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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

Minutes of: Governing Body Regular Meeting  
Date of Meeting: January 17, 2024  
Time of Meeting: 6:30 p.m.  
Minute Page No: Page 1 of 17

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The Regular Meeting of the Governing Body was called to order by Mayor Michele Dale at 6:30 p.m.

**Adequate Notice Statement**

Mayor Dale read the following statement:

Pursuant to the provisions of the Open Public Meetings Act (N.J.S.A. 10:4-8) adequate notice of this Regular Meeting was advertised in the Herald News in and The Record in its issues of January 9, 2024, and posted 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, Michael Chazukow, Marilyn Lichtenberg,  
Kevin Goodsir, Matthew Conlon, David Marsden

Absent:

Also Present: Mayor Michele Dale, Township Administrator William Senande,  
Township Attorney Fred Semrau

Agenda No. III

**Reading of or Approval of Unapproved Minutes**

January 3, 2024 Reorganization Meeting Minutes  
January 3, 2024 Regular Meeting Minutes

Motion to approve the minutes.

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Moved: Erik                      Seconded: Conlon  
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden  
Voted Nay: None  
Motion carried:

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Agenda No. IV

**Meetings**

February 7, 2024 Budget Hearing  
February 14, 2024 Regular Meeting & Board of Health Meeting  
February 21, 2024 Budget Hearing  
February 28, 2024 Budget Hearing  
March 6, 2024 Regular Meeting

Agenda No. V

**Proclamations**

None

Agenda No. VI

**Presentations and Recognitions**

Eagle Scout Shane Cooper – Mayor Dale presented Shane Cooper with a plaque and congratulated him. He built a wagon that is often displayed by the Recreation Department in front of Town Hall for his project.

Eagle Scout Tyler Rubenacker – Mayor Dale presented Tyler Rubenacker with a plaque and congratulated him. He built a fire pit and accompanying benches for Macopin Fire House #4 for his project.

Congratulations to both Eagle Scouts. They thanked their parents.

Agenda No. VIII

**Discussion Items / Official Communications**

1.	Ordinance Amending Chapter 420 Land Use Procedures and Chapter 500 Zoning to permit Microbreweries and Similar Establishments in Certain Zones – Administrator Senande explained that this ordinance would expand where these establishments would be permitted. Councilman Conlon indicated that legislation was just signed yesterday and he believes West Milford is doing well to follow in that goal to allow greater capacity for residents and potential businesses to utilize this as a recreational or commercial opportunity. Councilwoman
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Lichtenberg questioned that while she knows it is just in the process, is there a limit to how many, for instance could you put 40 new establishments. Administrator Senande indicated that this ordinance would address the zoning issue and we would still have to address the licensing issue later on. The consensus was to move forward. All were in favor.
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Agenda No. IX

**Unfinished Business, Final Passage of Ordinances**

None

Agenda No. XII

**New Business, Introduction of Ordinances, Resolutions**

Agenda No. XII 1

~ Ordinance 2024 – 004 ~

**ORDINANCE READOPTING ORDINANCE 2003-2 TO VACATE CERTAIN PUBLIC RIGHTS IN A ROAD KNOWN AS “TENAFLY COURT” OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY**

**WHEREAS**, Ordinance 2003-02 has been previously adopted and enacted into law and duly published as the law provides; and

**WHEREAS**, this Ordinance will readopt Ordinance 2003-02 that previously was omitted in the recording with the Passaic County Clerk; and

**WHEREAS**, a recent pending real property sale recognized that Tenafly Court was omitted from the Passaic County Clerk records and is needed for the real property sale to proceed; and

**NOW THEREFORE BE IT ORDAINED**, by the Township of West Milford Township Council finds that the readopting of Ordinance 2003-02 is as follows:

**WHEREAS**, Tenafly Court was dedicated to the public by virtue of inclusion on a filed map entitled “Fifth Map of Upper Greenwood Lake” which was filed with the Passaic County Register on August 1932, as Map No. 943; and

**WHEREAS**, in response to a road assessment petition by residents, the Township Council adopted Ordinance No. 1985-7 on June 19, 1985, accepting the roads surrounding, but not including, Tenafly Court, on the basis of recommendations from the Township Engineer not to accept Tenafly Court because it served no public need; and

**WHEREAS**, it continues to be the recommendation of the current Township Engineer that Tenafly Court be vacated due to the fact that it serves no foreseeable future public need as a right-away; and

**WHEREAS**, the Township of West Milford has determined that it wishes to vacate the public interest in Tenafly Court.

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

1. Tenafly Court which was created by the “Fifth Map of Upper Greenwood Lake” which was filed with the Passaic County Register on August 8, 1932, as Map No. 943, shall be vacated.
2. That the vacation of the above-described property shall in no way affect any private rights which may exist at the time of passage of this Ordinance.
3. That pursuant to law all rights and privileges possessed by any public utility are hereby reserved and exempted from the effects of this Ordinance.
4. That a copy of this Ordinance together with a certified copy of the proof of publication shall be filed with the Township Clerk and the proper County office according to law.
5. After introduction, this Ordinance shall be referred to the Township Planning Board for review and comment pursuant to N.J.S.A. 40:55D-26, -32 and -33 since it is a vacation.
6. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.
7. The introduction of this Ordinance shall be advertised pursuant to N.J.S.A. 40:49-2, provided, however that notice as to introduction and public hearing shall be made , pursuant to N.J.S.A. 40:49-6 at least (10) days prior to the public hearing and adoption hereof.

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- 8. Notice of the introduction of this Ordinance and the time and place when and where this Ordinance will be further considered for public hearing and final passage, including a copy of this ordinance, shall be mailed to every person whose lands may be affected by this Ordinance, so far as same may be ascertained, directed to the last known post-office address, in accordance with the provision of N.J.S.A. 40:49-6.
9. Within sixty (60) days after adoption of this Ordinance, the Township Clerk shall cause this Ordinance, certified under the seal of the Township, to be filed in the office wherein conveyances of lands are recorded in the County of Passaic.
10. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
11. This Ordinance shall take effect immediately after final passage and publication in the accordance with the laws of the State of New Jersey.
12. 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.
13. This Ordinance may be renumbered for purposes of codification.

Introduced: January 17, 2024
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for February 14, 2024. Notice of this public hearing shall be published in the Herald News on or about January 23, 2024.

Motion to move Ordinance 2024-004.

Moved: Erik Seconded: Lichtenberg
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Marsden
Abstain: Conlon
Voted Nay:
Motion carried:

Agenda No. XII 2

~ Ordinance 2024 – 005 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 135 "FEES & COSTS," SECTION 135-2 "DEPARTMENT OF COMMUNITY SERVICES AND RECREATION" WITHIN THE CODE OF THE TOWNSHIP OF WEST MILFORD

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

SECTION 1 Chapter 135 "Fees & Costs", § 135-2 Department of Community Services and Recreation" are amended as follows:

§ 135-2 Department of Community Services and Recreation

The Department of Community Services and Recreation is authorized to charge the following fees:

A. Bubbling Springs Membership and Badge:

Table with 4 columns: Item Number, Description, Resident Rate, Non-Resident Rate. Rows include Family Membership, Parent/Child Membership, Individual Membership, Senior Individual Member, and Senior Couple Membership.

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**B. Bubbling Springs Park Guest Membership and Daily Pass (per person/per day) (prepaid):**

1.	Person under 2 years of age:	No charge	Resident & Non Resident
2.	Person from 2 years to 17 years of age	\$5.00	Resident & Non Resident
3.	A person from 18 to 61 years of age	\$15.00 Resident	\$20.00 Non-Resident
4.	Family pass (for up to 4 guests) (each additional guest regardless of age)	\$25.00 \$5.00	Resident & Non Resident
5.	Seniors (Ages 62+):	\$3.00	Resident & Non Resident

**C. Day Camp:** Children (Kindergarten through Eighth Grade). Day Camp registration is open to West Milford Residents Only.

**Day Camp registration incentives:**

- (1) Sibling discount: \$25 off weekly registration fee per child after first child; not to be applied to Before-Care or After-Care pricing.
- (2) The discount will not apply to off-site field trips.

<b>Fees: 10% Off Regular Price when all 7 weeks are paid in full by April 15, 2024</b>				
	<b>Full 7 Weeks</b>	<b>Weekly</b>	<b>Before-Care</b>	<b>After-Care</b>
(through May 31)	\$1,645.00	\$242.00	\$46.00/week	\$46.00/week
( As of June 1)	\$1,748.00	\$257.00	\$51.00/week	\$51.00/week
Camp Hours: 9:00 am-4:00pm			7:00am- 9:00 am	4:00 pm-6:00 pm

**D. Swim Lessons:**

All children	Lake Member	Non Member
One Session	\$65	\$75
Two Sessions	\$115	\$135
Three Sessions	\$165	\$190

- E. A nonrefundable maintenance fee of \$25 shall be charged for each group use permit that requires the opening, closing and/or cleaning of a facility.
- F. Permit fees: Bubbling Springs Members will be charged a nonrefundable administrative/user fee of \$30 for guest groups numbering 25 or more people. Permits must be filled out at the Parks and Recreation office. Groups of under 25 do not need to have a permit or pay a maintenance fee. They must make arrangements with the Lake Director prior to the party.
- G. Use of Teen Center/Coffee House.
  - (1) Event permits may be issued for use of the West Milford Teen Center/Coffee House by the Community Services and Recreation Department. The fee for such use shall be a one-time fee of \$150 for a four hour rental. Time exceeding the initial four hours shall be charged at the rate of \$25 per hour. Each event shall require a security deposit of \$200.
  - (2) Use of the Teen Center shall be subject to all requirements associated with the issuance of event permits under Township policy, and the Township’s caretaker must be present during any event.
- H. Use of West Milford Recreation Center
  - (1) \$25 per hour, per gym rental fees to local nonprofit organizations upon the issuance of permits and proof of proper insurance has been provided. Local nonprofit organizations are defined as registered organizations under § 501(c)(3) of the Federal Tax Code, with an established business address in West Milford Township.
  - (2) \$100 per hour, per gym rental fees to nonlocal not-for-profit organizations based outside the Township of West Milford. Nonprofit organizations are defined as registered organizations under § 501(c)(3) of the Federal Tax Code.
  - (3) \$100 per hour, per gym rental fees to local for-profit organizations upon the issuance of permits and proof of proper insurance has been provided.
  - (4) Concession Stand rental fee: \$75 for three hours and \$25 for each additional hour.
  - (5) Exemptions:
    - (a) Fees will not be assessed to local nonprofit organizations defined in Subsection I (1) if requested use occurs during regular operating hours of the West Milford Recreation Center, as established by the Township of West Milford Department of Community Services.
- I. The Department of Community Services and Recreation is to provide all currently appointed members of boards, committees and commissions established by ordinance a \$5 discount for their own registration for each of the programs and events offered by the Department. All such members shall also be entitled to receive the same rates for Bubbling Springs as is provided to seniors.
- J. Event permits may be issued for use of the Recreation rooms of the Township Library by the Community Services and Recreation Department. The fee for such use shall be \$0.

**SECTION 2.** All ordinances of the Township of West Milford, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

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**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.

**SECTION 4.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

**SECTION 5.** This Ordinance may be renumbered for codification purposes.

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

Introduced: January 17, 2024  
Adopted:  
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for February 14, 2024. Notice of this public hearing shall be published in the Herald News on or about January 23, 2024.

Motion to move Ordinance 2024-005.

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Moved: Lichtenberg Seconded: Conlon  
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Marsden  
Abstain: Conlon  
Voted Nay:  
Motion carried:  
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Agenda No. XII 3

~ Ordinance 2024 – 006 ~

**TABLED**

Motion to TABLE Ordinance 2024-006 for 60 days by Councilman Conlon. Seconded by Councilman Marsden.

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Moved: Conlon Seconded: Marsden  
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden  
Voted Nay:  
Motion carried:  
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Mayor Dale asked to move Resolutions 2024-074 through 2024-083 and Resolution 2024-091 and Resolution 2024-092.

Agenda No. XII 4

~ Resolution 2024 – 074 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF AN ANNUAL MAINTENANCE CONTRACT FOR POLICE DEPARTMENT IT AND CAD SUPPORT THROUGH LAWSOFT INC.**

**WHEREAS**, the Township of West Milford Police Department purchased LawSoft CAD/RMS Dispatch Software; and

**WHEREAS**, the LawSoft software requires annual maintenance and support that can only be obtained from the company that developed the software; and

**WHEREAS**, additionally, LawSoft Inc. provides support for all IT matters in addition to support for the CAD/Dispatch software for the West Milford Police Department; and

**WHEREAS**, the cost for the maintenance contract for IT support and NIBRS (The National Incident-Based Reporting System) will be in the amount of \$16,050.00 annually; and

**WHEREAS**, the cost for the maintenance contract for CAD/RMS and GIS Mapping Services support will be in the amount of \$14,450.00 annually; and

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**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds in account number 01-201-25-420-498.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, that in accordance with N.J.S.A. 5:34-9.1-2 and N.J.S.A. 40A:11-2(39) this purchase is authorized as a purchase "necessary for the conduct of its affairs".

**BE IT FURTHER RESOLVED** that the West Milford Police Department be and are hereby authorized to purchase an annual maintenance contract from LawSoft Inc., 15 Hamburg Turnpike (Suite 2) Bloomingdale, NJ 07403 in an amount not to exceed \$30,500.00 annually.

Adopted: January 17, 2024

Agenda No. XII 5

~ Resolution 2024 – 075 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE LEASE OF ONE (1) 2025 INTERNATIONAL HV507 SFA TANDEM AXLE DUMP TRUCK THROUGH SOURCEWELL (FORMERLY NJPA) CONTRACT #011620-NCL FROM NCL GOVERNMENT CAPITAL**

**WHEREAS**, the Township is in need of procuring a Tandem Axle Dump Truck through the lease program in accordance with the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the leasing of such vehicle may be awarded without competitive bid to a vendor with a National Cooperative Contract in accordance with the requirements of the Local Public Contracts Law P.L. 2011, C.139 and N.J.S.A. 52:34-6.2; and

**WHEREAS**, the Township has previously acted in accordance with New Jersey public procurement statutes and regulations as promulgated by formally joining a recognized and compliant national cooperative, being the Sourcewell National Cooperative; and

**WHEREAS**, the equipment and corresponding Sourcewell National Cooperative is Contract #011620-NCL from NCL Government Capital; and

**WHEREAS**, the Township will take delivery in 2025, with the first lease payment being made 12 months after commencement of the lease; and

**WHEREAS**, funds will be budgeted for three (3) years based on the terms of the lease.

**NOW, THEREFORE BE, IT RESOLVED**, that the Mayor and Township Council authorizes the Township Administrator to lease the Tandem Axle Dump Truck as described above through Sourcewell National Cooperative Contract #011620-NCL from NCL Government Capital, 220 22<sup>nd</sup> Ave. E., Suite 106, Alexandria, MN 56308.

**BE IT FURTHER RESOLVED**, that this resolution shall be available for public inspection in the Office of the Township Clerk.

Adopted: January 17, 2024

Agenda No. XII 6

~ Resolution 2024 – 076 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF CRUSHED STONE AND SAND FROM TILCON NEW YORK, INC. THROUGH MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #9 (CRUSHED STONE AND SAND) IN AN AMOUNT NOT TO EXCEED \$20,000.00**

**WHEREAS**, the Township of West Milford is a member of the Morris County Cooperative Pricing Council (State ID # 6-MCCoOp); and

**WHEREAS**, the Morris County Cooperative Pricing Council has awarded Contract #9 (Crushed Stone and Sand) to Tilcon New York, Inc.; and

**WHEREAS**, said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40A:11 et seq., Local Public Contracts Law; and

**WHEREAS**, the Director of Public Works has submitted a written recommendation that the Township of West Milford utilize Tilcon New York, Inc. for the purchase of crushed stone and sand through

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the use of the Morris County Cooperative Pricing Council, Contract #9 in an amount not to exceed \$20,000.00; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number: 01-201-26-290-360.

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

1. The Mayor and Township Council hereby authorizes an expenditure of funds through the Morris County Cooperative Pricing Council, Contract #9 (Crushed Stone and Sand) to Tilcon New York, Inc., 9 Entin Road, Parsippany, NJ 07054 for the purchase of crushed stone and sand for a not to exceed amount of \$20,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: January 17, 2024

Agenda No. XII 7

~ Resolution 2024 – 077 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF PAVING MATERIALS FROM TILCON NEW YORK, INC. THROUGH MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #5 (PAVING MATERIALS) IN AN AMOUNT NOT TO EXCEED \$20,000.00**

**WHEREAS**, the Township of West Milford is a member of the Morris County Cooperative Pricing Council (State ID # 6-MCCoOp); and

**WHEREAS**, the Morris County Cooperative Pricing Council has awarded Contract #5 (Paving Materials) to Tilcon New York, Inc.; and

**WHEREAS**, said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40A:11 et seq., Local Public Contracts Law; and

**WHEREAS**, the Director of Public Works has submitted a written recommendation that the Township of West Milford utilize Tilcon New York, Inc. for the purchase of paving materials through the use of the Morris County Cooperative Pricing Council, Contract #5 in an amount not to exceed \$20,000.00; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number: 01-201-26-290-361.

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

1. The Mayor and Township Council hereby authorizes an expenditure of funds through the Morris County Cooperative Pricing Council, Contract #5 (Paving Materials) to Tilcon New York, Inc., 9 Entin Road, Parsippany, NJ 07054 for the purchase of paving materials for a not to exceed amount of \$20,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: January 17, 2024

Agenda No. XII 8

~ Resolution 2024 – 078 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING THE PASSAIC COUNTY OPEN SPACE, FARMLAND AND HISTORIC TRUST GRANT FOR THE CONSTRUCTION OF ADA PARKING AND SEATING (ATHLETIC FIELDS) AT BUBBLING SPRINGS PARK BE REPROGRAMMED FOR THE CONSTRUCTION OF AN OUTDOOR VOLLEYBALL COURT AT BUBBLING SPRINGS PARK**

**WHEREAS**, in 2022 the Township of West Milford received a \$30,000 Open Space Grant for the construction of ADA Parking and Seating (Athletic Fields) at Bubbling Springs park; and

**WHEREAS**, the cost of the project far exceeded estimates and funding available for this project and was not adequate for the award of a contract for the project; and

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**WHEREAS**, via Resolution 2022-300 adopted August 15, 2022 the Township accepted this grant; and

**WHEREAS**, the ADA parking and seating (athletic fields) at Bubbling Springs park would only serve a field at Bubbling Springs however the construction of an outdoor volleyball court would be used by the public as well as campers attending Bubbling Springs Day Camp; and

**WHEREAS**, it is in the best interest of the Township of West Milford and the County of Passaic Open Space, Farmland and Historic Trust fund that the 2022 Open Space grant be reprogrammed for an outdoor Volleyball Court at Bubbling Springs Park.

**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 Open Space, Farmland and Historic Preservation Advisory Committee reprogram the 2022 Open Space grant from the construction of ADA Parking and Seating at Bubbling Springs park to an Outdoor Volleyball Court at Bubbling Springs park located at 1468 Macopin Road, West Milford.

Adopted: January 17, 2024

Agenda No. XII 9

~ Resolution 2024 – 079 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF A 2024-2026 SPOTTED LANTERNFLY POPULATION REDUCTION/CHEMICAL CONTROL TREATMENT GRANT**

**WHEREAS**, the Spotted Lanternfly is an invasive insect that feeds on plant species including crops, plants and trees; and

**WHEREAS**, to aid municipalities in addressing the infestation of the Spotted Lanternfly and subsequently damaging the agriculture within the township, the State of New Jersey is offering funding for the control of the species; and

**WHEREAS**, the grant will cover three years from 2024-2026; and

**WHEREAS**, reports will be submitted annually to the State including block and lots and the number of trees treated.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford hereby authorizes the Township Administrator to sign for the submission of a 2024-2026 Grant in the amount of \$20,000 from the Department of Agriculture to combat the infestation of the Spotted Lanternfly.

Adopted: January 17, 2024

Agenda No. XII 10

~ Resolution 2024 – 080 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE WAIVER OF ZONING PERMIT AND FIRE PREVENTION FEES FOR COMMUNITY EVENTS HELD BY THE FRIENDS OF WALLISCH HOMESTEAD FOR THE 2024 CALENDAR YEAR**

**WHEREAS**, the Friends of Wallisch Homestead has asked the Township to waive any and all Zoning Permit and Fire Prevention fees for events held by them at the Wallisch Homestead; and

**WHEREAS**, the Friends of Wallisch Homestead hold approximately six community events annually at Wallisch Homestead; and

**WHEREAS**, the Wallisch Homestead is jointly owned by the Township and the West Milford Board of Education; and

**WHEREAS**, the Friends of Wallisch Homestead is a registered 501(c)(3) corporation; and

**WHEREAS**, the Township has entered into an agreement that designates the Friends of Wallisch Homestead as the caretaker of the Wallisch Homestead.



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**NOW, THEREFORE, BE IT RESOLVED** by the Township Council that all Zoning Permit and Fire Prevention fees for community events held by the Friends of Wallisch Homestead at the Wallisch Homestead are waived for the 2024 calendar year.

**BE IT FURTHER RESOLVED** that the Friends of Wallisch Homestead are welcome to request the waiver of Zoning Permit and Fire Prevention fees in subsequent years.

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be forwarded to the Friends of Wallisch Homestead.

Adopted: January 17, 2024

Agenda No. XII 11

~ Resolution 2024 – 081 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY RESCINDING RESOLUTION 2023-441**

**WHEREAS**, the Township Council adopted Resolution 2023-441 on December 13, 2023 for the purchase of #2 ultra-low sulfur diesel fuel through the Morris County Cooperative Pricing Council Contract #12 from Griffith Allied Trucking LLC; and

**WHEREAS**, Resolution 2023-441 is hereby rescinded in its entirety as Griffith Allied Trucking LLC no longer has the Morris County Cooperative Pricing Council Contract #12.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Council of the Township of West Milford that Resolution 2023-441 adopted December 13, 2023 is hereby rescinded in its entirety.

Adopted: January 17, 2024

Agenda No. XII 12

~ Resolution 2024 – 082 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, 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 2023 appropriation over and above the demand deemed to be necessary for the balance of the year:

APPROPRIATION	ACCOUNT NUMBER	TRANSFER PROPOSAL
Administration, S&W	20-100-100	\$2,650
Parks, S&W	28-375-100	\$10,400
<b>TOTAL TRANSFERS OUT</b>		<b>\$13,050</b>

**WHEREAS**, there appears to be insufficient funds in the following appropriations to meet the demands thereon for the balance of the 2023 budget year:

Township Council, S&W	20-105-100	\$2,600
Engineering, S&W	20-165-100	\$50
Vehicle Maintenance, S&W	26-315-100	\$10,400
<b>TOTAL TRANSFERS IN</b>		<b>\$13,050</b>

**NOW, THEREFORE BE IT RESOLVED**, by the Council of the Township of West Milford in the County of Passaic, State of New Jersey, that in accordance with the provisions of N.J.S.A. 40A:4-58, part of the 2023 appropriation heretofore mentioned be and the same are hereby transferred to the appropriations mentioned as being insufficient to meet prior demands.

A certified copy of this Resolution shall be forwarded by the Township Clerk to the Township Treasurer.

Adopted: January 17, 2024

Agenda No. XII 13

~ Resolution 2024 – 083 ~

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING RESOLUTION 2023-243 REMOVING THE CONDITION BOX ON PLENARY RETAIL CONSUMPTION LICENSE 1615-33-024-013 FOR THE 2023- 2024 LICENSE YEAR**

**WHEREAS**, Resolution 2023-243 was adopted June 14, 2023 for the renewal of Plenary Retail Consumption License 1615-33-024-013 for the 2023-2024 license year; and

**WHEREAS**, in the renewal resolution the condition box has been removed and is amended as shown below; and

<b>2023-2024 ACTIVE LICENSE</b>
<b>NTI LLC</b>
t/a The New Jessie's Kettle
1555 Greenwood Lake Tpke, Hewitt, NJ 07421
1615-33-024-013

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

Adopted: January 17, 2024

Agenda No. XII 14

~ Resolution 2024 – 091 ~

**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 INSPECTION AND OVERSIGHT OF 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**, discussions have been held with the Governing Body on how best to proceed to achieve the most cost effective bridge replacement; and

**WHEREAS**, Stowaway Road is a non-Township road and it has been recommended that an incremental approach be taken to best manage the project and design; and

**WHEREAS**, the first incremental phase provided for preliminary design and cost estimates was completed May 2020 and the second incremental phase provided for final design and contract management was awarded in September 2020 and is ongoing; and

**WHEREAS**, the third incremental phase requires construction inspection and oversight for the construction activities required under the project; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds pursuant to N.J.A.C. 5:30-5.4 in an amount not to exceed \$25,000.00 from account #04-215-55-842-001.

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

1. The Mayor and 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 construction inspection and oversight for the replacement of the Stowaway Road bridge in an amount not to exceed \$25,000.00.
2. This contract is awarded without competitive bidding 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 \$25,000.00 without the prior written approval of the Township Council.
4. That a 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: January 17, 2024

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Agenda No. XII 15

~ Resolution 2024 – 092 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO BOSWELL ENGINEERING FOR ROAD ASSESSMENT – HANOVER ROAD ET AL IMPROVEMENTS PROJECT**

**WHEREAS**, the Township has previously provided an interest to move forward with a road assessment program including a road improvement project for Hanover Road, Alpine Court, Princeton Road (portions), Lyons Road (portion) and Beverly Court; and

**WHEREAS**, the Engineering Division provided a survey and preliminary design to the consulting Township Engineer for evaluation prior to final design and it was determined that the scope of work would require enhanced stormwater infrastructure design as proposed and the proposed road improvements would be further evaluated and amended during final design to accommodate the site and project; and

**WHEREAS**, Boswell Engineering has submitted a proposal for said road improvements, including construction documents for open public bidding and other incidentals; and

**WHEREAS**, the Township of West Milford has a need to appoint a Professional Services Contract, 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**, Boswell Engineering will complete and submit a Business Entity Disclosure Certification which will certify 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 the contract will prohibit the firm of Boswell Engineering from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds pursuant to N.J.A.C. 5:30-5.4 in an amount not to exceed \$90,000.00 from account #04-215-55-838-001.

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

1. The Mayor and Township Clerk be and are hereby authorized to execute a contract with
2. Boswell Engineering, 180 Main Street, P.O. Box 571, Chester, NJ 07930 for professional services for road improvement construction documents in an amount not to exceed \$90,000.00.
3. This contract is awarded without competitive bidding as "Professional Services" pursuant to N.J.S.A. 19:44A-20 et seq. and the local public contracts law.
4. The total fee authorized for this contract shall not exceed \$90,000.00 without the prior written approval of the Township Council.
5. That a 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: January 17, 2024

Motion to move Resolutions 2024-074 through 2024-083 and Resolution 2024-091 and Resolution 2024-092.

Councilwoman Erik questioned what type of poison was to be used on Resolution 2024-079. Administrator Senande indicated that Resolution 2024-079 was regarding the grant not the potential vendor.

Councilman Conlon indicated that he would be abstaining on Resolution 2024-074 and thanked the Friends of Wallisch Homestead for their stewardship and maintaining and preserving the property.

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Moved: Erik                      Seconded: Lichtenberg  
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden  
Abstain: Conlon only on Resolution 2024-074  
Voted Nay:  
Motion carried:

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Mayor Dale opened the meeting to the public comment portion.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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Agenda No. X

Public Comments

None

Seeing no one wishing to speak, Councilwoman Erik made a motion to close the public portion. Seconded by Councilman Conlon. All were in favor.

Agenda No. XI

Council Comments

None

Agenda No. XIII

Consent Agenda

~ Resolution 2024 - 084 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PASSAGE OF CONSENT AGENDA

WHEREAS, the Mayor and Township Council of the Township of West Milford has reviewed the Consent Agenda consisting of various proposed Resolutions.

NOW, THEREFORE, BE IT RESOLVED, that the following Resolutions on the Consent Agenda are hereby approved:

Resolutions:

- a) 2024-085 - Refund Overpayments
b) 2024-086 - Reinstatement of Taxes
c) 2024-087 - Cancellation of Taxes
d) 2024-088 - Refund Other Liens

Adopted: January 17, 2024

Agenda No. XIII a

~ Resolution 2024 - 085 ~

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

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

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

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

Table with 5 columns: Block/Lot, Name, Amount, Year, Reason. Rows include property details for Zielonka Real Estate Holdings LLC, 49 Hill Top Rd, 37 Moore Rd, Corelogic Centralized Funds, Kensington Vanguard National Land Services, LLC, and Corelogic Centralized Funds, plus a TOTAL row.

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**  
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Adopted: January 17, 2024

Agenda No. XIII b

~ Resolution 2024 – 086 ~

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

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

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

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

- REASON:**
- 1        **INSUFFICIENT FUNDS**
  - 2        **NO ACCOUNT/CANNOT LOCATE**
  - 3        **ACCOUNT CLOSED**
  - 4        **STOP PAYMENT**

BLOCK/LOT	NAME	AMOUNT	INT	YEAR	REASON
10002/006		\$100.26	\$753.37	2023	2
09701-002	BL Group LLC T/A Auto Tech. C.	\$2,196.97	\$19.09	2023	1
01908-002		\$381.27	\$18.73	2023	2
16004-007		\$2,285.35	\$29.77	2023	2
12209-002		\$2,065.60	\$26.49	2023	2
01001-025		\$2,194.83	\$27.91	2023	2
05704-002		\$1,825.09	\$24.69	2023/2024	1
13807-003		\$2,458.00		2024	2
<b>Total:</b>		<b>\$13,507.37</b>	<b>\$900.05</b>		

Adopted: January 17, 2024

Agenda No. XIII c

~ Resolution 2024 – 087 ~

**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 cancelation of taxes due to reasons listed below.

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

- REASONS:**
- 1.        100% Disabled Veteran
  - 2.        Township Owned Property
  - 3.        Veteran/Surviving Spouse of Veteran Deduction
  - 4.        Senior Citizen/Disabled/Surviving Spouse Deduction
  - 5.        County Board Tax Appeal

Block/Lot	Name	Amount	Year	Reason
05203-019	Zielonka Real Estate Holdings LLC 35 8 <sup>th</sup> Street Suite 7B Passaic, NJ 07005	\$4,273.66 \$8,548.00	2023 2024	5
14701-030	49 Hill Top Rd Newfoundland, NJ 07435	\$403.43 \$220.00	2023 2024	5
06204-002	37 Moore Rd West Milford, NJ 07480	\$48.90 \$49.36	2023 2024	5



**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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4	Capital	0.00
19	Animal Control	0.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	19,332.70
19	Scala Trust	0.00
16	Development Escrow	0.00
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	124.00
Total		\$6,056,253.07
Less Refund Resolution		-72,457.73
<b>Actual Bills List</b>		<b>\$5,983,795.34</b>
Other Payments:		
Payroll		547,259.10
SHI International		3,400.00
<b>Total Expenditures</b>		<b>\$6,534,454.44</b>

Adopted: January 17, 2024

Moved: Erik Seconded: Conlon  
 Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden  
 Voted Nay: None  
 Motion carried:

Agenda No. XVI

**Appointments and Resignations**

Councilwoman Erik nominated Councilman Conlon and Michael Gerst to the Wanaque Valley Regional Sewerage Authority. Seconded by Councilman Marsden.

Moved: Erik Seconded: Marsden  
 Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden  
 Voted Nay: None  
 Motion carried:

Agenda No. XV

**Reports of Mayor, Council Members, Administrator, and Attorney**

Councilwoman Lichtenberg – West Milford Township has an Adult Health Clinic on the 3<sup>rd</sup> Friday of every month at Town Hall from 1:30 p.m. to 3:30 p.m. They will check blood pressure, glucose and cholesterol as well as provide educational programs.

Councilman Goodsir – Registration is now open for Indoor Soccer at the Recreation Center. The registration deadline is February 11<sup>th</sup>. Registration is open for Imagine with Music pajama party. Children will learn through various child safe instruments. There are a few openings remaining for the Art Club for grades 3-6. There is still a citizen member opening on the Community Services and Recreation Advisory Committee. The Recreation Center is serving as drop off location for West Milford Township Food Pantries. Food can be dropped off at the Recreation Center, 66 Cahill Cross Road. The drop box is located in the foyer at the Recreation Center. Please no expired food products, fresh food or any food that needs to be frozen or refrigerated or that has been previously frozen. The Elks will be having kielbasa and pierogis for dinner Friday and next week they will serve sliced steak.

Councilman Conlon – Thanked his colleagues for the appointment to the Wanaque Valley Regional Sewerage Authority. He thanked the DPW, plowing contractors, Police, Fire and First Aid for all their work during the recent snow and rain storms. Congratulations to our two new Eagle Scouts. He wished to clarify to the public, due to rumors on social media, that the Township had nothing to do with the Domino's Pizza Franchise not being able to operate in the space it desired. The space was not approved for food usage and hopefully they will find another place to locate the business. The landlord has been apprised as to what is permitted with that space. There is no pizza conspiracy. We encourage all businesses but we must comply with the codes established by the State of New Jersey.

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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Councilman Marsden – No report.

Councilwoman Erik – The party that previously maintained the Clinton Road Triangle will no longer be doing so. They will have until May 1, 2024 to remove plant materials. There are two other companies interested in maintaining the spot. Councilwoman Erik wanted to inform the Council to keep them apprised at the request of Mayor Dale. Mayor Dale explained that there were a lot of Boards and Committees and instead of them all doing their own thing, Council should be informed and give consensus as to whether we agree with their decision or recommendation. Council gave consensus. Councilwoman Erik indicated that with all the storms we have been having, we really need people to step up and adopt storm drains and help clear storm debris. If the drains are full, notify DPW and they will come and remove the leaves.

Councilman Chazukow – Commented that Martin Luther King Jr. Day was one of his favorite holidays and he read a short passage from “Letters from Birmingham Jail”. Dr. King’s logic and truthfulness apply to any social situation that you can conceive of to this day. The writings do not just apply to civil rights. “Injustice anywhere is a threat to justice everywhere.”

Administrator Senande – No report.

Attorney Pasternak – No report.

Mayor Dale – Informed everyone that the Community Health Survey was relaunched today and responses from the public are needed so that we can understand the needs of the public and provide the proper services from a community health standpoint. The Mayor has the survey posted on her social media and there is a link on the Township website as well. It’s a good opportunity for the public to collaborate with the Township. Thank you to the DPW and to the snow plowing contractors for the great job they did during the recent storms. It’s great to have the positive feedback.

Agenda No. VII

**Executive Session**

Agenda No. VII 1

~ Resolution 2024 – 090 ~

**MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 17<sup>th</sup> day of January 2024 that:

1. Prior to the conclusion of this **Regular Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
  - ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
  - ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
  - ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
  - ( ) b. (4) A collective bargaining agreement including negotiations.
  - ( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
  - ( ) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
  - ( ) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege
  - (X) 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: January 17, 2024



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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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Motion to begin executive session.

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Moved: Erik Seconded: Lichtenberg  
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden  
Voted Nay: None  
Motion carried:

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Executive session began at 6:45 p.m.  
Executive session ended and the regular meeting reconvened at 7:37 p.m.

Agenda No. XVIII

**Adjournment**

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

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The meeting adjourned at 7:37 p.m.

Approved: February 14, 2024

Respectfully submitted:

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Deidre Ellis, Keyboarding Clerk II

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MICHELE DALE, MAYOR

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WILLIAM SENANDE, TOWNSHIP CLERK