
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: August 14, 2024
Time of Meeting: 6:30 p.m.
Minute Page No: Page 1 of 23

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

Adequate Notice Statement

Mayor Dale read the following statement:

Pursuant to the provisions of the Open Public Meetings Act (N.J.S.A. 10:4-8) adequate notice of this Regular Meeting was advertised in the Herald News in and The Record in its issues of January 9, 2024, and posted on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

Please also make note of all fire and emergency exits – located to the left, right and rear of this room – for use in case of an emergency. Thank you.

Agenda No. I

Pledge of Allegiance

Mayor Dale led all in attendance in a salute to the flag.

Agenda No. II

Roll Call

Present: Councilmembers Ada Erik, Michael Chazukow, Marilyn Lichtenberg,
Kevin Goodsir, Matthew Conlon, David Marsden

Absent:

Also Present: Mayor Michele Dale, Township Administrator William Senande,
Township Attorney Ed Pasternak

Agenda No. III

Reading of or Approval of Unapproved Minutes

July 17, 2024 Regular Meeting

Motion to approve the minutes.

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

Agenda No. IV

Meetings

September 18, 2024 Regular Meeting
October 2, 2024 Regular Meeting
October 16, 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

None

Mayor Dale asked to proceed to the Board of Health Report.

Agenda No. XVII

Discussion Items / Official Communications

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1.	<p>Board of Health – Araceli Pintle introduced REHS Wale Akande and Public Health Nurse Christina Garcia. Passaic County is having a Fair that will take place from August 15th through August 18th at Garret Mountain. The Health Department will have a tent and there will be different screenings available to the public, blood pressure, glucose and cholesterol, lead testing for children and pregnant woman, hearing tests, vision screenings and many other activities. Anyone with additional questions may call the Health Department at 973-881-4396. With regard to Health Education programming, they have been working with Lori Novak-Carafello, and there have been 18 programs in the months of May, June and July. 227 residents in the community were reached. The Hike for Hope event was held and stressed the importance of suicide prevention. Thank you to the vendors and those who came out. It is tick and mosquito season so be aware. Practice preventative measures to try to avoid those type of bites. There have been some cases of Lyme disease reported in West Milford. Also, there has been an uptick of West Nile Virus activity in the State as well as Passaic County. And Eastern Equine Encephalitis has been detected and that occurs from a mosquito bite as well. It has been detected in Morris County and Union County and but so far there are no reported cases in Passaic County.</p> <p>Christina Garcia provided an update from the Nursing Division. She reported on the well-child clinics that go on every month. She gave detailed statistics of how many children were seen each month, and how many were given vaccinations and physicals. Saturday, July 20th there was an event at St. Joseph’s where health screenings were done and education was provided. Information on lead screening was provided.</p> <p>Wale Akande indicated that 265 lead safety letters were mailed out to landlords. There has been very little engagement and follow-up letters will be sent out. Septic pumping records continue to be updated as they are received. Radon test kits are available in the Health Department.</p>
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Agenda No. XI

Unfinished Business, Final Passage of Ordinances

Agenda No. XI 1

~ Ordinance 2024 – 032 ~

ORDINANCE AMENDING §297 “SECONDHAND PRECIOUS METALS, DEALERS IN” 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. §297 “Secondhand Precious Metals, Dealers In” shall add a new section entitled “License Late Fee” as amended below; and

§ 297-8 License late fee.

If the license is not timely renewed by the expiration date of the current license, a late fee of \$5.00 will be charged on the 15th day of each month.

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 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.

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This ordinance was introduced on July 17, 2024 and Notice of public hearing was published in the Herald News on July 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 Councilwoman Lichtenberg.

Motion to move Ordinance 2024-032.

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

Mayor Dale opened the meeting to the public comment portion.

Agenda No. IX

Public Comments

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

Agenda No. X

Council Comments

None

Mayor Dale continued with Unfinished Business, Final Passage of Ordinances.

Agenda No. XI

Unfinished Business, Final Passage of Ordinances

Agenda No. XI 2

~ Ordinance 2024 – 033 ~

ORDINANCE ESTABLISHING A“DONATED LEAVE PROGRAM”

WHEREAS, the Mayor and Township Administrator have recommended that a Donated Leave Program be established for employees; and

WHEREAS, Township Council has determined that establishing a Donated Leave Program would be in the best interest of the Township; and

WHEREAS, the Township Council wishes to establish the perimeters of the Program to ensure it is administered fairly and consistently.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of West Milford that the following shall be the perimeters of the Donated Leave Program.

ELIGIBILITY

An employee shall be eligible to receive donated sick or vacation leave if the employee:

- A. Has completed at least one year of continuous service to the Township;
- B. Has exhausted all accrued sick, vacation and administrative leave, all sick leave injury benefits, if any, and all compensatory time off;
- C. Has not, in the two-year period immediately preceding the employee’s need for donated leave, been disciplined for chronic or excessive absenteeism, chronic or excessive lateness or abuse of leave; and
 - 1) Suffers from a catastrophic health condition or injury; or
 - 2) Is needed to provide care to a member of the employee’s immediate family who is suffering from a catastrophic health condition or injury; or
 - 3) Requires absence from work due to the donation of an organ.

Catastrophic health condition or injury:

- A. A catastrophic health condition or injury for an employee shall be defined as follows:
 - 1) A life-threatening condition or combination of conditions; or

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- 2) A period of disability required by his or her mental or physical health or the health of the employee's fetus which requires the care of a physician who shall provide a medical verification of the need for the employee's absence from work for 60 or more workdays.
- B. With respect to an employee's immediate family member a catastrophic health condition or injury shall be defined as follows:
 - 1) A life-threatening condition or combination of conditions; or
 - 2) A period of disability required by his or her mental or physical health which requires the care of a physician who shall provide a medical verification of the need for the family member's care by the employee for 60 or more workdays.

APPROVAL

- A. An employee may request that the Township approve his or her participation in the program, as a leave recipient or leave donor. The employee's supervisor may make such a request on behalf of the employee for his or her participation in the program as a leave recipient.
- B. The employee or supervisor requesting the employee's acceptance as a leave recipient shall submit to the appointing authority medical verification from a physician or other licensed health care provider concerning the nature and anticipated duration of the disability.
- C. When the Township has approved an employee as a leave recipient, the appointing authority shall, with the employee's consent, post or circulate the employee's name along with those of other eligible employees in a conspicuous manner to encourage the donation of leave time and shall provide notice to all representatives in that appointing authority. If the employee is unable to consent to this posting or circulation, the employee's family may consent on his or her behalf.

PROGRAM PARAMETERS

- A. A leave recipient must receive at least five sick days or vacation days or a combination thereof from one or more leave donors to participate in the donated leave program. A leave donor shall donate only whole sick days or whole vacation days and may not donate more than 30 such days to any one recipient.
- B. A leave recipient shall receive no more than 260 sick days or vacation days and shall not receive any such days on a retroactive basis.
- C. A leave donor shall have remaining at least 20 days of accrued sick leave if donating sick leave and at least 12 days of accrued vacation leave if donating vacation leave.
- D. A leave donor may not revoke the leave donation.
- E. While using donated leave time, the leave recipient shall accrue sick leave and vacation leave and be entitled to retain such leave upon his or her return to work.
- F. Any unused, donated leave shall be returned to the leave donors on a prorated basis upon the leave recipient's return to work, except that if the proration of leave days results in less than one day per donor to be returned, that leave time shall not be returned.
- G. Upon retirement, the leave recipient shall not be granted supplemental compensation on retirement for the unused sick days which he or she had received through the leave donation program.
- H. The use of contributed time shall run concurrently with the approved FMLA and NJFLA benefits, if applicable.

BE IT FURTHER RESOLVED that if any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

BE IT FURTHER RESOLVED that this Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Introduced: July 17, 2024
Adopted: August 14, 2024
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This ordinance was introduced on July 17, 2024 and Notice of public hearing was published in the Herald News on July 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 Councilman Conlon.

Motion to move Ordinance 2024-033.

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

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Agenda No. XI 3

~ Ordinance 2024 - 034 ~

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 33 entitled Personnel 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

Table with 3 columns: JOB TITLE, MINIMUM, MAXIMUM. Row 1: Chief Financial Officer, \$45,000.00, \$130,000.00

- 1. The aforelisted 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 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: July 17, 2024
Adopted: August 14, 2024
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This ordinance was introduced on July 17, 2024 and Notice of public hearing was published in the Herald News on July 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 Councilwoman Erik.

Motion to move Ordinance 2024-034.

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

Mayor Dale asked to move Resolutions 2024-288 through Resolution 2024-307.

Agenda No. XII

New Business, Introduction of Ordinances, Resolutions

Agenda No. XII 1

~ Resolution 2024 - 288 ~

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RESOLUTION AUTHORIZING THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC STATE OF NEW JERSEY ACCEPTING THE PLANNING BOARD'S RESOLUTION DETERMINING THAT THE PROPERTY IDENTIFIED AS BLOCK 6404, LOT 7, COMMONLY KNOWN AS 299-301 MARSHALL HILL ROAD BE DESIGNATED AS A NON-CONDEMNATION REDEVELOPMENT AREA IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* ("Redevelopment Law") authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

WHEREAS, pursuant to the Redevelopment Law, the Planning Board of the Township of West Milford ("Planning Board") was asked to consider whether the property located at Block 6404 Lot 7 and generally described as the "Study Area", could be determined to be an Area in Need of Redevelopment as summarized in a study prepared by J Caldwell & Associates, LLC dated April 29, 2024; and

WHEREAS, on February 14, 2024, the Township Council of the Township of West Milford adopted Resolution 2024-104 authorizing and directing the Planning Board to conduct a preliminary investigation to determine whether the property identified as Block 6404 Lot 7 meets the criteria set forth in the Redevelopment Law and should be designated as a Non-Condemnation Redevelopment Area, as that term is defined by the Redevelopment Law; and

WHEREAS, the Planning Board conducted a preliminary investigation of the Study Area to determine whether it should be designated as a Non-Condemnation Redevelopment Area in accordance with the criteria and procedures set forth in N.J.S.A. 40A:12A-5 and 40A:12A-6; and

WHEREAS, as part of its preliminary investigation, the Planning Board directed J. Caldwell & Associates, LLC to prepare an Area In Need of Redevelopment Investigation Study ("Area in Need Study") for the Planning Board to consider in determining whether the Study Area should be designated a Non-Condemnation Redevelopment Area; and

WHEREAS, J Caldwell & Associates, LLC, licensed Professional Planner Jessica C. Caldwell, P.P., A.I.C.P., prepared a report with accompanying maps, diagrams and documents entitled, "Marshall Hill Road Area in Need of Redevelopment Study Block 6404 Lot 7 (299-301 Marshall Hill Road) Block 6002, Lot 18.01 (Marshall Hill Road and Airport Road) (Portion)," dated April 29, 2024, showing the boundaries of the proposed redevelopment area and location of the parcel of property included therein, along with a statement setting forth the basis for the investigation in accordance with N.J.S.A. 40A:12A-6(b)(1); and

WHEREAS, a public hearing was conducted by the Planning Board on June 6, 2024, with notice having been properly given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

WHEREAS, at the public hearing, the Planning Board reviewed the Area in Need Study, maps, diagrams, and associated documents, and heard testimony from Ms. Caldwell; and

WHEREAS, at the public hearing, members of the general public were given an opportunity to be heard and to address questions to the Planning Board concerning the potential designation of the Study Area as a Non-Condemnation Redevelopment Area; and

WHEREAS, after completing its investigation and public hearing on this matter, the Planning Board recommended that the Township Council designate Block 6404 Lot 7 as a Non-Condemnation Redevelopment Area; and

WHEREAS, on July 25, 2024, the Planning Board memorialized its determination by adopting an approving Resolution which was forwarded to the Mayor and Township Council; and

WHEREAS, the Mayor and Township Council were presented with the Planning Board's recommendation at the Council's regularly scheduled public meeting on August 14, 2024; and

WHEREAS, the Mayor and Township Council hereby accept the recommendation of the Planning Board to declare the Study Area, Block 6404 Lot 7, as set forth in the Planning Board's Resolution as a Non-Condemnation Redevelopment Area.

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, as follows:

1. The Township Council hereby accepts the recommendation from the Planning Board and finds that the Study Area, Block 6404 Lot 7 be and is hereby deemed, a Non-Condemnation Redevelopment Area pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*
2. The designation of the Study Area, Block 6404 Lot 7, as a Non-Condemnation Redevelopment Area shall not authorize the Township to exercise the power of eminent

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- domain to acquire the Study Area property.
3. The Township hereby reserves all other authority and powers granted to it under the Redevelopment Law.
 4. The Township Clerk shall forthwith transmit a copy of the within Resolution to the Commissioner of the Department of Community Affairs for review.
 5. Within ten (10) days of the Township Council's adoption of the within resolution, the Township Clerk shall serve notice of the Township Council's determination and the within Resolution upon all record owners of property within the Non-Condemnation Redevelopment Area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent and upon the Commission of the New Jersey Department of Community Affairs.

This Resolution shall take effect immediately.

Adopted: August 14, 2024

Agenda No. XII 2

~ Resolution 2024 – 289 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A FIVE-YEAR CONTRACT FOR THE DISPOSAL OF TYPE 10 AND TYPE 13 SOLID WASTE TO WASTE MANAGEMENT OF NEW JERSEY, INC.

WHEREAS, the Township of West Milford solicited and received bids for a contract for Disposal of Type 10 and Type 13 Solid Waste; and

WHEREAS, the Township received three (3) sealed bids and said bids have been duly reviewed and analyzed by the Public Works Department and Township Attorney; and

WHEREAS, the Mayor and Township Council find and declare that the low bid received from Waste Management of New Jersey Inc. is compliant with the bid specifications in all relevant respects pursuant to the Local Public Contracts Law; and

WHEREAS, the Mayor and Township Council have determined that an award of the contract to the lowest bidder is in the best interests of the Township; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these services; said funds to be encumbered from account # 26-201-55-500-548.

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

1. The five (5) year contract for the Disposal of Type 10 and Type 13 Solid Waste is hereby awarded to Waste Management of New Jersey, Inc., 100 Brandywine Boulevard, Suite 300, Newtown, PA 18940 in an amount not to exceed \$5,261,337.50
2. The Mayor and Administrator be and are hereby authorized and directed to execute a contract with Waste Management of New Jersey, Inc. in accordance with its bid proposal and bid specifications for the Disposal of Type 10 and Type 13 Solid Waste for a five (5) year term.
3. This resolution and contract shall be available for public inspection in the office of the Municipal Clerk.

Adopted: August 14, 2024

Agenda No. XII 3

~ Resolution 2024 – 290 ~

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

WHEREAS, the Township of West Milford by virtue of Resolution 2024-076 awarded a contract to Tilcon New York, Inc. for the purchase of crushed stone and sand; and

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WHEREAS, the Township of West Milford by virtue of Resolutions 2024-099, 2024-179 and 2024-261 increased the not to exceed amount for the purchase of crushed stone and sand to \$80,000.00; and

WHEREAS, the Director of Public Works has submitted a written recommendation for the purchase of additional crushed stone and sand; and

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

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

1. The Mayor and Township Council hereby authorizes an expenditure of funds through the Morris County Cooperative Pricing Council, Contract #9 (Crushed Stone and Sand) to Tilcon New York, Inc., 9 Entin Road, Parsippany, NJ 07054 for the purchase of additional crushed stone and sand thereby increasing the not to exceed amount from \$80,000.00 to \$100,000.00.
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: August 14, 2024

Agenda No. XII 4

~ Resolution 2024 – 291 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF A SPEED ALERT TRAILER FROM ALL TRAFFIC SOLUTIONS INC. NJ CONTRACT 17-FLEET-00776

WHEREAS, the Township wishes to purchase one (1) Speed Alert Trailer to be used in conjunction with other Township Departments to report speed and traffic messages; and

WHEREAS, The Township Chief of Police has provided a recommendation to purchase from All Traffic Solutions Inc.; and

WHEREAS, the total amount of the purchase shall not exceed \$17,158.65; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number 04-215-55-844-006.

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

1. The Township Council hereby authorizes the Township Chief of Police to purchase one (1) Speed Alert Trailer in an amount not to exceed \$17,158.65 from All Traffic Solutions Inc., 3100 Research Drive, State College, PA 16801, NJ Contract 17-FLEET-00776.
2. The Township Chief Financial Officer has certified the availability of funds for same.

Adopted: August 14, 2024

Agenda No. XII 5

~ Resolution 2024 – 292 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF GAS LEAK DETECTION EQUIPMENT FOR THE WEST MILFORD FIRE DEPARTMENT AND FIRE MARSHALS OFFICE FROM BASCOM-TURNER INSTRUMENTS 111 DOWNEY STREET, NORWOOD, MA 02062

WHEREAS, the Township of West Milford wishes to purchase gas leak detection equipment for the West Milford Fire Department and Fire Marshal's Office; 8 EPC -301 Gas Explorer Propane/LEL & CO Detector, 8 EGA-611-2 Gas Explorer II Natural Gas, CO, H2S, & O2 Detector, and calibration equipment; and

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WHEREAS, the Fire Marshal/OEM Coordinator has provided a recommendation to purchase this through Bascom-Turner Instruments after attempting to obtain additional quotes, no other manufacturer was found to meet the same specifications and functions as the Gas Explorer and Gas Explorer II; and

WHEREAS, the total amount of the purchase shall not exceed \$40,488.00

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

1. The Township Council hereby authorizes the purchase of gas leak detection equipment in an amount not to exceed \$40,488.00 through Bascom-Turner Instruments 111 Downey Street, Norwood, MA 02062
2. The Township Chief Financial Officer has certified the availability of funds for same in account: 01-300-60-200-114.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: August 14, 2024

Agenda No. XII 6

~ Resolution 2024 – 293 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF SDL SOFTWARE SERVICES FOR THE HOSTING SUPPORT, PORTAL ACCESS, MAINTENANCE AND LICENSE FEES

WHEREAS, the Township has a need for services related to the hosting, maintenance and support of certain proprietary multi-departmental municipal management software programs, specifically Spatial Data Logic (SDL)

WHEREAS, the Township requires (20) twenty licenses for the period from July 31, 2024 through July 30, 2025 at a cost of \$1,840.00 each; and

WHEREAS, the Township requires SDL Hosting for a medium town (up to 25 users) for the period from July 31, 2024 through July 31, 2025 at a cost of \$15,800.00; and

WHEREAS, N.J.S.A. 40A:11-5(1) (dd) provides that the award of a purchase contract for the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software is an exception to the bidding requirements of the Local Public Contracts Law; and

WHEREAS, Spatial Data Logic, 285 Davidson Ave, Suite 302, Somerset, NJ 08873 has agreed to perform these services on behalf of the Township; and

WHEREAS, Spatial Data Logic has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit Spatial Data Logic from making any reportable contributions through the term of the contract.

WHEREAS, this purchase of SDL software services is approved and awarded at an amount not to exceed \$52,600.00 for the regular maintenance for the period from July 31, 2024 through July 30, 2025; and

WHEREAS, the Chief Financial Officer has certified the availability of the funds from various accounts as appropriated by the Governing Body in the 2024 Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey approves the continuation of the maintenance, licenses, support and portal access with Spatial Data Logic as the owner of the software program.

Adopted: August 14, 2024

Agenda No. XII 7

~ Resolution 2024 – 294 ~

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RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF EQUIPMENT AND INSTALLATION OF COMPONENTS AND UPGRADES FOR THE MUNICIPAL RADIO SYSTEM THROUGH MOTOROLA SOLUTIONS, INC.

WHEREAS, in 2022 the Township awarded a contract to Allegiant Wireless for radio communication infrastructure and design; and

WHEREAS, there was a comprehensive evaluation of the Township's radio communications completed that identified notable deficiencies in the portable radios for the Police and Fire Departments; and

WHEREAS, the current radios in use are obsolete, not designed for police and fire service use, and are no longer supported by the manufacturer, making the parts difficult to obtain and expensive to repair; and

WHEREAS, the Township of West Milford wishes to purchase a new trunked municipal radio system, installation of components and upgrades through Motorola Solutions, Inc., NJ State Contract 83909 in an amount not to exceed \$5,950,000; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account numbers 04-215-55-837-006 (\$2,423,640), 04-215-55-843-010 (\$633,360), and 02-213-41-729-000 (\$2,893,000).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey authorizing the execution of a contract/agreement with Motorola Solutions Inc., P.O. Box 161, Wharton, NJ 07885 in an amount not to exceed \$5,950,000 for the purchase of equipment and installation of components and upgrades for the Municipal Radio System.

Adopted: August 14, 2024

Agenda No. XII 8

~ Resolution 2024 – 295 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE DEPARTMENT OF COMMUNITY AFFAIRS FOR FIREFIGHTER JACKETS, PANTS, BOOTS, GLOVES, RESCUE HELMETS AND HOODS

WHEREAS, the Township of West Milford applied for firefighter grant funds via Resolution 2024-064 to help cover costs associated with purchases to outfit Fire Companies 1 through 6 with approximately 69 new sets of turnout gear, including firefighter jackets, pants, boots, gloves, rescue helmets and hoods; and

WHEREAS, the Department of Community Affairs has offered the Township of West Milford \$75,000 to purchase turnout gear for the township volunteer fire companies; and

WHEREAS, the Township of West Milford desires to accept the grant from the New Jersey Department of Community Affairs "FY23 FEMA Assistance to Firefighters Grant Program (AFG);" and

WHEREAS, the Township Administrator is authorized to sign the application, and that he or his successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of West Milford hereby authorizes the acceptance of a grant from the New Jersey Department of Community Affairs in the amount of \$75,000.

Adopted: August 14, 2024

Agenda No. XII 9

~ Resolution 2024 – 296 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUES AND APPROPRIATION

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when

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such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget and,

WHEREAS, the Director may also approve the insertion of any item of appropriation for an equal amount,

WHEREAS, the Township of West Milford wishes to amend its 2024 Budget to include an amount as revenue,

NOW THEREFORE, BE IT RESOLVED that the Governing body of the Township of West Milford hereby requests the Director of the Division of Local Government Services to approve the insertion of an item in the budget of the year 2024 which is now available as a revenue from:

Special Items of General Revenue Anticipated with Prior Written consent of the Director of Local Government Services:
Public and Private Revenues Off-Set with Appropriations:
DCA Grant Funding for Firefighter Apparel; \$75,000

BE IT FURTHER RESOLVED that a like sum be and the same is hereby appropriated under the caption of:

General Appropriations
(A) Operations – Excluded from CAPS
Public and Private Programs Offset by Revenue
DCA Grant Funding for Firefighter Apparel; \$75,000

BE IT FURTHER RESOLVED, that the Township Finance Department will electronically file with the State of NJ in accordance with LFN 2014-11.

Adopted: August 14, 2024

Agenda No. XII 10

~ Resolution 2024 – 297 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF A 2024 DRIVE SOBER OR GET PULLED OVER STATEWIDE LABOR DAY CRACKDOWN GRANT

WHEREAS, statistics show that there are increased incidences of impaired driving during the Year End Holiday season; and

WHEREAS, to aid municipalities in addressing this increased volume and to help offset the increased cost of police enforcement during these periods, the State of New Jersey offers grant funds to certain municipalities; and

WHEREAS, the Division of Highway Traffic Safety has grant monies available that may be used to assist the Township in offsetting the costs associated with the need for increased DWI enforcement & monitoring thereby providing for overall public safety at the Year End Holiday season; and

WHEREAS, the West Milford Police Department has an obligation to keep our roadways safe.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford hereby authorizes the acceptance of a 2024 Drive Sober or Get Pulled Statewide Labor Day Crackdown Grant beginning August 16, 2024 through September 2, 2024 in the amount of \$7,000.00.

Adopted: August 14, 2024

Agenda No. XII 11

~ Resolution 2024 – 298 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUES AND APPROPRIATION

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget and,

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WHEREAS, the Director may also approve the insertion of any item of appropriation for an equal amount,

WHEREAS, the Township of West Milford wishes to amend its 2024 Budget to include an amount as revenue,

NOW THEREFORE, BE IT RESOLVED that the Governing body of the Township of West Milford hereby requests the Director of the Division of Local Government Services to approve the insertion of an item in the budget of the year 2024 which is now available as a revenue from:

Special Items of General Revenue Anticipated with Prior Written consent of the Director of Local Government Services:
Public and Private Revenues Off-Set with Appropriations:

Division of Highway Traffic Safety Grant Drive Sober or Get Pulled Over; \$7,000

BE IT FURTHER RESOLVED that a like sum be and the same is hereby appropriated under the caption of:

General Appropriations
(A) Operations – Excluded from CAPS
Public and Private Programs Offset by Revenue
Division of Highway Traffic Safety Grant Drive Sober or Get Pulled Over; \$7,000

BE IT FURTHER RESOLVED, that the Township Finance Department will electronically file with the State of NJ in accordance with LFN 2014-11.

Adopted: August 14, 2024

Agenda No. XII 12

~ Resolution 2024 – 299 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF A FORMAL REQUEST FOR FUNDING TO THE NEW JERSEY HIGHLANDS COUNCIL FOR COMPLIANCE WITH TIER A MUNICIPAL STORMWATER GENERAL PERMIT (R9) – 2024 AND 2025 PHASE ITEMS

WHEREAS, the Township of West Milford is located entirely within the Highlands Preservation Area and considered an existing Tier A municipality under the new enhanced regulations of the Tier A Municipal Stormwater General Permit (R9) by the New Jersey Department of Environmental Protection according to N.J.A.C. 7:14A Municipal Stormwater General Permit; and

WHEREAS, the NJPDES MS4 permit was originally issued in 2004, renewed in 2009 and 2018, and again on January 1, 2023; and

WHEREAS, the enhanced regulations require various components with differing deadlines for the Township to maintain compliance under the new Stormwater General Permit; and

WHEREAS, in recognition of the fiscal impacts of the new requirements under the 2023 MS4 permit, the Highlands Council developed a funding assistance program to supplement the previously awarded NJDEP assistance grant and to further aid municipalities in the Highlands Region in completing the tasks associated with permit compliance; and

WHEREAS, in conjunction with Stormwater Compliance Solutions, LLC a detailed scope of work has been developed to accomplish the work required under the updated permit for proposed items related to 2024 work; and

WHEREAS, a Highlands Council representative has indicated that this is a viable endeavor and indicated an annual request for funding may be considered based on the enhanced regulations and requirements; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council of the Township of West Milford hereby authorize the submission of a request for funding for \$187,000.00 to the New Jersey Highlands Council for compliance of enhanced NJDEP Tier A Municipal Stormwater General Permit regulations based on a scope of work prepared by Stormwater Compliance Solutions, LLC, 180 Main Street, P.O. Box 572, Chester, NJ 07930

Approved: August 14, 2024

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Agenda No. XII 13

~ Resolution 2024 – 300 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO BRIAN MURPHY ARCHITECT, LLC FOR REHABILITATION AND ALTERATION(S) TO THE CURRENT BUBBLING SPRINGS PARK RESTROOM FACILITY

WHEREAS, the Township was awarded a Community Development Block Grant (CDBG) FY2023 grant for renovations and barrier-free improvements at the Bubbling Springs Park Restroom Facility; and

WHEREAS, there is a desire to provide an ADA compliant or “Barrier Free” restroom facility; and

WHEREAS, a proposal was requested and received from a local architect for the preparation of contract documents and project administration; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these services to be encumbered from account number 01-270-55-000-001; and

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

1. The Mayor and Township Clerk be and are hereby authorized to execute a contract with Brian Murphy Architect, LLC, 179 Cahill Cross Road – Suite 202, West Milford, NJ 07480, for professional services to design and administer the construction of a renovated and barrier-free restroom facility at the Bubbling Springs Park.
2. This contract is awarded as “Professional Services” pursuant to N.J.S.A. 19:44A-20 et seq. and the Local Public Contracts Law.
3. The total fee authorized for this contract shall not exceed \$19,000.00, without prior written approval of the Township Council.
4. That notice of this action shall be published in accordance with law and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: August 14, 2024

Agenda No. XII 14

~ Resolution 2024 – 301 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF A FY-2025 GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR RECREATION OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES

WHEREAS, the New Jersey Department of Community Affairs provides funding for governmental entities to develop or expand recreational programs for individuals with disabilities within their communities; and

WHEREAS, the Township Committee of the Township of West Milford desires to apply for and obtain a grant from the New Jersey Department of Community Affairs in the amount of \$10,000.00 to create recreational programs for individuals with disabilities within the West Milford Community.

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

1. It hereby authorizes the submission of an application for such a grant.
2. It recognizes that a 20% match is required.
3. It recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of West Milford and the New Jersey Department of Community Affairs.
4. The Mayor is authorized to sign the application, agreement and all documents required to obtain said grant.

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Adopted: August 14, 2024

Agenda No. XII 15

~ Resolution 2024 – 302 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF A K9s4COPs GRANT TO COVER COSTS AND TRAINING FOR A POLICE K9

WHEREAS, K9s4COPs is a nonprofit foundation that was formed to address the need for funding the purchase of K9s for public safety agencies. They were founded to bridge the gap in agency funding to ensure that K9 costs never keep an officer from having their K9 partner; and

WHEREAS, the grant provides a K9 and initial training for the K9 and its handler. The K9s come from approved and licensed K9 facilities and trainers that specialize in working with dogs and can provide a broad selection for grantees to select from; and

WHEREAS, with their K9 selections, agencies receive all necessary documentation including health certificates, required certifications, training, and passports; and

WHEREAS, K9s4COPs do not offer monetary grants, nor do they mandate a matching requirement. The type of Police K9 can be later chosen by the agency.

NOW THEREFORE, BE IT RESOLVED, the Township Council of the Township of West Milford hereby authorizes the submission of a K9s4COPs Grant which can award the West Milford Police Department (1) trained Police K9 with all required certificates and certifications.

Adopted: August 14, 2024

Agenda No. XII 16

~ Resolution 2024 – 303 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING AN ADDITION OF A CLIMATE CHANGE RELATED HAZARD VULNERABILITY ASSESSMENT TO THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO JESSICA CALDWELL OF J. CALDWELL & ASSOCIATES LLC FOR A COMPREHENSIVE MASTER PLAN UPDATE TASK #3

WHEREAS, March 1, 2023, the Township Council approved Resolution 2023-110 awarding a a professional services contract without competitive bidding to Jessica Caldwell of J. Caldwell & Associates to develop a Comprehensive Master Plan updated pursuant to Task 3 of West Milford's Highlands Council grant program along with a Scope of Work (SOW) prepared by Jessica Caldwell, PP/AICP to the Highlands Water Protection and Planning Council (Highlands Council) dated July 20, 2022 with a budget of \$44,000; and

WHEREAS, since that time Senate Bill 2607 passed, requiring a Climate Change Related Hazard Vulnerability Assessment (CCRHVA) to be completed in conjunction with any Land Use Plan update and as a result J. Caldwell and Associates submitted a Scope of Work to the Township Administrator and the Highlands Council on February 1, 2024 to add the CCRHVA to the Comprehensive Master Plan update and both the Township Administrator and the Highlands Council approved the Scope of Work (SOW) for the addition of the CCRHVA to the comprehensive Master Plan Update; and

WHEREAS, the Scope of Work approved by the Highlands Council added \$15,000 to the Master Plan budget which will be included in the Highlands Council grant to West Milford for a total grant amount of \$59,000; and

WHEREAS, the Township aims to address deficiencies in the 35 year old plan and to satisfy the requirements set under the Municipal Law which now includes the requirement of a CCRHVA; and

WHEREAS, the Township Council wishes to make an addendum to the agreement with J. Caldwell & Associates LLC to conduct the Master Plan Update from the recommendations in the approved 2024 Scope of Work Master Plan Update that includes a CCRHVA in addition to a statement of objective, principles, assumptions, policies and standards upon which the constituent proposals for the physical, economic and social development of the municipality are based; and a land use element; and

WHEREAS, J. Caldwell & Associates LLC shall be paid an amount not to exceed \$59,000.00 to complete the Master Plan Update and CCRHVA; and

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WHEREAS, Jessica Caldwell has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of J. Caldwell & Associates LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these services said funds to be encumbered from account number 02-213-41-734-007.

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

1. The Mayor and Township Clerk are hereby authorized to make an addendum to the agreement with Jessica Caldwell, PP/AICP of J. Caldwell & Associates LLC, 145 Spring Street, Suite E, Newton, NJ 07860 for professional services for the Master Plan Update.
2. This contract is awarded without competitive bidding as "Professional Services" pursuant to N.J.S.A. 19:44A-20 et seq. and the local public contracts law.
3. The total fee authorized for this contract shall not exceed \$59,000.00 without the prior written approval of the Township Council.
4. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: August 14, 2024

Agenda No. XII 17

~ Resolution 2024 – 304 ~

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$18,233,271 BOND ANTICIPATION NOTES OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to a bond ordinance of The Township of West Milford, in the County of Passaic (the "Township") entitled: "Bond ordinance providing for improvement of various roads in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$151,000 therefor, directing a special assessment of part of the cost thereof and authorizing the issuance of \$143,800 bonds or notes of the Township for financing the same, finally adopted on August 14, 2019 (#2019-13), bond anticipation notes of the Township in a principal amount not exceeding \$44,831 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 2. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$3,071,405, and authorizing the issuance of \$2,443,900 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", finally adopted on May 20, 2020 (#2020-07), bond anticipation notes of the Township in a principal amount not exceeding \$2,195,170 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance appropriating \$3,617,500, and authorizing the issuance of \$3,169,000 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", finally adopted on April 7, 2021 (#2021-14), bond anticipation notes of the Township in a principal amount not exceeding \$3,039,520 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 4. Pursuant to a bond ordinance of the Township, entitled: "Bond ordinance providing for improvement of various roads in and by the Township of West Milford, in the County of Passaic, New Jersey, appropriating \$1,500,000 therefor, directing a special assessment of part of the cost thereof and authorizing the issuance of \$1,428,000 bonds or notes of the Township for financing the same", finally adopted on May 4, 2022 (#2022-021), bond anticipation notes of the Township in a principal amount not exceeding \$1,428,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

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Section 5. Pursuant to a bond ordinance of the Township, entitled: “Bond ordinance appropriating \$5,432,000, and authorizing the issuance of \$4,857,000 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”, finally adopted on May 4, 2022 (#2022-022), bond anticipation notes of the Township in a principal amount not exceeding \$4,857,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 6. Pursuant to a bond ordinance of the Township, entitled: “Bond ordinance appropriating \$4,557,500, and authorizing the issuance of \$3,899,000 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”, finally adopted on May 17, 2023 (#2023-012), bond anticipation notes of the Township in a principal amount not exceeding \$3,899,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 7. Pursuant to a bond ordinance of the Township, entitled: “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”, finally adopted on May 15, 2024 (#2024-20), bond anticipation notes of the Township in a principal amount not exceeding \$2,759,750 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Section 8. All bond anticipation notes (the “notes”) issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Township (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 and shall be signed and sealed by officials and officers of the Township in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, 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 not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. 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 hereunder 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 9. Any note issued pursuant to this resolution shall be a general obligation of the Township, and the Township’s faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 10. The Chief Financial Officer is hereby authorized and directed, if necessary, to execute an initial and final Subscription for Purchase and Issue of United States Treasury Securities – State and Local Government Series – Time Deposit Securities (“SLGS”), and any related certification, each in form and substance satisfactory to bond counsel to the Township. Bond Counsel to the Township is hereby authorized to execute said initial SLGS subscription letter on behalf of the Township. The Chief Financial Officer or bond counsel to the Township each is hereby authorized to execute said final SLGS subscription. In addition, the Chief Financial Officer is hereby authorized and directed, if necessary, to execute and deliver any agreement, document or instrument relating to the purchase of securities in lieu of SLGS.

Section 11. The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Township, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 12. All action heretofore taken by Township officials and professionals with regard to the sale and award of the notes is hereby ratified, confirmed, adopted and approved.

Section 13. This resolution shall take effect immediately.

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Upon motion of Councilman Conlon, seconded by Councilwoman Lichtenberg, the foregoing resolution was adopted by the following vote:

AYES: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden
NAYS:

Adopted: August 14, 2024

Agenda No. XII 18

~ Resolution 2024 – 305 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY RESCINDING RESOLUTION 2024-252 IN ITS ENTIRETY THAT AUTHORIZED A PLACE-TO-PLACE TRANSFER OF A NEW PLENARY RETAIL DISTRIBUTION LICENSE 1615-44-NEW TO NEW VINELAND CORPORATION T/A UNCORKED WINES & SPIRITS LOCATED AT 9 MARSHALL HILL ROAD, UNITS 5 & 6, WEST MILFORD, NJ

WHEREAS, Resolution 2024-252 was adopted on July 17, 2024 authorizing a place-to-place transfer of a new Plenary Retail Distribution License 1615-44-NEW to New Vineland Corporation t/a Uncorked Wines & Spirits located at 9 Marshall Hill Road, Units 5 & 6 West Milford, NJ; and

WHEREAS, according to Division of Alcoholic Beverage Control regulatory guidelines for a New Plenary Retail Distribution License the place-to-place transfer resolution is not required.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey, that Resolution 2024-252 adopted July 17, 2024 is hereby rescinded and voided.

Adopted: August 14, 2024

Agenda No. XII 19

~ Resolution 2024 – 306 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY SUPPORTING DOOBIEZ LLC APPLICATION TO THE CANNABIS REGULATORY COMMISSION FOR A CLASS 6 CANNABIS DELIVERY LICENSE

WHEREAS, the State of New Jersey legalized the cultivation, manufacturing, sale and distribution of recreational cannabis pursuant to the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act; and

WHEREAS, the legalization of cannabis for recreational use will likely spawn a significant industry throughout the State of New Jersey that will create employment opportunities through its four sectors of growers, processors, wholesalers and retailers; and

WHEREAS, the Township is in position to benefit from all four sectors of the industry; and

WHEREAS the Township passed Ordinances 2021-029 and 2021-036 (collectively, the "Ordinances") and as amended, which, in part permit a limited number of licensed Cannabis businesses to operate in specific zones within the Township; and

WHEREAS, the Township has authorized the type of cannabis business license being sought by Doobiez LLC within its jurisdiction, namely a Class 6 Delivery License; and

WHEREAS, the Township has imposed a limit on the number of licensed cannabis businesses, and the issuance of a license to Doobiez LLC by the State of New Jersey Cannabis Regulatory Commission ("CRC") would not exceed that limit; and

WHEREAS, the Council is satisfied that Doobiez LLC will have a positive impact on the Township's community; and

NOW THEREFORE, BE IT RESOLVED, by the Council of the Township of West Milford, in the County of Passaic and State of New Jersey, that the Township supports Doobiez LLC's Class 6 Cannabis Delivery License application to the CRC, subject to its compliance with the Ordinances and obtaining all necessary State and municipal approvals to conduct operations.

Adopted: August 14, 2024

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~ Resolution 2024 – 307 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF A CANNABIS LICENSE FOR THE LICENSE YEAR 2025

WHEREAS, a renewal application has been submitted for the Class 5 Retailer License for the 2025 license year; and

WHEREAS, the Cannabis Regulatory Commission must receive renewal application with required documentation prior to the expiration of the current cannabis business license.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford does hereby approve the issuance of 2025 License as listed below:

Table with 2 columns: License No. and CANNABIS LICENSE – CLASS 5 RETAILER. Row 1: 2025-01, Elevated Herb LLC, 1846 State Route 23, West Milford, NJ 07480, State License Number: RE000250

Adopted: August 14, 2024

Motion to move Resolutions 2024-288 through 2024-307.

Moved: Conlon Seconded: Lichtenberg
Voted Aye: Erik, Chazukow, Lichtenberg, Goodsir, Conlon, Marsden
Abstain: Conlon on Resolutions 2024-294, 2024-297
Voted Nay:
Motion carried:

Agenda No. XIII

Consent Agenda

~ Resolution 2024 – 308 ~

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

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

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

- Resolutions:
a) 2024-309 – Refund Recreation Fees
b) 2024-310 – Refund Overpayments
c) 2024-311 – Reinstatement of Taxes
d) 2024-312 – Refund Other Liens

Adopted: August 14, 2024

Agenda No. XIII a

~ Resolution 2024 – 309 ~

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:

Table with 4 columns: Fee Amount, Business Name, Address, and other details. Row 1: \$25.00, YOGA W/TWIST, 154 Mountain Circle N., West Milford, NJ 07480

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FIELD HOCKEY CAMP			
\$170.00	21 Autumn Ct. West Milford, NJ 07480		
PADDLE BOARD – SUP YOGA			
\$40	44H Manchester Lane West Milford, NJ 07480		
LIFEGUARD TRAINING			
\$123.00	27 Post Brook South West Milford, NJ 07480		
TENNIS CAMP			
\$85.00	44 Chimney Ridge Trail West Milford, NJ 07480		
DAY CAMP			
\$734.00	22 Timber Lane Newfoundland, NJ 07435	\$217.00	40 McKinley Place West Milford, NJ 07480
\$232.00	51 Alpine Ridge Road West Milford, NJ 07480	\$30.00	12 Clover Road Newfoundland, NJ 07435
\$217.00	37 Morris Ave. West Milford, NJ 07480		
SPRING SOCCER			
\$90.00	54 Brook Road Hewitt, NJ 07421		
GIRLS FUN CAMP			
\$190.00	1159 Macopin Road West Milford, NJ 07480		

Adopted: August 14, 2024

Agenda No. XIII b

~ Resolution 2024 – 310 ~

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

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

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

- REASON:**
- | | |
|----------------------|-------------------------------|
| 1. Incorrect Payment | 6. Tax Appeal County Board |
| 2. Duplicate Payment | 7. Tax Appeal State Tax Court |
| 3. Senior Citizen | 8. 100% Disabled Veteran |
| 4. Veteran Deduction | 9. Replacement Check |
| 5. Homestead Rebate | 10. Bank/Mortgage Co. |

Block/Lot	Amount	Year	Reason
04013-005.01	\$4,473.00	2024	8
05317-004.08	\$891.00	2024	2
TOTAL	\$5,364.00		

Adopted: August 14, 2024

Agenda No. XIII c

~ Resolution 2024 – 311 ~

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.

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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

BLOCK/LOT	AMOUNT	INT	YEAR	REASON
07401-016.02	\$84.00		2024	2
03611-020	\$3,829.00		2024	2
01002-004	\$89.00		2024	3
02014-001	\$2,273.00		2024	2
10808-022	\$2,495.00		2024	2
03610-008	\$1,967.00		2024	2
05311-001.20	\$1,384.00		2024	2
TOTAL	\$12,121.00			

Adopted: August 14, 2024

Agenda No. XIII d

~ Resolution 2024 – 312 ~

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
23-0043	10/10/2023	10817-011	\$666.95	\$0.00	GETRO MACENO SOLE MBR 339 NORTH 5 TH STREET NEWARK,, NJ 07107
TOTAL			\$666.95		

Adopted: August 14, 2024

Motion to move Resolutions 2024-288 through 2024-307.

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

Agenda No. XIV

Approval of Expenditures

~ Resolution 2024 – 313 ~

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:

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Table with 3 columns: Acct #, Account Name, Amount. Rows include Current Account (\$678,460.26), Reserve Account (1,130.10), Grants (27,768.00), Refunds (8,183.95), General Ledger (8,971.00), Refuse (275,404.62), Capital (15,306.25), Animal Control (16,958.55), Heritage Trust (0.00), Open Space Trust (0.00), Trust (16,443.00), Development Escrow (5,160.00), Tax Sale Trust (0.00), Assessment Trust (0.00), Special Reserve (149.00), Total (\$1,053,934.73), Less Refund Resolution (-8,183.95), Actual Bills List (\$1,045,750.78), Other Payments, Payroll (1,284,501.60), BOE (5,394,105.00), BOE (5,394,107.00), County of Passaic (5,218,654.64), County of Passaic (1,108,900.54), Let's Jump LLC (434.18), Tucker Kelley (10,000.00), Total Expenditures (\$19,456,453.74).

Adopted: August 14, 2024

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

Agenda No. XVI

Appointments and Resignations

Economic Development Commission - Mayor Dale appointed Andrena Pegel. Council gave consensus.

Mayor Advisory Committee for Dygos Field Project – Mayor Dale appointed Andrena Pegel. Council gave consensus.

Insurance Committee – Councilman Conlon nominated Andrena Pegel and Councilman Chazukow seconded. Council gave consensus.

Agenda No. XV

Reports of Mayor, Council Members, Administrator, and Attorney

Mayor Dale – Indicated that we are in the final stages of updating the flyer that accompanies estimated tax bills that will be sent out this year because of changes in West Milford and Passaic County. The flyer explains where tax dollars are spent as well as how things are broken down throughout the municipality. We have the largest amount of funding put into our roads, the amount of roads that were paved was doubled this year with a zero percent tax increase. Regarding the annual audit, it has now been three years with a zero audit finding. That is a difficult thing to accomplish and it's a testament to the hard work of the staff on a day to day basis to insure that we are financially sound and that all our policies and procedures are followed. A resolution was passed tonight for 6 million dollars, where 2.9 million dollars was received in a Federal Grant to offset the cost to the taxpayer. It's the largest Federal Grant we have

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ever received. The project had been put off for a long time and when you do that things get more expensive so we decided to bite the bullet and get it done. Thank you to the Chief of Police and his team who saved us an additional 1.2 million dollars and procured a servicing agreement for five years, not two. The Highlander Education Foundation will be sponsoring a 5K Run to Fund on September 22, 2024 from 8:30 to 11:30 a.m. Mayor Dale will be sponsoring it and anyone else interested in sponsoring it can contact Mayor Dale. We have Opioid Settlement Funds, around \$97,000.00, and a survey will be going out to the schools asking the community how best to use funds for drug and alcohol prevention and treatment. The Township wide garage sale will take place September 20, 21 and 22.

Councilman Goodsir –Outdoor Summer Movie Series at Bubbling Springs Park is a new family fun event. Bring your chairs, sleeping bags and blankets for a movie under the stars. Celebrate National Beach Day August 30th with the family friendly movie Luca. There will be activities for the kids on the beach prior to the start of the movie. Gates open at 7:15 p.m. and the cost is \$10 a car load. Registration is open for the TV, Video and Film Production Program. Ages 12 and up. Paddleboard Yoga at Bubbling Springs is still open for registration. Another session has been added Saturday morning August 24th. Classes fill up quickly so don't wait to sign up. There is still time to sign up for the Multi Sports Camp for ages 5-11. It runs from August 19th through the 22nd. Campers get to experience over 10 different sports while learning skills, techniques, teamwork and sportsmanship.

Councilman Conlon – Autumn Lights Festival will be held September 27, 28, 29 at the Jungle Habitat Property, 109 Airport Road. For information contact www.autumnlightsfestival.com. Volunteer service hours are available. There are sponsorships available and there are approximately 300 craft and food vendors currently and about 40 booths left. There will be 52 food truck and food vendors attending. Discounted presale parking passes are available on the website. Use the promo code ALF20 on the website to receive discounts. Residents may also contact Councilman Conlon at Conlon@westmilford.org. The Jr. Police Academy held their graduation recently. Congratulations to the Chief and police officers for running the event. It's a simulation of the police academy. It provides an opportunity for young people to have interaction and to get familiar with the police. Councilman Conlon recognized the firefighters and emergency management personnel and first responders who helped out with the boat fire that took place recently on Pinecliff Lake. Along with the Tax Bill insert, there will be a homeowner reminder page that covers items such as house numbers, septic pumping schedules so that residents are in compliance with State law, Short Term Rentals, well testing and information about getting on a non-solicitation list. This is the ninth consecutive year that there has not been a tax levy. That's the portion of property taxes that goes toward the municipal budget. There is a QR code as well, should anyone be inclined, they could read the entire budget. It's another way of being transparent and also making the information easily available.

Councilman Marsden – Added that our percentage of the budget is very small compared with that of the whole Town, most of the budget goes to education. Mayor Dale added of that 19.3% we only control about 20% because a lot of the budget is fixed expenses, debt capital, pension costs and insurance.

Councilwoman Erik – Mentioned that she had just watched Councilman Chazukow use the QR code and it worked right away. He has the whole budget on his phone. No Report.

Councilman Chazukow – The West Milford Museum enjoyed the historical performance of Contraband and it was a well attended event. The Museum is still looking for stone masons to work on the foundation of the building. The Heritage Committee, Friends of Wallisch and Friends of Long Pond Iron Works will all be sharing a table at ALF for anyone interested in the history of Jungle Habitat or perhaps wants to get involved in one of the groups, stop by.

Councilwoman Lichtenberg – Wanted residents to please reply to the Opioid Survey, because there are Federal and company funds available for use.

Administrator Senande – No report.

Attorney Pasternak – No report.

Agenda No. XVIII

Adjournment

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

The meeting adjourned at 7:04 p.m.

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Respectfully submitted:

Deidre Ellis, Keyboarding Clerk III

MICHELE DALE, MAYOR

WILLIAM SENANDE, TOWNSHIP CLERK