
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: December 4, 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

November 6, 2019 Executive Session
November 6, 2019 Workshop/Regular Meeting

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

Agenda No. IV

Meetings

Mayor Dale noted the future meeting schedule:

December 18, 2019 Regular Meeting
January 6, 2020 Reorganization Meeting/Workshop Meeting
January 15, 2020 Regular Meeting

Agenda No. V

Presentations

None

Agenda No. VI

Executive Session

None

Agenda No. VII

Discussion Items / Official Communication

1.	Change in Recycling Regulations and Drop-off Center: Mr. Casey explained why they had to put a contract in place with Atlantic Coast Fibers, LLC and why it is more cost effective. He noted the resolution is on the agenda and he feels that given the uncertainty of the market it will be in the long term best interest to do a six month contract with an option for an additional six months. The numbers are more favorable for a three-year contract but he is apprehensive on what the future brings with commingles.
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Table with 2 columns: Item Number and Description. Item 1: He noted that it is the Governing Body's decision... Item 2: Drug Policy: Mr. Casey said he spent time reviewing... Item 3: Paperless Agenda: Mr. Casey said this was funded in the budget...

Mayor Dale asked to move resolutions 2019-341 through 2019-365.

Agenda No. XI

New Business, Introduction of Ordinances, Resolutions

Agenda No. XI 1

~ Resolution 2019 – 341 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING ACCEPTANCE OF THE PUBLIC AUCTION BID IN THE AMOUNT OF \$205,000 BY HIGHLAND WINE & LIQUOR, INC. FOR THE PURCHASE OF ONE (1) PLENARY RETAIL DISTRIBUTION LIQUOR LICENSE

WHEREAS, pursuant to Resolution 2019-282 adopted on September 18, 2019, and in conformance with the New Jersey Alcoholic Beverage Control Act, N.J.S.A. 33:1-1 et seq. ("Act"), the regulations promulgated thereunder at N.J.A.C. 13:2-1.1 et seq. and the Township Code of the Township of West Milford, the Township Council of the Township of West Milford authorized the sale of up to three (3) new Plenary Retail Distribution Liquor Licenses ("License"); and

WHEREAS, as required by and in accordance with the above-referenced authority, the Township prepared bid specifications for the sale of up to three (3) Licenses, published notice of the proposed sale by public bid process and received bids pursuant thereto; and

WHEREAS, on November 8, 2019 one (1) bid was received and prequalified as required; and

WHEREAS, on November 15, 2019, the one (1) bid was received and opened; and

WHEREAS, said bid was submitted by Highland Wine & Liquor, Inc., 348 Fairfield Avenue, Ridgewood, NJ 07450 in the amount of \$205,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford, in the County of Passaic, and State of New Jersey that the Township accepts the bid submitted for the sale of the license and awards the bid to Highland Wine & Liquor, Inc., 348 Fairfield Avenue, Ridgewood, NJ 07450.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Acting Township Clerk is directed to notify the successful bidder, Highland Wine & Liquor, Inc. of the following:

- 1) A deposit of 50% of the total bid price is due to the Township of West Milford within five (5) days of the date of adoption of this Resolution.
2) The balance of the total bid price is to be provided to the Township of West Milford prior to adoption of a Resolution issuing the License.

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- 3) The required background check and investigations shall be conducted and bidder's cooperation shall be required.
- 4) Compliance with a publication and hearing is required if written objection to issuance is received.
- 5) The operation of a facility shall be a condition of licensure.

This Resolution shall take effect immediately.

Adopted: December 4, 2019

Agenda No. XI 2

~ Resolution 2019 – 342 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE JEFFERSON BASKETBALL ASSOCIATION FOR PARTICIPATION IN THE JEFFERSON BASKETBALL LEAGUE

WHEREAS, the Township of West Milford wishes to enter into an Agreement with the Jefferson Basketball Association for participation in the Jefferson Youth Basketball League, and;

WHEREAS, there is a mutual benefit to both the Township and Association through entering into an Agreement.

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 enter into an agreement effective January 2, 2020 through December 31, 2020 with the Jefferson Basketball Association under the terms and conditions set forth in the Agreement.
2. This resolution and agreement shall be available for public inspection in the office of the Township Clerk.

Adopted: December 4, 2019

Agenda No. XI 3

~ Resolution 2019 – 343a ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO GENESIS ENGINEERING, LLC FOR THE EVALUATION AND CONSTRUCTION COST DETERMINATION FOR THE REPLACEMENT OF THE STOWAWAY ROAD BRIDGE

WHEREAS, the privately owned and privately constructed (1984), sole access bridge serving twenty one residential homes in the Stowaway Park Development is in poor condition and must be replaced; and

WHEREAS, the Stowaway Park Association has been unsuccessful in its attempts to replace the failing bridge through private financing; and

WHEREAS, preliminary discussions have been held with the Governing Body on how best to proceed to achieve the most cost effective bridge replacement; and

WHEREAS, comprehensive engineering proposals were solicited from the two engineering firms that have had prior experience with the bridge; and

WHEREAS, Stowaway Road is a non-Township road and it has been recommended that an incremental approach be taken for preliminary testing and surveying be performed in order to provide the Governing Body and impacted property owners with a comprehensive construction cost estimate for bridge replacement; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these services to be encumbered from account number 04-225-55-000-000; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

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1. The Mayor and Acting Township Clerk be and are hereby authorized to execute a contract with Genesis Engineering, LLC, 21 Sunset Inn Road – Suite A, Lafayette, NJ 07848, for professional engineering services for the evaluation and construction cost determination for the replacement of the Stowaway Road bridge in an amount not to exceed \$20,000.
2. This contract is awarded as “Professional Services” pursuant to *N.J.S.A. 19:44A-20 et seq.* and the Local Public Contracts Law.
3. The total fee authorized for this contract shall not exceed \$20,000, without prior written approval of the Township Council.
4. That notice of this action shall be published in accordance with law and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: December 4, 2019

Agenda No. XI 3

~ Resolution 2019 – 343b ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF PRELIMINARY ENGINEERING COSTS ASSOCIATED WITH THE STOWAWAY BRIDGE PROJECT FROM THE CAPITAL IMPROVEMENT FUND

WHEREAS, the Governing Body hereby acknowledges that preliminary costs can be charged to the capital improvement fund and subsequently sent back to the capital improvement fund upon adoption of a bond ordinance when and if the project moves forward; and

WHEREAS, the purpose of these costs are for the preliminary testing and surveying to be performed in order to provide the Governing Body and impacted property owners with a comprehensive construction cost estimate for bridge replacement; and

WHEREAS, the expenditures to be incurred would be properly chargeable to a bond ordinance if one had been adopted prior to the expenditure under N.J.S.A 40A2-1 et seq; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that the amount appropriated for preliminary costs shall not exceed \$20,000 and the Chief Financial Officer is authorized to set up a reserve for preliminary expenses out of the Capital Improvement Fund of the General Capital Fund.

Adopted: December 4, 2019

Agenda No. XI 4

~ Resolution 2019 – 344 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AWARING A CONTRACT FOR MARKETING OF RECYCLABLES TO ATLANTIC COAST FIBERS, LLC

WHEREAS, the Township of West Milford requested proposals for the Marketing of Recyclables which included a methodology to reduce the processing costs to the Township based upon market variation in the value of the recyclables being transported to the vendor; and

WHEREAS, two firms responded, Trinity Recycling of NJ and Atlantic Coast Fibers, LLC, both bidders provided the required bid, administrative information and sufficient information to compare pricing; and

WHEREAS, the Interim Township Administrator has reviewed the bids and provided the following summary information:

	Atlantic Coast Fibers, LLC	Trinity
Curbside Paper (6 Month)	20.61	28
(36 Month)	14.03	
Curbside Commingle (6 Month)	45.60	41
(36 Month)	41.01	

WHEREAS, the Interim Township Administrator recommends that the bid of Atlantic Coast Fibers, LLC using the 12 month calculation be accepted with the provision that plastic recycling be limited to plastics identified as # 1, 2, and 5 and if this were accomplished the comingled bid of Atlantic Coast Fibers, LLC would decrease to 33.71.

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

1. The recommendation of the Interim Township Administrator is accepted.
2. The Township Council hereby authorizes the Mayor and Acting Township Clerk to execute a contract with Atlantic Coast Fibers, LLC, 101 7th Street, Passaic, NJ 07055 for the Marketing of Recyclables for a 6-month period with a 12-month option.
3. The Township Attorney shall prepare a contract to implement this award.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: December 4, 2019

Agenda No. XI 5

~ Resolution 2019 – 345 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REVISING THE REGULATIONS GOVERNING THE OPERATION OF THE TOWNSHIP RECYCLING CENTER AND THE TOWNSHIP DROP OFF CENTER

WHEREAS, the Township provides curbside collection of recyclable materials (paper fiber and comingled plastics/cans/glass containers) and operates a Recycling Drop Off Center for the convenience of local residents as well as to provide a location for the collection and disposal of specialized recyclable materials; and

WHEREAS, the Township has awarded a refuse collection contract which is significantly more costly than preceding contracts resulting in a financial need to curtail duplicative costs wherever possible; and

WHEREAS, certain products previously collected at curbside and the Drop Off Center are no longer recyclable; and

WHEREAS, the resale market for recyclable materials is currently depressed resulting in future disposal costs that the Township must pay; and

WHEREAS, the combination of the above three cost increases/market disposal changes necessitates changing the operation of the Township's curbside collection program and Recycling Drop Off Center to reduce costs and eliminate duplicative services; and

WHEREAS, the Township Interim Administrator and DPW Director recommend that the following operational changes at the Recycling Center are reasonable mechanisms to reduce operational costs while still providing to local taxpayers access to reasonable recycling services and facilities.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the following regulations governing the Township Curbside Collection Program and Recycling Center operation be made as soon as is practical.

1. Curbside plastic collections are restricted to plastic materials with id logo #1, 2 and 5.
2. The hours of operation be reduced to Wednesday and Saturday from 8:00 am to 4:00 pm and Sunday from 10:00 am to 3:00 pm. The Drop Off Center be closed to the public at other hours to prevent illegal/improper activity.
3. The Drop Off Center continue to accept items not currently collected curbside (e.g. leaves, grass, oil, metal goods, paint cans, clothing, electronic devices).
4. The acceptance of paper products and comingled products at the Drop Off Center be restricted to those taxpayers who do not have curbside collection. Local businesses that do not receive curbside service can bring their materials to the Recycling Drop Off Center.
5. The metal curbside collection program be continued on an appointment basis by collection zone.

BE IT FURTHER RESOLVED that certified copies of this Resolution be provided to the Director of Public Works for his advertisement and implementation and that the above changes not occur until the public has been advised through a direct mailing as well as electronic means.

Adopted: December 4, 2019

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Agenda No. XI 6

~ Resolution 2019 – 346 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING THE PASSAIC COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE CONSTRUCTION OF AN ELEVATOR IN WESTBROOK PARK BE REPROGRAMMED FOR THE CONSTRUCTION OF AN ELEVATOR AT THE RECREATION CENTER

WHEREAS, in 2015 the Township of West Milford received a \$50,000 Community Development Block Grant for the construction of an elevator in Westbrook Park for a Teen Center / Senior Center in an existing building; and

WHEREAS, the funding available for this new elevator was not adequate for the award of a contract for the elevator construction; and

WHEREAS, via Resolution 2017-339 adopted November 8, 2018 the Township requested that this grant be reprogrammed to provide for ADA improvement in the rehabilitation / reuse of the former library; and

WHEREAS, due to delays in implementing the library rehabilitation project, the Township in May 2019 requested that the grant implementation be extended to February 29, 2020; and

WHEREAS, the elevator serving the Senior Citizen Community as well as the PRIDE handicapped assistance program at the Recreation Center is in need of rehabilitation and plans have been prepared and bids obtained to meet the required Community Development Block Grant requirements; and

WHEREAS, it is in the best interest of the Township of West Milford and the County of Passaic CDBG program that the 2015 CDBG grant be reprogrammed to the Recreation Center elevator.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the Passaic County Community Development reprogram the 2015 CDBG grant from the construction of a new elevator at Westbrook Park to the rehabilitation of the existing elevator at the Township Recreation Center, 66 Cahill Cross Road, West Milford.

Adopted: December 4, 2019

Agenda No. XI 7

~ Resolution 2019 – 347 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONSTRUCTION CONTRACT TO STANDARD ELEVATOR CORPORATION

WHEREAS, the Township of West Milford advertised on October 20, 2019 for the receipt of sealed competitive bids to be received on November 14, 2019 at 11:00 am for the Rehabilitation of the "Limited Use / Limited Application Roped Hydraulic Elevator" installed at the Recreation Center as per the bid specifications; and

WHEREAS, the Township of West Milford sent the bid notice to 8 vendors and received two bids for this contract; and

WHEREAS, said bids have been duly reviewed and analyzed by the West Milford Administrator, the Passaic County Community Development Office and the Township Attorney; and

WHEREAS, the bid received from the low bidder, Standard Elevator Corporation has 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; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from accounts numbered 02-117-03-762-000 (CDBG Grant) and 04-215-55-826-008 (Capital Fund).

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

1. The Township Council hereby awards a contract to Standard Elevator Corporation, 68 Union Avenue, Clifton, NJ 07011 in an amount not to exceed \$98,465.45 (base contract) plus a \$4,932 (change order allowance) for a total of \$103,397.45.

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2. This award is subject to the review and approval of the Passaic County Community Development Program of the bid plus the reprogramming of grant funding previously committed to the Township.
3. The Mayor and Acting Township Clerk are hereby authorized and directed to execute a contract with Standard Elevator Corporation, in accordance with its bid for said Rehabilitation of the "Limited Use / Limited Application Roped Hydraulic Elevator".
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: December 4, 2019

Agenda No. XI 8

~ Resolution 2019 – 348 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR ELEVATOR INSPECTION SERVICES TO CBA ELEVATOR CONSULTANTS, LLC

WHEREAS the Township used CBA Elevator Consultants to prepare specifications for the rehabilitation of the elevator at the Recreation Center and is awarding a contract for this construction project, and it is necessary to provide for inspection services; and

WHEREAS, the Township of West Milford has a need to appoint CBA Elevator Consultants, LLC as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5 as appropriate*; and

WHEREAS, the Township Council has determined that CBA Elevator Consultants, LLC services can provide elevator consulting / engineering services for the construction inspection for the upgrade of one (1) LULA elevator located at the Recreation Center for \$2,850; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et. seq.) requires that the resolution authorizing the award of contracts for Professional Services without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number 01-201-28-374-802.

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

1. The Township of West Milford hereby awards and authorizes the Mayor and Acting Township Clerk to execute an agreement with CBA Elevator Consultants, LLC, 190 Main Street, Suite 402, Hackensack, NJ 07601
2. The total fee authorized for this contract shall not exceed \$2,850 without the prior written approval of the Township Council.
3. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: December 4, 2019

Agenda No. XI 9

~ Resolution 2019 – 349 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, CLARIFYING THE COUNCIL'S INTENT IN ADOPTING ORDINANCE 2016-008; ENTITLED: BOND ORDINANCE APPROPRIATING \$3,250,000 FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN

WHEREAS, on May 4, 2016 the Council adopted Ordinance 2016-008 entitled: Bond Ordinance Appropriating \$3,250,000 for Various Improvements or Purposes Authorized to be Undertaken; and

WHEREAS, Section 3(e) of this Ordinance provides funding for "improvement of municipally owned properties and facilities in and by the Township, including without limitation, the Coffee House by the renovation of the elevator; and

WHEREAS, conditions cited in Ordinance 2016-008 relating to the elevator renovation have changed and the Administration is requesting that the Council approve a resolution clarifying the proper reuse of the funding committed for elevator renovation.

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

1. The "Teen Center" cited in Ordinance 2016-008 was located at Westbrook Park.
2. The Township explored the possibility of installing an elevator at the facility in Westbrook Park and found this alternate to not be financially feasible.
3. The Westbrook Park facility was intended to be used as both a Teen Center and a Senior Center. The Senior Center component is currently located in the Recreation Center on Cahill Cross Road.
4. There is an existing elevator in the recreation center that is in need of rehabilitation.
5. The Township Council agrees that the funding initially identified to be used at the Teen Center may be reprogramed to the elevator rehabilitation in the Recreation Center since the Recreation Center is servicing the same user base as previously intended to use the facility at Westbrook Park.

BE IT FURTHER RESOLVED that certified copies of this resolution be provided to the Chief Finance Officer and Administrator for their information and use.

Adopted: December 4, 2019

Agenda No. XI 10

~ Resolution 2019 – 350 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMITTAL AND ACCEPTANCE OF A GRANT APPLICATION BY THE MUNICIPAL ALLIANCE COMMITTEE (CASA) FOR SCHOOL AND COMMUNITY BASED DRUG AND ALCOHOL PREVENTION PROGRAMS

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, The Township Council of the Township of West Milford, County of Passaic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Passaic.

NOW, THEREFORE, BE IT RESOLVED by the Township of West Milford, County of Passaic, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the West Milford Municipal Alliance grant for the period of July 1, 2020 to June 30, 2021 (FY2021) in the amount of:

DEDR	\$ 23,030.00
Cash Match	\$ 5,758.00
In-Kind	\$ 17,273.00
2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Adopted: December 4, 2019

Agenda No. XI 11

~ Resolution 2019 – 351 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMITTAL AND ACCEPTANCE OF A GRANT APPLICATION BY THE MUNICIPAL ALLIANCE COMMITTEE (CASA) FOR SCHOOL AND COMMUNITY "TAKE VAPE AWAY GRANT PROGRAM" THROUGH HACKENSACK MERIDIAN HEALTH

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WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, The Township Council of the Township of West Milford, County of Passaic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Council has applied for funding to the Hackensack Meridian Health "Take Vape Away Grant Program".

NOW, THEREFORE, BE IT RESOLVED by the Township of West Milford, County of Passaic, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the West Milford Municipal Alliance grant for the period of January 1, 2020 to December 31, 2020 in the amount of:
Grant \$ 7,000.00
2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Adopted: December 4, 2019

Agenda No. XI 12

~ Resolution 2019 – 352 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ABATEMENT OF PROPERTY MAINTENANCE CODE VIOLATIONS ON BLOCK 12001 LOT 13, 93 WEAVER ROAD

WHEREAS, pursuant to the provisions of the Township's Property Maintenance Code the Property Maintenance Code Official inspected block 12001 lot 13 and issued a violation notice in May of 2015 requiring the repair or removal of the main structure as being a hazardous structure; and

WHEREAS, no action was taken in 2015 and in October 2016 a subsequent violation notice was issued; and

WHEREAS, in November 2019 the Township Building Standards Board discussed the condition of the property and the absence of response by the property owner and recommended to the governing body that the necessary steps be taken to demolish the building and restore the property to required property maintenance standards; and

WHEREAS, Code of Ordinances 285-11, Abatement by Township; recovery of costs required that before expending public funds to abate property maintenance code issues that are not an imminent hazard, the governing body must be presented information about the issue, and cost projections of the cost of abatement; and

WHEREAS, the estimated cost of abatement based upon competitive quotes received is: demolition of building (to be done by DPW) cost of debris removal and disposal not to exceed \$4,000; cost of removal and disposal of fuel oil tanks not to exceed \$1,000; and

WHEREAS, the Chief Financial Officer has certified that funds are available within the Building Standard's account 01-201-27-332-441 for this work.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the Property Maintenance Official is hereby authorized to proceed with the abatement of property maintenance code violations on block 12001 lot 13, 93 Weaver Road in a total amount not to exceed \$5,000 and to report back to the governing body with the final costs so that a lien to recover these costs can be filed on the property.

BE IT FURTHER RESOLVED that certified copies of this resolution be provided to the Property Maintenance Code Official and the Chief Financial Officer for their information and execution.

Adopted: December 4, 2019

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Agenda No. XI 13

~ Resolution 2019 – 353 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PURCHASE THROUGH STATE CONTRACT #ITS58 & 2018011-02 FOR A PURCHASE FOR ONE (1) LAWSOFT CAD/RMS DISPATCH SOFTWARE

WHEREAS, the Township wishes to purchase one (1) LawSoft CAD/RMS Dispatch Software;
and

WHEREAS, the Township Acting Chief of Police has provided a recommendation to award this contract to SHI International Corp which provides the goods & services needed; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases in the amount of \$108,201.94, said funds to be encumbered from Account #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 the appropriate Township officials be and are hereby authorized to execute the purchase order issued to SHI International Corp for the purchase of (1) LawSoft CAD/RMS Dispatch Software at a cost of \$108,201.94.

Adopted: December 4, 2019

Agenda No. XI 14

~ Resolution 2019 – 354 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, TO TRANSFER ITEMS OF CURRENT FUND APPROPRIATIONS IN ACCORDANCE WITH THE PROVISION OF N.J.S.A. 40:4-58

WHEREAS, there appears to be a surplus in the 2019 appropriation over and above the demand deemed to be necessary for the balance of the year:

APPROPRIATION	ACCOUNT NUMBER	TRANSFER PROPOSAL
Administrator, S&W	20-100-100	\$37,000
TOTAL TRANSFERS OUT		\$37,000

WHEREAS, there appears to be insufficient funds in the following appropriations to meet the demands thereon for the balance of the 2019 budget year:

APPROPRIATION	ACCOUNT NUMBER	TRANSFER PROPOSAL
Statutory Expenditures	36-000-000	\$37,000
TOTAL TRANSFERS IN		\$37,000

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that in accordance with the provisions of N.J.S.A. 40A:4-58, part of the 2019 appropriation heretofore mentioned be and the same are hereby transferred to the appropriations mentioned as being insufficient to meet prior demands and a certified copy of this Resolution shall be forwarded by the Acting Township Clerk to the Township Treasurer.

Adopted: December 4, 2019

Agenda No. XI 15

~ Resolution 2019 – 355 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2020

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

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford does hereby approve the issuance of 2020 Licenses as listed below:

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License No.	2020 JUNK YARD LICENSE
2020-03	Carl DelCampo – Concourse Auto II LLC
License No.	2020 JUNK SHOP LICENSE
2020-02	Carl DelCampo – Concourse Auto II LLC
License No.	2020 LIMOUSINE OWNER LICENSE
2020-01	AAA Limo & Transport LLC – Ralph Gorthey
License No.	2020 LIMOUSINE DRIVER LICENSE
2020-01	AAA Limo & Transport LLC – Ralph Gorthey
License No.	2020 CLOTHING BINS
2020-01,02,03,04 2020-05,06 2020-07,08	Bearfort Plaza (4) West Milford First Aid Squad Ridge Road (2) West Milford First Aid Squad, Newfoundland (2)
License No.	2020 CLOTHING BINS
2020-09 2020-10,11	Marshall Hill Elementary (West Milford BOE) (1) Aphsawa Volunteer Fire Co. #1 (2)
License No.	2020 CLOTHING BINS
2020-12,13	West Milford Recycling Center (2)
License No.	2020 FIREARMS RANGE LICENSE
2020-01	Meadowbrook Rifle & Pistol Club – Matthew VanKirk

Adopted: December 4, 2019

Agenda No. XI 16

~ Resolution 2019 – 356 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE CLOSING OF BALANCES OF OLD ESCROW ACCOUNTS

WHEREAS, the Township has old escrow accounts, with no activity, that have unexpended balances, and

WHEREAS, the Township Auditor has recommended that the accounts listed on the attached sheets be closed and distributed to the Current Fund; and

WHEREAS, if the applicant should contact the Township regarding the refund of any unspent funds, provided the applicant is entitled to a refund, the monies will be returned; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford that the old escrow accounts with balances be cancelled and the monies distributed to the Current Fund until such time as the applicant in written form requests the funds be refunded.

Adopted: December 4, 2019

Agenda No. XI 17

~ Resolution 2019 – 357 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND 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:

Brix Blast camp		
Cameron	\$100.00	Nicole Farrell 14 Ridgeview Terrace Oak Ridge, NJ 07438
Casa Bianca Luncheon		
Mary Renna	\$30.00	Mary Renna 4105 Richmond Road West Milford, NJ 07480
John & Lil	\$60.00	Lil Franetovich 19 Lookover Drive Hewitt, NJ 07421

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Rec Basketball		
Gianna	\$65.00	Kristine Buzzelli 29 Duralee Court West Milford, NJ 07480
Dylan	\$180.00	Elizabeth Martin 32 Forge Road Hewitt, NJ 07421

Adopted: December 4, 2019

Agenda No. XI 18

~ Resolution 2019 – 358 ~

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

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

Name & Address	Application No.	Account No.	Amount of Escrow Deposit	Amount of Refund
Eric & Carol Louer 1925 Union Valley Road Hewitt, NJ 07421	PB-05-10-06	16-288-56-703-012	\$2,780.60	\$1,011.60

Adopted: December 4, 2019

Agenda No. XI 19

~ Resolution 2019 – 359 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND 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: Vacant Property Fee Applied to Taxes in Error

Block/Lot	Name	Amount	Year
3104-10	Township of West Milford Township Clerk's Office 1480 Union Valley Road West Milford, NJ 07480	\$500.00	2019
TOTAL		\$500.00	

Adopted: December 4, 2019

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~ Resolution 2019 – 360 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND 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 are hereby authorized and directed to issue checks refunding such overpayment as shown below:

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

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Block/Lot	Name	Amount	Year	Reason
00101-003.03	Sean Mulholland 157 County Road Hewitt, NJ 07421	\$6,018.59	2019	8
12701-015	Brant Snell 1716 Hamburg Tpke West Milford, NJ 07480	\$4,811.17	2019	8
TOTAL		\$10,829.76		

Adopted: December 4, 2019

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~ Resolution 2019 – 361 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND 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
401-19	Wells Fargo R. E. Tax Service, LLC Att: Financial Support Unit MAC X2301-02 C 1 Home Campus Des Moines, IA 50328-0001	\$3,408.00	2019	2
3003-3	Guardian Title Services, LLC 345 Centre St. Ste 2 Nutley, NJ 07110	\$1,795.00	2019	2
5202-9	Terrell Waugh & Manikh Hussain 19 Heritage Drive West Milford, NJ 07480	\$65.00	2018	2
8802-18	CoreLogic Centralized Refunds PO Box 9202 Coppell, TX 75019-9978	\$67.57	2018	2
8802-47	PHH Mortgage 1 Mortgage Way Mount Laurel, NJ 08054	\$77.80	2018	2
5311-2.12	CoreLogic Centralized Refunds PO Box 9202 Coppell, TX 75019-9978	\$645.13	2019	2
05315-2.20	Robin S. Caiazzo, LLC 51 Denise Drive Kinnelon, NJ 07405	\$844.00	2019	2
5316-2.17	CoreLogic Centralized Refunds PO Box 9202 Coppell, TX 75019-9978	\$926.72	2019	2
7003-006	CoreLogic Centralized Refunds PO Box 9202 Coppell, TX 75019-9978	\$1,862.04	2019	2
7620-8	Anthony & Barbara Battinelli 14 Orchard Lane West Milford, NJ 07480	\$250.00	2019	4
7801-25.02	Ardent Title Group, LLC 24 Sheridan Avenue Ste 2 Ho-Ho-Kus, NJ 07423	\$1,622.00	2019	2

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8501-11	CoreLogic Centralized Refunds PO Box 9202 Coppell, TX 75019-9978	\$2,485.61	2019	2
8802-35	P. & Rosemary Stoehr 8 Eagle Rock Road West Milford, NJ 07480	\$250.00	2019	4
8901-12	CoreLogic Centralized Refunds PO Box 9202 Coppell, TX 75019-9978	\$2,543.86	2019	2
8903-11	CoreLogic Centralized Refunds PO Box 9202 Coppell, TX 75019-9978	\$2,355.14	2019	2
9406-37	CoreLogic Centralized Refunds PO Box 9202 Coppell, TX 75019-9978	\$3,466.29	2019	2
10601-21	William Schwarzlow & Kim Kramer 1 Post Brook Road S. West Milford, NJ 07480	\$1,987.78	2020	2
10703-47	Kenneth & Claire Lockwood 24 Plumridge Road West Milford, NJ 07480	\$1,698.11	2019	2
10803-22	Christian & Wayne Ortelli 72 Hudson Drive West Milford, NJ 07480	\$250.00	2019	4
12902-5	Evident Title Agency, Inc 874 Pompton Avenue Suite B2 Cedar Grove, NJ 07009	\$3,230.24	2019	2
17201-16	Vincent J. & Nina M. Roselli 81 Cherry Ridge Road Hewitt, NJ 7421	\$250.00	2019	3
	TOTAL	\$30,080.29		

Adopted: December 4, 2019

Agenda No. XI 22

~ Resolution 2019 – 362 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING REFUND OF ENGINEERING DEPARTMENT PERFORMANCE GUARANTEES

BE IT RESOLVED, by the Township Council of the Township of West Milford that, upon the report and request of the Township's Engineering Department, the following Performance Guarantee be refunded as follows:

Name & Address	Block & Lot	Amount Refunded	Amount Remaining
Aaron Williams 42 Virginia Lane West Milford, NJ 07480	10002-14	\$1,450.00	\$0

Adopted: December 4, 2019

Agenda No. XI 23

~ Resolution 2019 – 363 ~

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

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

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

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

REASON: 100% DISABLED VETERAN

Block & Lot	Name	Amount	Year
00101-03.03	Sean Mulholland 157 County Road Hewitt NJ 07421	\$6,018.59	2019
		\$6,640.00	2020
12701-015	Brant Snell 1716 Hamburg Tpke West Milford, NJ 07480	\$4,701.36	2019
		\$2,351.00	2020
Total		\$19,710.95	

Adopted: December 4, 2019

Agenda No. XI 24

~ Resolution 2019 – 364 ~

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

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

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

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

REASON: 1. **INSUFFICIENT FUNDS**

Block/Lot	Name	Amount	Year
16307-018	Tyrrell K. Rydgren	\$1,138.48	2019
11002-003	Gregory Keating	\$1,112.68	
07509-008	Carol Marion Drewes	\$2,153.24	
04902-003	Daniel W Spoust	\$2,842.90	
01802-012	Jack Levkovitz	\$2,174.74	
04701-061	Jack Levkovitz	\$15,852.70	
04701-061 QFARM	Jack Levkovitz	\$199.01	
05201-010	Jack Levkovitz	\$2,775.11	
13906-007.01	Sadelain Michel	\$1,307.73	
01807-009	Igor Danko	\$1,664.82	
00301-006	Lynda Naccara	\$1,512.13	
6714-7	William & Kathleen Teubner	\$2,382.97	
TOTAL		\$35,116.51	

Adopted: December 4, 2019

Agenda No. XI 25

~ Resolution 2019 – 365 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY PROVIDING FOR THE ASSIGNMENT OF TAX SALE CERTIFICATES AT PRIVATE SALE BLOCK 7508, LOT 19

WHEREAS, the Collector of Taxes has reported to the Township Council the offer of Brian Walsh to acquire by assignment the following tax lien certificate held by the Township of West Milford.

Lien Certificate	Date of Sale	Block/ Lot	Amount Due
15-006	10-13-2015	7508 / 19	\$2,630.17

WHEREAS, the said Brian Walsh has paid to the Collector of Taxes the sum of \$2,630.17 representing the amount due on said Certificates, together with subsequent liens thereon.

NOW, THEREFORE, BE IT RESOLVED that December 18, 2019, at 6:30 P.M. prevailing time at the West Milford Town Hall, be set as the date, time and place when and where the Township Council shall take action on the said offers of Brian Walsh.

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NOW, THEREFORE, BE IT FURTHER RESOLVED that the Collector of Taxes be and hereby is directed, pursuant to N.J.S.A. 54:5-112 and 5-113, to publish such notice in the Herald News, mail such notice and post such notices as shall be required by law prior to any action as shall be taken by the Township Council on said offer.

Introduced: December 4, 2019

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

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Consent Agenda

None

Mayor Dale noted that Councilman Signorino addressed his Council colleagues with a proposed resolution.

Discussion:

Councilman Signorino expressed that gun ownership and gun restriction has been an issue around the country. He said that a majority of West Milford residents are proud, responsible gun owners for various reasons. There is an element of society that is always trying to overreach the rights that we have that are inalienable. That means that our Government does not give us. God has given them to us. The Government is there to protect them from those who should take them from us. There have been numerous states, counties, local cities and municipalities that are passing what's called a 2nd Amendment Sanctuary Law basically declaring their city to be 2nd Amendment sanctuary. It is there to say that we already recognize the laws that we have and we are no longer looking to further restrict the rights that God has given us. He noted that he tweaked the proposed resolution. He read the resolution. He explained that the resolution does not state to review or amend any existing laws. It basically states that they will not support any further regulations. They will hold the criminals accountable as opposed to restricting lawful use of the firearms. He thinks it's self-explanatory. Councilwoman Erik asked why Councilman Signorino brought this up. Councilman Signorino said people are becoming so sensitive. He thinks that they all agree that, little by little, our rights are being eroded. He feels that language and certain words are becoming illegal. One of the purposes of having the 2nd Amendment is to protect the 1st. This just reaffirms what our country was built on, for all the points that it stated. As a Township, it would do a great service to our own constituents to reaffirm those rights. This is something that is progressively getting worse. I have brought things forward throughout the years but I didn't have the support of the Council. Councilwoman Erik asked if it's legal for this resolution to take effect immediately. Mr. Semrau confirmed that it is legal and it will take effect immediately. Mr. Semrau feels that "Sanctuary Township" should be defined in the resolution. Mr. Casey suggested that the resolution reflect "Sanctuary Township" as defined below and the definition is 1,2,3,4 etc. Councilwoman Erik mentioned that "Sanctuary Township" needs to be defined at the top of the resolution. Mr. Semrau explained that everyone looks at that with certain terminology. There is a definition for safe state and everyone has their own opinion. It's a policy decision and he feels that the best thing to do is take Mr. Casey's recommendation. The Council agreed to the amendments made by Mr. Casey. Councilman Signorino made a motion to amend the resolution to state as defined herein, seconded by Councilwoman Gerst.

~ Resolution 2019 – 368 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY DECLARING THE TOWNSHIP OF WEST MILFORD A 2ND AMENDMENT/LAWFUL GUN OWNER SANCTUARY TOWNSHIP AS DEFINED HEREIN- AMENDED

WHEREAS, the 2nd Amendment to the US Constitution guarantees the Right to Keep and Bear Arms, an individual right affirmed by the US Supreme Court; and

WHEREAS, the Declaration of Independence refers to all being endowed by their Creator with the unalienable right to Life, self-defense is an "original right" referred to by Alexander Hamilton in Federalist 28, and self-defense is recognized as a national and international right; and

WHEREAS, Americans lawfully use firearms hundreds of thousands of times each year, protecting themselves and loved ones from violent criminals; and

WHEREAS, there are an estimated 12 million Americans who lawfully carry concealed firearms; and

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WHEREAS, the short-term rental of homes can provide a flexible housing stock that allows travelers a safe accommodation while contributing to the local economy, promoting travel and tourism and supporting the local tourism industry and business community; and

WHEREAS, the short-term rental of homes can provide homeowner's an opportunity to maintain ownership of property in difficult economic circumstances; and

WHEREAS, the West Milford Township Council finds that there is a substantial interest in furthering the public health, safety and welfare; by establishing and enforcing minimum life safety standards for short-term rental of houses.

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

SECTION 1. Chapter 285, entitled "Property Maintenance," of the Code of the Township of West Milford, New Jersey," is hereby amended and supplemented in order to establish a new Section thereof (Section 285-13) to be known as "Short-Term Rentals," as follows:

Chapter 285-13 Short Term Rentals.

285-13.A Purpose.

The Township Council finds and declares that certain transitory uses of residential property tend to affect the residential character of the community and, if unregulated, can be injurious to the health, safety and welfare of the community.

The intended purposes of this Section (285-13) are to:

- a. balance the rights of the Owners of residential dwelling units proposed for short-term rental use and the Township's business community affected by the allowance and existence of short-term rentals;
- b. protect the public health, safety and general welfare of individuals and the community at large;
- c. provide for an organized and reasonable process for the short-term rental of certain defined classifications of residential dwelling units in the Township;
- d. monitor and provide a reasonable means for the mitigation of impacts created by such transitory uses of residential properties within the Township of West Milford;
- e. preserve and protect the long-term housing market stock in the Township; and
- f. ensure that the short-term rental property inventory in the Township satisfies basic fire safety standards, in order to protect the safety of occupants and the citizens of the Township.

The West Milford Township Council has therefore determined that it shall be unlawful for any Owner of any property within the geographic bounds of the Township of West Milford, Passaic County, New Jersey, to rent or operate a short-term rental contrary to the procedures and regulations established in this Section (285-13), or applicable State statute.

285-13.B Authority.

In accordance with New Jersey law, a municipality may make and enforce within its limits all ordinances and regulations not in conflict with general laws, as it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants. The Township of West Milford hereby adopts the within Ordinance in accordance with said authority.

285-13.C Definitions.

As used in this Section (285-13), the following terms shall have the meanings indicated below:

Owner shall mean an individual or entity holding title to a property proposed for short-term rental, by way of a legally recorded Deed.

Owner-Occupied shall mean the Owner of the property resides in the short-term rental property (also referenced as "STRP"), or in the principal residential unit with which the STRP is associated on the same lot.

Property shall mean a parcel of real property located within the boundaries of the Township of West Milford, Passaic County, New Jersey.

Responsible Party shall mean both the short-term rental property Owner and a person (property manager) designated by the Owner to be called upon and be responsible at all times during the period of a short-term rental and to answer for the maintenance of the property, or the conduct and acts of occupants of the short-term rental property, and, in the case of the property manager, to accept service of legal process on behalf of the Owner of the short-term rental property. The Responsible Party must be a New Jersey resident for the acceptance of legal process and to provide the periodic site inspection required under this ordinance.

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Short-Term Rental (also referenced as "STR") shall mean the accessory use of a dwelling unit for occupancy by someone other than the unit's Owner or permanent resident for a period of thirty (30) or less consecutive days, up to a cumulative total period of not to exceed one hundred eighty (180) days in a calendar year, which dwelling unit is regularly used and kept open as such for the lodging of guests, and which is advertised or held out to the public as a place regularly rented to Transient Occupants, as that term is defined in this Section (285-13).

Short-Term Rental Property (also referenced as "STRP") shall mean a residential dwelling unit that is used and/or advertised for rent as a short-term rental by Transient Occupants as guests, as those terms are defined in this Section (285-13). Dwelling units rented to the same occupant for more than thirty (30) continuous days, licensed Bed and Breakfast establishments, licensed rooming or boarding houses, hotels and motels shall not be considered Short-Term Rental Property.

Short-Term Rental Property Agent shall mean any New Jersey licensed real estate agent or other person designated and charged by the Owner of a short-term rental property, with the responsibility for making the STR application to the Township on behalf of the Owner, and fulfilling all of the obligations in connection with completion of the short-term rental property permit application process on behalf of the Owner. Such person shall be available for, and responsive to contact on behalf of, the Owner, at all times.

Transient Occupant shall mean any person or a guest or invitee of such person, who, in exchange for compensation, occupies or is in actual or apparent control or possession of residential property, which is either: (1) registered as a short-term rental property, or (2) satisfies the definition of a short-term rental property, as such term is defined in this Section (285-13). It shall be a rebuttable presumption that any person who holds themselves out as being an occupant or guest of an occupant of the short-term rental is a transient occupant.

285-13.D Regulations Pertaining to Short-Term Rentals.

- a. It shall be unlawful for any Owner of any property within the geographic bounds of the Township of West Milford, New Jersey, to rent or operate a short-term rental contrary to the procedures and regulations established in this Section (285-13) or applicable State statute.
- b. Short-term rentals shall be permitted to be conducted in the following classifications of property in the Township of West Milford:
 1. Condominium units and units in Lake Association, where the Condominium Association and Lake Association By-Laws or Master Deed permit a short-term rental;
 2. Individually or collectively owned single-family residences;
- c.
 1. Not more than one STR unit can be in any multi-family residential dwelling;
 2. Not more than one STR unit can be within a single-family residential dwelling unit, where the STR shares common kitchen and bathroom facilities with the occupant of the dwelling unit, and the remainder of the single-family dwelling unit is occupied by the Owner.
 3. In an STR which is not Owner-Occupied or does not have a Responsible Party in residence, there shall be no more than one family or two unrelated individuals
- d. For an STR that does not have an Owner or Responsible Agent on site, the Owner / Responsible Party or STRP Agent shall visit the site at the initiation of the rental and within 24 hours after the completion of the rental and/or weekly for a multi-week rental to insure that all Township regulations are being properly observed.
- e. The provisions of this Section (285-13) shall apply to short-term rentals as defined in Subsection 285-13.C above. The following do not qualify as a privately-owned residential dwelling unit, as that term is used herein, and therefore, do not need to obtain a short-term rental permit pursuant to this Section (285-13): any hotel, motel, studio hotel, rooming house, dormitory, public or private club, bed and breakfast inn, convalescent home, rest home, home for aged people, foster home, halfway house, transitional housing facility, or other similar facility operated for the care, treatment, or reintegration into society of human beings; any housing owned or controlled by an educational institution and used exclusively to house students, faculty or other employees with or without their families; any housing operated or used exclusively for religious, charitable or educational purposes; or any housing owned by a governmental agency and used to house its employees or for governmental purposes.

285-13.E Short-Term Rental Permit, Permit Registration Fee/Application, and Certificate of Occupancy.

- a. In addition to any land use requirement(s) set forth by the Township of West Milford Land Use Regulations, the Owner / STRP Agent of a short-term rental property shall obtain a short-term rental permit from the Township of West Milford Township Clerk's Office, before renting or advertising for rent any short-term rental.
- b. The failure to obtain a valid short-term rental permit prior to advertising the short-term rental property in any print, digital or internet advertisement or web-based platform, and/or in the MLS or any realtor's property listing shall be a violation of this Ordinance. No short-term rental permit issued under this Section (285-13) may be transferred or assigned or used by any person or entity, other than the Owner to whom it is issued, or at any property location or dwelling unit other than the property for which it is issued.

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- An Owner of a property intended to serve as a short-term rental property, as defined herein, or any STR Agent acting on behalf of the Owner, shall submit to the Township of West Milford Township Clerk's Office, a short-term rental permit application provided by the Township, along with an annual application/registration fee of five hundred dollars (\$500.00) plus relevant certification and inspection fees. Said fees shall be non-refundable in the event that the application is denied.
- c. The short-term rental permit, if granted, shall be valid for a period of one year from the date of issuance.
 - d. A short-term rental permit shall be renewed on an annual basis, based upon the anniversary of the original permit issuance, by submitting to the Township Clerk's Office, a short-term rental permit application and a renewal registration fee of five hundred dollars (\$500.00).
 - e. The short-term rental permit shall expire automatically when the short-term rental property changes Ownership, and a new initial application and registration fee will be required in the event that the new Owner intends to use the property as a short-term rental property. A new application and registration fee shall also be required for any short-term rental that had its short-term rental permit revoked or suspended. Permits are not transferable to other parties.

285-13.F Application Process for Short-Term Rental Permit and Inspections.

- a. Application Process
 - 1. Application for a short-term rental permit shall be submitted under oath on a form specified by the Township Clerk, to the Township of West Milford Township Clerk's Office accompanied by the non-refundable application fee as set forth in Subsection 285-13.E above. Such application shall include the name, address, telephone number and email address of the Owner(s) of record of the dwelling unit for which a permit is sought. To verify this information, the applicant shall provide their driver's license. If such Owner is not a natural person, the application must include and identify the names of all partners, officers and/or directors of any such entity, and the personal contact information, including address and telephone numbers for each of them.
 - 2. The address of the unit to be used as a short-term rental.
 - 3. If the property Owner is not going to be present or assume liability for the activities in and maintenance of the STR on a 7 day a week basis, 24 hours a day, then the name, address, telephone number and email address of the Short-Term Rental Property Agent, or Short Term Rental Property Responsible Party who will assume this responsibility.
 - 4. For a condominium short-term rental permit application, a letter of approval by the condominium association must be submitted with the application. For units in a Lake Association community, certification that notice of the application has been provided to the Association.
 - 5. A sworn statement that there have been no prior revocations or suspensions of this or a similar license, in which event a license shall not be issued, which denial may be appealed as provided hereinafter.
 - 6. The Owner's or the Short-Term Rental Property Agent's sworn acknowledgement that he or she has received a copy of this Ordinance, has reviewed it, understands its requirements and certifies, under oath, as to the accuracy of all information provided in the permit application.
 - 7. The number and location of all parking spaces available to the premises, which shall include the number of legal off-street parking spaces on the premises. The Owner shall certify that renters will not use on-street parking, unless no off-street parking is available. Where no off-street parking is available, on-street parking regulations apply.
 - 8. A Certification from the Township Fire Prevention Office that the premises have the required smoke and Co2 alarms and fire extinguishers and that all are in working order.
 - 9. A Zoning Compliance Certificate, which states that the premises are not being occupied or used in violation of the Township's Land Use Regulations and Zoning Ordinance.
 - 10. The Owner's agreement to use his or her best efforts to assure that use of the premises by all Transient Occupants will not disrupt the neighborhood, and will not interfere with the rights of neighboring property Owners to the quiet enjoyment of their properties.
 - 11. Attached to and concurrent with submission of the permit application the Owner shall provide proof of general liability insurance at a minimum amount of \$1,000,000.00, with the Township named as an additional insured.
 - 12. Written certifications from the short-term rental property agent and responsible party that they agree to perform all of the respective duties specified in this Section (285-13).
 - 13. A Certification that the STRP Owner is current with all taxes assessed to the property prior to the issuance of a short-term rental permit; that any code violations that have been issued by the Township relating to the STRP have been properly abated; that any open construction permits for the property prior to the issuance of a short-term rental permit have been closed; and that all fines or penalties issued by the Municipal Court for the Township of West Milford for any past code violations relating to the STRP, including penalties for failure to appear in Court, are satisfied in full.

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- b. Required Inspections:
 - 1. Every application for a Short-Term Rental Permit shall require annual inspections for the STRP's compliance with the Township's fire safety regulations.
- c. Other Requirements:
 - 1. The STRP Owner/permit holder shall include the short-term rental permit number issued by the Township in every print, digital, or internet advertisement, and/or in the Multiple Listing Service (hereinafter "MLS") or other real estate listing of a real estate agent licensed by the NJ State Real Estate Commission, in which the short-term rental property is advertised for rent on a short-term basis.
 - 2. The primary occupant of all short-term rentals executing the agreement between the Owner / Short-Term Rental Property Agent and the occupant must be over the age of twenty-one (21), and must be the party who will actually occupy the property during the term of the short-term rental. The primary occupant may have guests under the age of twenty-one (21) who will share and occupy the property with them.

285-13.G Issuance of Permit and Appeal Procedure.

- a. Once an application is submitted, complete with all required information and documentation and fees, the Township Clerk's Office, following any necessary investigation for compliance with this Section (285-13), shall either issue the short-term rental permit or issue a written denial of the permit application (with the reasons for such denial being stated therein), within ten (10) business days.
- b. If denied, the applicant shall have ten (10) business days to appeal in writing to the Zoning Board of Adjustment, by filing the appeal with the Township Planning Department.
- c. Within forty-five days (45) days thereafter, the Zoning Board of Adjustment shall hear and decide the appeal.

285-13.H Short-Term Rental Operational Requirements.

- a. The Owner / STRP Agent / Responsible Party shall ensure that the short-term rental is used in a manner that complies with all applicable laws, rules and regulations pertaining to the use and occupancy of a short-term rental.
- b. A dwelling unit shall be limited to one (1) single short-term rental contract at a time.
- c. The Owner / STRP Agent shall not install any advertising or identifying mechanisms, such as signage, including lawn signage, identifying the property for rent as a short-term rental property.
- d. Transient Occupants of the STRP shall comply with all ordinances of the Township of West Milford including, but not limited to, those ordinances regulating noise and nuisance conduct. Failure of Transient Occupants to comply shall subject the Transient Occupants, the Owner of the STRP, the Responsible Party and/or the Short-Term Rental Agent listed in the short-term rental permit application, to the issuance of fines and/or penalties, and the possibility of the revocation or suspension of the STRP permit.
- e. The Owner / STRP Agent / Responsible Party of a STRP shall post the following information in a prominent location within the short-term rental and prospective tenants should provide written acknowledgement of receipt of said materials:
 - 1. Owner name; if Owner is an entity, the name of a principal in the entity, and phone number for the Owner (individual);
 - 2. The names and phone numbers for the Responsible Party and the Short-term Rental Agent (as those terms are defined in this Section (285-13) (Use of a rental agent is not required);
 - 3. The phone numbers for the West Milford Police Department, the West Milford Fire Department, the Township of West Milford Department of Code Enforcement and the Township of West Milford Department of Planning/Building;
 - 4. The maximum number of parking spaces available onsite;
 - 5. On-street parking regulations applicable to the adjacent streets;
 - 6. Survey or boundary map showing property lines of property rented; and
 - 7. Trash and recycling pick-up day, and all applicable rules and regulations regarding trash disposal and recycling.
- f. In the event any complaints are received by the West Milford Police Department and/or other Township Departments regarding the STRP and/or the Transient Occupants in the STRP, and the Owner of the STRP is unreachable or unresponsive, both the Responsible Party and the Short-Term Rental Agent listed in the short-term rental permit application shall have the responsibility to take any action required to properly resolve such complaints, and shall be authorized by the STRP Owner to do so.
- g. While a STRP is rented, the Owner, the Short-Term Rental Agent, or the Responsible Party shall be available twenty-four (24) hours a day, seven (7) days a week for the purpose of responding within two (2) hours to complaints regarding the condition of the STRP premises, maintenance of the STRP premises, operation of the STRP, or conduct of the guests at the STRP, or nuisance complaints from the West Milford Police Department or neighbors, arising by virtue of the short-term rental of the property

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- h. If the STRP is the subject of two (2) or more substantiated civil and/or criminal complaints in a one (1) year period, the Township Clerk or his or her designee may revoke the short-term rental permit issued for the property, in which case, the STRP may not be the subject of a new STRP permit application for one (1) year following the date of revocation of the permit
- i. In the event that the Township receives three (3) substantiated complaints in a one (1) year period concerning excessive vehicles belonging to the Transient Occupants of a STRP, the short-term rental permit for the property is subject to revocation by the Township Clerk or his or her designee.
- j. The person offering a dwelling unit for short-term rental use must be the owner of the dwelling unit or the Short-Term Rental Property Agent. A Tenant of a property may not apply for a short-term rental permit, nor shall the property or any portion thereof be sub-leased by the Tenant on a short-term basis, or operated as a STRP by the Tenant. This STRP regulation shall supersede any conflicting provision in a private lease agreement permitting sub-leasing of the property, or any portion of the property. Violation of this Section (285-13) will result in enforcement action against the Tenant, the STRP Owner, the Short-Term Rental Agent, and the Responsible Party, and will subject all such parties to the issuance of a Summons and levying of fines and/or penalties.

285-13.1 Short-Term Rental Enforcement Authority

The Zoning / Property Maintenance Official of the Township shall have the authority to enforce the provisions of this ordinance and shall be granted access by the Owner / STR Agent or Responsible Party to the permitted premise at all reasonable hours to insure that the above requirements are met.

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 16, 2019
Adopted: December 4, 2019
Effective Date: December 24, 2019

This Ordinance was introduced October 16, 2019 and the Notice of Public Hearing was published in the Herald News on October 20, 2019. The Governing Body will open the meeting to the public to speak to this ordinance only.

Paul Nietzer, 79 Witte Road – Noted that he is representing the West Milford Lakes Committee. He noted a number of items that he would like to see added to the Ordinance. Section 285-13.D; he would like added: individually owned single-family residences that are within a Lake Associations boundaries or Lake Associations' bylaws or master deeds permit a short-term rental. Lake Associations' should be notified by the homeowner of the short-term rental and that should apply to all homes within the associations' boundaries and not just lake-front. He did not see a maximum occupancy based on septic capacity and that would follow along with another requirement that he would like to see added; proof of septic pumping and compliance as part of the check list. He said he did not see a minimal rental period and they are recommending a minimal rental period of five days. He would like to know how this Ordinance is going to be enforced.

Ron Sherry, 31 Forest Lake Drive, Hewitt – Said he agrees with the minimum five day rental. He expressed that it's a transient issue with people coming and going two or three times a week. He explained that last time he was at a meeting, Jersey City was up for a vote, they put it on the ballot, and they passed it; you have to live in the house to rent it and that would stop the investors coming in and buying the properties and renting them out. Renting for one week at a time would be perfect. He said the lake is turning into mini motels and it is not fair to the people who live there twelve months a year.

Richard Randazzo, 278 Wooley Road – Explained that the association where his summer home is charged him extra to rent it. If he had a relative stay for a week, he got charged for it because he was not there. He expressed that there is nobody to enforce anything in this town. He is questioning the short-term rentals and he thinks they are illegal. He said Airbnb has crippled the real estate industry so they've all jumped on that band wagon. He does not want to see that happen to the Township and the Lake Communities. The septic and water issue will become a problem. He agrees with the minimum of a five day rental.

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As far as the term sanctuary, he heard the word sanctuary from the same four that voted for this person to be terminated. This next June, the purging will finalize and we will have a Council that will work with the Mayor. He said the Mayor finally has a Council that will work with her instead of against her. And all that she did this past year she did by herself with maybe the help of a couple others. He said he read in the newspaper that we have a problem with the garbage. Is there another million dollars that we have to come up with that we didn't see. How did we miss that the garbage contract was being terminated in December. We wasted six months to pass a budget and the taxpayers will suffer for that next year. He expressed that that the Township should fund the Highlands Act. There is not enough water in the Township to do any more building.

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

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

Agenda No. X

Council Comments

Mayor Dale – Said that she noticed the maintenance of the trees has not been done especially in the Upper Greenwood Lake area so she reached out to her contact at Orange and Rockland to see if he can do anything to expedite the general maintenance. Orange and Rockland committed to be in West Milford in January of 2020 to do the maintenance of the trees and cutting the branches back, which will significantly help those areas not to lose power during storm.

Councilman Signorino – Mentioned that he appreciates everyone who worked so hard during the storm. He said if anyone needs help to please contact the Township. Administration would be happy to help or point you in the right direction.

Mayor Dale – Said there were comments made that the Township did not go out to bid in enough time to be able to position the Township to get the best and most competitive garbage and solid waste bid. That was concerning to her because she takes great pride in what Township employees do on a regular basis. When she heard that, she didn't know whether or no it was true or just remote allegations being made. She looked into it and provided the Council with back-up documentation stating that the Township did go out to bid earlier than they ever had in the past two cycles. She wanted to make sure that the general public knows, there was due diligence, Administration took the proper steps and that is how the Administration will continue to operate for the residents of this Township.

Discussion:

Councilman Signorino asked Administration for the report regarding the matter of himself, Ms. Battaglia and Mr. Wagner. He noted that he was denied twice. He explained that he does not even know what was said in the report. His name, his family's name, and his reputation is in the report. Mr. Semrau explained that Administration has taken all the right steps to protect the Township and the taxpayers. He explained that Councilman Signorino has been protected as a Councilman during that process. Mr. Semrau expressed that if Councilman Signorino wants to violate personnel rights as an elected official, he can't stop him. Councilman Signorino asked this Council if they would entertain directing the Administration to provide him with the results of the report. He made a motion for Administration to provide him with a copy of the report, seconded by Councilman McGuinness.

Councilwoman Gerst asked if there is an actual report. Councilman Signorino said, yes, there is findings and questions that were answered by multiple people. Councilman McGuinness noted that they spent Township money on it. Councilman Signorino said he actually voted against spending and paying those attorneys that won't even show him what they got paid for. It's not right and I would never allow that to happen to any one of you. Councilwoman Gerst asked if there's an actual report or some sort of finding, is it a legal issue allowing Mr. Signorino to view them in private since he is obviously in those findings. Mr. Semrau said if there is a complaint in the workplace, both the person who makes the complaint and anyone who is involved in the matter receive notification. Both individuals that were involved did receive notification and a follow up. He noted that all parties involved received correspondence as to what, if anything, was necessary from there. The complete findings are put in a personnel file in the event there is litigation or a claim to demonstrate that the Township took all necessary actions to look into a complaint related to the workplace. Councilman McGuinness asked if it was unfounded. Mr. Semrau said that Councilman Signorino received correspondence to what, if anything, was necessary from there. Mayor Dale asked for a roll call vote.

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

Public Hearing On Issuance Of Liquor License

The Governing Body opened the meeting to the public to speak to Resolution 2019-341 only. There being no comments from the public, Councilwoman Erik moved to close the public portion of the meeting.

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

Agenda No. XI 1

~ Resolution 2019 – 341 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING ACCEPTANCE OF THE PUBLIC AUCTION BID IN THE AMOUNT OF \$205,000 BY HIGHLAND WINE & LIQUOR, INC. FOR THE PURCHASE OF ONE (1) PLENARY RETAIL DISTRIBUTION LIQUOR LICENSE

WHEREAS, pursuant to Resolution 2019-282 adopted on September 18, 2019, and in conformance with the New Jersey Alcoholic Beverage Control Act, N.J.S.A. 33:1-1 *et seq.* ("Act"), the regulations promulgated thereunder at N.J.A.C. 13:2-1.1 *et seq.* and the Township Code of the Township of West Milford, the Township Council of the Township of West Milford authorized the sale of up to three (3) new Plenary Retail Distribution Liquor Licenses ("License"); and

WHEREAS, as required by and in accordance with the above-referenced authority, the Township prepared bid specifications for the sale of up to three (3) Licenses, published notice of the proposed sale by public bid process and received bids pursuant thereto; and

WHEREAS, on November 8, 2019 one (1) bid was received and prequalified as required; and

WHEREAS, on November 15, 2019, the one (1) bid was received and opened; and

WHEREAS, said bid was submitted by Highland Wine & Liquor, Inc., 348 Fairfield Avenue, Ridgewood, NJ 07450 in the amount of \$205,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford, in the County of Passaic, and State of New Jersey that the Township accepts the bid submitted for the sale of the license and awards the bid to Highland Wine & Liquor, Inc., 348 Fairfield Avenue, Ridgewood, NJ 07450.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Acting Township Clerk is directed to notify the successful bidder, Highland Wine & Liquor, Inc. of the following:

- 1) A deposit of 50% of the total bid price is due to the Township of West Milford within five (5) days of the date of adoption of this Resolution.
- 2) The balance of the total bid price is to be provided to the Township of West Milford prior to adoption of a Resolution issuing the License.
- 3) The required background check and investigations shall be conducted and bidder's cooperation shall be required.
- 4) Compliance with a publication and hearing is required if written objection to issuance is received.
- 5) The operation of a facility shall be a condition of licensure.

This Resolution shall take effect immediately.

Adopted: December 4, 2019

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

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Agenda No. XIII

Approval of Expenditures

~ Resolution 2019 – 366 ~

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	\$580,313.36
3	Reserve Account	0.00
2	Grants	2,176.53
6	Refunds	44,336.65
1	General Ledger	0.00
26	Refuse	85,950.00
4	Capital	2,055,348.18
19	Animal Control	33.48
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	17,928.42
19	Scala Trust	511.00
16	Development Escrow	5,320.50
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	565.00
Total		\$2,792,483.12
Less Refund Resolution		-44,336.65
Actual Bills List		\$2,748,146.47
Other Payments		
Payroll		541,715.79
BOE		4,698,607.00
Payroll		543,416.86
State of NJ, Dog Report		22.20
Total Expenditures		\$8,531,908.32

Adopted: December 4, 2019

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

Councilman Signorino stepped away from the dais during the roll call for the payment of bills.

Agenda No. XIV

Reports of Administrator, Mayor and Council Members

Mayor Dale – Provided an update on the Apshawa Treps Market. She noted various events and the dates and times. She spoke about attending the League of Municipalities. She sent her condolences to the family of former Judge Perconti. She noted that she is actively looking to replace that position.

Councilman McGuinness – Thanked Senator Pennacchio and all involved for the passing of the bill for Greenwood Lake. He noted that he is up to 733 signatures for the Council on Mandates petition and he will figure out how to share that. Mayor Dale noted the petition is on the website.

Councilman Signorino – Said he hopes everyone had a wonderful holiday and he looks forward to his last meeting.

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Councilwoman Gerst – Thanked all the Township employees for doing an incredible job during the storm. The roads were cleared well and very fast.

Councilwoman Erik – Mentioned that Orange and Rockland is not the only power company in West Milford. She said it's not just the power companies that are the problem. She explained that zero maintenance is done to the telephone and cable company lines. It's called storm hardening and she attended the demonstration on it at the league. These people are making money off our people to have their business on the right-a-way. They should do the maintenance and it should be clear, which would open up the sides of the roads again. She expressed that there is one section of Macopin Road that is a problem during every storm.

Councilwoman Pegel – No report.

Councilwoman Lichtenberg – Thanked all the people involved that helped clean up Veterans Park.

Mr. Casey – No report.

Mr. Semrau – Provided an update on the sale of the MUA. He spoke about how Judge Perconti served the Township in a very stable way for a long period of time. He is very sorry for his loss and the loss to the Township.

Agenda No. XV

Appointments and Resignations

~ Resolution 2019 – 367 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND 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 resignations tendered to the Economic Development Commission:

<u>Name</u>	<u>Position</u>	<u>Date Tendered</u>
Karen G. Phelan	Economic Development Commission Citizen Member Term expires 12/31/21	November 18, 2019

Adopted: December 4, 2019

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

Agenda No. XVI

Adjournment

There being no further business to come before the Council, the Governing Body adjourned the meeting at 9:17 p.m.

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

Approved: December 18, 2019

Respectfully submitted:

Sherry Zbrzeski, Keyboarding Clerk I

MICHELE DALE, MAYOR

DIANE CURCIO, ACTING TOWNSHIP CLERK