
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: October 19, 2022
Time of Meeting: 6:30 p.m.
Minute Page No: Page 1 of 13

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 and the Record in its issue of January 11, 2022 posted on the bulletin board in the main corridor of 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 the pledge of allegiance to the flag.

Agenda No. II

Roll Call

Present: Councilmembers Ada Erik, Michael Chazukow, Marilyn Lichtenberg, Kevin Goodsir, Warren Gross, 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

October 5, 2022 Workshop Meeting Minutes

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

Agenda No. IV

Meetings

November 2, 2022 Workshop/Regular Meeting
December 7, 2022 Workshop Meeting
December 21, 2022 Regular Meeting

Agenda No. V

Proclamations

None.

Agenda No. VI

Presentations & Recognitions

House Beautiful Award – The Beautification and Recycling Committee presented an award to Anthony and Colleen Marsilio for winning the contest with their garden submission. Mr. and Mrs. Marsilio work very hard on their home garden at 98 Point Breeze and appreciate the recognition for their efforts. They also received a gift certificate and may purchase dahlias with it.

Tourism/Recreation Map – Tom Castronova representing the Economic Development Commission spoke about the map project. He thanked and gave credit to Councilman Gross for his work and contribution to the project. Mr. Castronova indicated that originally the idea was for a trail map for West Milford and it has evolved into more of an outdoor recreation and tourism map. Mr. Castronova indicated that one side of the map would show topography including waterways and the other side of the map would be more of a reference guide, complete with QR codes that can be modified and updated to avoid reprinting the map itself. He also spoke about the scope of the project and the timeline. The initial data collection and connections are to begin in the first two quarters of 2023, the projected start is the third quarter and the projected completion would be the first quarter of 2024. The map would also be accessible via mobile devices. A durable waterproof paper was recommended.

Mayor Dale indicated that the project has been in the works for years and it is time to get it done and the QR code is a key component because local businesses and other information can be updated without having to reprint the maps. Since the first phase of the Greenway Project is being finalized perhaps it can be included before printing. Mayor Dale enquired about future edits. Mr. Castronova indicated that future edits would be charged at an hourly rate. Mayor Dale asked for the project to be budgeted at this point.

Agenda No. VII

Executive Session

None

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Agenda No. VIII

Discussion Items / Official Communications

1.	<p>Ordinance – Outdoor Wood Burning Furnaces – Administrator Senande indicated that Council had asked for officials from Building, Fire and Zoning to be present to answer questions and Timothy Ligus, Michael Moscatello and Michael Gerst were respectively in attendance. Councilman Marsden asked if the Fire Marshall, Mike Moscatello, was in agreement with the manufacturer’s specifications of a 25’ distance from the house. Mr. Moscatello was in agreement with 25’ and indicated that was consistent with the State codes for things such as fire pits. The Consensus of the Council was to change wording from 100’ to 25’.</p> <p>Councilwoman Erik made the point that side yard setbacks should apply, not all one acre lots are 200’ by 200’ square, many lots are quite long and narrow. There was discussion regarding the chimney requirement. Councilwoman Erik pointed out that there was less smoke due to the design and the baffles and that the heat emanating from the chimney is around 300 degrees and not 1300 degrees like a regular fireplace chimney can be. Councilman Marsden indicated that the units are very efficient. The Building Official, Timothy Ligus, indicated that some units are more efficient than others and the biggest issue with these furnaces is possible smoke emissions and there should be some way to address the issue down the road if it does become a problem. Even if the manufacturer specifications require seasoned wood, there is the possibility of a homeowner using newer, wetter wood.</p> <p>The Fire Marshall has the capability currently to stop someone from smoking out the neighbors with a fire pit or chimenea. This would be problematic, should it be the middle of winter and you were telling someone to stop heating their home.</p> <p>Zoning Officer, Michael Gerst, indicated that the terrain should also be considered, some areas are terraced and there are cliffs and hills, not every property is on flat land. Attorney Pasternak indicated that homeowners would need to be put on notice, perhaps have it written on the permit itself, that they would be subject to inspection by the Fire Marshall and that would allow for recourse later on if an issue arises. Mr. Ligus suggested people be notified in the initial zoning permit, so that people are aware up front that if there is a problem the height of the chimney stack may have to be increased. If there is no problem then it would not be an issue. Mr. Ligus indicated that due to issues with smoke other areas like New York State have said that these types of furnaces are not allowed if you do not have at least an acre of property and that restriction should be considered by the Mayor and Council. Attorney Pasternak indicated that some type of a release could be created and signed off by the homeowners forewarning them that if there is a smoke issue that they might have to extend the chimney stack. He is not in favor of overburdening the permit process but anyone committing to this source of heating should be made aware up front of potential issues/costs that could arise. Mayor Dale is in favor of the process being as transparent as possible. Councilman Gross asked the Fire Marshall if he could recall any fires from these types of furnaces and the answer was one in the past eight years, due to storage of the wood source being too close to the furnace. Mr. Moscatello indicated he would have no issues living next to someone with one of these furnaces. Councilman Marsden summarized that the distance from the house would be 25’, the applicants would need to follow manufactures’ specifications, there would be no minimum lot size requirement and people would be forewarned that if there was a smoke nuisance they would be responsible for the abatement. Mr. Ligus indicated that the EPA sets a lot of the rules and regulations and measures particles so they may have their own enforcement protocol. There was discussion about continuous burning and the effect that has on smoke. Some people even burn household garbage.</p> <p>The consensus was to move forward. Administrator Senande is going to create a draft with the changes for the next meeting.</p>
2.	<p>Ordinance – Vacant and Abandoned Properties – Administrator Senande indicated that item 2 and 3 go together. The State law changed a few months ago and we need to update and match the State code. This will split the current code into two separate ones. The State only changed the foreclosed property law and we are still able to regulate our vacant and abandoned properties. The consensus was to move forward and introduce them at the next meeting and then have them reviewed by the Planning Board.</p>
3.	<p>Ordinance – Registration of Foreclosure Mortgage Properties – (See above.)</p>
4.	<p>Ordinance – Fowl & Farm Animals – Administrator Senande indicated that as it stands currently, chickens are allowed and this change would allow ducks, peahens and other fowl to be included. Councilman Marsden wanted the maximum coop or shelter height permitted to change from 6’ to 12’.</p> <p>The consensus was to move forward.</p>
5.	<p>Ordinance – Fences, Walls & Sight Triangles – Setbacks & Right of Way –Administrator Senande indicated that recently a change had been made to place fences 1’ away from the property line and for clarification that should also apply to retaining walls.</p> <p>The consensus was to move forward.</p>

Agenda No. IX

Unfinished Business, Final Passage of Ordinances

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Agenda No. IX 1

~ Ordinance 2022 – 046 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING ARTICLE IX, DEPARTMENT OF PUBLIC SAFETY, CHAPTER 15 DIVISION OF POLICE BY ADDING A NEW SECTION 15-49 K. ENTITLED “POSITION OF POLICE CHAPLAIN ESTABLISHED” WITHIN THE CODE

WHEREAS, the Legislature of the State of New Jersey through N.J.S.A. 40A:14-141 provides that the Governing Body of a municipality by ordinance may provide for the appointment of one or more chaplains to the police department; and

WHEREAS, the Mayor and Township Council find that Police Chaplains serve an integral role in providing comfort to members of the police department, as well as the public, and aid in community policing; and

WHEREAS, the Mayor and Township Council finds it in the best interest of the Township of West Milford Police Department and the Township’s residents to implement the position of Police Chaplain within the Police Department.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the Township of West Milford, in the County of Passaic, and State of New Jersey that Section 15-49 is updated only to add a new section 15-49 K Position of Police Chaplain Established as follows:

SECTION 1. 15-49 Division of Police

K. Position of Police Chaplain Established

Pursuant to N.J.S.A. 40A:14-141, the position of Police Chaplain within the Township of West Milford is hereby created and established, in addition to the Composition of the Police Department as otherwise reflected within this Chapter. The position of Police Chaplain shall be a volunteer position under the supervision and authority of the Chief of Police of the Township of West Milford Police Department. The position of Police Chaplain and any supporting positions shall be subject to the specific terms and conditions set forth within the West Milford Township Police Department Policy and Procedure Manual.

(1) **APPOINTMENT**

Police Chaplain applicants shall be recommended by the Chief of Police, and appointed by the Mayor with the advice and consent of the Township Council.

(2) **QUALIFICATIONS**

- (a) All applications for the position of Police Chaplain shall be reviewed by the Chief of Police to determine if the applicant’s qualifications are in accordance with this Ordinance, and upon determining so, shall make recommendations to the Mayor and Township Council.
- (b) Any person appointed as Police Chaplain shall duly ordained clergy, in good standing in the religious body from which he/she is selected. The appointee shall be a certified Police Chaplain credentialed in accordance with the Rules, Regulations, Policies and Procedures of the Township of West Milford, shall be qualified in accordance with N.J.S.A. 40A:14-141.

(3) **NUMBER OF POLICE CHAPLAINS; TERM OF OFFICE**

There may be up to four (4) Police Chaplains appointed at any given time, and in accordance with the established Procedures, Eligibility, Training standards as set forth within the West Milford Township Police Department Policy and Procedure Manual. The Chief of Police shall also appoint a Police Chaplain liaison. A person appointed as Police Chaplain shall serve in that capacity from the date of appointment and shall serve in that capacity until he/she is either terminated or resigns from that position.

(4) **DUTIES**

The duties of Police Chaplain are to assist the Township of West Milford Police Department with any functions that may be assigned by the Chief of Police that relate to the Police Chaplain program, including but not be limited to, partaking in community policing initiatives, assisting crime victims/witnesses, assisting police officers with death notifications, and conducting juvenile stationhouse adjustments.

(5) **RANK AND SALARY**

Any person appointed as Police Chaplain shall serve in that capacity without rank or salary. The position shall be voluntary under the direction and supervision of the Chief of Police.

SECTION 2. All other ordinances or parts of ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

SECTION 3. Should any section, subsection, sentence, clause, phrase or portion of this Ordinance for any reason be declared unconstitutional or invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof, and to this end, the provisions of this Ordinance are hereby declared to be severable.

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SECTION 4. This Ordinance shall become effective after the final passage and publication, according to law.

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

Introduced: September 21, 2022
Adopted: October 19, 2022
Effective Date: November 8, 2022

This Ordinance was introduced on September 21, 2022 and Notice of Public Hearing was published in the Herald News on September 27, 2022. The Governing Body will open the meeting to the public to speak on this Ordinance only.

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

Motion to move Ordinance 2022-046

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

Agenda No. X

Public Comments

None.

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

Agenda No. XI

Council Comments

None.

Agenda No. XII

New Business, Introduction of Ordinances, Resolutions

Agenda No. XII 1

~ Ordinance 2022 – 048 ~

ORDINANCE DEFEATED

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER X, TRAFFIC, OF THE REVISED GENERAL

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

SECTION 1. Chapter X, Traffic, Section 10-5, Speed Limits, "Schedule V", is hereby amended in regard to the speed limit along the following portion of street thereof as follows:

<u>NAME OF STREET</u>	<u>DIRECTION</u>	<u>SPEED</u>	<u>LOCATION</u>
Macopin Road	Both	35 mph	2,000' north of Gould Road to 700' south of New Dockerty Hollow Road

SECTION 2. Chapter X, Traffic, of the Revised General Ordinances of the Township of West Milford, "Schedule V", Union Valley Road is hereby amended to read as follows:

<u>NAME OF STREET</u>	<u>SPEED LIMIT (MPH)</u>	<u>LOCATION</u>
Macopin Road (in both directions)		
Zone 1	35	From the south West Milford Township line to Ashbrook Lane; thence
Zone 2	40	To Germantown Road; thence
Zone 3	45	To 2,000 feet north of Gould Road; thence

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Zone 4	35	To 700 feet south of New Dockerty Hollow Road; thence
Zone 5	45	To 500 feet north of Cahill Cross Road; thence
Zone 6	40	To Union Valley Road; thence
School Zone	30	In the Hillcrest School zone, in Zone 4, during recess or while children are going to or leaving school, during opening or closing hours

SECTION 2. Regulatory signs shall be erected to affect the above designated speed limits as authorized by the Department of Transportation.

SECTION 3. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other section or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION 4. 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 5. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 6. This Ordinance shall take effect as required by law and upon the posting of appropriate signs.

Introduced: October 21, 2022
Adopted:
Effective Date:

There was discussion regarding the speed limit going from 40 mph to 35 mph. Councilman Chazukow's mother in law recently was rear ended, and he is more in favor of a distracted driving initiative. Councilwoman Erik indicated that lowering the speed limit doesn't stop people from speeding, enforcement does. There was more discussion regarding distracted driving, speed limits and enforcement.

Motion to move Ordinance 2022-048.

Moved:	Erik	Seconded:	Lichtenberg
Voted Aye:	Lichtenberg		
Voted Nay:	Erik, Chazukow, Goodsir, Gross, Marsden		
Motion:	DEFEATED		

Mayor Dale asked to move resolutions 2022-366 through 2022-370 and 2022-377 and 2022-378.

Agenda No. XII 2

~ Resolution 2022 – 366 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,
STATE OF NEW JERSEY AWARDING CONTRACTS FOR 2022-2023 SNOWPLOWING SERVICES**

WHEREAS, the Township of West Milford advertised for the receipt of sealed bids for 4x4 pickups and single axle dump trucks to be received on August 26, 2022 for 2022-2023 Snowplowing Services; and

WHEREAS, three contractors submitted bids for the use of 22 total 4x4 pickups and single axle dump trucks; and

WHEREAS, the Township of West Milford advertised for the receipt of sealed bids for additional 4x4 pickups and single axle dump trucks to be received on October 7, 2022 for 2022-2023 Snowplowing Services; and

WHEREAS, said bids have been duly reviewed and analyzed by the Director of Public Works, Engineering Division and the Township Attorney; and

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WHEREAS, the award of contracts to vendors whose bids have been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written, noting Special Rates for additional equipment to be used if and when needed per rates bid; and

WHEREAS, the Township Attorney has rendered an opinion; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds, said funds to be encumbered from account number 01-201-26-294-364.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, that the Mayor and Township Clerk be and are hereby authorized to execute contracts for 2022-2023 Snowplowing Services in accordance with the following outline:

	CONTRACTOR	# TRKS	\$ Per Hr Class 1	\$ Per Hr Class 2
1	Next Gen Solutions, LLC	16	\$199.00	\$202.00
2	Albert Christmann, Inc.	1	\$199.00	\$300.00
	TOTAL TRUCKS	17		

BE IT FURTHER RESOLVED that this resolution and these contracts shall be available for public inspection in the office of the Township Clerk.

Adopted: October 19, 2022

Agenda No. XII 3

~ Resolution 2022 – 367 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY TO AMEND A PROFESSIONAL SERVICES CONTRACT WITH PINTO CONSULTING, LLC FOR APPRAISAL SERVICES AS TO NEWARK WATERSHED PROPERTIES

WHEREAS, there exists a need for professional services to be rendered to the Township of West Milford (hereinafter also, the "Township") as to appraisal services as to the Newark Watershed properties (hereinafter also, the "Subject Property"), specifically in connection with the impact of "Open Space" or preservation status upon the value of the Subject Property; and

WHEREAS, the Township on June 15, 2022 retained the services of Pinto Consulting, LLC, located at 21 Cherry Tree Lane, Chester, NJ, 07930, to secure such appraisal services for the Township; and

WHEREAS, in accordance with its proposal dated May 13, 2022, and as on file in the Clerk's Office, the Township awarded a contract in the amount not to exceed \$2,500; and

WHEREAS, additional work needs to be performed and the proposal quoted an hourly rate of \$175; and

WHEREAS, the additional work should not exceed a total of \$3,000, and the Chief Financial Officer has certified as to the availability of funds for this services; said funds to be encumbered from account number 01-201-20-161-450; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1, et seq. requires that the resolution authorizing the award of contracts for professional services without competitive bid, and the contract itself, must be made available for public inspection.

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, as follows:

1. The Township of West Milford hereby amends the agreement to reflect an increase of \$3,000 and authorizes the Mayor and Township Clerk to execute this Addendum with Pinto Consulting, LLC, located at 21 Cherry Tree Lane, Chester, NJ, 07930, for professional services in accordance with its proposal of May 13, 2022 which is on file in the Clerk's Office with the terms and conditions of the agreement executed on June 16, 2022 via Resolution 2022-222.
3. This contract is awarded without competitive bidding as a professional service, in accordance with the provisions of the Local Public Contracts Law, and such services are performed by a person authorized by law to practice a recognized profession.
4. The total fee authorized for this contract is subject to the terms of the proposal and agreement.

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5. Notice of this action shall be published once in the Township's official newspaper, as required by law.
6. A copy of this resolution shall be provided to the Treasurer and/or Chief Financial Officer of the Township of West Milford, and to Pinto Consulting, LLC, located at 21 Cherry Tree Lane, Chester, NJ, 07930 for their information and guidance.

This Resolution shall take effect immediately.

Adopted: October 19, 2022

Agenda No. XII 4

~ Resolution 2022 – 368 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF HOLDING TANKS FOR BULK MOTOR OILS AND HYDRAULIC FLUID AND SPILL CONTAINMENT PALLETS FOR NON-BULK FLUIDS AND WASTE OIL CONTAINERS FROM INDEPENDENCE CONSTRUCTORS THROUGH STATE CONTRACT NO. 42270

WHEREAS, the Township wishes to purchase three (3) holding tanks for bulk motor oils and hydraulic fluid and spill containment pallets for non-bulk fluids and waste oil containers from Independence Constructors, 1200 Route 22 East, Bridgewater, NJ 08807 through State Contract No. 42270; and

WHEREAS, the Township's Director of Public Works has provided a recommendation for this purchase through State Contract No. 42270 from Independence Constructors; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from Account # 01-201-44-900-638 in an amount not to exceed \$56,686.00; and

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's Director of Public Works to purchase three (3) holding tanks and spill containment pallets, in an amount not to exceed \$56,686.00, through State Contract No. 42270 from Independence Constructors.
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: October 19, 2022

Agenda No. XII 5

~ Resolution 2022 – 369 ~

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 her 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 her designee in accordance with the approved 2022 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 2022 based upon each organization's certification to the Chief Financial Officer or her designee in accordance with the approved 2022 budget.

Adopted: October 19, 2022

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Agenda No. XII 6

~ Resolution 2022 – 370 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUES AND APPROPRIATION – 2021 FEDERAL BULLETPROOF VEST GRANT

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,

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 2022 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 2022 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:
2021 Federal Bulletproof Vest Grant; \$16,944.08

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
2021 Federal Bulletproof Vest Grant; \$16,944.08
Local Match \$ 0.00

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

Adopted: October 19, 2022

Agenda No. XII 7

~ Resolution 2022 – 377~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF A DMHAS GRANT FOR THE WEST MILFORD MUNICIPAL ALLIANCE COMMITTEE FOR THE WEST MILFORD MUNICIPAL ALLIANCE GRANT

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, in coordination with GCADA, the New Jersey Department of Human Services/ Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

WHEREAS, the West Milford Town Council of the Township of West Milford, County of Passaic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the West Milford Town Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the West Milford Town Council has applied for DMHAS Youth Leadership funding through the Governor's Council on Alcoholism and Drug Abuse through the County of Passaic,

NOW, THEREFORE, BE IT RESOLVED by the Township of West Milford, County of Passaic, State of New Jersey hereby recognizes the following:

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1. The West Milford Town Council does hereby accept a DMHAS Grant funding for the West Milford Municipal Alliance for Year One Grant Term July 1, 2022 through March 14, 2023 in the amount of:

DMHAS Grant Funding \$ 5,302.55

2. The West Milford Town Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Adopted: October 19, 2022

Agenda No. XII 8

~ Resolution 2022 – 378 ~

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,

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 2022 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 2022 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:
DMHAS Grant Funding; \$5,302.55

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
DMHAS Grant Funding; \$5,302.55

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

Adopted: October 19, 2022

Motion to move resolutions 2022-366 through 2022-370 and Resolution 2022-377 and 2022-378.

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

Agenda No. XIII

Consent Agenda

~ Resolution 2022 – 371 ~

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:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
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Resolutions:

- a) **2022-372** – Recreation Refund
- b) **2022-373** – Refund of Other Liens
- c) **2022-374** – Refund of Overpayment
- d) **2022-375** – Reinstatement of Taxes

Adopted: October 19, 2022

Agenda No. XIII a

~ Resolution 2022 – 372 ~

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:

BOB ROSS			
\$50.00	Amanda Carcione 28 Old Hoop Pole Road Oak Ridge, NJ 07438		
INTERMEDIATE COUNTRY LINE DANCE			
\$80.00	Al Kaufman 7325 Richmond Road West Milford, NJ 07480		

Adopted: October 19, 2022

Agenda No. XIII b

~ Resolution 2022 – 373 ~

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	Pay to Lien Holder
20-0011	10/13/20	01816-001	\$17,096.94	GREYMORR, LLC BMO 85 PO BOX 1414 MINNEAPOLIS, MN 55480
20-0028	10/13/20	03403-006	\$28,202.15	GREYMORR, LLC BMO 85 PO BOX 1414 MINNEAPOLIS, MN 55480
20-0062	10/13/2020	12201-007	\$21,852.37	FNA DZ, LLC 120 N LA SALLE ST; SUITE 1 CHICAGO, IL 60602
TOTAL			\$67,151.46	

Adopted: October 19, 2022

Agenda No. XIII c

~ Resolution 2022 – 374 ~

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.

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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. Exempt Property |
| 5. Homestead Rebate | 10. Trust Assessment |

Block and Lot	Name	Amount	Year	Reason
15702-007	Reade, David & Lilliana 69 Allison Avenue Newfoundland, NJ 07435	250.00	2021	3

Adopted: October 19, 2022

Agenda No. XIII d

~ Resolution 2022 – 375 ~

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

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

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

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

- REASON:**
- | | |
|---|---------------------------------|
| 1 | INSUFFICIENT FUNDS |
| 2 | NO ACCOUNT/CANNOT LOCATE |
| 3 | ACCOUNT CLOSED |
| 4 | STOP PAYMENT |
| 5 | INVALID ACCOUNT NUMBER |

BLOCK/LOT	NAME	AMOUNT	YEAR	REASON
04701-053	Arkadiusz Dabrowski	\$1,998.00	\$23.88	2022 2
05902-012	Stephen Beck	\$2,389.60		2022 2
00903-006	Debra Rohlfs	\$159.56	\$3.97	2022 2
00902-016	Debra Rohlfs	\$315.13	\$7.89	2022 2
00904-002	Kathleen S Gnudi	\$4,055.89		2022 1

Adopted: October 19, 2022

Motion to move resolutions 2022-371 through 2022-375.

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

Agenda No. XIV

Approval of Expenditures

~ Resolution 2022 – 376 ~

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	\$426,096.95

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3	Reserve Account	64,069.14
2	Grants	78,158.95
6	Refunds	67,531.46
1	General Ledger	8,455.00
26	Refuse	70,025.46
4	Capital	785,549.21
19	Animal Control	57.99
19	Heritage Trust	0.00
19	Open Space Trust	18,577.50
19	Trust	2,681.87
19	Scala Trust	0.00
16	Development Escrow	5,624.38
19	Tax Sale Trust	0.00
21	Assessment Trust	58,142.89
	Special Reserve	0.00
Total		\$1,584,970.80
Less Refund Resolution		-\$67,531.46
Actual Bills List		\$1,517,439.34
Other Payments		
Payroll		\$518,739.21
Enterprise lease		24,940.38
Total Expenditures		\$2,061,118.93

Adopted: October 19, 2022

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

Agenda No. XV

Reports of Administrator, Mayor and Council Members

Councilman Gross – No report.

Councilman Marsden – No report.

Councilwoman Erik – The YMCA of Montclair is having a Fall Festival Open House next Saturday October 29th from 12 to 4 p.m. on Germantown Road and all are invited.

Councilman Chazukow – Enjoyed ALF and thought it was great. He is interested in feedback and monitoring the relationship with the event coordinator.

Councilwoman Lichtenberg – Wednesday, October 26 there will be a Covid and flu vaccination clinic at Town Hall from 3 to 6 p.m. No insurance or payment is necessary and children 6 months to 5 years old may also get vaccinated. Both the Moderna and Pfizer vaccines will be available. The free dog rabies clinic will take place November 15th at the DPW building. The West Milford Lion's Club has started collecting coats, hats, gloves and boots. Donations may be dropped off at Tractor Supply, the American Legion building or the West Milford Chiropractic Wellness Center. Children's items are a priority.

Councilman Goodsir – Registration is open now until November 13th at the Recreation Department for basketball. Registration for travel basketball is also open with tryouts for boys on October 24th and October 25th for girls. There are two spots remaining for the Kid's Bake taking place on November 30th. Pickleball takes place from 6:30 to 9:30 p.m. on Wednesday nights. Contact the Recreation Department for more information. The West Milford High School and Middle School in association with the PBA and the Community Services and Recreation Department will be having a Trick or Trunk from 5 to 8 p.m. on October 29th at the High School and trunks are needed. Check the Township website for Military Banner information starting November 1st. Senior pinocle takes place every Monday from 10:30 to 12:30 p.m. at the Recreation Center. Members are still needed for the bowling league. November 3rd is Trivia Day for the Seniors. Councilman Goodsir enjoyed ALF and indicated that nothing that big runs completely smoothly but it was a great day.

Mayor Dale – Indicated that it was the first year ALF was under the direction of the company placed in charge and although there were a few bumps the overwhelming response was one of support. The

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weather was great and there were a lot of vendors and tons of people. People seemed to be very pleased that it was back. The previous ALF coordinators had done it for a long time and were extremely helpful. People learned as they went as well. The Mayor welcomes feedback. There will be a Veterans Day Ceremony Friday, November 11 starting at 11:00 a.m. at Veterans Park. Early voting information will be placed on the Township website. Early voting is by machine but also there is an early voting drop box located right outside the Police Department. The drop box is monitored by cameras 24/7. Mayor Dale encouraged everyone to get their ballots in. The information will also be posted on various forms of social media.

Administrator Senande – We have received the official recommendation from the Greenway Trail subcommittee. They recommend moving forward with studying the Belcher’s Creek Trail. The Planner is moving ahead with the feasibility study for the Greenway. She will be designing the Belcher’s Run portion of the Greenway, running from Pinecliff Lake to Greenwood Lake. The subcommittee was formed in January. An application was made for reallocation of existing grant funds from the Highlands which came in back in May. It has been in the works for a long time, even earlier than 2008. The idea is to interconnect the hiking/biking trails and boating with the business districts, and the focus now is on the Belcher’s Creek area because it will make those connections and provide parking as well.

Attorney Pasternak – No report.

Agenda No. XVI

Appointments and Resignations

None

Agenda No. XVII

Adjournment

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

The meeting adjourned at 7:40 p.m.

Approved: November 2, 2022

Respectfully submitted:

Deidre Ellis, Keyboarding Clerk II

MICHELE DALE, MAYOR

WILLIAM SENANDE, TOWNSHIP CLERK