
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 15, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 1 of 34

The Regular Meeting of the Governing Body was called to order by Mayor Michele Dale at 6:31 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 Ed Pasternak

Agenda No. III

Reading of or Approval of Unapproved Minutes

May 1, 2024 Executive Session
May 1, 2024 Regular Meeting

Motion to approve the minutes.

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

Agenda No. IV

Meetings

June 12, 2024 Regular Meeting
July 17, 2024 Regular Meeting
August 14, 2024 Regular Meeting

Agenda No. V

Proclamations

None

Agenda No. VI

Presentations and Recognitions

None

Agenda No. VII

Executive Session

None

Agenda No. VIII

Discussion Items / Official Communications

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| 1. | Affordable Housing Matters – Administrator Senande indicated that the new standard for affordable housing in municipalities has come out and will go into effect by the middle of next year. The Township Planner has reviewed it and recommended that we create a subcommittee made up of Councilmembers, Planning Board members, Township Attorney and Planning Board Attorney to go over the requirements for the implementation to take place next year. Councilman Marsden and Councilman Conlon volunteered to be on the committee and all were in favor. |
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TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 15, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 2 of 34

Mayor Dale asked that the Board of Health proceed next with their presentation.

Agenda No. XVIII

Discussion Items/Official Communications

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| 1. | Board of Health – Dr. Charlene Gungil introduced those who would be speaking. Sandra Cameron reported on communicable diseases. In January we have seen 205 diseases. The highest numbers, 179 cases being Covid19. There were 14 Lyme Disease cases. She went over some statistics and indicated the trends, especially with influenza having higher numbers during the colder months and the numbers tended to go down as the weather became warmer. Covid19 is trending lower currently and tick borne illness will be trending higher as we get into the summer months. Ms. Cameron indicated that there was a recent outbreak of Covid19 at a recent facility, but now it was down from 22 cases to 2 active cases. Clinics have been held and vaccines have been given out. Waley Aconde gave the REHS BOH Report. They are following up on the septic pumping, lead safe housing laws and have done three inspections. The Department also received two lead safe certificates from landlords who hired their own contractors to do the lead safe inspections. They are preparing letters to send out to registered rentals as well. Dr. Gungil announced a Hike for Hope that will take place on June 22 to raise suicide awareness. Regarding the Community Health Assessment Survey, West Milford exceeded the number of surveys requested and so the County has received good representation from West Milford. That means as the analysis is done, the needs of the community can be assessed. On June 8 th the annual Men’s Health Extravaganza will be held in Totowa. The purpose is to screen for issues like prostate cancer that affect men. They will do blood tests. |
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Mayor Dale opened the meeting to the public comment portion.

Agenda No. IX

Public Comments

Jennifer Iwaszczuk– Requested that the Council support an annual proclamation making March 26th Epilepsy Awareness Day. Her daughter has epilepsy and it is scary when someone has a seizure and those around have no training. The purpose of the proclamation would be to raise awareness, to reduce stigma and build compassion. While there has been a lot of support and the school district has been very supportive as well, rescue medication is needed because in a Township our size, it can take a lot more than 5 minutes to answer an emergency call and damage from a seizure can be serious and even deadly. She requested that we support the bill that has been stuck in the Senate since 2021 that requires schools to develop a policy for applying a nasal rescue medication to those having a seizure. She asked that we support the bill.

Mayor Dale indicated that she had been in touch with Senator Bucco on the matter and the medication is valuable but also a type of medication that can easily be administered by lay people. Mayor Dale asked if Dr. Gungil could review the bill and write a letter of support to the legislature if she would be willing to do so. Dr. Gungil agreed and added that perhaps Lori Novak-Carafello, a health educator could additionally help out by making it a Board of Health discussion topic of the month.

Bob Nicholson indicated that he and Councilwoman Erik will be attending a JAG Conference tomorrow. He listed a few of the topics that would be covered. Mr. Nicholson reminded everyone that Channel 77 needs people to help. There are a lot of events coming up, Memorial Day and the Bubbling Springs Summer Concert Series and it would be great to cover a lot more local events and content. Anyone who would like to volunteer to help with filming need not join the commission or have to attend the meetings, they could just participate at events by helping to film. There are a lot of events that take place during the day as well that might be well suited for a senior citizen who has some extra time. He would really like to have the ability to see more local content and be able to promote West Milford. He clarified for those who are not aware of how the local public access channel works, that Channel 77 does not work for Altice. He would like to make West Milford a film friendly community, where big film companies film in various areas of Town.

John Trojanowski – announced that Saturday, May 18 there is going to be a dedication of our own Vietnam Veteran Wall. It will take place at the Passaic County Public Safety Academy at 10 a.m. rain or shine.

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 15, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 3 of 34

Agenda No. X

Council Comments

Councilman Chazukow shared that he used to work in the field of Special Education and has had experiences with children who had epilepsy. When a child is having a seizure it is really tough and minutes can seem like days. He is amenable to trying to get the bill passed. Council gave consensus for a letter from the Governing Body to be sent to Senator Bucco and Assembly members as well and for a resolution for the next meeting and Mayor Dale indicated that she would personally follow up with Senator Bucco. Councilman Chazukow commended Ms. Iwaszczuk on her efforts and her passion.

Administrator Senande indicated that he and Councilman Marsden attended a seminar and steps have been taken for the Town to become "Film Ready New Jersey". Different sites in Town need to be photographed and uploaded to a website. Everything should be sorted out by September.

Councilwoman Erik stressed the importance of CPR and epilepsy training. The training is simple. There needs to be more awareness and more training.

Councilman Conlon also commended Ms. Iwaszczuk and indicated that Mayor Dale does very well creating a network of advocacy and the Governing Body is all on board. It is a valid cause.

Agenda No. XI

Action Items - Finance Matters

Agenda No. XI 1

~ Ordinance 2024 – 018 ~

ORDINANCE TO EXCEED THE CALENDAR YEAR 2024 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.50% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of West Milford in the County of Passaic finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 1.00% increase in the budget for said year, amounting to \$287,431.15 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of West Milford, in the County of Passaic, a majority of the full authorized membership of this Governing Body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Township of West Milford shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$1,006,009.03, and that the CY 2024 municipal budget for the Township of West Milford be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: May 15, 2024
 Time of Meeting: 6:30 p.m.
 Minute Page No: Page 4 of 34

Introduced: April 17, 2024
 Adopted: May 15, 2024
 Effective Date: June 4, 2024

This ordinance was introduced on April 17, 2024 and Notice of public hearing was published in the Herald News on or about April 23, 2024. The Governing Body will open the meeting to the public to speak on this Ordinance only.

Seeing no one wishing to speak Councilwoman Erik made a motion to close the public portion. Seconded by Councilwoman Lichtenberg.

Motion to move Ordinance 2024-018.

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

Agenda No. XI 2

~ Resolution 2024 – 206 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE ADOPTION OF THE 2024 MUNICIPAL BUDGET

WHEREAS, the Township Council has completed its review of the General Fund Budget, revised the proposal from the Administration where it deemed necessary and held the required public hearings.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford of the County of Passaic that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$22,089,620. (Item 2 below) for municipal purposes, and
- (b) _____ (Item 3 below) for school purposes in Type 1 School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation; and
- (c) _____ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of taxation of the following summary of general revenues and appropriations.
- (d) \$548,336 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) _____ (Sheet 44) Arts and Culture Trust Fund Levy
- (f) \$1,394,009 (Item 5 below) Minimum Library Tax

| | | | | | | | |
|----------------------|------|-----------------------------------------------------------------|------|----------------------|--------|------------|--------------|
| RECORDED VOTE | Ayes | (Erik (Chazukow (Lichtenberg (Goodsir ((Marsden | Nays | (None (((| Absent | (None (| (Conlon (|
|----------------------|------|-----------------------------------------------------------------|------|----------------------|--------|------------|--------------|

SUMMARY OF REVENUES

| | | | |
|--------------------------------------------------------------------------------------------------------------------|--------|--------|------------------|
| 1 General Revenues | | | |
| Surplus Anticipated | | 08-100 | \$ 7,818,806.00 |
| Miscellaneous Revenues Anticipated | | 13-099 | \$ 7,501,056.08 |
| Receipts from Delinquent Taxes | | 15-499 | \$ 1,100,000.00 |
| 2 AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11) | | 07-190 | \$ 22,089,620.00 |
| 3 AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY: | 07-195 | | |
| Item 6, Sheet 42 | | | |
| Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14) | 07-191 | | |
| 4 To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY: | | | |
| Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14) | | | |
| 5 AMOUNT TO BE RAISED BY TAXATION FOR MINIMUM LIBRARY TAX | 07-192 | | \$ 1,394,009.00 |
| Total Revenues | 13-299 | | \$ 39,903,491.08 |

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: May 15, 2024
 Time of Meeting: 6:30 p.m.
 Minute Page No: Page 5 of 34

SUMMARY OF APPROPRIATIONS

| | | |
|----------------------------------------------------------------------------------------|--------|------------------|
| 6 GENERAL APPROPRIATIONS: | xxxxxx | xxxxxxxxxxxxxx |
| Within "CAPS" | xxxxxx | xxxxxxxxxxxxxx |
| (a&b) Operations including Contingent | 34-201 | \$ 25,554,051.00 |
| (e) Deferred Charges and Statutory Expenditures – Municipal | 34-209 | \$ 3,965,000.00 |
| (g)Cash Deficit | 46-885 | |
| Excluded from "CAPS" | xxxxxx | Xxxxxxxxxxxxxxx |
| (a) Operations – Total Operations Excluded from "CAPS" | 34-305 | \$ 2,154,272.08 |
| (c)Capital Improvements | 44-999 | \$ 1,705,000.00 |
| (d) Municipal Debt Service | 45-999 | \$ 4,225,168.00 |
| (e)Deferred Charges – Municipal | 46-999 | \$0.00 |
| (f)Judgements | 37-480 | |
| (n)Transferred to Board of Education for Use of Local Schools (NJSA 40:48-17.1 & 17.3) | 29-405 | |
| (g)Cash Deficit | 46-885 | |
| (k)For Local District School Purposes | 29-410 | |
| (m)Reserve for Uncollected taxes | 50-899 | \$ 2,300,000.00 |
| 7 SCHOOL APPROPRIATIONS – TYPE I SCHOOL DISTRICTS ONLY (N.J.S.A. 40A:4-13) | 07-195 | |
| Total Appropriations | 34-499 | \$ 39,903,491.08 |

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 15th day of May, 2024. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2024 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Adopted: May 15, 2024

Motion to move Resolution 2024-206.

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

Agenda No. XI 2

~ Resolution 2024 – 207~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE ADOPTION OF THE 2024 SOLID WASTE BUDGET

WHEREAS, the Township Council has completed its review of the Solid Waste Budget ,revised the proposal from the Administration where it deemed necessary, and held the required public hearings.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford of the County of Passaic that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$3,434,653.00 (Item 2 below) for amount to be raised by taxation for Solid Waste Collection District.

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| | | | | | |
| | | | | Abstained | (None |
| | (Erik | (| | | (|
| RECORDED VOTE | (Chazukow | (| | | (|
| | Ayes (Lichtenberg | Nays (None | | | |
| | (Goodsir | (| | | (|
| | (Conlon | (| | Absent | (None |
| | (Marsden | (| | | (|

SUMMARY OF REVENUES AND APPROPRIATIONS

| | | |
|-----------------------------------------------------------------------|--|-----------------|
| 1 General Revenues | | |
| Surplus Anticipated | | \$ 90,000.00 |
| Miscellaneous Revenues Anticipated | | 100,000.00 |
| 2 AMOUNT TO BE RAISED BY TAXATION FOR SOLID WASTE COLLECTION DISTRICT | | \$ 3,434,653.00 |
| TOTAL REVENUES | | \$ 3,624,653.00 |
| 3 General Appropriations | | |
| Operations | | \$ 3,624,653.00 |
| Deferred Charges | | |
| Statutory Expenditures | | |
| Judgement | | |
| Deficit in Operations in Prior Years | | |
| Surplus (General Budget) | | |
| TOTAL APPROPRIATIONS | | \$ 3,624,653.00 |

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 15, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 6 of 34

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 15th day of May 2024. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2024 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Adopted: May 15, 2024

Motion to move Resolution 2024-207.

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

Agenda No. IX

Unfinished Business, Final Passage of Ordinances

Agenda No. XII 1

~ Ordinance 2024 – 019 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC STATE OF NEW JERSEY REPEALING PART I ADMINISTRATIVE LEGISLATION CHAPTER 15 ARTICLE X DEPARTMENT OF HEALTH §15-54 DIVISION OF VITAL STATISTICS AND AMENDING ARTICLE IV TOWNSHIP CLERK TO ADD A NEW ARTICLE §_____ ENTITLED “DIVISION OF VITAL STATISTICS” OF THE CODE OF THE TOWNSHIP OF WEST MILFORD

WHEREAS, the current Township Code contains §15-54 "Division of Vital Statistics" which provides that within the Department of Health there shall be a division called "Division of Vital Statistics," which shall be under the supervision of the Health Officer. This Division shall consist of the Registrar who will maintain all Vital Statistics records; and

WHEREAS, the Township Administration has reviewed the Code, and recommended changes to streamline the Code and promote the efficient operation of the Division of Vital Statistics; and

WHEREAS, in the interest of operational efficiency, §15-54 "Division of Vital Statistics" shall be repealed in its entirety and a new article §_____, herein entitled “Division of Vital Statistics” shall be created, under the supervision of the Township Clerk; and

WHEREAS, the Township Council has also reviewed the current Code, and determined that it is necessary to update and amend the Code.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Township Council of the Township of West Milford, Passaic County, New Jersey, that Part I Administrative Legislation Chapter 15 Article X Department of Health, §15-54 Division of Vital Statistics is hereby repealed in its entirety; and

NOW THEREFORE BE IT FURTHER ORDAINED, by the Township Council of the Township of West Milford, Passaic County, New Jersey, that a new Article §15- entitled “Division of Vital Statistics” of the Code of the Township of West Milford be and is hereby adopted to read as follows:

Section 1. Article IV Township Clerk, Section §---- Division of Vital Statistics
Within the Office of the Township Clerk there shall be a Division of Vital Statistics. Under the direction and supervision of the Township Clerk, the Division of Vital Statistics shall:

- A. Be headed by a person serving as the Registrar of Vital Statistics. He/she shall be appointed by the Mayor and shall receive such compensation as shall be provided by Ordinance. This Division shall maintain and administer matters concerning vital statistics, including births, deaths and marriages in accordance with state law and receive applications for and issue marriage licenses pursuant to law.

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.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 15, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 7 of 34

Section 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 4. No provision of this Ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this Ordinance or from other law.

Section 5. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

Section 6. This Ordinance may be renumbered for codification purposes.

Introduced: April 17, 2024
Adopted: May 15, 2024
Effective Date: June 4, 2024

This ordinance was introduced on April 17, 2024 and Notice of public hearing was published in the Herald News on April 23, 2024. The Governing Body will open the meeting to the public to speak on this Ordinance only.

Seeing no one wishing to speak Councilman Conlon made a motion to close the public portion. Seconded by Councilman Chazukow.

Motion to move Ordinance 2024-019.

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

Agenda No. XII 2

~ Ordinance 2024 – 020 ~

BOND ORDINANCE APPROPRIATING \$5,873,000 AND AUTHORIZING THE ISSUANCE OF \$5,130,000 BONDS OR NOTES OF THE TOWNSHIP FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WEST MILFORD IN THE COUNTY OF PASSAIC NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1 The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Township of West Milford, in the County of Passaic, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums, except as otherwise set forth herein, being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$5,873,000 including the aggregate sum of \$265,960 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes and including also, in the case of the improvement or purpose described in paragraph (a) of said Section 3, the sum of \$477,040 received or expected to be received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement or purpose.

Section 2. For the financing of said improvements or purposes, including for the purpose of applicable United States Treasury regulations the reimbursement of expenditures heretofore or hereafter made therefor, and to meet the part of said \$5,873,000 appropriations not provided for by application hereunder of said down payments and grant, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$5,130,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$5,130,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Regular Meeting
 May 15, 2024
 6:30 p.m.
 Page 8 of 34

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

| IMPROVEMENT OR PURPOSE | APPROPRIATION & ESTIMATE COST | EST. MAX. AMOUNT OF BONDS & NOTES |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|-----------------------------------|
| (a) Improvement of Maple Road in and by the Township by the construction or reconstruction therein of a roadway pavement at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2 22 of said Local Bond Law), together with all sidewalks, curbing, structures, appurtenances, milling, drainage improvements, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the \$945,000 appropriation hereby made therefor being inclusive of the amount of \$477,040 received or expected to be received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement | \$945,000 | \$444,562 |
| (b) Acquisition by purchase of new and additional vehicular equipment for use by Police Department of the Township, including four (4) utility vehicles, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved | 238,000 | 226,100 |
| (c) Improvement of various roads in and by the Township by the construction or reconstruction therein of a roadway pavement at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2 22 of said Local Bond Law), including, without limitation, Cleveland Drive for its entire length, Deborah Lane for its entire length, Grant Avenue for its entire length, Green Terrace Way from Street #70 to its terminus, Hiawatha Pass for its entire length, Hunter Boulevard for its entire length, Inez Court for its entire length, Lancaster Lane for its entire length, Lozier Court for its entire length, McKinley Place at Cleveland Drive, Mohawk Trail from Hiawatha Pass to Cherokee Way, Moore Road for its entire length (the portion in the Township), Ponderosa Place for its entire length, Pontiac Court for its entire length, Walker Avenue for its entire length and Warwick Turnpike from Clinton Road to Lake Shore Drive North and the First Aid Building Parking Lot, together with all sidewalks, curbing, crack sealing, guide rail installation, structures, appurtenances, milling, drainage improvements, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, said appropriation being exclusive of prior appropriations therefor in the amount of \$50,000 for the First Aid Building Parking Lot | 1,565,000 | 1,490,588 |
| (d) Acquisition by purchase and installation, as necessary, of new and additional radio and communication equipment for use by various Departments of the Township, together with all appurtenances, attachments, equipment and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, said appropriation being exclusive of prior appropriations and grants therefor in the amount of \$5,405,000 | 2,000,000 | 1,900,000 |
| (e) Substantial reconditioning of an ambulance for use by the volunteer West Milford First Aid Squad, including all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved | 255,000 | 242,250 |

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Regular Meeting
 May 15, 2024
 6:30 p.m.
 Page 9 of 34

| | | |
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| (f) Improvement of municipally-owned properties and facilities in and by the Township including the bathrooms at Bubbling Springs Park by the construction of access facilities for the handicapped and the diesel exhaust removal systems at Fire Company Nos. 3 and 6 by the upgrade thereof, together with for all the aforesaid all landscaping, site work, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, said appropriation being exclusive of prior appropriations and grants therefor in the amount of \$158,212 | 165,000 | 156,750 |
| (g) Acquisition by purchase of new and additional vehicular equipment including two (2) mason dump trucks for use by the Department of Public Works of the Township (said vehicles each having a gross vehicle weight in excess of 15,000 pounds), together with all attachments, appurtenances, accessories and equipment necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved | 210,000 | 199,500 |
| (h) Acquisition by purchase of new and additional heavy equipment including one (1) street sweeper for use by the DPW of the Township, together with all attachments, appurtenances, accessories and equipment necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved | 495,000 | 470,250 |
| Totals | \$5,873,000 | \$5,130,000 |

Except as otherwise stated in paragraph (a) above with respect to the said grant-in-aid of financing the purpose described in said paragraph, the excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 10.15 years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$5,130,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$500,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof (and, in particular, \$50,000 of such costs allocable to costs of issuance have been included in the improvement described in Section 3(f) of this bond ordinance).

Section 5. The funds from time to time received by the Township on account of the \$477,040 grant referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in paragraph (a) of Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Township authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of said improvements or purposes shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this bond ordinance.

Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, the acting chief financial officer or the treasurer (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at no less than par from time to time at public or private sale at not less than par and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 15, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 10 of 34

accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 8. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

Introduced: May 1, 2024
Adopted: May 15, 2024
Effective Date: June 4, 2024

This ordinance was introduced on May 1, 2024 and Notice of public hearing was published in the Herald News on May 7, 2024. The Governing Body will open the meeting to the public to speak on this Ordinance only.

Seeing no one wishing to speak Councilman Conlon made a motion to close the public portion. Seconded by Councilman Chazukow.

Motion to move Ordinance 2024-020.

Moved: Conlon Seconded: Chazukow
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden
Abstain: Conlon only on all Police Bonds
Voted Nay:
Motion carried:

Agenda No. XII 3

~ Ordinance 2024 – 021 ~

**ORDINANCE CONCERNING SALARIES AND COMPENSATION FOR ADMINISTRATIVE,
CONFIDENTIAL AND UNAFFILIATED EMPLOYEES**

BE IT ORDAINED, by the Township Council of the Township of West Milford, in the County of Passaic, New Jersey that pursuant to Chapter 15 entitled Administration of Government of the Revised General Ordinances of the Township of West Milford, New Jersey, 1976, the following Officer(s) and Employee(s) here below stated shall be classified by job title with the corresponding pay ranges:

DEPARTMENT AND OFFICE HEADS

| JOB TITLE | MINIMUM | MAXIMUM |
|-------------------------------|----------------|----------------|
| Deputy Township Administrator | \$45,000.00 | \$145,000.00 |

1. The aforesaid Officer(s) and Employee(s) shall be compensated in accordance with the preceding Salary Range.
2. **BENEFITS:** Benefits relating to vacation, sick days, personal days, longevity, holidays, bereavement leave and medical insurance shall be those as contained in the contract between the West Milford Municipal Employees Guild (AFSCME 3301) and the Township of West Milford or any employment agreement consistent with applicable law.
3. **OVERTIME:** If not otherwise eligible for overtime compensation by contract or law, each full-time department and division head in lieu of overtime compensation as provided in the Guild contract, shall receive three (3) vacation days and up to 35 compensatory hours annually, the latter earned hour for hour for hours worked above forty per week. All other full-time employees listed in this ordinance if not otherwise eligible for overtime compensation by contract or law, shall receive 21

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: May 15, 2024
 Time of Meeting: 6:30 p.m.
 Minute Page No: Page 11 of 34

compensatory hours annually, plus one half hour for each hour worked above thirty-five or forty hours per week depending on the applicable contract for the employee's department. Vacation and compensatory time may be used or accumulated as follows: vacation days may be carried for up to one year from January 1 following the year earned, and compensatory hours may be taken no later than April 1 of the year following the year earned.

4. Stipend Positions will not be subject to increases unless specifically authorized by Resolution of the Governing Body.
5. Any ordinance or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to such extent as they are in conflict or inconsistent. This ordinance shall take effect 20 days after its final passage by the Township Council.

Introduced: May 1, 2024
 Adopted: May 15, 2024
 Effective Date: June 4, 2024

This ordinance was introduced on May 1, 2024 and Notice of public hearing was published in the Herald News on May 7, 2024. The Governing Body will open the meeting to the public to speak on this Ordinance only.

Seeing no one wishing to speak Councilman Conlon made a motion to close the public portion. Seconded by Councilman Goodsir.

Motion to move Ordinance 2024-021.

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

Agenda No. XII 4

~ Ordinance 2024 – 022 ~

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY CONCERNING SALARIES AND COMPENSATION FOR PART TIME AND SEASONAL EMPLOYEES

BE IT ORDAINED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that pursuant to Chapter 33 entitled Personnel of the Revised General Ordinances of the Township of West Milford, New Jersey, 2007 the following Officers and Employees here below stated shall be classified by job title with the corresponding pay ranges effective May 20, 2024:

SECTION 1. TEMPORARY, PART TIME AND SEASONAL EMPLOYEES

| JOB TITLE | WAGE RATE |
|--------------------------------------------------------------------------------------------------------|----------------------------|
| Recreation Attendant (includes coffeehouse monitors, volley ball referees, program assistants) | \$14.00 - \$35.00 per hour |
| Substitute Lake Director | \$15.00 - \$40.00 per hour |
| Recreation Aide (includes, concession/gate monitors, seasonal maintenance workers, program specialist) | \$14.00 - \$30.00 per hour |
| Swim Instructor | \$14.00 - \$30.00 per hour |
| Head Swim Instructor/Swim Team Coordinator | \$15.00 - \$40.00 per hour |
| Lifeguard/Head Lifeguard | \$14.00 - \$25.00 per hour |
| Day Camp Director | \$14.00 - \$30.00 per hour |
| Day Camp Counselor | \$14.00 - \$25.00 per hour |
| Day Camp Nurse | \$28.75 - \$45.00 per hour |
| Seasonal Omni Bus | \$14.00 - \$35.00 per hour |
| Programs for the Disabled: | |
| Summer Aide | \$8.50 - \$12.00 per hour |
| Aide | \$9.50 - \$17.00 per hour |
| Teacher | \$15.00 - \$20.00 per hour |
| Recreation Program Instructor | \$20.00 - \$75.00 per hour |
| Building Service Worker (Monitor) | \$14.00 - \$30.00 per hour |

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.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 15, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 12 of 34

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, preempted by Federal or State law, or otherwise invalid by any court or competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. No provision of this Ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this Ordinance or from other law.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law and upon the posting of appropriate signs.

SECTION 6. This Ordinance may be renumbered for codification purposes.

Introduced: May 1, 2024
Adopted: May 15, 2024
Effective Date: June 4, 2024

This ordinance was introduced on May 1, 2024 and Notice of public hearing was published in the Herald News on May 7, 2024. The Governing Body will open the meeting to the public to speak on this Ordinance only.

Seeing no one wishing to speak Councilman Conlon made a motion to close the public portion. Seconded by Councilwoman Lichtenberg.

Motion to move Ordinance 2024-022.

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

Agenda No. XIII

New Business, Introduction of Ordinances, Resolutions

Agenda No. XIII 1

~ Ordinance 2024 – 023 ~

ORDINANCE AMENDING AND SUPPLEMENTING §135 “FEES AND COSTS” BY ADDING A NEW SECTION ENTITLED “DEPARTMENT OF COMMUNITY SERVICES AND RECREATION DIVISION OF TRANSPORTATION SERVICES” OF THE REVISED GENERAL ORDINANCES

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

SECTION 1. §135 shall be amended to add a new section entitled Department of Community Services and Recreation, Division of Transportation Services; and

The new section shall authorize the Department of Community Services and Recreation, Division of Transportation Services to charge the following fares for transportation services:

- (1) Effective July 1, 2024, the one-way fare shall be \$2.00.
- (2) Effective July 1, 2025, the one-way fare shall be \$3.00.

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.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, preempted by Federal or State law, or otherwise invalid by any court or competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. No provision of this Ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this Ordinance or from other law.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 15, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 13 of 34

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law and upon the posting of appropriate signs.

SECTION 6. This Ordinance may be renumbered for codification purposes.

Introduced: May 15, 2024
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for June 12, 2024. Notice of this public hearing shall be published in the Herald News on or about May 21, 2024.

Motion to move Ordinance 2024-023.

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

Agenda No. XIII 2

~ Ordinance 2024 – 024 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC STATE OF NEW JERSEY AMENDING ARTICLE 1 GARBAGE AND RUBBISH COLLECTION SECTION 321-8 ENTITLED “CONTRACTOR TO FURNISH SERVICE TO ALL RESIDENTS” WITHIN THE CODE OF THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Township of West Milford has historically picked up garbage and recycling from churches; and

WHEREAS, the Township Code currently does not provide for such pick-up from churches; and

WHEREAS, to benefit the public’s health, safety and welfare, the Township wishes to amend the Township Code to reflect that such garbage and recycling pick up shall be provided to churches and houses of worship, by defining the term “resident” within its Code of Ordinances to include churches.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of West Milford, Passaic County, New Jersey, that Section 321-8, Contractor to furnish service to all residents, shall be amended to read as follows:

SECTION 1. 321-8 Contractor to furnish service to all residents

It shall be the duty of the contractor to furnish and make available collection service to all residents of the Township, and to those establishments and West Milford municipal facilities designated by the Township Administrator or his designee.

“Residents” is herein defined to also include churches and houses of worship as registered with the Township, and as designated by the Township Administrator or his designee.

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.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. No provision of this Ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy therefrom, of any person for injury or damage arising from any violation of this Ordinance or from other law.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

SECTION 6. This Ordinance may be renumbered for codification purposes.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 15, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 14 of 34

Introduced: May 15, 2024
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for June 12, 2024. Notice of this public hearing shall be published in the Herald News on or about May 21, 2024.

Motion to move Ordinance 2024-024.

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

Agenda No. XIII 3

~ Ordinance 2024 – 025 ~

TABLED

Motion TABLE Ordinance 2024-025 by Councilman Conlon. Seconded by Councilwoman Erik.

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

Agenda No. XIII 4

~ Ordinance 2024 – 026 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING CHAPTER 470, ENTITLED “SUBDIVISION OF LAND AND SITE PLAN REVIEW,” ARTICLE XV “STORMWATER MANAGEMENT” WITHIN THE CODE OF THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Township of West Milford seeks to revise its stormwater control ordinance in response to amendments made to the Stormwater Management Rules at N.J.A.C. 7:8 that included Inland Flood Protection Rule; and

WHEREAS, the enhanced regulations require municipal review and update to certain existing ordinances to maintain compliance; and

WHEREAS, the Mayor and Township Council have reviewed said revisions and believe that the changes are in the public interest and required by the NJDEP regulations.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, that the Chapter 470, “Subdivision of Land and Site Plan Review”, Article XV, “Stormwater Management”, Sections 470-73 through 470-79 of the Township of West Milford are hereby repealed and replaced in their entirety as follows:

SECTION 1. Chapter 470, “Subdivision of Land and Site Plan Review”, Article XV, “Stormwater Management” is hereby repealed and replaced in its entirety as follows:

ARTICLE XV. Stormwater Management

§470-73. Scope and Purpose

- A. Policy Statement. Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs should be utilized to meet the goal of maintaining natural

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Regular Meeting
May 15, 2024
6:30 p.m.
Page 15 of 34

hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for green infrastructure, water quality, quantity, and groundwater recharge.

- B. Purpose. The purpose of this ordinance is to establish minimum stormwater management requirements and controls for "major development," as defined below in Section 470-74.
- C. Applicability
 - 1. This article shall be applicable to all projects that meet the definition of "minor development" or "major development" as defined below.
 - 2. This ordinance shall be applicable to the following major developments:
 - i. Non-residential major developments and redevelopment projects; and
 - ii. Aspects of residential major developments and redevelopment projects that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21 et seq.
 - 3. This ordinance shall also be applicable to all major developments undertaken by the Township of West Milford.
 - 4. Applicability of this ordinance to major developments shall comply with last amended N.J.A.C. 7:8-1.6, incorporated herein by reference and minor developments as defined herein.
- D. Compatibility with Other Permit and Ordinance Requirements. Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

§470-74. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions used in this ordinance shall be the same as the last amended Stormwater Management Rules at N.J.A.C. 7:8-1.2, incorporated herein by reference. The following additional terms are defined for this chapter only.

- a. EXEMPT DEVELOPMENT – Shall mean any development that creates less than 1,000 square feet of new impervious area and disturbs less than 5,000 square feet of land. Further, an exempt development shall not meet the definition of "minor development."
- b. MINOR DEVELOPMENT – Shall mean any development that results in the creation of 1,000 square feet or more of new impervious area or one that disturbs more than 5,000 square feet of land area. Further, a minor development shall not meet the definition of "major development" in N.J.A.C. 7:8.
- c. MAJOR DEVELOPMENT – (repeated from N.J.A.C. 7:8) shall mean an individual "development," as well as multiple developments that individually or collectively result in:
 - 1. The disturbance of one or more acres of land since February 2, 2004;
 - 2. The creation of one-quarter acre or more of "regulated impervious surface" since February 2, 2004;

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 15, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 16 of 34

3. The creation of one-quarter acre or more of "regulated motor vehicle surface" since March 2, 2021; or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of "major development" but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."

§470-75. Design and Performance Standards for Stormwater Management Measures:

This section establishes design and performance standards for stormwater management measures for minor and major development intended to minimize the adverse impact of stormwater runoff on water quality and water quantity and loss of groundwater recharge in receiving water bodies.

- A. Exempt Developments. Any project meeting the definition of "exempt development" shall be exempt from the provisions of this section.
- B. Minor Developments. Minor developments shall be designed to include the following stormwater management measures:
 1. Water Quality. Soil erosion and sediment control measures shall be installed in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey.
 2. Rate/Volume Control. Seepage pits or other infiltration measures shall be provided with a capacity of three (3") inches of runoff for each square foot of new impervious area. Stone used in the infiltration devices shall be two and one-half (2 1/2") inches clean stone and design void ratio of 33% shall be used. The infiltration measures shall be designed with an overflow to the surface which shall be stabilized and directed to an existing stormwater conveyance system or in a manner to keep the overflow on the developed property to the greatest extent feasible. If the new impervious surface is not roof area, an equivalent area of existing roof may be directed to the infiltration system. This shall be permitted where the existing roof is not already directed to infiltration devices.
- C. Major Developments. Design and performance standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5, incorporated herein by reference. ~~These standards shall apply to all projects, residential and nonresidential as well as projects by the Township, Board of Education and other agencies subject to review by the Township.~~

§470-76. Waivers and Exceptions.

- A. Standards for relief (Minor Development). Waivers from strict compliance with the design standards for minor development shall only be granted upon showing that meeting the standards would result in an exceptional hardship on the applicant or that the benefits to the public good of the deviation from the standards would outweigh any detriments of the deviation. A hardship will not be considered to exist if reasonable reductions in the scope of the project would eliminate the noncompliance.
- B. ~~Standards for relief (Major Development). Waivers from strict compliance with the design and performance standards for major development shall meet the requirements N.J.A.C. 7:8-4.6. Mitigation. If the reviewing agency for the project determines that a waiver is appropriate, the applicant must execute a mitigation plan. The scope of the mitigation plan shall be commensurate with the size of the project and the magnitude of the relief required. The mitigation project may be taken from the list of projects in the Municipal Stormwater Management Plan. All mitigation projects are subject to the approval of the Township Engineer.~~
- C. Reviewing agency. All applications subject to the review of the Land Use Board shall be reviewed by the Board concurrently with subdivision or site plan review. Applications not subject to Land Use Board review shall be reviewed by the Township Engineer.
- D. Appeals. The appeal of the determination of the Township Engineer shall be made in accordance with N.J.S.A. 40:55D-70a.

§470-77. Solids and Floatable Materials Control Standards (Major Development)

Site design features identified under §470-75 above, or alternative designs in accordance with §470-75 above, to prevent discharge of trash and debris from drainage systems shall comply with the

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

Governing Body Regular Meeting
May 15, 2024
6:30 p.m.
Page 17 of 34

following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see §470-77.A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
 - ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
2. The standard in §470-77.A.1. above does not apply:
 - i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
 - ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
 - iii. Where flows from the water quality design storm as specified in the last amended Stormwater Management rules at N.J.A.C. 7:8 et seq. are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
 - b. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

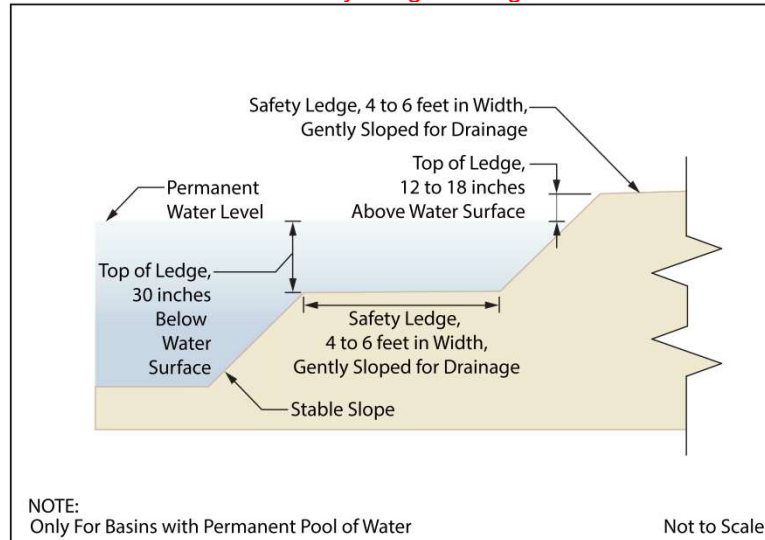
§470-78. Safety Standards for Stormwater Management Basins:

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin. Safety standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-6, incorporated herein by reference.
- B. Safety Ledge Illustration

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

Governing Body Regular Meeting
May 15, 2024
6:30 p.m.
Page 18 of 34

Elevation View –Basin Safety Ledge Configuration



§470-79 Requirements for a Site Development Stormwater Plan (Major Development)

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section 470-79.C below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit six copies of the materials listed in the checklist for site development stormwater plans in accordance with Section 470-79.C of this ordinance.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

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

Governing Body Regular Meeting
May 15, 2024
6:30 p.m.
Page 19 of 34

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Section 470-75 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of a scale of 1"=50' or greater shall be included:

- i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in §470-75 of this ordinance.
- ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 470-81.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section 470-79.C.1 through 470-79.C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

9. Application and Review Fees

All major developments shall require an application to the Township Engineer for a Stormwater Permit.

- i. There shall be no additional fees for stormwater review for applications to the Land Use Board. Major development applications to the Township Engineer shall be accompanied by a review fee in the amount of \$1,000.
- ii. If a project is approved, an inspection escrow deposit shall be made in an amount to be determined by the Township Engineer.

§470-80 Requirements for a Site Development Stormwater Plan (Minor Development)

A. The following information shall be required:

1. Topographic Base Map. The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 50 feet beyond the

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Regular Meeting
May 15, 2024
6:30 p.m.
Page 20 of 34

limits of the proposed development, at a scale of 1"=30' or larger, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. **Project Description and Site Plans.** A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping.

3. **Stormwater Management Facilities Map**

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
 - ii. Details of all stormwater management facility designs.
4. Calculations demonstrating compliance with the minor development standards of §470-75.B must be submitted.
 5. Waiver from Submission Requirements

The Township Engineer may waive submission of any of the requirements in Section 470-80.A.1 through 470-80.A.4 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

6. **Application and Review Fees**
All minor developments shall require an application to the Township Engineer and/or Township Engineering Division for a Stormwater Permit.
 - i. There shall be no additional fees for stormwater review for applications to the Land Use Board. There shall be no additional fees for stormwater review for applications as part of a lot development plan review under §110-4. Minor development applications to the Township Engineer and/or Township Engineering Division shall be accompanied by a review fee in the amount of \$250.
 - ii. If a project is approved, an inspection escrow deposit shall be made in an amount to be determined by the Township Engineer and/or Engineering Division. There shall be no inspection escrow deposit required for applications as part of a lot development plan review under §110-4.

§470-81. Maintenance and Repair:

A. Applicability

Projects subject to review as in Section 470-75.C of this ordinance shall comply with the requirements of Section 470-81.B and 470-81.C.

B. General Maintenance

1. Maintenance for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5.8, incorporated herein by reference.
2. The following requirements of N.J.A.C. 7:8-5.8 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department:
 - i. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 15, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 21 of 34

- ii. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
- 3. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
- C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

§470-82. Penalties:

Any person who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this chapter shall be subject to or more of the following penalties: imprisonment for a term not exceeding 90 days, a fine not exceeding \$2,000; and a period of community service not to exceed 90 days.

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.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, preempted by Federal or State law, or otherwise invalid by any court or competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. No provision of this Ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this Ordinance or from other law.

SECTION 5. This chapter shall take effect immediately upon final passage and publication as required by law and approval by the county review agency, or 60 days from the receipt of the chapter by the county review agency if the county review agency should fail to act.

SECTION 6. This Ordinance may be renumbered for codification purposes.

Introduced: May 15, 2024
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for June 12, 2024. Notice of this public hearing shall be published in the Herald News on or about May 21, 2024.

Motion to move Ordinance 2024-026.

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

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Regular Meeting
May 15, 2024
6:30 p.m.
Page 22 of 34

Agenda No. XIII 5

~ Ordinance 2024 – 027 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 135 “FEES AND COSTS” OF THE REVISED GENERAL ORDINANCES AMENDED

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

SECTION 1. Chapter 135 “Fees and Costs”, §135-5. Department of Planning and Building; construction fees is amended as follows:

The Planning and Building Department is authorized to charge the following fees:

A. Construction permit fees. The fee for a construction permit shall be the sum of the sub code fees listed in the following subsections and shall be paid before the permit is issued:

- (1) Building sub code fees.
 - (a) Fees for new construction and additions shall be based on the volume of the structure. The new construction fee shall be in the amount of ~~\$0.036~~ \$0.060 per cubic foot of volume with a minimum of ~~\$1,500~~ \$200.00. The volume for large, open, single-story warehouses, silos, greenhouses, distribution centers and other agricultural and storage-use occupancies shall be charged at a maximum height of 20 feet notwithstanding the fact that the actual height of the space may be greater than 20 feet.
 - [1] Use Group U shall be a minimum fee of ~~\$400~~ \$200.00
 - [2] Residential utility sheds over 200 square feet shall be ~~\$0.036~~ \$0.040 per cubic foot of volume with a minimum fee of ~~\$100.00~~ \$200.00
 - [3] Use Groups U, S1, S2 for agricultural use as defined under N.J.A.C.5:23-3.2(d) shall be a minimum fee of ~~\$100~~ \$200 and ~~\$0.035~~ \$0.040 per cubic foot of volume.
 - [4] Use Group S1 and S2 for commercial; and Use Group F1 and F2 shall be charged ~~\$0.026~~ \$0.040 per cubic foot of volume with a minimum fee of ~~\$250~~ \$350.00
 - [5] Residential roof R-3/R-5: flat fee of ~~\$70~~ \$90. All other Use groups: Fee will be calculated at \$30 per \$1,000 of estimated cost of work with a minimum fee of ~~\$70.00~~ \$90.00
 - [6] Residential siding R-3/R-5: flat fee of ~~\$70~~ \$90. All other Use groups: Fee will be calculated at ~~\$30~~ \$40 per \$1,000 of estimated cost of work with a minimum fee of ~~\$70.00~~ \$90.00
 - (b) For renovations, alterations, solar panel mounting/attachment, radon remediation systems, site construction associated with pre-engineered systems of commercial farm buildings, pre-manufactured construction, external utility connections for pre-manufactured construction and repairs or minor work as defined: ~~\$30~~ \$40 per \$1,000 of estimated cost of the work, provided that the minimum fee shall be ~~\$70~~ \$90
 - ~~(c) Additions for all use groups: \$0.036 \$0.040 per cubic foot of building or structure volume for the added portion, provided that the minimum fee shall be \$150~~
 - (d) For combinations of renovations and additions, the sum of the fees computed separately as renovations and additions.
 - (e) Swimming pools shall be flat fee of ~~\$100~~ \$150 for above ground and ~~\$200~~ \$300 for in-ground pools.
 - (f) For residential elevators, dumbwaiters or hoists shall be ~~\$70~~ \$90
 - (g) For structures of temporary uses: ~~\$70~~ \$90 for a period up to 90 days.
 - (h) Asbestos abatement: a flat fee of ~~\$70~~ \$90.
 - (i) Lead hazard: a flat fee of ~~\$70~~ \$90
 - (j) Application for variation: ~~\$150~~ \$250
 - (k) Retaining wall permits: ~~\$30 per \$1,000 of estimated cost, provided that the minimum fee shall be \$70~~ Fees for retaining walls shall be as follows:
 - (1) A retaining wall with a surface area greater than 550 square feet that is associated with a residential structure shall have a flat fee of \$300.00
 - (2) A retaining wall with a surface area of 550 square feet or less that is associated with a residential structure shall have a flat fee of \$150.00
 - (3) A newly constructed retaining wall of any size at other than a residential structure shall be based on the cost of the construction at \$40 per \$1,000 of estimated cost of work with a minimum fee of \$150.00
 - (l) Annual construction permits.
 - [1] The annual fee to be charged for an annual construction permit shall be a flat fee based upon the number of maintenance workers employed by a facility, and who are primarily engaged in work that is governed by a sub

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Regular Meeting
May 15, 2024
6:30 p.m.
Page 23 of 34

- code. Managers, engineers and clerical personnel shall not be considered maintenance workers for the purpose of establishing the annual construction permit fee. Permits may be issued for building protection, electrical and plumbing sub codes.
- [2] Prior to the issuance of an annual construction permit, a training registration fee of \$100 per sub code shall be submitted by the applicant to the Department of Community Affairs, Construction Code Element, Training Section along with a copy of the construction permit (form F-170). Fees shall be made payable to "Treasurer, State of New Jersey."
 - [a] One to 25 maintenance workers: ~~\$425~~ \$500 per worker.
 - [b] For each additional worker over 25: ~~\$165~~ \$200 per worker.
 - [c] Training registration: ~~\$100~~ \$200 per worker.
 - (m) Demolition permit fee.
 - [1] The fee for a permit for demolition of a building, structure or in ground pool shall be ~~\$100~~ \$200 for all use groups.
 - [2] Demolition of all flammable or combustible storage tanks residential shall be ~~\$80~~ \$100
 - [3] Demolition of all flammable or combustible storage tanks commercial shall be ~~\$200~~ \$300
 - (n) The fee for a permit to construct a sign shall be ~~\$2~~ \$4 per square foot of the surface area of the sign, provided that the minimum fee shall be ~~\$70~~ \$90. In the case of double-faced signs, the area of the surface of only one side of the sign shall be used for purposes of the fee computation.
 - (o) Certificate of occupancy fees.
 - [1] Certificate of continual occupancy: ~~\$200~~ \$400 (upon request only). The fee for a letter requesting that no certificate of continual occupancy is required: ~~\$20~~ \$40
 - [2] Certificate of occupancy granted pursuant to change of use: ~~\$100~~ \$200
 - [3] Certificate of occupancy: ~~\$100~~ \$200
 - [4] Certificate of occupancy for asbestos abatement: ~~\$100~~ \$200
 - [5] Temporary certificate of occupancy. There shall be no fee for the first issuance of a temporary certificate of occupancy, provided that a certificate of occupancy fee was paid. Each renewal after the first issuance shall be a fee of \$30.00

The fee for any work requiring a permit that is not listed above will be \$90.00

- (2) Plumbing sub code fees.
 - (a) The fee shall be in the amount of ~~\$30~~ \$40 per fixture, piece of equipment or appliance connected to the gas piping or oil piping system including condensate pumps and lines.
 - (b) The fee shall be ~~\$80~~ \$100 per special device for the following: grease traps, oil separators, refrigeration units, utility service connections, backflow preventers, steam boilers, hot water boilers, active solar systems, sewer pumps and interceptors and water treatment systems/UV systems. There shall be no inspection fee charged for gas service entrances.
 - (c) The minimum plumbing sub code fee shall be ~~\$70~~ \$90

The fee for any work requiring a permit that is not listed above will be \$90.00

- (3) Electrical sub code fees.
 - (a) Electrical fixtures and devices:
 - [1] Receptacles and fixtures:
 - [a] First 25 fixtures: ~~\$70~~ \$90
 - [b] Each additional 25 will be ~~\$30~~ \$40
 - (b) Each motor or electrical device greater than one HP and less than or equal to 10 HP and for transformers and generators greater than 1 KW and less than or equal to 10 KW: fee is ~~\$30~~ \$40 each.
 - (c) Each motor or electrical device greater than 10 HP and less than or equal to 50 HP for each service panel, service entrance or subpanel less than or equal to 200 amperes and for all transformers and generators greater than 11 KW and less than or equal to 45 KW and for each utility load management devices: the fee is ~~\$70~~ \$90.
 - (d) Each motor or electrical device greater than 50 HP and less than or equal to 100 HP for each service panel, service entrance or subpanel greater than 200 amperes and less than or equal to 1,000 amperes and for each transformer or generator greater than 45 KW and less than or equal to 112 KW: fee is ~~\$130~~ \$180 each.
 - (e) Each motor or electrical device greater than 100 HP, for each service panel, service entrance or subpanel greater than 1,000 amperes and for each transformer or generator greater than 112 KW: fee is ~~\$600~~ \$800.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Regular Meeting
May 15, 2024
6:30 p.m.
Page 24 of 34

- (f) The fee for the annual electrical inspection of swimming pools, spas or hot tubs shall be ~~\$70~~ **\$90**
- (g) Each pool bonding inspection shall be a flat fee of ~~\$70~~ **\$90**
- (h) The minimum electrical sub code fee shall be ~~\$70~~ **\$90**

The fee for any work requiring a permit that is not listed above will be **\$90.00**

- (4) Fire sub code fees.
 - (a) Alarm/supervisory/signaling (smoke, heat, pulls, water/flow):
 - [1] One to six: ~~\$70~~ **\$90**
 - [2] Each additional five: ~~\$20~~ **\$40**
 - (b) Fire suppression system. For the installation of either a wet or dry suppression system:
 - [1] One to 20 sprinkler heads: ~~\$80~~ **\$90**
 - [2] Twenty-one to 100 sprinkler heads: ~~\$140~~ **\$180**
 - [3] One hundred one to 200 sprinkler heads: ~~\$260~~ **\$360**
 - [4] Two hundred one to 400 sprinkler heads: ~~\$640~~ **\$720**
 - [5] Four hundred one to 1,000 sprinkler heads: ~~\$950~~ **\$1,440**
 - [6] One thousand one and over sprinkler heads: ~~\$1,200~~ **\$2,880**
 - (c) Standpipe: ~~\$200~~ **\$300**
 - (d) Pre-engineered systems.
 - [1] Wet chemical: ~~\$125~~ **\$200**
 - [2] Dry chemical: ~~\$125~~ **\$200**
 - [3] CO2 suppression: ~~\$125~~ **\$200**
 - [4] Foam suppression: ~~\$125~~ **\$200**
 - [5] FM 200 suppression: ~~\$125~~ **\$200**
 - (e) Commercial hood exhaust system: ~~\$100~~ **\$200**
 - (f) Smoke control system: ~~\$70~~ **\$90**
 - (g) Gas and oil-fired appliance which is not connected to a plumbing system: ~~\$80~~ **\$100**
 - (h) Central air-conditioning unit or ducts: ~~\$70~~ **\$90**
 - (i) Incinerators: ~~\$500~~ **\$700**
 - (j) Crematoriums: ~~\$500~~ **\$700**
 - (k) The fees for the issuance of a permit for a flammable or combustible storage tank installation shall be as follows:
 - [1] One to 1,000 gallons: ~~\$80~~ **\$100**
 - [2] One thousand one to 3,000 gallons: ~~\$200~~ **\$300**
 - [3] Three thousand one to 5,000 gallons: ~~\$300~~ **\$400**
 - [4] Five thousand one and over gallons: ~~\$400~~ **\$500**
 - (l) The fee for each solid-fuel-burning appliance such as a fireplace, woodstove or pellet stove shall be ~~\$80~~ **\$100**
 - (m) The fee for a chimney liner shall be ~~\$80.00~~ **\$100.00** per liner.
 - (n) The fee for the removal/abandonment of all residential flammable/combustible storage tanks shall be ~~\$80~~ **\$100** per tank.
 - (o) The fee for commercial tank removal/abandonment under 2,001 gallons shall be ~~\$200~~ **\$300** per tank.
 - (p) The minimum fire sub code fee shall be ~~\$70~~ **\$90**
- The fee for any work requiring a permit that is not listed above will be **\$90.00**
- (5) Mechanical Inspection fees. When the Mechanical Inspector Technical Section is used in lieu of a Plumbing and Fire sub code for one and two family dwellings, the Mechanical inspector fee shall be as follows:
 - (a) Water Heaters: ~~\$30~~ **\$40** each
 - (b) Hot Water/Steam Boilers: ~~\$80~~ **\$100** each
 - (c) Hot Air Furnace: ~~\$80~~ **\$100** each
 - (d) LPG Tank installation: ~~\$80~~ **\$100** per tank
 - (e) Residential oil tank installation under 2,001 gallons: ~~\$80~~ **\$100** per tank
 - (f) Fuel oil piping or Gas piping: ~~\$30~~ **\$40** each
 - (g) LP/Gas fired Fireplace or Gas log set: ~~\$80~~ **\$100** each
 - (h) Chimney Liner: ~~\$80~~ **\$100** each
 - (i) Central Air Conditioning or Mini-Split system: ~~\$70~~ **\$90** each
 - (j) Condensate Pumps/Lines: ~~\$30~~ **\$40** each
 - (k) Backflow Preventers: ~~\$80~~ **\$100** each
 - (l) The minimum Mechanical Inspector fee shall be ~~\$70~~ **\$90**.
 - (6) Change of contractors shall be ~~\$70~~ **\$90** per sub code.
 - (7) Elevator sub code fees. To be reviewed and processed by DCA.

The fee for any work requiring a permit that is not listed above will be **\$90.00**

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 15, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 25 of 34

- B. Plan review fee. The fee for plan review shall be 20% of the amount to be charged for the construction permit and shall be paid before the plans are reviewed. The amount paid for this fee shall be credited toward the amount of the fee to be charged for the construction permit.
- C. Surcharge fee for new construction.
 - (1) Collection of State of New Jersey training fees. In order to provide for the training and certification and technical support programs required by the act, and enforcing agency, including the Department when acting as the local agency, shall collect a surcharge fee to be based upon the volume of new construction within the Township. Said fee shall be accounted for and forwarded to the Bureau of Housing Inspection in the manner herein provided.
 - (2) Fees. This fee shall be in the amount of \$0.00371 per cubic foot volume of new construction and \$1.90 per \$1,000.00 of estimated cost of work for alterations. Volume shall be computed in accordance with N.J.A.C.5:23-2.28.
 - (3) Remitting and reporting.
 - (a) The Township shall remit such fees to the Bureau on a quarterly basis, in accordance with N.J.A.C. 5:23-4.19, ending March, June, September and December.
 - (b) A monthly report is transmitted to the Department of Community Affairs.
- D. Renewal of building permit fee. Any permit issued shall become invalid if the authorized work is not commenced within 12 months after issuance of the permit, or if the authorized work is suspended or abandoned for a period of six months after the time of commencing the work as per UCC 5:23-2.16(b). Whenever it shall become necessary for the renewal of a building permit, then and in such case. The fee shall be computed as per the fee schedule currently in effect at the time of permit renewal.
 - (1) Editor's Note: See §110-6 Fees waived for improvements to promote accessibility, for waiver of certain fees for construction, reconstruction, alteration or improvements designed to promote accessibility by disabled persons.

All other sections of this Chapter shall remain unchanged.

- 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.
- 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.

Introduced: May 15, 2024
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for June 12, 2024. Notice of this public hearing shall be published in the Herald News on or about May 21, 2024.

Motion to move Ordinance 2024-027.

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

Mayor Dale asked to move Resolutions 2024-208 through 2024-212 and Resolutions 2024-220 and 2024-221.

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC STATE OF NEW JERSEY AUTHORIZING THE TAX COLLECTOR TO ISSUE ESTIMATED TAX BILLS FOR THE THIRD QUARTER INSTALLMENT OF 2024 TAXES

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 15, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 26 of 34

WHEREAS, N.J.S.A. 54:4-66.3, pursuant to Section 3 of P.L. 1994 c. 72 and 54:4-66.2, the Township Council of the Township of West Milford has determined that the Tax Collector will be unable to complete the mailing and delivery of the tax bills by June 25, 2024 due to the absence of a certified tax rate; and

WHEREAS, The Tax Collector, in consultation with the Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 and they have both signed a certification showing the tax levies for the previous year, and the range of permitted estimated tax levies; and

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Tax Collector requests the Council to approve the estimated tax levy of \$114,052,079 at a tax rate of \$4.160; which is between the mandated estimated range proposed by the Local Government Services. Approval will enable the Township to meet its financial obligations, maintain the tax collection rate, and provide uniformity for tax payments and save the unnecessary cost of interest expenses on borrowing.

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

1. The Tax Collector of the Township of West Milford is hereby authorized and directed to prepare and issue estimated tax bills for the Township of West Milford for the third quarter installment of 2024 taxes.
2. The entire estimated tax levy for 2024 is hereby set at \$114,052,079. The estimated tax rate for 2024 is hereby set at \$4.160.
3. In accordance with the law, the third quarter installment of 2024 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to the Tax Collector and Chief Financial Officer of the Township of West Milford for their records.

Adopted: May 15, 2024

Agenda No. XIII 7

~ Resolution 2024 – 209 ~

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 ADDITIONAL AMOUNT NOT TO EXCEED \$20,000

WHEREAS, the Township of West Milford by virtue of Resolution 2024-077 awarded a contract to Tilcon New York, Inc. for the purchase of paving materials; and

WHEREAS, the Director of Public Works has submitted a written recommendation for the purchase of additional paving materials; 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 additional paving materials thereby increasing the not to exceed amount from \$20,000.00 to \$40,000.00.
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: May 15, 2024

Agenda No. XIII 8

~ Resolution 2024 – 210 ~

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 15, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 27 of 34

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 \$251,000 BY NEW VINELAND CORP. FOR THE PURCHASE OF ONE (1) PLENARY RETAIL DISTRIBUTION LIQUOR LICENSE

WHEREAS, pursuant to Resolution 2024-142 adopted on March 20, 2024, 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 one (1) License, published notice of the proposed sale by public bid process and received bids pursuant thereto; and

WHEREAS, on May 3, 2024 one (1) bid was received and prequalified as required; and

WHEREAS, on May 3, 2024, the one (1) bid was received and opened; and

WHEREAS, said bid was submitted by New Vineland Corp., 9 Marshall Hill Road, Units 5 & 6 West Milord, NJ 07480 in the amount of \$251,000.00.

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 New Vineland Corp., 9 Marshall Hill Road, Units 5 & 6 West Milford, NJ 07480.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Township Clerk is directed to notify the successful bidder, New Vineland Corp. 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: May 15, 2024

Agenda No. XIII 9

~ Resolution 2024 – 211 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2024

WHEREAS, applications have been made for the new licenses and the renewal of various Licenses for the 2024 license year; and

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford does hereby approve the issuance of 2024 Licenses as listed below:

| License No. | 2024 CLOTHING BINS |
|-----------------|------------------------------------------------------------|
| 2024-24 | Planet Aid Inc. Recycling Center – 30 Lycosky Drive (1) |
| License Nos. | 2024 SOLICITOR LICENSES |
| 2024-01-2024-10 | Aptive Environmental LLC |

Adopted: May 15, 2024

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 15, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 28 of 34

Agenda No. XIII 10

~ Resolution 2024 – 212 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF A NEW ALCOTEST MACHINE FROM DRAEGER INC. NEW JERSEY STATE TREASURY CONTRACT T-3031

WHEREAS, the current Alcotest machine is outdated and in need of several repairs; and

WHEREAS, Passaic County is next in line for the Alcotest 9510 rollout; and

WHEREAS, The Alcotest is an essential tool used by police departments in New Jersey and other locations for alcohol testing during DWI (Driving While Intoxicated) investigations; and

WHEREAS, the entire cost of the Alcotest will be reimbursed to the Township of West Milford by the Drunk Driving Enforcement Fund (DDEF) Reimbursement Program; and

WHEREAS, it was determined that the West Milford Police Department is currently in good standing with the DDEF program; and

WHEREAS, the West Milford Police Department before January 31 of the succeeding year (2025) will apply for reimbursement of such expenditure; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds in account number is 02-213-41-714-005.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford hereby authorizes the West Milford Police Department to purchase an Alcotest machine from Draeger Inc., 7256 S Sam Houston W PKWY, Suite 100, Houston, TX 77085 in an amount not to exceed \$22,822.50.

Adopted: May 15, 2024

Agenda No. XIII 11

~ Resolution 2024 – 220 ~

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

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

WHEREAS, the Township of West Milford, entered into a contract with the County for the furnishing of health services as set forth in N.J.S.A. 26:3A2-1, et seq., Administration of Public Health Activities (N.J.A.C. 8:52), Health Officer, Environmental Health, Public Health Nursing, Communicable Disease and Adult Health Services, Occupational Health Services, Health Education & Promotion and Public Health Emergency Response & Preparedness in 2019 as described in Resolution 2019-284 adopted on October 2, 2019; and

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

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

1. The Mayor and the Township Clerk be and are hereby authorized to execute an addendum to the contract with the County of Passaic for shared services as proposed in the Shared Services Agreement for Public Health Services commencing on June 1, 2024 through December 31, 2043 for a term of twenty (20) years.
2. This resolution and an addendum to the contract shall be available for public inspection in the office of the Township Clerk.

Adopted: May 15, 2024

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 15, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 29 of 34

Agenda No. XIII 12

~ Resolution 2024 – 221 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE APPLICATION TO THE NJ CLEAN ENERGY PROGRAM (CEPG) COMMUNITY ENERGY PLANNING GRANT PROGRAM

WHEREAS, a sustainable community seeks to ensure that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Township of West Milford strives to assure clean land, air and water for current and future generations; and

WHEREAS, New Jersey’s Energy Master Plan: Pathway to 2050 (“EMP”) established that community-level action is necessary to achieve the state’s goal of 100% clean energy by 2050; and

WHEREAS, the New Jersey Board of Public Utilities has created a Community Energy Plan Grant program for municipalities to develop a community energy plan to meet the goals of the state’s Energy Master Plan; and

WHEREAS, the Township of West Milford is invested in developing a community energy plan to help the state achieve the goal of 100% clean energy by 2050; and

WHEREAS, the Community Energy Plan Grant program will help Township of West Milford to plan for and invest in renewable energy and to work towards a better environment for all residents by using the state’s Energy Master Plan (EMP) as a guide to develop sustainable strategies that increase clean energy production, reduce energy use, and cut emissions.

NOW THEREFORE BE IT RESOLVED, the Mayor and Council of the Township of West Milford has determined that West Milford should apply for the aforementioned Community Energy Planning Grant program; and

NOW THEREFORE BE IT RESOLVED, the Township of West Milford will commit to providing staff support for the duration of the Community Energy Planning process, including for gathering of relevant data and for convening at least one public meeting.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of West Milford, State of New Jersey, authorizes the submission of the aforementioned application to the NJBPU Community Energy Planning Grant program.

Adopted: May 15, 2024

Councilman Conlon to abstain on Resolution 2024-212.

Motion to move Resolutions 2024-208 through 2024-212 and Resolutions 2024-220 and 2024-221.

Moved: Erik Seconded: Conlon
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden
Abstain: Conlon on Resolution 2024-212
Voted Nay:
Motion carried:

Agenda No. XIV

Consent Agenda

~ Resolution 2024 – 213 ~

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:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: May 15, 2024
 Time of Meeting: 6:30 p.m.
 Minute Page No: Page 30 of 34

- a) **2024-214** – Refund Recreation Fees
- b) **2024-215** – Health Department Refund
- c) **2024-216** – Refund Other Liens
- d) **2024-217** – Refund Over Payment
- e) **2024-218** – Reinstatement of Taxes

Adopted: May 15, 2024

Agenda No. XIV a

~ Resolution 2024 – 214 ~

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

| LIFEGUARD RECERTIFICATION | | | |
|----------------------------------|----------------------------------------------|--|--|
| \$200.00 | 34 Cherbourg Drive West Milford, NJ 07480 | | |
| BOB ROSS KIDS ART | | | |
| \$60.00 | 39 Carissa Court Hewitt, NJ 07421 | | |
| AFTER SCHOOL ART CLUB | | | |
| \$117.00 | 20 Clinton View Terrace Hewitt, NJ 07421 | | |
| SPRING SOCCER | | | |
| \$80.00 | 40 Gould Road Newfoundland, NJ 07435 | | |

Adopted: May 15, 2024

Agenda No. XIV b

~ Resolution 2024 – 215 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE REFUND OF HEALTH DEPARTMENT FEES

BE IT RESOLVED that the following Health Department fees be refunded:

| Name & Address | Account No. | Amount to be Refunded |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|-----------------------|
| Passaic Bergen Water Softening c/o Sue Gibbons 2850 Route 23 North Newfoundland, NJ 07435 | UVL Permit #23-331 01-192-08-105-336 Block 16201 – Lot 25 | \$55.00 |

Adopted: May 15, 2024

Agenda No. XIV c

~ Resolution 2024 – 216 ~

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

WHEREAS, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective lien.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of West Milford that the proper officers be and are hereby authorized and directed to pay the indicated amount to the holder of the lien certificate as hereinafter shown below:

| Certificate No. | Certificate Date | Block/Lot/Qual | Reimbursement Amount | Premium | Pay to Lien Holder |
|-----------------|------------------|----------------|----------------------|---------|--------------------|
| | | | | | |

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Regular Meeting
 May 15, 2024
 6:30 p.m.
 Page 31 of 34

| | | | | | |
|--------------|------------|--------------|---------------------|--------------------|----------------------------------------------------------------------------------------------------------|
| 21-0013 | 10/12/2021 | 02405-009 | \$36,683.21 | \$51,600.00 | Christiana Trust as Custodian GSRAN-Z, LLC Deposit Account PO Box 71276 Philadelphia, PA 19176 |
| 23-0017 | 10/10/2023 | 03401-021.04 | \$14,000.60 | \$3,800.00 | Tower DB XIII Trust 2023-1 PO Box 71540 Philadelphia, PA 19176 |
| 23-0012 | 10/10/2023 | 02507-001 | \$9,831.62 | \$6,300.00 | Christiana Trust as Custodian GSRAN-Z, LLC Deposit Account PO Box 71276 Philadelphia, PA 19176 |
| 20-0003 | 10/13/2020 | 00409-007 | \$50,238.05 | \$29,800.00 | Christiana Trust As Custodian GSRAN-Z LLC Deposit Account P.O. Box 71276 Philadelphia, PA 19176 |
| 2023-0021 | 10/10/2023 | 03401-021.09 | \$13,961.51 | \$3,800.00 | Tower DB XIII Trust 2023-1 P.O. Box 71540 Philadelphia, PA 19176 |
| TOTAL | | | \$124,714.99 | \$95,300.00 | |

Adopted: May 15, 2024

Agenda No. XIV d

~ Resolution 2024 – 217 ~

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. PILOT Program – West Milford Shopping Plaza

| Block/Lot | Name | Amount | Year | Reason |
|-----------|--------------------------------------------------------------------------------------------------|-------------|------|--------|
| 06701-010 | Township of West Milford Finance Department 1480 Union Valley Rd West Milford, NJ 07480 | \$82,348.69 | 2024 | 1 |

Adopted: May 15, 2024

Agenda No. XIV e

~ Resolution 2024 – 218 ~

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
 - 5 UN-AUTHORIZED PAYMENT
 - 6 FROZEN/BLOCKED ACCOUNT

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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

Governing Body Regular Meeting
 May 15, 2024
 6:30 p.m.
 Page 32 of 34

| BLOCK/LOT | AMOUNT | INT | YEAR | REASON |
|--------------------|--------------------|------------|-------------|---------------|
| 02018-001 | \$487.00 | | 2024 | 2 |
| 01813-004 | \$590.00 | | 2024 | 6 |
| 12303-001 | \$700.00 | | 2024 | 2 |
| 00302-015 | \$956.85 | | 2024 | 1 |
| 07308-006 | \$2,947.00 | | 2024 | 1 |
| 15102-005 | \$3,239.00 | | 2024 | 1 |
| 15102-005 QFARM | \$8.00 | | 2024 | 1 |
| 05304-001 | \$4,183.00 | | 2024 | 2 |
| TOTAL | \$13,110.85 | | | |

Adopted: May 15, 2024

Motion to move Resolutions 2024-213 through 2024-218.

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

Agenda No. XIV

Approval of Expenditures

~ Resolution 2024 – 219 ~

RESOLUTION APPROVING THE PAYMENT OF BILLS

WHEREAS, the Township Treasurer has submitted to the members of the Township Council a supplemental report listing individual disbursement checks prepared by this office in payment of amounts due by the Township.

NOW, THEREFORE, BE IT RESOLVED that the Township Treasurer’s report of checks prepared by the Treasurer’s Office be approved and issued as follows:

| Acct # | Account Name | Amount |
|---------------------------|---------------------|-----------------------|
| 1 | Current Account | \$1,225,509.09 |
| 3 | Reserve Account | 14,666.48 |
| 2 | Grants | 1,544.00 |
| 6 | Refunds | 302,875.68 |
| 1 | General Ledger | 550.00 |
| 26 | Refuse | 72,346.78 |
| 4 | Capital | 47,063.30 |
| 19 | Animal Control | 149.00 |
| 19 | Heritage Trust | 0.00 |
| 19 | Open Space Trust | 0.00 |
| 19 | Trust | 9,795.87 |
| 16 | Development Escrow | 9,929.50 |
| 19 | Tax Sale Trust | 0.00 |
| 21 | Assessment Trust | 0.00 |
| | Special Reserve | 87.00 |
| Total | | \$1,684,516.70 |
| Less Refund Resolution | | -302,875.68 |
| Actual Bills List | | \$1,381,641.02 |
| Other Payments: | | |
| Payroll | | \$541,672.43 |
| BOE | | 5,223,074.00 |
| Total Expenditures | | \$7,146,387.45 |

Adopted: May 15, 2024

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 15, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 33 of 34

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

Agenda No. XV

Reports of Mayor, Council Members, Administrator, and Attorney

Councilman Goodsir – Bubbling Springs Day Camp open House is Saturday June 1st from 10-12 p.m. at Bubbling Springs. Meet the Camp Director and some of the Day Camp Staff and see what camp is all about. Registration is open for Bubbling Springs Lake Memberships, sign up online or by contacting the Recreation Department. The Bubbling Springs Summer Concert Series will take place on Thursday nights from 7 – 9 p.m. at the Rotary Gazebo and it's free. The Brew Crew Food Truck will provide food for purchase. Thank you to the sponsors that helped make the Kids Trout Fishing Derby a success.

Councilman Conlon – Commended Councilman Goodsir and the Recreation Staff for how well the Fishing Derby event was run. For the record he read a memorandum from the Wanaque Valley Regional Sewer Authority in order to clarify the reason why the Township would have a Commissioner when West Milford isn't being serviced by the Sewerage Authority currently. West Milford happens to be geographically located next to the body of water where the system operates and there is no cost to West Milford taxpayers. "The WVRSA was established over 40 years ago by the Municipalities of West Milford, Wanaque and Ringwood. The WVRSA consists of 6 members each appointed by Resolution of the respective Governing Bodies namely West Milford, Wanaque and Ringwood. Each said municipality has the authority to appoint 2 members to the WVRSA. Membership in the WVRSA is at no cost to West Milford...." Early Bird pricing for vendors for the annual ALF ends May 31st. Autumn Lights Festival will be held September 27, 28, 29 at the Jungle Habitat Property. For information contact www.autumnlightsfestival.com

Councilman Marsden – No report.

Councilwoman Erik – No report.

Councilman Chazukow – The Heritage Committee has been busy. The Committee is still looking for contractors to get quotes so that they can get started with repairs at the West Milford Museum. June 8th and June 9th at Demarco's Pizza there will be a Dying to Donate Event. The Long Pond Ironworks Civil War Reenactment weekend is June 8th and June 9th from 11 a.m. to 10 p.m. if you patronize Demarco's Pizza a portion of the proceeds will go to the Friends of Long Pond Ironworks. June 15th Hans Niederstrasser will give a historic talk about his research and translation of Hasenclever's biography at 2 p.m. at the West Milford Museum. In August, Contraband will play at the Museum. They are a Civil War Era Band.

Councilwoman Lichtenberg – The Friends of Wallisch Homestead will be having their Annual Art Show this Saturday and Sunday. On June 1st they will be hosting the Corn Hole Tournament. The rain date for that is June second. On June 8th and 9th there will be a Photography Show. On June 1st there will be a Hazmat Event at the Recycling Center from 7:30 a.m. to 2 p.m.

Mayor Dale – We received a \$250,000 grant from the Capitals Project Program for a street sweeper. The Highlands is giving us a grant for \$15,000 for a redevelopment study of 301 Marshall Hill Road. We were also able to sell one of the D-Licenses for \$251,000. On June 3rd the Environmental Commission will be having a Certified Water Analyst speak. There have been 20 property owners identified and notified by the DEP that their wells have high levels of PFOS and PFOA, which are two groups of chemicals that are known to cause cancer. Well testing will take place in June and the State of New Jersey does have a program where they pay for the installation of the proper system to be installed in affected homes. The Mayor has been in touch with the Mountain Laurel Lake Community President and the lake will be treated for weeds once the company performing the work identifies which weeds are present.

Administrator Senande – No report.

Attorney Semrau – No report.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: May 15, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 34 of 34

Appointments and Resignations

Mayor Advisory Committee for Dygos Field Project – Mayor Dale appointed two people who submitted Citizen Leadership forms. (Matthew LaNeve and Ashley LaNeve). There are still positions available.

Heritage Committee (Advisory) – Councilman Chazukow nominated Daniel Willever. Seconded by Councilwoman Lichtenberg. Councilwoman Erik made a motion to close and confirm. Seconded by Councilman Conlon. All were in favor.

Community Services and Recreation Committee (Advisory) - Councilman Goodsir nominated Timothy Jacobsen. Seconded by Councilwoman Lichtenberg. Councilman Conlon made a motion to close and confirm. Seconded by Councilman Goodsir. All were in favor.

Agenda No. XVIII

Adjournment

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

The meeting adjourned at 7:38 p.m.

Approved: June 12, 2024

Respectfully submitted:

Deidre Ellis, Keyboarding Clerk II

MICHELE DALE, MAYOR

WILLIAM SENANDE, TOWNSHIP CLERK