
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: October 16, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 1 of 22

The Regular Meeting of the Governing Body was called to order by Mayor Michele Dale.

Adequate Notice Statement

Mayor Dale read the following statement:

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 March 17, 2019 and July 7, 2019; copies were provided to the Suburban Trends, the Record and Star Ledger 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.

Please also make note of all fire and emergency exits - located to the left, right, and rear of this room - for use in case of an emergency. Thank you.

Agenda No. I

Pledge of Allegiance

Mayor Dale led all in attendance in a salute to the flag.

Agenda No. II

Roll Call

Present: Councilmembers Ada Erik, Andrena Pegel, Marilyn Lichtenberg, Peter McGuinness
Luciano Signorino (arrived 6:33), Patricia Gerst, Mayor Michele Dale
Absent: None
Also Present: Interim Township Administrator Bob Casey, Township Attorney Fred Semrau

Agenda No. III

Reading of or Approval of Unapproved Minutes

October 2, 2019 Executive Session
October 2, 2019 Workshop Meeting

Moved: Erik Seconded: Lichtenberg
Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Gerst
Voted Nay: None
Absent: Signorino
Motion Carried:

Agenda No. IV

Meetings

Mayor Dale noted the future meeting schedule:

November 6, 2019 Workshop/Regular Meeting
December 4, 2019 Workshop Meeting
December 18, 2019 Regular Meeting

Agenda No. V

Proclamations

Friends of the Library – Mayor Dale invited Ricardo Pino, Library Director, to the podium to read the proclamation.

Assembly Resolution – Council President McGuinness read the Autumn Lights Resolution by Assemblywoman DeCroce.

Extra Mile Day

Agenda No. VI

Presentations

Greenwood Lake Commission – 2018 Annual Financial Report – Dale Van Nimwegen and Paul Zarrillo provided the report.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: October 16, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 2 of 22

Agenda No. VII

Executive Session

~ Resolution 2019 – 315 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 16th day of October, 2019 that:

1. Prior to the conclusion of this **Regular Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () b. (4) A collective bargaining agreement including negotiations
 - () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - () b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
 - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - Litigation – Triple T
 - () b. (8) Personnel matters
 - () b. (9) Deliberations after a public hearing that may result in penalties.
2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: October 16, 2019

Moved: McGuinness Seconded: Gerst
Voted Aye: Unanimous voice vote
Voted Nay: None
Motion carried.

The Governing Body went into executive session at 7:09 p.m.
The Governing Body returned to the public meeting at 7:23 p.m.

Agenda No. VIII

Discussion Items / Official Communication

1.	Discussion: Letter from Property Owners regarding Drainage on Compass Avenue, Upper Stowaway Road, Keel Road and Pilot Avenue: Mr. Casey noted that they received a petition similar to the ones they received from other private communities. He explained that the drainage from Union Valley Road is overwhelming the local drainage which was installed when the subdivision was built. They are asking the Township to fix the drainage and roads. He said this is a matter of prioritizing the assessment money for next year's budget. Mayor Dale said this should be added to the list of the roads that need to be looked at and considered. She said the total number of block and lots should be provided to the Council so they can compare and understand the number of signatures received verses the number of properties involved. Councilman McGuinness mentioned that Union Valley Road is a County Road and they should inquire with the County. Mr. Casey said he will ask Engineering to check and see if there are specific basins in the area that the County has. Mayor Dale said they will refer back to the Council with the total block and lots and the basins.
2.	Discussion: Recycling and Drop-Off Center: Mr. Casey explained that there is no market for recyclables. We have a recycling center that duplicates the curbside collection program. He will know more in a few weeks when they open the recycling bids for next year. He feels that it will be in the economic interest of the Township to curtail collections at the recycling center because it is duplicating the curbside collection and the cost that they already incurred. Curbside collection is already part of the collection contract.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: October 16, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 3 of 22

	By this time next month they will have to have in place the entire 2020 program. They would prefer residents utilize the curbside collection and not bring items to the recycling center.
3.	Discussion: Airbnb: Mr. Casey explained the revisions he made to the ordinance that the Governing Body discussed about two months ago. Mr. Casey noted that prior to adoption the ordinance has to be referred to the Planning Board for 35 days for their advice and consent. Their advice and consent is not binding on the Governing Body. He suggested they introduce the ordinance tonight and schedule the public hearing in December if they want to consider the ordinance in 2019.

Agenda No. X

Public Comments

Mayor Dale opened the meeting to the public after advising that there is a five-minute limit for each speaker.

Renee Alessio, Hillcrest Drive – Noted that she represents Sustainable West Milford. She expressed her concerns on the spraying that the County does. She asked that the Mayor and/or one or two Councilmembers join them at the Freeholder’s meeting on November 18th. She requested a copy of the letter that the Council sent to the County to cease the spraying. She expressed that the Township needs to come up with a plan before the spring so the County does not spray again.

Lynn Mandon, 52 High Crest Drive – Said she represents the Lakes Committee and she asked the status of the Airbnb ordinance. She feels that the Lake Associations should be included in the ordinance.

Paul Nietzer, 79 Witte Road – Mentioned he also represents the Lakes Committee. He expressed that they definitely want an ordinance in place and they would specifically want the private lake associations mentioned in the ordinance.

Mr. Sherry, 31 Forest Lake Drive – Said that his wife Pat Sherry could not attend the meeting because she was sick. He spoke about their concerns regarding the Airbnb’s. He said if the owner lived in the Airbnb next door to him, they would know what is going on. He asked the Governing Body if they would want to live next door to an Airbnb.

Doris Dapper, 44 Old Lakeside Road South – Expressed her concerns about the Airbnb’s and explained that the ordinance does nothing to protect the permanent residents. She said the Airbnb’s are turning into motels and they are going to see a lot more of them.

Bob Nicholson, 20 Hyde Road, Stockholm – Spoke about his concerns about the 40 barrels at the Recycling Center. He asked why people drop off at the Recycling Center when there is curbside pickup. Do they check ID to make sure that only residents are dropping off at the Recycling Center? He suggested that they charge a fee. He said they should grab other communities to address the spraying to the County because the County sprays in other towns, it’s not just West Milford. He made suggestions for the Airbnb ordinance. He said the Council needs to address the noise ordinance.

There being no more comments from the public, Councilwoman Erik moved to close the public portion of the meeting.

Moved: Erik Seconded: Signorino
Voted Aye: Unanimous voice vote
Voted Nay: None
Motion carried.

Agenda No. XI

Council Comments

Mayor Dale – Said the Board of Chosen Freeholders will hold a presentation on November 18, 2019 at 5:30 p.m. in response to the Township’s concerns about the spraying. They welcome and encourage people to listen to the Health Officer and Road Supervisor.

Councilwoman Lichtenberg – Asked Mr. Semrau to speak about the lake communities and the Airbnb ordinance.

Mr. Semrau – Said the lake associations can amend their bylaws to state that they want to be notified of when there will be an Airbnb arrangement. It becomes difficult from an administrative standpoint to make sure the Township notifies the lake associations. The communities can make that a requirement in their bylaws that the Airbnb’s need to be on file.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: October 16, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 4 of 22

Agenda No. IX

Unfinished Business, Final Passage of Ordinances

~ Ordinance 2019 – 017 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO AMEND §15-112 AND §15-113 OF THE TOWNSHIP CODE TO PROVIDE FOR THE APPOINTMENT OF LOCAL BUSINESS PERSON TO THE ECONOMIC DEVELOPMENT COMMISSION (EDC)

BE IT ORDAINED, by the Township Council of the Township of West Milford, in the County of Passaic and State of New Jersey, that §15-112 and §15-113 A.(3) of the Township code be amended to change the Chamber of Commerce member to a Local Business Representative as follows:

SECTION 1. §15-112. Membership.

The Township of West Milford Economic Development Commission (the "Commission") shall consist of eleven (11) members and two (2) alternate members. The Mayor shall appoint his designee or serve in that capacity. The Council shall appoint the Council liaison and a Local Business Representative. The Mayor shall appoint two citizen members. The Council shall appoint six citizen members and two alternate members. The members shall serve without compensation.

§15-113. Terms.

A. The members of the Commission shall have staggered terms as follows for their initial appointments:

(3) The Local Business Representative shall be appointed for one (1) year.

SECTION 2. 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 3. 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 4. This Ordinance may be renumbered for purposes of codification.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Introduced: September 18, 2019
Adopted: October 16, 2019
Effective Date: November 5, 2019

This Ordinance was introduced September 18, 2019 and the Notice of Public Hearing was published in the Herald News on September 22, 2019. The Governing Body will open the meeting to the public to speak to this ordinance only.

There being no one wishing to be heard, Councilwoman Erik made a motion, seconded by Councilman Signorino and carried by unanimous voice vote to close the public comment period.

Motion to adopt Ordinance 2019-013

Moved: Signorino Seconded: Lichtenberg
Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Signorino, Gerst
Voted Nay: None
Motion Carried:

Agenda No. XII

New Business, Introduction of Ordinance, Resolutions

Agenda No. XII 1

~ Ordinance 2019 – 020 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 285, ENTITLED "PROPERTY MAINTENANCE," OF THE "CODE OF THE TOWNSHIP OF WEST MILFORD, NEW JERSEY," REGULATING AND ESTABLISHING REGISTRATION REQUIREMENTS FOR SHORT TERM RENTALS IN THE TOWNSHIP OF WEST MILFORD, NEW JERSEY

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: October 16, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 5 of 22

WHEREAS, the West Milford Township Council seeks to permit the short-term rental use of certain legally permitted dwelling units throughout the Township of West Milford (also referenced as the "Township" or "West Milford") in order to facilitate the booking of reservations for such uses through internet-based booking platforms, and promote tourism and economic vitality in the Township; and

WHEREAS, the short-term rental of homes can provide a flexible housing stock that allows travelers a safe accommodation while contributing to the local economy, promoting travel and tourism and supporting the local tourism industry and business community; and

WHEREAS, the short-term rental of homes can provide homeowner's an opportunity to maintain ownership of property in difficult economic circumstances; and

WHEREAS, the West Milford Township Council finds that there is a substantial interest in furthering the public health, safety and welfare, by establishing and enforcing minimum life safety standards for short - term rental of houses.

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

SECTION 1. Chapter 285, entitled "Property Maintenance," of the Code of the Township of West Milford, New Jersey," is hereby amended and supplemented in order to establish a new Section thereof (Section 285-13) to be known as "Short-Term Rentals," as follows:

Chapter 285-13 Short Term Rentals.

285-13.A Purpose.

The Township Council finds and declares that certain transitory uses of residential property tend to affect the residential character of the community and, if unregulated, can be injurious to the health, safety and welfare of the community.

The intended purposes of this Section (285-13) are to:

- a. balance the rights of the Owners of residential dwelling units proposed for short-term rental use and the Township's business community affected by the allowance and existence of short-term rentals;
- b. protect the public health, safety and general welfare of individuals and the community at large;
- c. provide for an organized and reasonable process for the short-term rental of certain defined classifications of residential dwelling units in the Township;
- d. monitor and provide a reasonable means for the mitigation of impacts created by such transitory uses of residential properties within the Township of West Milford;
- e. preserve and protect the long-term housing market stock in the Township; and
- f. ensure that the short-term rental property inventory in the Township satisfies basic fire safety standards, in order to protect the safety of occupants and the citizens of the Township.

The West Milford Township Council has therefore determined that it shall be unlawful for any Owner of any property within the geographic bounds of the Township of West Milford, Passaic County, New Jersey, to rent or operate a short-term rental contrary to the procedures and regulations established in this Section (285-13), or applicable State statute.

285-13.B Authority.

In accordance with New Jersey law, a municipality may make and enforce within its limits all ordinances and regulations not in conflict with general laws, as it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants. The Township of West Milford hereby adopts the within Ordinance in accordance with said authority.

285-13.C Definitions.

As used in this Section (285-13), the following terms shall have the meanings indicated below:

Owner shall mean an individual or entity holding title to a property proposed for short- term rental, by way of a legally recorded Deed.

Owner-Occupied shall mean the Owner of the property resides in the short-term rental property (also referenced as "STRP"), or in the principal residential unit with which the STRP is associated on the same lot.

Property shall mean a parcel of real property located within the boundaries of the Township of West Milford, Passaic County, New Jersey.

Responsible Party shall mean both the short-term rental property Owner and a person (property manager) designated by the Owner to be called upon and be responsible at all times during the period of a short-term rental and to answer for the maintenance of the property, or the conduct and acts of occupants of the short-term rental property, and, in the case of the property manager, to accept service of legal process on behalf of the Owner of the short-term rental property.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of:
Date of Meeting:
Time of Meeting:
Minute Page No:

Governing Body Regular Meeting
October 16, 2019
6:30 pm
Page 6 of 22

The Responsible Party must be a New Jersey resident for the acceptance of legal process and to provide the periodic site inspection required under this ordinance.

Short-Term Rental (also referenced as "STR") shall mean the accessory use of a dwelling unit for occupancy by someone other than the unit's Owner or permanent resident for a period of thirty (30) or less consecutive days, up to a cumulative total period of not to exceed one hundred eighty (180) days in a calendar year, which dwelling unit is regularly used and kept open as such for the lodging of guests, and which is advertised or held out to the public as a place regularly rented to Transient Occupants, as that term is defined in this Section (285-13).

Short-Term Rental Property (also referenced as "STRP") shall mean a residential dwelling unit that is used and/or advertised for rent as a short-term rental by Transient Occupants as guests, as those terms are defined in this Section (285-13). Dwelling units rented to the same occupant for more than thirty (30) continuous days, licensed Bed and Breakfast establishments, licensed rooming or boarding houses, hotels, and motels shall not be considered Short-Term Rental Property.

Short-Term Rental Property Agent shall mean any New Jersey licensed real estate agent or other person designated and charged by the Owner of a short-term rental property, with the responsibility for making the STR application to the Township on behalf of the Owner, and fulfilling all of the obligations in connection with completion of the short-term rental property permit application process on behalf of the Owner. Such person shall be available for, and responsive to contact on behalf of, the Owner, at all times.

Transient Occupant shall mean any person or a guest or invitee of such person, who, in exchange for compensation, occupies or is in actual or apparent control or possession of residential property, which is either: (1) registered as a short-term rental property, or (2) satisfies the definition of a short-term rental property, as such term is defined in this Section (285-13). It shall be a rebuttable presumption that any person who holds themselves out as being an occupant or guest of an occupant of the short-term rental is a transient occupant.

285-13.D Regulations Pertaining to Short-Term Rentals.

- a. It shall be unlawful for any Owner of any property within the geographic bounds of the Township of West Milford, New Jersey, to rent or operate a short-term rental contrary to the procedures and regulations established in this Section (285-13) or applicable State statute.
- b. Short-term rentals shall be permitted to be conducted in the following classifications of property in the Township of West Milford:
 1. Condominium units, where the Condominium Association By-Laws or Master Deed permit a short-term rental;
 2. Individually or collectively owned single-family residences;
- c.
 1. Not more than one STR unit can be in any multi-family residential dwelling;
 2. Not more than one STR unit can be within a single-family residential dwelling unit, where the STR shares common kitchen and bathroom facilities with the occupant of the dwelling unit, and the remainder of the single-family dwelling unit is occupied by the Owner.
 3. In a STP which is not Owner occupied or does not have a Responsible Party in residence, there shall be no more than one family or two unrelated individuals.
- d. For a STR that does not have an Owner or Responsible Agent on site, the owner / Responsible Party or STRP Agent shall visit the site at the initiation of the rental and within 24 hours after the completion of the rental and/or weekly for a multi-week rental to insure that all Township regulations are being properly observed.
- e. The provisions of this Section (285-13) shall apply to short-term rentals as defined in Subsection 285-13.C above. The following do not qualify as a privately-owned residential dwelling unit, as that term is used herein, and therefore do not need to obtain a short-term rental permit pursuant to this Section (285-13): any hotel, motel, studio hotel, rooming house, dormitory, public or private club, bed and breakfast inn, convalescent home, rest home, home for aged people, foster home, halfway house, transitional housing facility, or other similar facility operated for the care, treatment, or reintegration into society of human beings; any housing owned or controlled by an educational institution and used exclusively to house students, faculty or other employees with or without their families; any housing operated or used exclusively for religious, charitable or educational purposes; or any housing owned by a governmental agency and used to house its employees or for governmental purposes.

285-13.E Short-Term Rental Permit, Permit Registration Fee/Application, and Certificate of Occupancy.

- a. In addition to any land use requirement(s) set forth by the Township of West Milford Land Use Regulations, the Owner / STRP Agent of a short-term rental property shall obtain a short-term rental permit from the Township of West Milford Township Clerk's Office, before renting or advertising for rent any short-term rental.
- b. The failure to obtain a valid short-term rental permit prior to advertising the short-term rental property in any print, digital, or internet advertisement or web-based platform, and/or in the MLS or any realtor's property listing shall be a violation of this Ordinance. No short-term rental permit issued under this Section (285-13) may be transferred or assigned or used by any person or entity, other than the Owner to whom it is issued, or at any property location or dwelling unit other than the property for which it is issued.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of:
Date of Meeting:
Time of Meeting:
Minute Page No:

Governing Body Regular Meeting
October 16, 2019
6:30 pm
Page 7 of 22

- An Owner of a property intended to serve as a short-term rental property, as defined herein, or any STR Agent acting on behalf of the Owner, shall submit to the Township of West Milford Township Clerk's Office, a short-term rental permit application provided by the Township, along with an annual application/registration fee of five hundred dollars (\$500.00) plus relevant certification and inspection fees. Said fees shall be non-refundable in the event that the application is denied.
- c. The short-term rental permit, if granted, shall be valid for a period of one year from the date of issuance.
 - d. A short-term rental permit shall be renewed on an annual basis, based upon the anniversary of the original permit issuance, by submitting to the Township Clerk's Office, a short-term rental permit application and a renewal registration fee of five hundred dollars (\$500.00).
 - e. The short-term rental permit shall expire automatically when the short-term rental property changes Ownership, and a new initial application and registration fee will be required in the event that the new Owner intends to use the property as a short-term rental property. A new application and registration fee shall also be required for any short-term rental that had its short-term rental permit revoked or suspended. Permits are not transferable to other parties.

285-13.F Application Process for Short-Term Rental Permit and Inspections.

a. Application Process

Application-for a short-term rental permit-shall be submitted under oath on a form specified by the Township Clerk, to the Township of West Milford Township Clerk's Office accompanied by the non-refundable application fee as set forth in Subsection 285-13.E above. Such application shall include:

1. The name, address, telephone number and email address of the Owner(s) of record of the dwelling unit for which a permit is sought. To verify this information, the applicant shall provide their driver's license. If such Owner is not a natural person, the application must include and identify the names of all partners, officers and/or directors of any such entity, and the personal contact information, including address and telephone numbers for each of them.
2. The address of the unit to be used as a short-term rental.
3. If the property Owner is not going to be present or assume liability for the activities in and maintenance of the STR on a 7 day a week basis, 24 hours a day, then the name, address, telephone number and email address of the Short-Term Rental Property Agent, or Short Term Rental Property Responsible Party who will assume this responsibility.
4. For a condominium short-term rental permit application, a letter of approval by the condominium association must be submitted with the application.
5. A sworn statement that there have been no prior revocations or suspensions of this or a similar license, in which event a license shall not be issued, which denial may be appealed as provided hereinafter.
6. The Owner's or the Short-Term Rental Property Agent's sworn acknowledgement that he or she has received a copy of this Ordinance, has reviewed it, understands its requirements and certifies, under oath, as to the accuracy of all information provided in the permit application.
7. The number and location of all parking spaces available to the premises, which shall include the number of legal off-street parking spaces on the premises. The Owner shall certify that renters will not use on-street parking, unless no off-street parking is available. Where no off-street parking is available, on-street parking regulations apply.
8. A Certification from the Township Fire Prevention Office that the premises have the required smoke and Co2 alarms and fire extinguishers and that all are in working order.
9. A Zoning Compliance Certificate, which states that the premises are not being occupied or used in violation of the Township's Land Use Regulations and Zoning Ordinance.
10. The Owner's agreement to use his or her best efforts to assure that use of the premises by all Transient Occupants will not disrupt the neighborhood, and will not interfere with the rights of neighboring property Owners to the quiet enjoyment of their properties.
11. Attached to and concurrent with submission of the permit application the Owner shall provide proof of general liability insurance at a minimum amount of \$1,000,000.00, with the Township named as an additional insured.
12. Written certifications from the short-term rental property agent and responsible party that they agree to perform all of the respective duties specified in this Section (285-13).
13. A Certification that the STRP Owner is current with all taxes assessed to the property prior to the issuance of a short-term rental permit; that any code violations have been issued by the Township relating to the STRP have been properly abated; that any open construction permits for the property prior to the issuance of a short-term rental permit have been closed; and that all fines or penalties issued by the Municipal Court for the Township of West Milford for any past code violations relating to the STRP, including penalties for failure to appear in Court, are satisfied in full.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: October 16, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 8 of 22

- b. Required Inspections:
 - 1. Every application for a Short-Term Rental Permit shall require annual inspections for the STRP's compliance with the Township's fire safety regulations.
- c. Other Requirements:
 - 1. The STRP Owner/permit holder shall include the short-term rental permit number issued by the Township in every print, digital, or internet advertisement, and/or in the Multiple Listing Service (hereinafter "MLS") or other real estate listing of a real estate agent licensed by the NJ State Real Estate Commission, in which the short-term rental property is advertised for rent on a short-term basis.
 - 2. The primary occupant of all short-term rentals executing the agreement between the Owner / Short - Tern Rental Property Agent and the occupant must be over the age of twenty-one (21), and must be the party who will actually occupy the property during the term of the short-term rental. The primary occupant may have guests under the age of twenty-one (21) who will share and occupy the property with them.

285-13.G Issuance of Permit and Appeal Procedure.

- a. Once an application is submitted, complete with all required information and documentation and fees, the Township Clerk's Office, following any necessary investigation for compliance with this Section (285-13), shall either issue the short-term rental permit or issue a written denial of the permit application (with the reasons for such denial being stated therein), within ten (10) business days.
- b. If denied, the applicant shall have ten (10) business days to appeal in writing to the Zoning Board of Adjustment, by filing the appeal with the Township Planning Department.
- c. Within forty-five days (45) days thereafter, the Zoning Board of Adjustment shall hear and decide the appeal.
- d. If requested by either party, a mediator shall decide the appeal.

285-13.H Short-Term Rental Operational Requirements.

- a. The Owner's / STRP Agent / Responsible Party shall ensure that the short-term rental is used in a manner that complies with all applicable laws, rules and regulations pertaining to the use and occupancy of a short-term rental.
- b. A dwelling unit shall be limited to one (1) single short-term rental contract at a time.
- c. The Owner / STRP Agent of a STRP shall not install any advertising or identifying mechanisms, such as signage, including lawn signage, identifying the property for rent as a short-term rental property.
- d. Transient occupants of the STRP shall comply with all ordinances of the Township of West Milford including, but not limited to those ordinances regulating noise and nuisance conduct. Failure of Transient Occupants to comply shall subject the Transient Occupants, the Owner of the STRP, the Responsible Party and/or the Short-Term Rental Agent listed in the short-term rental permit application, to the issuance of fines and/or penalties, and the possibility of the revocation or suspension of the STRP permit.
- e. The Owner / STRP Agent and/or a Responsible Party of a STRP shall post the following information in a prominent location within the short-term rental and prospective tenants should provide written acknowledgement of receipt of said materials.
 - 1. Owner name; if Owner is an entity, the name of a principal in the entity, and phone number for the Owner (individual);
 - 2. The names and phone numbers for the Responsible Party and the Short- Term Rental Agent (as those terms are defined in this Section (285-13) (Use of a rental agent is not required);
 - 3. The phone numbers for the West Milford Police Department, the West Milford Fire Department, the Township of West Milford Department of Code Enforcement and the Township of West Milford Department of Planning/Building;
 - 4. The maximum number of parking spaces available onsite;
 - 5. On-street parking regulations applicable to the adjacent streets;
 - 6. Survey or boundary map showing property lines of property rented; and
 - 7. Trash and recycling pick-up day, and all applicable rules and regulations regarding trash disposal and recycling.
- f. In the event any complaints are received by the West Milford Police Department and/or other Township Departments regarding the STRP and/or the Transient Occupants in the STRP, and the Owner of the STRP is unreachable or unresponsive, both the Responsible Party and the Short-Term Rental Agent listed in the short-term rental permit application shall have the responsibility to take any action required to properly resolve such complaints, and shall be authorized by the STRP Owner to do so.
- g. While a STRP is rented, the Owner, the Short-Term Rental Agent, or the Responsible Party shall be available twenty-four (24) hours a day, seven (7) days a week for the purpose of responding within two (2) hours to complaints regarding the condition of the STRP premises, maintenance of the STRP premises, operation of the STRP, or conduct of the guests at the STRP, or nuisance complaints from the West Milford Police Department or neighbors, arising by virtue of the short-term rental of the property.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: October 16, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 9 of 22

- h. If the STRP is the subject of two (2) or more substantiated civil and/or criminal complaints in a one (1) year period, the Township Clerk or his or her designee may revoke the short-term rental permit issued for the property, in which case, the STRP may not be the subject of a new STRP permit application for one (1) year following the date of revocation of the permit.
- i. In the event that the Township receives three (3) substantiated complaints in a one (1) year period concerning excessive vehicles belonging to the Transient Occupants of a STRP, the short-term rental permit for the property is subject to revocation by the Township Clerk or his or her designee.
- j. The person offering a dwelling unit for short-term rental use must be the owner of the dwelling unit or the Short-Term Rental Property Agent A Tenant of a property may not apply for a short-term rental permit, nor shall the property or any portion thereof be sub-leased by the Tenant on a short-term basis, or operated as a STRP by the Tenant. This STRP regulation shall supersede any conflicting provision in a private lease agreement permitting sub-leasing of the property, or any portion of the property. Violation of this Section (285-13) will result in enforcement action against the Tenant, the STRP Owner, the Short-Term Rental Agent, and the Responsible Party, and will subject all such parties to the issuance of a Summons and levying of fines and/or penalties.

285-13.1 Short-Term Rental Enforcement Authority

The Zoning / Property Maintenance Official of the Township shall have the authority to enforce the provisions of this ordinance and shall be granted access by the Owner / STR Agent or Responsible Party to the permitted premise at all reasonable hours to insure that the above requirements are met.

SECTION 2. Any and all ordinances inconsistent with or in conflict with the provisions of this ordinance are hereby repealed to the extent of any such inconsistency

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance. This Ordinance shall take effect upon passage and publication in accordance with applicable law

SECTION 4. This Ordinance shall take effect 20 days after publication of the notice of approval on final reading as required by law.

Introduced: October 16, 2019
Adopted:
Effective Date:

Second reading and public hearing for this Ordinance is set for the Workshop Meeting of the Township Council scheduled for December 4, 2019. Notice of this public hearing shall be published in the Herald News on or about October 20, 2019.

Motion to introduce Ordinance 2019-020

Moved: Erik Seconded: McGuinness
Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Gerst
Voted Nay: None
Abstain: Signorino
Motion Carried:

Mayor Dale asked to move resolution 2019-298.

Agenda No. XII 2

~ Resolution 2019 – 298 ~

A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE FILING OF A COMPLAINT WITH THE NEW JERSEY COUNCIL ON LOCAL MANDATES THAT THE HIGHLANDS WATER PROTECTION AND PLANNING ACT, N.J.S.A. 13:20-1 THROUGH -35, AND N.J.A.C. 7:38-1 THROUGH -14.2, AS APPLIED TO WEST MILFORD TOWNSHIP, CONSTITUTES AN UNFUNDED MANDATE IN VIOLATION OF ARTICLE VIII, SECTION II, PARAGRAPH V OF THE NEW JERSEY CONSTITUTION

WHEREAS, as applied to the Township of West Milford, the Highlands Water Protection and Planning Act and its implementing rules (hereinafter collectively "Highlands Act") and it imposes upon the municipal government an undue financial hardship in violation of the New Jersey Constitution; and

WHEREAS, pursuant to the Highlands Act, areas impacted by the Act are divided into the Preservation Area and the Planning Area; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of:
 Date of Meeting:
 Time of Meeting:
 Minute Page No:

Governing Body Regular Meeting
 October 16, 2019
 6:30 pm
 Page 11 of 22

SCHEDULE A						
TOWNSHIP OF WEST MILFORD - PROPERTY SALE – OCTOBER 2, 2019						
Block	Lot	Name & Address	Bid Amount	Deposit	10% Fee	Amount Due
806	25	Gary Sipila / Jennifer Lehr 25 Shadyside Road Hewitt, NJ 07421	\$1,100.00	\$110.00	\$110.00	\$1,100.00
811	2	James Lyons 1403 E. Central Avenue Edgewater, MD 21037	\$2,400.00	\$240.00	\$240.00	\$2,400.00
1806	4	Jason Hartig 3 Glenridge Road Hewitt, NJ 07421	\$2,200.00	\$220.00	\$220.00	\$2,200.00
2502	1	Upper Greenwood Lake Property Owners Association P.O. Box 457 Hewitt, NJ 07421	\$8,200.00	\$820.00	\$820.00	\$8,200.00
2512	10	Erich Kuhles 246 Lakeshore Drive Hewitt, NJ 07421	\$800.00	\$800.00	\$80.00	\$80.00
3605	9	Joseph Chapman 975 Union Valley Road West Milford, NJ 07480	\$1,200.00	\$120.00	\$120.00	\$1,200.00
5802	2	John Graf 7 Garfield Road West Milford, NJ 07480	\$1,000.00	\$100.00	\$100.00	\$1,000.00
6714	1	Warren & Dara Treptow 54 Aspen Lane West Milford, NJ 07480	\$1,100.00	\$110.00	\$110.00	\$1,100.00
8509	11	Jesse W. Van Dunk 8 Pinecrest Trail West Milford, NJ 07480	\$100.00	\$100.00	\$10.00	\$10.00
8509	13	Jesse W. Van Dunk 8 Pinecrest Trail West Milford, NJ 07480	\$750.00	\$750.00	\$75.00	\$75.00
8509	14	Jesse W. Van Dunk 8 Pinecrest Trail West Milford, NJ 07480	\$1,000.00	\$1,000.00	\$100.00	\$100.00
10817	12	Lindys Lake Association P.O. Box 343 West Milford, NJ 07480	\$5,000.00	\$500.00	\$500.00	\$5,000.00
11202	5	Matthew Romeo Renovations, LLC 103 Larsen Drive West Milford, NJ 07480	\$1,900.00	\$190.00	\$190.00	\$1,900.00
14113	22	Mike Miseo 35 Peach Lane West Milford, NJ 07480	\$5,000.00	\$500.00	\$500.00	\$5,000.00
TOTAL:			\$31,750.00	\$5,560.00	\$3,175.00	\$29,365.00

Agenda No. XII 4

~ Resolution 2019 – 301 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING CONSENT TO FILE A TREATMENT WORKS APPROVAL (TWA) APPLICATION TO MODIFY AN EXISTING INDIVIDUAL SUBSURFACE DISPOSAL SYSTEM (ISSDS) ON LOT 6 IN BLOCK 14108 AT 131 GERMANTOWN ROAD, IN THE TOWNSHIP OF WEST MILFORD, WHICH IS UNDER THE JURISDICTION OF THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION POLLUTANT DISCHARGE ELIMINATION SYSTEM, DISCHARGE TO GROUNDWATER (NJPDES-DWG) AUTHORIZATION NUMBER NJG0134554

WHEREAS, the YMCA of Montclair is the owner of the Willow Lake YMCA Camp property at 131 Germantown Road, West Milford, NJ 07480 in the Township of West Milford, which is known as Block 14108 Lot 6; and

WHEREAS, the aggregate peak daily wastewater design flow for the use on the property exceeds 2,000 gpd; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: October 16, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 12 of 22

WHEREAS, the construction, alteration or repair of an ISSDS designed to treat and dispose of wastewater flows in excess of 2,000 gpd is regulated by the NJDEP NJPDES program; and

WHEREAS, the YMCA of Montclair has submitted a request to the Township of West Milford for Consent to File a TWA with the NJDEP to alter the existing ISSDS on the property; and

WHEREAS, the Township Engineer has reviewed the request and has determined that the ISSDS is regulated by the NJDEP, conforms with the requirements of all municipal ordinances pertaining to the proposed disposal system but certain aspects of the soil testing, subsurface conditions, and ISSDS design do not conform to the minimum standards set forth in the "Standards for Individual Subsurface Sewage Disposal Systems" at N.J.A.C. 7:9A; and

WHEREAS, a permit to alter the existing wastewater treatment and disposal systems must be authorized by the NJDEP through the TWA application process; and

WHEREAS, submittal of a TWA application to the NJDEP requires the municipality to, by way of Resolution, consent to the project; and

WHEREAS, the Township Engineer recommends to the Mayor and Township Council that it in fact consent to this application.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey hereby consents to the Treatment Works Application as submitted for the property known as the Willow Lake YMCA Camp in the Township of West Milford which is known as Block 14108 Lot 6 with respect to septic alterations.

Adopted: October 16, 2019

Agenda No. XII 5

~ Resolution 2019 – 302 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR TRAFFIC STRIPING OF TOWNSHIP ROADWAYS THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #36 (TRAFFIC STRIPING ON ROADS) TO DENVILLE LINE PAINTING, INC. IN AN AMOUNT NOT TO EXCEED AN ADDITIONAL \$5,500.00

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Pricing Council (State ID # 6-MCCoOp); and

WHEREAS, the Morris County Cooperative Pricing Council has awarded Contract #36, Traffic Striping on Roadways to Denville Line Painting, Inc.; and

WHEREAS, said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40A:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township of West Milford has a need for Traffic Striping on the following roadways: Wooley Road, Clinton Road, Morsetown Road and Germantown Road which were included in the 2019 Resurfacing Program; and

WHEREAS, the Director of Public Works has submitted a written recommendation for the Township of West Milford to purchase additional Traffic Striping on the above named roadways through the Morris County Cooperative Pricing Council, Contract #36 in an amount not to exceed \$5,500.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number 04-215-55-829-002;

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 Township Council hereby authorizes the Department of Public Works to purchase Traffic Striping on Roadways, thereby increasing the not to exceed amount from \$123,445.41 to \$128,945.41, through the Morris County Cooperative Pricing Council, Contract #36, to Denville Line Painting, Inc. 2 Green Pond Road, Rockaway, NJ 07866.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This Resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: October 16, 2019

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: October 16, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 13 of 22

Agenda No. XII 6

~ Resolution 2019 – 303 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING EXPENDITURE OF FUNDS FOR THE PURCHASE OF DRAINAGE MATERIALS IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICIES AND PAY-TO-PLAY LAW N.J.S.A. 19:44A-20.5 ET SEQ.

WHEREAS, the Township Council of the Township of West Milford adopted ordinance 2013-020 to create the position of Qualified Purchasing Agent in the municipality and subsequently adopted resolution 2013-330 appointing a Qualified Purchasing Agent (QPA) and increasing the bid threshold from \$17,500.00 to \$40,000.00; and

WHEREAS, as a condition to the increase in the bid threshold, the Township Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase in excess of the former bid threshold of \$17,500.00 and that the purchase shall warrant use of State contract, cooperative pricing contract or a minimum of three quotations; and

WHEREAS, the Department of Public Works is requesting the purchase of drainage materials (castings, precast concrete structures and pipe), from General Foundries, Campbell Materials, Franklin Precast, Northeast Concrete Products through use of either cooperative pricing contracts or a minimum of three quotes which expenses would exceed the aggregate quote threshold of \$17,500.00; and

WHEREAS, the above referenced vendors shall comply with State pay-to-play regulations by completing and submitting a Business Entity Disclosure Certification; and

WHEREAS, the Township Council has received a recommendation from the Director of Public Works indicating the anticipated need to purchase various drainage materials which expenses would exceed the aggregate quote threshold of \$17,500.00; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5 (b), no orders of material shall be undertaken until such time as the funding for the goods or services are certified by the Chief Financial Officer; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute purchases to the above referenced vendors in an amount not to exceed \$40,000.00 per vendor for the remainder of the 2019 calendar year and within the budget appropriation established for this purpose.

Adopted: October 16, 2019

Agenda No. XII 7

~ Resolution 2019 – 304 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF CRUSHED STONE, GRAVEL AND SAND THROUGH THE MORRIS COUNTY COOPERATIVE PURCHASING COUNCIL CONTRACT NO. 9, FROM EASTERN CONCRETE MATERIALS IN AN AMOUNT NOT TO EXCEED AN ADDITIONAL \$24,000.00

WHEREAS, the Township of West Milford previously authorized purchases from Eastern Concrete Materials in the amount of \$50,000.00 by virtue of Resolution 2019-091 through use of State Contract No. T-0142, which contract expiration date is October 14, 2019; and

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Purchasing Council (State ID # 6-MCCOOP); and

WHEREAS, the Morris County Cooperative Purchasing Council has awarded Contract #9 Crushed Stone, Gravel and Sand, for the 2019 year to Eastern Concrete Materials and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Director of Public Works has submitted a written recommendation that the Township of West Milford purchase additional Crushed Stone from Eastern Concrete Materials in an amount not to exceed \$24,000.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number 04-215-55-826-022.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: October 16, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 14 of 22

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 Township Council hereby authorizes the Department of Public Works to purchase crushed stone from Eastern Concrete Materials, 250 Pehle Avenue, Suite 503, Saddle Brook, NJ 07663 thereby increasing the not to exceed amount from \$50,000.00 to \$74,000.00
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This Resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: October 16, 2019

Agenda No. XII 8

~ Resolution 2019 – 305 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF PAVING MATERIALS FROM TILCON NEW YORK INC. THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL CONTRACT #5 (PAVING MATERIALS) IN AN AMOUNT NOT TO EXCEED AN ADDITIONAL \$25,000.00

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Pricing Council (State ID # 6-MCCoOp); and

WHEREAS, the Morris County Cooperative Pricing Council has awarded Contract #5 (Paving Materials), to Tilcon New York, Inc.; and

WHEREAS, said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40A:11 et seq., Local Public Contracts Law; and

WHEREAS, the Director of Public Works has submitted a written recommendation that the Township of West Milford utilize Tilcon New York, Inc., for the purchase of paving materials through the use of the Morris County Cooperative Pricing Council, Contract #5 in an amount not to exceed an additional \$25,000.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account numbers: 01-201-26-290-361 (\$4,500.00) and 04-215-55-826-022 (\$20,500.00);

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:

4. The Township Council hereby authorizes an expenditure of funds through the Morris County Cooperative Pricing Council, Contract #5, to Tilcon New York, Inc., 9 Entin Road, Parsippany, NJ 07054 for the purchase of paving materials thereby increasing the not to exceed amount from \$50,000.00 to \$75,000.00.
5. The Township's Chief Financial Officer has certified the availability of funds for same.
6. This Resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: October 16, 2019

Agenda No. XII 9

~ Resolution 2019 – 306 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING RESOLUTION 2019-179 WHICH RESOLUTION AUTHORIZES THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO THE CANNING GROUP LLC FOR AN INTERIM TOWNSHIP ADMINISTRATOR

WHEREAS, by virtue of Resolution 2019-179 adopted June 12, 2019 the Township Council did authorize for the assignment of Robert F. Casey to serve as Interim Township Administrator in the Township of West Milford at an hourly rate of \$100.00 for 15 to 20 hours per week; and

WHEREAS, Resolutions 2019-179 and the related Professional Services Contract did authorize services in an amount not to exceed \$25,000; and

WHEREAS, the Township needs a Township Administrator and the Canning Group agreed to provide additional management related services in accordance with the terms and conditions of the existing Professional Services Contract that necessitates an amendment in an additional amount not to exceed \$24,000 for the period October 1, 2019 through December 31, 2019; and

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: October 16, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 15 of 22

WHEREAS, the Chief Financial Officer has certified the availability of funds for these services, said funds to be encumbered from account 01-201-20-161-450 for \$24,000.00; and

WHEREAS, that a notice of this action shall be published in accordance with law and said notice to provide that the originally awarded Professional Services Contract and this resolution serves as the Addendum to the Contract are available for public inspection in the office of the Township Clerk and that the professional services offered by Robert F. Casey are extended by an additional three months.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford that they do hereby authorize the contract for Professional Services with The Canning Group LLC, 10 Garden Street, Lincoln Park, NJ 07035, approved in October 2018, is hereby amended to extend the existing contract for the period October 1, 2019 thru December 3, 2019, which includes General Management Assistance, in an amount not to exceed \$24,000.00, bringing the contract total to an amount not to exceed \$49,000.00.

Adopted: October 16, 2019
Agenda No. XII 10

~ Resolution 2019 – 307 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC 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 2019 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 2019 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:
Public and Private Revenues Off-Set with Appropriations:
Emergency Management Assistance Agency; \$10,000.00

BE IT FURTHER RESOLVED that a like sum 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
Emergency Management Assistance Agency \$10,000.00
Local Match \$10,000.00

BE IT FURTHER RESOLVED that the Township Finance Department will electronically file with the State of NJ in accordance with LFN 2014-11.

Adopted: October 16, 2019
Agenda No. XII 11

~ Resolution 2019 – 308 ~

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:

Rec Basketball		
Lindsey	\$75.00	Cindy DeLorenzo 537 Lakeshore Drive Hewitt, NJ 07421

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: October 16, 2019
 Time of Meeting: 6:30 pm
 Minute Page No: Page 16 of 22

Rec Soccer		
Anya	\$70.00	Drupa Mehta 6 Hearthstone Drive West Milford, NJ 07480

Adopted: October 16, 2019

Agenda No. XII 12

~ Resolution 2019 – 309 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE 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 Amount	Pay to Lien Holder
17-0050	10/10/2017	11001-009	\$23,973.33	FIG CAPITAL INVESTMENTS NJ13; LLC 1000 RIVERSIDE AVE SUTIE JACKSONVILLE, FL 32204
18-0025	10/09/2018	03611-022	\$429.01	BRIAN LAW 23 WESTPORT IRVINE, CA 92620
TOTAL			\$24,402.34	

Adopted: October 16, 2019

Agenda No. XII 13

~ Resolution 2019 – 310 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF OVERPAYMENT (MUA)

WHEREAS, there appears on the finance records overpayment as shown below and the CFO/ Treasurer recommends the refund of such overpayment.

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

REASON: Overpayment on MUA Account

Name	Account No.	Amount	Address
HESBO, LLC	# 001796	\$200.00	HESBO, LLC 2020 Greenwood Lake Turnpike Hewitt, NJ 07421

Adopted: October 16, 2019

Agenda No. XII 14

~ Resolution 2019 – 311 ~

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

WHEREAS, there appears on the tax records overpayment as shown below and the Collector of Taxes recommends the refund of such overpayment.

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

- REASON:**
- | | |
|----------------------|-------------------------------|
| 1. Incorrect Payment | 6. Tax Appeal County Board |
| 2. Duplicate Payment | 7. Tax Appeal State Tax Court |
| 3. Senior Citizen | 8. 100% Disabled Veteran |
| 4. Veteran Deduction | 9. Replacement Check |

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of:
 Date of Meeting:
 Time of Meeting:
 Minute Page No:

Governing Body Regular Meeting
 October 16, 2019
 6:30 pm
 Page 17 of 22

5. Homestead Rebate

10. Reduced Assessment

11. Tax Exempt

Block/Lot	Name	Amount	Year	Reason
501-1	Debra Morrison 65 Gettysburg Way Lincoln Park, NJ 07035	\$1,968.42	2019	6
502-3	Lum, Drasco & Positan, LLC Counselors At Law 103 Eisenhower Parkway Ste 103 Roseland, NJ 07068-1049	\$788.62	2019	6
806-10	US Bank Trust NA C/O Resicap 3630 Peachtree Road NE 1500 Atlanta, GA 30326	\$944.72	2019	6
1504-1		\$266.29	2019	6
1612-26		\$470.09	2019	6
2512-5		\$623.11	2019	6
4107-6		\$333.65	2019	6
2605-11	Stanley Rzeczkowski 45 Wheaton Place Rutherford, NJ 07070	\$533.42	2019	6
2702-15	David & Rosaida Surman 295 Ridge Road West Milford, NJ 07480	\$1,217.68	2019	6
2704-17	Steven Klein 655 Lakeshore Drive Hewitt, NJ 07421	\$2,785.82	2019	6
3008-4	K-Trail Service, LLC 660 Morsetown Road West Milford, NJ 07480	\$525.20	2019	6
3402-9	Gene De Angelo 28 Yardly Court Glen Rock, NJ 07452	\$145.61	2019	6
3704-16	Harry & Marie Rogers 10 Tintle Avenue West Milford, NJ 07480	\$1,166.80	2019	8
4014-7	Rothman Realty 1 LLC 411 Grand Avenue Englewood, NJ 07631	\$418.45	2019	6
4301-2	Jacobus & Associates, LLC 201 Littleton Road 1 st Floor Morris Plains, NJ 07950	\$1,948.31	2019	6
4403-10	Dykstra Holdings LLC 198 Kitchell Lake Drive West Milford, NJ 07480	\$557.94	2019	6
4701-18.02	McKirdy, Riskin, Olson & Dellapelle PO Box 2379, 136 South Street Morristown, NJ 07962-2379	\$620.58	2019	6
4701-22	Dariusz Cieplak 246 Morsetown Road West Milford, NJ 07480	\$325.27	2019	6
5005-5	L. Jeffrey Lewis, LLC Counselor at Law 55 Madison Avenue Ste 400 Morristown, NJ 07960	\$527.84	2019	6
5010-10	Thomas Scala, Jr. 203 Stephens Road West Milford, NJ 07480	\$1,170.59	2019	6
5301-41	John Kardanow 104 Lincoln Avenue West Milford, NJ 07480	\$1,980.80	2019	6
5311-3.21	Ross Bertrand & Kim Young 2 Richmond Road Ste 3.21 West Milford, NJ 07480	\$529.20	2019	8
5711-3	Judy & Gregg Kehr 65 Alpine Ridge Road West Milford, NJ 07480	\$1,472.92	2019	6
6001-6	Daniel & Debra Schwinge 410 Morsetown Road West Milford, NJ 07480	\$232.77	2019	8
7521-2	CoreLogic Centralized Refunds PO Box 9202 Coppell, TX 75019-9978	\$2,529.00	2019	2

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of:
 Date of Meeting:
 Time of Meeting:
 Minute Page No:

Governing Body Regular Meeting
 October 16, 2019
 6:30 pm
 Page 18 of 22

Block/Lot	Name	Amount	Year	Reason
8301-1	Restore Native Plants Wildlife PO Box 420 Oakland, NJ 07436	\$1,641.75	2019	10
9301-18	John & Joanne Mulroy 31 Starlight Road West Milford, NJ 07480	\$320.96	2019	8
10102-10	Grazyna Klapacz 18 Gould Road Newfoundland, NJ 07435	\$2,376.02	2019	10
10201-3Q	Mesita Enterprises Inc. 313 Broad Avenue Ridgefield, NJ 07657	\$79.23	2019	10
10509-3	Lien Times, LLC 203 Stephens Road West Milford, NJ 07480	\$186.48	2019	10
10702-13	Nancy-Lynn Realty Group LLC 937 Burnt Meadow Road Hewitt, NJ 07421	\$422.44	2019	6
11101-31	Restore Native Plants Wildlife PO Box 420 Oakland, NJ 07436	\$3,784.28	2019	10
11103-7	465 Smith Street LLC 28 Yardley Court Glen Rock, NJ 07452	\$1,335.13	2019	6
12001-29	Goamerica LLC C/O Mr. NACAJ 4 Center Street Stanhope, NJ 07874	\$662.69	2019	6
12311-21	Hunt, Troy/Liberatore, Ruth/Hunt 114 Laurel Lane Banner Elk, NC 28604	\$326.29	2019	6
12401-2	Alfa Development Inc. 39 Oak Ridge Road Newfoundland, NJ 07435	\$8,465.02	2019	11
12404-8	Samuel Mantilla & Evelyn Rojas 130 Otterhole Road West Milford, NJ 07480	\$7,400.00	2019	8
12501-6	John Talocco 65 Otterhole Road West Milford, NJ 07480	\$2,345.80	2019	8
14301-23	ANI Corporation 140 Lincoln Avenue Hawthorne, NJ 07506	\$1,455.58	2019	6
16307-21	Milton Property Mgt. LLC 364 Oak Ridge Road Oak Ridge, NJ 07438	\$919.57	2019	6
3603-8	Robert Rothman 401 Grand Avenue Englewood, NJ 07631	\$547.82	2019	2
6201-9	Robert & Laura Muttillio 140 Marshall Hill Road West Milford, NJ 07480	\$405.00	2019	2
	TOTAL	\$56,757.16		

Adopted: October 16, 2019

Agenda No. XII 15

~ Resolution 2019 – 312 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CANCELLATION OF TAXES – FORECLOSED PROPERTY

WHEREAS, there appears on the tax records balances as listed below; and

WHEREAS, the Collector of Taxes recommends the cancellation of taxes due to reasons listed below.

NOW, THEREFORE, BE IT RESOLVED that the proper officers be and they are hereby authorized and directed to cancel as hereafter listed below:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of:
 Date of Meeting:
 Time of Meeting:
 Minute Page No:

Governing Body Regular Meeting
 October 16, 2019
 6:30 pm
 Page 19 of 22

REASON: TOWNSHIP OF WEST MILFORD FORECLOSED PROPERTY

BLOCK/LOT	AMOUNT	YEAR
706-1	\$297.12	2019 Full Yr
	\$148.00	2020 1 st Half
901-4	\$2,053.51	2019 Full Yr
	\$1,026.00	2020 1 st Half
1002-7	\$300.88	2019 Full Yr
	\$150.00	2020 1 st Half
1603-4	\$293.36	2019 Full Yr
	\$146.00	2020 1 st Half
1608-4	\$315.92	2019 Full Yr
	\$158.00	2020 1 st Half
1812-1	\$1,564.58	2019 Full Yr
	\$782.00	2020 1 st Half
2018-7	\$2,328.06	2019 Full Yr
	\$1,164.00	2020 1 st Half
2311-26	\$308.40	2019 Full Yr
	\$154.00	2020 1 st Half
2402-3	\$300.88	2019 Full Yr
	\$150.00	2020 1 st Half
4202-4	\$421.23	2019 Full Yr
	\$210.00	2020 1 st Half
6701-11	\$376.10	2019 Full Yr
	\$188.00	2020 1 st Half
6703-5	\$142.92	2019 Full Yr
	\$72.00	2020 1 st Half
10706-13.01	\$146.68	2019 Full Yr
	\$74.00	2020 1 st Half
10706-13.02	\$146.68	2019 Full Yr
	\$74.00	2020 1 st Half
12305-9	\$4,768.95	2019 Full Yr
	\$2,384.00	2020 1 st Half
12311-27	\$4,821.60	2019 Full Yr
	\$2,410.00	2020 1 st Half
12701-13	\$297.12	2019 Full Yr
	\$148.00	2020 1 st Half
15901-15	\$300.88	2019 Full Yr
	\$150.00	2020 1 st Half
15903-3	\$293.36	2019 Full Yr
	\$146.00	2020 1 st Half
16605-25	\$3,091.54	2019 Full Yr
	\$1,546.00	2020 1 st Half
	\$33,849.77	

Adopted: October 16, 2019

Agenda No. XII 16

~ Resolution 2019 – 313 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2020

WHEREAS, applications have been made for the new licenses and the renewal of various Licenses for the 2020 license year; and

WHEREAS, reports of recommendation have been received from applicable Township Departments recommending the issuance of said licenses as listed below.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford does hereby approve the issuance of 2020 Licenses as listed below:

License No.	2020 JUNK YARD LICENSE
2020-01	Mountain Top Auto, Inc. – John Kardanow
License No.	2020 JUNK SHOP LICENSE
2020-01	Mountain Top Auto Inc. – John Kardanow

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
 Date of Meeting: October 16, 2019
 Time of Meeting: 6:30 pm
 Minute Page No: Page 20 of 22

License No. 2020-01	2020 RECYCLING CENTER LICENSE SkyTop Recycling Inc. – Peter Downes
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Adopted: October 16, 2019

 Moved: Erik Seconded: Gerst
 Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Signorino, Gerst
 Voted Nay: None
 Motion Carried:

 Agenda No. XIII

Consent Agenda

None

 Agenda No. XIV

Approval of Expenditures

~ Resolution 2019 – 314 ~

RESOLUTION APPROVING THE PAYMENT OF BILLS

WHEREAS, the Township Treasurer has submitted to the members of the Township Council a report listing individual disbursement checks prepared by this office in payment of amounts due by the Township.

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

Acct #	Account Name	Amount
1	Current Account	\$414,562.22
3	Reserve Account	1,700.00
2	Grants	11,682.90
6	Refunds	81,504.50
1	General Ledger	6,074.00
26	Refuse	3,950.00
4	Capital	150,014.87
19	Animal Control	0.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	14,518.49
19	Scala Trust	0.00
16	Development Escrow	5,650.80
19	Tax Sale Trust	0.00
21	Assessment Trust	61,416.05
	Special Reserve	0.00
Total		\$751,073.83
Less Refund Resolution		-81,504.50
Actual Bills List		\$669,569.33
Other Payments		
Payroll		529,249.02
Board of Ed		4,698,607.00
State of NJ, dog report		168.60
Total Expenditures		\$5,897,593.95

Adopted: October 16, 2019

 Moved: Erik Seconded: Gerst
 Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Signorino, Gerst
 Voted Nay: None
 Motion Carried:

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: October 16, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 21 of 22

Agenda No. XV

Reports of Administrator, Mayor and Council Members

Mayor Dale – Thanked the ALF Committee for doing an exceptional job. She announced that the West Milford PBA and Police Department will be holding their first Trunk or Treat on October 30, 2019. She noted various events and the dates and times.

Councilwoman Pegel – Thanked the ALF Committee for organizing the festival. She expressed that the festival is another highlight of the Township and it is so important to her. It brings the community together and showcases the beauty of the Township. She provided an update on the Board of Education.

Councilwoman Lichtenberg – Thanked the ALF Committee, Rocky Hazelman and all the volunteers. She mentioned that the 2020 Census is looking for workers and she provided the information.

Councilman McGuinness – Mentioned the resolution regarding the Council on Mandates that the Governing Body adopted. He expressed that it effects all the residents in the Township and he encouraged all the residents to participate. He said the public should educate themselves on this. He thanked the Council for passing the resolution.

Mr. Semrau – Explained the Council on Mandates and what the petition is about.

Councilman Signorino – Said he appreciates all the work that everyone put into the Council on Mandates proposal.

Councilwoman Gerst – Spoke about an upcoming event called Touch a Truck sponsored by WMCC (West Milford Competition Cheer).

Agenda No. XVI

Appointments and Resignations

Planning Board

Councilwoman Lichtenberg made a motion to appoint James Rogers, seconded by Councilwoman Erik.

James Rogers

Moved: Lichtenberg Seconded: Erik
Voted Aye: Erik, Pegel, Lichtenberg, McGuinness, Signorino, Gerst
Voted Nay: None
Motion Carried:

Parks and Recreation

Councilwoman Erik made a motion to appoint Katherine McGurr, seconded by Councilwoman Lichtenberg.

Katherine McGurr

Moved: Erik Seconded: Lichtenberg
Voted Aye: Erik, Lichtenberg
Voted Nay: Pegel, McGuinness, Signorino, Gerst
Motion Denied:

Agenda No. XVII

Adjournment

There being no further business to come before the Council, the Governing Body adjourned the meeting at 8:40 p.m.

Moved: McGuinness Seconded: Signorino
Voted Aye: Unanimous voice vote
Voted Nay: None
Motion carried.

TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Governing Body Regular Meeting
Date of Meeting: October 16, 2019
Time of Meeting: 6:30 pm
Minute Page No: Page 22 of 22

Approved: November 6, 2019

Respectfully submitted:

Sherry Zbrzeski, Keyboarding Clerk I

MICHELE DALE, MAYOR

DIANE CURCIO, ACTING TOWNSHIP CLERK