







7903/1	12 Mickens Road	R-1	OT
<b>7903/4</b>	<b>Mickens Road</b>	<b>R-1</b>	<b>OT</b>
7903/5	2046 Macopin Road	VC	OT

Section 4. Section 18-4, Commercial Districts, Subsection 18-4.1 Purpose is amended to add a new paragraph after the fourth paragraph, which shall read as follows:

The purpose of the OT district is to provide an office district in a less intensive transition zone between the more intensive commercial zones and residential zones. The standards are intended to allow for non-residential development that has residential character by establishing such criteria as residential setbacks, controlled access points and the merging of adjoining parking lots in the side and **rear yards** to preserve front yard landscaped areas.

Section 5. Section 18-4.2 - Principal Permitted Uses on the Land and In the Buildings, is amended as follows to add a new paragraph F:

F. Permitted uses in the OT zone shall be as follows:

1. Doctor, dentist, insurance, real estate, engineer, architect, planner, lawyer and similar offices and non-retail uses that are low traffic generators.
2. Physical therapist, chiropractor, optometrist, acupuncturist.
3. Single-family homes.
4. Residential dwelling units above permitted, non-residential uses set forth in **F.1** and 2 herein.
5. Bed and breakfasts.

Section 6. Section 18-4.3 - Accessory Uses Permitted, as follows is amended to add a new paragraph H.

Permitted Accessory Uses.

H. Accessory uses in the OT zone shall be as follows:

1. Home occupations in accordance with Section 18-3.3F.
2. Home professional offices in accordance with Section 18-3.3G.
3. Off-street parking and loading, which shall be located to the side and rear of the structure and not within the required buffer areas. Access drive(s) are permitted within the front yard setback and buffer areas. Access drive(s) are permitted in the side yard setback and buffer areas provided that the purpose of the encroachment is to provide for shared parking between adjoining properties.
4. Accessory structures.
5. Signs in accordance with Section 18-14.
6. Fences and walls in accordance with Section 18-9.4.
7. Swimming pools in accordance with Sections 18-9.4 and 18-9.23.
8. Residential agriculture.
9. Site lighting.

Section 7. Section 18-4.4 - Area and Yard Requirements, as follows, is amended to add a new chart for after chart for "VC Zone" yard and area requirements.

Principal Buildings

Min. Lot Area	1 acre
Min. Lot Width	150 feet
Min. Front Yard	50 feet
Min. Side Yard	30 feet
Min. Rear Yard	50 feet
Max. Bldg. Height	2 stories, not exceeding 35 feet
Max. Lot Coverage	50%

Accessory Buildings

Min. Side Yard	15 feet
Min. Rear Yard	35 feet
Max. Height	20 feet

Section 8. J. Section 18-4.5 - General Requirements, as follows is amended to add a new paragraph J.

J. General Requirements specific to the OT Zone shall be:

1. Hours of operation for non-retail uses shall be 6 a.m. to 10 p.m., except that bed and breakfasts shall not have limits to hours of operation.
2. Site lighting shall be in accordance with section 18-9.5, except that the fixture mounting height shall not exceed 15 feet. Lighting associated with the permitted, non-residential uses shall be turned off from 10:00 p.m. to 6:00 a.m., except that one parking lot light with a motion sensor may be used if approved by the reviewing Board at the time of site plan review. Bed and breakfasts shall not have limits to site lighting.

3. Buffer Areas.

Rear Yard	35 feet
Side Yard	10 feet
Adjoining residential zone	35 feet

4. All building walls facing any street or residential district line shall be architecturally residential in character.
5. All areas not utilized for buildings, parking, loading, access aisles, driveways, or pedestrian walkways shall be landscaped.

Section 9. Section 18-4.11 - Minimum Off-Street Loading, as follows is amended to add paragraph F.

F. There shall be no off-street loading area requirement in the Office Transition zone.

Section 10. Section 18-4.12 - Minimum Off-Street Parking, as follows is amended to add a new paragraph O.

O. In the OT zone, non-retail uses shall provide parking at the ratio of 1 space per 300 square feet of business space.

Section 11. Add a new column to Table 18-14.4A - Permitted Signs by Type and Zoning District, as follows:

Zone All Ins<sup>a</sup> PNP {OT} VC NC LC HC OR LMI SED<sup>g</sup> R<sup>o</sup>

Sign Type

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Freestanding {S}

Building

Banner <sup>h</sup>	{N}
Canopy	{N}
Identification <sup>d</sup>	{P}
Incidental <sup>c</sup>	{P}
Projecting <sup>c</sup>	{N}
Residential <sup>b</sup>	{P}
Roof	{N}
Roof, Integral	{N}
Suspended <sup>g</sup>	{N}
Temporary <sup>h</sup>	{S}
Wall	{N}
Window	{N}

Miscellaneous

Flag <sup>j</sup>	{P}
Portable <sup>m</sup>	{N}
Pennant	{N}
Political & Community Organs <sup>n</sup>	{P}

P = Allowed without sign permit  
 S = Allowed only with sign permit  
 N = Not allowed

Section 12. Add a new column to Table 18-14.4B - Number, Dimensions, and Location of Individual Signs by Zoning District, and a new footnote o, as follows:

Zone All Ins<sup>a</sup> PNP {OT} VC NC LC HC OR LMI SED<sup>q</sup>  
 R<sup>o</sup>

Sign Type

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Freestanding

Area (max. sq. ft.) {25<sup>o</sup>}  
 Height (feet) {10<sup>c</sup>}  
 Front Setback (ft)<sup>e</sup> {10}  
 No. Permitted Per Lot {1}  
 Per Feet of Lot Frontage {n/a}  
 Sq ft of signage per  
 Linear ft of lot Frontage {n/a}  
 Billboards<sup>n</sup> {n/a}

Building

Area (max sq. ft.) {10}  
 Wall Area (percent)<sup>g</sup> {n/a}

o- Multi-tenanted buildings may provide individual signs for each tenant within the permitted 25 square feet of overall sign size. The individual signs must be uniform in size.

Section 13. Add a new column to Table 18-14.4D - Number, Dimensions, and Location of Individual Signs by Zoning District, as follows:

Zone All Ins<sup>a</sup> PNP {OT} VC NC LC HC OR LMI SED<sup>q</sup>  
 R<sup>o</sup>

Sign Type

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Animated {N}

Changeable Copy

Subject to  
 State approval {N}

Illumination,

Internal {N}

Illumination

External {S}

Illumination,

Exposed bulbs {N}

Illumination

Neon {N}

P = Allowed without sign permit  
 S = Allowed only with sign permit  
 N = Not allowed

Section 14. 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 sections or provisions of this Ordinance, except as far as the section or provision so declared invalid shall be inseparable from the remainder or any provision thereof.









**RESOLVED**, by the Mayor and Township Council of the Township of West Milford, Passaic County, New Jersey, the governing body of the Township of West Milford, that the Tax Sale Certificates as shown on the Tax Foreclosure List Action No. 26 now held by the Township of West Milford be foreclosed by summary proceedings In Rem, as described by New Jersey Statutes R.S. 54:5-104.29 to R.S. 54:5-104.71, as amended, and pursuant to the Rules of Civil Practice of the Superior Court of New Jersey.

Adopted: February 10, 2005

Sched. No.	Cert No.	Name of Owner as it Appears on Last Tax Record in Register's Duplicate (as it appears in Deed of record if different) Duplicate (as it appears in Deed of record if different) Duplicate and in Cert. of Tax Sale	Description of Land as Tax Sale	Date of Tax Sale	Amnt of Tax Sale	Amt of Tax Liens Accruing	Amt to Redeem Certificate Office	Date
1	91-135 10/2/91	Barberia, Anthony & Albarelli Sr. (Chestnut Builders Inc)	Otterhole Rd. Blk 11601 Lot 7.03	8/20/91	\$ 754.69	\$18,972.38	\$19,717.07	
2	95-5 6/13/95	Wayside LLC (Clarence E. Smith)	Wayside Rd. Blk 881 Lot 2	5/11/95	\$ 132.01	\$ 3,612.95	\$ 3,744.96	
3	95-18 D151, P.025	Ronzo, Julius & Constance (Julius Ronzo & Constance Ronzo)	Risley Rd. Blk 1608 Lot 5	5/11/95	\$ 81.61	\$ 3,889.44	\$ 3,971.05	6/13/95
4	95-19 6/13/95	Halliwell, James & Daphne (James Halliwell & Daphne Halliwell)	Newark Rd. Blk 1611 Lot 8	5/11/95	\$ 598.02	\$10,771.62	\$11,369.64	
5	95-22 D151, P.029	Friedman S. (Sidney Friedman & Elaine Friedman)	Reigler Rd. Blk 1701 Lot 63	5/11/95	\$ 255.05	\$ 4,721.03	\$ 4,976.08	6/13/95
6	96-118 6/21/96	Anderson, Jon B. & Charlotte (John B. Anderson & Charlotte Anderson)	Krattiger Ct. Blk 10301 Lot 15	5/23/96	\$ 520.36	\$ 9,070.06	\$ 9,590.42	
7	97-38 6/5/97	Roland, Ted Jr. (Ted Rowland, Jr.)	Verona Rd. Blk 2012 Lot 12	5/15/97	\$ 662.18	\$11,534.25	\$12,196.43	
8	97-72 6/5/97	Colianni, Joseph & Elaine (Joseph Colianni & Elaine Colianni)	Eve Place Blk 3605 Lot 10	5/15/97	\$ 335.30	\$16,734.96	\$17,070.26	
9	98-15 6/3/98	Fisher, Helen (William B. Stubender & Helen F. Stubender)	Daretown Rd. Blk 1605 Lot 103	4/9/98	\$ 753.79	\$17,235.22	\$17,989.01	
10	98-25 6/3/98	Mickiewicz, Richard Blk 1814 Lot 10	Lee Court	4/9/98	\$ 438.73	\$ 9,070.80	\$ 9,509.53	

11 98-82 Lobosco, Joseph et al Vine Ave. 4/9/98 \$ 174.63 \$ 3,430.85 \$ 3,605.48  
 6/3/98 W187, P.280  
 (Joseph Lobosco and Blk 5603  
 Patricia Lobosco and Lot 201  
 Anthony Longo and  
 Josephine Longo)

Sched. of No. Recording	Cert No. in Register's	Name of Owner as it Appears on Last Tax Duplicate (as it appears in Deed of record if different) and in Cert. of Tax Sale	Description of Land as it Appears on Last Duplicate and in Cert. of Tax Sale	Date of Tax Sale	Amnt of Tax Sale	Amt of Tax Liens Accruing	Amt to Redeem Certificate Office	Date
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12 98-83 Lobosco, Joseph & Patricia et al Blk 5603  
 6/3/98 W187, P.282  
 (Joseph Lobosco and Lot 202  
 Patricia Lobosco and  
 Anthony Longo and  
 Josephine Longo)

13 98-134 Meyer, Vincent F. Jr. 278 Otterhole Road Blk 11601 Lot 8  
 6/3/98 W187, P.310 4/9/98 \$ 436.34 \$ 6,845.98 \$ 7,282.32

14 99-05 A & S Carpentry Corp Larchmont Dr. 4/9/99 \$ 696.29 \$12,440.88 \$13,137.17  
 5/24/99 P205, P.228  
 (A & S Carpentry Corporation) Blk 407 Lot 4

15 99-025 Sheahan, Joseph Warwick 4/12/99 \$ 276.27 \$ 9,384.25 \$ 9,660.52  
 5/24/99 P205, P.242  
 (Joseph F. Sheahan) Blk 1808 Lot 11

16 99-030 Adragna, Jacobe Lakewood Rd. 4/12/99 \$ 97.29 \$ 3,790.98 \$ 3,888.27  
 5/24/99 P205, P.248  
 (Jacob Adragna) Blk 2005 Lot 7

17 99-036 Weber, Eugene & Arlene Longhouse Dr. 4/12/99 \$1222.89 \$15,214.86  
 \$16,437.75 5/24/99 P205, P.256  
 (Eugene A. Weber and Arlene J. Weber) Blk 2101 Lot 4.03

18 99-071 Esposito, Bessie Cooley Ln 4/12/99 \$1374.92 \$17,107.28 \$18,482.20  
 5/24/99 P205, P.272  
 (Bessie Esposito) Blk 3503 Lot 31

19 99-072 Esposito, Bessie Elm St. 4/12/99 \$1782.31 \$16,929.20 \$18,711.51  
 5/24/99 P205, P.274  
 (Bessie Esposito) Blk 3503 Lot 51

20 99-076 Cranmer, Robert & Nancy (Robert Cranmer and Nancy Cranmer) East Shore Rd 4/12/99 \$ 237.00 \$ 4,173.80 \$ 4,410.80  
 5/24/99 P205, P.276 Blk 4202 Lot 4

21 99-091 Wood, Richard I Warwick 4/12/99 \$ 698.20 \$12,720.34 \$13,418.54  
 5/24/99 P205, P.282  
 (Richard Irving Wood and Arlene Beatrice Wood) Blk 6902 Lot 7



Agenda No. **H 7**  
RESOLUTION NO. 2005 -

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICE CONTRACT AS AMENDED  
LAUFER, KNAPP, TORZEWSKI & DALENA, LLC - LABOR RELATIONS**

**WHEREAS**, there exists a need for legal services for labor related matters to be performed for the Township; and

**WHEREAS**, the Township Administrator recommends that a professional services contract be awarded to Laufer, Knapp, Torzewski & Dalena, LLC based on the proposal submitted and the professional qualifications of the firm; and

**WHEREAS**, funds are available for these services; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, *et seq.*) requires that a resolution authorizing employment for "Professional Services" without competitive bids must be publicly advertised.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of West Milford, New Jersey as follows:

1. That a contract be awarded at a rate of \$130.00 per hour, not to exceed \$25,000.00, for legal services to:

**LAUFER, KNAPP, TORZEWSKI & DALENA, LLC**  
23 Cattano Avenue, At Chancery Square  
Morristown, NJ 07960  
973-285-1444

2. This contract is awarded without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law because these services are professional services and it is not possible to obtain competitive bids.
3. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: February 10, 2005

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Moved: Elcavage                      Seconded: Bailey  
Voted Aye: Bailey, Elcavage, Gervens, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Resolution adopted.  
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Agenda No. **H 8**  
RESOLUTION NO. 2005 -

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICE CONTRACT  
CHARLES J. FERRAIOLI, JR. - AUDITING SERVICES**

**WHEREAS**, there exists a need for auditing services to be performed for the Township; and

**WHEREAS**, funds are available for these purposes; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, *et seq.*) requires that a resolution authorizing employment for "Professional Services" without competitive bids must be publicly advertised.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of West Milford, New Jersey as follows:

1. That a contract be awarded for the year ending 2005 in the amount not to exceed \$50,000.00 per year for auditing services to:

**CHARLES J. FERRAIOLI, JR.**  
Ferraioli, Wielkocz, Cerullo & Cuva, P.A.  
P.O. Box 259











There was no second to the motion.

Action was taken as follows:

Agenda No. H 17  
RESOLUTION NO. 2005 -

**RESOLUTION TO PROTECT THE VALUABLE WATER RESOURCE OF THE  
TOWNSHIP OF WEST MILFORD 'HEART OF THE HIGHLANDS' AND TO REQUEST THAT  
THE STATE OF NEW JERSEY PURCHASE, THROUGH GREENACRES FUNDS,  
THE TRACT OF LAND KNOWN AS THE EAGLE RIDGE DEVELOPMENT**

**WHEREAS**, West Milford, Heart of the Highlands," is a primarily rural community of approximately 78 square miles (49,920 acres), is the largest municipality in Passaic County, and one of the largest in the State. Within its borders are approximately 55 lakes, the larger ones being Greenwood Lake (southern portion), Upper Greenwood Lake and Pinecliff Lake and five reservoirs that are in West Milford or that are substantially fed by West Milford waters (Oak Ridge, Echo Lake, Charlottesburg, Clinton, and Monksville). Approximately 8% of the Township's area consists of water, leaving approximately 71.76 square miles in land area, with generally hilly and mountainous topography. Presently, 27% of the Township is developed. The remaining 73% consists of City of Newark watershed area (34%), NJ Green Acres land (30%), County land (3%) and privately owned land (6%). It has a population of about 30, 000 that includes about 10,000 homes; and

**WHEREAS**, due to the recent passage of the Highlands Water Protection and Planning Act, West Milford, 'Heart of the Highlands', is placed totally in the core region and has been identified as a 'preservation area' in which further development is severely constrained in order to preserve the area as a natural water resource for the benefit of the State of New Jersey, and West Milford has accepted its responsibility to serve the State and preserve the precious water resources for citizens outside of the community; and

**WHEREAS**, at this point, the water supply for West Milford's own residents is on the verge of being severely depleted despite the sacrifices that its residents will endure to preserve and protect the water for others in the State of New Jersey; and

**WHEREAS**, the application for the Eagle Ridge Development of 280 town houses was forced upon West Milford, 'Heart of the Highlands' community by court action prior to the passage of the Highlands Water Protection and Planning Act, which designated West Milford, 'Heart of the Highlands,' as a preservation area; and

**WHEREAS**, the Community has voiced its overwhelming opposition to said development, because it is contrary to the public good and spirit and intent of the Highlands legislation and said development would have a negative impact upon the limited water resources within the Township; and in that certain scientific studies (e.g., Demicco & Associates, Inc., 2004) have clearly demonstrated that Eagle Ridge's proposed wells are inadequate in their recharge ability, and further, that representation made to the DEP by the developer, K. Hovnanian, Inc, regarding the estimate of long-term sustainable ground water yield is misleading and incorrect; and

**WHEREAS**, the Highlands Regional Planning Commission has yet to draft a Master Plan for the preservation area which will clearly define and monitor growth in an appropriate manner in said area; and

**WHEREAS**, the construction of the Eagle Ridge project will do irreversible damage to the preservation area and the Township of West Milford, 'Heart of the Highlands", thereby causing harm to the citizens that rely upon the area for its water resource; and

**WHEREAS**, on September 27, 2004, Assembly Bill No. 3197 was introduced by Assemblyman Sires appropriating \$22,468,700.00 from the Garden State Green Acres Preservation Fund for local government, open space acquisition and park development projects in northern New Jersey; and

**WHEREAS**, as aforesaid, the Township of West Milford, 'Heart of the Highlands', is making the largest contribution and its citizens the greatest sacrifice to supply the valuable resource of water to the rest of the New Jersey community; and

**WHEREAS**, the aforesaid development project will jeopardize West Milford, 'Heart of the Highlands' water supply; and





Agenda No. **I1 d**  
RESOLUTION NO. 2005 -

**RESOLUTION AUTHORIZING CANCELLATION OF PROPERTY TAX**

**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 they are hereby authorized and directed to cancel as hereafter listed below:

REASON

1. Subdivision of Property

<b>BLOCK &amp; LOT</b>	<b>AMOUNT</b>	<b>YEAR</b>
5303-1	\$1,488.00	2005 First Half
<b>TOTAL</b>	<b>\$1,488.00</b>	

Adopted: February 10, 2005

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Agenda No. **I1 e**  
RESOLUTION NO. 2005 -

**RESOLUTION AUTHORIZING REFUND OF ESCROW MONIES**

**RESOLVED**, that upon the report and request of the Township's Planning Director the following Escrow monies be refunded:

| <u>Name &amp; Address</u>                                       | <u>App. No.</u> | <u>Escrow Amount</u> | <u>Amount Refunded</u> |
|-----------------------------------------------------------------|-----------------|----------------------|------------------------|
| City of Newark<br>1294 McBride Avenue<br>Little Falls, NJ 07424 | 9820-0070AB     | \$ 879.50            | \$ 422.40              |

Adopted: February 10, 2005

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Agenda No. **I1 f**  
RESOLUTION NO. 2005 -

**RESOLUTION AUTHORIZING REFUND OF OTHER LIENS**

Pursuant to the facts as stated therein, I respectfully request the adoption of the following resolution:

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

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

For the

Redemption of Date Pay to the  
Lien Cert. # of SaleBlock/Lot Amount Lienholder

00-071	04/03/2000	08509-007	\$ 6,995.93	MOORING TAX ASSET GROUP; LLC 8614 WESTWOOD CENTER DR SUITE 650 VIENNA, VA 22182
02-003	04/08/2002	00807-002	\$25,937.82	WACHOVIA BANK NA C/PHOENIX FUND INC TX LIEN SERV. GR PA1328P 123 SOUTH BROAD STREET



