

## **TOWNSHIP OF WEST MILFORD**

THE FOLLOWING COMPRISES THOSE DOCUMENTS  
SUBMITTED TO THE TOWNSHIP COUNCIL FOR  
CONSIDERATION AND ACTION AT THE APRIL 3, 2024  
REGULARLY SCHEDULED REGULAR 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 2024 – 012 ~**

**ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC,  
STATE OF NEW JERSEY REVOKING AND REPEALING A SECTION WITHIN CHAPTER 300  
SEWER SYSTEMS SECTION 300-18 STANDARDS, RULES AND REGULATIONS OF THE  
TOWNSHIP CODE**

**WHEREAS**, Chapter 300 of the Township Code was originally adopted on or around September 19, 1961; and

**WHEREAS**, since that time, all statutory sections as referenced in Section 300-18, Standards, Rules and Regulations, have since been repealed by operation of the New Jersey Water Pollution Control Act N.J.S.A 58:10A-1 et seq. and the New Jersey Safe Drinking Water Act N.J.S.A. 58:12A-1 et seq.; and

**WHEREAS**, the operative rules and regulations originally contemplated by Section 300-18 have since been transferred to the New Jersey Department of Environmental Protection N.J.S.A 13:1D-7; and

**WHEREAS**, the Township of West Milford has also since adopted the provisions of the Municipal Land Use Law N.J.S.A. 40:55D-1 et seq. and specifically adopted and incorporated into the Township Code a Land Development Ordinance appearing at Chapter 420 entitled Land Use Procedures; and

**WHEREAS**, it appears that Chapter 300-18 was simply overlooked and never amended to reflect the updates made to both state statutes and the Township Code, and as referenced above.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Township Council of the Township of West Milford, County of Passaic, and the State of New Jersey that the Township of West Milford Code shall be amended and updated, only as follows:

To Revoke and Repeal Township Code Section 300-18, Standards. Rules and Regulations in it's entirety:

- SECTION 1.** Within the Township Code, Township of West Milford Part II General Legislation Chapter 300-18 Standards, Rules and Regulations shall herein be revoked and repealed in its entirety.
- SECTION 2.** All ordinances or parts of ordinances of the Township of West Milford 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 upon final passage, approval, and publication as required by law.

Introduced: March 6, 2024

Adopted:

Effective Date:

TOWNSHIP OF WEST MILFORD  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY

ATTEST

\_\_\_\_\_  
William Senande, Township Clerk

By: \_\_\_\_\_  
Michele Dale, Mayor

# Township of West Milford

Passaic County, New Jersey

## ~ Ordinance 2024 - 013 ~

### ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY CONCERNING SALARIES AND COMPENSATION FOR ADMINISTRATIVE, CONFIDENTIAL AND UNAFFILIATED EMPLOYEES – PUBLIC SAFETY DIRECTOR

**BE IT ORDAINED**, by the Township Council of the Township of West Milford, in the County of Passaic, New Jersey that pursuant to Chapter 33 entitled Personnel of the Revised General Ordinances of the Township of West Milford, New Jersey, 1976, the following Officers and Employees here below stated shall be classified by job title with the corresponding pay ranges:

*DEPARTMENT AND OFFICE HEADS*

| JOB TITLE                 | MINIMUM     | MAXIMUM      |
|---------------------------|-------------|--------------|
| Chief of Police           | \$45,000.00 | \$180,000.00 |
| Director of Public Safety | \$10,000.00 | \$20,000.00  |

1. The aforesaid Officer(s) and Employee(s) shall be compensated in accordance with the preceding Salary Range.
2. **BENEFITS:** Benefits relating to vacation, sick days, personal days, longevity, holidays, bereavement leave and medical insurance shall be those as contained in the contract between the West Milford Municipal Employees Guild (AFSCME 3301) and the Township of West Milford or any employment agreement consistent with applicable law.
3. **OVERTIME:** If not otherwise eligible for overtime compensation by contract or law, each full-time department and division head in lieu of overtime compensation as provided in the Guild contract, shall receive three (3) vacation days and up to 35 compensatory hours annually, the latter earned hour for hour for hours worked above forty per week. All other full-time employees listed in this ordinance if not otherwise eligible for overtime compensation by contract or law, shall receive 21 compensatory hours annually, plus one half hour for each hour worked above thirty-five or forty hours per week depending on the applicable contract for the employee's department. Vacation and compensatory time may be used or accumulated as follows: vacation days may be carried for up to one year from January 1 following the year earned, and compensatory hours may be taken no later than April 1 of the year following the year earned.
4. Stipend Positions will not be subject to increases unless specifically authorized by Resolution of the Governing Body.
5. Any ordinance or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to such extent as they are in conflict or inconsistent. This ordinance shall take effect 20 days after its final passage by the Township Council.

Introduced: March 6, 2024

Adopted:

Effective Date:

ATTEST:

TOWNSHIP OF WEST MILFORD  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY

\_\_\_\_\_  
William Senande, Township Clerk

By: \_\_\_\_\_  
Michele Dale, Mayor

# Township of West Milford

Passaic County, New Jersey

## ~ Ordinance 2024 – 014 ~

### ORDINANCE OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC AMENDING CHAPTER 135 FEES & COSTS SECTION 135-7 FINANCE OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST MILFORD

**WHEREAS**, the Township Council wishes to amend the Township Code to the following;

**§ 135-7 Finance.**

- A. Nonsufficient funds (returned checks): \$20.
- B. Redemption certificate: \$25.
- C. Tax assessment:
  - (1) Duplicate bills: \$5.
- D. There is hereby established a fee for the use of credit cards for the payment of taxes, interest, penalties and municipal charges or other fees and charged by the Township of West Milford, which shall equal a percentage fee on the amount of payment charged as set by a financial institution chosen by the Township to process said credit card payments. Said percentage fee shall not exceed, in any event, ~~2.5%~~ 3% of the total amount of the payment.
- E. Request for redemption calculation; third and subsequent request in a calendar year: \$50 per request.
- F. Lien redemption calculation: \$50.

**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

\_\_\_\_\_  
William Senande, Township Clerk

By: \_\_\_\_\_  
Michele Dale, Mayor

# Township of West Milford

Passaic County, New Jersey

## ~ Ordinance 2024 - 015 ~

### ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 500 ZONING OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP AMENDING SECTION 500-12 AREA AND YARD REQUIREMENTS TO CLARIFY REQUIREMENTS

**WHEREAS**, the Mayor and Township Council determined that the provisions relating to area and bulk requirements for properties with or without central sewerage or water facilities is unclear because the regulations only apply to properties that have both central water and central sewer or individual septic and individual well, not properties that have central sewer and individual well or central water and individual septic; and

**WHEREAS**, the Mayor and Township Council wish to clarify the ordinance provisions for properties that have central sewerage and/or water facilities versus those that have individual sewerage and water facilities; and

**WHEREAS**, the Mayor and Township Council have determined that clarifying the ordinance would be beneficial to the general welfare of the community; and

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

**SECTION 1.** Chapter 500 "Zoning" Section 12 "Area and yard requirements" is amended to read as follows:

§ 500-12 Area and yard requirements.

- A. Properties with both individual septic system and individual well facilities or substantially similar facilities as determined by the Township Zoning Officer.
- B. Properties serviced by central sewerage facilities, central water facilities, properties located within a wastewater management service area or substantially similar facilities as determined by the Township Zoning Officer.

**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.

**SECTION 5.** This Ordinance may be renumbered for codification purposes.

Introduced:  
Adopted:  
Effective Date:  
ATTEST:

TOWNSHIP OF WEST MILFORD  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY

\_\_\_\_\_  
William Senande, Township Clerk

By: \_\_\_\_\_  
Michele Dale, Mayor

# Township of West Milford

Passaic County, New Jersey

## ~ Ordinance 2024 - 016 ~

### ORDINANCE OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC STATE OF NEW JERSEY AMENDING CHAPTER 371 TREE REMOVAL WITHIN THE CODE OF THE TOWNSHIP OF WEST MILFORD

**WHEREAS**, the Township of West Milford is located entirely within the Highlands Preservation Area and considered an existing Tier A municipality under the enhanced regulations of the Tier A Municipal Stormwater General Permit (R9) by the New Jersey Department of Environmental Protection according to N.J.A.C. – 7:14A, Municipal Stormwater General Permit; and

**WHEREAS**, the enhanced regulations require municipal review and update to certain existing ordinances to maintain compliance, including regulations for tree removal; and

**WHEREAS**, the Mayor and Township Council have reviewed said revisions and believe that the changes are in the public interest and required by the NJDEP regulations.

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, that the Chapter 371 Tree Removal of the Township of West Milford shall be amended as follows:

**SECTION 1.** Chapter 371 “Tree Removal” is amended to read as follows:

§ 371-1 Findings; purpose.

The purpose of this chapter is to protect and preserve the forests and neighborhood trees of West Milford from indiscriminate destruction, disturbance or removal, to provide protection of the streams and lakes from damage caused by tree loss, and to provide for the protection of water quality. The Township Council does herein decide and find that the uncontrolled destruction, removal and cutting of trees upon lots and tracts within the Township has resulted in creating increased municipal costs for drainage control and has further caused increased soil erosion and stream pollution, decreased the fertility of soil, increased dust which has further deteriorated property values and has further rendered land unfit and unsuitable for its most appropriate uses and has caused deterioration in the value of improved and unimproved real estate within the Township with a resulting adverse effect upon the health, safety and general well-being of the inhabitants. The aforesaid findings have caused the passage of this chapter to regulate and control the indiscriminate and excessive cutting of trees in the Township.

§ 371-2 Regulation of tree removal; compliance required.

It has been determined, therefore, that no person shall cut or remove any tree upon any lands within the Township, unless such action accomplishes a useful purpose and is done in accordance with the regulations and provisions of this chapter.

§ 371-3 Definitions.

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning stated herein unless their use in the text of this ordinance demonstrates a different meaning. All definitions herein contained shall be considered in conformance with those set forth in the Zoning Ordinance of the Township of West Milford, N.J., 1969, and as amended, and as in Chapter 500 of the Code of the Township of West Milford, with the following additions:

- A. Applicant - refers to any person, organization or entity who applies for approval to remove trees regulated under this ordinance.
- B. Diameter – means the diameter of the trunk of a tree measured at a point four and a half feet above ground level from the uphill side of the tree (Diameter Breast Height, “DBH”). If there is uncertainty as to the measurement of the diameter of a tree, the diameter shall be conclusively presumed to be the circumference of the tree in inches divided by 3.1416 and rounded to the nearest inch. In the event a tree is removed, the diameter shall be that of the remaining stump if

less than four and one-half feet remain. In the event a tree contains more than one trunk at less than four and one-half feet above the ground, the diameter of each trunk shall be summed together to determine the diameter of the tree.

- C. Immature Tree – Shall mean any tree having a diameter less than six inches. Further, an immature tree shall not meet the definition of “Tree”.
- D. Forest Management Plan – means a plan which establishes best conservation and management practices and has been reviewed and approved by the NJDEP New Jersey Forest Service. Nothing in this chapter is intended to conflict with or supersede the provisions of an approved Forest Management Plan if work is within compliance of the approved plan.
- E. Nuisance Tree – refers to any tree, or limb thereof, that has an infectious or insect- inflicted disease; is dead or dying; obstructs the view of traffic signs or the free passage of pedestrians or vehicles; is causing obvious damage to structures or threatens public health, safety and welfare; negatively impacts municipal, private or semi-private infrastructure systems; or negatively impacts municipal, private or semi-private stormwater systems.
- F. Rare, Historic or Tree of Significance – any tree that is recognized by the municipal governing body, the State, or a local historical organization as being of significance due to its age, size, unique value, rarity, or its aesthetic, ecological or historic value.
- G. Replacement Tree – A tree proposed as a replacement for a qualified tree removed under a permit.
- H. Township Forester – ~~(The duly appointed officer of the Township given the authority to enforce the provisions of this chapter.)~~ The duly designated representative or duly appointed officer of the Township given the authority to enforce the provisions of this chapter. If absent, the Zoning Officer, Township Engineer, Construction Official, Director of Planning or their authorized agent(s) may perform the administrative duties as it pertains for permit processing.
- I. Tree – Any living **coniferous or** deciduous tree having a trunk of a diameter greater than ~~(four) or equal to six (6) inches~~ ~~(or any living coniferous tree having a trunk of a diameter greater than four inches)~~. Nothing in this chapter is intended to conflict with or supersede the provisions of the Soil Erosion and Sediment Control Act of the State of New Jersey, Chapter 251 of the Public Laws of New Jersey.<sup>[1]</sup>
- J. Tree Removal – means to kill or cause irreparable damage that leads to the decline and/or death of a tree. Removal does not include responsible pruning and tree maintenance. When applicable, removal of trees shall be governed by a variety of New Jersey Department of Environmental Protection regulations, including those that are promulgated under the Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A), the Flood Hazard Control Act Rules (N.J.A.C. 7:13) and the Highlands Water Protection and Planning Act Rules (N.J.A.C. 7:38).

[1]

Editor's Note: See N.J.S.A. 4:24-39 et seq.

§ 371-4 Permit required.

- A. Application. Any person desiring to destroy, cut or remove any such tree which is not excepted under terms of subsection ~~(5-10.3)~~ 371-3 and 371-8 shall apply to the Township forester for a permit to remove such tree(s). Permits shall be required for removal of more than five (5) trees per acre per calendar year, not to exceed fifteen (15) trees per lot annually. Lot area shall be rounded up to one (1) acre for lots less than 1.000 acre and subsequently rounded up to the nearest one-fifth (0.2) acre for the purposes of calculating tree removal quantity at a rate of one (1) tree per one-fifth (0.2) acre thereafter. A separate application shall be required for each lot.
- B. Information.
  - 1. The applicant shall identify by block and lot the land upon which the tree(s) is located and shall disclose the name and address of the owner, tenant or duly authorized agent of such owner or tenant, ~~the entity performing tree removal with contact information~~, and the applicant shall also identify ~~by copy of a survey or other means~~ ~~(the species and generally designate)~~ the location of the tree(s) sought to be cut, removed or destroyed. At the discretion of the Township Forester, an inspection of the site where a removal of trees is proposed may be conducted prior to and/or after the removal is completed. Prior to an inspection, the Township Forester shall have the right to request the trees proposed for removal be marked in a temporary manner for identification.

2. A tree removal permit, if required, shall be obtained prior to the approval of all minor and major subdivisions, site plans, building applications and certificates of occupancy on a map which shall include the following:
  - a. Area of tract or parcel of land.
  - b. *(General)* location of wooded areas and trees to be removed.
  - c. Exact location of rare or historic trees as *defined (required)* by Section 371-3 *(the Township forester)*.
  - d. General topographic conditions of site as derived from USGS map of the West Milford area *or current topographic survey*.
  - e. Manner or method of tree removal
  - f. Person(s) to perform the removal, with contact information when applicable
  - g. Reason for removal
  - h. Total quantity of trees on the property, if required by the Township Forester
  - i. Estimated start and completion date
3. When applicable per Section 371-9, a tree remediation or restoration plan, to identify the specific location where trees will be planted to mitigate the proposed removal of trees in accordance with the requirements of this chapter. Species of replacement trees shall be noted on the plan.

§ 371-5 Fees.

[Amended 4-16-1986 by Ord. No. 1986-6; 6-6-1990 by Ord. No. 1990-19<sup>[1]</sup>]

Upon application for a permit, the applicant shall pay to the Township the fees set forth in Chapter 135, Fees and Costs.

[1]

*Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*

§ 371-6 Criteria for determination of permitted tree removal.

As a basis for determining permitted tree removal, the duly appointed officer shall give due consideration to the following:

- A. ~~*(For purposes other than commercial lumbering.)*~~ For purposes of tree removal on a lot with an approved, single-family residential dwelling. The lands covered by each application shall be inspected by the Township Forester who shall review the application and land and consider issuance of a permit. Considerations of permit issuance include but are not limited to future land development, existing and resultant drainage patterns, and governance of other regulatory agents. ~~*(issue a permit upon a finding that the destruction or removal to be permitted would not impair the growth and development of the remaining trees on the applicant's property or adjacent properties, would not cause soil erosion, would not impair existing drainage patterns, would not lessen property values in the neighborhood and would not impair substantially the aesthetic values of the area.)*~~ The Township Forester shall have the authority to affix reasonable conditions to the approval of a permit required by this chapter.
- B. For the purposes of commercial *and/or silviculture* lumbering in accordance with the following restrictions:
  1. The lumbering company or individual owner of the property in question shall file with the ~~*(duly appointed officer)*~~ Township a forest management plan approved by the New Jersey Department of Environmental Protection, Bureau of Forestry, or other professional forester. ~~*(Such plan shall be subject to the approval of or disapproval of the Township Forester.)*~~ Any deviation taken from this plan shall be considered a violation of this chapter.
  2. In no case shall more than 30% of the total number of trees be removed from the entire tract.
  3. *No fee(s) shall be incurred for work in accordance with an approved plan.*
    - A. For purposes of tree removal on a lot other than with an approved, single-family residential dwelling or for commercial *and/or silviculture* lumbering. The applicant shall confirm no violation of prior land development approvals, if any. The Township Forester shall review an application, inspect the lands covered by said application and consider issuance of a permit with coordination with other municipal officials, if warranted. The Township Forester shall have the authority to affix reasonable conditions of approval of a permit required by this chapter, including but not limited to municipal board approval *and/or* exceptions.
    - B. No permit shall be issued for any of the following conditions, except with prior documented approval from the governing regulatory agent(s) if applicable:



1. Trees located on any portion of a lot having a slope greater than 20%, excluding when approved, permitted provisions are constructed to prevent uncontrolled erosion and provide soil stabilization as much as practical. Slope shall be determined by available topographic survey records or on-site slope averaging of the area.
2. Trees located in an environmentally regulated area as defined and identified by NJDEP, including but not limited to wetlands, wetland transition areas, flood zones, and riparian zones.
3. Trees located on a vacant lot without an approved forest management plan, approved future land improvement plan / permit(s), or similar approval permitting the removal of specified tree(s).
4. Where removal of said trees would exceed fifteen (15) trees per lot annually, excluding those excepted as defined in §371-8.

§ 371-7 Issuance of permit.

- A. If the applicant as defined in § 371-4 discloses that no more than five trees per acre per calendar year in excess of the size referred to aforesaid in this chapter are to be removed, cut or destroyed, or have been cut, removed or destroyed from the lot or tract of land identified in the application, then no permit shall be required ~~(the Township Forester may waive any or all of the items listed in § 371-4 and may issue a permit for the removal of such trees).~~
- B. If the applicant as defined in §371-4 satisfies the conditions listed aforesaid in this chapter, the Township Forester may issue a permit for the removal of identified tree(s).

§ 371-8 Exceptions.

Excepted from this chapter shall be:

- A. ~~(Any tree located on a tract or parcel of land 1 1/2 acres or less in size on which a residential dwelling is located.)~~
- B. Any tree growing on property ~~(actually)~~ being used as a nursery, garden center, Christmas tree plantation or orchard.
- C. Any tree growing on land actually being used for a sanitary landfill operation or for surface mining, or on land approved for such use by the Township or applicable agencies.
- D. Any tree growing in a public right-of-way, private right-of-way, drainage or utility easement, as designated on the West Milford Township Tax Map ~~or property survey performed by a New Jersey professional land surveyor.~~
- E. Any tree located on a tract or parcel of land ~~(in excess of 1 1/2 acres)~~ with an existing and approved, single-family residential dwelling to be cut for personal use as firewood by the owner of such property. Not more than five trees per acre shall be cut in any one calendar year as calculated in §371-4, and in no case shall more than 30% of the total number of trees located on such property be removed.
- F. Any tree infected, dead or diseased as a result of natural causes, or other tree that is deemed a nuisance tree ~~(likely to endanger life or property).~~
- G. Any tree cut or removed in accordance with a management plan developed by the New Jersey Department of Environmental Protection, Bureau of Forestry, or other professional forester, and filed with and approved by the Township Forester duly appointed by the Township.
- H. Any tree located on or within ~~(20)~~ 50 feet of a proposed ~~or existing~~ residential structure, ~~(its well, septic system or other accessory structures).~~
  - I. Any tree located on or within 20 feet of a proposed or existing well, septic system and associated components, groundwater recharge provision or permitted and approved accessory structure.
  - J. Any tree located within 15 feet of an approved existing or proposed residential driveway.
- K. Any tree located within ~~(10)~~ 15 feet of ~~(the planned)~~ an approved existing or proposed paved area(s), or equivalent impervious surface ~~(provided that the alignment of the driveway is planned to save as many trees as possible).~~
- L. Any tree located within 15 feet of an approved existing or approved proposed off-street parking area.
- M. Any tree located near utility lines or substations, provided that the reason for the tree removal is related to public safety purposes.

§ 371-9 Tree Replacement and Remediation.

- A. For the purposes of permitted tree removal. Tree(s) requiring permit issuance shall be replaced at a rate of one (1) tree per removed tree as defined in this chapter.
  1. The species shall be of non-invasive type and suitable as per the current United States Department of Agriculture Plant Hardiness Zone Map. Alternatives, as recommended by

- a licensed tree expert, approved forester or NJ licensed engineer, can be considered by the Township Forester.
2. Tree planting location shall be shown on the provided copy of a lot survey as part of the application.
  3. Replacement trees shall be planted with the wire basket, burlap and twine removed and be located in an area to promote optimal tree growth.
  4. Replacement trees shall be planted within six (6) months of the date of removal and/or completion of proposed work.
  5. Replacement trees shall be monitored for a period of no less than two years to ensure their survival and be replaced as needed.
  6. Replacement trees shall have a diameter no less than 2.5".
- B. For the purposes of remediation as a result of unapproved removal. Any person who damages, removes or destroys trees without complying with this chapter shall be required to remediate said noncompliance by replacement of such tree(s).
1. Tree(s) shall be replaced at a rate of one (1) replacement tree per each twelve (12) inches of diameter of determined removed tree, rounded up to the nearest twelve-inch increment.
  2. Replacement trees shall be of nursery grade quality, balled and burlapped and planted on the site where the violation occurred in locations and with species approved by the Township Forester and shall have a diameter no less than 2.5".
  3. Replacement species include: red maple, sugar maple, red oak, white oak, chestnut oak, scarlet oak, pin oak, black oak, hickory, American birch, yellow birch, black birch, dogwood, yellow poplar, black locust, red cherry, sweet gum and weeping willow. Alternatives may be considered at the discretion of the Township Forester.
  4. In the event that the Township Forester determines all or some of the replacement trees are inappropriate where the violation occurred, the Township Forester may approve an alternate location either on the subject property or off of the site on property owned by the Township of West Milford.
  5. The obligation of this section may be enforced by a civil action in any court of competent jurisdiction and shall not affect the liability of the violator for the fines and penalties set forth in subsection §371-13.
  6. The violator will be subject to a two-year cash bond amount, in an amount determined by the Township Forester or other municipal official, to ensure the restoration and remediation of the violation as set forth in subsection §371-5. The base amount shall be \$500 plus applicable cost estimates for remediation action.

§ 371-~~(9)~~10 Unique and irreplaceable trees.

No person shall cut, remove or destroy upon any lands within the Township any tree considered to be unique and irreplaceable by reason of age, historical associations, or botanical rarity as determined by the Township Forester.

§ 371-~~(10)~~ 11 Right of appeal.

[Amended 9-1-2004 by Ord. No. 2004-6]

The applicant shall have the right to appeal the decision of the Township Forester to the Township Administrator within 10 days of receipt of such decision. The appeal shall be by written notice to appeal. The Township Administrator shall proceed to hear such appeal upon notice to the applicant within 30 days after the filing of such notice of appeal. The Township Administrator may, in his discretion and upon complete review of the application, and after hearing the testimony of the Township Forester and the applicant, reverse, modify or affirm the aforesaid decision.

§ 371-12 Enforcing officer and enforcement.

- A. Enforcing Officer. The enforcement of the provisions of this chapter shall be designated to the Township Forester or other duly designated individual(s) as directed by the Township Administrator. The Township Forester, Township Engineer, Zoning Officer, Construction Official, Director of Planning or their authorized agent(s) may enter upon lands for the purpose of examination, inspection or similar without advance notice.
- B. Enforcement. The Township Forester shall have the right to enter upon lands to ensure compliance of lands for which a permit has been granted and enforce the provisions of this chapter. Violations for which permits have been previously issued shall be enforced by the

Township Forester or other duly designated individual(s) as directed by the Township Administrator.

- C. In addition to the penalties set forth in §371-14, the Township shall have the right, but not the obligation, to pursue injunctive relief in the Superior Court of New Jersey, Passaic County, including but not limited to requiring the remediation and restoration of the site.

§ 371-~~(11)~~ 13 Interpretation.

All trees protected by this chapter shall be protected against construction damage, soil deposits or other activities to the satisfaction of the Township Forester.

§ 371-~~(12)~~ 14 Violations and penalties.

Any person violating any provisions of this chapter shall be, upon conviction, subject to the penalty as provided in Chapter 1, Article III, General Penalty, of the Township Code in addition to the Township Forester's cost estimate for remediation, if applicable.

**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, preempted by Federal or State law, or otherwise invalid by any court or competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 4.** No provision of this Ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this Ordinance or from other law.

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

**SECTION 6.** This Ordinance may be renumbered for codification purposes.

Introduced:  
Adopted:  
Effective Date:

TOWNSHIP OF WEST MILFORD  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY

ATTEST:

\_\_\_\_\_  
William Senande, Township Clerk

By: \_\_\_\_\_  
Michele Dale, Mayor

# Township of West Milford

Passaic County, New Jersey

## ~ Ordinance 2024 - 017 ~

### ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AMENDING CHAPTER 135 "FEES AND COSTS" WITHIN THE CODE OF THE TOWNSHIP OF WEST MILFORD

**WHEREAS**, the Township of West Milford is located entirely within the Highlands Preservation Area and considered an existing Tier A municipality under the enhanced regulations of the Tier A Municipal Stormwater General Permit (R9) by the New Jersey Department of Environmental Protection according to N.J.A.C. – 7:14A, Municipal Stormwater General Permit; and

**WHEREAS**, the enhanced regulations require municipal review and update to certain existing ordinances to maintain compliance, including regulations for tree removal; and

**WHEREAS**, the existing Chapter 135 Fees and Costs Section 38 Tree Removal requires amendment in coordination with the amendment to the Tree Removal ordinance; and

**WHEREAS**, the Mayor and Township Council have reviewed said revisions and believe that the changes are in association with the proposed amendment of the Tree Removal chapter of the Code and in the public interest and required by the NJDEP regulations.

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, that the Chapter 135 Fees and Costs Section 38 Tree Removal of the Township of West Milford shall be amended as follows:

**SECTION 1.** Chapter 135 "Tree Removal", Section 38 "Tree Removal" is amended to read as follows:

§ 135-38 Tree removal.

In accordance with Chapter 371, Tree Removal, upon application for a permit, the applicant shall pay to the Township the following fees:

- A. Filing Fee: \$25
- B. Inspection Fee:
  - a. Applications consisting of one acre or less: \$50
  - b. Applications consisting of greater than one acre but less than five acres: \$100
  - c. Applications consisting of five acres or greater: \$100 plus \$20 for each additional acre beyond five acres, rounded to the nearest acre
  - d. There is no maximum inspection fee
- C. Replacement Plan Review Fee:
  - a. For any application consisting of one acre or less: \$25
  - b. For each additional acre: \$25

~~A. For any application consisting of five acres or less: \$25.~~

~~B. For each additional acre: \$5.~~

~~C. There is no maximum permit fee.)~~

**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, preempted by Federal or State law, or otherwise invalid by any court or competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 4.** No provision of this Ordinance shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this Ordinance or from other law.

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

**SECTION 6.** This Ordinance may be renumbered for codification purposes.

Introduced:  
Adopted:  
Effective Date:

TOWNSHIP OF WEST MILFORD  
COUNTY OF PASSAIC  
STATE OF NEW JERSEY

ATTEST:

\_\_\_\_\_  
William Senande, Township Clerk

By: \_\_\_\_\_  
Michele Dale, Mayor

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2024 - 156 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ESTABLISHMENT OF THE WEST MILFORD TOWNSHIP COMMUNITY ANIMAL RESPONSE TEAM

**WHEREAS**, many communities are establishing Community Animal Response Teams ("CART") in order to educate residents about disaster preparation involving animals and responding to the needs of animals during a disaster. This training provides CART members with the ability to assist their families, co-workers and communities in the event of a disaster; and

**WHEREAS**, a successful Community Animal Response Team program involves commitment by the residents, local government, emergency management and response agencies such as police, fire and first aid squad personnel; and

**WHEREAS**, the Township of West Milford intends to establish an Community Animal Emergency Response Team; and

**WHEREAS**, the Emergency Management Coordinator has met to discuss the advantages and procedures for forming a "Community Animal Response Team" for West Milford Township; and

**WHEREAS**, the Emergency Management Coordinator has also met with other local communities who have an established Community Animal Response Team program to review the formation process; and

**WHEREAS**, the West Milford Township Governing Body supports the establishment of a local Community Animal Response Team "West Milford CART" program within the township; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the Governing Body of the Township of West Milford hereby agree to establish the West Milford Township Community Animal Response Team "West Milford CART" under the direction of the West Milford Township Office of Emergency Management.

**BE IT FURTHER RESOLVED** as part of the initial actions necessary to form the West Milford Township Community Animal Response Team "West Milford CART," the Office of Emergency Management shall develop a management and operations plan as well as a budget including proposed funding sources which will be subject to review and approval by the Township Governing Body to the extent that any funds are to be expended by the Township. This resolution shall take effect immediately.

Adopted: April 3, 2024

Adopted this 3<sup>rd</sup> day of April, 2024  
and certified as a true copy of an original.

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William Senande, Township Clerk

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2024 - 157 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING EXPENDITURE OF FUNDS FOR THE PURCHASE OF SECURITY CAMERA SYSTEM EQUIPMENT FOR THE RIDGE ROAD BUILDING 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 ongoing renovation work of the municipal Ridge Road Building requires security camera system equipment equivalent to the existing systems utilized throughout various Township properties; and

**WHEREAS**, the three quotes were sought from vendors to provide the required materials, labor and supplies to complete the work in coordination with the ongoing renovation project; and

**WHEREAS**, two bidders were responsive and provided quotes within the quote receipt period; and

**WHEREAS**, the lowest quote was received from UltraSafe Security Systems, Inc. totaling \$13,500.00; and

**WHEREAS**, the above referenced vendor 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 Principal Engineering Aide indicating the anticipated need to purchase the security camera system which expenses would exceed the aggregate quote threshold of \$17,500.00; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this equipment, said funds to be encumbered from account 01-270-55-000-001 in the amount not to exceed \$13,500.00.

**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 purchase security camera system equipment from UltraSafe Security Systems, Inc. in an amount of \$13,500.00.

Adopted: April 3, 2024

Adopted this 3rd day of April 2024  
and certified as a true copy of an original.

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William Senande, Township Clerk

## **Township of West Milford**

Passaic County, New Jersey

### **~ Resolution 2024 – 158 ~**

#### **RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONTRACT TO TMP OF NEW YORK INC. d/b/a TEPLITZ METAL PROCESSING FOR THE MARKETING OF RECYCLABLE SCRAP METAL**

**WHEREAS**, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on March 22, 2024 at 10:00a.m. for the Marketing of Recyclable Scrap Metal 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 thoroughly reviewed and analyzed by the Director of Public Works and Coordinator of Recycling and Solid Waste and the Township Attorney; and

**WHEREAS**, the bid received from Teplitz Metal Processing was complete and is a responsive qualified bidder and has satisfactorily worked with the Township as the scrap metal vendor for over (16) sixteen years; and

**WHEREAS**, the Director of Public Works and the Coordinator of Recycling and Solid Waste do recommend the award of a contract to TMP of New York, Inc. d/b/a Teplitz Metal Processing;

**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 and the Municipal Clerk are hereby authorized to execute an agreement with TMP of New York, Inc. d/b/a Teplitz Metal Processing, 108 West Nyack Road, Nanuet, NY 10954 for the Marketing of Recyclable Scrap Metal for the period of May 1, 2024 through April 30, 2025 for the Township of West Milford.

Adopted: April 3, 2024

Adopted this 3<sup>rd</sup> day of April, 2024  
and certified as a true copy of an original.

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William Senande, Township Clerk



## **Township of West Milford**

Passaic County, New Jersey

### **~ Resolution 2024 – 159 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF REPAIR PARTS THROUGH BERGEN COUNTY CO-OP CONTRACT #BC BID 21-60 AND EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) CO-OP CONTRACT #ESCNJ 23/24-04 FROM AT NORTHERN NJ LLC d/b/a ALLEGIANCE TRUCKS**

**WHEREAS**, the Township of West Milford is a member of the Bergen County Co-Op; and

**WHEREAS**, Bergen County Co-Op has awarded Contract #BC Bid 21-60 Class 4-8 truck repair parts to AT Northern NJ LLC d/b/a Allegiance Trucks; and

**WHEREAS**, the Township of West Milford is a member of the Educational Services Commission of New Jersey (ESCNJ) Co-Op; and

**WHEREAS**, the Educational Services Commission of New Jersey (ESCNJ) Co-Op has awarded Contract #ESCNJ 23/24-04 Class 4-8 truck parts to AT Northern NJ LLC d/b/a Allegiance Trucks; and

**WHEREAS**, said contracts were 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 on a timely basis to purchase goods and services utilizing the above contracts awarded to AT Northern NJ LLC d/b/a Allegiance Trucks, which expenses would exceed the threshold of \$17,500.00; and

**WHEREAS**, AT Northern NJ LLC d/b/a Allegiance Trucks has complied with state pay-to-play regulation by completing and submitting a Business Entity Disclosure Certification; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.5(b), no orders of materials 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 vendor within the budget appropriation established for this purpose.

Adopted: April 3, 2024

Adopted this 3<sup>rd</sup> day of April, 2024  
and certified as a true copy of an original

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William Senande, Township Clerk

# **Township of West Milford**

Passaic County, New Jersey

## **~ Resolution 2024 – 160 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF REPAIR PARTS THROUGH STATE CONTRACT BERGEN COUNTY CO-OP CONTRACT #BC BID 21-60 AND EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) CO-OP CONTRACT #ESCNJ 23/24-04 AND CONTRACT #ESCNJ 22/23-12 FROM CLIFFSIDE BODY**

**WHEREAS**, the Township of West Milford is a member of the Bergen County Co-Op; and

**WHEREAS**, Bergen County Co-Op has awarded Contract #BC Bid 21-60 Parts & Accessories: Automotive and Heavy Duty Equipment; Diesel engine repair parts to Cliffside Body; and

**WHEREAS**, the Township of West Milford is a member of the Educational Services Commission of New Jersey (ESCNJ) Co-Op; and

**WHEREAS**, the Educational Services Commission of New Jersey (ESCNJ) Co-Op has awarded Contract #ESCNJ 23/24-04 Class 4-8 truck parts and Contract #ESCNJ 22/23-12 Grounds Equipment: Snow plow parts, Grader & Loader blades to Cliffside Body; and

**WHEREAS**, said contracts were 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 on a timely basis to purchase goods and services utilizing the above contracts awarded to Cliffside Body, which expenses would exceed the threshold of \$17,500.00; and

**WHEREAS**, Cliffside Body has complied with state pay-to-play regulation by completing and submitting a Business Entity Disclosure Certification; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.5(b), no orders of materials 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 vendor within the budget appropriation established for this purpose.

Adopted: April 3, 2024

Adopted this 3<sup>rd</sup> day of April, 2024  
and certified as a true copy of an original

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William Senande, Township Clerk

## Township of West Milford

Passaic County, New Jersey

### ~ Resolution 2024 – 161 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF REPAIR PARTS THROUGH SOURCEWELL CONTRACT # CC-011723-JDC OR EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) CO-OP CONTRACT #ESCNJ 22/23-12 FROM JOHN DEERE d/b/a JESCO, INC.**

**WHEREAS**, the Township of West Milford is a member of the ESCNJ and Sourcewell Co-Op; and

**WHEREAS**, Sourcewell Co-Op has awarded Contract # 011723-JDC for heavy construction equipment parts and service to John Deere d/b/a Jesco, Inc.; and

**WHEREAS**, the Township of West Milford is a member of the Educational Services Commission of New Jersey (ESCNJ) Co-Op; and

**WHEREAS**, the Educational Services Commission of New Jersey (ESCNJ) Co-Op has awarded Contract #ESCNJ 22/23-12 for Grounds Equipment to John Deere d/b/a Jesco, Inc.; and

**WHEREAS**, said contracts were 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 on a timely basis to purchase goods and services utilizing the above contracts awarded to John Deere d/b/a Jesco, Inc., which expenses would exceed the threshold of \$17,500.00; and

**WHEREAS**, John Deere d/b/a Jesco, Inc. has complied with state pay-to-play regulation by completing and submitting a Business Entity Disclosure Certification; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.5(b), no orders of materials 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 vendor within the budget appropriation established for this purpose.

Adopted: April 3, 2024

Adopted this 3<sup>rd</sup> day of April, 2024  
and certified as a true copy of an original

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William Senande, Township Clerk

## Township of West Milford

Passaic County, New Jersey

### ~ Resolution 2024 – 162 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF REPAIR PARTS AND SERVICE THROUGH STATE CONTRACT OR EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) CO-OP CONTRACT #ESCNJ 23/24-04 FROM NIELSEN OF MORRISTOWN INC AND NIELSON FORD OF MORRISTOWN INC.**

**WHEREAS**, the Township of West Milford is a municipality in the State of New Jersey and a member of the ESCNJ Co-Op; and

**WHEREAS**, the State of New Jersey has awarded contracts #23-FLEET-34928, 23-FLEET-34932, 23-FLEET-34925 and 23-FLEET-34919 for service and parts and Educational Services Commission of New Jersey (ESCNJ) Co-Op has awarded Contract #ESCNJ 23/24-04 for Class 4-8 vehicle parts to Nielsen of Morristown Inc and Nielsen Ford of Morristown Inc.; and

**WHEREAS**, said contracts were 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 on a timely basis to purchase goods and services utilizing the above contracts awarded to Nielsen of Morristown Inc and Nielsen Ford of Morristown Inc., which expenses would exceed the threshold of \$17,500.00; and

**WHEREAS**, Nielsen of Morristown Inc and Nielsen Ford of Morristown Inc. have complied with state pay-to-play regulation by completing and submitting a Business Entity Disclosure Certification; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.5(b), no orders of materials 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 vendor within the budget appropriation established for this purpose.

Adopted: April 3, 2024

Adopted this 3<sup>rd</sup> day of April, 2024  
and certified as a true copy of an original

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William Senande, Township Clerk

## **Township of West Milford**

Passaic County, New Jersey

### **~ Resolution 2024 – 163 ~**

#### **RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF REPAIR PARTS AND SERVICE THROUGH STATE CONTRACT OR SOURCEWELL CONTRACT # CC-101520-FMC FROM ROUTE 23 AUTOMALL LLC**

**WHEREAS**, the Township of West Milford is a municipality in the State of New Jersey and a member of the Sourcewell Co-Op; and

**WHEREAS**, the State of New Jersey has awarded contracts #40812 for service and parts and Sourcewell Co-Op has awarded Contract #101520-FMC for OEM/Omnecraft aftermarket parts vehicle parts to Route 23 Automall LLC and

**WHEREAS**, said contracts were 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 on a timely basis to purchase goods and services utilizing the above contracts awarded to Route 23 Automall LLC which expenses would exceed the threshold of \$17,500.00; and

**WHEREAS**, Route 23 Automall LLC has complied with state pay-to-play regulation by completing and submitting a Business Entity Disclosure Certification; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.5(b), no orders of materials 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 vendor within the budget appropriation established for this purpose.

Adopted: April 3, 2024

Adopted this 3<sup>rd</sup> day of April, 2024  
and certified as a true copy of an original

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William Senande, Township Clerk

## **Township of West Milford**

Passaic County, New Jersey

### **~ Resolution 2024 – 164 ~**

#### **RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF TIRES AND TIRE REPAIRS THROUGH STATE CONTRACT FROM CUSTOM BANDAG**

**WHEREAS**, the Township of West Milford is a municipality in the State of New Jersey; and

**WHEREAS**, the State of New Jersey has awarded Blanket Contract # 20-Fleet-00948 and Blanket Contract # 20-Fleet-00708 for the purchase of tires and tire repairs to Custom Bandag; 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 on a timely basis to purchase goods and services utilizing the above contract awarded to Custom Bandag, which expenses would exceed the threshold of \$17,500.00; and

**WHEREAS**, Custom Bandag has complied with state pay-to-play regulation by completing and submitting a Business Entity Disclosure Certification; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-5.5(b), no orders of materials 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 vendor within the budget appropriation established for this purpose.

Adopted: April 3, 2024

Adopted this 3<sup>rd</sup> day of April, 2024  
and certified as a true copy of an original

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William Senande, Township Clerk

## **Township of West Milford**

Passaic County, New Jersey

### **~ Resolution 2024 – 165 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR DISPOSAL/RECYCLING OF RESIDENTIAL YARD WASTE FROM THE RECYCLING CENTER AND AUTHORIZING THE INTENT TO PURCHASE MATERIALS FROM RVH MULCH SUPPLY, LLC IN ACCORDANCE WITH PAY-TO-PLAY LAW N.J.S.A. 19:44A-20.5 ET SEQ.**

**WHEREAS**, the Township of West Milford has a need on a timely basis to dispose of (recycle) residential yard waste (grass/leaves) from the recycling center and to purchase materials (mulch/top soil) for various projects throughout the Township from RVH Mulch Supply, LLC., which expenses would exceed the threshold of \$17,500.00; and

**WHEREAS**, the above referenced vendor will comply with State pay-to-play regulations by completing and submitting a Business Entity Disclosure Certification; 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.

**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 purchases from and expenditures to RVH Mulch Supply, LLC is hereby authorized and approved provided that purchases/expenditures are made through a State contract, cooperative pricing contract or a minimum of three (3) quotations when the purchases/expenditures are not covered by State or cooperative contract and the total purchases/expenditures are within the budgeted appropriation established for this purpose for the remainder of the 2024 calendar year.

Adopted: April 3, 2024

Adopted this 3<sup>rd</sup> day of April, 2024  
and certified as a true copy of an original

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William Senande, Township Clerk

## **Township of West Milford**

Passaic County, New Jersey

### **~ Resolution 2024 - 166 ~**

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC STATE OF NEW JERSEY AUTHORIZING THE INTENT TO PURCHASE FROM SHI INTERNATIONAL AS A VENDOR THAT HOLDS A STATE CONTRACT PURSUANT TO N.J.S.A. 40A:11-12 (A) IN ACCORDANCE WITH THE PAY-TO-PLAY LAW N.J.S.A. 19:44A-20.5 ET SEQ.**

**WHEREAS**, the Township of West Milford pursuant to N.J.S.A. 40A:11-12 (a) and N.J.A.C. 5:34-7.29 (c) may, by this resolution and a properly executed purchase order and without advertising for bids, purchase goods or services under any contract or contracts entered into on behalf of the State by the Division of Purchase and Property or Cooperative Pricing contract; and

**WHEREAS**, the Township of West Milford has a need on a timely basis to purchase goods and services utilizing the State Division of Purchase contract and Co-Op contracts for computer equipment, including toner cartridges, software updates, yearly maintenance contracts and more awarded to SHI International which expenses would exceed the threshold of \$17,500.00; and

**WHEREAS**, the above referenced vendor has complied with State pay-to-play regulations by completing and submitting a Business Entity Disclosure Certification; 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 vendor within the budget appropriation established for this purpose.

Adopted: April 3, 2024

Adopted this 3<sup>rd</sup> day of April, 2024  
and certified as a true copy of an original.

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William Senande, Township Clerk



# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2024 - 167 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC STATE OF NEW JERSEY ENDORSEMENT IN SUPPORT OF THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION ROUTE 23 HIGH CREST DRIVE TO MACOPIN RIVER PROJECT IMPROVEMENTS

**WHEREAS**, a Local Officials briefing was held on May 4, 2022 between the New Jersey Department of Transportation ("NJDOT") and representatives of the Township of West Milford concerning the Route 23 High Crest Drive to Macopin River project ; and

**WHEREAS**, representatives of the Township of West Milford were in agreement with the NJDOT Route 23 High Crest Drive to Macopin River project improvements as presented in the project plans at the Local Officials briefing meeting held on May 4, 2022; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of Township of West Milford as follows:

1. The Township Council authorizes and directs the Township Clerk to forward a letter to the NJDOT indicating support for the proposed improvements to the Route 23 High Crest Drive to Macopin River project.
2. The Township Clerk is further directed to forward such a letter with this resolution expressing its support for this project.

Adopted: April 3, 2024

ATTEST: Township of West Milford

\_\_\_\_\_  
William Senande, Township Clerk

\_\_\_\_\_  
Michele Dale, Mayor

### CERTIFICATION

The foregoing Resolution was duly adopted at a Township of West Milford Council Meeting held on April 3, 2024, at Town Hall, 1480 Union Valley Road, West Milford, NJ.

| RECORD OF VOTE – Resolution No. XXXX |     |    |         |        |
|--------------------------------------|-----|----|---------|--------|
| Council Member                       | Yes | No | Abstain | Absent |
|                                      |     |    |         |        |
|                                      |     |    |         |        |
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\_\_\_\_\_  
William Senande, Township Clerk

## **Township of West Milford**

Passaic County, New Jersey

### **~ Resolution 2024 – 168 ~**

#### **RESOLUTION RATIFYING A SIDEBAR AGREEMENT BETWEEN THE TOWNSHIP AND AFSCME NJ COUNCIL 63, LOCAL NO. 2275 CHANGING THE SALARY OF GRADE 7**

**WHEREAS**, certain Township employees are members of a Collective Bargaining Unit, AFSCME NJ Council Local No. 2275 ("AFSCME 2275"); and

**WHEREAS**, the Township and AFSCME 2275 have negotiated a sidebar agreement to the current contract that changes the salary of Grade 7 of the AFSCME 2275 agreement from \$76,521.89 to \$82,000.00.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Township Council of the Township of West Milford, in the County of Passaic, hereby ratify the sidebar agreement as described above with a retroactive date of January 1, 2024.

**BE IT FURTHER RESOLVED**, that the Mayor and Township Clerk be and are hereby authorized to execute the sidebar agreement with AFSCME 2275 to increase the salary of Grade 7 to \$82,000.00.

Adopted: April 3, 2024

Adopted this 3<sup>th</sup> day of April, 2024  
and certified as a true copy of an original.

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William Senande, Township Clerk

## **Township of West Milford**

Passaic County, New Jersey

### **~ Resolution 2024 – 169 ~**

#### **RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS PRIOR TO THE ADOPTION OF THE 2024 BUDGET PER N.J.S.A. 40A:4-20**

**WHEREAS**, Local Budget Law N.J.S.A. 40A:4-1 states in part, in addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the governing body may, by resolution adopted by a 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year and,

**WHEREAS**, the Township of West Milford has received the Drunk Driving Enforcement Funds in the amount of \$61,919.87; and

**WHEREAS**, the amount of the grant should be added to the 2024 temporary budget; and,

**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 amendment of the 2024 temporary budget with an addition of emergency temporary appropriations in the amount of \$61,919.87 by a 2/3 vote of the Governing Body.
2. The Township's 2024 adopted budget shall include these receivables and appropriations.

Adopted: April 3, 2024

Adopted this 3<sup>rd</sup> day of April, 2024  
and certified as a true copy of an original.

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William Senande, Township Clerk

## **Township of West Milford**

Passaic County, New Jersey

### **~ Resolution 2024 – 170 ~**

#### **RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE HIRING OF NICHOLAS SOLTESZ FROM THE ATLANTIC COUNTY PUBLIC SAFETY TRAINING ACADEMY ALTERNATE ROUTE PROGRAM**

**WHEREAS**, the Alternate Route program gives individuals interested in becoming police officers the opportunity to attend a police training academy at their own expense prior to being hired by a police department; and

**WHEREAS**, the program creates a pool of trained officers for communities to hire while saving local police departments the expenditure associated with officer training; and

**WHEREAS**, Nicholas Soltesz accepted employment at the West Milford Police Department with an effective hire date of April 7, 2024.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey that the West Milford Township Police Department is hereby authorized to hire Nicholas Soltesz from the Atlantic County Public Safety Training Academy, Alternate Route Program.

Adopted: April 3, 2024

Adopted this 3<sup>rd</sup> day of April, 2024  
and certified as a true copy of an original.

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William Senande, Township Clerk

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

**~ Resolution 2024 – 171 ~**

**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.

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

**Resolutions:**

- a) **2024-172** – Refund Recreation Fee
- b) **2024-173** – Cancel Outstanding Checks

Adopted: April 3, 2024

Adopted this 3<sup>rd</sup> day of April, 2024  
and certified as a true copy of an original.

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William Senande, Township Clerk

## Township of West Milford

Passaic County, New Jersey

### ~ Resolution 2024 – 172 ~

#### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE 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:

| <b>SPRING SOCCER</b>         |  |         |  |
|------------------------------|--|---------|--|
| \$80.00                      | 24 Post Brook Road South<br>West Milford, NJ 07480 |         |  |
| <b>FAMILY WINTER BIRDING</b> |  |         |  |
| \$20.00                      | 27 Pierce Ave.<br>Oak Ridge, NJ 07438              | \$20.00 | 69 Rabbit Run Road<br>Newfoundland, NJ 07435 |

Adopted: April 3, 2024

Adopted this 3<sup>rd</sup> day of April, 2024  
and certified as a true copy of an original.

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William Senande, Township Clerk

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

**~ Resolution 2024 - 173 ~**

**RESOLUTION AUTHORIZING THE CANCELLATION OF OUTSTANDING CHECKS OVER THREE MONTHS OLD TO MUNICIPAL CASH BALANCES**

**WHEREAS**, the Chief Financial Officer has determined that the following Township of West Milford claims warrant check has been outstanding for a period in excess of three months.

| <b>DATE</b> | <b>CHECK #</b> | <b>AMOUNT</b>   |
|-------------|----------------|-----------------|
| 4/20/23     | 32517          | \$125.00        |
| 4/20/23     | 32518          | \$40.00         |
| 4/20/23     | 32622          | \$35.00         |
| 9/14/23     | 33480          | \$50.00         |
|             | <b>TOTAL</b>   | <b>\$250.00</b> |

**NOW, THEREFORE, BE IT RESOLVED** that the above outstanding check be restored to the Township cash balance.

Adopted: April 3, 2024

Adopted this 3<sup>rd</sup> day of April, 2024  
and certified as a true copy of an original.

\_\_\_\_\_  
William Senande, Township Clerk

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

~ Resolution No. 2024 – 174 ~

**RESOLUTION APPROVING THE PAYMENT OF BILLS**

**WHEREAS**, the Township Treasurer has submitted to the members of the Township Council a supplemental 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    | \$94,705.45           |
| 3                         | Reserve Account    | 53,948.62             |
| 2                         | Grants             | 2,992.00              |
| 6                         | Refunds            | 120.00                |
| 1                         | General Ledger     | 4,450.00              |
| 26                        | Refuse             | 200,160.00            |
| 4                         | Capital            | 361,209.53            |
| 19                        | Animal Control     | 0.00                  |
| 19                        | Heritage Trust     | 0.00                  |
| 19                        | Open Space Trust   | 0.00                  |
| 19                        | Trust              | 4,177.46              |
| 19                        | Scala Trust        | 0.00                  |
| 16                        | Development Escrow | 3,952.50              |
| 19                        | Tax Sale Trust     | 0.00                  |
| 21                        | Assessment Trust   | 0.00                  |
|                           | Special Reserve    | 62.00                 |
| Total                     |                    | \$725,777.56          |
| Less Refund Resolution    |                    | -120.00               |
| <b>Actual Bills List</b>  |                    | <b>\$725,657.56</b>   |
| Other Payments:           |                    |                       |
| Payroll                   |                    | \$608,705.09          |
| Enterprise Lease payment  |                    | 22,494.50             |
| Depository Trust Co.      |                    | 1,214,100.00          |
| <b>Total Expenditures</b> |                    | <b>\$2,570,957.15</b> |

Adopted: April 3, 2024

Adopted this 3<sup>rd</sup> day of April, 2024  
and certified as a true copy of an original

\_\_\_\_\_  
William Senande, Township Clerk