

TOWNSHIP OF WEST MILFORD

THE FOLLOWING COMPRISES THOSE DOCUMENTS
SUBMITTED TO THE TOWNSHIP COUNCIL FOR
CONSIDERATION AND ACTION AT THE JULY 20, 2011
REGULARLY SCHEDULED COUNCIL 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 2011 - 013 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO REVISE CHAPTER 500, ARTICLE XIV "SIGNS"

WHEREAS, the Township of West Milford has duly adopted land use and zoning regulations in conformance with a Master Plan, consistent with the standards set forth in the Municipal Land Use Law and in particular with regard to N.J.S. 40:55D-62; 65; and

WHEREAS, the West Milford Planning Board has reviewed the regulations concerning signs as set forth the Township's Zoning Ordinance (Chapter 500, Article XIV) for the purpose of effecting certain revisions and to consolidate said standards in a more streamlined fashion; and

WHEREAS, the Planning Board does further recommend to the Township Council of the Township of West Milford that the proposed revisions and modifications be adopted; and

WHEREAS, the Township Council of the Township of West Milford concurs with the recommendations put forward by the Planning Board

NOW, BE IT ORDAINED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, that Article XIV, entitled "Signs" of Chapter 500, entitled "Zoning" shall be amended and supplemented as provided herein.

Section 1. Article XIV entitled "Signs" in Chapter 500, entitled "Zoning" shall be amended and revised as follows:

§ 500-148. Purposes; authority. No change.

§ 500-149. Applicability; effect. No change.

§ 500-150. Computations. No change.

§ 500-151. Signs allowed on private property with and without permits; sign tables shall be eliminated in its entirety and replaced with new section to read as follows:

§ 500-151. Definitions.

ANIMATED SIGN - Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

BANNER - Any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered "banners." Banners shall be considered "temporary signs" and regulated as same.

BILLBOARD - Any structure or portion thereof on which lettered or pictorial matter is displayed for advertising purposes other than that on a building or its grounds.

BUILDING MARKER - Any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

BUILDING SIGN - Any sign attached to any part of a building, as contrasted to a freestanding sign.

CANOPY SIGN - Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

CHANGEABLE COPY SIGN - A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered "an animated sign" and not a "changeable copy sign" for purposes of this Land Development Ordinance. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a "changeable copy sign" for purposes of this Land Development Ordinance.

COMMERCIAL MESSAGE - Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

ELECTRONIC MESSAGE CENTER - A variable-message sign that utilizes computer-generated messages or some other electronic means of changing copy.

FLAG - Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.

FREESTANDING SIGN - Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

INCIDENTAL SIGN - A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking," "entrance," "loading only," "telephone," and other similar directives. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental.

IDENTIFICATION SIGN - A sign providing the name and occupant of premises.

MARQUEE SIGN - Any sign attached to, in any manner, or made a part of a marquee.

NONCONFORMING SIGN - A sign lawfully existing on the effective date of this chapter, or any amendment to it rendering such sign nonconforming, which does not comply with all of the standards and regulations of this chapter or any amendment hereto.

PENNANT - Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

PORTABLE SIGN - Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business. Portable signs are not to be classified as "temporary signs".

PROJECTING SIGN - Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

RESIDENTIAL SIGN - Any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located, if offering such service at such location conforms to all requirements of this Land Development Ordinance.

RESIDENTIAL NEIGHBORHOOD ASSOCIATION AND LAKE COMMUNITY ORGANIZATION IDENTIFICATION SIGN - Any sign in conformance with the standards set forth in this Chapter which serves to identify a residential neighborhood or a lake community organization in West Milford.

ROOF SIGN - Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

ROOF SIGN, INTEGRAL - Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

SIGN - A device on any building or structure or portion thereof on which any announcement, declaration, demonstration, display, illustration, or insignia used to advertise or promote the interest of any person or product when the same is placed in view of the general public.

STRUCTURE - Anything constructed, assembled, or erected which requires location on the ground or attachment to something having such location on the ground, including buildings, fences, tanks, towers, signs, advertising devices and swimming pools. For purposes of Chapter 500, Article XIII, Historic Preservation Commission, a combination of materials to form a construction for occupancy, use or ornamentation whether installed on, above, or below the surface of a parcel of land.

SUSPENDED SIGN - A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

TEMPORARY SIGN - Any sign that is used only temporarily and is not permanently mounted and permitted for limited duration pursuant to this Chapter. Banners shall be considered as temporary signs and regulated as such. Portable signs are not to be classified as temporary signs.

WALL SIGN - Any sign attached parallel to, but within six inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

WINDOW SIGN - Any sign, picture, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service that is placed inside a window or upon the windowpanes or glass and is visible from the exterior of the window.

§ 500-152. Permits required.

- A. No change.
- B. No change.

New subsection 'C' shall be added and shall read as follows:

- C. Permits shall not be required for the following signs: "building marker", "identification", "incidental", "window", "flag", "political", and "community organization"

§ 500-153. Design, construction and maintenance. No change.

§ 500-154. Plan requirements for sign permit.

Subsection A shall be modified to read as follows:

- A. When applying for a new sign, with the exception of Subsection B below, the following information shall be provided to the Construction Code Official or Zoning Officer:

Subsection A (1) and (2). No change.

Subsections B. through H. No change.

§ 500-155. Off-site signs.

Subsections A (1) and (2): No change.

Subsection A (3) shall be modified to read as follows:

- (3) Awning, projecting, and suspended signs projecting over a public right-of-way in conformity with the conditions of § 500-162.

Subsections B. through E.: No change.

Subsection F shall be modified to read as follows:

- F. Billboard signs in conformity with the conditions of § 500-162.

New subsection 'G' shall be added and shall read as follows:

- G. Residential neighborhood and lake community organization identification signs in conformity with the conditions of § 500-162.

§ 500-156. Exempt signs. No change.

§ 500-157. Prohibited signs. No change.

§ 500-158. General permit procedures. No change.

§ 500-159. Permits to construct or modify signs. Shall be modified to read as follows:

Signs shall be erected, installed, or created only in accordance with the duly issued and valid sign construction permit from the Construction Official. Such permits shall be issued only in accordance with the following requirements and procedures:

§ 500-160. Temporary sign permits (private property).

Subsections A through C: No change.

Subsection D shall be eliminated in its entirety.

§ 500-161. Time of compliance; nonconforming signs and signs without permits. No change.

Section 2. The following new sections shall be added to Article XIV.

§ 500-162. Zone district signage standards.

Signs shall be permitted in the applicable zone districts subject to the specific standards set forth in subsections A through Q.

- A. Projecting Sign. Projecting signs shall be permitted in VC, NC, LC, CC, LMI, SED, OR and HC zone districts, subject to the following standards:

- (1) Maximum number: one
- (2) Maximum sign area: twenty square feet
- (3) Placement requirements:
 - a. Where a projecting sign extends over a designated pedestrian walkway including both public and private sidewalks there shall be a minimum vertical clearance of nine feet between finished grade and base of the sign.
 - b. Projecting signs shall not be permitted to extend into the right-of-way of a public street or within the paved cart way of a private lane or driveway.

- c. Projecting signs shall maintain a minimum distance of five (5) feet to all property boundaries.

- B. Freestanding Sign. Freestanding signs shall be permitted in VC, NC, LC, PN, CC, OT, LMI, SED, OR and HC zone districts, subject to the following standards:
 - (1) Maximum number per lot: one sign
 - (2) Maximum height:
 - a. VC, NC, LC and PN zones: six feet
 - b. CC zone: twelve feet
 - c. OT, LMI, and SED zones: five feet
 - d. OR zone: ten feet
 - e. HC zone: fifteen feet
 - (3) Maximum sign area:
 - a. VC, NC, LC, PN and OT zones: twenty square feet
 - b. CC, OR, LMI and SED zones: fifty square feet
 - c. HC zone: sixty square feet (single use); seventy-five square feet (2 or more uses)
 - (4) Front yard setback:
 - a. VC, NC, LC and PN zones: six feet
 - b. CC, HC, OR, OT, LMI, SED zone: twelve feet

- C. Canopy Sign. Canopy signs shall be permitted in VC, NC, LC, PN, CC, OT, LMI, SED, OR and HC zone districts, subject to the following standard:
 - (1) Maximum sign area: twenty percent of the total surface area of the canopy

- D. Suspended Sign. Suspended signs shall be permitted in VC, NC, LC, PN, CC, OT, LMI, SED, OR and HC zone districts, subject to the following standard:
 - (1) One per entrance.
 - (2) Maximum sign area:
 - a. VC, NC, CC, LC, HC, PN and OT: ten square feet
 - b. OR, LMI and SED: fifteen square feet
 - (3) Placement requirements:
 - a. Where a projecting sign extends over a designated pedestrian walkway including both public and private sidewalks there shall be a minimum vertical clearance of nine feet between finished grade and base of the sign.

- E. Wall Signs. Wall signs shall be permitted in VC, NC, LC, PN, CC, OT, LMI, SED, OR and HC zone districts, subject to the following standards:
 - (1) Aggregate total not to exceed five percent of that portion of the face of the building upon which sign(s) is affixed in the VC, NC, CC, LC and OR zone districts.
 - (2) Aggregate total not to exceed ten percent of that portion of the face of the building upon which sign(s) is affixed in the HC, LMI and SED zone districts.
 - (3) Aggregate total not to exceed two percent of that portion of the face of the building upon which sign(s) is affixed in the OT and PN zone district.

- F. Window Sign. Window signs shall be permitted in VC, NC, LC, CC, LMI, SED, OR and HC zone districts, subject to the following standards:

- (1) Maximum sign area:
 - a. VC and NC zones: not to exceed twenty percent of the glass area
 - b. CC, LC, HC, OR, LMI and SED zones: not to exceed forty percent of the glass area
- G. Portable Sign. Portable signs shall be permitted in VC, NC, LC, CC, LMI, SED, OR and HC zone districts, subject to the following standards:
- (1) Maximum sign area: nine square feet
 - (2) Maximum height: four feet
 - (3) Number of signs per lot: one sign per business
 - (4) Placement requirement: Where a site has is permitted two or more signs based on multiple businesses on one lot, there shall be a minimum distance of fifteen feet between each portable sign.
 - (5) Design requirement:
 - a. Where a site has is permitted two or more signs based on multiple businesses on one lot, the signs shall uniform with respect to material, size, and color scheme.
- H. Home Occupation and Home Professional Office
- (1) Signs for home occupation and home professional offices in all Residential zone districts, subject to approval pursuant to §§500-20; 21, shall not exceed four square feet.
- I. Residential Neighborhood Association and Lake Community Organization Identification Sign
- (1) Maximum sign area: twenty square feet
 - (2) Maximum height: six feet
 - (3) Placement requirement: Signs may be located on a residential lot or upon common property of the association or community organization subject to the restriction regarding placement within a "sight easement at intersection" as defined in Chapter 400, "Land use Procedures".
- J. Temporary signs shall be permitted in all zone districts in accordance with the standards set forth in §500-160.
- K. Banners shall be permitted in all zone districts in accordance with the following standards
- (1) Maximum sign area: seventy-five square feet
 - (2) Maximum number: one banner per building.
 - (3) Compliance with the standards set forth in §500-160.
- L. Building marker signs shall be permitted in all zone districts in accordance with the following standards:
- (1) Maximum sign area: four square feet.
 - (2) Maximum number: one per building.
- M. Identification signs shall be permitted in all zone districts in accordance with the following standards:

- (1) Maximum sign area: four square feet.
- (2) Maximum number: one per building.
- N. Incidental signs shall be permitted in all zone districts.
- O. Roof, integral signs shall be permitted in the VC, NC, CC, LC, HC, OR, LMI and SED zone districts subject to the following standard:
 - (1) Maximum number: one sign per lot frontage
- P. Pennants shall be permitted in LC, HC and LMI zone districts subject to the following standard:
 - (1) Compliance with the standards set forth in §500-160.
- Q. Billboards shall be permitted in the HC zone district subject to the following standards:
 - (1) Maximum sign dimensions: twelve feet in height; twenty-four feet in length.
 - (2) Minimum distance between signs: 0.5 miles (2,640 feet)

Section 3. All ordinances of the Township of West Milford which are inconsistent with the provisions of the ordinance are hereby repealed to the extent of such inconsistency.

Section 4. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

Section 5. This Ordinance may be renumbered for purposes of codification.

Section 6. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

INTRODUCED: June 15, 2011

ADOPTED:

EFFECTIVE DATE:

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST

Antoinette Battaglia, Township Clerk

By: _____
Bettina Bieri, Mayor

Table I
Maximum Permitted Height of
Freestanding Sign by Zone District

Type of Sign	Zone District	Maximum Height Limit
Freestanding	VC, NC	6 ft.
	LC	6 ft.
	CC	12 ft.
	HC	15 ft.
	OT	5 ft.
	OR	10 ft.
	LMI, SED	5 ft.
	PN	6 ft.

Freestanding Sign: Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

**Table II
Permitted Sign Area**

Type of Sign	Zone District (a)	Maximum Permitted Sign Area
Canopy	All	20% of total surface
Freestanding	VC, NC	20 sq. ft.
	LC	20 sq. ft.
	CC	50 sq. ft.
	HC	60 sq. ft. (single use); 75 sq. ft. (2/more uses)
	OT	20 sq. ft.
	OR, LMI, SED	50 sq. ft.
	PN	20 sq. ft.
Portable	VC, NC, CC, LC, HC, OR, LMI, SED	Nine (9) sq. ft., Maximum height: four (4) ft. One (1) sign per fifty (50) ft. of frontage. Where two or more portable signs are permitted based on multiple businesses on one lot, the signs shall adhere to a uniform design, color scheme and size standard and shall maintain a minimum distance between signs of fifteen (15) feet.
Projecting	VC, NC, CC, LC, HC, OR, LMI, SED	20 sq. ft.
	OT	10 sq. ft.
Suspended	VC, NC, CC, LC, HC, OT, PN	10 sq. ft.
	OR, LMI, SED	15 sq. ft.
Wall	VC, NC, CC, LC	5%
	HC	10%
	OT, PN	2%
	OR	5%
	LMI	10%
	SED	10%
Window	VC, NC	20%
	CC, LC, HC, OR, LMI, SED	40%
	OT	Not permitted
Home Occupation ; Home Professional Offices	All Residential zone districts	Four (4) square feet
Residential Neighborhood & Lake Community Identification Sign	All Residential zone districts	20 square feet; maximum height: 6 feet

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2011 - 014 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY IN THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, AND STATE OF NEW JERSEY AND PROVIDING FOR THE APPROPRIATION OF \$52,000 FROM THE CAPITAL ACCOUNT

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., provides that a municipality may, by ordinance, provide for the acquisition of real property or an interest therein by purchase, gift, devise, lease, exchange, or condemnation in the manner provided in the Eminent Domain Act, N.J.S.A. 20:3-1, et seq.; and

WHEREAS, the Municipal Council of the Township of West Milford has determined that it is in the interest of the Township to acquire property shown as Block 2801, Lot 1 as shown on the official tax maps of the Township of West Milford, and known as 352 Warwick Turnpike in the Township of West Milford, from Anjo Associates for the sum of \$52,000.

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

- SECTION 1.** The Township of West Milford hereby authorizes the acquisition of property shown as Block 2801, Lot 1 as shown on the official tax maps of the Township of West Milford, and known as 352 Warwick Turnpike in the Township of West Milford, from Anjo Associates, LLC for the sum of \$52,000.
- SECTION 2.** There is hereby appropriated the total amount of \$52,000 for the purpose set forth in Section 1 from the Capital Account of the Township of West Milford, County of Passaic, State of New Jersey.
- SECTION 3.** The Mayor and Township Clerk and all other proper officers and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this ordinance.
- SECTION 4.** No debt is to be authorized by the enactment and passage of this ordinance.
- SECTION 5.** 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 6. 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 7. This Ordinance may be renumbered for purposes of codification.

SECTION 8. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

INTRODUCED: June 15, 2011

ADOPTED:

EFFECTIVE DATE:

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST

Antoinette Battaglia, Township Clerk

By: _____
Bettina Bieri, Mayor

Township of West Milford
Passaic County, New Jersey

~ Ordinance No. 2011 – 015 ~

BOND ORDINANCE APPROPRIATING \$1,127,000, AND AUTHORIZING THE ISSUANCE OF \$1,073,000 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Township of West Milford, in the County of Passaic, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$1,127,000 including the aggregate sum of \$54,000, as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes and excluding, in the case of the improvement or purpose described in paragraph (a) of said Section 3, the sum of \$77,000 available therefor under Ordinance #2007-18 of the Township.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,127,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$1,073,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$1,073,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES
(a) Acquisition by purchase of new and additional vehicular equipment, including one (1) front end loader	\$486,000	\$462,700

<p>and one (1) dump truck for use by the Department of Public Works of the Township, one (1) utility vehicle for use by the Police Department of the Township and one (1) ambulance for use by the Upper Greenwood Lake First Aid Squad, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the estimated cost thereof being exclusive of the amount of \$77,000 available for said dump truck under Ordinance #2007-18 of the Township</p>		
<p>(b) Acquisition by purchase and installation, as necessary, of new and additional equipment, including one (1) tire machine for use by the Department of Public Works of the Township, and fire hoses, tools, lights and emergency equipment for use by the Fire Companies of the Township, together with all appurtenances, apparatus and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved</p>	104,000	99,000
<p>(c) Acquisition by purchase and installation, as necessary, of new and additional computer and communications equipment for use by the Police Department and the Office of Emergency Services of the Township, together with all appurtenances, attachments, accessories and appurtenances necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved</p>	25,000	23,800
<p>(d) Improvement of municipally-owned facilities and grounds in and by the Township, including the Department of Public works garage by the renovation of the ceiling thereof and the construction of a roller hockey rink at the former tennis courts located off of Germantown Road, together with for all the aforesaid all structures, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved</p>	73,000	69,500
<p>(e) Acquisition by purchase of new and additional fire fighting equipment for the preservation of life and property in the Township, consisting of one (1) tanker truck for use by the Upper Greenwood Lake Fire Company, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved</p>	<u>439,000</u>	<u>418,000</u>
<p>Totals</p>	<u>\$1,127,000</u>	<u>\$1,073,000</u>

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 8.56 years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,073,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$150,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

INTRODUCED: July 6, 2011
ADOPTED:
EFFECTIVE DATE:

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY
ATTEST

Antoinette Battaglia, Township Clerk

By: _____
Bettina Bieri, Mayor

Township of West Milford
Passaic County, New Jersey

~ Resolution 2011 – 244 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE EXTENSION OF THE 2011 THIRD QUARTER TAX DUE DATE

WHEREAS, the 2011 tax rate has been certified to the Collector of Taxes late, and,

WHEREAS, the Collector of Taxes recommends the extension of the due date of the 2011 third quarter to be twenty five days from the date of mailing, after that date, interest will be charged at the rate of 8% on the first \$1,500.00 and 18% on any remaining balance above \$1,500.00, and,

NOW, THEREFORE, BE IT RESOLVED, that the proper officers be and they are hereby authorized and directed to extend the 2011 third quarter due date to be twenty-five days from the date of mailing.

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution 2011 – 245 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY TO AUTHORIZE THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF WEST MILORD AND JERSEY OFF ROAD BICYCLE ASSOCIATION (“JORBA”)

WHEREAS, the Township of West Milford desires to enhance its recreational opportunities to provide for an activity bicycle pump track; and

WHEREAS, the Director of Community Services & Recreation has suggested that the Farrell Field site is the most efficient and suitable location for such a facility; and

WHEREAS, JORBA, a non-profit organization has proposed to construct, maintain and oversee such activity bicycle pump track at no cost to the Township; and

WHEREAS, the Administration has negotiated a Lease Agreement for the use of such facility for Township residents and members of the public; and

WHEREAS, the said property has been funded by the New Jersey Department of Environmental Protection Green Acres and accordingly requires the submission of the proposed to the NJDEP for approval forty-five days before said Lease Agreement is executed; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford, County of Passaic, State of New Jersey hereby authorizes the Mayor to execute a Lease Agreement between the Township of West Milford and the Jersey Off Road Bicycle Association for a term of thirty-six (36) months.

BE IT FURTHER RESOLVED that the Lease Agreement shall be at no cost to the Township of West Milford.

BE IT FURTHER RESOLVED that while the construction, maintenance and upkeep of the facility shall be JORBA's responsibility, the Township of West Milford shall have the right to inspect the facility at any time as well as the right to promulgate rules and regulations for the use of the facility.

BE IT FURTHER RESOLVED that the Lease Agreement is subject to the approval of the New Jersey Department of Environmental Protection Green Acres pursuant to N.J.A.C. 7:36-25.13.

BE IT FURTHER RESOLVED that the Township Attorney is authorized to submit the Lease Agreement to the NJDEP Green Acres for consideration and approval.

BE IT FURTHER RESOLVED, that the Mayor and Council hereby approve any modifications herein that are consistent with NJDEP Green Acres guidelines.

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 - 246 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY FOR THE ACCEPTANCE OF CDBG FUNDING

WHEREAS, the Passaic County Board of Chosen Freeholders have passed a resolution reprogramming some \$100,000 of CDBG funds; and

WHEREAS, this reprogramming of funds has provided for additional CDBG projects within Passaic County; and

WHEREAS, the Township of West Milford requests County consideration for this funding given our ability to undertake a paving and milling project on 10 roads in Upper Greenwood Lake at an estimated cost of \$167,000; and

WHEREAS, this project is within the defined low and moderate income area as required by the CDBG program; and

WHEREAS, once approved this project will be completed by the October 2011 deadline.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that it respectfully requests \$100,000 in reprogrammed CDBG funding to improve the roadways in Upper Greenwood Lake and greatly appreciates Freeholder Board's consideration.

BE IT FURTHER RESOLVED by the Township Council of the Township of West Milford that the Township will fund the remaining \$67,000 through its 2011 capital account.

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an
original.

Antoinette Battaglia
Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 - 247 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO ENVIROTACTICS, INC. FOR THE PERFORMANCE OF A LIMITED SOILS INVESTIGATION ASSOCIATED WITH BLOCK 6401, LOT 6 IN AN AMOUNT NOT TO EXCEED \$3,300.00

WHEREAS, there exists a need for professional services to be rendered in the performance of a Limited Soils Investigation to the Township of West Milford associated with the Wallisch property identified as Block 6401, Lot 6; and

WHEREAS, the Township wishes to retain Envirotactics, Inc. to provide such professional services regarding the above referenced property and in accordance with its proposal for such services dated June 3, 2011, which has been placed on file with the Office of the Township Clerk; and

WHEREAS, the total amount of the contract shall not exceed \$3,300.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds said funds to be encumbered from account number 1-01-20-100-450; 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 bid and the contract itself must be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, 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 Envirotactics, Inc. with offices located at 1625 Highway 71, Wall, New Jersey, 07719 to provide professional services regarding the performance of a Limited Soils Investigation associated with the property identified as Block 6401, Lot 6 in an amount not to exceed \$3,300.00 and in accordance with its proposal dated June 3, 2011.
2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person authorized by law to practice a recognized profession.
3. The total fee authorized for this contract shall not exceed \$3,300.00 without the prior written approval of the Township Council.
4. Envirotactics, Inc. must complete the work set forth under its proposal within forty (40) calendar days from the time the professional services agreement is executed by both parties.
5. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an original.

Antoinette Battaglia
Township Clerk

Township of West Milford

Office of the Township Chief Financial Officer

CHIEF FINANCIAL OFFICER/TREASURER'S CERTIFICATION OF FUNDS

**The Governing Body of the Township of West Milford proposes to
award a change order as follows:**

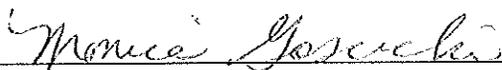
Contractor: Envirotactics, Inc.

Amount of Proposal: Not to exceed \$3,255.00

Subject of Contract: Wallisch Property Soil sample

Account Numbers to be encumbered: 1-01-20-100-450

As the Chief Financial Officer/Treasurer of the Township of West Milford, responsible for the maintenance of the financial records of the municipality, I hereby certify that adequate funds are available for the aforementioned purpose and that payment of the contract price will be charged against and are not to exceed the amount appropriated in the 2011 Operating Budget captioned under the title of "Administration, Fees for Services."



Monica Goscicki, Chief Financial Officer, Township of West Milford

July 13, 2011

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 - 248 ~

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, and

WHEREAS, the Township of West Milford wishes to amend its 2011 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 2011 in the sum of \$50,000.00 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:	\$50,000.00
Public and Private Revenues Off-Set with Appropriations: State of New Jersey Highlands Plan Conformance Grant	

BE IT FURTHER RESOLVED that a like sum of 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 Highlands Plan Conformance Grant	\$50,000.00
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BE IT FURTHER RESOLVED, that the Township Clerk forward two copies of this resolution to the Director of Local Government Services.

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an original.

Antoinette Battaglia
Township Clerk

Approved _____, 2011
Director, Division of Local Government Services
Trenton, New Jersey

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 - 249 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING THE 2011 CONTRACT WITH HAWKINS, DELAFIELD & WOODS FOR BOND COUNSEL SERVICES TO ALLOW FOR A PAYMENT OF \$3,300 IN EXCESS OF THE PRE-APPROVED NOT TO EXCEED AMOUNT

WHEREAS, by virtue of Resolution 2011-040 adopted on January 5, 2011 the Township Council did authorize the engagement of bond counsel services to be provided by Hawkins, Delafield & Woods; and

WHEREAS, resolution 2011-040 and the related contract did authorize services in an amount not to exceed \$7,500; and

WHEREAS, the Township Administrator has advised that the Township's needs, related to this contract, caused the provider to exceed the authorized contractual amount by \$3,300; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose said funds to be encumbered from various section 20 costs.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that they do hereby authorize the Township Administrator to approve payment of \$3,300 to Hawkins, Delafield & Woods for bond counsel services provided in the 2011 calendar year which amount is in excess of the initially approved contract amount of \$7,500 bringing the contract total to \$10,800.

This Resolution shall take effect immediately.

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution 2011 - 250 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CHANGE ORDER FOR DR MULLEN CONSTRUCTION FOR THE STORMWATER BMP RETROFIT INSTALLATION PROJECT

WHEREAS, Jacob Helminiak, P.E. CFM of Princeton Hydro, LLC has recommended approval of a change order to the D R Mullen Construction Co. for certain changes in specifications of the Stormwater BMP Retrofit Installations in the amount of \$21,368.65 and,

WHEREAS, the increased cost recommended in the approval of the change order is \$21,368.65 which amount represents an updated contract amount of \$186,529.01; and,

WHEREAS, the change was recommended due to the need to add additional stone, additional items for the relocation of one device on Greenwood Lake Turnpike, and the addition of one Officer for Police Protection; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this change order, said funds to be paid from G-02-41-755-755.

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

1. The Administrator be and is hereby authorized and directed to execute a change order to the contract with DR Mullen Construction Co. in an amount not to exceed \$21,368.65 representing an increase to the original contract amount of \$186,529.01 and establishing a new not to exceed amount of \$207,897.66.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Municipal Clerk.

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution 2011 - 251 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING A CHANGE ORDER FOR THE WEST MILFORD POLICE DEPARTMENT (CONTRACT #C0964)

WHEREAS, Captain Andrew Russo (ret) had recommended approval of a change order to the West Milford Police Department Contract #C0964, previously awarded to Mark Construction, Inc. in the amount of \$83,000.00 and,

WHEREAS, the increased cost recommended in the approval of the change order is \$2,495.71 which amount represents an updated contract amount of \$85,489.71; and,

WHEREAS, the change was recommended due to the need to install door hardware and electrical ballasts; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this change order, said funds to be paid from Contract #C0964, in the Township budget.

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

1. The Administrator be and is hereby authorized and directed to execute a contract amendment with Mark Construction, Inc. in an amount not to exceed \$2,495.71 representing an increase to the original contract amount of \$83,000 and establishing a new not to exceed amount of \$85,489.71.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution and contract shall be available for public inspection in the office of the Municipal Clerk.

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution No. 2011 - 252 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SETTLEMENT OF CERTAIN TAX APPEALS

WHEREAS, an appeal of the 2010 real property tax assessment of the following property has been filed in the Tax Court of New Jersey:

PROPERTY OWNER	BLOCK	LOT
Charles Aikey	9501	19.03
Charles Aikey	9501	19.06

and

WHEREAS, the Tax Assessor is of the opinion that it is in the best interest of the Township to settle these appeals.

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, as follows:

1. The settlement of the following tax appeals filed at the Tax Court of New Jersey is hereby authorized as follows:

PROPERTY OWNER	YEAR	ORIGINAL ASSESSMENT	PROPOSED SETTLEMENT
Charles Aikey	2010	\$68,700.	\$6,900.
Charles Aikey	2010	\$69,900.	\$7,000.

2. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.
3. The Tax Collector is hereby authorized to credit and/or refund the appropriate taxes in accordance with the terms of this resolution.
4. This Resolution shall take effect immediately.

Adopted:

Adopted this 20th day of July, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 – 253 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING FOR THE ASSIGNMENT OF TAX SALE CERTIFICATE AT PRIVATE SALE

WHEREAS, the Collector of Taxes has reported to the Township Council the offer of Timothy and Lisa Curran to acquire by assignment the following tax lien certificate, held by the Township of West Milford:

LIEN CERTIFICATE NO.	SALE DATE	BLOCK/LOT	AMOUNT DUE ON CERTIFICATE
08-088	4-08-08	1805-002	\$3,508.68

WHEREAS, the said Timothy and Lisa Curran has paid to the Collector of Taxes the sum of \$3,508.68 representing the amount due on said Certificate, together with subsequent liens thereon.

BE IT RESOLVED that August 17, 2011, at 7:30 P.M. prevailing time at the West Milford Town Hall, be set as the date, time and place when and where the Township Council shall take action on the said offer of Timothy and Lisa Curran.

BE IT FURTHER RESOLVED, that the Collector of Taxes be and hereby is directed, pursuant to N.J.S.A. 54:5-114, to publish such notice in the Herald News, mail such notice and post such notices as shall be required by law prior to any action as shall be taken by the Township Council on said offer.

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 - 254 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2011 - 2012 LICENSE YEAR WITH CONDITIONS

WHEREAS, applications for renewal of Plenary Retail Consumption Licenses for the 2011 – 2012 License year have been received and reviewed; and

WHEREAS, the Mayor and Township Council has conducted a public review of the applications as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980; and

WHEREAS, as a result of that review the Township Council has determined as follows:

1. The submitted applications are complete in all respects.
2. The applicants are qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicants have disclosed to the issuing authority the source of all additional financing obtained in the previous license year (July 1, 2010 - June 30, 2011).

WHEREAS, the Police Department has recommended that the licenses be renewed to the current owners with conditions as noted below.

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk is directed to issue and deliver the license certificates for the Mayor and Township Council of the Township of West Milford with conditions as follows:

LICENSE/LICENSEE/T/A	CONDITIONS
<p>OLD SCHOOL PUB LLC t/a Pickles Pub 551 Warwick Turnpike Hewitt, NJ 07421 1615-33-004-007</p>	<ol style="list-style-type: none"> 1. Premises outlined on the drawing submitted at transfer of license, which excludes the use of the basement as a storage area for alcoholic beverages be continued. 2. Occupancy loads must be adhered to. 3. Exits are not to be blocked.
<p>MILFORD STEAKHOUSE INC. t/a Hudsons George Chrzanowski 38 Cherry Tree Terrace Kinnelon, NJ 07405 1615-33-016-005</p>	<ol style="list-style-type: none"> 1. Any room layout changes must be reported to the Fire Prevention Bureau. 2. Posted occupant loads must be strictly adhered to. 3. Pool table and/or amusement game licenses must be applied for and received.
<p>BEARFORT PLAZA INC. t/a Valley View Pub 1612 Union Valley Road West Milford, NJ 07480 1615-33-007-003</p>	<ol style="list-style-type: none"> 1. The room in the basement to be used for storage only. 2. No alcoholic beverages shall be located behind the dry bar in the basement room. 3. Tables and chairs shall not be set up in the basement room. 4. No open alcohol containers permitted in downstairs hall. 5. All fire code violations must be abated in a time frame specified by the Fire Marshall. 6. Occupant loads must be adhered to.

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution No. 2011 - 255 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING RENEWAL OF POCKET PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-015-009 ANGELO JULIANO FOR THE 2011-2012 LICENSE YEAR

WHEREAS, an application has been received for the renewal of Plenary Retail Consumption License No. 1615-33-015-009, having no sited premise, held by Angelo Juliano; and

WHEREAS, the Township Council has conducted a public investigation of the applicant as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980, and

WHEREAS, as a result of that investigation the Township Council has determined the following:

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 additional financing obtained in the previous license year (July 1, 2010 - June 30, 2011).
4. Licensee has received a Special Ruling from the Office of the Attorney General for the 2011-2012 and 2012-2013 license years.

WHEREAS, as a further result of the public investigation and upon the recommendation of the Police Department the license be renewed as a "Pocket" license with the following conditions:

1. Licensee must file a Place-to-Place Transfer of License.
2. Any proposed premises must be inspected and approved by the Police Department, Fire Marshall and Health Department before opening.
3. Food Handlers License must be current before issuance of License Certificate.
4. Certificate of Occupancy must be issued prior to opening.
5. Licensee must file an amendment to the current license application, pages 1, 2 and 11 of the 12-page application, within ten days before or after the opening of the business to receive current license certificate.

NOW, THEREFORE, BE IT RESOLVED that the application is hereby approved and the Township Clerk is authorized to endorse the renewal and hold the license certificate until activated per conditions referenced above.

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an original

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 - 256 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES AND CLUB LICENSES FOR THE 2011- 2012 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption Licenses for the 2011- 2012 License year have been received and reviewed; and

WHEREAS, the Township Council has conducted a public review of the applications as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980; and

WHEREAS, as a result of that review the Township Council has determined as follows:

1. The submitted applications are complete in all respects.
2. The applicants are qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicants have disclosed to the issuing authority the source of all additional financing obtained in the previous license year (July 1, 2010 - June 30, 2011).

WHEREAS, the Police Department has recommended that the license be renewed to the current owners.

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk is directed to issue and deliver the license certificate for the Mayor and Township Council of the Township of West Milford.

<p style="text-align: center;">574 MACOPIN INC. S & S Liquors 574 Macopin Road West Milford, NJ 07480 1615-33-009-004</p>	<p style="text-align: center;">JESSIE'S COUNTRY KETTLE INC. t/a Jessie's Country Kettle 1603 Greenwood Lake Turnpike Hewitt, NJ 07421 1615-33-013-008</p>
<p style="text-align: center;">2 MOMENTO 2, INC. Momento Restaurant 374 Morsetown Road West Milford, NJ 07480 1615-33-012-005</p>	<p style="text-align: center;">MERSIMI & MAHMUDI, INC. t/a Cafe Amore P.O. Box 1093 Hewitt, NJ 07421 1615-33-032-009</p>
<p style="text-align: center;">PETER W. ANOLL T/A Lakeside Inn 322 Lakeside Road Hewitt, NJ 074221 1615-33-011-003</p>	<p style="text-align: center;">NTI LLC Red Oak Pancake House 47 Olcott Road Hewitt, NJ 07421 1615-33-024-012</p>
<p style="text-align: center;">JAMES ANTHONY DELI RESTAURANT, INC. t/a Greenwood Lake Discount Liquors 2019 A Greenwood Lake Turnpike Hewitt, NJ 07421 1615-33-021-004</p>	

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution 2011 – 265 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY URGING THE WEST MILFORD MUNICIPAL UTILITIES AUTHORITY TO ADDRESS THE IMMEDIATE PUBLIC HEALTH CONCERNS IDENTIFIED BY THE NJDEP IN CONNECTION WITH THE MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the State of New Jersey Department of Environmental Protection (DEP) notified the Township of West Milford and the West Milford Municipalities Utilities Authority (MUA) of health concerns linked to the lack of operational oversight and mismanagement in day-to-day operations; and

WHEREAS, in an eighteen month period the MUA has received over 150 violations that could exceed \$1.6 million in fines being levied against that agency; and

WHEREAS, the West Milford MUA commissioners are appointed solely by the six member Township Council; and

WHEREAS, the Commissioners of the MUA along with professionals hired by them to operate MUA facilities came before the Township Council on June 1, 2011 at a regularly scheduled Council meeting where each of the Commissioners and many of their contractors spoke to the Governing Body and the citizens of West Milford; and

WHEREAS, at that meeting each individual who spoke did so in an official capacity linked to his or her affiliation with the MUA; and

WHEREAS, at no time during that meeting or any time since has any person officially affiliated with the MUA conveyed an understanding of the DEP's assertions that the most recent health concerns found at the MUA are directly related to operational mismanagement and do not pertain to the issues associated with infrastructure; and

WHEREAS, the Commissioners of the MUA suggested that the burden of finding solutions to this lack of operational oversight be assumed by any party other than themselves; and

WHEREAS, in response to their pleas, Mayor Bettina Bieri did provide solutions that can be instituted immediately at **no cost** to the ratepayers or the taxpayers of West Milford that will immediately resolve issues associated with rodent feces in the water supply, unhealthy chlorine levels, broken windows at MUA facilities; uncovered water and chemical tanks; unwanted vegetative growth; shredded insulation; missing screening around pipes, vents and openings; leaking pipes and valves; no electric source and inoperable generators; leaking oil; general sanitary and facility hazards; and

WHEREAS, the solutions presented by Mayor Bieri are:

1. Relieve the current MUA Administrator/DSO of her duties at a savings in excess of \$66,000 in salary alone.
2. Enter into a shared services agreement with the Township whereby the Township Administrator, who presently supervises over 90 township employees, would also supervise the 3.5 MUA employees. The Township Administrator possesses over 28 years experience in municipal government many of which included operating utilities in Wanaque, Pequannock, and Rockaway.

3. Authorize the West Milford Health Department to work with the Township Administrator to inspect MUA facilities regularly with the goal of preemptively addressing daily operational deficiencies, preventing health concerns that affect our residents and addressing those problems before they become a DEP matter.
4. Utilize the cost of salary and benefits saved through the elimination of the Administrator to provide manpower and other resources to correct the serious health concerns delineated by the DEP.
5. Cease all funding for conferences and related expenses for MUA Commissioners.
6. Use those funds saved to engage additional part time help to provide a regular schedule of housekeeping and maintenance.

WHEREAS, certain West Milford residents have also provided recommendations to facilitate improved management strategies at the West Milford MUA; and

WHEREAS, among those suggestions former Mayor Carl Richko recommended establishing a committee to review all candidates interested in being appointed to the MUA and making subsequent recommendations to the Township Council prior to the Council making such appointments.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that they do hereby direct that the MUA Commissioners be provided with a copy of this resolution; and

BE IT FURTHER RESOLVED that the MUA Commissioners be and are hereby strongly urged to voluntarily enact the recommendations contained herein and to report such actions immediately to the Township Council whose members appointed them to the MUA.

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 – 257 ~

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 and Applications.

NOW, THEREFORE, BE IT RESOLVED, that the following Resolutions and Applications on the Consent Agenda are hereby approved:

Resolutions:

- a. **2011-258** – Refund Other Liens
- b. **2011-259** – Refund Police Department Fees
- c. **2011-260** – Refund Overpayments
- d. **2011-261** – Refund Recreation Fees
- e. **2011-262** – Refund Recreation Fees
- f. **2011-263** – Reinstate Taxes

Applications:

- a. **Application** for Off Premise Draw Raffle License No. RL2011-25 by the West Milford Elks Ladies Association for December 10, 2011.
- b. **Application** for Off Premise 50/50 Raffle License No. RL2011-26 by the West Milford Rotary for October 8, 2011.
- c. **Application** for Social Affair Permit by Holy Institution Panagia Soumela, Inc. for August 20, 2011 and August 21, 2011.
- d. **Application for Limo Driver License No. 2011 - 6** by Michele Townsend.

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 – 258 ~**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING 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 Amt	Pay to the Lien Holder
10-068	03/23/2010	06604-010	\$8,967.92	PAM INVESTORS C.O PA C/O PATRICK CARABELLESE 127 SOUTH WASHINGTON AVE BERGENFIELD, NJ 07621
11-007	04/19/2011	01611-022	\$18,768.35	LIEN TIMES LLC 203 STEPHENS ROAD WEST MILFORD, NJ 07480
11-008	04/19/2011	01612-005	\$18,343.37	US BANK CUST FOR TOWER DBW 50 SOUTH 16 TH ST STE 1950-TOW PHILADELPHIA, PA 19120
11-031	04/19/2011	02507-010	\$16,850.43	LIEN TIMES LLC 203 STEPHENS ROAD WEST MILFORD, NJ 07480
11-061	04/19/2011	06712-005	\$8,316.02	US BANK CUST FOR TOWER DBW 50 SOUTH 16 TH ST. STE 1950-TOW PHILADELPHIA, PA 19120
11-071	04/19/2011	07702-006	\$9,952.95	LEAN MAN RETIREMENT PLAN C/O ALEX GARCIA; TTEE 103 FINCH ROAD RINGWOOD, NJ 07456
11-084	04/19/2011	09409-005	\$55,146.16	US BANK CUST FOR TOWER DBW 50 SOUTH 16 TH ST. STE 1950-TOW PHILADELPHIA, PA 19120
11-104	04/19/2011	12203-014	\$4,249.50	US BANK CUST FOR PRO CAPITAL I LLC US BANK TLGS 50 S. 16 TH ST. STE 1950 PHILADELPHIA, PA 19102
Total			\$140,594.70	

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 - 259 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF POLICE DEPARTMENT FEES

BE IT RESOLVED, by the Township Council of the Township of West Milford that, upon the report and request of the Chief of Police the following fees held in Police Trust Accounts be refunded:

<u>Name & Address</u>	<u>Trust Account No.</u>	<u>Amount Refunded</u>
Upper Greenwood Lake Property Owners Association P.O. Box 457 Hewitt, NJ 07421	T-15-56-240-002	\$568.05

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution 2011 – 260 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF OVERPAYMENTS

WHEREAS, there appears on the tax records overpayments as shown below; and

WHEREAS, the overpayments were created by reasons stated below and the Collector of Taxes recommends the refund of such overpayments.

NOW, THEREFORE, BE IT RESOLVED that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayments as shown below:

REASONS:

1. Incorrect Payment
2. Duplicate Payment
3. Senior Citizen/Veteran Deduction
4. Homestead Rebate
5. Tax Appeal

Block/Lot	Name	Amount	Year	Reason
4107-4	CoreLogic for HSBC-1 st Mortgage 1 CoreLogic Drive Roanoke, Texas 76262	\$28,551.66	2011	1
	TOTAL	\$28,551.66		

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 – 261 ~

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:

PARTICIPANT	AMOUNT	MADE PAYABLE TO
<i>Muppet Camp</i>		
Cameron	\$105.00	Patricia Horan 531 Morsetown Road West Milford, NJ 07480
<i>Preschool</i>		
Justin	\$65.00	Pamela Fenning 15 Allendale Road Hewitt, NJ 07421
<i>Father's Day Workshop</i>		
Veronica	\$20.00	Heather Moyer 59 Ridge Road West Milford, NJ 07480
<i>Frog Night - instructor rescheduled class</i>		
Vitale Family	\$18.00	Kiawa Vitale 64 Banker Road Hewitt, NJ 07421
<i>Summer Arts – schedule conflict</i>		
Megan Fantuzzi	\$200.00	Rose Fantuzzi 12 Renault Rd. West Milford, NJ 07480
<i>Refund: Day Camp – head injury</i>		
Kate	\$255.00	Jill Krogen 9 Crawford St. West Milford, NJ 07480
<i>Refund: Lacrosse Camp – medical</i>		
Eric	\$160.00	Lois Rudden 1179 Union Valley Rd., Apt. C-1 West Milford, NJ 07480
<i>Refund: Bubbling Springs Lake - family relocated</i>		
Fulton Family	\$205.00	Kim Fulton 4 Cherbourg Dr. West Milford, NJ 07480

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 – 263 ~

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 cancellation of receipt of, and 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

BLOCK/LOT	NAME	AMOUNT	YEAR
13203-2	Macopin Associates for Anne & Maurice Heck	\$4,704.97	2011
3610-16	Patricia Clune	\$300.00	2011
TOTAL		\$5,004.97	

Adopted: July 20, 2011

Adopted this 20th day of July, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 – 264 ~

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 his office in payment of amounts due by the Township.

NOW, THEREFORE, BE IT RESOLVED that the Township Treasurer's report of checks prepared by him be approved and issued as follows:

Acct #	Account Name	Amount
1	Current Account	\$242,254.83
2	Reserve Account	0.00
3	Animal Control Trust	283.00
6	Capital	6,094.00
7	Grants	2,325.00
8	Refuse	0.00
9	Refunds	170,174.36
12	General Ledger	0.00
16	Heritage Trust	0.00
14	Open Space Trust	2,875.00
17	Trust	300.00
18	Development Escrow	636.00
19	LOSAP	0.00
20	Special Reserve	834.20
Total		\$424,942.19
Less Refund Resolution		-170,174.36
Actual Bill List		\$254,767.83
Other Payments		
Total Expenditures		\$254,767.83

Adopted: July 20, 2011

Adopted this 20th day of July, 2011 and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk

VI



TOWNSHIP CLERK'S OFFICE
INTEROFFICE MEMORANDUM

To: Honorable Mayor and Council
From: Diane Curcio, Office of the Township Clerk *DC*
Date: July 15, 2011
Re: **Boards Committees Commissions**

Greenwood Lake Bi-State Commission

There is a vacancy for a Commissioner.

This is a Council appointment with a term of expiration being 12/31/11.

Citizen Leadership Form

The following Citizen Leadership Form has been received:

James Warden

(previously supplied to Council with 7/6/11 Workshop Meeting packet documentation)

The Clerk's Office received on 7/14/2011 the attached letter regarding the current vacancy from the Greenwood Lake Commission.

Township Home Web Page

The above vacancy was listed and updated on the Vacancies, Boards Committees and Commissions as of 6-21-11 on the Township of West Milford Home Page under "News & Information".

Attachments



TOWNSHIP OF WEST MILFORD CITIZEN LEADERSHIP FORM



Please complete this form if you are interested in being appointed to any West Milford authority, board, committee or commission.

Upon completion, this form must be placed on file in the Office of the Clerk.

Mail To: Attention: Diane Curcio
Township of West Milford
Office of the Township Clerk
1480 Union Valley Road
West Milford, NJ 07480

Fax To: 973-728-2704
Email To: clerksoffice@westmilford.org
Questions: 973-728-7000

PLEASE PRINT CLEARLY

First Name	Middle Initial	Last Name
James	Lowery	Warden

I, hereby apply to perform public service on the following West Milford authority, board, committee or commission listed below:

- Greenwood Lake • B1-STATE Commission.

Please list below any education, prior volunteer experience, work related experience, or other civic involvement that could be of use to the authority, board, committee, or commission that you listed above: (use additional sheet if necessary)

Councilman
B1-Partisan effort to de-weed Lake
Environmental Astate
Helped arrange Sheriff's patrol
Helped acquire weed harvester & program
PLEASE PRINT CLEARLY
Boating enthusiast

*Personal Information Not Subject to Public Disclosure**

Primary Phone Number

973-865-3615 973-839-7886

Address of Residence

199 Highcrest Dr.

City

State, Zip

West Milford N.J. 07480

Email Address

*The information in this section is considered personal information, and is therefore deemed confidential for the purpose of P.L. 1963, c.73 (C.47:1A-1 et seq.) and P.L. 2001, c. 404 (C.47:1A-5 et al.).

RECEIVED

JUL 8 2011

TOWNSHIP CLERK
TWP. OF WEST MILFORD

ORIGINAL



GREENWOOD LAKE COMMISSION

P.O. BOX 1110, GREENWOOD LAKE, N.Y. 11925

e-mail: greenwoodlake@passaicriver.org

N.J. Chair: Ella F. Filippone

(908) 766-7550

(973) 532-9830

N.Y. Chair: Steve DeFeo

(845) 477-2552

July 11, 2011

Mayor and Council
Township of West Milford
Town Hall
1480 Union Valley Road
West Milford, New Jersey 07480

Dear Mayor and Council:

Re: Greenwood Lake Commission Vacancy

Shortly we will be sending you a set of reports on the future management of Greenwood Lake in New Jersey. The action plan calls for many positive, yet challenging, steps to be taken in the next few years.

The appointment you make to fill the vacancy currently pending will be critical to the efforts to improve the water quality and recreational uses of the lake. We need a person who has a demonstrated concern and interest in the lake. Therefore, we suggest that you appoint James Warden to fill this vacancy.

I am available at your pleasure to discuss this matter. Thank you for your consideration.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Ella F. Filippone".

Ella F. Filippone
New Jersey Chair

EFF/e

RECEIVED

JUL 14 2011

TOWNSHIP CLERK
TWP. OF WEST MILFORD

