

TOWNSHIP OF WEST MILFORD

THE FOLLOWING COMPRISES THOSE DOCUMENTS
SUBMITTED TO THE TOWNSHIP COUNCIL FOR
CONSIDERATION AND ACTION AT THE MAY 18, 2022
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 2022 - 023 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 500 "ZONING" OF THE REVISED GENERAL ORDINANCES TO UPDATE SECTION 500-191 "DEFINITIONS"

WHEREAS in 2021 the Township of West Milford adopted an ordinance allowing for cannabis business licenses within the township and setting forth distances between any cannabis business and parks, schools and other cannabis businesses; and

WHEREAS the Governing Body wishes to update the ordinance to minimize confusion and better define parks, park areas or municipal grounds as park areas.

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey as follows that the following "Definition" section be amended to add "Park".

SECTION 1. Article XVII Cannabis Cultivation, Manufacturing, Wholesale, Distribution, Retail and Delivery

§ 500 -191, Definitions

As used in this article, the following terms shall have the meanings indicated:

This section is hereby amended to add the following:

PARK

Areas larger than one acre used for active recreation that are owned and managed by a government entity and that have improvements such as athletic fields, playground equipment and/or pavilions.

SECTION 2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other section or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

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.

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

Introduced: April 20, 2022

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 2022 - 026 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 110, CONSTRUCTION CODES, UNIFORM SECTION 110-4 LOT DEVELOPMENT PLAN REVIEW FOR RESIDENTIAL PROPERTIES OF THE REVISED GENERAL ORDINANCES

WHEREAS, the Township Administrator, Department of Building and Planning, Engineering Division and Department of Health have recommended substantial revisions to the current regulations governing site plan review for detached single-family dwellings; and

WHEREAS, the Mayor and Township Council have reviewed said revisions and believe that the changes promote public safety and are in the public interest by ensuring that all lot development plans are designed to today's engineering standards.

NOW 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 110, Construction Codes, Uniform, Section 110-4, Site plan review for detached single-family dwellings, is hereby amended to read as follows:

§ 110-4 Lot Development Plan Review for Residential Properties

The following procedure shall be followed for detached single-family dwellings, accessory structures, garages or other qualified improvements of residential properties as described herein.

§ 110-4.1 General Provisions

- A. Prior to the issuance of a building permit for any single-family dwelling, accessory structure, addition or garage, the applicant for the permit shall submit a Lot Development Plan to the Department of Planning and Building for Township approval.
- B. A Lot Development Plan shall be required for all new residential construction including dwellings, additions, accessory buildings and other impervious surfaces that result in the creation of 500 square feet or more of impervious area, disturbs more than 2,500 square feet of land area (see definition of Minor Development in § 470-73 definitions) or if 50% or more of the existing foundation requires replacement (as determined by the Construction Official).
 - i. A Lot Development Plan shall be required if designated as a Condition of Approval of other municipal permitting.
- C. The Lot Development Plan must be prepared in accordance with New Jersey law, N.J.A.C. 13:40-7.1-7.3. If a survey is referenced a copy must be submitted with the Lot Development Plan and shall be confirmed to be a true copy of an original sealed survey by the Building Department.
- D. Six (6) copies of the Lot Development Plan for new construction and four (4) copies of the Lot Development Plan for additions and/or accessory structures and garages, signed and sealed by the preparer(s), are to be submitted to the West Milford Township Department of Planning and Building along with applicable fees and any prior approvals.
- E. The *Acknowledgement of Environmental Constraints* shall be signed by the property owner and provided in the Lot Development Plan application.

- F. The Acceptable Soil Fill Material Certification Form (as per §460-26) shall be provided in the Lot Development Plan application, if applicable.
- G. For projects that disturb more than 5,000 square feet, approval by the Hudson Essex Passaic Soil Conservation District, by way of plan certification, or Determination of Non-Applicability if less than 5,000 square feet shall be required prior to the issuance of a building permit.
- H. Lot Development Plans shall comply with the items listed in §110-4.2 and be governed by §110-4.3 and any applicable Federal, State, County and Local laws, statutes and ordinances.

§ 110-4.2 Engineering Specific Requirements (Application and/or Lot Development Plan)

- A. Name, address, email and telephone number of the owner and/or applicant.
- B. Tax map block and lot of the property in question.
- C. The zone, the building envelope and perpendicular offsets to any existing and/or proposed structures. A zoning chart shall compare required, existing and proposed conditions.
- D. The property boundary survey along with any existing and/or proposed easements.
- E. Existing topography at 2' contour intervals, using North American Vertical Datum 1988 (NAVD88).
- F. All waterways (swales, brooks, streams, ponds, lakes, etc.), major rock formations and any other notable natural features.
- G. All existing and proposed drainage structures, drywells, pipes, curbs, retaining walls, sidewalks and the edge of pavement/traveled way within the property and within the street right-of-way.
- H. The location of the existing and/or proposed well, septic system, sanitary sewer (with existing and proposed elevations), and public water as well as surrounding wells and septic systems if impacted by the proposed improvements.
- I. The FEMA special flood hazard area (elevation and designation), if impacting the proposed improvements. The Lot Development Plan shall specify the absence of such if none.
- J. N.J.D.E.P. wetlands, wetland transition areas and stream classification (with riparian buffers), if applicable as per N.J.A.C.7:7A and N.J.A.C. 7:13. The Lot Development Plan shall specify the absence of such if none. Provide documentation as needed.
- K. All soil erosion control devices in accordance with the Hudson Essex Passaic Soil Conservation District and the *Standards for Soil Erosion and Sediment Control in New Jersey*. Minimum provisions include but are not limited to filter fabric fences, inlet filters (where applicable), and a stone construction entrance.
- L. All proposed retaining walls (including elevations, top & bottom) must be shown. Wall heights shall not exceed the limits defined in Section 500-68, "*General Provisions and Design Standards*", of the Township Code.
- M. The proposed limit of disturbance line and total area, in square feet, of disturbance.
- N. The existing and proposed area of impervious surface.
- O. The proposed elevations of the following key locations:
 - i. All areas of proposed grade changes (including proposed contours and spot elevations)
 - ii. All building corners
 - iii. Finished floor and roof ridge elevations and/or garage floor elevation
 - iv. Centerline of driveway, at the building and at the edge of pavement/traveled way
- P. Construction details shall be provided for all proposed site improvements.
- Q. No improvements other than access driveways, utility service and the like shall be permitted within the right-of-way.
- R. The sight distance for proposed driveways shall be shown and must meet the required sight distance for the posted speed, as defined in Section 500-76, "*General Provisions and Design Standards*" of the Township Code.
- S. The sight distance for existing driveways shall be addressed, when required, prior to final approval.
- T. The sight distance for intersecting streets (corner lots) shall be shown and must meet the required sight distances as defined in AASHTO (American Association of State Highway and Transportation Officials).
- U. Flood Hazard Area regulations as per N.J.A.C. 7:13 including but not limited to flood hazard areas, riparian zones and associated buffers. Provide documentation as needed.
- V. New Jersey Highlands rules and regulations as per N.J.A.C. 7:38.

- W. Provisions of Township Code Chapter 460 Soil Removal and Soil Fill, as needed.
- X. Provisions of Township Code Chapter 470 Subdivision of Land and Site Plan Review, Article XV Stormwater Management, as needed.
- Y. Provisions of Township Code Chapter 371, Tree Removal, as needed.
- Z. Provisions of Township Code Chapter 470-44, Zoning Permits, as needed.

§ 110-4.3 Engineering Design Standards

- A. The driveway location (if applicable) with the proposed centerline percent of grade and typical section must be shown and meet the following conditions:
 - i. Driveways must maintain a maximum 5% grade for 25' from the edge of pavement / traveled way. Any driveway accessing a County road must meet County standards prior to final approval. A County driveway permit is required before a Lot Development Permit will be issued. Provide documentation as needed.
 - ii. The maximum allowable driveway grade is 16%. For driveways that exceed 10% grade, a 2-car parking area (at less than 10% grade) must be provided, near the street and outside of the right-of-way.
 - iii. A driveway turnaround must be provided for driveways constructed on arterial and collector roads. Driveway turnarounds may be required on local roads, as per the Township. Driveway turnarounds shall be a maximum of 30' wide.
 - iv. Driveways shall be 15' wide maximum except for turnarounds, off-street parking areas and garage areas.
 - v. Driveways shall be paved, or approved equal, a minimum of 50', beginning at the edge of pavement/curb line of the street, including off-street parking (if applicable).
 - vi. Driveway pavement shall be a minimum of 2" thick hot mix asphalt over 4" thick, compacted, dense graded aggregate. Other driveway surfaces may be accepted, upon the approval of the Township.
 - vii. Driveway pavement will not be required for unpaved streets but must be constructed of a minimum 4" thick, compacted, dense graded aggregate.
 - viii. Driveway entrances shall be designed to be as near perpendicular to the street and sloped to pervious areas.
 - ix. Safety protection/guiderail must be provided along driveway side slopes in fill areas when there is a 2' or greater drop within 10' of the edge of the driveway.
 - x. Where driveway curb cuts are needed, a full depth drop curb is required.
- B. Due to the increase in impervious area, drywell(s) will be required for all Lot Development Plans where the impervious surface increases by 500 square feet or more. If information is provided that soil conditions make drywells infeasible, alternative designs for infiltration, rain gardens, etc. may be submitted for review and approval. Roof leaders, subsurface drains and/or concentrated stormwater run-off shall be tied into or directed to the drywell(s). Provisions must be shown for drywell overflow. Drywell(s) shall be sized as per §470-74(B)2. Drainage calculations shall be provided. The minimum separation between any well or septic field and drywell shall be 50'.
- C. New concentrated stormwater discharge points to adjoining properties are not permitted.
- D. All disturbed areas must be stabilized at a maximum 2:1 slope.
- E. Retaining walls greater than 4' in height must be approved by the Construction Official. Structural calculations shall be prepared by a licensed Professional Engineer in the State of New Jersey if required by the Construction Official. Approval by the Construction Official may be required if the distance between two walls is less than twice the combined wall height and the combined wall height greater than 4'.
- F. All soil erosion and sediment control measures shall be designed and installed in accordance with the *Standards for Soil Erosion and Sediment Control in New Jersey* and any applicable prior approvals.

§ 110-4.4 Review of Lot Development Plan

- A. All Lot Development Plans shall be reviewed by the Department of Planning and Building, Zoning Department, Engineering Division and Department of Health.

- i. The Engineering Division shall review all Lot Development Plans as defined to be Minor Development as per §470-43B within 10 working days of receipt from the preceding reviewing agency. The review shall determine if the applicant has completed all requirements and provisions herein mentioned by §110-4.1-4.3. Upon making such determination, the Engineering Division shall forward the findings to the next reviewing agency.
 - ii. The Engineering Division shall be responsible for the following aspects of review:
 - a. All aspects of the design of the driveway.
 - b. Proposed grading of all disturbed areas, excluding the septic field.
 - c. All storm drainage improvements.
 - d. Any road improvements required by a prior approval.
 - iii. Inspections shall be required for improvements to the infrastructure within a Township right-of-way.
 - iv. The Township Engineer shall review all Lot Development Plans as defined to be Major Development as per §470-43C. There shall be no time limit for the review of a Major Development. An escrow account shall be established with the Township for review and inspection costs.
- B. No building permit shall be submitted unless the Construction Official receives approval from all reviewing agencies.

§ 110-4.5 Relocation

- A. If, after excavation of the property shown on the Lot Development Plan, subsurface conditions, by way of rock shelf, high water table or other natural obstacles, shall prevent the location of the improvements, as shown on the Lot Development Plan, and that it is necessary to move the location of the improvements, including vertical changes, or stormwater mitigation provisions to a place other than shown on the Lot Development Plan, then the applicant shall communicate with the Department of Planning and Building, Engineering Division and Department of Health and notify the Township of the intent for relocation. All construction activity, other than that occurring to mitigate and maintain the ongoing impact to the property and adjacent properties, shall cease until submission and approval of a revised Lot Development Plan in accordance with all aforementioned statutes and ordinances. Any conditions of approval as determined by the reviewing agencies as part of the review shall be satisfied.

§ 110-4.6 Issuance of Certificate of Occupancy / As-Built Survey Requirements

- A. Any application for residential construction requiring a Lot Development Plan will require an as-built survey prepared by a New Jersey licensed land surveyor. The application shall comply with the following:
- i. All conditions of approval during the Township review of the Lot Development Plan shall be completed.
 - ii. Four signed and sealed copies of the as-built survey shall be provided in aforesaid application.
 - iii. The as-built survey must show the following (where applicable):
 - a. The location of all buildings with perpendicular offsets to the property lines.
 - b. The first floor, roof ridge and/or garage floor elevations.
 - c. The location of the septic system (field and tanks).
 - d. The location of the sewer lateral and water service line (if applicable).
 - e. The location of the potable well(s).
 - f. The location and the percent of grade for the driveway, parking areas and turnaround.
 - g. All drainage improvements, including inlets, pipes, swales, drywells, etc., with grate elevations.
 - h. Finished contours and/or spot elevations where the grading has deviated from the approved Lot Development Plan and in areas to demonstrate proper grading.
 - i. The post-development sight distance for driveways (where applicable).

- j. The total post-development impervious area. If improvement items remain, a separate note shall be included indicating the additional remaining impervious area.
 - k. For all retaining walls greater than 4' in height, three copies of a certification, signed and sealed by a New Jersey licensed professional engineer must be submitted stating that the wall(s), in its as-built condition, is structurally sound and stable.
 - l. Any conditions determined as part of the Township approval.
- B. All as built surveys shall be reviewed by the Department of Planning and Building, Engineering Division and Department of Health.
 - i. The Engineering Division shall review all applications for certificate of occupancy for Minor Developments as defined per §470-73B within 10 working days of receipt from the preceding reviewing agency. The Engineering Division shall be responsible to review the following:
 - a. All aspects of the final construction of the driveway.
 - b. The final grading and stabilization for all disturbed areas, excluding the septic field.
 - c. All as-built storm drainage improvements.
 - d. Completion of road improvements required by a prior approval.
 - ii. The Township Engineer shall review all applications for certificate of occupancy for Major Developments as defined per §470-73C. There shall be no time limit for the review of a Major Development.
- C. Incomplete as-built survey items or site improvements may be bonded for at the discretion of the Township. Safety items and road improvements will not be eligible for bonding. An IRS (W-9) must be provided with the bond. All bonds and requisite documentation are to be submitted to the Finance Department.
- D. In the event that the Township review shall find that the premises, as completed by the applicant, shall not have been in substantial compliance with the Lot Development Plan submitted showing the aforementioned items to be completed or safety items remain incomplete, such report shall be forwarded to the Department of Planning and Building, and a copy to the applicant, and no certificate of occupancy shall be issued until substantial compliance with the work on the site, in accordance with the approved Lot Development Plan for the building permit, shall have been made.

§ 110-4.7 Waivers and Exceptions

- A. Standards for relief. Waivers from strict compliance with the stormwater Engineering Design Standard of §110-4.3B shall only be granted upon showing that meeting the standards would result in an exceptional hardship on the applicant, that subsurface conditions are not conducive to the required standard, or that the benefits to the public good of the deviation from the standards would outweigh any detriments of the deviation. A hardship will not be considered to exist if reasonable reductions or alterations to the scope of the project would eliminate the noncompliance. All requests for relief shall be submitted on behalf of the applicant by a New Jersey licensed engineer.
- B. Exceptions. A Lot Development Plan shall not be required for a proposed addition, accessory structure or garage if such proposed improvement would result in the creation of impervious area of less than 500 square feet, disturbs less than 2,500 square feet of land area, or if less than 50% of the existing foundation requires replacement (as determined by the Construction Official), if applicable.

SECTION 2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other section or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

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.

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 2022 – 027 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 135, FEES AND COSTS, SECTION 135-32 SITE PLAN REVIEW OF THE REVISED GENERAL ORDINANCES

WHEREAS, the Township Administrator, Department of Building and Planning, Engineering Division and Department of Health have recommended substantial revisions to the current regulations governing site plan review for detached single-family dwellings; and

WHEREAS, the Mayor and Township Council have reviewed said revisions and believe that the changes promote public safety and are in the public interest by ensuring that all lot development plans are designed to today's engineering standards; and

WHEREAS, the Township of West Milford desires to require Major Development escrow accounts to always satisfy such engineering review costs incurred when required.

NOW BE IT ORDAINED, by the Township Council of the Township of West Milford, in the County of Passaic and State of New Jersey, that the Code of the Township of West Milford §135-32 shall be amended as follows:

SECTION 1. Chapter 135, Fees and Costs, Section 135-32, Site plan review, is hereby amended to read as follows:

§ 135-32 Lot Development Plan Review

- A. Lot Development Plan review and inspection fee for new buildings: \$250.
- B. Lot Development Plan review and inspection fee for additions, accessory buildings, garages or other impervious surfaces: \$125.
- C. If the Lot Development Plan review qualifies as a Major Development per §470-73, the applicant shall also pay to the Township of West Milford a review fee escrow deposit beginning at \$1,000 in addition to the base application fees set forth pursuant to §135-32A and §135-32B.
 - i. If, during the processing of the application, the funds remaining in the escrow account are depleted below \$250, the applicant shall deposit additional funds to bring the escrow account to at least \$500 before the application shall continue to be processed by the approving authority and prior to action on the application. By mutual agreement, the applicant and the approving authority may agree to another payment schedule where the size and scope of the application may warrant it. Upon final disposition of the application, unused funds in the escrow deposit account shall be returned to the applicant, pursuant to the procedure set forth in N.J.S.A. 40:55D53.2. If there should become a delinquency in an escrow account that goes unpaid and the applicant fails to deposit the additional funds as required by this section, such failure shall be considered a violation of this chapter, which payment may be enforced by the land use administrator or his/her designee by way of summary action in municipal court.

SECTION 2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other section or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

- 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.
- 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 2022 - 028 ~

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 500-66.F ACCESSORY BUILDINGS TO PERMIT ACCESSORY BUILDINGS IN CERTAIN LOCATIONS

WHEREAS, the Mayor and Township Council determined that regulations regarding permitted locations of accessory structures was unclear in the Zoning Ordinance; and

WHEREAS, the Mayor and Township Council wish to clarify the ordinance provisions for accessory structures; 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 500-66 Accessory buildings is amended to read as follows:

§ 500-66 Accessory buildings.

F. Location. An accessory building may be erected anywhere on a lot within the principal building setbacks and in side or rear yard areas when meeting the accessory structure side or rear yard setbacks as prescribed herein. Except that, if erected on a lot with two or more street frontages, the accessory building shall be set back from any secondary street to comply with the setback line applying to the principal building for side yards. The secondary street shall be any street that the building does not front on or face with a front door and would otherwise be considered a side yard, if not for the street frontage. Also, except that no poultry or livestock shelter shall be erected nearer than 50 feet to any lot lines.

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 2022 – 029 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 135 “FEES & COSTS,” SECTION 135-2 “DEPARTMENT OF COMMUNITY SERVICES AND RECREATION” WITHIN THE CODE OF THE TOWNSHIP OF WEST MILFORD - UPDATED

WHEREAS, Ordinance 2022-008 was adopted April 5, 2002 and the Bubbling Springs Park Guest Membership and Daily Pass (per person/per day) needs the word “prepaid” deleted; and

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

SECTION 1 Chapter 135 “Fees & Costs”, § 135-2 Department of Community Services and Recreation” are amended as follows:

§ 135-2 Department of Community Services and Recreation

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

B. Bubbling Springs Park Guest Membership and Daily Pass (per person/per day) (prepaid):

| | | | |
|----|---|-------------------|-------------------------|
| 1. | Person under 2 years of age: | No charge | |
| 2. | Person from 2 years to 17 years of age | \$5.00 | |
| 3. | A person from 18 to 61 years of age | \$15.00 | \$20.00 Non-Resident |
| 4. | Family pass (for up to 4 guests) (each additional guest regardless of age) | \$25.00 \$5.00 | |
| 5. | Seniors (Ages 62+): | \$3.00 | |

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.

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

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

~ Resolution 2022 – 194 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE TOWNSHIP TO ENTER INTO A TEMPORARY LICENSE AGREEMENT WITH A TOWNSHIP PROPERTY OWNER

WHEREAS, within the Township of West Milford, licensee is the owner of property located at 41 Kinswood Road, West Milford, NJ and designated as Block 2003, Lot 7 on the official Tax Map of the Township of West Milford (the "Property"); and

WHEREAS, in conjunction with the Licensee's request for a Temporary License Agreement as to an existing retaining wall, which was constructed by a prior owner and not within approved plans, as reflected and on file in the Clerk's Office as "Exhibit A"; and

WHEREAS, this retaining wall was constructed within the Township's right of way on Kinswood Road, as reflected in the survey as "Exhibit B" on file in the Clerk's Office; and

WHEREAS, the septic system and the driveway for the Property have also been installed; and

WHEREAS, a home was later built upon the property more than ten (10) years ago, and in consideration of the installed septic system and driveway, it would be an extreme hardship to relocate the retaining wall within the confines of the Property; and

WHEREAS, the Township's Engineering Department has reviewed the survey at "Exhibit B" as well as performed a site visit, and having considered the matter, has no objection to a Temporary License Agreement allowing the retaining wall to remain on the property "as is" on condition that such retaining wall is regularly maintained, does not pose any risk or threat to the public, and is not changed in height or depth; and

WHEREAS, the Licensee shall assume any and all costs and liability for such retaining wall; and.

WHEREAS, while Kinswood Road is a 40 foot-right of way, it terminates at a property owned by the State of New Jersey Department of Environmental Protection, and as also subject to the Highlands Act, Kinswood Road will likely never extend beyond its present terminus; and

WHEREAS, the Governing Body desires to grant Licensee a Temporary License Agreement, so as to permit the retaining wall servicing the Licensee's property to remain in place "as is" and as currently constructed, until such time that public improvement expanding the pavement width of Kinswood Road may become necessary, subject to the terms and conditions set forth in this Temporary License Agreement.

NOW, THEREFORE, IN CONSIDERATION OF the sum of **ONE (\$1.00) DOLLAR**, and the mutual undertakings herein, the Licensor hereby gives, grants and conveys to the Licensee, a Temporary License for the purpose of permitting access and use of the Township's right-of-way as further set forth and described herein and subject to the following conditions:

1. The Licensee shall be responsible for the maintenance of the area in question, as more fully depicted in the survey as "Exhibit B" on file in the Clerk's Office. The granting of this temporary license does not preclude the Licensor's rights from entering the subject portion of the right-of-way for any reason whatsoever, including emergency repairs and/or improvements to the right-of-way.
2. In further consideration of the temporary license, the Licensee agrees to save, hold and keep harmless and indemnify the Licensor from any and all claims and liability for losses

- or damage to property or injury to any persons caused by them or their agents occurring during and relating to this temporary license.
3. The Licensee shall furnish the Licensor with a Certificate of Insurance showing coverage for bodily injury and property damage to the satisfaction of the Township Attorney. The Certificate of Insurance must clearly indicate that the Township of West Milford is an additional insured on all liability policies and shall contain a ninety (90) day notice of cancellation to the Township.
 4. The Licensor and Licensee each, binds himself, his partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in this Agreement. This Agreement shall run with the land and may be enforceable by a subsequent owner of the Licensor or Licensee's property.
 5. This temporary license agreement shall cease and be abandoned by either of the following: (a) the Licensee abandons the Property or (b) the Township declares an overriding need for public health, safety and welfare.
 6. This Temporary License Agreement shall be recorded with the County of Passaic by the Licensor at the sole cost of the Licensee.

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

1. The Mayor is hereby authorized and directed to execute said License Agreement, and to take all actions as necessary thereafter to effectuate its terms.
2. This Resolution, along with the Exhibit A and Exhibit B, shall be available for public inspection in the office of the Township Clerk.
3. This Resolution shall take effect immediately.

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
And certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 195 ~

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

WHEREAS, the Township Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase or purchases in excess of the Pay-to-Play threshold of \$17,500 and that the purchases shall warrant use of State contract, cooperative pricing contract or a minimum of three quotations; and

WHEREAS, the Department of Public Works has a need to purchase drainage materials (castings, precast concrete structures, block and pipe), from Continental Trading & Hardware, Extech Building Materials dba Liberty Building Products, Athenia Mason Supply, General Foundries, Brent Materials, Ferguson Enterprises, Campbell Foundry Company, Campbell Materials, Peerless Concrete Products, Franklin Precast, Stock Yard Supply Co. and Northeast Concrete Products through use of either cooperative pricing contracts or a minimum of three quotes which aggregate expenses would exceed the Pay-to-Play threshold of \$17,500; and

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

WHEREAS, 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 Council of the Township of West Milford, County of Passaic, State of New Jersey that purchases from the above named vendors is hereby authorized and approved provided that the required 3 quotes per request be obtained and total purchases not to exceed the budgeted appropriation established for this purpose for the remainder of 2022 calendar year.

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 196 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF ONE GENERATOR THROUGH STATE CONTRACT T2732 THROUGH WARSHAUER GENERATOR, LLC

WHEREAS, Warshauer Generator, LLC was awarded State Contract # T2732 which provides the goods and services needed; and

WHEREAS, Community Services & Recreation would like to purchase one Stationary Emergency Generator under State Contract # T2732 from Warshauer Generator, LLC in the amount of \$84,511 and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account 04-215-55-831-004 for \$58,000; 01-201-44-900-636 for \$25,000; 04-215-55-827-013 for \$1,511

NOW THEREFORE BE IT RESOLVED by the Mayor and 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 the purchase order issued to Warshauer Generator, 800 Shrewsbury Avenue, Tinton Falls, NJ 07724 for one EPA Stationary Generator for Community Services & Recreation at a cost of \$84,511

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 197 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY DETERMINING BLOCK 4601/LOT 17 WITHIN THE TOWNSHIP OF WEST MILFORD TO BE AN AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT

WHEREAS, the Township Council of West Milford, by Resolution 2021-53, authorized the Township of West Milford Planning Board to undertake a Preliminary Investigation to determine whether the Proposed Redevelopment Area, comprised of Township Tax Map Block 4601, Lot 17, and known as 960 Burnt Meadow Road, qualifies as an area in need of non-condemnation redevelopment pursuant to N.J.S.A. 40A:12A-1, et seq., the Local Redevelopment and Housing Law; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6b, the Planning Board, assisted by the Township Planner, has prepared an Area in Need of Redevelopment Study, including a map showing the boundaries of the Proposed Redevelopment Area and the location of the parcels therein, as well as a statement setting forth the basis for the Preliminary Investigation, on file in the Clerk's Office as "Exhibit A"; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6b, the Planning Board conducted a public hearing on April 28, 2022, beginning at 7 p.m. in the Municipal Building located at 1480 Union Valley Road, at which time the Planning Board heard all persons who are interested in or would be affected by a determination that the delineated area is a Non-Condensation Redevelopment Area; and

WHEREAS, the Township of West Milford Planning Board thereafter adopted Resolution 2022-07, recommending that an area comprising 960 Burnt Meadow Road, Block 4601, Lot 17 be determined by the Township Council to be an area in need of non-condemnation pursuant to N.J.S.A. 40A:12A-6b, on file in the Clerk's Office as "Exhibit B"; and

WHEREAS, the Township Council of West Milford, upon consideration of both the Area in Need of Redevelopment Study as well as the resolution of the Township of West Milford Planning Board, determines Block 4601/Lot 17 to be an Area in Need of Non-Condensation Redevelopment

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

1. That the Mayor and Township Council of the Township hereby determines Block 4601/Lot 17 to be an Area in Need of Non-Condensation Redevelopment.
2. That the Clerk shall forthwith transmit a copy of this resolution to the Commissioner of Community Affairs for review.
3. This Resolution along with Exhibit A and Exhibit B, shall be available for public inspection in the office of the Township Clerk.
4. This Resolution shall take effect immediately.

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 198 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE TAX COLLECTOR TO ISSUE ESTIMATED TAX BILLS FOR THE THIRD QUARTER INSTALLMENT OF 2022 TAXES

WHEREAS, N.J.S.A. 54:4-66.3, pursuant to Section 3 of P.L. 1994 c. 72 and 54:4-4-66.2, the Township Council of the Township of West Milford has determined that the Tax Collector will be unable to complete the mailing and delivery of the tax bills by June 15, 2022 due to the absence of a certified tax rate; and

WHEREAS, The Tax Collector, in consultation with the Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 and they have both signed a certification showing the tax levies for the previous year, and the range of permitted estimated tax levies; and

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Tax Collector requests the Council to approve the estimated tax levy of \$108,308,264 at a tax rate of \$3.963; which is between the mandated estimated range proposed by the Local Government Services. Approval will enable the Township to meet its financial obligations, maintain the tax collection rate, and provide uniformity for tax payments and save the unnecessary cost of interest expenses on borrowing.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, hereby authorizes that:

1. The Tax Collector of the Township of West Milford is hereby authorized and directed to prepare and issue estimated tax bills for the Township of West Milford for the third quarter installment of 2022 taxes.
2. The entire estimated tax levy for 2022 is hereby set at \$108,308,264. The estimated tax rate for 2022 is hereby set at \$3.963.
3. In accordance with the law, the third quarter installment of 2022 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to the Tax Collector and Chief Financial Officer of the Township of West Milford for their records.

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 199 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY IN SUPPORT OF MR. HAPPY FACE'S CANNABIS BUSINESS

WHEREAS, on January 18, 2010, Governor Jon Corzine signed the New Jersey Compassionate Use Medical Marijuana Act, N.J.S.A. 24:61-1 et seq., which provided for the legalization of medical marijuana and creation of a program to allow persons suffering from qualifying debilitating medical conditions to obtain medical marijuana in a safe, timely and compassionate manner; and

WHEREAS, the State of New Jersey in 2018 amended its regulatory scheme so as to expand the scope of citizens to whom medical marijuana may be prescribed and so as to make medical marijuana more accessible and available to many of the citizens who need it; and

WHEREAS, on November 3, 2020, the Marijuana Legalization Amendment was approved by voters in New Jersey, which legalized the possession and use of cannabis for residents twenty-one years of age or older; and

WHEREAS, on February 22, 2021, Governor Phil Murphy signed into law the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, which established the adult use cannabis program in the State of New Jersey; and

WHEREAS, the Township of West Milford endorses the adult use cannabis program in the State of New Jersey, as well as the medical use program, which provides needed relief to the many persons suffering from chronic and/or debilitating illnesses who may benefit from this program; and

WHEREAS, the Township of West Milford supports the safe and appropriate siting of a retail cannabis dispensary within the Township's Lake Commercial Zone, where such facilities are permitted use pursuant to Chapter 500-193, to the extent consistent with applicable state and local statutes, rules, regulations, and ordinances; and

WHEREAS, Mr. Happy Face, LLC has expressed interest in siting such a retail cannabis dispensary at 2019 Greenwood Lake Turnpike, Unit F (Block 3603, Lot 7); and

WHEREAS, the proposed location is within the Township's Lake Commercial Zone; and

WHEREAS, the Township of West Milford has not imposed any limits on the number of retail cannabis dispensary that may operate in the Lake Commercial Zone.

NOW, THEREFORE, BE IT RESOLVED, that the West Milford Township Council supports the safe and appropriate siting of a retail cannabis dispensary within the Township's Lake Commercial Zone by Mr. Happy Face, LLC to the extent consistent with applicable state and local statutes, rules, regulations and ordinances.

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 200 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY IN SUPPORT OF CANABHANG'S CANNABIS BUSINESS

WHEREAS, on January 18, 2010, Governor Jon Corzine signed the New Jersey Compassionate Use Medical Marijuana Act, N.J.S.A. 24:61-1 et seq., which provided for the legalization of medical marijuana and creation of a program to allow persons suffering from qualifying debilitating medical conditions to obtain medical marijuana in a safe, timely and compassionate manner; and

WHEREAS, the State of New Jersey in 2018 amended its regulatory scheme so as to expand the scope of citizens to whom medical marijuana may be prescribed and so as to make medical marijuana more accessible and available to many of the citizens who need it; and

WHEREAS, on November 3, 2020, the Marijuana Legalization Amendment was approved by voters in New Jersey, which legalized the possession and use of cannabis for residents twenty-one years of age or older; and

WHEREAS, on February 22, 2021, Governor Phil Murphy signed into law the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, which established the adult use cannabis program in the State of New Jersey; and

WHEREAS, the Township of West Milford endorses the adult use cannabis program in the State of New Jersey, as well as the medical use program, which provides needed relief to the many persons suffering from chronic and/or debilitating illnesses who may benefit from this program; and

WHEREAS, the Township of West Milford supports the safe and appropriate siting of a retail cannabis dispensary within the Township's Lake Commercial Zone, where such facilities are permitted use pursuant to Chapter 500-193, to the extent consistent with applicable state and local statutes, rules, regulations, and ordinances; and

WHEREAS, Canabhang LLC has expressed interest in siting such a retail cannabis dispensary at 24 Marshall Hill Road (Block 5701, Lot 7); and

WHEREAS, the proposed location is within the Township's Lake Commercial Zone; and

WHEREAS, the Township of West Milford has not imposed any limits on the number of retail cannabis dispensary that may operate in the Community Commercial Zone.

NOW, THEREFORE, BE IT RESOLVED, that the West Milford Township Council supports the safe and appropriate siting of a retail cannabis dispensary within the Township's Community Commercial Zone by Canabhang LLC to the extent consistent with applicable state and local statutes, rules, regulations and ordinances.

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 201 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY IN SUPPORT OF ELEVATED HERB LLC'S CANNABIS BUSINESS

WHEREAS, on January 18, 2010, Governor Jon Corzine signed the New Jersey Compassionate Use Medical Marijuana Act, N.J.S.A. 24:61-1 et seq., which provided for the legalization of medical marijuana and creation of a program to allow persons suffering from qualifying debilitating medical conditions to obtain medical marijuana in a safe, timely and compassionate manner; and

WHEREAS, the State of New Jersey in 2018 amended its regulatory scheme so as to expand the scope of citizens to whom medical marijuana may be prescribed and so as to make medical marijuana more accessible and available to many of the citizens who need it; and

WHEREAS, on November 3, 2020, the Marijuana Legalization Amendment was approved by voters in New Jersey, which legalized the possession and use of cannabis for residents twenty-one years of age or older; and

WHEREAS, on February 22, 2021, Governor Phil Murphy signed into law the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, which established the adult use cannabis program in the State of New Jersey; and

WHEREAS, the Township of West Milford endorses the adult use cannabis program in the State of New Jersey, as well as the medical use program, which provides needed relief to the many persons suffering from chronic and/or debilitating illnesses who may benefit from this program; and

WHEREAS, the Township of West Milford supports the safe and appropriate siting of a retail cannabis dispensary within the Township's Highway Commercial Zone, where such facilities are permitted use pursuant to Chapter 500-193, to the extent consistent with applicable state and local statutes, rules, regulations, and ordinances; and

WHEREAS, Elevated Herb LLC has expressed interest in siting such a retail cannabis dispensary at 1846 Route 23 (Block 13602, Lot 1); and

WHEREAS, the proposed location is within the Township's Highway Commercial Zone; and

WHEREAS, the Township of West Milford has not imposed any limits on the number of retail cannabis dispensary that may operate in the Highway Commercial Zone.

NOW, THEREFORE, BE IT RESOLVED, that the West Milford Township Council supports the safe and appropriate siting of a retail cannabis dispensary within the Township's Highway Commercial Zone by Elevated Herb LLC to the extent consistent with applicable state and local statutes, rules, regulations and ordinances.

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution 2022 – 202 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A GRANT APPLICATION SUBMISSION TO PASSAIC COUNTY CULTURAL & HERITAGE COUNCIL AT PASSAIC COUNTY COMMUNITY COLLEGE BY THE FRIENDS OF WALLISCH HOMESTEAD AND THE ACCEPTANCE OF SAME IN THE AMOUNT OF \$7,100

WHEREAS, the Passaic County Board of Chosen Freeholders (hereafter “Board”) provide grants to municipalities and qualified non-profit corporations for the assistance in acquisition, development, stewardship, and historic preservation from the Passaic County Open Space Farmland and Historic Preservation Trust Fund (hereafter “Trust Fund”); and

WHEREAS, the Friends of Wallisch Homestead desires to further the public interest by obtaining funding in the amount of \$7,100.00 from the PCCHC at PCCC for the Wallisch Homestead Historical Preservation Report; and

WHEREAS, the Board shall determine if the application is complete and in conformance with the scope and intent of the Trust Fund program and the rules and regulations established pursuant to R20170349, and any subsequent resolutions passed by the Board governing the administration of the Trust Fund; 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 Mayor and Township Clerk be and hereby are authorized to make application, provided all required information and documents as required, and correspond as necessary, for a grant to the Passaic County Open Space, Farmland, and Historic Preservation Trust Fund;
2. That the Mayor and Township Clerk are hereby authorized to execute a grant agreement and any amendment thereof with the County of Passaic for the Repairs to Wallisch Homestead;
3. That, if the funds provided by the County are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project or the applicant will decline the grant.
4. That, the applicant agrees to comply with all applicable Federal, State, County, and local laws, rules, and regulations in its performance of the project; and
5. That this Resolution shall take effect immediately.

2022 PCCHC County History Partnership Program (CHPP) Re-grant for a Wallisch Home Historical Preservation Report (Phase 1)

| | |
|----------------------|-------------------|
| TOTAL PROJECT | \$7,100.00 |
|----------------------|-------------------|

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
and certified as a true copy of an original

William Senande, Township Clerk

CERTIFICATION

I, William Senande, Clerk of the Township of West Milford, Passaic County, New Jersey do hereby certify that the foregoing is a true copy of a resolution adopted by the governing body at a meeting held on the 18th day of May, 2022 IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 18th day of May, 2022.

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 203 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING A GRANT APPLICATION SUBMISSION TO PASSAIC COUNTY HISTORIC TRUST PROGRAM BY THE FRIENDS OF WALLISCH HOMESTEAD IN THE AMOUNT OF \$30,500

WHEREAS, the Passaic County Board of Chosen Freeholders (hereafter “Board”) provide grants to municipalities and qualified non-profit corporations for the assistance in acquisition, development, stewardship, and historic preservation from the Passaic County Open Space Farmland and Historic Preservation Trust Fund (hereafter “Trust Fund”); and

WHEREAS, the Friends of Wallisch Homestead desires to further the public interest by obtaining funding in the amount of \$30,500.00 from the PCHT for the Historic Preservation Plan for the Wallisch Homestead; and

WHEREAS, the Board shall determine if the application is complete and in conformance with the scope and intent of the Trust Fund program and the rules and regulations established pursuant to R20170349, and any subsequent resolutions passed by the Board governing the administration of the Trust Fund; 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 Mayor and Township Clerk be and hereby are authorized to make application, provided all required information and documents as required and correspond as necessary, for a grant to the Passaic County Open Space Farmland and Historic Preservation Trust Fund;
2. That the Mayor and Township Clerk are hereby authorized to execute a grant agreement and any amendment thereof with the County of Passaic for the Repairs to Wallisch Homestead;
3. That, if the funds provided by the County are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project or the applicant will decline the grant.
4. That, the applicant agrees to comply with all applicable Federal, State, County, and local laws, rules, and regulations in its performance of the project; and
5. That this Resolution shall take effect immediately.

**2022 Passaic County Historic Trust Program Re-grant for a
Historic Preservation Plan for the Wallisch Homestead (Phase 2)**

| | |
|----------------------|--------------------|
| TOTAL PROJECT | \$30,500.00 |
|----------------------|--------------------|

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
and certified as a true copy of an original

William Senande, Township Clerk

CERTIFICATION

I, William Senande, Clerk of the Township of West Milford, Passaic County, New Jersey do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body at a meeting held on the 18th day of May, 2022 IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 18th day of May, 2022.

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 204 ~

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) **2022-205** – Recreation Refund
- b) **2022-206** – Permit Fee Refund
- c) **2022-207** – Permit Fee Refund
- d) **2022-208** – Refund Overpayment
- e) **2022-209** – Reinstatement of Taxes
- f) **2022-210** – Various 2022 Licenses
- g) **2022-211** – Cancel Grant Balances
- h) **2022-212** – Refund Other Liens

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 205 ~

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:

| SOCCER SQUIRTS | | | |
|--------------------------------|---|----------|--|
| \$35.00 | Chelsea Guy 81 Overlook Road West Milford, NJ 07480 | | |
| PICKLEBALL CLINIC | | | |
| \$50.00 | Diane Russinko 42 Washington Avenue Franklin, NJ 07416 | \$45.00 | Ray Garcia 30 Cherbourg Drive West Milford, NJ 07480 |
| \$45.00 | Denise Wogisch 28 Bellot Road Ringwood, NJ 07456 | | |
| COED VOLLEYBALL | | | |
| \$150.00 | Madison Dockray 27 Jamesburg Road Hewitt, NJ 07421 | | |
| YOUTH VOLLEYBALL CLINIC | | | |
| \$140.00 | Megan Fink 43 Edgecumb Road West Milford, NJ 07480 | | |
| LIFEGUARD CLASS | | | |
| \$295.00 | Karen Gabel 1372 Macopin Road West Milford, NJ 07480 | \$180.00 | Wyatt Koepp 55 Van Orden Road Newfoundland, NJ 07435 |
| SPRING SOCCER | | | |
| \$20.00 | Janneris Geraldo-Bell 256 Macopin Road West Milford, NJ 07480 | \$10.00 | Yelena Barzman 158 Ridge Road West Milford, NJ 07480 |
| \$10.00 | Joanna Citko 29 Delaware Road Hewitt, NJ 07421 | \$10.00 | Tambe Hadjissa 10 Oak Ridge Road Newfoundland, NJ 07435 |
| \$10.00 | Joe Neubig 14 Cherbourg Drive West Milford, NJ 07480 | \$10.00 | Othmane Seddiki 115 Hearthstone Drive West Milford, NJ 07480 |
| \$10.00 | Alyssa Taylor 17 Post Brook Road South West Milford, NJ 07480 | \$10.00 | Bonnie Wawrzyniak 58 Elm Street Hewitt, NJ 07421 |

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution 2022 - 206 ~

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

BE IT RESOLVED, that the event the fee was collected for did not take place therefore the following permit fee be refunded:

| Name | Account No. | Amount to be Refunded |
|---|-------------------|-----------------------|
| Pray New Jersey Inc. PO Box 246 Oak Ridge, NJ 07438 | 01-192-09-611-800 | \$50.00 |

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 - 207 ~

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

BE IT RESOLVED, that the fee was paid twice therefore the following permit fee be refunded:

| Name | Account No. | Amount to be Refunded |
|--|--------------------|------------------------------|
| John Gustafson Contracting Inc. 94 Roosevelt Ave. Montgomery, NY 12549 | 01-192-08-104-330 | \$120.00 |

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 208 ~

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

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

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

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

| Block/Lot | Name | Amount | Year | Reason |
|-----------|--|-------------|------|--------|
| 10204-001 | Leretta, LLC Attn: Central Refunds 901 Corporate Center Drive Pomona, CA 91768 | \$37,451.00 | 2022 | 2 |
| 06704-002 | Leretta, LLC Attn: Central Refunds 901 Corporate Center Drive Pomona, CA 91768 | \$2,273.00 | 2022 | 2 |
| 06201-004 | Wells Fargo Bank Attn: Refunds/Financial Support PO Box 14506 Des Moines, IA 50328-0001 | \$2,327.00 | 2022 | 2 |

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 209 ~

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
 - 2 No Account/Cannot Locate
 - 3 Account Closed
 - 4 Stop Payment

| BLOCK/LOT | NAME | AMOUNT | INT | YEAR | REASON |
|-----------|----------------------|------------|-----|------|--------|
| 14701-030 | Munro Laetitia Healy | \$2,279.00 | | 2022 | 2 |
| 12307-013 | Ho Lochihua | \$6.80 | .28 | 2021 | 1 |
| 09301-008 | Joseph Silvestri | \$1,169.69 | | 2022 | 2 |
| 14801-007 | Margaret Karr | \$1,710.00 | | 2022 | 2 |
| 13201-007 | Anita L Murski | \$2,421.00 | | 2022 | 1 |

Adopted: May 18, 2022

Adopted this 18th day of May, 2022 and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 210 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING THE ISSUANCE OF VARIOUS LICENSES FOR THE LICENSE YEAR 2021

WHEREAS, applications have been made for the new licenses and the renewal of various Licenses for the 2022 license year; and

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

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of West Milford does hereby approve the issuance of the 2022 Licenses as listed below:

| License Nos. | 2022 SOLICITOR LICENSE |
|---------------------|-------------------------------|
| 2022-01 thru 10 | Aptive Environmental LLC |

Adopted: May 18, 2022

Adopted this 18th day of May 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 211 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY FOR THE CANCELLATION OF HIGHLANDS TRIAL CONNECTOR ACQUISITION GRANTS

WHEREAS, there exists grant receivable balances and corresponding unexpended grant appropriation which are no longer valid; and

WHEREAS, it is necessary to formally cancel the receivable balance and its' offsetting appropriation balance;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that the following grant receivables and appropriation balance be cancelled:

| | |
|--|--------------|
| Highlands Trail Connector Acquisition Green Acres | \$215,000.00 |
| Highlands Trail Connector Acquisition Additional Funding | \$ 64,000.00 |
| Highlands Trail Connector Acquisition PC Open Space | \$128,520.00 |

Adopted: May 18, 2022

Adopted this 18th day of May, 2022 and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 212 ~

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

WHEREAS, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective lien.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of West Milford that the proper officers be and are hereby authorized and directed to pay the indicated amount to the holder of the lien certificate as hereinafter shown below:

| Certificate No. | Certificate Date | Block/Lot/Qual | Reimbursement Amount | Pay to Lien Holder |
|-----------------|------------------|----------------|----------------------|--|
| 19-0082 | 10/15/2019 | 10403-005 | \$221,168.43 | GREYMORR LLC BMO 85 P.O. BOX 1414 MINNEAPOLIS, MN 55480 |
| 19-0084 | 10/15/2019 | 10811-002 | \$48,311.67 | TLOA OF NJ LLC 11 TALCOTT NOTCH RD 2 ND FLOOR FARMINGTON, CT 06032 |
| 21-0056 | 10/12/2021 | 15803-008 | \$17,667.05 | LB-HONEY BADGER SBMUNI CUST P.O. BOX 31191 TAMPA, FL 33631 |
| TOTAL | | | \$287,147.15 | |

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution No. 2022 – 213 ~

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 | \$221,104.02 |
| 3 | Reserve Account | 13,934.50 |
| 2 | Grants | 11,414.13 |
| 6 | Refunds | 330,398.15 |
| 1 | General Ledger | 150.00 |
| 26 | Refuse | 256,522.82 |
| 4 | Capital | 18,069.28 |
| 19 | Animal Control | 5,577.62 |
| 19 | Heritage Trust | 0.00 |
| 19 | Open Space Trust | 0.00 |
| 19 | Trust | 6,541.90 |
| 19 | Scala Trust | 0.00 |
| 16 | Development Escrow | 2,190.63 |
| 19 | Tax Sale Trust | 0.00 |
| 21 | Assessment Trust | 0.00 |
| | Special Reserve | 87.00 |
| Total | | \$865,990.05 |
| | Less Refund Resolution | -330,398.15 |
| | Actual Bills List | \$535,591.90 |
| | Other Payments | |
| | Payroll | \$511,801.71 |
| | Board of Education | 4,913,376.00 |
| | Total Expenditures | \$5,960,769.61 |

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
and certified as a true copy of an original

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 214 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ACCEPTING RESIGNATION TENDERED

BE IT RESOLVED, by the Township Council of the Township of West Milford that they do hereby accept the following resignation tendered to the Health Advisory Board:

| <u>Name</u> | <u>Position</u> | <u>Date Tendered</u> |
|---------------|--|----------------------|
| Jaclyn Becker | Health Advisory Board Citizen Member Term expires 12/31/22 | April 29, 2022 |

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 215 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING A CONTRACT FOR THE SALE OF BLOCK 2311 LOT 26, HAMPTON ROAD

WHEREAS, on February 18, 2022, the Township held a land sale of certain property no longer needed by the Township in accordance with Resolution 2022-052; and

WHEREAS, Robert McDowell, Jr. was the successful bidder with respect to the property known as Block 2311 Lot 26 Hampton Road, in the amount of \$3,000; and

WHEREAS, a title search conducted on the property revealed a lien of \$6,369.06 held by the Upper Greenwood Lake Property Owners Association, Inc. (hereinafter "the Association" against the prior owners of said property; and

WHEREAS, while the Township made no representation as to title or other aspects of said land being sold, the Township, the Association and Mr. McDowell have agreed to amicably resolve this lien; and

WHEREAS, said Association has agreed to reduce the lien against the property to the sum of \$3,207.68, and in order to satisfy said lien held by the Association, the Township will amend the sales price of the property to \$1,500 and Mr. McDowell will pay off the outstanding lien.

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

1. The contract for sale between the Township of West Milford and Robert McDowell, Jr. for the property known as Block 2311 Lot 26 Hampton Road is hereby amended to revise the purchase price from \$3,000 to \$1,500.
2. It is understood and agreed that as a condition of the sale of the property, the purchaser, Robert McDowell Jr. is responsible for satisfying the balance of the settlement to Upper Greenwood Lake Property Owners Association, Inc to satisfy the outstanding lien.

This Resolution shall take effect immediately.

Adopted: May 18, 2022

Adopted this 18th day of May, 2022
and certified as a true copy of an original.

William Senande, Township Clerk