,750
TOTAL		\$186,380
Legal O.E.	01-201-20-155-200	\$329,000
General Services S&W	01-201-20-161-100	\$4,000
General Services O.E.	01-201-20-161-200	\$179,500
TOTAL		\$183,500
Engineering S&W	01-201-20-165-100	\$294,291
Engineering O.E.	01-201-20-165-200	\$66,800
TOTAL		\$361,091
Insurance, Other	01-201-23-210-200	\$1,018,000
Insurance, Group	01-201-23-220-200	\$3,039,725
Health Benefit Waiver	01-201-23-230-200	\$81,000
TOTAL		\$4,138,725
Clerk S&W	01-201-20-120-100	\$296,899
Clerk O.E.	01-201-20-120-200	\$19,350
TOTAL		\$316,249

Elections S&W	01-201-20-146-100	\$1,500
Elections O.E.	01-201-20-146-200	\$13,800
TOTAL		\$15,300
Treasurer S&W	01-201-20-130-100	\$268,073
Treasurer O.E.	01-201-20-130-200	\$34,683
TOTAL		\$302,756
Annual Audit	01-201-20-135-200	\$40,000
Annual Audit Additional Services	01-201-20-135-200	\$25,000
TOTAL		\$65,000
Tax Collector S&W	01-201-20-145-100	\$191,512
Tax Collector O.E.	01-201-20-145-200	\$58,282
TOTAL		\$249,794
Tax Assessor S&W	01-201-20-150-100	\$214,843
Tax Assessor O.E.	01-201-20-150-200	\$28,340
TOTAL		\$243,183
PLANNING BOARD O.E.	01-201-21-180-200	\$20,025
Planning, Comp. S&W	01-201-21-181-100	\$138,526
Planning, Comp. O.E.	01-201-21-181-200	\$21,175
TOTAL		\$159,701
Zoning Administration S&W	01-201-21-185-100	\$84,978
BOARD OF ADJUSTMENT O.E.	01-201-21-186-200	\$28,275
Historic Preservation S&W	01-201-20-175-100	\$1,560
Historic Preservation O.E.	01-201-20-175-200	\$500
TOTAL		\$2,060
Building S&W	01-201-22-195-100	\$372,610
Building O.E.	01-201-22-195-200	\$27,100
TOTAL		\$399,710
Environmental Commission S&W	01-201-22-196-100	\$2,000
Environmental Commission O.E.	01-201-22-196-200	\$890
TOTAL		\$2,890
Police Patrol S&W	01-201-25-240-100	\$4,716,378
Police Patrol O.E.	01-201-25-240-200	\$158,349
Police Patrol-Purchase of Police Vehicles	01-201-25-240-900	-
Police Detective S&W	01-201-25-241-100	\$691,568
Police Administration S&W	01-201-25-242-100	\$509,145
Police Communication S&W	01-201-25-243-100	\$348,559
Police Comm. O.E.	01-201-25-243-400	\$12,500
Police Specials S&W	01-201-25-244-100	\$36,000
Police Specials O.E.	01-201-25-244-200	\$8,975
TOTAL		\$6,481,474
Emergency Management S&W	01-201-25-252-100	\$5,000
Emergency Management O.E.	01-201-25-252-200	\$32,500
TOTAL		\$37,500

First Aid - WMFAS Contributions	01-201-25-260-200	\$108,500
First Aid - UGLFAS Contributions	01-201-25-260-200	\$45,750
TOTAL		\$154,250
Aid To Vol. Fire Co.	01-201-25-255-200	\$90,000
Fire Prevention Bureau S&W	01-201-25-265-100	\$156,697
Fire Prevention Bureau O.E.	01-201-25-265-200	\$14,600
Fire Co. Admin. S&W	01-201-25-266-100	\$9,090
Fire Co. Admin. O.E.	01-201-25-266-200	\$294,150
LOSAP	01-201-25-267-200	\$120,000
TOTAL		\$684,537
DPW Streets & Roads S&W	01-201-26-290-100	\$1,833,412
DPW Streets & Roads O.E.	01-201-26-290-200	\$449,800
DPW Buildings & Grounds S&W	01-201-26-291-100	\$56,320
DPW Buildings & Grounds O.E.	01-201-26-291-200	\$87,450
DPW Snow Removal S&W	01-201-26-294-100	\$250,000
DPW Snow Removal O.E.	01-201-26-294-200	\$850,000
DPW Vehicle Maintenance S&W	01-201-26-315-100	\$359,449
DPW Vehicle Maintenance O.E.	01-201-26-315-200	\$277,000
TOTAL		\$4,163,431
Public Health S&W	01-201-27-330-100	\$229,511
Public Health O.E.	01-201-27-330-200	\$31,340
Vital Statistics S&W	01-201-27-331-100	\$8,790
Vital Statistics O.E.	01-201-27-331-200	\$11,250
Housing Standard Bureau O.E.	01-201-27-332-441	\$8,000
Environmental Health S&W	01-201-27-335-100	\$224,906
Environmental Health O.E.	01-201-27-335-200	\$99,396
Animal Control S&W	01-201-27-340-100	\$106,926
TOTAL		\$720,119
Recreation Programs S&W	01-201-28-370-100	\$270,893
Recreation Programs O.E.	01-201-28-370-200	\$125,000
Recreation.-Bubbling Springs S&W	01-201-28-371-100	\$238,594
Recreation.-Bubbling Springs O.E.	01-201-28-371-200	\$66,000
Recreation.-Admin. S&W	01-201-28-372-100	\$162,236
Recreation.-Admin. O.E.	01-201-28-372-200	\$11,605
Recreation.-Community Center S&W	01-201-28-374-100	\$113,440
Recreation.-Community Center O.E.	01-201-28-374-200	\$28,250
Recreation.-Parks Maintenance S&W	01-201-28-375-100	\$300,283
Recreation.-Parks Maintenance O.E.	01-201-28-375-200	\$103,500
Senior Citizen Services S&W	01-201-28-376-100	\$42,876
Senior Citizen Services O.E.	01-201-28-376-200	\$9,750

TOTAL		\$1,472,427
Veteran's Bureau S&W	01-201-20-172-100	\$1,321
Veteran's Bureau O.E.	01-201-20-172-200	\$150
TOTAL		\$1,471
Celebration of Public Events O.E.	01-201-30-420-200	\$10,000
Mass Transportation S.W	01-201-30-432-100	\$48,324
Mass Transportation O.E.	01-201-30-432-200	\$12,600
TOTAL		\$60,924
Library S&W	01-201-29-390-100	\$500,000
Library O.E.	01-201-29-390-200	\$507,594
TOTAL		\$1,007,594
Municipal Court S&W	01-201-43-490-100	\$282,095
Municipal Court O.E.	01-201-43-490-200	\$21,150
Municipal Court Prosecutor S&W	01-201-43-491-101	\$38,000
Municipal Court Prosecutor O.E.	01-201-43-491-200	\$100
TOTAL		\$341,345
Utilities-Electricity	01-201-31-430-200	\$159,050
Utilities-Street Lights	01-201-31-435-200	\$63,500
Utilities-Telephone	01-201-31-440-200	\$142,500
Utilities-Natural Gas	01-201-31-446-200	\$50,500
Utilities-Fuel	01-201-31-460-200	\$420,000
TOTAL		\$835,500
PERS	01-201-36-471-532	\$971,552
Social Security	01-201-36-472-533	\$650,000
Defined Contributions Retirement Prog	01-201-36-475-536	\$10,000
PFRS	01-201-36-473-534	\$1,583,660
TOTAL		\$3,215,212
Salaries & Wages Adjustment Account	01-201-37-480-501	-
Compensated Absences	01-201-38-485-110	\$110,000
Interlocal agreement - Registrar	01-201-47-600-200	-
Def. Charge – Ord. 00-09 Rec. Fac. Contr.	01-201-46-886-596	\$-
Reserve for Tax Appeals	01-201-46-886-667	\$-
Def. Charge - Ord. 07-06 Various Rd. Imp.	01-46-887-531	\$-
Reserve for Uncollected Taxes	01-201-50-899-200	\$-
TOTAL		\$-
GRANTS	G-02-41	\$-
SUBTOTAL		\$26,906,744
Capital Improvements Fund	01-201-44-900-200	\$175,000
Cap. Improv. Fund-Fire Emer Equip.	01-201-44-900-230	\$-

TOTAL		\$175,000
Debt Service Total		\$3,501,863
TOTAL OPERATING BUDGET		\$30,462,607
SOLID WASTE DISTRICT BUDGET		
Solid Waste S&W	26-201-55-500-100	\$113,719
Solid Waste O.E. All Other	26-201-55-500-200	\$223,350
Contractual Services	26-201-55-500-514	\$960,000
Disposal Fees	26-201-55-500-548	\$680,000
TOTAL		\$1,977,069

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 227 ~

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 2019 BUDGET PER N.J.S.A. 40A:4-20 (GRANTS)

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

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

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

Appropriation	Acct Number	2019 Temporary Budget
ANJEC Grant	02-213-41-867-000	\$974.67
PC Apple Acres Open Space Grant	02-213-41-869-000	\$25,000.00
Clean Communities Grant 2019	02-213-41-701-510	\$74,278.48
	Total	\$100,253.15

Adopted: August 14, 2019

Adopted this 14th day of August, 2019 and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 228 ~

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$16,949,445 BOND ANTICIPATION NOTES OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY

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

- Section 1. Pursuant to a bond ordinance of The Township of West Milford, in the County of Passaic (the "Township") entitled: "Bond ordinance providing for the improvement of various roads in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$4,688,250 therefor and authorizing the issuance of \$4,465,000 bonds or notes of the Township for financing such appropriation", finally adopted on March 28, 2007 (#2007-06), bond anticipation notes of the Township in a principal amount not exceeding \$162,900 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 2. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$3,342,360, and authorizing the issuance of \$3,175,242 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on September 3, 2008 (#2008-40), bond anticipation notes of the Township in a principal amount not exceeding \$102,600 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 3. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$1,565,000, and authorizing the issuance of \$1,490,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on August 15, 2012 (#2012-15), bond anticipation notes of the Township in a principal amount not exceeding \$388,804 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 4. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$1,940,600, and authorizing the issuance of \$1,605,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on April 17, 2013 (#2013-10), bond anticipation notes of the Township in a principal amount not exceeding \$1,265,603 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 5. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$2,214,000, and authorizing the issuance of \$1,839,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on June 25, 2014 (#2014-005), bond anticipation notes of the Township in a principal amount not exceeding \$1,583,017 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

- Section 6. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$3,557,200, and authorizing the issuance of \$3,201,200 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on June 30, 2015 (#2015-008), bond anticipation notes of the Township in a principal amount not exceeding \$2,827,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 7. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$3,250,000, and authorizing the issuance of \$2,850,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on May 4, 2016 (#2016-008), bond anticipation notes of the Township in a principal amount not exceeding \$2,718,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 8. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$2,837,121, and authorizing the issuance of \$2,375,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on April 5, 2017 (#2017-006), bond anticipation notes of the Township in a principal amount not exceeding \$2,127,712 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 9. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance providing for the improvement of Ridge Road and Reservoir Road in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$1,250,000 therefor and authorizing the issuance of \$689,272 bonds or notes of the Township for financing such appropriation", finally adopted on April 18, 2018 (#2018-04), bond anticipation notes of the Township in a principal amount not exceeding \$689,272 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 10. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$2,401,250, and authorizing the issuance of \$2,187,137 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on August 15, 2018 (#2018-07), bond anticipation notes of the Township in a principal amount not exceeding \$2,187,137 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 11. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$1,135,000, and authorizing the issuance of \$444,600 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on April 28, 2019 (#2019-04), bond anticipation notes of the Township in a principal amount not exceeding \$444,600 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

- Section 12. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$2,425,000, and authorizing the issuance of \$2,309,000 bonds or notes of the Township, for various improvements or purposes authorized to be undertaken by the Township of West Milford, in the County of Passaic, New Jersey", finally adopted on June 12, 2019 (#2019 -09), bond anticipation notes of the Township in a principal amount not exceeding \$2,309,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 13. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance providing for improvement of various roads in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$151,000 therefor, directing a special assessment of part of the cost thereof and authorizing the issuance of \$143,800 bonds or notes of the Township for financing the same, finally adopted on August 14, 2019 (#2019-13), bond anticipation notes of the Township in a principal amount not exceeding \$143,800 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.
- Section 14. All bond anticipation notes (the "notes") issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Township (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer and shall be signed and sealed by officials and officers of the Township in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes hereunder is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.
- Section 15. Any note issued pursuant to this resolution shall be a general obligation of the Township, and the Township's faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.
- Section 16. The Chief Financial Officer is hereby authorized and directed, if necessary, to execute an initial and final Subscription for Purchase and Issue of United States Treasury Securities – State and Local Government Series – Time Deposit Securities ("SLGS"), and any related certification, each in form and substance satisfactory to bond counsel to the Township. Bond Counsel to the Township is hereby authorized to execute said initial SLGS subscription letter on behalf of the Township. The Chief Financial Officer or bond counsel to the Township each is hereby authorized to execute said final SLGS subscription. In addition, the Chief Financial Officer is hereby authorized and directed, if necessary, to execute and deliver any agreement, document or instrument relating to the purchase of securities in lieu of SLGS.

Section 17. The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2 12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Township, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 18. All action heretofore taken by Township officials and professionals with regard to the sale and award of the notes is hereby ratified, confirmed, adopted and approved.

Section 19. This resolution shall take effect immediately.

Upon motion of _____, seconded by _____, the foregoing resolution was adopted by the following vote:

AYES:
NOES:
ABSENT:

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 229 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PURCHASES FOR FIRE FIGHTER PHYSICALS IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICIES

WHEREAS, the Township Council of the Township of West Milford did adopt ordinance 2013-020 to create the position of Qualified Purchasing Agent in the municipality and they did subsequently adopt resolution 2013-330 appointing a Qualified Purchasing Agent (QPA) and increasing the bid threshold to \$36,000; and

WHEREAS, as a condition to the increase in the bid threshold, the 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 and that the purchase shall warrant a minimum of three quotations; and

WHEREAS, the Township Council has received a recommendation from the Department of Fire to contract for fire fighter physicals which expense shall exceed the aggregate quote threshold of \$17,500; and

WHEREAS, the Township has been doing physicals for members of the Fire Department since 2011 due to OSHA regulations and NIOSH recommendation; and

WHEREAS, three (3) quotes were solicited with one (1) non-responsive and two (2) quotes received and Nassau NDI Diagnostics was the lowest quote; and

WHEREAS, the Department of Fire recommends Nassau Diagnostics for Class A physicals examinations for \$150 each; and

WHEREAS, the Township's Qualified Purchasing Agent is aware of the recommendation, and confirms that Nassau NDI Diagnostics is the vendor for physicals and the purchase is in compliance with the New Jersey Local Public Contracts Law; 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 01-201-25-266-553.

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 appropriate Township officials be and are hereby authorized to execute future purchases to Nassau NDI Diagnostics, P.O. Box 1206, Center Moriches, NY 11934, in an amount not to exceed \$30,000 for the 2019 calendar year.

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 230 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SALE OF MUNICIPALITY-OWNED PROPERTY IN ACCORDANCE WITH THE TERMS AND CONDITIONS OUTLINED IN THE EXISTING AGREEMENT WITH PROPERTYROOM.COM INC.

WHEREAS, the Township Council of the Township of West Milford did authorize the execution of a contract with PropertyRoom.com, Inc. for the on-line sale of municipal and seized property by virtue of resolution 2011-103 adopted on March 16, 2011; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:14-157, the Township of West Milford may sell any municipality-owned personal property at a public auction; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notices 2008-9 and 2008-21; and

WHEREAS, N.J.S.A. 40A:14-157 and the Division of Local Government Services' Local Finance Notice 2008-9 outline specific advertising requirements to provide for transparency and public participation in such sales; and

WHEREAS, prior to the commencement of such sale, PropertyRoom.com Inc. shall confirm that the Township Clerk is appraised of all necessary information to provide such public notice and the date of sale shall be such that there is sufficient time within the law to advertise in the Township's official newspaper.

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 Township is hereby authorized to sell the municipality-owned property as indicated on Attachment A – Property Auction Manifest, on file in the office of the Township Clerk, on an online auction website entitled www.PropertyRoom.com; and

BE IT FURTHER RESOLVED, that the terms and conditions of the agreement entered into between PropertyRoom.com, Inc. and the Township of West Milford are available at www.PropertyRoom.com and in the Office of the Township Clerk; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded by the Township Clerk to the Division of Local Government Services, Department of Community Affairs, and that a notice will be published in the official newspaper in accordance with the requirements for same.

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

ATTACHMENT "A" PROPERTY AUCTION MANIFEST			
QTY	DESCRIPTION	SERIAL # / Service Tag #	WM FIXED ASSET INV.
1	Newcon Optik Night Vision	N99702282	
1	Digital Video Recorder	000269006ACA	
1	Philips DVD Recorder	VN070321015469	
1	Dictaphone	270946	
1	ONDCP Video	BE-1200	
1	Minolta Camera	93630954	
1	Minolta Camera	41010056	
1	Olympus Camera	7760340	
1	Polaroid Camera		
1	Toshiba Laptop	41216124PU	
1	Philips DVD Player	NW1A0907369507	
1	Toshiba Laptop	41216144PU	
1	EPSON Projector	CWQ00Y01102	
1	Video Vest	C0506-1136	
1	Toshiba Laptop	13109684PU	
1	Mini Dix Equip	BE-1496	
1	Leather Case		
1	LED Light Bar		1656
4	Reflective Vests		
1	Stalker Dual Radar Unit	DC11521	
1	Stalker Radar Unit	DC11523	
1	Stalker Radar Unit	DC9512	1667
1	Stalker Radar Dual Unit	DC1845	
1	Lot of Computer Mounts		
1	Lot of Computer Wires		
1	Truck Vault	406217	1875
4	Police Trunk Pack		
1	Truck Vault	412037	1845
1	Lund 17' Vertical Console	111660605	
8	Tackle Boxes		
4	Mag Lite Car Chargers		
1	File Cabinet		
8	Axes		
1	Dodge Charger Cage w/ gun mount		1827
1	Police Car Center Console		
3	Vehicle Speakers	BB5T-1880-DC	
3	Shovels		
1	All Solutions Traffic Rada Box		
2	Boxes of Sticker Floor Tiles		
4	Handheld Stop Signs		
1	Extension Cord		

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 231 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ONE (1) 2019 JOHN DEERE 544L WHEEL LOADER THROUGH SOURCEWELL (FORMERLY NJPA) CONTRACT #032515-JDC FROM JESCO, INC.

WHEREAS, the Township of West Milford became a member of Sourcewell (formerly the National Joint Powers Alliance-NJPA) by virtue of Resolution 2014-354 adopted November 12, 2014; and

WHEREAS, the Township wishes to purchase one (1) 2019 John Deere 544L Wheel Loader; and

WHEREAS, the Township's Director of Public Works has provided a recommendation for this purchase through Sourcewell Contract No. 032515-JDC to Jesco, Inc.; and

WHEREAS, a vehicle Loader #61, a 2000 Cat IT28G Loader (vin #8CR02287) is being traded in; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from Account # C 04-215-55-831-003; and

WHEREAS, the total amount of the contract shall not exceed \$160,112.07.

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

1. The Township Council hereby authorizes the Township's Director of Public Works to purchase one (1) 2019 John Deere 544L Wheel Loader, in an amount not to exceed \$160,112.07, through Sourcewell Contract No. 032515-JDC from Jesco, Inc. 118 St. Nicholas Ave., South Plainfield, NJ 07080
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 232 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AWARDING CONTRACTS FOR 2019-2020 SNOWPLOWING SERVICES

WHEREAS, the Township of West Milford advertised for the receipt of sealed bids for 4x4 pickups and single axle dump trucks to be received on August 2, 2019 for 2019-2020 Snowplowing Services; and

WHEREAS, said bids have been duly reviewed and analyzed by the Director of Public Works, Engineering Division and the Township Attorney; and

WHEREAS, the award of contracts to vendors whose bids have been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written, noting Special Rates for additional equipment to be used if and when needed per rates bid; and

WHEREAS, the Township Attorney has rendered an opinion; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds, said funds to be encumbered from account number 01-201-26-294-364.

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 Mayor and Acting Township Clerk be and are hereby authorized to execute contracts for 2019-2020 Snowplowing Services in accordance with the following outline:

	CONTRACTOR	# TRKS	\$ Per Hr Class 1	\$ Per Hr Class 2
1	G & E Snow Services, LLC	1	\$110.00	\$110.00
2	Longstaff Paving, LLC	9	\$115.00	\$115.00
3	Tom Buske & Son Construction, LLC	12	\$117.00	\$120.00
4	Silver Stone Landscaping, LLC	4	\$130.00	\$130.00
5	Cowboys Landscaping	9	\$135.00	\$135.00
	TOTAL TRUCKS	35		

BE IT FURTHER RESOLVED that this resolution and these contracts shall be available for public inspection in the office of the Township Clerk.

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 233 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF POCKET (INACTIVE) PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2019- 2020 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption License for the 2019- 2020 License year have been processed on the ABC POSSE website and reviewed; and

WHEREAS, these licenses have received a Tax Clearance Certificate and Special Ruling for the 2019-2020 year; and

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

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

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

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

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

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

LICENSE/LICENSEE/T/A	CONDITIONS
FAMILY ASSETS LLC t/a Town Tavern 673 Macopin Road, West Milford, NJ 07480 1615-33-002-003	Conditions stated above in resolution.
LAKE FRONT LIQUORS LLC 198 Kitchell Lake Drive, West Milford, NJ 07480 1651-33-013-010	Conditions stated above in resolution

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 234 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE FORECLOSURE OF TAX SALE CERTIFICATE NO. 13-0031, BLOCK 3506, LOT 10, 19-23 LAKESSIDE ROAD, WEST MILFORD, NEW JERSEY.

WHEREAS, pursuant to the provisions of N.J.S.A. 54:5-104.29 et seq., the Tax Collector has certified to the Municipal Council for the Township of West Milford, in the County of Passaic, a municipality of the State of New Jersey, that the Township of West Milford is the holder of a certain Tax Sale Certificate, No. 13-0031, from the tax sale on March 19, 2013 covering the lands and premises situated in the Township of West Milford shown on the Tax Maps as Block 3506, Lot 10, 19-23 Lakeside Road, in the amount of \$1,424.04 as of March 19, 2016 the date of the tax sale herein, not including subsequent liens, municipal charges which are made a part hereof; and

WHEREAS, this tax sale certificate appears as Schedule 13 on the Foreclosure List No. 35, attached to Resolution No. 2018-301 approved to be foreclosed in rem; and

WHEREAS, subsequent title searches in preparation of the foreclosure in rem reveals a federal tax lien pursuant to the Internal Revenue Code, filed by the United States of America, against an assessed owner, Steven Castronova regarding an interest in the subject property. The federal tax liens were issued on January 6, 2017, June 28, 2017 and November 15, 2017; and

WHEREAS, Pursuant to N.J.S.A.54:5-87, in order to debar and foreclose a lien held by the United States of America or any agency or instrumentality thereof, a tax lien held by the municipality must be foreclosed in the same manner as a mortgage and final judgment shall provide for issuance of a writ of execution to the Sheriff, Passaic County, for a judicial sale; and

WHEREAS, by virtue of the aforesaid statute and Rules of Court the federal tax lien imposed upon Block 601, Lot 12 will require a municipality holding a tax sale certificate to conduct its foreclosure by the "In Personam Process", and

WHEREAS, the Township of West Milford Tax Collector has requested that the municipal council authorize foreclosure to debar and discharge the federal tax liens provided by statute.

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

1. That the Stuart B. Klepesch, Esq is hereby authorized and directed on behalf of the Township to foreclose Tax Sale Certificate No.13-0031 as provided by N.J.S.A. 54:5-104.87 and the Rules of Court to bar and foreclosure all rights of interest, inclusive of that of the Unites States of America as to any federal tax lien held by the United States of America or any agency or any instrumentality thereof.
2. That compensation for special counsel legal fee in the foreclosure of said certificate shall be in at the certificate fixed amount of \$1,200.00 and that said services and the funds dedicated herein is pursuant to Contract No. 25679 and Resolution No. 2018-301 pertaining to Foreclosure List No.35 and the appointment of the aforesaid counsel for which these services are professional and expertise awarded without competitive bid and is a "Professional Service" in accordance with N.J.S.A. 40A:11-5 of the Local Public Contracts Law.

- 3. That the township clerk shall certify this resolution which shall be made a part of any such action instituted by the township through its delegated officers, officials, or designated counsel for the purpose of foreclosing the aforesaid tax sale certificate.

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Diane Curcio, Acting Township Clerk
Dated:

Michele Dale, Mayor
Dated:

Motion:

Second:

Ayes:
Nays:
Absent:
Abstained:

Approved as to Form and Legally

Township Attorney

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 235 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE FORECLOSURE OF TAX SALE CERTIFICATE NO. 13-0032, BLOCK 3506, LOT 15, 44 REIDY PLACE, WEST MILFORD, NEW JERSEY.

WHEREAS, pursuant to the provisions of N.J.S.A. 54:5-104.29 et seq., the Tax Collector has certified to the Municipal Council for the Township of West Milford, in the County of Passaic, a municipality of the State of New Jersey, that the Township of West Milford is the holder of a certain Tax Sale Certificate, No. 13-0032, from the tax sale on March 19, 2013 covering the lands and premises situated in the Township of West Milford shown on the Tax Maps as Block 3506, Lot 15, 44 Reidy Place, in the amount of \$761.53 as of March 19, 2013 the date of the tax sale herein, not including subsequent liens, municipal charges which are made a part hereof; and

WHEREAS, this tax sale certificate appears as Schedule 14 on the Foreclosure List No. 35, attached to Resolution No. 2018-301. approved to be foreclosed in rem; and

WHEREAS, subsequent title searches in preparation of the foreclosure in rem reveals a federal tax lien pursuant to the Internal Revenue Code, filed by the United States of America, against an assessed owner, PFA Realty Limited Liability Company and Anthony Battinelli, III, managing member regarding an interest in the subject property. The federal tax lien was issued on September 7, 2018; and

WHEREAS, Pursuant to N.J.S.A.54:5-87, in order to debar and foreclose a lien held by the United States of America or any agency or instrumentality thereof, a tax lien held by the municipality must be foreclosed in the same manner as a mortgage and final judgment shall provide for issuance of a writ of execution to the Sheriff, Passaic County, for a judicial sale; and

WHEREAS, by virtue of the aforesaid statute and Rules of Court the federal tax lien imposed upon Block 601, Lot 12 will require a municipality holding a tax sale certificate to conduct its foreclosure by the "In Personam Process", and

WHEREAS, the Township of West Milford Tax Collector has requested that the municipal council authorize foreclosure to debar and discharge the federal tax liens provided by statute.

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

1. That the Stuart B. Klepesch, Esq is hereby authorized and directed on behalf of the Township to foreclose Tax Sale Certificate No.13-0032 as provided by N.J.S.A. 54:5-104.87 and the Rules of Court to bar and foreclosure all rights of interest, inclusive of that of the Unites States of America as to any federal tax lien held by the United States of America or any agency or any instrumentality thereof.
2. That compensation for special counsel legal fee in the foreclosure of said certificate shall be in at the certificate fixed amount of \$1,200.00 and that said services and the funds dedicated herein is pursuant to Contract No. 25679 and Resolution No. 2018-301 pertaining to Foreclosure List No.35 and the appointment of the aforesaid counsel for which these services are professional and expertise awarded without competitive bid and is a "Professional Service" in accordance with N.J.S.A. 40A:11-5 of the Local Public Contracts Law.

3. That the township clerk shall certify this resolution which shall be made a part of any such action instituted by the township through its delegated officers, officials, or designated counsel for the purpose of foreclosing the aforesaid tax sale certificate.

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Acting Municipal Clerk
Dated:

Mayor
Dated:

Motion:

Second:

Ayes:

Nays:

Absent:

Abstained:

Approved as to Form and Legally

Township Attorney

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 236 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE FORECLOSURE OF TAX SALE CERTIFICATE NO. 16-0005, BLOCK 601, LOT 12, 44 ALLAIRE ROAD, WEST MILFORD, NEW JERSEY

WHEREAS, pursuant to the provisions of N.J.S.A. 54:5-104.29 et seq., the Tax Collector has certified to the Municipal Council for the Township of West Milford, in the County of Passaic, a municipality of the State of New Jersey, that the Township of West Milford is the holder of a certain Tax Sale Certificate, No. 16-0005, from the tax sale on October 11, 2016 covering the lands and premises situated in the Township of West Milford shown on the Tax Maps as Block 601, Lot 12, Allaire Road, in the amount of \$243.96 as of October 11, 2016 the date of the tax sale herein, not including subsequent liens, municipal charges which are made a part hereof; and

WHEREAS, this tax sale certificate appears as Schedule 1 on the Foreclosure List No. 35, attached to Resolution No. 2018-301 approved to be foreclosed in rem; and

WHEREAS, subsequent title searches in preparation of the foreclosure in rem reveals a federal tax lien pursuant to the Internal Revenue Code, filed by the United States of America, against the assessed owner, Warren Sisti regarding an interest in the subject property. The federal tax lien was issued on August 8, 2012 in the amount of \$12,235.14; and

WHEREAS, Pursuant to N.J.S.A.54:5-87, in order to debar and foreclose a lien held by the United States of America or any agency or instrumentality thereof, a tax lien held by the municipality must be foreclosed in the same manner as a mortgage and final judgment shall provide for issuance of a writ of execution to the Sheriff, Passaic County, for a judicial sale; and

WHEREAS, by virtue of the aforesaid statute and Rules of Court the federal tax lien imposed upon Block 601, Lot 12 will require a municipality holding a tax sale certificate to conduct its foreclosure by the "In Personam Process", and

WHEREAS, the Township of West Milford Tax Collector has requested that the municipal council authorize foreclosure to debar and discharge the federal tax liens provided by statute.

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

1. That the Stuart B. Klepesch, Esq is hereby authorized and directed on behalf of the Township to foreclose Tax Sale Certificate No.16-0005 as provided by N.J.S.A. 54:5-104.87 and the Rules of Court to bar and foreclose all rights of interest, inclusive of that of the United States of America as to any federal tax lien held by the United States of America or any agency or any instrumentality thereof.
2. That compensation for special counsel legal fee in the foreclosure of said certificate shall be in at the certificate fixed amount of \$1,200.00 and that said services and the funds dedicated herein is pursuant to Contract No. 25679 and Resolution No. 2018-301 pertaining to Foreclosure List No.35 and the appointment of the aforesaid counsel for which these services are professional and expertise awarded without competitive bid and is a "Professional Service" in accordance with N.J.S.A. 40A:11-5 of the Local Public Contracts Law.

3. That the township clerk shall certify this resolution which shall be made a part of any such action instituted by the township through its delegated officers, officials, or designated counsel for the purpose of foreclosing the aforesaid tax sale certificate.

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Acting Municipal Clerk
Dated:

Mayor
Dated:

Motion:

Second:

Ayes:

Nays:

Absent:

Abstained:

Approved as to Form and Legally

Township Attorney

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 237 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF TAX SALE PREMIUM TO LIEN HOLDER

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

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

REASON: 1. Refund Premium to Lien Holder

Block & Lot	Lien Certificate	Name and Address	Amount
16101-004	16-0094	EFTS Special NJ Assets LLC 57 West 38 th Street 9th Floor New York, NY 10018	\$32,100.00

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 238 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING RESOLUTION 2019-166 AUTHORIZING REINSTATEMENT OF TAXES -

WHEREAS, Resolution 2019-166 adopted May 22, 2019 reinstated taxes for Block 10602 Lot 42 in the amount of \$1,626.71 incorrectly; and

WHEREAS, the Collector of Taxes recommends the correction of the reinstatement of the taxes on Block 10602 Lot 42.

NOW, THEREFORE BE IT RESOLVED, that the proper officers be and they are hereby authorized and directed to properly apply the payment to the above taxes.

Adopted: August 14, 2019

Adopted this 14th day of August 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 239 ~

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

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

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

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

REASON: 1. **INSUFFICIENT FUNDS**

BLOCK/LOT	NAME	AMOUNT	YEAR
5316-1.15	Mizerak, Cheryl	\$914.00	2019
8401-10	Meshugga Kennels	\$1,516.79	2019
TOTAL		\$2,430.79	

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 240 ~

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

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

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

- REASON:**
- | | |
|----------------------|-------------------------------|
| 1. Incorrect Payment | 6. Tax Appeal County Board |
| 2. Duplicate Payment | 7. Tax Appeal State Tax Court |
| 3. Senior Citizen | 8. 100% Disabled Veteran |
| 4. Veteran Deduction | 9. Replacement Check |
| 5. Homestead Rebate | 10. Reduced Assessment |

Block/Lot	Name	Amount	Year	Reason
6201-21	Township of West Milford, MUA 1480 Union Valley Road West Milford, NJ 07480	\$152.35	2019	1
9101-22	Elite Title Group, LLC 22 Ridge Road Lyndhurst, NJ 07071	\$3,763.00	2019	2
TOTAL		\$3,915.35		

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 241 ~

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:

Day Camp- weeks 4-8 after care		
Sofia Bettridge & Mia Ricciardi	\$325.00	Carolyn Ricciardi 35 Hancock Drive West Milford, NJ 07480
BS Day Camp week 6		
Emma	\$140.00	Mark Sinclair 1788 Clinton Road Hewitt, NJ 07421
Monster Mini Golf DC trip		
Robyn	\$20.00	Ettiene Rickels 43 Hanover Road Hewitt, NJ 07421
Mila & Jordan	\$40.00	Samantha Molleda 123 Wesley Drive West Milford, NJ 07480
Jimmy & Patrick	\$40.00	Dorothy McCoy 21 Relda Ave. West Milford, NJ 07480
Joseph Jr.	\$20.00	Elizabeth Luino 19 Holiday Lane West Milford, NJ 07480
Peyton & Nathan	\$40.00	Heather Hogan 134 Vreeland Road West Milford, NJ 07480
Kenny	\$20.00	Lisa Johnson 8 Forge Road Hewitt, NJ 07421
Gregory	\$20.00	Bridget Ketcham 19 Land of Oaks Drive Oak Ridge, NJ 07438
Max Krasnomowitz	\$20.00	Stephanie Vreeland 1 Highview Drive West Milford, NJ 07480
Matthew	\$20.00	Larissa Genardi 6 Charissa Court Hewitt, NJ 07421
Lily	\$20.00	Kim DeRobertis 17 Green Terrace Way West Milford, NJ 07480
Kayla	\$20.00	Ann Marie Clegg 23 H Foxboro Lane West Milford, NJ 07480

Kailey Blodgett	\$20.00	Jenn Mackinnon 149 Pinecliff Lake Drive West Milford, NJ 07480
Chair Yoga II		
Marg	\$33.00	Marg LoParo 5402 Richmond Road West Milford, NJ 07480
Day Camp weeks 7 & 8		
Sofia Bettridge & Mia Ricciardi	\$585.00	Carolyn Ricciardi 35 Hancock Drive West Milford, NJ 07480
Day Camp week 7		
August Pruden	\$98.50	Laura Ileczo 1509 Macopin Road West Milford, NJ 07480
Fall soccer		
James	\$70.00	Cathy Pasquale 65 Morris Ave. West Milford, NJ 07480
Fall soccer		
Carlos Banks	\$70.00	Roxanna Saltos-Banks 10 Vista Road West Milford, NJ 07480
Day Camp		
Emma	\$1,101.00	Gary Dan 144 Ridge Road West Milford, NJ 07480
Fall soccer		
Andrew	\$60.00	Claire Lockwood 24 Plumridge Road West Milford, NJ 07480
Day Camp		
Logan Passariello-Daly	\$123.50	Amy Passariello 1557 Union Valley Road West Milford, NJ 07480
Travel Field Hockey		
Mia	\$150.00	Monica Church 40 Beach Haven Road Hewitt, NJ 07421
Day camp weeks 5,6,8 late fee		
Quentin	\$50.00	Stuart Schwerner 33 Delaware Road Hewitt, NJ 07421
Co-Ed Volleyball		
Gary	\$30.00	Gary Braun 11 East Avenue West Milford, NJ 07480
Field Hockey Camp		
Aubrey	\$150.00	Nicole Fritz 18 Cherbourg Drive West Milford, NJ 07480

Summer Kickball		
Samantha	\$45.00	Nicole Bower 7 Rumson Court Hewitt, NJ 07421
Summer Kickball		
Joseph	\$45.00	Patricia Montalbano 15 Evergreen Road Hewitt, NJ 07421
Summer Kickball		
Gage	\$45.00	Morgan Hammond 5 Baron Road West Milford, NJ 07480
Summer Kickball		
Katelyn & Tyler	\$90.00	Sharyn Matthews 1680 Macopin Road West Milford, NJ 07480h
Summer Kickball		
Alexander	\$45.00	Janine Schmelz 5 Orleans Lane West Milford, NJ 07480
Summer Kickball		
Nicholas	\$45.00	Chrystle Koster 53 Cedarbrook Road Hewitt, NJ 07421
Summer Kickball		
Austin	\$45.00	Heather Lowenstein 15 Alpine Lane West Milford, NJ 07480
Tennis Camp		
Paige	\$75.00	Pamela Polglaze 40 Cedar Brook Road Hewitt, NJ 07421

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution No. 2019 - 242~

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	\$1,141,313.65
3	Reserve Account	37,835.66
2	Grants	4,874.75
6	Refunds	40,113.35
1	General Ledger	28,012.75
26	Refuse	145,604.84
4	Capital	47,863.72
19	Animal Control	17,073.60
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	13,243.15
19	Scala Trust	0.00
16	Development Escrow	6,969.60
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	2,772.72
Total		\$1,485,677.79
	Less Refund Resolution	-\$40,113.35
	Actual Bills List	\$1,445,564.44
	Other Payments	
	County of Passaic, Taxes	\$5,053,733.82
	County of Passaic, Open Space Taxes	75,906.94
	Payroll	591,894.40
	Payroll	559,453.72
	Payroll	565,581.44
	Liberty Science Center	653.00
	Community Fire Co.	17,750.72
	State of NJ, DEP	500.00
	Total Expenditures	\$8,311,038.48

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original

Diane Curcio, Acting Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2019 – 243 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ACCEPTING RESIGNATIONS TENDERED

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby accept the following resignation tendered to the Township:

<u>Name</u>	<u>Position</u>	<u>Date Tendered</u>
Jo Ann Blom	Heritage Committee Citizen Member Term expires 12/31/19	July 8, 2019

Adopted: August 14, 2019

Adopted this 14th day of August, 2019
and certified as a true copy of an original.

Diane Curcio, Acting Township Clerk