

Township of West Milford, New Jersey  
Township Council  
**REGULAR MEETING AGENDA**

May 7, 2008  
7:00 P.M.

**MEETING**

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Regular meeting was advertised in the Herald News in its issue of January 6, 2008 and again on May 4, 2008; copies were provided to the Suburban Trends, the Record, Star Ledger, and Greenwood Lake News and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

I. **MINUTES**

March 12, 2008 Workshop Meeting  
March 20, 2008 Special Meeting

II. **PRESENTATIONS**

1. Auditor Interviews
2. Eagle Scout – Charles Heuer, Jr.
3. West Milford Lakes – Dr. Fred Lubnow of Princeton Hydro and Les Lynn of Ecological Associates

III. **PROCLAMATIONS**

1. Older Americans Month

IV. **UNFINISHED BUSINESS, FINAL PASSAGE OF ORDINANCES**

**1. Ordinance No. 2008 – 017**

An Ordinance of the Township of West Milford, County of Passaic, State of New Jersey Amending and Supplementing Chapter 15, Administration of Government, Article IX, Department of Public Safety, Section 15-47, Division of Fire Suppression, of the Revised general Ordinances with the Addition of Subsection (L), Auxiliary Members

*\*\*This Ordinance was introduced on April 9, 2008 and the Notice of Public Hearing was published in the Herald News on April 13, 2008. The Council will open the meeting to the public to speak to this ordinance only.*

**2. Ordinance No. 2008 – 018**

An Ordinance of the Township of West Milford, County of Passaic, State of New Jersey Amending and Supplementing Chapter 414, “Fees, Land Development”, Section 414-2 “Soil Removal and Soil Fill Permits” of the Land Development Ordinance

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*\*\*This Ordinance was introduced on April 9, 2008 and the Notice of Public Hearing was published in the Herald News on April 13, 2008. The Council will open the meeting to the public to speak to this ordinance only.*

### **3. Ordinance No. 2008 – 019**

An Ordinance of the Township of West Milford, County of Passaic, State of New Jersey Amending and Supplementing Chapter 110, Construction Codes, Uniform, of the revised General Ordinances with the Addition of Section 110-7, Additional Requirements for Residents of Lake Communities

*\*\*This Ordinance was introduced on April 9, 2008 and the Notice of Public Hearing was published in the Herald News on April 13, 2008. The Council will open the meeting to the public to speak to this ordinance only.*

### **4. Ordinance No. 2008 – 020**

An Ordinance of the Township of West Milford, County of Passaic and State of New Jersey Amending and Supplementing Chapter 135, “Fees and Costs,” of the Revised General Ordinances with the Addition of Section 135-42, “Marriage and Civil Union Ceremonies”

*\*\*This Ordinance was introduced on April 9, 2008 and the Notice of Public Hearing was published in the Herald News on April 13, 2008. The Council will open the meeting to the public to speak to this ordinance only.*

### **5. Ordinance No. 2008 – 021**

An Ordinance of the Township of West Milford, County of Passaic and State of New Jersey Amending and Supplementing Certain Portions of Chapter 420, Land Use Procedures, Section 420-6, Definitions and Chapter 500, Zoning, Article IV, Commercial Districts of the Revised General Ordinances Pertaining to the Lake Commercial Zone

*\*\*This Ordinance was introduced on April 9, 2008 and the Notice of Public Hearing was published in the Herald News on April 13, 2008. The Council will open the meeting to the public to speak to this ordinance only.*

### **6. Ordinance No. 2008 – 022**

An Ordinance of the Township of West Milford, County of Passaic and State of New Jersey Re-Dedicating Excess Proceeds from Ordinance 2007-018 to a Fire Equipment Study and to serve as a Down Payment for Future Purchases or Acquisition of Fire Equipment

*\*\*This Ordinance was introduced on April 23, 2008 and the Notice of Public Hearing was published in the Herald News on April 27, 2008. The Council will open the meeting to the public to speak to this ordinance only.*

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### **7. Ordinance No. 2008 – 023**

An Ordinance of the Township of West Milford, County of Passaic and State of New Jersey Repealing Chapter 470, “Subdivision of Land and Site Plan Review,” Section 470-69, “Development Fees for Affordable Housing,” of the Land Development Ordinance and Replacing Same with a Newly Created Section 470-69 Entitles, “Mandatory Development Fees”

*\*\*This Ordinance was introduced on April 23, 2008 and the Notice of Public Hearing was published in the Herald News on April 27, 2008. The Council will open the meeting to the public to speak to this ordinance only.*

### **V. PUBLIC COMMENTS**

### **VI. COUNCIL COMMENTS**

### **VII. NEW BUSINESS, INTRODUCTION OF ORDINANCES, RESOLUTIONS**

#### **1. Ordinance No. 2008 - 024**

An Ordinance of the Township of West Milford, County of Passaic, State of New Jersey Amending Chapter 321, Solid Waste; Recycling, Article IV, Compost Site, Section 321-28, Decal and Passes Required, and Chapter 135, Fees and Costs, Section 135-3, Department of Public Works and Engineering (G), Recycling Fees, of the Revised General Ordinances

*\*\*Second reading and public hearing for this ordinance is set for the Regular Meeting of the Township Council scheduled for May 28, 2008. Notice of this public hearing shall be published in the Herald News on or about May 11, 2008.\*\**

#### **2. Ordinance No. 2008 - 025**

An Ordinance of the Township of West Milford, County of Passaic, State of New Jersey Re-Dedicating Funding in Various Capital Accounts to One Capital Account to be Titled “Streetscaping”

*\*\*Second reading and public hearing for this ordinance is set for the Regular Meeting of the Township Council scheduled for May 28, 2008. Notice of this public hearing shall be published in the Herald News on or about May 11, 2008.\*\**

#### **3. Ordinance No. 2008 - 026**

An Ordinance of the Township of West Milford, County of Passaic, State of New Jersey Re-Dedicating Funding in Various Capital Accounts to One Capital Account to be Titled “Facilities Fund”

*\*\*Second reading and public hearing for this ordinance is set for the Regular Meeting of the Township Council scheduled for May 28, 2008. Notice of this public hearing shall be published in the Herald News on or about May 11, 2008.\*\**

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### **4. Ordinance No. 2008 - 027**

An Ordinance of the Township of West Milford, County of Passaic, State of New Jersey Canceling Funding in Various Capital Accounts to Surplus

*\*\*Second reading and public hearing for this ordinance is set for the Regular Meeting of the Township Council scheduled for May 28, 2008. Notice of this public hearing shall be published in the Herald News on or about May 11, 2008.\*\**

### **5. Resolution No. 2008 - 175**

Resolution of the Township of West Milford, County of Passaic and State of New Jersey Establishing a Facilities Assessment Committee

### **6. Resolution No. 2008 - 176**

Resolution of the Township of West Milford, County of Passaic and State of New Jersey Authorizing a Special Event Permit Application to the New Jersey Division of Parks & Forestry for the Use of the Former Jungle Habitat Property to hold a Fireworks Display

### **7. Resolution No. 2008 - 177**

Resolution of the Township of West Milford, County of Passaic and State of New Jersey Authorizing the Township of West Milford Tax Collector to Prepare and Mail Estimated Tax Bills in accordance with P.L. 1994, C. 72

### **8. Resolution No. 2008 - 178**

Resolution of the Township of West Milford, County of Passaic and State of New Jersey to Execute a Re-Dedication of a Recreation Trust Sub-Account titled "Circus" to a Recreation Trust Sub-Account Titled "Celebration of the Township of West Milford's 175<sup>th</sup> Anniversary"

### **9. Resolution No. 2008 - 179**

Resolution of the Township of West Milford, County of Passaic and State of New Jersey Authorizing Execution of a Professional Services Contract with Vincenzo Stampone for the Position of Assistant Municipal Prosecutor

### **10. Resolution No. 2008 - 180**

Resolution of the Township of West Milford, County of Passaic and State of New Jersey Authorizing Execution of a Professional Services Agreement with Dennis SanFilippo for Health Administration/Health Officer Services

### **11. Resolution No. 2008 - 181**

Number not used.

## VIII. **CONSENT AGENDA**

### ***Resolution No. 2008 - 182***

### **Resolution Authorizing Passage of the Consent Agenda**

### ***Resolutions Included in the Consent Agenda***

- (a) **Resolution 2008 - 183** Refund Other Liens

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- (b) **Resolution 2008 – 184** Partial Refund of Performance Guarantees
- (c) **Resolution 2008 – 185** Refund of Performance Guarantees
- (d) **Resolution 2008 – 186** Approving Issuance of 2008 Licenses

***Applications Included in the Consent Agenda***

- (a) **Petition to Extend Licensed Premise w/Police Conditions** – Big John’s Pub, May 26, 2008
- (b) **Application for Social Affair Permit** – American Legion Post 289, May 26, 2008

IX. **APPROVAL OF EXPENDITURES**

None.

X. **REPORTS OF ADMINISTRATOR, MAYOR AND COUNCIL MEMBERS**

- a. **Mayor** \_\_\_\_\_
- b. **Administrator** Planning Department \_\_\_\_\_
- c. **Council** \_\_\_\_\_
- d. **Clerk** \_\_\_\_\_
- e. **Attorney** \_\_\_\_\_

XI. **APPOINTMENTS AND RESIGNATIONS**

Council Liaison to Facilities Assessment Committee  
Citizen Appointments to Facilities Assessment Committee

XII. **EXECUTIVE SESSION**

**Resolution No. 2008 –187** - Motion for Executive Session

- Potential Litigation - Reflection Lakes Property Association – Garbage Costs
- Lease of Property - Hillcrest Building
- Potential Property Acquisition - Block 2801, Lot 1 – Anjo Associates – Greenwood Lake Turnpike and Lakeshore Drive

XIII. **ADJOURNMENT**

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## TOWNSHIP OF WEST MILFORD CORRESPONDENCE LIST

Week Ending: 05/02/08

Regular Council Meeting: 05/07/08

Item #	Date Rec'd	From	Topic
05/07/08-2	04/21/08	NJLM	COAH Regulations/Affordable Housing
05/07/08-3	04/21/08	NJLM	2009 Pension Obligations
05/07/08-5	04/17/08	Montclair State University	Letter Addressed to Mayor Bieri Thanking the West Milford Police Department for Their Assistance in the Recent SafetyThreat on Their Campus
05/07/08-6	04/18/08	State of New Jersey – Highlands Water Protection and Planning Council	Letter Addressed to Mayor Bieri Thanking the Mayor for her Comments Concerning the “Final Draft Regional Master Plan”
05/07/08-7	04/17/08	NJLM	Relief Restoration Press Conference
05/07/08-8	04/08/08	NJLM	Senate Voting Session of April 7, 2008
05/07/08-9	04/24/08	William H. Drew	Letter of Resignation
<u>Resolutions from other Government Agencies</u>			
05/07/08-1	04/21/08	Borough of West Paterson	Resolution R08-94 Supporting Bills, S-770 and A-1645
05/07/08-4	04/22/08	Borough of Kinnelon	Resolution No. 4.08.08 Opposing the Governor’s Proposed State Budget For the 2008-2009 Fiscal Year For Its Failure to Treat Property Tax Relief as a Priority
<u>Ordinances from other Government Agencies</u>			