

TOWNSHIP OF WEST MILFORD

THE FOLLOWING COMPRISES THOSE DOCUMENTS
SUBMITTED TO THE TOWNSHIP COUNCIL FOR
CONSIDERATION AND ACTION AT THE NOVEMBER 8, 2023
REGULARLY SCHEDULED REGULAR MEETING.

THESE ACTION ITEMS ARE SUBJECT TO CHANGE AND
ARE PROVIDED HERETO AS A COURTESY.

ORDINANCES AND RESOLUTIONS THAT HAVE BEEN
ADOPTED BY THE TOWNSHIP COUNCIL ARE POSTED ON
THE TOWNSHIP WEBSITE UNDER "LOCAL LAW" AS SOON
AS PRACTICABLE AFTER THE MEETING AT WHICH
ACTION WAS TAKEN.

IT IS STRONGLY RECOMMENDED THAT ONE SEEKING A
COPY OF THAT WHICH WAS ADOPTED BY THE
TOWNSHIP COUNCIL OBTAIN THAT COPY UNDER THE
LINK TO "LOCAL LAW".

EACH OF THE FOLLOWING RECORDS IS SUBJECT TO
CHANGE AND/OR AMENDMENT BY THE TOWNSHIP
COUNCIL PRIOR TO ADOPTION.

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 404 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 8th day of November 2023 that:

1. Prior to the conclusion of this **Regular Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () b. (4) A collective bargaining agreement including negotiations.
 - () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - () b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
 - (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
 - Attorney-Client Privilege – Altice Settlement
 - Attorney-Client Privilege – Canabhang
 - () 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: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2023 - 029 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC STATE OF NEW JERSEY AMENDING CHAPTER 325 STORMWATER MANAGEMENT AND TO CREATE A SECTION ENTITLED "PRIVATELY OWNED SALT STORAGE" WITHIN THE TOWNSHIP CODE

WHEREAS, the Township seeks to update its Code to incorporate new provisions as to privately owned salt storage, and as recently recommended and suggested by the New Jersey Department of Environmental protection; and

WHEREAS, preventing salt leeching and other environmental consequences from improper private salt storage serves to protect the Township's water, and 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 the Township of West Milford Code shall be amended and updated to include a new section, entitled § 325-18, Private Salt Storage, as reflected herein.

SECTION 1. § 325-18 Privately Owned Salt Storage

A. Purpose:

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater. This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the Township of West Milford to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

B. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- (1) "De-icing materials" means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- (2) "Impervious surface" means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- (3) "Storm drain inlet" means the point of entry into the storm sewer system.
- (4) "Permanent structure" means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall). A fabric frame structure is a permanent structure if it meets the following specifications:
 - (a) Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
 - (b) The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
 - (c) The structure shall be erected on an impermeable slab;
 - (d) The structure cannot be open sided; and

- (e) The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- (5) "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- (6) "Resident" means a person who resides on a residential property where de-icing material is stored.

C. Deicing Material Storage Requirements:

1. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
 - (a) Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 - (b) Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 - (c) Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 - (d) Loose materials shall be covered as follows:
 1. The cover shall be waterproof, impermeable, and flexible;
 2. The cover shall extend to the base of the pile(s);
 3. The cover shall be free from holes or tears;
 4. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 5. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - a) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
 - (e) Containers must be sealed when not in use; and
 - (f) The site shall be free of all de-icing materials between April 16th and October 14th.
2. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 -April 15.
3. All such temporary and/or permanent structures must also comply with all other local ordinances, including building and zoning regulations.
4. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
 - a) Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

D. Exemptions:

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

E. Enforcement:

This ordinance shall be enforced by the Township of West Milford Police Department and/or other Township Officials, including but not limited to the Township Zoning Officer during the course of ordinary enforcement duties.

F. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines and penalties pursuant to Township Chapter I, Article III, General Penalty, or as applicable, to the maximum penalty as provided under state statute or regulation.

G. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

F. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

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: October 18, 2023
Adopted:
Effective Date:

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST

William Senande, Township Clerk

By: _____
Michele Dale, Mayor

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2023 - 030 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY CREATING A NEW SECTION WITHIN THE TOWNSHIP CODE WITHIN PART II, GENERAL LEGISLATION AS CHAPTER XXX, AND ENTITLED LEAD-BASED PAINT HAZARD INSPECTION REQUIREMENTS FOR RENTAL DWELLINGS

WHEREAS, effective July 22, 2022, the Legislature enacted P.L. 2021, c. 182, "An Act concerning certain lead-based paint hazard and residential rental property and establishing lead-based paint hazard programs, supplementing P.L. 2003, c. 311 (C. 52:27D-437.1 et al.) amending various parts of the statutory law, and making an appropriation;" and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(1) a municipality that maintains a permanent local agency for the purpose of conducting inspections and enforcing laws, ordinances, and regulations concerning buildings and structures, is required to inspect for lead-based paint hazards in certain specified single-family, two-family, and multiple rental dwellings, at the time periods set forth in the statute; and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(2) a municipality that does not maintain such a permanent local agency must hire a lead evaluation contractor, certified to provide lead paint inspection services by the DCA, or enter a shared services agreement as permitted by law, for the purpose of conducting the inspections for lead-based paint hazards; and

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 updated to include the following new Chapter XXX, entitled Lead-Based Paint Inspection Requirements for Rental Dwellings, for the purpose of assisting the municipality with inspection requirements and fees for compliance of P.L. 2021, c. 182 and will read as follows:

SECTION 1. Chapter XXX - Lead-Based Paint Hazard Inspection Requirements for Rental Dwellings

§ XXX-1 Definitions.

§ Definitions.

The following definitions shall apply to this article:

COMMON INTEREST COMMUNITY

A real-estate development or neighborhood in which the property is burdened by servitudes requiring property owners to contribute to maintenance of commonly held property or to pay dues or assessments to an owner's association that provides services or facilities to the community.

DUST WIPE SAMPLING

A sample collected by wiping a representative surface and tested in accordance with a method approved by the United States Department of Housing and Urban Development.

LEAD-BASED PAINT HAZARD

Any condition that causes exposure to lead from lead-contaminated dust or lead contaminated paint that is deteriorated or present in surfaces that would result in adverse human health effects.

LEAD INSPECTOR

A person certified by the Department of Community Affairs to perform lead inspection and risk assessment work pursuant to N.J.A.C. 5:17-1.1, *et seq.* This includes the ability to perform dust wipe sampling.

LEAD-FREE CERTIFICATION

A certification which confirms that a lead-based paint inspection was performed and that no lead based-paint exists in the dwelling unit or that all lead-based paint hazards have been fully abated.

LEAD-SAFE CERTIFICATION

A certification which confirms that a lead-based paint inspection was performed and no lead-based paint hazards were found. This certification is valid for two years from the date of issuance.

TENANT TURNOVER

The time at which all existing occupants vacate a dwelling unit and all new tenants move into the dwelling unit.

VISUAL ASSESSMENT

A visual examination for deteriorated paint or visible surface dust, debris, or residue.

VISUAL ASSESSOR

A person that is certified to perform a visual assessment.

§ Requirement for Lead-Based Paint Inspection.

- A. All residential rental dwelling units required to be inspected under state law must initially be inspected for lead-based paint hazards upon tenant turnover, but the first inspection must take place no later than July 22, 2024, in the event there has been no tenant turnover before that date.
- B. After the initial inspection, all units required to be inspected shall be inspected for lead-based paint hazards every three years, or upon tenant turnover, whichever is earlier. An inspection upon tenant turnover is not required if the owner has a valid lead-safe certificate. Lead-safe certificates are valid for two years. If the lead-safe certificate has expired, and there will be a tenant turnover, an inspection will be necessary before the three-year inspection.

§ Reporting Requirements for Owners/Landlords and Contractors.

- A. Owners/landlords of all dwellings subject to the inspection requirements under this section shall register their unit(s) with the Township Clerk and also provide the Township with up-to-date information on inspection schedules, inspection results, and tenant turnover.
- B. An owner/landlord shall provide the Township with a copy of any lead-safe certification issued by a lead evaluation contractor.
- C. An owner/landlord shall provide the Township with a copy of any lead-free certification issued pursuant to N.J.A.C. 5:17 for their unit(s).

§ Lead-Based Paint Inspection.

- A. A lead inspector or visual assessor shall inspect every single-family, two-family, and multiple rental dwelling located within the municipality for lead-based paint hazards through visual assessment and dust wipe sampling in accordance with N.J.S.A. 52:27D-437.16 *et seq.*, as may be amended from time to time.

- B. The property owner or landlord may, in lieu of having the dwelling inspected by the municipality's lead inspector, directly hire a private lead inspector who is certified to provide lead paint inspection services by the Department of Community Affairs to perform the lead-based paint inspection in accordance with N.J.S.A. 52:27D-437.16 *et seq.*, as may be amended from time to time.
- C. In accordance with N.J.S.A. 52:27D-437.16(c), a dwelling unit in a single-family, two-family, or multiple rental dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards if the unit:
- (1) has been certified to be free of lead-based paint;
 - (2) was constructed during or after 1978;
 - (3) is in a multiple dwelling that has been registered with the Department of Community Affairs as a multiple dwelling for at least 10 years, either under the current or a previous owner, and has no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the "Hotel and Multiple Dwelling Law";
 - (4) is a single-family or two-family seasonal rental dwelling which is rented for less than six months duration each year by tenants that do not have consecutive lease renewals; or
 - (5) has a valid lead-safe certification.
- D. If lead-based paint hazards are identified, then the owner of the dwelling shall remediate the hazards through abatement or lead-based paint hazard control mechanisms in accordance with N.J.S.A. 52:27D-437.16(d). Upon the remediation of the lead-based paint hazard, the municipality's lead inspector or visual assessor, as may be applicable, or the owner's private lead inspector, shall conduct an additional inspection of the unit to certify that the hazard no longer exists.
- E. If no lead-based paint hazards are identified then the municipality's lead inspector or the owner's private lead inspector shall certify the dwelling as lead safe on a form prescribed by the Department of Community Affairs, which shall be valid for two years.
- F. In accordance with N.J.S.A. 52:27D-437.16(e), property owners shall:
- (1) Provide evidence of a valid lead-safe certification and the most recent tenant turnover to the municipality at the time of the cyclical inspection.
 - (2) Provide evidence of a valid lead-safe certification to new tenants of the property at the time of tenant turnover and shall affix a copy of such certification as an exhibit to the tenant's or tenants' lease.
 - (3) Maintain a record of the lead-safe certification which shall include the name or names of the unit's tenant or tenants if the inspection was conducted during a period of tenancy.
- G. The fees for a lead-based paint inspection shall be as follows:
- (1) The fee for a visual assessment inspection performed by the municipal lead inspector shall be \$250 for a dwelling unit that has one bedroom. There shall be an additional fee of \$25 for each additional bedroom in the dwelling unit.
 - (2) Where it may be necessary to collect dust wipe samples to test for lead dust hazards, the fee shall be \$30 per dust wipe with a minimum of six (6) dust wipes required in accordance with the HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing.
 - (3) Where an independent inspection or risk assessment determines that no lead-based paint hazard exists in a dwelling unit, the fee for the filing of a lead-safe certification or lead-free certification shall be \$25.
 - (4) The fee for conduction a visual reinspection performed by the municipal lead inspector shall be \$100 for a 1 bedroom dwelling unit and \$20 for each additional bedroom. Additional dust wipe sampling fees as aforementioned shall be applied if applicable.

- (5) In a common interest community, any inspection fee charged shall be the responsibility of the unit owner and not the homeowners' association, unless the association is the owner of the unit.
- (6) In accordance with N.J.S.A. 52:27D-437.16(h), an additional fee of \$20 per dwelling unit inspected by the municipal lead inspector or the owner's private lead inspector shall be assessed for the purposes of the "Lead Hazard Control Assistance Act" unless the unit owner demonstrates that the Department of Community Affairs has already assessed an additional inspection fee of \$20. The fees collected pursuant to this paragraph shall be deposited into the "Lead Hazard Control Assistance Fund."

§ Violations and Penalties.

In accordance with N.J.S.A. 52:27D-437.19, the penalties for a violation of this chapter shall be as follows:

- A. If a property owner has failed to conduct the required inspection or initiate any remediation efforts, the owner shall be given 30 days to cure the violation.
- B. If the property owner has not cured the violation after 30 days, the property owner shall be subject to a penalty not to exceed \$1,000 per week until the required inspection has been conducted or remediation efforts have been initiated.

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

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

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

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

Introduced:
Adopted:
Effective Date:
ATTEST:

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

William Senande, Township Clerk

By: _____
Michele Dale, Mayor

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 405 ~

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 10 IN BLOCK 1404, OTHERWISE KNOWN AS 41 HENRY ROAD, IN THE TOWNSHIP OF WEST MILFORD WHICH IS UNDER THE JURISDICTION OF THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION POLLUTANT DISCHARGE ELIMINATION SYSTEM, DISCHARGE TO GROUNDWATER (NJPDES-DWG) NJG0132179

WHEREAS, the West Milford Board of Education is the owner of the property at 41 Henry Road, West Milford, NJ 07480 in the Township of West Milford, which is otherwise known as Lot 10 in Block 1404; and

WHEREAS, the aggregate peak daily wastewater design flow for the use(s) on the property exceeds 2,000 gpd; and

WHEREAS, the construction, alteration or repair of an ISSDS designed to treat and dispose of wastewater flows in excess of 2,000 gpd is regulated by the NJDEP NJPDES program; and

WHEREAS, the West Milford Board of Education 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; 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 West Milford Board of Education realty improvements and facilities located on Lot 10 in Block 1404 in the Township of West Milford.

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 - 406 ~

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 16 IN BLOCK 15101, OTHERWISE KNOWN AS 367 UNION VALLEY ROAD, IN THE TOWNSHIP OF WEST MILFORD WHICH IS UNDER THE JURISDICTION OF THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION POLLUTANT DISCHARGE ELIMINATION SYSTEM, DISCHARGE TO GROUNDWATER (NJPDES-DWG) PROGRAM

WHEREAS, West Milford Stables, LLC is the owner of the property at 367 Union Valley Road, West Milford, NJ 07480 in the Township of West Milford, which is otherwise known as Lot 16 in Block 15101; and

WHEREAS, the aggregate peak daily wastewater design flow for the use(s) on the property exceeds 2,000 gpd; and

WHEREAS, the construction, alteration or repair of an ISSDS designed to treat and dispose of wastewater flows in excess of 2,000 gpd is regulated by the NJDEP NJPDES program; and

WHEREAS, West Milford Stables, LLC 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; 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 West Milford Stables, LLC realty improvements and facilities located on Lot 16 in Block 15101 in the Township of West Milford.

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 407 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE TERMS OF A MEMORANDUM OF AGREEMENT TO THE COLLECTIVE BARGAINING AGREEMENT WITH AFSCME NJ COUNCIL 63 LOCAL No. 2275

WHEREAS, the Township of West Milford ("Township") and the AFSCME NJ Council 63 (formerly AFSCME Council 52) Local No. 2275 have been conducting negotiations for successor Collective Bargaining Agreement; and

WHEREAS, the Mayor and Council desire to approve the terms of a Memorandum of Agreement which shall expire on December 31, 2025; and

WHEREAS, the Parties have ratified the terms of the Memorandum of Agreement as recommended by the Township's Labor Counsel and the Township Administrator.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford as follows:

1. The Parties have reached an agreement; and
2. AFSCME NJ Council 63 Local 2275 ratifies the terms of the Memorandum of Agreement which shall modify the terms of the existing Collective Bargaining unit Agreement and extend the terms thereof to December 31, 2025; and
3. The Township desires to ratify the terms of the Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford, County of Passaic, ratifies the terms contained in the Memorandum of Agreement with AFSCME Council 63 Local 2275 for inclusion in successor Collective Bargaining Agreement and directs the Township's Labor Counsel to incorporate said terms into the parties' Collective Bargaining Agreement and authorizes the appropriate Township Officials to execute said Memorandum of Agreement.

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 408 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE TERMS OF A MEMORANDUM OF AGREEMENT TO THE COLLECTIVE BARGAINING AGREEMENT WITH TEAMSTERS LOCAL UNION 560

WHEREAS, the Township of West Milford (“Township”) and the Teamsters Local Union 560 have been conducting negotiations for successor Collective Bargaining Agreement; and

WHEREAS, the Mayor and Council desire to approve the terms of a Memorandum of Agreement which shall expire on December 31, 2026; and

WHEREAS, the Parties have ratified the terms of the Memorandum of Agreement as recommended by the Township’s Labor Counsel and the Township Administrator.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford as follows:

1. The Parties have reached an agreement; and
2. Teamsters Local Union 560 ratifies the terms of the Memorandum of Agreement which shall modify the terms of the existing Collective Bargaining unit Agreement and extend the terms thereof to December 31, 2026; and
3. The Township desires to ratify the terms of the Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford, County of Passaic, ratifies the terms contained in the Memorandum of Agreement with Teamster Local Union 560 for inclusion in successor Collective Bargaining Agreement and directs the Township’s Labor Counsel to incorporate said terms into the parties’ Collective Bargaining Agreement and authorizes the appropriate Township Officials to execute said Memorandum of Agreement.

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 409 ~

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

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) which cannot be purchased directly; and

WHEREAS, the Township requires (9) additional SDL licenses prorated for the period from December 1, 2023 through July 31, 2024 at a cost of \$10,195; and

WHEREAS, the Township requires SDL Hosting for a medium town (up to 25 users) prorated for the period from December 1, 2023 through July 31, 2024 at a cost of \$9,729; and

WHEREAS, this contract is being awarded in a not to exceed amount of \$19,924 for the regular maintenance for the period from December 1, 2023 through July 31, 2024; and

WHEREAS, the Chief Financial Officer has certified the availability of the funds from various accounts as appropriated by the Governing Body in the 2023 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 purchased through DELL Inc., State contract 20-TELE-01510 T3121.

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 410 ~

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR & OPEN PROFESSIONAL SERVICE CONTRACT FOR GRANT CONSULTANT SERVICES TO BRUNO ASSOCIATES, INC.

WHEREAS, the Township of West Milford has a need to appoint a Grant Consultant as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5 as appropriate*; and

WHEREAS, the Township Council has determined that Bruno Associates, Inc. is able to provide the desired grant consultant services in an amount not to exceed \$24,000.00; 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 bids and the contract itself must be available for public inspection; and

WHEREAS, Bruno Associates, Inc. has submitted a Business Entity Disclosure Certification which certifies that his 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 Bruno Associates, Inc. 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 said funds to be encumbered from account # 01-201-20-100-450 for services rendered as the Grant Consultant; 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 of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Bruno Associates, Inc. with offices located at 1373 Broad Street, Suite 203B, Clifton, NJ 07013 to provide grant consultant services at a rate of \$115 per hour and in an amount not to exceed \$24,000.00.
2. The total fee authorized for this contract shall not exceed \$24,000.00 without the prior written approval of the Township Council.
3. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 411 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER TO CONTRACT WITH SIMOFF ENGINEERING ASSOCIATES, INC. FOR FINAL DESIGN CHANGES AS A RESULT OF RIGHT OF WAY FINDINGS AT THE TRAFFIC SIGNAL AT THE UNION VALLEY ROAD, GREENWOOD LAKE TURNPIKE, LAKESIDE ROAD AND STAINSBY ROAD INTERSECTION FOR AN INCREASE NOT TO EXCEED \$3,670.00

WHEREAS, the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey authorized the award of a professional services contract for the Warrant Analysis, Traffic Engineering Services, Design and Project Administration of a Traffic Signal at the Union Valley Road, Greenwood Lake Turnpike, Lakeside Road and Stainsby Road intersection on April 6, 2022, by Resolution 2022-147; and

WHEREAS, property boundary limits and additional requested property access work resulted in unforeseen conditions related to the final design of the traffic signal improvement project and require additional engineering work; and

WHEREAS, Simoff Engineering Associates, Inc. has provided a change order proposal for the proposed revisions to the contract documents including incidentals of the work; and

WHEREAS, the Township has reviewed the proposal and is accepting of the required work; and

WHEREAS, due to the unforeseen conditions of the contract it is recommended to increase the contract amount to accommodate the change order which total amount of increase for the project is \$3,670.00 or 14.4%; and

WHEREAS, based upon the aforementioned change order the total amount of the contract is now \$29,145.00; and

WHEREAS, the Chief Financial Officer has certified to the availability of funds for this change order, said funds to be paid from account no. 04-215-55-834-003.

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 is hereby authorized to exceed the original contract award of \$25,475.00 to Simoff Engineering Associates, Inc., 2 Shunpike Road, Madison, NJ 07940, by an amount not to exceed \$3,670.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution change order and contract shall be available for public inspection in the Office of the Township Clerk.

Adopted: November 8, 2023

Adopted this 8th day of November 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 412 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING RESOLUTION 2023-267 FOR THE PURCHASE OF ONE (1) 2023 PLC18 TYPE I AMBULANCE BODY REMOUNT TO A FORD F-SERIES CHASSIS THROUGH SOURCEWELL (NJPA) COOPERATIVE PURCHASING SYSTEM TO PL CUSTOM BODY EQUIPMENT

WHEREAS, Resolution 2023-267 was adopted on July 12, 2023 to purchase one 2024 Chassis; and

WHEREAS, the First Aid Squad was informed the 2024 Chassis is not obtainable and there is a 2023 Chassis available; and

WHEREAS, the Township of West Milford became a member of the Sourcewell (NJPA) Cooperative Purchasing System by virtue of Resolution 2018-264 adopted on October 3, 2018; and

WHEREAS, Sourcewell (NJPA) awarded contract 110921-PLC to P.L. Custom Body & Equipment Co., Inc. for Ambulances, EMS and Other Special Service Vehicles; and

WHEREAS, the Township of West Milford seeks to purchase one (1) 2023 PLC18 Type I Remount to a Ford F-Series Chassis from P.L. Custom Body Equipment Co., Inc. located at 2201 Atlantic Avenue, Manasquan, NJ 08736 for the West Milford First Aid Squad in an amount not to exceed \$221,076.00 and in accordance with the bid specifications generated by and the subsequent contract approved by the Sourcewell (NJPA) Cooperative Purchasing system contract #110921-PLC; 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 04-215-55-840-006; and

WHEREAS, it is the recommendation of the Township's West Milford First Aid Squad to execute a purchase order to P.L. Custom Body & Equipment Co., Inc. in an amount not to exceed of \$221,076.00.

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

1. The Township Council hereby authorizes the proper Township Officials to execute a purchase order to P.L. Custom Body & Equipment Co., Inc. in accordance with the Sourcewell (NJPA) Contract 110921-PLC for one (1) 2023 PLC18 Type I Remount to a Ford F-Series Chassis in an amount not to exceed \$221,076.00.
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: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 413 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ALLOCATING OPEN SPACE FUNDS TO THE WEST MILFORD BOARD OF EDUCATION TO STUDY THE FEASIBILITY OF BUILDING A RECREATION FACILITY IN PLACE OF THE FORMER HILLCREST ELEMENTARY SCHOOL

WHEREAS, representatives of the Township of West Milford have been regularly meeting with representative of the West Milford Board of Education to discuss the best means of improving and expanding the recreation facilities available to residents; and

WHEREAS, the Township of West Milford seeks to work with the West Milford Board of Education to repurpose the former Hillcrest Elementary School, location at 1810 Macopin Road, into a public recreation facility; and

WHEREAS, the West Milford Board of Education sought proposals to study the feasibility of building a recreation facility in place of the former Hillcrest Elementary School; and

WHEREAS, the West Milford Board of Education will be consider awarding a contract in the amount of \$43,500 to Environetics Group Architects, PC ("ENV"), located at 180 Sylvan Avenue, Suite 3, Englewood Cliffs, NJ 07632; and

WHEREAS, the West Milford Board of Education has requested that the Township appropriate Open Space Funds to pay for the study; and

WHEREAS, such a recreational facility would be an appropriate use of Open Space Funds as it would make available recreation activities to all the residents of the Township; and

WHEREAS, the Township has sufficient Open Space Funds available in account 19-295-56-100-701 to pay for the study.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford that \$43,500 in Open Space Funds shall be provided to the West Milford Board of Education to pay ENV to study the feasibility of building a recreation facility in place of the former Hillcrest Elementary School.

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 414 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP OF WEST MILFORD PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, WHICH INCLUDES (301 MARSHALL HILL ROAD) QUALIFIES AS AN AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

WHEREAS, the Redevelopment Law sets forth the procedures for the Township to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

WHEREAS, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by Resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the New Jersey Legislature adopted, and the Governor signed P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, pursuant to N.J.S.A. 40A:12-6, "the resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condemnation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a "Condemnation Redevelopment Area"); and

WHEREAS, the Township Council finds it to be in the best interest of the Township and its residents to authorize the Township's Planning Board pursuant to N.J.S.A. 40A:12-4 and 6 to undertake such preliminary investigation of the study area which includes 301 Marshall Hill Road, identified on the West Milford Tax Map as Block 6404, Lot 7 (hereinafter, the "study area"); and

WHEREAS, the Township of West Milford wishes to direct the Planning Board to undertake a preliminary investigation utilizing Jessica Caldwell, PP, to prepare the preliminary investigation to determine whether the proposed study area qualifies as an area in need of Non-Condemnation Redevelopment pursuant to N.J.S.A. 40A:12A-5.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford, in the County of Passaic, and State of New Jersey, that the Planning Board is hereby authorized to undertake a preliminary investigation, utilizing Jessica Caldwell, PP, to prepare the preliminary investigation, pursuant to the notice, conduct a hearing and comply with other requirements of the Redevelopment Law, N.J.S.A. 40A:12A-1, *et seq.*, as amended, in order to recommend to the Township Committee whether the area comprising the study area is an area in need of Non-Condemnation Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.

BE IT FURTHER RESOLVED that, pursuant to N.J.S.A. 40A:12A-1 *et seq.*, the redevelopment area determination shall authorize the Township to use all those powers provided by the Legislature for use in a Non-Condemnation Redevelopment area.

BE IT FURTHER RESOLVED that the Planning Board shall submit its findings and recommendations to the Township Committee in the form of a Resolution with supporting documentation.

BE IT FURTHER RESOLVED that a certified copy of this Resolution is to be forwarded to the Planning Board of the Township of West Milford.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

This Resolution shall take effect immediately.

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
And certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 415 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING ACCEPTANCE OF A GRANT AND TO EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) FOR THE MILLING AND RESURFACING OF CLINTON ROAD BETWEEN STEPHENS ROAD AND WILDCAT PRESERVE

WHEREAS, on June 14, 2023, the Township Council of the Township of West Milford approved the submission of an NJDOT grant application to fund a portion of the milling and resurfacing of Clinton Road between Stephens Road and the Wildcat Preserve (1.3 miles) under the 2024 Municipal Aid Program; and

WHEREAS, the requested \$716,250 application resulted in a \$495,490 award approved by the NJDOT Commissioner; and

WHEREAS, a local capital budget request, for \$459,510, has been tentatively submitted by the Engineering Division to fund the balance of the preliminary construction cost estimate; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council of the Township of West Milford formally accept the grant received for the above stated project; and

BE IT FURTHER RESOLVED that the Township of West Milford acknowledges that a contract for construction must be executed no later than October 31, 2025, as per the grant term requirements established by the New Jersey Department of Transportation.

Approved: November 8, 2023

Adopted this 8th day of November 2023
and certified as a true copy of the original.

William Senande, Township Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST AND AFFIX SEAL

William Senande, Township Clerk

Michele Dale, Mayor

Township of West Milford
Passaic County, New Jersey

~ Resolution 2023 – 416 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING ACCEPTANCE OF A GRANT FROM THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FY2023 FOR A BARRIER-FREE ACCESS WITH ADA IMPROVEMENTS TO THE BUBBLING SPRINGS PARK RESTROOM FACILITY

WHEREAS, on March 1, 2023, the Township Council of West Milford approved the submission of a US Department of Housing and Urban Development Community Development Block Grant (CDBG) application for A.D.A. improvements to the Bubbling Springs Park Restroom Facility; and

WHEREAS, the Passaic County Department of Planning and Economic Development manages the Community Development Block Grant program; and

WHEREAS, the requested \$95,000.00 application resulted in a \$80,000.00 award approved by Passaic County Board of Chosen Commissioners Resolution R-23-0924; and

WHEREAS, the managing Township Department has submitted a tentative budget request for the remainder of the preliminary construction cost estimate and estimated architectural costs.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council of the Township of West Milford formally accept the \$80,000.00 grant received for the above stated project.

Approved: November 8, 2023

Adopted this 8th day of November 2023
and certified as a true copy of the original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 417 ~

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 2023 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 2023 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:	
CDBG Grant for Bubbling Springs ADA Improvements;	\$80,000.00

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	
CDBG Grant for Bubbling Springs ADA Improvements:	\$80,000.00

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

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 418 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF A NEW JERSEY ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NJACCHO) ENHANCING LOCAL PUBLIC HEALTH INFRASTRUCTURE LOCAL HEALTH DEPARTMENT GRANT PROGRAM IN THE AMOUNT OF \$126,327

WHEREAS, local health departments are responsible for providing essential services in areas such as emergency response and disaster resiliency, communicable disease investigation and outbreak response, environmental and sanitation inspections, chronic disease prevention and health promotion; and

WHEREAS, the public health priority funding was discontinued in 2011 resulting in a reduced workforce and reduced available services; and

WHEREAS, As part of COVID-19 relief efforts, the Centers for Disease Control and Prevention (CDC) has provided funds to the New Jersey Department of Health, and through the New Jersey Association of County and City Health Officials through the ELC Cooperative Agreement that are broadly intended to provide critical resources to state, local, and territorial health departments in support of a broad range of COVID-19/SARS-CoV-2 testing and epidemiologic surveillance related activities, and

WHEREAS, the funding will enable the Township to continue to support various Health Department grant-funded employees and other necessary staff to meet these needs; and

WHEREAS, the Township received \$126,327 in 2023 for this same grant program; and

WHEREAS, the Township Council of the Township of West Milford has determined that there is a need for these grant funds in 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of West Milford hereby authorizes the acceptance of the Enhancing Local Public Health Infrastructure Local Health Department Grant Program 2024 grant in the amount of \$126,327.

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 419 ~

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 2023 Budget to include an additional 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 additional amount of an item in the budget of the year 2023 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:
NJACCHO Enhancing Local Public Health Infrastructure grant program \$126,327.00

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
NJACCHO Enhancing Local Public Health Infrastructure grant program \$126,327.00

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

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 420 ~

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

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse 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, The Township 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 Township 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 Township Council has applied for funding to 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:

1. The Township Council does hereby accept a grant of a strategic plan for the West Milford Municipal Alliance for the period of July 1, 2023 to June 30, 2024 (FY2024) in the amount of:

DEDR	\$8,276.48
Cash Match	\$2,069.12
In-Kind	\$6,207.36
2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.
3. The Chief Financial Officer has certified as to the availability of funds for this match, said funds to be encumbered from account number 19-295-56-120-215.

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 421 ~

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 2023 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 2023 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:

Municipal Alliance Grant ; \$8,276.48

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

Municipal Alliance Grant: \$8,276.48

Local match: \$2,069.12

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

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 422 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF A 2023 DRIVE SOBER OR GET PULLED OVER YEAR END HOLIDAY 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 2023 Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant beginning December 1, 2023 through January 1, 2024 in the amount of \$7,000.00.

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 423 ~

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 2023 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 2023 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: Drive Sober or Get Pulled Over campaign;	\$7,000.00
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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 Drive Sober or Get Pulled Over campaign;	\$7,000.00
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BE IT FURTHER RESOLVED, that the Township Finance Department will electronically file with the State of NJ in accordance with LFN 2014-11.

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 - 424 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO TRANSFER ITEMS OF CURRENT FUND APPROPRIATIONS IN ACCORDANCE WITH THE PROVISION OF N.J.S.A. 40:4-58

WHEREAS, there appears to be a surplus in the 2023 appropriation over and above the demand deemed to be necessary for the balance of the year:

APPROPRIATION	ACCOUNT NUMBER	TRANSFER PROPOSAL
Police Patrol, S&W	25-240-100	\$45,000
General Services, S&W	20-161-100	\$2,500
TOTAL TRANSFERS OUT		\$47,500

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

Police Administration, S&W	25-242-100	\$45,000
Vital Statistics, S&W	27-331-100	\$700
Environmental Health, S&W	27-335-100	\$1,800
TOTAL TRANSFERS IN		\$47,500

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

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

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution 2023 – 425 ~

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

RESOLUTION TO FOLLOW

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 426 ~

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) **2023-427** – Recreation Fee Refunds
- b) **2023-428** – Health Refunds
- c) **2023-429** – Cancellation of Outstanding Checks
- d) **2023-430** – Cancellation of Taxes
- e) **2023-431** – Refund Other Liens
- f) **2023-432** – Refund of Overpayments
- g) **2023-433** – Reinstatement of Taxes

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford
 Passaic County, New Jersey

~ Resolution 2023 – 427 ~

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 PAINTING			
\$40.00	1 Post Brook Road North West Milford, NJ 07480		
HIKING CLUB			
\$15.00	14 Belmont Drive West Milford, NJ 07480		
YOUNG HEARTS BOWLING			
\$23.00	7 Applegate Court West Milford, NJ 07480		
PERMIT FEES			
\$225.00	14 Upper Mt. Glen Lake Drive West Milford, NJ 07480		
CHILDRENS ART CLUB			
\$135.00	22 Tintle Ave. West Milford, NJ 07480		

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
 and certified as a true copy of an original.

 William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 - 428 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUNDS FROM THE HEALTH DEPARTMENT

BE IT RESOLVED, that the Health Department requests that the following refunds be issued:

Name & Address	Account No.	Amount to be Refunded
Dani's Kettle Corn 32 Greenbriar Drive Berkeley Heights, NJ 07922	01-192-08-104-331 Food Handling License # 23-0164	\$100.00
RK & Son, Inc T/A Rich Kimble & Sons 822 Green pond Road Rockaway, NJ 07866	01-192-08-105-333 Repair permit #13709	\$90.00

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~Resolution 2023 - 429 ~

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

WHEREAS, the Chief Financial Officer has determined that the following Township of West Milford claims warrant check has been outstanding for a period in excess of three months.

DATE	CHECK #	AMOUNT
12/8/22	31418	\$30.00
12/8/22	31439	\$10.00
12/8/22	31502	100.00
1/19/23	32063	\$115.68
	TOTAL	\$ 255.68

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

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 430 ~

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

WHEREAS, there appears on the tax records balances as listed below; and

WHEREAS, the Collector of Taxes recommends the cancellation of taxes due to reasons listed below.

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

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

Block/Lot	Name	Amount	Year	Reason
06404-007	Township of West Milford	\$7,443.93	2022	2
		\$14,845.23	2023	
		\$7,422.00	2024	
	Total	\$29,711.16		

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 431 ~

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
23-0022	10/10/2023	03703-005.02	\$8,718.34	\$300.00	Pro Cap 8 FBO First Trust Bank P.O. Box 774 Fort Washington, PA 19034-0774
23-0034	10/10/2023	07006-003	\$6,275.47	\$100.00	Kareda LLC 18395 Gulf Blvd Ste 203 #4 Indian Shores, Florida 33785
23-0040	10/10/2023	10002-012	\$1,100.59	\$100.00	Kareda LLC 18395 Gulf Blvd Ste 203 #4 Indian Shores, Florida 33785
21-0043	10/12/2021	07801-053.07	\$167.88	\$8,000.00	Christiana T C/f CE1 Firstrust P.O. Box 5021 Philadelphia, PA 19111
23-0051	10/10/2023	13902-012	\$7,399.87	\$19,600.00	WSFS CF Actlien Holding PO Box 71539 Philadelphia, PA 19176-1539
23-0001	10/10/2023	00501-006	\$10,239.28	\$47,800.00	FNA VIII, LLC 201 W. Lake St. #165 Chicago, IL 60606
TOTAL			\$33,901.43	\$68,700.00	

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution 2023 – 432 ~

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

Block/Lot	Name	Amount	Year	Reason
02601-025	Jennifer R. Jacobus Esq. Jacobus & Associates, LLC 201 Littleton Road Suite 100 Morris Plains, NJ 07950 Owner: Goldstein, R./Turkel, A/Kern, H	\$815.00	2023	7
06001-007	Robert Spiotti, Esq. Spiotti & Associates 612 Godwin Ave Midland Par, NJ 07432 Owner: Raymond Spellman	\$5,633.98 \$3,063.56	2019 2022	7

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 433 ~

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 | 5. Unauthorized Corp Debit |
| 2. No Account/Cannot Locate | 6. No Signature |
| 3. Account Closed | 7. UCF (Uncollectable Funds) |
| 4. Stop Payment | 8. Non-Transaction Account |

Block - Lot	Name	Amount	Int	Year	Reason
15101-017		\$6,097.27		2023	1
04901-037		\$3,476.48		2023	2
05204-010		\$1,622.00	\$48.44	2023	1
Total		\$14,567.73	\$48.44		

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution No. 2023 – 434 ~

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	\$593,319.15
3	Reserve Account	88,468.20
2	Grants	3,705.68
6	Refunds	119,941.97
1	General Ledger	0.00
26	Refuse	267,442.10
4	Capital	96,700.00
19	Animal Control	0.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	15,174.29
19	Scala Trust	0.00
16	Development Escrow	2,520.00
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	87.00
Total		\$1,187,358.39
	Less Refund Resolution	-119,941.97
	Actual Bills List	\$1,067,416.42
	Other Payments:	
	Payroll	577,279.50
	BOE	5,223,074.00
	Total Expenditures	\$6,867,769.92

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 435 ~

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 WM77 TV Commission:

<u>Name</u>	<u>Position</u>	<u>Date Tendered</u>
Ruthann Mekita	WM77 TV Commission Citizen Member Term expires 12/31/23	October 27, 2023

Adopted: November 8, 2023

Adopted this 8th day of November, 2023
and certified as a true copy of an original.

William Senande, Township Clerk