
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 2, 2019
Time of Meeting: 6:30 pm
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The Workshop Meeting of the Governing Body was called to order by Mayor Michele Dale.

Adequate Notice Statement

Mayor Dale read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Workshop meeting was advertised in the Herald News in its issue of January 6, 2019 and January 27, 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, Andrena Pegel, Marilyn Lichtenberg, Pete McGuinness
Luciano Signorino, Patricia Gerst, Mayor Michele Dale
Absent: None
Also Present: Interim Township Administrator Bob Casey, Township Attorney Fred Semrau

Agenda No. III

Reading of or Approval of Unapproved Minutes

September 18, 2019 Executive Session
September 18, 2019 Regular Meeting

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

Agenda No. IV

Meetings

Mayor Dale noted the future meeting schedule:

October 16, 2019 Regular Meeting
November 6, 2019 Workshop and Regular Meeting
December 4, 2019 Workshop Meeting

Agenda No. V

Presentations

American Legion Update – Mr. John Swank, Passaic County Commander for the American Legion, spoke about the goals of the American Legion and the service and support they provide to the communities.

Agenda No. VI

Executive Session

~ Resolution 2019 – 283 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 2nd day of October, 2019 that:

1. Prior to the conclusion of this **Workshop Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):

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- () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () b. (4) A collective bargaining agreement including negotiations
 - () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - (X) 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.
 - Public Safety
 - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - Attorney Client Privilege - Airbnb's
 - Attorney Client Privilege - Council on Mandates
 - () 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: October 2, 2019

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

The Governing Body went into executive session at 6:41 p.m.
The Governing Body returned to the public meeting at 7:47 p.m. with all present as before.

Agenda No. VII

Discussion Items / Official Communication

1.	Letter from Property Owners for Solution to Repair/Replace Stowaway Road: Mr. Casey explained the severity of the bridge. He expressed that the Township has to take action and move forward because if the bridge fails, 21 residents will be stranded. The Township has to reach an agreement with the property owners association as to how they want to structure some type of loan agreement.
2.	Report of Sale of BANs: Mr. Casey provided the report that was prepared by the CFO about the BANs that were issued.

Agenda No. VIII

Unfinished Business, Final Passage of Ordinances

None

Agenda No. IX

Public Comments

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

Pat Sherry, 31 Forest Lake Drive – Expressed her concerns about the Airbnb's and she asked the Governing Body why they want the Airbnb's in West Milford.

Bob Nicholson, 20 Hyde Road, Stockholm – Said, as a Township, they should be proactive about the Airbnb's because a lot of people are breaking the law unknowingly. He noted that Hopatcong is introducing an ordinance and he hopes the Township reaches out to Hopatcong to review their ordinance. He mentioned that they will never have an ordinance to please everyone.

Richard Randazzo, Wooley Road – Mentioned that the new term to describe the Council is incompetent. He feels the Council is not being proactive. He expressed his concerns about the Airbnb's and said they have to do something positive with the Airbnb's.

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There being no more 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.

Agenda No. X

Council Comments

Councilwoman Erik – Said that she is not against or in favor of Airbnb's. If the Council says yes to Airbnb's, they need a strict ordinance that will protect the neighbors because the neighbors will be there all the time.

Councilman McGuinness – Noted that the \$350,000 that was collected from the MUA was never given to the Township.

Councilman Signorino – Mentioned that the Airbnb issue is not a dead issue, it's an ongoing issue. The Council has been discussing it.

Agenda No. XI

New Business, Introduction of Ordinances, Resolutions

Agenda No. XI 1

~ Ordinance 2019 – 018 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 135 "FEES," OF THE REVISED GENERAL ORDINANCES AMENDED
BE IT ORDAINED by the Municipal Council of the Township of West Milford, County of Passaic, State of New Jersey, that Section §135-6, Police Department Records be amended to read as follows:

§ 135-6 Police Department records.

- G. Fees for accident reports. The fee for providing a copy of an accident report through the mail, by the West Milford Police Department, shall be \$5.00

The Police Department is authorized to charge the following fees:

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

Introduced: October 2, 2019
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Workshop/Regular Meeting of the Township Council scheduled for November 6, 2019. Notice of this public hearing shall be published in the Herald News on or about October 6, 2019

Motion to introduce Ordinance 2019-018

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

Mr. Semrau said the Governing Body agreed in executive session to amend the background check ordinance: Article XI of the Township Code; Criminal history background check of employees and volunteers of non-profit youth-serving organizations. The amendment will expedite the background check process and make the process easier for volunteer coaches. The final hearing will be November 6, 2019.

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Agenda No. XI 2

~ Ordinance 2019 – 019 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO SUPPLEMENT AND AMEND PORTIONS OF §CHAPTER 33, PERSONNEL, ARTICLE XI, CRIMINAL BACKGROUND CHECKS OF EMPLOYEES AND VOLUNTEERS OF NONPROFIT YOUTH-SERVING ORGANIZATIONS, TO PROVIDE AN ALTERNATE INVESTIGATIVE MECHANISM

WHEREAS the Director of the Department of Community Services and Recreation, the Acting Police Chief, and the Township Administrator have recommended revisions to the current regulations governing criminal background checks of employees and volunteers of nonprofit youth serving organizations; and

WHEREAS the Mayor and Council have reviewed said revisions and believe that the changes promote public safety and are in the public interest by making the existing background check process less burdensome on the volunteers and the Township staff while still providing the desired assurance of the integrity of the volunteers who assist in youth sports

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Township of West Milford, County of Passaic, N.J. that:

Section 1. ARTICLE X1: CRIMINAL BACKGROUND CHECKS OF EMPLOYEES AND VOLUNTEERS OF NON PROFIT YOUTH SERVING ORGANIZATIONS, Subsections 33, 35 37 are hereby amended to read as follows:

33-33 Request for background checks

A. The Township of West Milford requires that all employees and volunteers of youth-serving organizations involved in sponsored programs and/or utilizing the Township's recreational facilities request through the West Milford Township Department of Community Services and Recreation that a criminal history background check on each prospective and current coach of nonprofit youth-serving organizations be performed. No person will be permitted to act as an employee or volunteer until the results of the background checks have been received and reviewed by the Administrator of the Township;

Said background check will be in accordance with:

1. the State Bureau of Identification in accordance with N.J.A.C. 13:59-1.1 et seq. and with the procedures and guidelines adopted by the VRO; or
 2. an agency approved by the Township Police Chief which conducts a Internet based search of relevant data bases which would indicate all criminal history for an individual comparable to the information obtained from the State Bureau of Identification
- B.** The West Milford Township Department of Community Services and Recreation shall conduct the criminal history record background check(s) only upon receipt of the written consent to the check(s) from the prospective or current employee or volunteer or from the organization itself.
- C.** The VRO or the approved Internet based provider shall advise the Township Department of Community Services and Recreation of the eligibility of the prospective or current coach. Any information received by the Township shall be confidential.
- D.** The organization shall bear the costs for conducting such checks for prospective or current coaches participating in cosponsored programs in accordance with the regulations established by the VRO or approved Internet based agency.

33-35 Submissions; exchange of background check information

- A.** Prospective or current employees and volunteers of youth-serving organizations for sponsored programs and/or for utilizing Township recreational facilities shall submit their names, addresses, fingerprints, written consent, and any other necessary information to the organization for the criminal history record background check to be performed. The organization shall submit this documentation to the West Milford Township Department of Community Services and Recreation, which shall coordinate the background check and refer the information to the State Bureau of Investigation or approved Internet based agency for the background check. Thereafter, the Township shall conduct periodic background checks after the date of the initial background check, but not less than every 36 months.
- B.** The West Milford Township Police Department shall act as a clearinghouse for the collection and dissemination of information obtained as a result of conducting criminal history record background checks pursuant to this article.

33-37 Determination by Police Department; Appeal Process

- A.** The VRO or approved Internet based agency shall make a recommendation based on the provisions of N.J.S.A. 15A:3A-1 et seq. as to whether the prospective or current volunteer coach is being recommended. The VRO or approved Internet based agency will provide the West Milford Township Police Department with a letter of recommendation or nonrecommendation for each individual for whom the VRO or approved Internet based agency completed a background check.

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- B.** The Department of Community Services and Recreation shall promptly notify a prospective or current employee or volunteer who receives a letter of nonrecommendation from the VRO or approved Internet based agency. Individuals who receive a letter of nonrecommendation from the VRO or approved Internet based agency will not be permitted to participate as an employee or volunteer. Such individuals may obtain a copy of their criminal history record by contacting the VRO or approved Internet based agency in writing. The individuals shall then have 30 days from the receipt of notification from the West Milford Township Department of Community Services and Recreation to petition the appeals committee consisting of the Director of the Township Recreation Department, the Township Administrator and the Township Police Chief for a review and to cite reasons substantiating the review.
- C.** Individuals who receive a letter of nonrecommendation from the VRO or approved Internet based agency may be permitted to serve as an employee or volunteer if they affirmatively demonstrate rehabilitation to the appeal committee. In determining whether a person has affirmatively demonstrated clear and convincing evidence of rehabilitation, the appeals committee may consider the following factors in conjunction with the provisions of N.J.S.A. 15A:3A-1 et seq:
- (1) The nature and responsibility of the position which the convicted person would hold or has held, as the case may be;
 - (2) The nature and seriousness of the offense;
 - (3) The circumstance under which the offense occurred;
 - (4) The date of the offense;
 - (5) The age of the person when the offense was committed;
 - (6) Whether the offense was an isolated or repeated incident;
 - (7) Any social conditions which may have contributed to the offense; and
 - (8) Any evidence of rehabilitation, including good conduct in prison or the community, counseling or psychiatric treatment received, acquisition of additional academic or vocational schooling, successful participation in correctional work release programs or the recommendation of those who have had the person under their supervision.
- D.** In all instances, the final determination of whether an individual will be permitted to serve as an employee or volunteer utilizing the Township's recreational facilities will lie in the sole discretion of the appeals committee, which must vote unanimously.
- E.** The appeals committee shall promptly advise the prospective or current employee or volunteer whether he or she is qualified.
- F.** When the Township Department of Community Services and Recreation receives a letter of nonrecommendation from the VRO or approved Internet based agency, the Department of Community Services and Recreation, shall file that letter within its Department, and it shall keep the written notification on file for three years from the date it was issued.
- G.** The Department of Recreation may request the Police Department to review its files to determine if there is written notification on file stating whether a criminal history record background check of a current or prospective employee or volunteer reveals a disqualifying offense or stating that the person has affirmatively demonstrated rehabilitation under this article.

Section 2. Any and all ordinances inconsistent with or in conflict with the provisions of this ordinance are hereby repealed to the extent of any such inconsistency

Section 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance. This Ordinance shall take effect upon passage and publication in accordance with applicable law

Section 4. This Ordinance shall take effect 20 days after publication of the notice of approval on final reading as required by law

Introduced: October 2, 2019

Adopted:

Effective Date:

Motion to introduce Ordinance 2019-019

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

Mayor Dale asked to move resolutions 2019-284 through 2019-294 including 2019-299 excluding resolution 2019-298.

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Agenda No. XI 3

~ Resolution 2019 – 284 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC COUNTY, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A SHARED SERVICE AGREEMENT WITH THE COUNTY OF PASSAIC FOR PUBLIC HEALTH SERVICES

WHEREAS, N.J.S.A. 40A:65-1, et seq. also known as the Uniform Shared Services and Consolidation Act, ("Act") promotes the broad use of shared services to reduce local expenses funded by property taxpayers; and

WHEREAS, the Township of West Milford, desires to contract with the County for the furnishing of health services as set forth in N.J.S.A. 26:3A2-1, et seq., Administration of Public Health Activities (N.J.A.C 8:52), Health Officer, Public Health Nursing, Communicable Disease and Adult Health Services, Occupational Health Services, Health Education & Promotion and Public Health Emergency Response & Preparedness; and

WHEREAS, the Township will designate the Health Officer of the County as its Municipal Health Officer; and by contracting is appointing the County as its Public Health Agency pursuant to N.J.A.C. 8:52 as required by the Public Health Practice Standards of Performance for Local Board of Health in New Jersey; and

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

1. The Mayor and the Acting Township Clerk be and are hereby authorized to execute a contract with the County of Passaic for shared services as proposed in the Shared Services Agreement for Public Health Services commencing on October 1, 2019 through September 20, 2024 for a term of five (5) years.
2. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: October 2, 2019

Agenda No. XI 4

~ Resolution 2019 – 285 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONTRACT TO STANLEY & ORKE, INC. FOR THE ROOF REPLACEMENT ON THE RECREATION CENTER

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on September 19, 2019 at 11:00am for roof replacement at the Recreation Center as per the Bid Specifications; and

WHEREAS, the Township of West Milford received six (6) bids for this contract; and

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

WHEREAS, the bid received from the lowest bidder Stanley & Orke Inc. is complete; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from account numbers 19-295-56-100-701 for \$107,800 and 01-270-55-000-001 for \$33,800; and

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

1. The Township Council hereby awards a contract to Stanley & Orke Inc., 165 Richards Avenue, Dover, NJ 07801 for roof replacement at the Recreation Center in an amount of base bid of \$118,000.00, replacement of water damaged existing insulation at \$2.00 per square foot and \$50.00 per 4' x 8' board for additional crickets in an amount not to exceed \$141,600.
2. The Mayor and Acting Township Clerk be and are hereby authorized and directed to execute a contract with Stanley & Orke Inc. in accordance with its bid for said Roof Replacement at the Recreation Center in the Township of West Milford.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: October 2, 2019

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Agenda No. XI 5

~ Resolution 2019 – 286 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PURCHASES OF PORTA JON RENTALS AND SEPTIC SERVICES FROM ZUIDEMA/ROYAL THRONE OVER \$17,500 AND UNDER THE BID THRESHOLD IN ACCORDANCE WITH THE PAY-TO-PLAY LAW N.J.S.A. 19:44A-20.5 ET SEQ.

WHEREAS, the Township of West Milford has a need for portable toilet rentals needed for locations around the Township including Brown's Point, and athletic fields. In addition, septic pumping may be required at Township owned properties for the calendar year; as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township of West Milford Council has requested that any purchase over \$17,500 be approved by Council, and;

WHEREAS, Zuidema/Royal Throne will comply with state pay-to-play regulation by completing and submitting a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that Zuidema/Royal Throne will not make any reportable contributions through the remainder of the year; and

WHEREAS, the rental of portable toilets and septic services will exceed the \$17,500 and should not exceed the bid threshold of \$40,000, and;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that rentals of portable toilets and septic services from Zuidema/Royal Throne is hereby authorized and approved provided that the required 3 quotes per request be obtained and total purchases not to exceed \$40,000.

Adopted: October 2, 2019

Agenda No. XI 6

~ Resolution 2019 – 287 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PURCHASE THROUGH STATE CONTRACT 83927 & 83911 FOR A REPLACEMENT 9-1-1 DISPATCH SYSTEM

WHEREAS, the Township of West Milford wishes to purchase a replacement 9-1-1 Dispatch System; and

WHEREAS, the Township Acting Chief Police has provided a recommendation to award this contract through the State Contract #83927 and #83911 to Atlantic Communications which provides the goods and services needed; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase in the amount of \$168,257.00 said funds to be encumbered from account number 04-215-55-831-005; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey that they do hereby authorize the Acting Chief of Police to engage the services and execute the purchase order to Atlantic Communications, 664 Route 15 South, Lake Hopatcong, NJ for one (1) 9-1-1 Dispatch System in an amount not to exceed \$168,257.00 through State Contract #83927 and #83911.

Adopted: October 2, 2019

Agenda No. XI 7

~ Resolution 2019 – 288 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE REPAIR OF THE COMMUNICATIONS EQUIPMENT ON THE MACOPIN CELL TOWER THROUGH ATLANTIC COMMUNICATIONS, STATE CONTRACT 83972

WHEREAS, the communications equipment on the cell tower located on Macopin Road is in need of repairs due to corrosion and age and is not working properly; and

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WHEREAS, the Office of Emergency Management (OEM) has recommended that this communications equipment be replaced/repaired since it is essential to the public safety function; and

WHEREAS, Atlantic Communications, who holds a state contract, has supplied a quote for the work to be performed in the amount of \$19,333.25; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number 04-215-55-829-011.

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 the purchase order issued to Atlantic Communications for the repair of the Communications Equipment on the Macopin Cell Tower not to exceed \$19,333.25.

Adopted: October 2, 2019

Agenda No. XI 8

~ Resolution 2019 – 289 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING FUTURE PURCHASES FROM W.E. TIMMERMAN FOR SWEEPER REPAIR PARTS 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 \$40,000.00; 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 \$17,500.00 and that the purchase shall warrant a minimum of three quotations or the use of State Contract or Cooperative Purchasing Contract; and

WHEREAS, the Township Council has received a recommendation from the Department of Public Works to contract for repair parts which expense shall exceed the aggregate quote threshold of \$17,500.00; and

WHEREAS, the vendor, W.E. Timmerman holds State Contract T-2188 for the purchase of repair parts for road maintenance equipment; and

WHEREAS, the Township's Qualified Purchasing Agent confirms the recommendation that W.E. Timmerman holds State Contract T-2188 for the purchase of repair parts for road maintenance equipment and the purchase is in compliance with the New Jersey Local Public Contracts Law; and

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 W.E. Timmerman through State Contract in an amount not to exceed \$40,000.00 for the 2019 calendar year.

Adopted: October 2, 2019

Agenda No. XI 9

~ Resolution 2019 – 290 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PURCHASES OF SCREEN PRINTING SERVICES FROM JR SCREEN PRINTING OVER \$17,500 AND UNDER THE BID THRESHOLD IN ACCORDANCE WITH THE PAY-TO-PLAY LAW N.J.S.A. 19:44A-20.5 ET SEQ.

WHEREAS, the Township of West Milford has a need to acquire printed shirts for Township sponsored events, sports programs, DPW uniforms and REAL school programs for the calendar year; as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township of West Milford Council has requested that any purchase over \$17,500 be approved by Council, and;

WHEREAS, JR Screen Printing has complied with state pay-to-play regulations by completing and submitting a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the

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elected officials in the previous one year, and that JR Screen Printing will not make any reportable contributions through the remainder of the year; and

WHEREAS, the purchasing of the screen printed shirts and uniforms from JR Screen Printing will exceed the \$17,500 and should not exceed the bid threshold of \$40,000, and;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that purchases of screen printing services from JR Screen Printing is hereby authorized and approved provided that the required 3 quotes per request be obtained and total purchases not to exceed \$40,000.

Adopted: October 2, 2019

Agenda No. XI 10

~ Resolution 2019 – 291 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REGARDING THE DEED NOTICE FOR REMEDIATION OF TOWNSHIP PROPERTY KNOWN AS BLOCK 7903 LOT 14 IN ACCORDANCE WITH THE NJDEP GUIDANCE FOR CAPPING OF A SITE STILL UNDERGOING REMEDIATION

WHEREAS, the Township of West Milford, is the owner of real property designated as Block 7903 Lot 14 encompassing approximately 6.20 acres whereby only approximately 0.05 acres of the contaminated site applies to the Restricted Area for the Deed Notice; and

WHEREAS, the Deed Notice restricts certain uses of the property and provides notice of the property restrictions and monitoring as outlined in the Deed Notice; and

WHEREAS, the Deed Notice remains protective of human health and the environment; and

WHEREAS, Gary G. Landis LSRP #593752 has approved the Deed Notice as an institutional control for the property, which is part of the remediation of the property; and

WHEREAS, the Township Attorney has reviewed said notice and finds it acceptable; and

WHEREAS, to meet the statutory requirements of N.J.S.A. 58:10B-13 and NJDEP Guidance for Capping a Site for IGW Exceedances requires recording the Deed Notice.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the Mayor is hereby authorized to execute a Deed Notice for Block 7903 Lot 14 for the Township of West Milford to the State of New Jersey Department of Environmental Protection.

Adopted: October 2, 2019

Agenda No. XI 11

~ Resolution 2019 – 292 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF CLERK'S OFFICE FEES

BE IT RESOLVED that the following Clerk's Office fees upon the report of the Acting Township Clerk be refunded:

Event	Raffle Application No.	Amount	Payee
50/50 Off Premise Raffle	RL2019-32	\$200.00	West Milford PBA Local # 162 Civic Association Inc. P.O. Box 125 West Milford, NJ 07480

Adopted: October 2, 2019

Agenda No. XI 12

~ Resolution 2019 – 293 ~

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.

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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
7617-8	FIG Capital Investments, NJ13, LLC PO Box 54472 New Orleans, LA 70154-4472	\$920.39	2019	1
	TOTAL	\$920.39		

Adopted: October 2, 2019

Agenda No. XI 13

~ Resolution 2019 – 294 ~

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:

Squirts Soccer		
Caralyn	\$134.00	Deniz Erkal 3 Locust Court West Milford, NJ 07480
Art Club		
Caitlin	\$120.00	Kelly Mackay 18 Alvin Road West Milford, NJ 07480
Senior chair aerobics		
Ann	\$30.00	Ann Niechwadowicz 100 Wooley Road West Milford, NJ 07480
Fall soccer		
Elizabeth Green	\$80.00	Jessica Urban 41 Dogwood Lane Hewitt, NJ 07421
Bob Ross Kids Art 9-22-19		
Peyton	\$60.00	Heather Lowenstein 15 Alpine Lane West Milford, NJ 07480

Adopted: October 2, 2019

Agenda No. XI 14

~ Resolution 2019 – 299 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY REJECTING BIDS FOR THE COLLECTION OF RESIDENTIAL SOLID WASTE AND RECYCLABLES AND AUTHORIZING A REBID FOR THESE SERVICES

WHEREAS, the Township of West Milford solicited bids on October 2, 2019 at 10:00 a.m. for the Collection of Residential Solid Waste and Recyclables; and

WHEREAS, in response to the "Notice to Bidders" four obtained the bid specifications but only one firm bid for the contract; and

WHEREAS, said bid has been duly reviewed by the Township Administrator who recommends that the bid be rejected and the contract be rebid due to the bid substantially exceeding the Township's appropriation for the services and to the absence of competitive bids received for the services and the sole bid represented a significant increase in Township budget costs; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
 Date of Meeting: October 2, 2019
 Time of Meeting: 6:30 pm
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WHEREAS, the Local Public Contracts Law, specifically N.J.S.A. §40A:11-13.2 authorizes a municipality to reject all bids; and

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 bids received on October 2, 2019 for the Collection of Residential Solid Waste and Recyclables is hereby rejected and the Township Administrator is authorized to rebid this contract soon as possible within the time constraints provided in state law.

Adopted: October 2, 2019

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

Agenda No. XII

Consent Agenda

None

Agenda No. XIII

Approval of Expenditures

~ Resolution 2019 – 295 ~

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	\$101,656.79
3	Reserve Account	0.00
2	Grants	3,311.01
6	Refunds	1,544.39
1	General Ledger	0.00
26	Refuse	136,962.43
4	Capital	3,748.50
19	Animal Control	43.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	8,619.18
19	Scala Trust	0.00
16	Development Escrow	0.00
19	Tax Sale Trust	0.00
21	Assessment Trust	19,785.24
	Special Reserve	0.00
Total		\$275,670.54
	Less Refund Resolution	-1,544.39
	Actual Bills List	\$274,126.15
	Other Payments	
	Payroll	567,784.75
	Christiana Trust Lien Premium	25,800.00
	Total Expenditures	\$867,710.90

Adopted: October 2, 2019

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 2, 2019
Time of Meeting: 6:30 pm
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Moved: Erik Seconded: Gerst
Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Signorino, Gerst
Voted Nay: None
Motion Carried:

Agenda No. XIV

Reports of Administrator, Mayor and Council Members

Mayor Dale – Reminded everyone that the Autumn Lights Festival (ALF) is October 12, 2019 and the rain date is October 13, 2019. She mentioned that the road resurfacing projects have started and the Engineering Department will issue notifications to affected people in the area. She noted that the fire inspection request is now a fully automated online process. She read a statement about how influential and involved the PBA is within the Township.

Councilwoman Erik – Said she started reading the Township Master Plan and said the Police Department is at the same level it has been since 1983. She will provide more of a report when she finishes reading it.

Councilwoman Lichtenberg – Thanked the three Veterans that put in over 55 hours of work in Veterans Park. She provided pictures to the Governing Body. She said the Veterans asked if the Township would remove the two larger, older benches and the dead tree. Councilwoman Pegel asked if the pictures can be put on the Township website. She provided an update on the Lakes Committee. She explained the Flags for Heroes that is being sponsored by the West Milford Rotary Club.

Councilman McGuinness – Asked for the status of the old library. Mr. Casey provided an update on the old library.

Councilman Signorino – Requested that they work on the basement in the old library so the seniors can have access to it. Mayor Dale said she has been working on that since she entered office. Councilman Signorino said the Heritage Committee asked if the section of railing at the museum can be replaced or fixed because it's destroyed.

Agenda No. XV

Appointments and Resignations

Agenda No. XV 1

~ Resolution 2019 – 296 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO CREATE A VACANCY ON THE WEST MILFORD PLANNING BOARD

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby vacate the position held by Mr. Scott Leonescu on the West Milford Planning Board due to Mr. Leonescu not being able to attend meetings.

Name	Position
Scott Leonescu	Class IV Alternate # 2 West Milford Planning Board Term expires 12/31/20

Adopted: October 2, 2019

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

Agenda No. XV 2

~ Resolution 2019 – 297 ~

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 2, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 14 of 14

Approved: October 16, 2019

Respectfully submitted:

Sherry Zbrzeski, Keyboarding Clerk I

MICHELE DALE, MAYOR

DIANE CURCIO, ACTING TOWNSHIP CLERK