

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 354 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING PAYMENT OF MINOR MAILBOX DAMAGE CLAIMS WITHOUT FILING A FORMAL TORT CLAIMS NOTICE

WHEREAS, it is recognized that the Township Council has the power and authority under N.J.S.A. 40:67-23.1 to provide for the removal of snow, ice and other obstructions from any roads or streets for public travel; and

WHEREAS, on occasion, a mailbox may be damaged by a plow or a plow truck; and

WHEREAS, the Township Council desires to provide an easier, more expedited method of paying such small damage claims to property owners when Township liability is clear, without the need for a formal claim under the New Jersey Tort Claims Act, N.J.S.A. 59:1-1, *et seq*, but only upon certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, in the County of Passaic and State of New Jersey, that it does hereby establish the below noted policy as to such claims:

1. The Township shall reimburse property owners up to \$50.00 if a Township snowplow or plow truck strikes and damages a mailbox, without the need for the filing of a formal tort claim pursuant to the New Jersey Tort Claims Act; however
2. The Township will not reimburse a property owner if the damage is caused by the weight or force of the snow that is pushed against the mailbox. In such a case where the weight or force of the snow caused such damage, or if the claim is more than \$50.00, such property owner shall be required to file such formal tort claim.

This Resolution shall take effect immediately.

Adopted: September 22, 2021

Adopted this 22nd day of September, 2021 and
certified as a true copy of an original.

William Senande, Township Clerk