

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

May 24, 2006
7:30 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 issues of January 23, and January 30, 2006; 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**

- May 3, 2006 Regular Meeting
- May 8, 2006 Special Meeting
- May 10, 2006 Executive Session Minutes

II. **BIDS**

1. **None**

III. **PRESENTATIONS**

1. Recreation Director to Present a Plaque of West Milford Residents called to serve their Country in the War in Iraq
2. 2nd Graders from Maple Road School Singing a Tribute to Our Soldiers

IV. **PROCLAMATIONS**

1. Myasthenia Gravis Awareness Month
2. Older American's Month

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

1. Ordinance No. 2006 - 003

An Ordinance of the Township Council of the Township of West Milford, County of Passaic and State of New Jersey to Amend Chapter 17, Section 15, entitled "Stormwater Management" establishing Stormwater Control for Non-Residential Major Developments

***This ordinance was adopted on first reading at the May 3, 2006 Regular Meeting. It is scheduled tonight for second reading and Public Hearing. Therefore, before the vote is recorded, the meeting must be opened to the public to speak to this issue only.*

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2. **Ordinance 2006-004**

An Ordinance of the Township of West Milford, County of Passaic, State of New Jersey entitled Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14) – Calendar Year 2006

***This ordinance was adopted on first reading at the May 10, 2006 Workshop Meeting. It is scheduled tonight for second reading and Public Hearing. Therefore, before the vote is recorded, the meeting must be opened to the public to speak to this issue only.*

VI. **PUBLIC COMMENTS**

VII. **COUNCIL COMMENTS**

VIII. **NEW BUSINESS, INTRODUCTION OF ORDINANCES, RESOLUTIONS**

1. **Ordinance No. 2006 - 005**

Ordinance of the Township Council of the Township of West Milford, County of Passaic and State of New Jersey Amending Certain Building SubCode Fees

Second reading and public hearing for this ordinance is set for the Regular Meeting of the Township Council scheduled for June 28, 2006. Notice of this public hearing shall be published in the Herald News on or about May 28, 2006.

2. **Ordinance No. 2006 - 006**

Ordinance of the Township Council of the Township of West Milford, County of Passaic and State of New Jersey Authorizing a Speed Limit Reduction from 50 to 35 mph on Doremus Road

Second reading and public hearing for this ordinance is set for the Regular Meeting of the Township Council scheduled for June 28, 2006. Notice of this public hearing shall be published in the Herald News on or about May 28, 2006.

3. **Resolution No. 2006 - 191**

Resolution of the Township Council of the Township of West Milford, County of Passaic and State of New Jersey Approving a Professional Services Contract with Handilift, Inc. to Install a Garaventa Stair Lift Model Xpress II for the Township of West Milford

4. **Resolution No. 2006 - 192**

Resolution of the Township Council of the Township of West Milford, County of Passaic and State of New Jersey Authorizing a DOT Municipal Aid Grant

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5. Resolution No. 2006 - 193

Resolution of the Township Council of the Township of West Milford, County of Passaic and State of New Jersey In Support of a Property Tax Reform Convention

6. Resolution No. 2006 - 194

Resolution of the Township Council of the Township of West Milford, County of Passaic and State of New Jersey Authorizing the Settlement of the 2004 and 2005 Tax Appeals involving Block 15901, Lot 1

7. Resolution No. 2006 - 195

Resolution of the Township Council of the Township of West Milford, County of Passaic and State of New Jersey Requesting that Passaic County Transfer the funds allocated toward the Sheridan Property to the Eagle Ridge Property

8. Resolution No. 2006 - 196

Resolution of the Township Council of the Township of West Milford, County of Passaic and State of New Jersey Authorizing a Change Order for VMG Group for the Johner Building Roof

9. Resolution No. 2006 - 197

Resolution of the Township Council of the Township of West Milford, County of Passaic and State of New Jersey Amending Resolution 2006-164 to Include Pinecrest Lake Association as a Member of the Lakes Committee

10. Resolution No. 2006 - 198

Resolution of the Township Council of the Township of West Milford, County of Passaic and State of New Jersey Authorizing the Filing and Acceptance of an Application to New Jersey Transit Corporation and the Department of Transportation United States of America, on behalf of the Township of West Milford for a Grant Under the Federal Transit Act

11. Resolution No. 2006 - 199

Resolution of the Township Council of the Township of West Milford, County of Passaic and State of New Jersey Authorizing the Filing and Acceptance of an Application to New Jersey Transit Corporation and the Department of Transportation United States of America, on behalf of the Township of West Milford for an Inter-City Grant Under the Federal Transit Act

12. Resolution No. 2006 - 200

Resolution of the Township Council of the Township of West Milford, County of Passaic and State of New Jersey Authorizing the Discharging of a Certain Mortgage held by the Township of West Milford against Property known as 12 Freemont Terrace, Newfoundland, New Jersey

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13. Resolution No. 2006 - 201

Resolution of the Township Council of the Township of West Milford, County of Passaic and State of New Jersey Authorizing a Transfer of Title Agreements with New Jersey Transit

IX. CONSENT AGENDA

1. Resolution No. 2006 – 202

Resolution Authorizing Passage of the Consent Agenda

Resolutions Included in the Consent Agenda

- a) **2006-203** – Resolution Authorizing Cancellation of Taxes
- b) **2006-204** – Resolution Authorizing Refund of Overpayments
- c) **2006-205** - Resolution Authorizing Refund of Recreational Fees
- d) **2006-206** – Resolution Authorizing Refund of Other Liens
- e) **2006-207** – Resolution Authorizing Reinstatement of Taxes
- f) **2006-208** – Resolution Authorizing Assignment of Tax Sale Certificate - Fisher
- g) **2006-209**– Resolution Authorizing Renewal of Inactive Pocket License

Applications Included in the Consent Agenda

RL-2006-24 – West Milford High School PTSO – Off Premise 50/50 Raffle

RL-2006-25 – Our Lady Queen of Peace Home School Association – On Premise 50/50 Raffle

Special Permit for Social Affair - Our Lady Queen of Peace Home School Association

X. PAYMENT OF BILLS

Resolution No. 2006 - 210

Resolution Authorizing Payment of Bills

XI. REPORTS OF ADMINISTRATOR, MAYOR AND COUNCIL MEMBERS

a. **Mayor** _____

b. **Administrator** _____

c. **Council** _____

d. **Clerk** _____

e. **Attorney** _____

XII. APPOINTMENTS, RESIGNATIONS, TERMINATIONS

None.

XIII. PRESENTATION OF COMMUNICATIONS, PETITIONS

None.

XIV. EXECUTIVE SESSION

Resolution No. 2006 – 211 - Executive Session

- Your Home Team, LLC v. Township of West Milford et al Civil Action Docket No. 05-4354

XV. ADJOURNMENT

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TOWNSHIP OF WEST MILFORD CORRESPONDENCE LIST

Week Ending: 05/19/06
Regular Meeting of 05/24/06

Item #	Date Rec'd	From	Topic
05/24/06-5	05/08/06	State of New Jersey Department of Education – Passaic County Office	2006-2007 Passaic County Teacher of the Year – Ms. Laura Oakes of the West Milford School District
05/24/06-6	05/08/06	Passaic County Board of Chosen Freeholders	Agenda for Regular Meeting 05/09/06
05/24/06-7	05/08/06	Passaic River Coalition	Development of the New Water Supply Plan for the State of New Jersey
05/24/06-8	05/08/06	NJLM	Low Speed Vehicle (LSV's) Update
05/24/06-9	05/08/06	West Milford Public Schools	Regular Meeting 05/23/06 For Presenting Recognition Awards to Students and Township Volunteers
05/24/06-10	05/08/06	NJLM	Smoke Free Air Act-Update
05/24/06-11	05/08/06	NJLM	Appellate Division Upholds Public Official's Right to Rely on Municipal Attorney's Advice
05/24/06-12	05/08/06	NJLM	DCA Regulations Providing Funding Method for Post-CO Construction Inspections Officially Released for Comment
05/24/06-13	05/09/06	WM Planning Board	Meeting Minutes Workshop Meeting 04/06/06
05/24/06-14	05/09/06	Mike Woch	"Bird Flu Expert Says H5N1 Virus Worst He's Seen"
05/24/06-15	05/09/06	Mike Woch (From U.S. Department of State – Bureau of International Programs)	"Meeting the Challenge of Bird Flu"
05/24/06-16	05/05/06	NJLM	RPA Tax Reform Proposals
05/24/06-17	05/10/06	WM Heritage Committee	Meeting Minutes 04/11/06
05/24/06-24	05/11/06	CASA	Meeting Minutes 03/13/06
05/24/06-25	05/10/06	NJLM	Property Tax Developments
05/24/06-26	05/11/06	Tax Collector Rita DeNivo	Kemp Industries, LLC Outside Lien Redemption Calculation
05/24/06-27	05/12/06	State of New Jersey Office of the Governor	Thank You Letter From the Governor Re Water Surcharge Resolution
05/24/06-29	05/12/06	NJ Transit Corporation	NJ Transit Public Hearing June 21, 2006
05/24/06-30	04/28/06	NJLM	U.S. Supreme Court Rules on Adequacy of Tax Sale Notice
05/24/06-32	05/10/06	First Energy	JCP&L Spring Aerial Patrol
05/24/06-33	05/10/06	NJLM	Senate Committee Sub. For S-477 Healthcare Tax
05/24/06-34	05/09/06	County of Passaic	Drought Watch
05/24/06-35	05/12/06	NJLM	Solid Waste Facilities at Railroad Yards
05/24/06-36	05/12/06	NJLM	Share and Count Program
05/24/06-37	05/15/06	State of New Jersey DEP	Lindy's Lake Dam
05/24/06-38	05/15/06	NJLM	A-1667, With Committee Amendments (Public Safety Directors)
05/24/06-39	05/15/06	NJLM	SCS for 477 and S-1302 Responsible Employer Act
05/24/06-40	05/15/06	WM Police Department	Accident on 05/14/05

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05/24/06-42	05/15/06	WM Zoning Board of Adjustment	05/23/06 Meeting Agenda
05/24/06-44	05/16/06	Dorsey & Semrau	Ice Control Aggregate Contract Re: Monetary Damages Due the Township
05/24/06-45	05/16/06	Dorsey & Semrau	O'Shea v. West Milford
05/24/06-46	05/17/06	State of New Jersey DEP	File #1615-06-0005.1 Block/Lot 10602/39
05/24/06-47	05/18/06	WM Township Public Schools	Revised Meeting Tuesday, May 23, 2006 8:00 pm Westbrook School Media Center
05/24/06-48	05/18/06	WM Building Standards Board	Minutes Meeting 04.26.06
05/24/06-49	05/18/06	State of New Jersey Department of Environmental Protection	Ernie & Barbara Suto Notice of Violation Block 11001, Lot 58
05/24/06-50	05/18/06	State of New Jersey Department of Environmental Protection	Malfunctioning Septic General Permit No. 25 File #1615-06-0012.1 FWW 060001 Block/Lot 7902/2
05/24/06-51	05/18/06	Antoinette Battaglia	Township Council Meeting Minutes 05/03/06
05/24/06-52	05/16/06	Newark Department of Water and Sewer Utilities, Division of Sewers and Water Supply	Controlled Release of Water From Charlotteburg Reservoir to the Pequannock River
05/24/06-53	05/16/06	Dorsey & Semrau	Ice Control Aggregate Contract
05/24/06-54	05/16/06	Dorsey & Semrau	O'Shea vs West Milford
05/24/06-55	05/18/06	State of New Jersey Department of Environmental Protection	Freshwater Wetlands Statewide General Permit No. 8 and Waiver of Freshwater Wetlands Transition area for Access Block/Lot 4302/14 (707 E. Shore Drive)
05/24/06-56	05/16/06	William Drew Planning Director	Planning Board Attorney
05/24/06-57	05/16/06	Antoinette Battaglia	Township Council Special Meeting 05/08/06
<u>Resolutions from other Government Agencies</u>			
05/24/06-1	05/08/06	City of Clifton	Resolution Supporting Passage of Legislation Exempting Municipal Clerks From Liability for Penalties for Certain Violations of the Open Public Records Act (OPRA)
05/24/06-2	05/08/06	City of Clifton	Resolution Urging Passaic County Board of Freeholders to Spearhead a County-Wide Program to Reduce Population of Resident Canada Geese
05/24/06-3	05/08/06	City of Clifton	Resolution Supporting Passage of SCS-557/A-1886 Providing Municipal Recycling Grant Funding
05/24/06-4	05/08/06	City of Clifton	Resolution Supporting Assembly Bill A-1425 on CAP Law Relief
05/24/06-23	05/08/06	N.J. State Senate & General Assembly – Assembly Republican Leader Alex DeCroce	Resolution Urging Gov. Corzine & State Legislature to Cut State Spending & Cut Taxes to Reduce Property Taxes in the State Budget for FY2007
05/24/06-31	05/05/06	Township of Jefferson	Consent Agenda Resolution Urging Gov. Corzine and the State Legislature to Provide Appropriate Amendments to the Highlands Water Protection and Planning Act to Alleviate Economic Burdens Upon Affected Municipalities

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05/24/06-43	05/16/06	Township Administrator Richard S. Kunze	Joint Meeting With Board of Education Scheduled for June 10, 2006 Cancelled. To be Rescheduled Later in the Summer
<u>Ordinances from other Government Agencies</u>			
05/24/06-18	05/10/06	Township of Vernon	Ordinance #06-11 Amending the Vernon Administrative Code to Replace Section 330- 83 Relating to Environmentally Sensitive Areas
05/24/06-19	05/10/06	Township of Vernon	Ordinance #06-12 Amending the Vernon Administrative Code to Add to Sections 330-5 and Section 330-185 to Provide for the Construction of Two-Family Dwellings in the R-4 Zone District
05/24/06-20	05/10/06	Township of Vernon	Ordinance #06-13 Amending the Vernon Administrative Code to Add to Section 330- 185 to Provide for the Construction of Two- Family Dwellings on Farm Assessed Properties in Certain Zoning Districts
05/24/06-21	05/10/06	Rockaway Township	Ordinance No. 06-8 Amending the Revised General Ordinances of the Township of Rockaway, Chapter LIV, Land Use and Development, Section 54-30, Zoning Regulations, Subsection 54-30.8, Accessory Structures and Uses
05/24/06-22	05/10/06	Rockaway Township	Ordinance No. 06-16 Amending the Revised General Ordinances of The Township of Rockaway, Chapter LIV, Land Use and Development, Section 54-30, Zoning Regulations, Subsection 54-30.15, Conditional Uses and Subsection 54-30.63, I Industrial District
05/24/06-28	05/12/06	Township of Jefferson	Ordinance No. 16-06 Amending Certain Ordinances of the Township of Jefferson to Increase Maximum Penalties for Violations
05/24/06-41	05/15/06	Rockaway Township	Ordinance No. 06-14 Amending the Revised General Ordinances of the Township of Rockaway, Section 54-29.8, Storm Water Management, and Section 54-30.10(e), Storm Water Management