



Township of West Milford

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Press Release

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Response to Statements Made by B & B Organic Relative to the Environmental Contaminated Soil Tests

West Milford, NJ - As previously reported, on June 16, 2021, the Township of West Milford has advised the New Jersey Department of Environmental Protection that various contaminants have been identified in the soil, specifically within a berm as constructed on Township-owned property, which is located behind 280 Marshall Hill Road. This berm constructed on the Township's property was the product of B&B Organic Waste Recycling. The berm, which was intended to be temporary in nature, has now been an ongoing, continuous use on Township property--to the point where in 2020, the Township filed a legal action, demanding that B&B Organic Waste Recycling "cease and desist" from their activities on the Township property.

Subsequent to the identification of the test results and with respect to this contaminated soil placed on Township property, the Administration notified B&B Organic Waste Recycling through their attorney of the Township's obligation to report the matter to the New Jersey Department of Environmental Protection, and of our commitment to ensure that this condition must be abated by B&B Organic Waste Recycling.

Incredibly, instead of pledging cooperation to address this environmental contamination, the principals of B&B Organic Waste Recycling have disseminated a hostile response. They released a statement for "public" notification, that contained information that was inaccurate and false, and maliciously attempts to attack Township Officials.

Instead of a commitment to abate this environmental condition, again likely created by B&B Organic Waste Recycling, the principals have decided to target the children, youth sports activities, and the parents of our community by alleging to have information regarding "contamination" of other Township properties. The Township is exploring all legal remedies and alternatives to protect its residents from such irresponsible allegations and actions, and which seek to harm the reputation of our community.

Moreover, we now approach three years since the B&B site was granted site plan approval, with specific conditions of such approval. To date, B&B has not met the most fundamental condition of that approval, that being a Highlands applicability determination, which is required for all commercial and residential development, and which had not been even applied for until after the Township had to initiate legal action.

The Administration has a track record of supporting our local businesses, by promoting outdoor dining amendments to the Township Code, reviewing Township land use regulations, supporting streamlined, land use regulations, and designating a redevelopment area for the revival of retail development. Currently, the Administration and Township Council are working on a five-year tax abatement program for residential property improvements that is anticipated to be implemented for the benefit of our residents.

However, the Township will not tolerate irresponsible business actions or inaccurate statements in an attempt to endanger the health, safety and welfare of our residents and children.

Seeing a lack of responsibility on the part of B&B, we have no choice but to file an action in Superior Court to address B & B's responsibility to clean up the soil on Township property, and restore the property to a safe condition.