

## **TOWNSHIP OF WEST MILFORD**

THE FOLLOWING COMPRISES THOSE DOCUMENTS  
SUBMITTED TO THE TOWNSHIP COUNCIL FOR  
CONSIDERATION AND ACTION AT THE

October 23, 2013  
REGULARLY SCHEDULED REGULAR GOVERNING BODY  
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 2013 – 020 ~

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING ARTICLE VIII, "DEPARTMENT OF FINANCE," SECTION 15-42, "DIVISION OF THE TREASURY; DIVISION OF ACCOUNTS AND CONTROL" OF THE TOWNSHIP CODE TO CREATE THE POSITION OF QUALIFIED PURCHASING AGENT**

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

**SECTION 1.** Article VIII, "Department of Finance," Section 15-42, "Division of the Treasury; Division of Accounts and Control", of the Township Code be and is hereby amended to add paragraph 15-42(C), which shall read as follows:

§ 15-42. Division of the Treasury; Division of Accounts and Control.

C. Qualified Purchasing Agent

- (1) Creation of Position. Within the Division of the Treasury there shall be the position of Qualified Purchasing Agent. Qualified Purchasing Agent shall mean a purchasing agent who is the holder of a Qualified Purchasing Agent certificate and serves pursuant to the Qualified Purchasing Agent Law, N.J.S.A. 40A:11-9 to 9.1, and the regulations promulgated pursuant thereto, N.J.A.C. 5:34-5.1 to 5.5.
- (2) Compensation. The Qualified Purchasing Agent will be paid a salary that will be fixed by the Mayor and Council in the salary ordinance that is adopted from time to time.
- (3) Qualifications. The Qualified Purchasing Agent is required to possess and maintain a valid Qualified Purchasing Agent certificate issued by the New Jersey Division of Local Government Services, Department of Community Affairs, and satisfy all of the requirements of the applicable statutes and regulations then in effect for the position.
- (4) Vacancies and Temporary Appointments. If the position becomes vacant, a temporary appointment may be made pursuant to section 15-52(C)(2) and the provisions of N.J.S.A. 40A:11-9(g).
- (5) Duties. The Qualified Purchasing Agent will have, on behalf of the Mayor and Township Council, the authority, responsibility and accountability for the purchasing activity pursuant to Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); to prepare public advertising for and to receive bids and requests for proposals for the provision or performance of goods, services, and construction contracts; to award contracts pursuant to New Jersey law in accordance with the regulations, forms, and procedures promulgated by state regulatory agencies; and conduct any activities as may be necessary or appropriate to the purchasing function of the Township.

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

**SECTION 4.** This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

Introduced: October 2, 2013

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 2013 – 021 ~

## AN ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE VACATION OF A CERTAIN TOWNSHIP RIGHT-OF-WAY INTEREST

**WHEREAS**, Bruce W. Hardy is in the process of purchasing property known as 1 Butler Lane, Block 7619, Lot 6 in the Township of West Milford; and

**WHEREAS**, there is a well located in the Township's right-of-way on the aforementioned property; and

**WHEREAS**, more specifically, the well is located inside the intersection of Overlook Road by 18' and Butler Lane by 10' as further described in the attached Metes and Bounds description; and

**WHEREAS**, by contract, together with the terms and conditions of Resolution 2013-264, dated September 4, 2013, Bruce W. Hardy has agreed to purchase a portion of the aforementioned right-of-way interest for the sum of \$1,000.00; and

**WHEREAS**, the Township Engineer and the Township Assessor have found the vacation of a portion of the Township's right-of-way acceptable; and

**WHEREAS**, the Mayor and Township Council of the Township of West Milford have determined that it is in the best interest of the Township to vacate a portion of the Township's said right-of-way interest as described in the attached Metes and Bounds description.

**BE IT ORDAINED** by the Township 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 vacation of a portion of its current right-of-way interest inside the intersection of Overlook Road by 18' and Butler Lane by 10' as further described in the attached Metes and Bounds description which is attached hereto and made a part hereof.

**SECTION 2.** 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 3.** 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 4.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

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

Introduced: October 2, 2013  
Adopted:  
Effective Date:

ATTEST:

TOWNSHIP OF WEST MILFORD  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY

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

By: \_\_\_\_\_  
Bettina Bieri, Mayor

METES AND BOUNDS DESCRIPTION

**ARTHUR J. SCHAPPELL JR.**  
PROFESSIONAL LAND SURVEYOR

PO Box 924,  
81 Camel Road  
Howell NJ 07421  
(973) 853-1819  
ajspls@optonline.net

Metes and Bounds Description  
Proposed Road Vacation  
A Portion of Overlook Road at Butler Lane  
To be merged with Block 7619 Lot 6  
Township of West Milford, Passaic County, NJ

BEGINNING at the point of intersection of the existing southwesterly line of Butler Lane (33 feet wide) with the existing westerly line of Overlook Road (variable width) and running thence;

- 1) Along the new right of way line, South 57 degrees 36 minutes 00 seconds East for a distance of 13.37 feet to a point of curvature, thence;
- 2) Along same, on a curve to the right having a radius of 10.00 feet an arc length of 21.40 feet and being subtended by a chord bearing of South 03 degrees 42 minutes 05 seconds West for a distance of 17.54 feet to a point of tangency, thence;
- 3) South 65 degrees 00 minutes 11 seconds West for a distance of 40.44 feet to a point in existing westerly line of Overlook Road, thence;
- 4) Along same North 32 degrees 24 minutes 00 seconds East for a distance of 49.46 feet to the point and place of beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 707 square feet or 0.0162 acres more or less.

Prepared by Arthur J Schappell Jr. PLS  
NJ Professional Land Surveyor License No. 31279

 Date 2/29/23

# Township of West Milford

Passaic County, New Jersey

~ Ordinance 2013 - 022 ~

## ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 135, "FEES AND COSTS," OF THE REVISED GENERAL ORDINANCES

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

**SECTION 1.** Chapter 135 of the Revised General Ordinances of the Township of West Milford, is hereby amended and supplemented to read as follows:

### § 135-9. Administration; Public Records.

Reference Chapter 15, Administration of Government, Article XXVIII, Public Records.

A. Fees for photocopies. The fee for providing copies of records shall be as follows:

- (1) Per page: \$0.05

### § 135-10. Alcoholic Beverage Licenses.

Reference Chapter 63, Alcoholic Beverages, Article II, Licensing; Regulations.

A. The annual fees for the sale or distribution of alcoholic beverages in the Township shall be as follows:

- (1) Plenary retail consumption license: \$600
- (2) Club license: \$165.

B. Transfer of license fees. The fees to transfer a liquor license, per the Division of Alcoholic Beverage Control of the State of New Jersey, shall be as follows:

- (1) Transfer of plenary retail consumption license:
  - (a) Person-to-person transfer: \$60
  - (b) Place-to-place transfer: \$60
- (2) Transfer of club license: \$16.50.

### § 135-17 Fire Prevention.

B. Application for a certificate of smoke detector and carbon monoxide compliance inspection fee as required by N.J.A.C. 5:70-4.19 et seq.:

**When Certificate of Compliance Required  
(number of business days prior to closing)**

More than 10  
4 to 10  
Less than 4

**Fee**  
\$50  
\$85  
\$140

- (1) Certificate of smoke detector and

carbon monoxide compliance reinspection fee

- C. Annual non-life-hazard inspection fees. In addition to the registration fees required pursuant to the Uniform Fire Code, the following additional annual fees shall be required for annual inspections, except that the fees established pursuant to this section shall not be assessed against life hazard uses. The following fees shall also apply to all vacant buildings:

<b>Occupancy (square feet)</b>	<b>Fee</b>
Up to 999	\$50
1,000 to 4,999	\$75
5,000 to 9,999	\$140
10,000 to 14,999	\$265
15,000 and over	\$365

- D. Violation of fire lane: \$60.
- E. Any form of haunted amusements (shall include hay mazes, haunted structures, etc.): \$80.
- F. Illegal burning: not to exceed \$1,000 per offense.

**135-2 Department of Community Services and Recreation**

The Department of Community Services and Recreation is authorized to charge the following fees:

- K. Use of Teen Center/Coffee House. Event Permits may be issued for use of the West Milford Teen Center/Coffee House by the Community Services and Recreation Department. The fee for such use shall be a one-time fee of \$150 for a four-hour rental. Time exceeding the initial four hours shall be charged at the rate of \$25 per hour. Each event shall require a security deposit of \$200.00.

Use of the Teen Center shall be subject to all requirements associated with the issuance of event permits under Township policy and the Township's caretaker must be present during any event.

**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:  
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 2013 – 023~

## ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 71 OF THE TOWNSHIP CODE TO REGULATE THE KEEPING AND HOUSING OF CHICKEN HENS ON LESS THAN ONE ACRE OF LAND

**BE IT ORDAINED** by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey Chapter 71, Animals, of the Township code be and is hereby amended, as follows:

### Article VI Chicken Hens on Less than One Acre of Land

**Purpose:** The purpose of this article is to regulate the keeping and housing of chicken hens on less than one acre of land.

#### §71-42 Definitions

**Chicken Hens:** Any female of the chicken species.

#### §71-43 Number of Chicken Hens Allowed

No more than six (6) chicken hens shall be allowed on properties of less than one (1) acre in accordance with the provisions of §500-90 B. (3) of the Township code.

#### §71-44 Housing Requirements for Chicken Hens (Coops and Runs)

- A. Notwithstanding any other provisions of this chapter, chicken hens shall be housed and kept in a manner which will not constitute a public or neighborhood nuisance. Chicken hens shall not be permitted to fly or run at large.
- B. All chickens hens shall be housed in coops or structures that are properly designed for such use and completely separated from any building utilized for dwelling purposes.
- C. Coops and runs shall be restricted to the rear yard area and shall adhere to the applicable side and rear yard setbacks pursuant to §500-12 of Chapter 500, "Zoning." The setback requirement for accessory buildings and structures from other buildings set forth in §500-12 shall not apply to coops and runs. All zoning & setback requirements as outlined in the zoning laws of the Township shall be adhered to.
- D. The zoning officer shall approve the structures prior to their installation with the issuance of a zoning permit.
- E. No chicken hens shall be kept unless they can be contained on the property of their owner or the agent of their owner.

#### §71-45 Chicken Hen Waste Management

- A. Chicken hen manure may be applied to garden soil and incorporated into the soil.
- B. Chicken hen manure shall not be used on the surface of any property or portion thereof in a manner similar to that used in the laying of mulch or topsoil.
- C. Chicken hen manure may be composted in such a way as to minimize any fly and odor problems.
- D. Chicken hen manure may be bagged and removed from the premises.
- E. Chicken hen manure may not be stored, composted or applied to soil within 10 feet of the property line.
- F. There shall be no runoff of chicken hen manure to neighboring properties.

§71-46 Chicken Hen Feed

- A. Any food scattered for chicken hen consumption shall be cleaned up daily.
- B. All chicken hen food shall be stored & kept in tight containers.
- C. All chicken hen food shall be protected from access by rodents and other wildlife.

§71-46 Compliance

All parties seeking to house, keep or maintain chicken hens on properties of less than one (1) acre in size in the Township of West Milford shall comply with the provisions of this legislation.

§71-47 Enforcement and penalties

- A. All enforcement agents of the Township shall have the authority to enforce the provisions of this act. Such enforcement agents shall include but not be limited to the zoning officer, the construction code official, the health officer and his staff, the animal control officer and/or the police department.
- B. Penalties may include the removal of chicken hens from the property.
- C. Summonses for non-compliance with any provision hereof may be issued by the appropriate enforcement officials.
- D. Penalties may be imposed by the municipal court judge up to the maximum penalty allowed by law.

§71-48 Precedence of Land Use Code

In any instance where the provisions of §§71-42 through 71-47 conflict with the provisions of the Township's Land Use code, Chapters 414, 420, 460, 470 and 500, the Land Use Code shall take precedence.

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

Introduced:

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 2013 – 309 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING TOWNSHIP MEMBERSHIP RENEWAL IN THE NORTH JERSEY MUNICIPAL EMPLOYEE HEALTH BENEFITS FUND

**WHEREAS**, a number of public entities in the State of New Jersey have joined together to form the NORTH JERSEY MUNICIPAL EMPLOYEE BENEFITS FUND, hereafter referred to as "the FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

**WHEREAS**, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

**WHEREAS**, the statutes and regulations governing the creation and operation of a joint health insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such the FUND; and

**WHEREAS**, the Governing Body of the Township of West Milford, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the LOCAL UNIT hereby agrees as follows:

- 1) Renew membership with the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- 2) Will participate in the following type (s) of coverage (s):
  - a.) Health Insurance and/or Dental Insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- 3) Adopts and approves the FUND's Bylaws.
- 4) Execute an application for membership and any accompanying certifications.

**BE IT FURTHER RESOLVED** that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- 1) Approval of the LOCAL UNIT by the FUND.
- 2) Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- 3) Approval by the New Jersey Department of Insurance and Department of Community Affairs.

Adopted: October 23, 2013

Adopted this 23<sup>rd</sup> day of October, 2013  
and certified as a true copy of an original.

---

Antoinette Battaglia, Township Clerk

## Township of West Milford

Passaic County, New Jersey

### ~ Resolution 2013 - 310 ~

#### A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY TO AUTHORIZING THE EXECUTION OF A RIGHT OF ENTRY AGREEMENT BETWEEN THE TOWNSHIP AND SUN YUNG JOO

**WHEREAS**, Sun Young Joo is the owner of 55 Green Terrace Way and has made application for various site plan approvals; and

**WHEREAS**, the Planning Board has granted the owner a Major Soil Removal/Fill Permit numbered PB-05-12-05A; and

**WHEREAS**, as a condition of such approval, the owner must grant the Township of West Milford a right of entry which allows, but does not obligate, the Township to maintain storm water basins constructed pursuant to the Permit if the owner fails to do so; and

**WHEREAS**, the Right of Entry Agreement has been prepared and approved by the Township Engineer and Planning Board Attorney.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the Mayor is hereby authorized to execute the Right of Entry Agreement between the Township and Sun Young Joo.

**BE IT FURTHER RESOLVED** that the Right of Entry Agreement be recorded in the Passaic County Clerk's Office.

Adopted: October 23, 2013

Adopted this 23<sup>rd</sup> day of October, 2013  
and certified as a true copy of an original.

---

Antoinette Battaglia, Township Clerk

# Township of West Milford

Passaic County, New Jersey

~ Resolution 2013 - 311 ~

## RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING A RIGHT-OF-WAY USE TO CROSS RIVER FIBER NJ, INC.

**WHEREAS**, Cross River Fiber NJ, Inc. ("Cross River Fiber") seeks to place its telecommunication facilities aerially on existing utility poles or in an underground conduit in the Public Rights-of-Way within the Township of West Milford for the purpose of owning, constructing, installing, operating repairing and maintaining a telecommunications system; and

**WHEREAS**, Cross River Fiber was approved by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout the State; and

**WHEREAS**, N.J.S.A. 48:3-19 requires Cross River Fiber to obtain the consent of the Township of West Milford for the joint use of any existing utility poles; and

**WHEREAS**, N.J.S.A. 54:30-124(a) provides that a municipality may not impose any fees, tax, levy or assessments in the nature of a local franchise, right of way, or gross receipts fee, tax, levy or assessment against telecommunications companies, but that a municipality may impose reasonable fees for actual services made by any municipal, regional or county governmental agency; and

**WHEREAS**, it is in the best interests of the Township of West Milford and its citizens to grant consent to Cross River Fiber; and

**WHEREAS**, the consent granted is for the non-exclusive use of the Public Rights-of-Ways for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system subject to the terms and conditions of the attached Use Agreement with Cross River Fiber NJ, Inc.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the Township is hereby authorized to grant Cross River Fiber a non-exclusive use of the Public Rights-of-Ways for the purpose of owning, constructing, operating, repairing and maintaining a telecommunications system; and

**BE IT FURTHER RESOLVED**, that the Mayor and Township Clerk be and are hereby authorized to execute any and all documents necessary to effectuate this Resolution.

Adopted: October 23, 2013

Adopted this 23<sup>rd</sup> day of October, 2013  
and certified as a true copy of an original.

---

Antoinette Battaglia, Township Clerk

**TOWNSHIP OF WEST MILFORD**  
Passaic County, New Jersey

~ Resolution 2013 – 312 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONSTRUCTION CONTRACT TO HASKELL PAVING, INC. FOR THE OTTERHOLE ROAD – SECTION 3 PROJECT**

**WHEREAS**, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on October 11, 2013 at 10:00 am for the resurfacing of Otterhole Road, between Larsen Road and Crescent Road, as per the bid specifications; and

**WHEREAS**, the Township of West Milford received three (3) bids for this contract; and

**WHEREAS**, said bids have been duly reviewed and analyzed by the West Milford Township Engineering Division; and

**WHEREAS**, the bid received from the low bidder Haskell Paving, Inc. has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

**WHEREAS**, the Chief Financial Officer has certified that encumbrances for these services shall come from accounts numbered 04-215-55-821-006 & 04-215-55-816-000; and

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

1. The Township Council hereby awards a contract to Haskell Paving, Inc., 30 Greenwood Lake Turnpike, Ringwood, NJ 07456 for the Otterhole Road – Section 3 project subject to the review and approval of the Township Attorney and the New Jersey Department of Transportation in an amount not to exceed \$487,519.85.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Haskell Paving, Inc. in accordance with its bid for said resurfacing of Otterhole Road, between Larsen Road and Crescent Road, in the Township of West Milford.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: October 23, 2013

Adopted this 23rd day of October, 2013  
and certified as a true copy of an original.

---

Antoinette Battaglia, Township Clerk

**TOWNSHIP OF WEST MILFORD**

Passaic County, New Jersey

~ Resolution 2013 – 313 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING CHANGE ORDERS NO. 1 THROUGH 4, TO ZENITH CONSTRUCTION SERVICES, INC., FOR THE STREETScape IMPROVEMENT PROJECT FOR AN OVERALL INCREASE OF \$15,325.39**

**WHEREAS**, the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey authorized the award of a construction contract for the Streetscape Improvement Project to Zenith Construction Services, Inc., in an amount not to exceed \$295,125.00; and

**WHEREAS**, field conditions resulted in changes to the decorative wall, pedestrian signals and other minor items; and

**WHEREAS**, pursuant to the *Change Orders No. 1 through 4* report prepared by Ferriero Engineering, the total amount of increases for the project are \$15,325.39, or 5.19%; and

**WHEREAS**, based upon the aforementioned changes to the contract, the adjusted total amount of the contract is now \$310,450.39; and

**WHEREAS**, the Chief Financial Officer has certified to the availability of funds for this change order, said funds to be paid from the remaining balance of a capital appropriation previously approved for road improvements in account number 04-215-55-812-017; and

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

1. The Township Administrator is hereby authorized to exceed the original contract award of \$295,125.00 to Zenith Construction Services, Inc., by an amount not to exceed \$15,325.39 (5.19%).
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 23, 2013

Adopted this 23rd day of October 2013  
and certified as a true copy of an original.

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

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2013 - 308 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE FILING AND ACCEPTANCE OF A HEPATITIS INOCULATION FUND GRANT APPLICATION

**WHEREAS**, the Township's Health Department wishes to apply for and receive a Hepatitis Inoculation Fund Grant in an amount up to \$5,000.00; and

**WHEREAS**, these funds are available for the reimbursement costs of hepatitis B inoculations for certain emergency medical technicians, firefighters and police officers, and the cost of fees for professional medical services for administration of the vaccine; and

**WHEREAS**, a resolution authorizing this municipality to apply for such grant will memorialize the commitment of this municipality to all emergency services personnel within its jurisdiction, indicate the assent of the Township Council to the efforts undertaken by the municipal emergency services workers and certify that the reimbursement applied for represents actual costs incurred and have not been reimbursed through any other source in the past.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of West Milford that it does hereby endorse the submission of a Hepatitis Inoculation Fund Grant Application to the New Jersey Department of Health, Division of Epidemiology, Environmental and Occupational Health, and acceptance of such grant if awarded.

Adopted: October 23, 2013

Adopted this 23<sup>rd</sup> day of October, 2013  
and certified as a true copy of an original.

---

Antoinette Battaglia, Township Clerk

# Township of West Milford

Passaic County, New Jersey

~ Resolution 2013 – 314 ~

## 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. 2013-315 – Cancel Taxes
- b. 2013-316 – Refund Other Liens
- c. 2013-317 – Refund Overpayments
- d. 2013-318 – Refund Police Fees
- e. 2013-319 – Refund Recreation Fees
- f. 2013-320 – Reinstate Taxes
- g. 2013-321 – Various Licenses

### Applications:

None.

Adopted: October 23, 2013

Adopted this 23<sup>rd</sup> day of October, 2013  
and certified as a true copy of an original.

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

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

~ Resolution 2013 – 315 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING CANCELLATION OF TAX**

**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:

Reason: **100% DISABLED VETERAN**

BLOCK/LOT	NAME	AMOUNT	YEAR
1805-4	Manuel Hernandez	\$472.29	2013 - 2 <sup>nd</sup> Qtr.
1805-4	Manuel Hernandez	\$2,303.94	2013 - 2 <sup>nd</sup> Half
1805-4	Manuel Hernandez	\$2,242.00	2014 - 1 <sup>st</sup> Half
<b>TOTAL</b>		<b>\$5,018.23</b>	

Adopted: October 23, 2013

Adopted this 23<sup>rd</sup> day of October, 2013  
and certified as a true copy of an original.

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

# Township of West Milford

Passaic County, New Jersey

~ Resolution 2013 – 316 ~

## 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:

Cert. No	Cert. Date	Block/Lot/Qual	Reimburse Amount	Pay to the Lien Holder
12-0052	03/27/2012	03603-002	\$7,769.55	US BANK CUST/CRESTAR CAPITAL LLC 2 LIBERTY PLACE, 50 SO. 16 ST. STE 1950 PHILADELPHIA, PA 19102
12-0063	03/27/2012	04701-033.04	\$83,343.24	FWDSL & ASSOCIATES LP 5 COLD HILL ROAD SOUTH, SUITE 11 MENDHAM, NJ 07945
12-0086	03/27/2012	07801-055.07	\$6,397.39	KENAT INC., 15 CRESTWOOD DRIVE NORTHPORT, NY 11768
10-032A	06/28/2012	03013-027	\$2,275.59	JERZY DURLIK, 104 FRANKLIN STREET BROOKLYN, NY 11222
13-0044	03/19/2013	05505-002.01	\$7,684.41	MTAG SERVICES CUST FOR ATCFII NJLLC PO BOX 54292 NEW ORLEANS, LA 70154-4292
13-0058	03/19/2013	07403-007	\$21,737.40	US BANK C/F N.J. BOARDWALK LLC LOCKBOX #005191, PO BOX 645191 CINCINNATI, OH 45264-5191
13-0060	03/19/2013	07601-002	\$1,406.57	Tower Fund Ser. As Cust for Ebury FD 1NJ P.O. BOX 37695 BALTIMORE, MD 21297-3695
13-0073	03/19/2013	08802-011	\$3,342.58	RIDGEBACK VENTURES LLC, PO BOX 503 MOUNT FREEDOM, NJ 07970
13-0076	03/19/2013	09406-008	\$3,895.40	
13-0100	03/19/2013	14112-002	\$15,413.54	CLEMENTE ENTERPRISES; LLC P.O. BOX 141 WYCKOFF, NJ 07481
<b>Grand Total</b>			<b>\$153,265.67</b>	

Adopted: October 23, 2013

Adopted this 23<sup>rd</sup> day of October, 2013  
and certified as a true copy of an original.

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

## Township of West Milford

Passaic County, New Jersey

~ Resolution 2013 – 317 ~

### 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 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 overpayment as shown below:

**REASONS:**

- |                                     |                          |
|-------------------------------------|--------------------------|
| 1. Incorrect Payment                | 4. Homestead Rebate      |
| 2. Duplicate Payment                | 5. Tax Appeal            |
| 3. Senior Citizen/Veteran Deduction | 6. 100% Disabled Veteran |

Block/Lot	Name	Amount	Year	Reason
2802-1	Moe's Plaza LLC 355 –359 Warwick Turnpike Hewitt, NJ 07421	\$3,477.45	2011	5
13604-2	P & J Co. C/O Generant Co. P.O. Box 768 Butler, NJ 07405	\$19.99	2011	5
17001-13	Cynthia Wright 21 Henderson Road Stockholm, NJ 07460	\$3,920.00	2013	1
17001-13	Cynthia Wright 21 Henderson Road Stockholm, NJ 07460	\$6,173.45	2014	1
1805-4	Manuel Hernandez 3 Janiver Road Hewitt, NJ 07421	\$1,672.29	2013	6
<b>TOTAL</b>		<b>\$15,263.18</b>		

Adopted: October 23, 2013

Adopted this 23<sup>rd</sup> day of October, 2013  
and certified as a true copy of an original.

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

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2013 - 318 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF POLICE DEPARTMENT TRAFFIC CONTROL FEE

**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 overpayment of traffic service fees be refunded:

Name & Address	From Account No.	Amount Refunded
Maser Construction 331 Newman Spring Road Suite 203 Red Bank, NJ 07001	19-295-56-100-308	\$311.34

Adopted: October 23, 2013

Adopted this 23<sup>rd</sup> day of October, 2013  
and certified as a true copy of an original.

---

Antoinette Battaglia, Township Clerk

**Township of West Milford**

Passaic County, New Jersey

**~ Resolution 2013 – 319 ~**

**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:

Mt. Airy Bus Trip 9/11/13	\$45.00	Marie Blackman 41 Northgate Park Ringwood, NJ 07456
------------------------------	---------	---

Adopted: October 23, 2013

Adopted this 23<sup>rd</sup> day of October, 2013  
and certified as a true copy of an original.

---

Antoinette Battaglia, Township Clerk

## Township of West Milford

Passaic County, New Jersey

~ Resolution 2013 - 320 ~

### 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 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
10602-68	Aminet Zazi	\$700.00	2013
12307-6	Andrea Vilner	\$103.71	2014
<b>TOTAL</b>		<b>\$803.71</b>	

Adopted: October 23, 2013

Adopted this 23<sup>rd</sup> day of October, 2013  
and certified as a true copy of an original.

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

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

~ Resolution 2013 - 321 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEARS 2013 AND 2014**

**WHEREAS**, applications have been made for the new licenses and the renewal of various Licenses for the 2013 and 2014 license years; 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 2013 License as listed below: and;

Lic No.	Name/ Location
<b>2013 &amp; 2014 Clothing Bin License</b>	
2013 – SYN 1 2014 – SYN 1	Synergy In Kind Donatrimon Mgt., Inc. 1 Bin at the West Milford Presbyterian Church
2014 – GWI 1 2014 – GWI 2	Goodwill Industries of Greater NY & Northern NJ 2 Bins at the WM Recycling Center
<b>2014 Dealer in Precious Metals License</b>	
2014 - 01	Jewelry Repair Center LLC, Linda Leaman 1602A Union Valley Road
<b>2014 Amusement Game Licenses</b>	
2014 - 01	Island of Spirits, 3025 Rte 23, Oak Ridge
2014 - 02	Pioneer Bar & Grill, 350 Warwick Tpk, Hewitt
2014 - 03	Old School Pub, 551 Warwick Tpk., Hewitt
<b>2014 Pool Table Licenses</b>	
2014 - 01	Island of Spirits, 3025 Rte 23, Oak Ridge
2014 - 02	Pioneer Bar & Grill, 350 Warwick Tpk, Hewitt
2014 - 03	Old School Pub, 551 Warwick Tpk., Hewitt
<b>2014 Junkyard License</b>	
2014 - 01	Jeannette Marchiafava, 110 Weaver Road

Adopted: October 23, 2013

Adopted this 23<sup>rd</sup> day of October, 2013  
and certified as a true copy of an original.

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

# Township of West Milford

Passaic County, New Jersey

~ Resolution No. 2013 – 322 ~

## 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	\$463,913.09
3	Reserve Account	602.50
2	Grants	31,929.46
6	Refunds	168,753.85
1	General Ledger	6,203.00
26	Refuse	59,957.61
4	Capital	301,559.15
19	Animal Control	120.00
19	Heritage Trust	181.83
19	Open Space Trust	3,790.00
19	Trust	4,343.14
19	COAH	2,495.23
16	Development Escrow	7,709.13
20	Special Reserve	0.00
21	Assessment Trust	5,895.13
Total		\$1,057,453.12
	Less Refund Resolution	-168,753.85
	Actual Bill List	\$888,699.27
	Other Payments	
	<b>Total Expenditures</b>	<b>\$888,699.27</b>

Adopted: October 23, 2013

Adopted this 23<sup>rd</sup> day of October, 2013  
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk