

## **TOWNSHIP OF WEST MILFORD**

THE FOLLOWING COMPRISES THOSE DOCUMENTS  
SUBMITTED TO THE TOWNSHIP COUNCIL FOR  
CONSIDERATION AND ACTION AT THE MAY 1, 2019  
REGULARLY SCHEDULED WORKSHOP 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

## ~ Ordinance 2019 – 007 ~

### ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 63, "ALCOHOLIC BEVERAGES", SECTION 6 "HOURS OF SALE" OF THE TOWNSHIP CODE TO CHANGE THE HOURS OF SALE OF ALCOHOLIC BEVERAGES ON SUNDAY

**WHEREAS**, the Township of West Milford has reviewed and reassessed the Township Code with regard to the hours of sale on Sunday; and

**WHEREAS**, the Township Council of the Township of West Milford finds it to be in the best interest of the Township and its businesses and citizenry to amend the current ordinance to change the hours of sale on Sunday from 12:00 noon to 11:00 am.

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

**SECTION 1.** Sections A(2) and C(3) of 63-6 Hours of Sale is amended to change hours of sale on Sunday to read as follows:

63-6. Hours of sale.

- A. (2) On Sunday between the hours of 11:00 am and 3:00 a.m. the following day.
- C. (3) On Sunday between the hours of 11:00 am and 11:00 p.m.

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and Codes of the Township of West Milford, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.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

Introduced: April 24, 2019

Adopted:

Effective Date:

ATTEST

TOWNSHIP OF WEST MILFORD  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY

\_\_\_\_\_  
Antoinette Battaglia,  
Township Administrator/Clerk

By: \_\_\_\_\_  
Michele Dale, Mayor

**Township of West Milford**  
Passaic County, New Jersey

**~ Ordinance 2019 – 008 ~**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER X, TRAFFIC, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY**

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

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

<u>NAME OF STREET</u>	<u>DIRECTION</u>	<u>SPEED</u>	<u>LOCATION</u>
Union Valley Road	Both	35 mph	Christine Court to Concord Road

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

<u>NAME OF STREET</u>	<u>SPEED LIMIT (MPH)</u>	<u>LOCATION</u>
Union Valley Road (in both directions)		
Zone 1	40	From Route 23 to 4,000 feet north of the center of Route 23; thence
Zone 2	50	To the center of Christine Court; thence
Zone 3	35	To the center of Concord Road; thence
Zone 4	45	To the center of Macopin Road; thence
Zone 5	35	To the center of Plymouth Avenue; thence
Zone 6	40	To 300 feet south of the center of White Road; thence
Zone 7	35	To Greenwood Lake Turnpike
School Zone	25	In the Our Lady Queen of Peace School Zone, within Zone 6, during recess, when the presence of children is clearly visible from the roadway or while children are going to or leaving school; during opening and closing hours

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

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

**SECTION 4.** All ordinances of the Township of West Milford which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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

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

Introduced: April 24, 2019

Adopted:

Effective Date:

TOWNSHIP OF WEST MILFORD  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY

ATTEST:

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

By: \_\_\_\_\_  
Michele Dale, Mayor

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2019 – 143 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PERSON TO PERSON AND PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-030-008 FROM MICHAEL YAZGI (POCKET) TO SAHANAS LIQUORS INC. FOR PREMISES AT 1612 UNION VALLEY ROAD

**WHEREAS**, an application for a the Person to Person and Place-to-Place transfer of Plenary Retail Consumption License 1615-33-030-008 presently held by Michael Yazgi to Sahanas Liquors Inc. for premises to be located at 1612 Union Valley Road has been received and reviewed; and

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

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

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

**WHEREAS**, the Police Department has recommended that the license be transferred with all current conditions if applicable.

**WHEREAS**, the license may be transferred with the following conditions:

1.	Health Department Retail Food Establishment application must be submitted when transferred of ownership is completed and food license is required prior to opening and satisfactory recommendations must be received in the Township Clerk's Office from the Health Department prior to opening business operations.
2.	Fire, Health, Building, Zoning and Police Department inspections of premises must be made and satisfactory recommendations received in the Township Clerks Office prior to activating or operating this license and business.
3.	Licensee must change with Fire Bureau ownership information regarding Life Hazard Use and changes of occupancy load if applicable. Fire Prevention Office violations must be remediated per agreement with the Fire Marshal prior to opening and occupying the building.
4.	Licensee must apply for building permits to bring all life safety issues to code; fire pump, alarms sprinkler systems emergency exit lights, egress lights and electrical
5.	Licensee must submit pages of 1, 2, and 11 of the 12-page application to the Township Clerks Office with date of activation prior to opening.

**NOW, THEREFORE, BE IT RESOLVED** that the transfer application is hereby approved and the Township Clerk is directed to endorse the transfer and deliver the license certificate for the Mayor and Township Council of the Township of West Milford upon receipt of satisfactory recommendations received from all departments on all premise inspections noted above.

Adopted: May 1, 2019

Adopted this 1<sup>st</sup> day of May, 2019  
and certified as a true copy of an original.

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

## Township of West Milford

Passaic County, New Jersey

### ~ Resolution 2019 – 144 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING AN EMERGENCY TEMPORARY APPROPRIATION PRIOR TO THE ADOPTION OF THE 2019 BUDGET PER N.J.S.A. 40A:4-20**

**WHEREAS**, Local Budget Law N.J.S.A. 40A:4-1 states in part, in addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the Governing Body may, by resolution adopted by a 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year and,

**WHEREAS**, the Township of West Milford has obligatory expenses that exceed the temporary budget.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford by a 2/3 vote, that the following temporary budget appropriation be made and that a certified copy of the resolution be sent to Division of Local Government Services.

Appropriation	Account Number	2019 Temporary Budget
Body Armor Grant	02-213-41-706-000	\$4,685.94
Recycling Tonnage Grant	02-213-41-700-000	\$52,249.08
<b>Total</b>		<b>\$56,935.02</b>

Adopted:        May 1, 2019

Adopted this 1<sup>st</sup> day of May, 2019  
and certified as a true copy of an original.

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

## **Township of West Milford**

Passaic County, New Jersey

### **~ Resolution 2019 – 146 ~**

#### **RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT WITH JBA ARCHITECTURE AND CONSULTING LLC FOR PREPARATION OF TECHNICAL SPECIFICATIONS FOR THE ROOF REPLACEMENT AT THE RECREATION CENTER**

**WHEREAS**, the Township of West Milford has a need to appoint JBA Architecture and Consulting LLC 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 JBA Architecture and Consulting, LLC services will provide a proposal for the roof replacement services, limited front end and technical specifications for the West Milford Recreation Center; and

**WHEREAS**, JBA Architecture and Consulting LLC has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of JBA Architecture Consulting LLC from making any reportable contributions through the term of the contract; 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**, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account 01-201-20-161-450.

**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 JBA Architecture and Consulting, LLC 36 Broad Street, Flemington, NJ 08822 to prepare technical specifications for the roof replacement at the West Milford Recreation Center.
2. The total fee authorized for this contract shall not exceed \$2,250.00 without the prior written approval of the Township Council.
3. This contract is awarded without competitive bidding as a "Professional Services" pursuant to N.J.S.A.19:44A-20 et seq. and the local public contracts law.
4. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: May 1, 2019

Adopted this 1<sup>st</sup> day of May, 2019  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk

## **Township of West Milford**

Passaic County, New Jersey

### **~ Resolution 2019 – 147 ~**

#### **RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING FUTURE PURCHASES FOR PORTABLE TOILET/ SEPTIC SERVICES IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICIES**

**WHEREAS**, the Township Council of the Township of West Milford did adopt ordinance 2013-020 to create the position of Qualified Purchasing Agent in the municipality and they did subsequently adopt Resolution 2013-330 appointing a Qualified Purchasing Agent (QPA) and increasing the bid threshold to \$40,000; and

**WHEREAS**, as a condition to the increase in the bid threshold, the Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase in excess of the former bid threshold of \$17,500 and that the purchase shall warrant a minimum of three quotations; and

**WHEREAS**, every year the rental of portable toilets are needed for locations around the Township including Brown's Point, Recycling Center and athletic fields. In addition, septic pumping may be required at Township owned properties and the aggregate of all such services will exceed the \$17,500 threshold; and

**WHEREAS**, the Township's Qualified Purchasing Agent is aware of this and will require quotes to be obtained; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute future purchases in an amount not to exceed \$40,000.00 for the 2019 calendar year for the septic pumping and portable toilet services.

Adopted: May 1, 2019

Adopted this 1<sup>st</sup> day of May, 2019  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk

## **Township of West Milford**

Passaic County, New Jersey

### **~ Resolution 2019 – 148 ~**

#### **RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE TAX COLLECTOR TO ISSUE ESTIMATED TAX BILLS FOR THE THIRD QUARTER INSTALLMENT OF 2019 TAXES**

**WHEREAS**, N.J.S.A. 54:4-66.3 pursuant to Section 3 of P.L. 1994 c. 72 and 54:4-66.2, the Township Council of the Township of West Milford has determined that the Tax Collector will be unable to complete the mailing and delivery of the tax bills by June 15, 2019 due to the absence of a certified tax rate; and

**WHEREAS**, The Tax Collector, in consultation with the Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 and they have both signed a certification showing the tax levies for the previous year, and the range of permitted estimated tax levies; and

**WHEREAS**, in accordance with Chapter 72, P.L. 1994, the Tax Collector requests the Council to approve the estimated tax levy of \$103,828,769 at a tax rate of \$3.788; which is between the mandated estimated range proposed by the Local Government Services. Approval will enable the Township to meet its financial obligations, maintain the tax collection rate, and provide uniformity for tax payments and save the unnecessary cost of interest expenses on borrowing.

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

1. The Tax Collector of the Township of West Milford is hereby authorized and directed to prepare and issue estimated tax bills for the Township of West Milford for the third quarter installment of 2019 taxes.
2. The entire estimated tax levy for 2019 is hereby set at \$103,828,769 and the estimated tax rate for 2019 is hereby set at \$3.788.
3. In accordance with the law, the third quarter installment of 2019 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.
4. A copy of this resolution shall be forwarded to the Tax Collector and Chief Financial Officer of the Township of West Milford for their records.

Adopted: May 1, 2019

Adopted this 1st day of May, 2019  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk

## Township of West Milford

Passaic County, New Jersey

### ~ Resolution 2019 – 149 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC STATE OF NEW JERSEY AMENDING RESOLUTION 2019 – 058 ADOPTED JANUARY 23, 2019 CORRECTING THE REIMBURSEMENT AMOUNT**

**WHEREAS**, the Collector of Taxes has been made aware of a glitch in the outside lien program; and

**WHEREAS**, upon the recommendation of the Collector of Taxes that Resolution 2019-058 "Authorizing the Refund of Other Liens" adopted on January 23, 2019 be amended to show the correct reimbursement amount.

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers be and are hereby authorized and directed to correct the record to reflect the amount that was collected from the homeowner to pay off the certificate is shown below.

Certificate No.	Certificate Date	Block/Lot/Qual	Reimbursement Amount	Pay to Lien Holder
18-0042	10/09/2018	10202-001	\$10,929.71	CAZENOVIA CREEK FUNDING II; LLC PO BOX 54132 NEW ORLEANS, LA 70154
			<b>Correct Reimbursement Amount</b>	
18-0042	10/09/2018	10202-001	\$11,359.52	CAZENOVIA CREEK FUNDING II; LLC PO BOX 54132 NEW ORLEANS, LA 70154

This Resolution shall take effect immediately.

Adopted: May 1, 2019

Adopted this 1<sup>st</sup> day of May, 2019  
and certified as a true copy of an original.

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

## Township of West Milford

Passaic County, New Jersey

### ~ Resolution 2019 – 150 ~

#### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF RECREATION FEES

**BE IT RESOLVED** that the following recreational fees upon the report of the Director of Community Services and Recreation be refunded:

<b>Me &amp; My Parent Soccer Clinic</b>		
Brady Mae	\$55.00	Kelly Hart 40 Forge Road Hewitt, NJ 07421
Gemma	\$55.00	Elizabeth DelloBuono 401 Otterhole Road West Milford, NJ 07480
Addison	\$55.00	Natasha Owen 138 Ridge Road West Milford, NJ 07480
Ashlyn	\$55.00	Colleen Douma 14 Allaire Road Hewitt, NJ 07421
Daniel	\$55.00	Alison Sullivan 10 Hazel Road West Milford, NJ 07480
Evan	\$55.00	Diana Matlosz 1 Wesley Drive West Milford, NJ 07480
Francisco Hernandez	\$55.00	Cathy Dohm 1375 Macopin Road West Milford, NJ 07480
Noah	\$55.00	Danielle Repola 88 Overlook Road West Milford, NJ 07480
Sophia	\$55.00	Michelle Murray 476 Ridge Road West Milford, NJ 07480
<b>Spring Soccer</b>		
Joseph	\$60.00	Patricia Montalbano 15 Evergreen Road Hewitt, NJ 07421

Adopted: May 1, 2019

Adopted this 1<sup>st</sup> day of May, 2019  
and certified as a true copy of an original.

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2019 – 151 ~

### RESOLUTION APPROVING THE PAYMENT OF BILLS

**WHEREAS**, the Township Treasurer has submitted to the members of the Township Council a 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	\$47,153.23
3	Reserve Account	3,172.60
2	Grants	122.64
6	Refunds	555.00
1	General Ledger	275.00
26	Refuse	82,000.00
4	Capital	0.00
19	Animal Control	58.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	1,608.71
19	Scala Trust	0.00
16	Development Escrow	0.00
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	10,623.80
Total		\$145,568.98
Less Refund Resolution		-555.00
<b>Actual Bills List</b>		<b>\$145,013.98</b>
<i>Other Payments:</i>		
	Dorsey & Semrau	10,933.90
	Stephen Glatt, Esq.	250.00
<b>Total Expenditures</b>		<b>\$156,197.88</b>

Adopted: May 1, 2019

Adopted this 1<sup>st</sup> day of May, 2019  
and certified as a true copy of an original.

\_\_\_\_\_  
Antoinette Battaglia, Township Clerk