



TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Workshop Meeting
Date of Meeting: October 6, 2021
Time of Meeting: 6:30 p.m.
Minute Page No: Page 2 of 14

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A PERSON TO PERSON TRANSFER OF POCKET PLENARY RETAIL CONSUMPTION LICENSE 1615-33-020-008 FROM SAGAR BEVERAGES LLC TO PFA REALTY LLC WITH NO SITED LOCATION

WHEREAS, an application has been received for a Person to Person transfer of 2021-2022 Plenary Retail Consumption License 1615-33-020-008 presently held by Sagar Beverages LLC to PFA Realty LLC as a pocket/inactive license with no sited location; and

WHEREAS, the Mayor and Township Council have conducted a public review of the application as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control; and

WHEREAS, a result of that review the Mayor and Township Council have determined as follows:

- 1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicant had disclosed to the issuing authority the source of all financing obtained.

WHEREAS, the pocket/inactive license may be transferred or sited with the following conditions:

- 1. To site the pocket/inactive license licensee must submit a 12-page Place to Place transfer application with detailed sketch of proposed site, fee and a Police Investigation Request Form to the Township Clerks Office.
2. Prior to activating or operating the pocket/inactive license inspections of premises must be made and satisfactory recommendations must be received in the Township Clerks Office from the Police, Health, Fire, Building and Zoning Departments.
3. Prior to opening business operations a Health Department Retail Food Establishment License must be acquired with satisfactory recommendations received from Health prior to opening.
4. Applicant for the transfer must apply for building permits and have inspections in order to activate.
5. Licensee must file with Fire Bureau ownership and occupancy information prior to operating the license with inspections by the Fire Marshall for full compliance with the NJ Uniform Fire Code prior to opening or occupying a building.

NOW, THEREFORE, BE IT RESOLVED that the transfer application is hereby approved by the Mayor and Township Council of the Township of West Milford and the Township Clerk is directed to endorse the transfer and hold the license certificate until conditions referenced above are satisfied for activation at a sited location.

Adopted: October 6, 2021

The Governing Body will open the meeting to the public to speak on this Resolution only.

Seeing no one from the public wishing to speak, Councilwoman Erik moved to close the public portion. Seconded by Councilwoman Lichtenberg. All were in favor.

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

Agenda No. VII

Presentations

None

Agenda No. VIII

Executive Session

~ Resolution 2021 - 381 ~

BE IT RESOLVED by the Township Council of the Township of West Milford on the 6th day of October, 2021 that:

- 1. Prior to the conclusion of this Workshop Meeting, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.

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- ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
( ) b. (4) A collective bargaining agreement including negotiations
( ) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
( ) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
(X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege
> Litigation – B&B Organic Waste Recycling LLC
( ) b. (8) Personnel matters
( ) b. (9) Deliberations after a public hearing that may result in penalties.
2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: October 6, 2021

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

The Governing Body went into executive session at 6:41 p.m.
The Governing Body returned to the public meeting at 7:45 p.m.

Agenda No. IX

Discussion Items / Official Communications

Table with 2 columns: Item number and Description. Item 1: Shipping Containers- Councilman Gross expressed concerns about how these containers multiply. Councilman Marsden asked how they would be inspected and it was determined that the Construction Official would do the inspections. Item 2: Reallocating Open Space Funds- Councilwoman Lichtenberg suggested that this be added to the agenda of Resolutions for tonight as Resolution 2021-382. All were in favor.

Agenda No. X

Unfinished Business, Final Passage of Ordinances

Agenda No. IX 1

~ Ordinance 2021 – 034 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, AMENDING CHAPTER 470, SUBDIVISION OF LAND AND SITE PLAN REVIEW, ARTICLE XX WIRELESS TELECOMMUNICATIONS FACILITIES TO CREATE A PRIORITY OF LOCATIONS FOR THE SITING OF COMMUNICATIONS ANTENNAS

WHEREAS, the Township enacted Ordinance 2003-51, setting forth procedures for submission of applications for preliminary and final site plan approval of wireless telecommunication facilities within the Township; and

WHEREAS, the Township further set forth the details for such preliminary and final site plans for wireless telecommunications facilities in all commercial zones, as well as for wireless telecommunications facilities in the R-1, R-1/1, R-2, R-3, R-4, R-1/PN, SCC and OR Zones; and

WHEREAS, the Township also wishes to set forth that new wireless communications antennas and towers shall be located at the lowest numbered priority location as available within an applicant's search area, contingent upon maintaining the best level of service and at the same time benefitting the public's health, safety and welfare.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Township Council of the Township of West Milford, County of Passaic, and the State of New Jersey that Chapter 470, Subdivision of Land and Site Plan Review, Article XX Wireless Telecommunication Facilities shall be amended only to include a new Section 470-93.1 setting forth a priority of locations, as follows:

SECTION 1. ARTICLE XX, Wireless Telecommunications Facilities

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§ 470-93.1 Purpose and Intent. The siting of any telecommunications facility shall be determined according to the lowest numbered priority location as set forth as within this Article, contingent upon such location providing an acceptable level of telecommunication service from the provider.

§ 470-93.2 Priority of Locations for Siting of Telecommunications Facilities

Table with 4 columns: Priority, Zone, Location, Permitted/Conditional/Type. It lists six priority levels for siting telecommunications facilities based on zone and location type.

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

SECTION 3. 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.

SECTION 4. This Ordinance may be renumbered for purposes of codification

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

Introduced: September 8, 2021
Adopted: October 6, 2021
Effective Date: October 26, 2021

This Ordinance was introduced on September 8, 2021 and Notice of Public Hearing was published in the Herald News on September 14, 2021. The Governing Body will open the meeting to the public to speak on this ordinance only.

Seeing no one else wanted to speak, Councilwoman Erik moved to close the public portion. Seconded by Councilwoman Lichtenberg. All were in favor.

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

Agenda No. XI

Public Comments

Mayor Dale opened the meeting to the public after advising that there is a five-minute limit for each speaker.

Bob Nicholson – Stockholm, West Milford, wanted to discuss the Board of Education. The budget had a surplus and they used the money to build another turf field. Also games are free to view on channel 77, why should parents have to pay \$12 to subscribe to an additional service, with no sound to watch their kids.

Don Weise – 81 Pinecliff Lake Drive, was asked by Steve Sangle to attend the meeting after hearing that the Council was going to vote on the reallocation of the Open Space Funds. He respectfully requested that in the future when items like these are presented that the Environmental Commission is notified and given an opportunity to review things and offer some feedback and suggestions. The Land Fund also goes to the maintenance and stewardship of existing properties to keep them viable as recreational properties.

There being no one else wishing to be heard, Councilwoman Erik made a motion, seconded by Councilman Goodsir and carried by unanimous voice vote to close the public comment period.

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Agenda No. XII

**Council Comments**

Councilwoman Erik in response to Don Weise indicated that the acquisition portion of the funds are not going to be touched. Councilwoman Erik feels that going back to the system where 2 cents of taxpayer money would be great and then things could be fixed and updated to today's standards. She also encouraged people to attend the Board of Ed meetings.

Councilman Chazukow indicated that people should show up at the Board of Ed meetings and voice their concerns. They are apparently working on a strategic revision and they should take serious stewardship of the taxpayer's money. There is a public meeting at Macopin Middle School on October 27, 2021 at 7 p.m.

Mayor Dale clarified that the Board of Education would have to raise the budget 2% in order for it to come to the Governing Body. It would need to exceed the 2% cap under the State Statute. Mayor Dale encouraged people to talk to the Board of Ed and try to work with them.

Councilman Marsden indicated that there were very few parents at the Board of Ed meeting.

Agenda No. XIII

**New Business, Introduction of Ordinance, Resolutions**

Agenda No. XIII 1

**~ Ordinance 2021 – 037 ~**

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ADDING A NEW CHAPTER 350 ENTITLED "FIVE-YEAR TAX ABATEMENT PROGRAM FOR WEST MILFORD REHABILITATION AREAS" TO THE CODE OF THE TOWNSHIP OF WEST MILFORD**

**WHEREAS**, the Township Council has determined that tax abatement programs permitted by statute are beneficial to property owners, and might encourage further improvements to residential properties within the Township; and

**WHEREAS**, a review of the Township Code demonstrates that there are currently no provisions for such abatement programs to be available to property owners in the Township; and

**WHEREAS**, the Township Council has determined that it is necessary to amend the Code, to establish provisions and procedures for a five-year tax abatement program for renovations within West Milford's designated rehabilitation areas for residential properties, but excluding new construction.

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of West Milford, Passaic County, New Jersey, that the Code of the Township of West Milford shall be amended to add a new Chapter 350 entitled "Five-Year Tax Abatement Program for West Milford Rehabilitation Areas" to read as follows:

**SECTION 1. Chapter 350 Five-Year Tax Abatement Program for West Milford Rehabilitation Areas**

**§350-1 Definitions.**

All terms utilized in this Chapter not specifically defined herein shall conform to the meanings set forth in the Five-Year Exemption and Abatement Law ("Act"). For ease of reference, the definitions set forth in the Act as of the date of the adoption of this Chapter are attached hereto as Exhibit A. However, if the definitions set forth in the Act shall be subsequently amended, then the Act, and not Exhibit A, shall control.

**§350-2 Statement of Purpose.**

The Township hereby determines to utilize the authority granted under Article VIII, Section I, paragraph 6 of the New Jersey Constitution to establish the eligibility of certain dwellings for exemptions, as provided in this Chapter and as permitted by the Act, throughout West Milford's Rehabilitation Areas.

**§350-3 Exemptions Authorized to be Implemented by Tax Assessor.**

The Township hereby determines to provide for the exemption from taxation of certain improvements to existing residential properties occurring within Rehabilitation Areas throughout the Township. To the extent that a property owner shall apply to the Tax Assessor within the time period prescribed by the New Jersey Department of Treasury in accordance with the Act, which currently requires submission within thirty (30) calendar days following completion of the improvements or construction for which the exemption is sought, and shall provide documentation to the Tax Assessor, in a form and manner acceptable to the Tax Assessor and consistent with the Act, of compliance with this section, such

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**§350-4 Residential - Improvements.**

The Township hereby determines to provide for the exemption from taxation of certain improvements made to dwellings, on the following terms and conditions:

- (1) The term "dwelling", for purposes of this Section shall include residential properties and condominium residential units, but not cooperative ("Co-op") type residential properties.
- (2) The term "dwelling", for purposes of this Section shall not include "multiple dwellings", as defined by the Act.
- (3) Only residential properties shall be eligible for the benefit of the tax abatement under this section.
- (4) An applicant must continue to live at the property to continue to receive the benefit of the tax abatement.
- (5) The term "improvements", for purposes of this subsection, shall include rehabilitation, to include modernization, renovation, alteration or repair which produces a physical change in an existing building or structure, which improves the safety, sanitation, decency or attractiveness of the structure as a place for human habitation, and which does not change its permitted use.
- (6) To the extent that a dwelling shall comply with the requirements set forth at subsections (1) through (6), above, in determining the value of real property for each dwelling unit, the Township shall regard the first \$15,000 in the Assessor's full and true value of improvements for each dwelling unit primarily and directly affected by the improvements, as not increasing the value of the property for a period of five years, notwithstanding that the value of the property to which the improvements are made is increased thereby. During the exemption period, the assessment on any property pursuant to this paragraph shall not be less than the assessment thereon existing immediately prior to the improvements, except if there is damage to the dwelling through action of the elements sufficient to warrant a reduction.
- (7) The "Five-Year Tax Abatement Program for West Milford Rehabilitation Areas" shall be effective January 1, 2022, and applications shall only be accepted in the 2022 calendar year.

**§350-5 Residential - Multiple Dwellings - Improvements.**

- (1) The Township hereby determines to provide for an exemption of 100% of the Assessor's full and true value for a period of five years following the construction of improvements to multiple dwellings. The term "multiple dwelling" shall have that meaning ascribed to it by the Act. The definition of "multiple dwelling" set forth in the Act as of the date of adoption of this Chapter is set forth at Exhibit A, attached hereto.
- (2) This exemption is to be granted notwithstanding that the value of the property upon which the construction occurs is increased thereby. During the exemption period, the assessment on any property pursuant to this Section shall not be less than the assessment thereon existing immediately prior to the improvements, except if there is damage to the multiple dwelling through action of the elements sufficient to warrant a reduction.

**§350-6 Effective Date; Sunset Provision.**

Upon final passage and publication as provided by law, this Ordinance shall take effect upon final passage, approval and publication as required by law and shall authorize the Township to grant exemptions up to a 5-year period.

**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 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: October 6, 2021  
Adopted:  
Effective Date:

Second reading and public hearing for this Ordinance is set for the Regular Meeting of the Township Council scheduled for November 3, 2021. Notice of this public hearing shall be published in the Herald News on or about October 12, 2021.

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

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Mayor Dale asked to move resolutions 2021-368 through 2021-371

Agenda No. XIII 2

~ Resolution 2021 – 368 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE INTENT TO PURCHASE FROM MONTAGUE TOOL & SUPPLY IN ACCORDANCE WITH THE TOWNSHIP PURCHASING POLICY AND PAY-TO-PLAY LAW N.J.S.A. 19:44A-20.5 ET SEQ.**

**WHEREAS**, the Township Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase(s) in excess of the Pay-to-Play threshold of \$17,500 and that the purchases shall warrant use of state contract, cooperative pricing contract or a minimum of three (3) quotations; and

**WHEREAS**, The Township of West Milford has a need on a timely basis to purchase small power tools, safety vests, Stihl tools, maintenance items from the above named vendor which expenses would exceed the Pay-to-Play threshold of \$17,500; and

**WHEREAS**, Montague Tool & Supply has complied with state Pay-to-Play regulation by completing and submitting a Business Entity Disclosure Certification; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.5(b), no orders of materials shall be undertaken until such time as the funding for the goods or services are certified by the Chief Financial Officer; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that purchases from Montague Tool & Supply is hereby authorized and approved provided that the required three (3) quotes per request be obtained and total purchases not to exceed the budgeted appropriation established for this purpose for the remainder of 2021 calendar year.

Adopted: October 6, 2021

Agenda No. XIII 3

~ Resolution 2021 – 369 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING EXPENDITURE OF FUNDS FOR THE PURCHASE OF DRAINAGE MATERIALS IN ACCORDANCE WITH THE TOWNSHIP PURCHASING POLICY AND PAY-TO-PLAY LAW N.J.S.A. 19:44A-20.5 ET SEQ.**

**WHEREAS**, the Township Council of the Township of West Milford adopted Ordinance 2013-020 to create the position of Qualified Purchasing Agent in the municipality and subsequently adopted Resolution 2013-330 appointing a Qualified Purchasing Agent (QPA) and increasing the bid threshold from \$17,500.00 to \$44,000.00; and

**WHEREAS**, as a condition to the increase in the bid threshold, the Township Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase in excess of the former bid threshold of \$17,500.00 and that the purchase shall warrant use of State contract, cooperative pricing contract or a minimum of three (3) quotations; and

**WHEREAS**, the Department of Public Works is requesting the purchase of drainage materials (castings, precast concrete structures and pipe), from General Foundries, Brent Materials, Ferguson Enterprises, Campbell Foundry Company, Campbell Materials, Franklin Precast and Northeast Concrete Products through use of either cooperative pricing contracts or a minimum of three (3) quotes which expenses would exceed the aggregate quote threshold of \$17,500.00; and

**WHEREAS**, the above referenced vendors shall comply with State Pay-to-Play regulations by completing and submitting a Business Entity Disclosure Certification; and

**WHEREAS**, the Township Council has received a recommendation from the Director of Public Works indicating the anticipated need to purchase various drainage materials which expenses would exceed the aggregate quote threshold of \$17,500.00; and

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**WHEREAS**, pursuant to N.J.A.C. 5:30-5.5 (b), no orders of material shall be undertaken until such time as the funding for the goods or services are certified by the Chief Financial Officer.

**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 the appropriate Township officials be and are hereby authorized to execute purchases to the above referenced vendors in an amount not to exceed \$40,000.00 per vendor for the remainder of the 2021 calendar year and within the budget appropriation established for this purpose.

Adopted: October 6, 2021

Agenda No. XIII 4

~ Resolution 2021 – 370 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING CONSENT TO FILE A TREATMENT WORKS APPROVAL (TWA) APPLICATION TO ALTER AN EXISTING INDIVIDUAL SUBSURFACE DISPOSAL SYSTEM (ISSDS) ON LOT 6 IN BLOCK 3202 AT 254 LAKESIDE ROAD WHICH IS UNDER THE JURISDICTION OF THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION POLLUTANT DISCHARGE ELIMINATION SYSTEM DISCHARGE TO GROUNDWATER (NJPDES-DWG) AUTHORIZATION NUMBER NJG0280488**

**WHEREAS**, Lakeside Glendale, LLC "Moosehead Marine" is the owner of the property at 254 Lakeside Road, West Milford, NJ 07480 in the Township of West Milford, which is otherwise known as Lot 6 in Block 3202; and

**WHEREAS**, the aggregate peak daily wastewater design flow for the use(s) on the property has been calculated using a design flow alternate to the criteria set forth in N.J.A.C. 7:9A; and

**WHEREAS**, the construction, alteration or repair of an ISSDS designed using alternate wastewater flow calculations is regulated by the NJDEP NJPDES program; and

**WHEREAS**, Moosehead Marine has submitted a request to the Township of West Milford for Consent to File a TWA with the NJDEP to alter the existing ISSDS on the property; and

**WHEREAS**, the Township Engineer has reviewed the request and has determined that the ISSDS is regulated by the NJDEP, conforms with the requirements of all municipal ordinances pertaining to the proposed disposal system, but certain aspects of the soil testing and ISSDS design do not conform to the minimum standards set forth in the "Standards for Individual Subsurface Sewage Disposal Systems" at N.J.A.C. 7:9A; and

**WHEREAS**, a permit to alter the existing wastewater treatment and disposal systems must be authorized by the NJDEP through the TWA application process; and

**WHEREAS**, submittal of a TWA application to the NJDEP requires the municipality to, by way of resolution, consent to the project; and

**WHEREAS**, the Township Engineer recommends to the Mayor and Township Council that it in fact consent to this application.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of West Milford, County of Passaic, State of New Jersey hereby consents to the Treatment Works Application with respect to septic alterations as submitted for the Moosehead Marine realty improvements located on Lot 6 in Block 3202 in the Township of West Milford.

Adopted: October 6, 2021

Agenda No. XIII 5

~ Resolution 2021 – 371 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING AN ADDENDUM TO THE EXISTING AGREEMENT WITH TENNESSEE GAS PIPELINE COMPANY LLC**

**WHEREAS**, Tennessee Gas Pipeline Company, L.L.C. (hereinafter "Tennessee") is a "natural gas company" under the Natural Gas Act of 1938, 15 U.S.C. §717 et seq. ("Natural Gas Act"), and, as such, is regulated by the Federal Energy Regulatory Commission ("FERC") as to facilities, construction, rates, and types of service, and regulated by the United States Department of Transportation's Pipeline and Hazardous Materials Safety Administration under the Natural Gas Pipeline Safety Act, 49 U.S.C. §60101, et seq. ("Pipeline Safety Act"), as to minimum safety standards; and





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**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of West Milford, in the County of Passaic and State of New Jersey, that it does hereby establishes the below:

1. The Township shall reallocate one-half (1/2) of its existing post 2014 Open Space funds to the "historic" category; and
2. The Township shall reallocate one-half (1/2) of its existing post 2014 Open Space funds to the "capital improvement" category for the benefit of recreational use.
3. All future post 2014 Open Space funds shall be distributed in this manner moving forward, until modified by a succeeding resolution.

This Resolution shall take effect immediately.

Adopted: October 6, 2021

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

Agenda No. XIV

**Consent Agenda**

**~ Resolution 2021 – 372 ~**

**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) **2021-373** – Refund Recreation Fees
- b) **2021-374** – Reinstatement of Taxes
- c) **2021-375** – Duplicate Tax Sale Certificate
- d) **2021-376** – Cancel Outstanding Checks
- e) **2021-377** – Clothing Allowance Volunteer Members
- f) **2021-378** – Refund Deposit Property Sale

Adopted: October 6, 2021

Agenda No. XIV a

**~ Resolution 2021 – 373 ~**

**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:

<b>COED VOLLEYBALL</b>	
\$50.00	Michael Kalter 6 Kent Road Ringwood, NJ 07456
<b>SENIOR BOB ROSS ART CLASS</b>	
\$35.00	Frances Ochart 14 Oakwood Trail Kinnelon, NJ 07405

Adopted: October 6, 2021

Agenda No. XIV b

**~ Resolution 2021 – 374 ~**

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

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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: INSUFFICIENT FUNDS

Table with 4 columns: BLOCK/LOT, NAME, AMOUNT, YEAR. Row 1: 01401-003, Cynthia Carlson, \$1,417.00, 2021. Row 2: TOTAL, \$1,417.00.

Adopted: October 6, 2021

Agenda No. XIV c

~ Resolution 2021 - 375 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC STATE OF NEW JERSEY AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATE

WHEREAS, Wendy Korteweg the owner of Tax Sale Certificate #03-013 relating to Verona Road, Block 2012 Lot 15 in the Township of West Milford was lost; and

WHEREAS, the Tax Sale Certificate originally issued to Wendy Korteweg in connection with this matter has been lost and cannot be located; and

WHEREAS, the laws of the State of New Jersey provide for a municipality to issue a duplicate Tax Sale Certificate to replace the lost certificate; and

WHEREAS, Wendy Korteweg has submitted an Affidavit of Lost Tax Sale Certificate in connection with this matter.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of West Milford, in the County of Passaic and State of New Jersey that the Tax Collector is hereby authorized to issue a duplicate Tax Sale Certificate #03-013 pertaining to Verona Road, Block 2012 Lot 15 in the Township of West of West Milford.

BE IT FURTHER RESOLVED that this replacement Tax Sale Certificate shall have the same full force and effect as the original certificate issue by the Township.

This Resolution shall take effect immediately.

Adopted: October 6, 2021

Agenda No. XIV d

~ Resolution 2021 - 376 ~

RESOLUTION AUTHORIZING THE CANCELLATION OF OUTSTANDING CHECKS OVER SIX MONTHS OLD TO MUNICIPAL CASH BALANCES

WHEREAS, the Chief Financial Officer has determined that the following Township of West Milford payroll account checks have been outstanding for a period in excess of six months.

Table with 3 columns: DATE, CHECK #, AMOUNT. Rows: 1/21/21, 26548, \$ 246.83; 2/18/21, 26744, \$ 250.00; 3/25/21, 26908, \$2,215.00; TOTAL, \$2,711.83.

NOW, THEREFORE, BE IT RESOLVED that the above outstanding checks be restored to the Township cash balance.

Adopted: October 6, 2021

Agenda No. XIV e

~ Resolution 2021 - 377 ~

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

Minutes of: Governing Body Workshop Meeting  
 Date of Meeting: October 6, 2021  
 Time of Meeting: 6:30 p.m.  
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**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING THE ANNUAL CLOTHING ALLOWANCE FOR VOLUNTEER MEMBERS OF THE TOWNSHIP OF WEST MILFORD FIRST AID SQUADS, SAR'S AND FIRE DEPARTMENTS**

**WHEREAS**, the Township of West Milford wishes to recompense its qualified, volunteer members of the Township of two (2) First Aid Squads, one (1) Search and Rescue and six (6) Fire Departments for damage to their clothing due to their active participation in selfless service to the Township; and

**WHEREAS**, the chiefs and/or senior official of the First Aid Squads, Search and Rescue and Fire Departments shall certify to the Chief Financial Officer or designee a list of the members of their respective companies and their allotted clothing allowance; and

**WHEREAS**, the payment of the annual clothing allowance for qualified volunteer members of the First Aid Squads, Search and Rescue and Fire Departments shall be based upon each organization's certification to the Chief Financial Officer or designee in accordance with the approved 2021 budget; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, approve the annual clothing allowance for qualified, volunteer members of the two (2) First Aid Squads, one (1) Search and Rescue and six (6) Fire Departments for the year 2021 based upon each organization's certification to the Chief Financial Officer or designee in accordance with the approved 2021 budget.

Adopted: October 6, 2021

Agenda No. XIV f

~ Resolution 2021 – 378 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF DEPOSIT FOR PARCEL SOLD AT TOWNSHIP PROPERTY SALE**

**BE IT RESOLVED** by the Mayor and Township Council of the Township of West Milford that upon the review and request of the Township Attorney the following property sale deposit be refunded:

Name	Block/Lot	Amount of Deposit	Refund Amount
John Ricciardi 56 Stanley Street Clifton, NJ 07013	2014/6,7&16	\$550.00	\$550.00

Adopted: October 6, 2021

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

Agenda No. XV

**Approval of Expenditures**

~ Resolution 2021 – 379 ~

**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	\$198,764.69
3	Reserve Account	807.00
2	Grants	1,423.41
6	Refunds	635.00
1	General Ledger	0.00
26	Refuse	69,545.48
4	Capital	0.00
19	Animal Control	0.00

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

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19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	3,682.52
19	Scala Trust	0.00
16	Development Escrow	0.00
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$274,858.10
Less Refund Resolution		-635.00
<b>Actual Bills List</b>		<b>\$274,223.10</b>
Other Payments		
Payroll		535,654.43
<b>Total Expenditures</b>		<b>\$809,877.53</b>

Adopted: October 6, 2021

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

Agenda No. XVI

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

Mayor Dale – Early voting starts on October 23 and continues through October 31. Voting is available on Saturdays and Sundays as well. After that you can still come to Town Hall and vote early utilizing a machine. On November 2, 2021, voting day, people will need to go to their respective poll locations. The date of the December 1 conflicts with the last Strategic BOE meeting, and so the Council consensus was to combine the December 1 Council meeting and the December 15 Council meeting and change the date to December 8, 2021. The change will be advertised.

Councilman Goodsir –The Trout Derby is October 16 at the Westbrook Teen Center. The Elks club will be supplying hot dogs and DeMarco’s will be providing pizza. There will be a CERT meeting at the Township Library October 7, 2021, please show up if interested. On October 10<sup>th</sup> the Elks will be having a clam bake. The cost is \$55 a ticket. He thanked the Elks for supporting the CERT team, they had provided hot dogs. The Elks do a lot of good things in Town.

Councilman Gross – Invited people to participate in voting, the old normal way or the new ways if they preferred. He advised people to attend the Board of Education meetings so that they can have a say in what is being done.

Councilman Marsden – Thanked all the Fire Departments for their work with the recent drill. The CERT team put in 40 hours of service.

Councilwoman Erik – Praised the volunteers and the new CERT team. We need to thank our volunteers. Volunteers need to be treated equally across the board with LOSAP and also with the Annual Contribution Fund. We need to look into writing an ordinance for “off-site” signs so that we can point people in the right direction, especially if those businesses are not located on a main street.

There was discussion about the clothing allowance and Mayor Dale indicated that it was a budgetary item and would need to be reviewed and if possible it could be added to next year’s budget.

Councilman Chazukow – No report.

Councilwoman Lichtenberg – Our Lady Queen of Peace is having a Pumpkin and Apple Festival from 1-7 p.m. on Saturday. The Recreation Department is working with the Elks to collect baskets of non-perishable goods for Thanksgiving. Items can be dropped off from 8 a.m.-4:30 p.m. at the Recreation building Monday through Friday. Saturday, November 8 a.m.-2 p.m. is free tire collection day at the Recycling Center for car and light truck tires. Maximum amount is 400 tires, first come first served, maximum 4 per household and proof of residency will be required. Councilwoman Lichtenberg has received various documents for “Knock out Opioid Day” and she read a passage to the Council. On October 30, there will be a free rabies clinic for dogs at the DPW from 9 a.m. -12 p.m. The public is invited to express ideas and concerns to Councilwoman Lichtenberg, who is at Town Hall from 10:00 a.m. -12 p.m. every Friday or by email or calling 973-248-5427 up to 11:00 p.m.

Administrator Senande – No report.

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

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Mr. Pasternak – No report.

There was discussion about a way to honor current service people and veterans from the past with flags/pictures mounted on telephone poles. Councilman Goodsir indicated that the American Legion and VFW and Elks are interested and he feels the Council should pursue the idea. The Council was receptive to the idea and agreed to look into it.

Agenda No. XVII

**Appointments and Resignations**

~ Resolution 2021 – 380 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ACCEPTING RESIGNATION TENDERED**

**BE IT RESOLVED**, by the Township Council of the Township of West Milford that they do hereby accept the following resignation tendered to the Beautification and Recycling Committee and the Senior Citizens Committee:

<u>Name</u>	<u>Position</u>	<u>Date Tendered</u>
John L. Waldo III	Beautification and Recycling Committee Citizen Member 5 Term expires 12/31/21	September 23, 2021
John L. Waldo III	Senior Citizens Committee Citizen Member 3 Term expires 12/31/21	September 23, 2021

Adopted: October 6, 2021

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

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Agenda No. XVII

**Adjournment**

There being no further business to come before the Council, the Governing Body adjourned the meeting at 8:29 p.m.

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

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Approved: October 20, 2021

Respectfully submitted:

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Deidre Ellis, Keyboarding Clerk II

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MICHELE DALE, MAYOR

\_\_\_\_\_  
WILLIAM SENANDE, TOWNSHIP CLERK