
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 1 of 33

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

Adequate Notice Statement

Mayor Dale read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Workshop and Regular meeting was advertised in the Herald News in its issue of March 17, 2019 and July 7, 2019; copies were provided to the Suburban Trends, the Record and Star Ledger and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

Please also make note of all fire and emergency exits - located to the left, right, and rear of this room - for use in case of an emergency. Thank you.

Agenda No. I

Pledge of Allegiance

Mayor Dale led all in attendance in a salute to the flag.

Agenda No. II

Roll Call

Present: Councilmembers Ada Erik, Marilyn Lichtenberg, Luciano Signorino, Patricia Gerst
Mayor Michele Dale
Absent: Andrena Pegel, Peter McGuinness
Also Present: Interim Township Administrator Bob Casey, Township Attorney Fred Semrau

Agenda No. III

Reading of or Approval of Unapproved Minutes

July 10, 2019 Executive Session
July 10, 2019 Workshop/Regular Meeting

Councilwoman Erik noted a correction on the Workshop/Regular meeting minutes. On page six she said it's not Animal Waste Management Program its Animal Waste Management Plan.

Moved: Lichtenberg Seconded: Erik
Voted Aye: Erik, Lichtenberg, Signorino, Gerst
Voted Nay: None
Absent: Pegel, McGuinness
Motion Carried:

Agenda No. IV

Meetings

Mayor Dale noted the future meeting schedule:

September 4, 2019 Workshop Meeting
September 18, 2019 Regular Meeting
October 2, 2019 Workshop Meeting

Agenda No. V

Continued Business

2019 Municipal & Solid Waste Budget Public Hearing

Notice of this public hearing for the 2019 Municipal & 2019 Solid Waste budget was published in the Herald News on June 9, 2019. The Mayor will open the meeting to the public to speak to the budget only.

Councilwoman Erik noted that tonight for the first time WM77TV is filming live.

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

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 2 of 33

Discussion:

Councilwoman Erik said she would like to move the budget as written, seconded by Councilwoman Lichtenberg. Councilman Signorino said he would like to see if the departments submitted their suggestions on how to get to a zero increase. He stated that when they began the budget process, it was the intent of the majority of the Council to not raise taxes. Mr. Casey said there were staff increases that were originally in the budget. He noted that the staff feels they can continue to provide the same level of service that was done in the past if they reincarnate the 2018 budget and continue forward. Councilman Signorino said he would like the road personnel to remain in the budget. Councilwoman Erik asked Councilman Signorino if they can compromise and drop the budget by a point. Councilman Signorino said he would be agreeable. Mr. Casey said if they drop a penny out of the budget, the budget reduces by \$246,000 and the tax increase would drop down to \$40.00 a household. Councilman Signorino said if he compromised with Councilwoman Erik and left half a million dollars in the surplus, where would that put them. Councilwoman Erik expressed that she will not compromise and use the surplus. She explained that if they want the same services, they have to pay more in taxes; they don't have industry. She is not for a tax increase but the Council, for too many years, kept the taxes at a zero and used up every nickel. There is nothing left. She will compromise by the one cent. Councilman Signorino said that is a horrible analogy. He said if they need more money they can do an emergency appropriation. They don't tax people more just in case they will historically need more money. He said people are tired of the tax increases. Councilwoman Lichtenberg said she is not in favor of utilizing the surplus for a number of reasons. She said they bond every year to get five miles of roads done. The consultant's report said they should be getting eight miles of roads done. She noted that this year, black top increased so they are probably going to get less than five miles of roads done.

Councilwoman Gerst asked Mr. Casey what his thoughts were on the ideas and suggestions that Councilman McGuinness forwarded to him. Mr. Casey said a lot of his suggestions were already done by the Council in the past four budget sessions. Mr. Casey said he reviewed all the numbers and there might be approximately \$125,000 of items that have not been spent. He explained that, in municipal budgeting, if they don't spend money at the end of the following year, it collapses the surplus. Every year the municipality recaptures about a million dollars of appropriations from the prior year and brings it forward in the surplus. He expressed that one of the biggest components of surplus is recaptured money. He explained that the concern is if they use more in surplus than what they historically regenerate, they will create a deficit carried forward. They have funding of reoccurring expenses with non-reoccurring revenues and this is a major concern that has been reflected by Councilwoman Lichtenberg. Mr. Casey expressed that they also have to understand that the Township, this evening, will be authorizing \$16,000,700.00 worth of temporary one year bonds. They have short term debt that is equal to 50% of the operating budget. The goal is to make permanent debt in 2021 and go for permanent 10 year bonds. Councilman Signorino said a compromise to him would be a zero percent tax increase. He is trying to be as frugal and conservative as possible. He noted that the schools have a serious issue with their funding and he would rather make the cuts on the Township's end. He feels that they have to work double time because of the serious funding issue with the schools. Mayor Dale expressed that if they truly want a zero they have to change the operating budget. Councilwoman Erik said since they are stuck, can they move on to another subject. Councilwoman Gerst asked Councilwoman Erik if she would be agreeable to reducing surplus to \$700,000. Councilwoman Erik said no and she feels that they should move on. Councilwoman Erik asked for the vote to be taken.

~ 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.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
 Date of Meeting: August 14, 2019
 Time of Meeting: 6:30 pm
 Minute Page No: Page 3 of 33

RECORDED VOTE
 Ayes (Erik Lichtenberg)
 Nays (Signorino Gerst)
 Absent (Pegel McGuinness)
 Abstained ()

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:	07-195		
Item 7, Sheet 42			
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:		07-191	
Item 6(b), Sheet 11 (N.J.S.A. 40a:4-14)			
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:	xxxxxx	xxxxxxxxxxxxxx
Within "CAPS"	xxxxxx	xxxxxxxxxxxxxx
(a&b) Operations including Contingent	30001-00	23,756,089.00
(e) Deferred Charges and Statutory Expenditures – Municipal	30004-00	3,169,000.00
(g)Cash Deficit	46-885	
Excluded from "CAPS"	xxxxxx	xxxxxxxxxxxxxx
(a) Operations – Total Operations Excluded from "CAPS"	60023-00	1,279,644.00
(c)Capital Improvements	60002-00	270,000.00
(d) Municipal Debt Service	60003-00	4,505,030.00
(e)Deferred Charges – Municipal	60024-00	30,000.00
(f)Judgements	37-480	
(n)Transferred to Board of Education for Use of Local Schools (NJSA 40A:48-	29-405	
17.1 & 17.3)		
(g)Cash Deficit	46-885	
(k)For Local District School Purposes	60008-00	
(m)Reserve for Uncollected taxes (include Other Reserves if any)	50-899	2,250,000.00
7 SCHOOL APPROPRIATIONS – TYPE I SCHOOL DISTRICTS ONLY (NJSA 40A:4-13)	60010-00	
Total Appropriations	30000-00	35,259,763.00

 Moved: Erik Seconded: Lichtenberg
 Voted Aye: Erik, Lichtenberg
 Voted Nay: Signorino, Gerst
 Absent: Pegel, McGuinness
 Motion Defeated:

Agenda No. VI

Presentations

EDC Award, Mountain Lakes Auto Wash and Expresslube – JoAnn Blom, EDC Chair, noted that they were not able to attend the meeting so Mike Chazukow will accept the award for them. Mr. Chazukow provided an overview of the EDC and the goals that they are working on. He said their goal is to promote tourism and maintain the beauty of the Township.

Eagle Scout, Dylan Bednarski – Said he worked with the New York and New Jersey Trails Committee and Newark Watershed to build an informational kiosk at Oak Ridge Reservoir boat launch. It took 40 hours to complete the project. He will be attending Rensselaer Polytechnic Institute majoring in chemistry.

Eagle Scout, Steven Lange – Noted that he is from Troop 151. He built a seating and patio area at Alfa Development on Oak Ridge Road. The project took 193 hours and the purpose was so the autistic adults can have an outdoor seating area to get fresh air and eat lunch. He will be attending Rowan University in the fall to study civil and environmental engineering.

Eagle Scout, Andrew Borrelli – Mentioned that he is from Troop 151. He built bat boxes at his former elementary school because the bats are important to the ecosystem. He also did presentations and provided brochures for the students so the students will learn the importance of the bats and ecosystem. His project took about 20 hours. He thanked friends and family for their donations. He will be attending the University of Tampa majoring in International Business.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 4 of 33

Environmental Commission – Stephen Sangle, Chairman, provided an annual report and synopsis of what they have been doing this year. He expressed that the environmental health of the community has always been a priority to the Commission. He mentioned that they received a \$1,462.00 grant for Belcher's Creek clean-up and recreational enhancement. Jim Rogers, Commissioner, provided an overview of the Belcher's Creek clean-up project. He explained that the creek provides a natural recreational area if only they can enhance the quality of the water that leads into the lake. He provided various pictures of Belcher's Creek along the five mile stretch. The pictures will provide an idea of the task that lies ahead for the Commission in trying to clean it up. He expressed that so much more can be done with this area and it is a great opportunity for the Township. He mentioned that the Commission really appreciates the support from the Council. Don Weise, Commissioner, spoke about various lakes that had massive clean-ups and the fish are now safe to eat. That gives the Commission a lot of hope for Belcher's Creek. He said, in addition to the water testing, they are exploring the possibility of trails along the creek to improve public access. He noted that the Trail Conference received a grant from the State for a highlands trail mapping and signage project and additional grant money from a private donor. He expressed that their open space master plan is in need of an update. He explained that without a current plan the State will only match 25% and with a current plan they will match 50%. The Commission is asking the Mayor and Council to consider a resolution to contract with the Land Conservancy of New Jersey. He explained that working with them will help them create an updated master plan and qualify the Commission for the funds so they encourage recreation and visitation to the Township, reserve tax base, and protect drinking water. Dave Ofshinsky, Commissioner, mentioned that Belcher's Creek is near and dear to him. He spoke about the record of all the findings they have taken over the past several years. Stephen Sangle noted that they share all of the water test results with the Greenwood Lake Commission, Princeton Hydro and Montclair State University. Tim Dalton, Commissioner, provided history on the reforestation grant. He said he is working with the Community Forestry Management Plan which is a requirement to receive the grants and move forward. They are seeking to improve the overall maintenance and condition of trees in the Township. Stephen Sangle provided a report from Paul Zarrillo since he could not attend the meeting.

Agenda No. X

Public Comments

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

Gary Dan, Ridge Road – Said he sent the Mayor and Council a letter regarding his concerns about the nurse at Bubbling Springs. He explained that his daughter is a Type 1 diabetic and the current nurse is not capable of handling a child with diabetes. He feels that the nurse is only capable of handling cuts and bruises and that puts a lot of other children at risk. He noted that they pulled her out of camp for her own safety and that was a mutual decision between him, the Township and the Recreation Department. They are working on solving the problem for next year. He came to present the case and make himself available for questions.

Richard Randazzo, Wooley Road – Mentioned here we are again without a full Council to pass the budget. He asked if there was any way to do something about the Council members that have not showed up to the meetings. He feels that it is a ploy because there are two Council members that lost the Primary Election. The Council is not working for the Township. He said he can't wait until January when they will have a Council that works for the people and that was made clear when they voted. He said if they want to see what the School Board is doing, they should go to the meetings. He asked the Township attorney to get replacements for the Council members that are not showing up to the meetings. He said the Council got rid of the Administrator and now it should be done to the Council members that are not showing up to the meetings. He said the State is going to come in, the Township will have to borrow money at a higher rate and the taxpayers will have to pay for it. He urged the residents to accept the tax increase as it is now because once the State gets involved, the tax increase now will be chump change. He said the Council is terrible and they should attend the meetings like they are supposed to and work for the Township.

Dan Sperry, Awosting – Noted that he is representing a community that is looking for the Council's help to try to do something about the New Jersey Department of Environmental Protection (NJDEP). He mentioned that he has a lot of data regarding the algae bloom and he will email the Council the documents. He spoke about the NJDEP Cyanobacterial Harmful Algal Bloom (HABs). He expressed that the articles that the DEP is referencing state that there is not enough scientific evidence to back up their decisions. He provided a picture of his children playing at the beach in his community that is closed because of the DEP and you can see the perfectly clean water in the background. He said they can't allow the DEP to call the West Milford lakes toxic. He said our local Health Department should be focusing on E.coli, drownings and accidental head bangs, not closing the beaches because someone might get a tummy ache if they have an allergic reaction to the Cyanobacterial. He urged the Council and attorney to help the community because the DEP having control over the private beaches and lakes is going to destroy West Milford.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 5 of 33

Bob Nicholson, 29 Hyde Road – Thanked the Council and Administration. They upgraded their services and they are looking into the future. He said, down the road, it might not be profitable for the Township to have a public access channel. He mentioned that the bicycle path on Ridge Road needs attention and it needs to be maintained. The Township received a grant for the bicycle lane and they should follow through with the maintenance.

Wendy Welch, Lakeside Community – Mentioned that there are three beaches currently closed in her lake community. They are very small communities and they base their membership on activities on the lake. The lake being closed is a financial deficit to their community. She expressed that they need the Council's help. The levels in the State are too low for the lake and she does not want to be at a meeting next year because the beaches are closed. She asked what the Council can do to help.

Marianne Hansen, Lakeside Community – Expressed that the social aspect of seeing neighbors and friends at the beach has been taken away from their community. She feels that Dan did a great job putting it out there as to what truly are the levels. She said the lake communities are important constituents and they are vital to the Township. She said she would like a response from the Council on what is being done on their behalf. That is why they nominate the Council to work on their behalf. They have waterfront property that is no longer useable and they are taxed for waterfront property. She expressed that the Township has to take action.

Tamara Jordan, Bald Eagle Village – Said its troubling to her that the Council has not been able to vote on a budget. She said it seems like there is an attendance issue. She said she finds it funny how all of the Council members were in attendance when they decided to fire the Township Administrator and name a ballfield after a retired employee. She feels that anytime anyone disagrees with Councilman Signorino, its politics. The lack of attendance at the budget meetings is nothing more than sour grapes and the people of the Township must pay for their loss in the election. She mentioned that the Council meetings are scheduled in advance and some Council members are still absent chronically. She urged everyone to review the July 10, 2019 budget meeting on YouTube. She said Councilwoman Pegel is the Liaison to the Board of Education, so why couldn't she reach out to them for the budget information she wanted; instead of relying on the CFO and delaying the budget process even longer. Their budget was already voted on and it has nothing to do with the Township budget. She knows who on the Board of Education voted to take away the taxpayers rights to vote on the school budget. If the Council wants to truly help the Township then they will fight to get the budget back into the taxpayers' hands.

Pat Romano, 49 Forest Lake Drive – Noted that she is a neuropsychologist and she teaches at Columbia University. In support of the lake water situation, she asked several biologists at Columbia University about the water levels in West Milford and they laughed. They said the levels that are supposedly bad will kill a fish. She has been swimming and sailing and she is perfectly fine.

Mike Chazukow, 67 Pinecrest Trail – Said he is very concerned about the budget and he feels that they should not push this any further. If the State gets involved nobody is going to be happy. He said the Mayor does not have control over the budget, so they have to finalize all the decisions they made and not blame the Mayor for raising taxes. He suggested giving up the new items in the budget that are not going to be implemented by the new Council. He is very concerned about the debt that increases every year because the debt also belongs to the taxpayers.

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

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

Agenda No. XI

Council Comments

Councilwoman Erik – Said the DEP and the DEC came to West Milford and she sat through both meetings. She thought there was a lot of information provided until Senator Joe Pennacchio spoke. He opened her eyes. She explained the NJDEP says that they model their program after the DEC, which is the New York counterpart. The DEC does not do number testing, they do it visually. The DEC said that the fish on that side of the lake are okay. The NJDEP said the fish on the New Jersey side are not. Apparently the fish are extremely intelligent because they know where the property line is. She said that Senator Pennacchio asked the DEP what they are doing about it and the DEP said they are monitoring the water. She said when she swam in Greenwood Lake when she was a child, the green slime was there, and you moved it away and kept swimming. It's a natural occurring thing and it is on every lake in the world. The highest numbers that Montclair State University got was at the other end in New York at a pond that only has frogs and turtles in it. She urged the residents to contact Senator Pennacchio with their concerns.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 6 of 33

Councilman Signorino – Said he appreciates all the data about the lake water and he would be happy to support the residents. He said it is wrong for residents to make comments about Council members that are not present.

Mr. Semrau – Noted that the law states if a Council member fails to attend any meeting of the Governing Body for a period of eight consecutive weeks without being excused that Council member automatically vacates their seat. He said that illness is an excused absence; otherwise it is at the discretion of the Council.

Councilwoman Erik – Said that the Ridge Road bike path only gets swept once year when the grits get swept. She noted that she has mentioned this over and over again. She expressed that DPW does not have enough employees. When someone retires, they do not replace them and they do the same thing with the Police Department. They can't not keep replacing essential services.

Councilwoman Gerst – Asked if they can find out the scope of the nurses responsibility at Bubbling Springs. Mayor Dale said if Councilwoman Gerst would like to have a conversation, to please make an appointment with her because this could be a New Jersey HIPAA issue.

Councilman Signorino – Noted that he appreciates Mr. Dan expressing his concern about the nurse at Bubbling Springs and he hopes that this gets resolved. He said it is an Administrative decision. Mr. Semrau expressed that Administration has spent a lot of time on this matter and they are handling it.

Mayor Dale – Expressed that she has been in constant contact with the DEP and legislators. She does not disagree with residents about the water. She did consult with the Township attorney and she does not have the authority to tell the Health Officer to not enforce the action on private lake associations. She spoke to the DEP in a closed session and they said they will not lift or change their mind on the advisory and the closing of the lakes and beaches. The one challenge she presented to the DEP is Greenwood Lake is a bi-state lake that has two very different ways of assessing this. She said Greenwood Lake is the only lake in the State that is shared with another state; it has a conflicting advisory and it is not going to work out. She noted that New York has a larger percentage of the lake and she does not understand why they can't follow New York's procedures.

Councilman Signorino – Made a motion that Mr. Semrau send a letter to the DEP and (Department of Health) DOH advising them of the impact on the Township because of the closure of the lakes and beaches in the Township, seconded by Councilwoman Gerst. The Council gave consensus.

The Governing Body went into a recess at 9:17 p.m.
The Governing Body returned to the meeting at 9:28 p.m. with all present as before.

Agenda No. VIII

Discussion Items

1.	<p>Discussion: Short Term Rentals: Mr. Casey provided an overview of the draft ordinance. He noted that the same ordinance is under review in a dozen other communities because it is a new evolution within the rental business. The purpose of the ordinance is to balance the rights of the property owner verses the rights of the public and establish guidelines. Mr. Casey asked the Governing Body if they would like to regulate or discourage the short term rentals. They have identified 44 active short term rentals in West Milford. Councilman Signorino said he would like to wait and see what happens in court next week. Councilwoman Erik said it's a work in progress. Mayor Dale expressed that she receives emails on a daily basis complaining about the illegal Airbnb's. The only response she has to give them is that they are not permitted and they issue the violations as reported. She noted that there is no other answer she has to give the residents. Mr. Semrau said the judge can only work with what they have in the law. He noted that the Governing Body does not have any authority over the Municipal Court. He suggested that the Governing Body decide on what direction they would like to proceed. Mayor Dale expressed that if the Governing Body supports Airbnb's or not they need to establish legislation. Mr. Semrau noted that the public needs direction and guidance as to what they can and can't do. Councilwoman Gerst asked if the lake associations are allowing the activity. Mr. Semrau said the documents that he reviewed does not give the lake associations the authority.</p> <p>Mayor Dale opened the meeting to the public to speak to the short term rentals only after advising that there is a five-minute limit for each speaker.</p> <p><u>Paul Nietzer, Chairman, West Milford Lakes Committee</u> – Spoke about concerns that were brought to them from the private lake community members. He expressed that he foresees the short term rentals tripling in the next few years because it's a money maker. He said trying to control the issues with the septic systems will be hard. He noted that the parking in the lake communities is tight and difficult and it is getting worse.</p>
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TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
 Date of Meeting: August 14, 2019
 Time of Meeting: 6:30 pm
 Minute Page No: Page 7 of 33

	<p><u>Lynn Mandon, Secretary, West Milford Lakes Committee</u> – Mentioned that the lake committees have bylaws and strict rules and regulations. Some lake committees require that the guests have a beach badge and the resident/member must be present. She expressed that these are private lakes and they are not like public beaches. The lakes have common property with rules and regulations that have to be taken into consideration. She explained that the issues are ongoing and that is their main concern. The private lake associations need to be added into the ordinance.</p> <p>Councilwoman Gerst requested the bylaws from each private lake community to see how many of them have bylaws about short terms rentals. Ms. Mandon said she will ask the lake communities' for Councilwoman's Gerst request. She noted that most of the short term rentals are on Greenwood Lake. Mayor Dale noted that the consistent complaints she receives are from all different lake communities and one of them is not even in a lake community.</p> <p><u>Dan Sperry, Awosting</u> – Expressed how the Airbnb's are turning single family homes into multifamily homes. He noted that a lot of these short term rentals are used for other things like identity theft and drug trafficking.</p> <p><u>Alfred V. Acquaviva, Acquaviva Law Offices</u> – Noted he represents several homeowners that are being affected by the short term rentals. He said he sent a letter back in June to the Mayor and Council with an update on certain things being considered. He expressed that no one really knows the true effects of what this business could have; good or bad. He said it will change the character of the community.</p> <p><u>Pat Sherry, 31 Forest Lake Drive</u> – Read a letter about her concerns regarding Airbnb and short term rentals. She expressed that she is under the care of a cardiologist because of the stress that this has caused her. She urged the Council to please stop the short term renting.</p> <p><u>Doris Berry, 44 Old Lakeside Road South</u> – Said she supports everything that Pat had to say and she expressed her concerns with the short term rentals. She said the Council needs to keep in mind that the permanent residents have rights. It's a privilege to run a short term rental.</p> <p>There being no more comments from the public, Councilwoman Gerst moved to close the public portion of the meeting.</p> <p>----- Moved: Gerst Seconded: Signorino Voted Aye: Unanimous voice vote Voted Nay: None Motion carried. -----</p>
2.	Discussion: Property Taxes Block 6803/Lot 4: The Council agreed to waive the taxes owed.
3.	Discussion: Survey of Gypsy Moth Egg Masses: The Council agreed to let the County do the count to determine the infestation. Councilman Signorino asked if they can institute a law that would prohibit poisonous chemicals being sprayed in the Township. Mayor Dale said that they are working on that and the County said the chemicals are not poisonous. She explained that they are looking into a greener product.

Agenda No. IX

Unfinished Business, Final Passage of Ordinances

~ 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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 8 of 33

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).

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 9 of 33

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: August 14, 2019
Effective Date: September 3, 2019

This Ordinance was introduced July 10, 2019 and the Notice of Public Hearing was published in the Herald News on July 14, 2019. The Governing Body will open the meeting to the public to speak to this ordinance only.

There being no one wishing to be heard, Councilwoman Gerst made a motion, seconded by Councilman Signorino and carried by unanimous voice vote to close the public comment period.

Motion to adopt Ordinance 2019-013

Moved: Erik Seconded: Signorino
Voted Aye: Erik, Lichtenberg, Signorino, Gerst
Voted Nay: None
Absent: Pegel, McGuinness
Motion Carried:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 10 of 33

Agenda No. XII

New Business, Introduction of Ordinance, Resolutions

Agenda No. XII 1

~ 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 six hundred thousand dollars (\$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 State of New Jersey Department of Environmental Protection, the Farm Crest Acres Association Inc. and the Township of West Milford 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 Association applied for a low interest loan under the State of New Jersey acting by and through the New Jersey DEP Loan Program with the Township acting as co-applicant; 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, as part of the application process, the Township requires that the Association execute a Co-Borrower Agreement for the Upper Crest Lake Dam Rehabilitation Project; and

WHEREAS, the parties have negotiated an acceptable Co-Borrower Agreement for the loan which requires that repayment be through a special assessment administered by the Township; and

WHEREAS, the final costs of the project will not be determined until the dam repairs and renovations to Upper 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:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 11 of 33

SECTION 1. The assessments levied under this Ordinance shall include any and all of the reasonable and necessary costs incurred in connection with the Lower Crest Lake Dam rehabilitation project, including but not limited to the repayment of the loan monies, the interest thereon, the special assessment process, administrative expenses, 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 Acting 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 Township Administrator and Mayor are authorized to execute the Co-Borrower Agreement in connection with the Upper Crest Lake Dam Rehabilitation loan.

SECTION 4. 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 5. 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 6. All ordinances or parts of ordinances which are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 7. This Ordinance may be renumbered for purposes of codification.

SECTION 8. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Introduced: August 14, 2019
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for September 18, 2019. Notice of this public hearing shall be published in the Herald News on or about August 18, 2019.

Agenda No. XII 2

~ 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 four hundred and eighty thousand dollars (\$480,000.00) 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 State of New Jersey Department of Environmental Protection, the Farm Crest Acres Association Inc. and the Township of West Milford 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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 12 of 33

associations, such as the Farm Crest Acres Association, Inc. to accomplish dam rehabilitation projects:
and

WHEREAS, subsequently the Association applied for a low interest loan under the State of New Jersey acting by and through the New Jersey DEP Loan Program with the Township acting as co-applicant;
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 \$480,000; 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, as part of the application process, the Township requires that the Association execute a Co-Borrower Agreement for the Lower Crest Lake Dam Rehabilitation Project; and

WHEREAS, the parties have negotiated an acceptable Co-Borrower Agreement for the loan which requires that repayment be through a special assessment administered by the Township; and

WHEREAS, the final costs of the project will not be determined until the dam repairs and renovations to 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 Lower Crest Lake Dam rehabilitation project, including but not limited to the repayment of the loan monies, the interest thereon, the special assessment process, administrative expenses, 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 Acting 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 Township Administrator and Mayor are authorized to execute the Co-Borrower Agreement in connection with the Lower Crest Lake Dam Rehabilitation loan.

SECTION 4. 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 5. 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 6. All ordinances or parts of ordinances which are inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 7. This Ordinance may be renumbered for purposes of codification.

SECTION 8. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Introduced: August 14, 2019
Adopted:
Effective Date:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 13 of 33

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for September 18, 2019. Notice of this public hearing shall be published in the Herald News on or about August 18, 2019.

Motion to introduce Ordinance 2019-014 and 2019-015.

Moved: Signorino Seconded: Gerst
Voted Aye: Erik, Lichtenberg, Signorino, Gerst
Voted Nay: None
Absent: Pegel, McGuinness
Motion Carried:

Mayor Dale asked to move resolutions 2019-223 through 2019-241.

Agenda No. XII 3

~ 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

Agenda No. XII 4

~ 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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 14 of 33

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

Agenda No. XII 5

~ 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

Agenda No. XII 6

~ 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.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Workshop and Regular Meeting
 August 14, 2019
 6:30 pm
 Page 15 of 33

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Workshop and Regular Meeting
 August 14, 2019
 6:30 pm
 Page 16 of 33

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Workshop and Regular Meeting
 August 14, 2019
 6:30 pm
 Page 17 of 33

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		\$-

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Workshop and Regular Meeting
 August 14, 2019
 6:30 pm
 Page 18 of 33

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

Agenda No. XII 7

~ 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

Agenda No. XII 8

~ 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,

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 19 of 33

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 20 of 33

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.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 21 of 33

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 Councilwoman Erik, seconded by Councilwoman Lichtenberg, the foregoing resolution was adopted by the following vote:

AYES: Erik, Lichtenberg, Signorino, Gerst
NOES: None
ABSENT: Pegel, McGuinness

Adopted: August 14, 2019

Agenda No. XII 9

~ 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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 22 of 33

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

Agenda No. XII 10

~ 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 apprised 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.

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	

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Workshop and Regular Meeting
 August 14, 2019
 6:30 pm
 Page 23 of 33

ATTACHMENT "A" PROPERTY AUCTION MANIFEST			
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		

Adopted: August 14, 2019

Agenda No. XII 11

~ 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:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 24 of 33

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

Agenda No. XII 12

~ 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

Agenda No. XII 13

~ 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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
 Date of Meeting: August 14, 2019
 Time of Meeting: 6:30 pm
 Minute Page No: Page 25 of 33

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

Agenda No. XII 14

~ 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 LAKESIDE 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 3506, Lot 10 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:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 26 of 33

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 Acting 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

Agenda No. XII 15

~ 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 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 3506, Lot 15 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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 27 of 33

is a "Professional Service" in accordance with N.J.S.A. 40A:11-5 of the Local Public Contracts Law.

3. That the Acting 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

Agenda No. XII 16

~ 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, 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 Acting 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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 28 of 33

Agenda No. XII 17

~ 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

Agenda No. XII 18

~ 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

Agenda No. XII 19

~ 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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
 Date of Meeting: August 14, 2019
 Time of Meeting: 6:30 pm
 Minute Page No: Page 29 of 33

Agenda No. XII 20

~ 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

Agenda No. XII 21

~ 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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Workshop and Regular Meeting
 August 14, 2019
 6:30 pm
 Page 30 of 33

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
Andrew	\$60.00	Claire Lockwood 24 Plumridge Road West Milford, NJ 07480
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
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
Joseph	\$45.00	Patricia Montalbano 15 Evergreen Road Hewitt, NJ 07421

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Workshop and Regular Meeting
 August 14, 2019
 6:30 pm
 Page 31 of 33

Gage	\$45.00	Morgan Hammond 5 Baron Road West Milford, NJ 07480
Katelyn & Tyler	\$90.00	Sharyn Matthews 1680 Macopin Road West Milford, NJ 07480h
Alexander	\$45.00	Janine Schmelz 5 Orleans Lane West Milford, NJ 07480
Nicholas	\$45.00	Chrystle Koster 53 Cedarbrook Road Hewitt, NJ 07421
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

Moved: Erik Seconded: Lichtenberg
 Voted Aye: Erik, Lichtenberg, Signorino, Gerst
 Voted Nay: None
 Absent: Pegel, McGuinness
 Motion Carried:

Agenda No. XIII

Consent Agenda

None

Agenda No. XIV

Approval of Expenditures

~ Resolution 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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
 Date of Meeting: August 14, 2019
 Time of Meeting: 6:30 pm
 Minute Page No: Page 32 of 33

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

Moved: Erik Seconded: Lichtenberg
 Voted Aye: Erik, Lichtenberg, Signorino, Gerst
 Voted Nay: None
 Absent: Pegel, McGuinness
 Motion Carried:

Agenda No. XVI

Appointments and Resignations

~ 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

Moved: Signorino Seconded: Gerst
 Voted Aye: Erik, Lichtenberg, Signorino, Gerst
 Voted Nay: None
 Absent: Pegel, McGuinness
 Motion Carried:

Agenda No. VII

Executive Session

~ 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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop and Regular Meeting
Date of Meeting: August 14, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 33 of 33

- 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

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

The Governing Body went into executive session at 11:01 p.m.
The Governing Body returned to the public meeting at 11:24 p.m. with all present as before.

Agenda No. XV

Reports of Administrator, Mayor and Council Members

None

Agenda No. XVII

Adjournment

There being no further business to come before the Council, the Governing Body adjourned the meeting at 11:25 p.m.

Moved: Signorino Seconded: Gerst
Voted Aye: Unanimous voice vote
Voted Nay: None
Motion carried.

Approved: September 4, 2019

Respectfully submitted:

Sherry Zbrzeski, Keyboarding Clerk 1

MICHELE DALE, MAYOR

DIANE CURCIO, ACTING TOWNSHIP CLERK