

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 - 332 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE REFUND OF THE REMAINING MONEY IN THE NO NET LOSS REFORESTATION GRANT FS14-019 TO THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, on September 18, 2013 the Governing Body adopted resolution 2013-79 to accept the No Net Loss Reforestation Grant agreement with the State of New Jersey Department of Environmental Protection in the amount of \$620,197; and

WHEREAS, the timeframe for the project ran from 8/27/2013 to 02/28/2018 and required a 95% survivability of the total trees planted; and

WHEREAS, due to unexpected delays the total amount received under the grant was \$338,325.00, of which \$306,135.22 was paid to the vendors that worked on the project and \$32,189.78 was retained by the Township; and

WHEREAS, on August 14, 2019 the State of New Jersey Department of Environmental Protection conducted an inspection of the trees that were planted under this grant and found that the survivability was 84%, thereby not meeting the required 95% survivability, and

WHEREAS, in order to meet the 95% survivability an additional 133 trees would need to be planted. The Township has attempted to engage with the contractor but has been unable to secure their cooperation. The Township is seeking to terminate its relationship with the contractor and refund the retainage in the amount of \$32,189.78 to the State of New Jersey Department of Environmental Protection, thereby allowing the State of New Jersey to close out the grant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic and State of New Jersey they hereby approve the refund of \$32,189.78 to the State of New Jersey Department of Environmental Protection.

Adopted: September 7, 2022

Adopted this 7th day of September, 2022
and certified as a true copy of an original.

William Senande, Township Clerk