

TOWNSHIP OF WEST MILFORD

THE FOLLOWING COMPRISES THOSE DOCUMENTS
SUBMITTED TO THE TOWNSHIP COUNCIL FOR
CONSIDERATION AND ACTION AT THE
SEPTEMBER 16, 2020
REGULARLY SCHEDULED REGULAR GOVERNING BODY
MEETING.

THESE ACTION ITEMS ARE SUBJECT TO CHANGE AND
ARE PROVIDED HERETO AS A COURTESY.

ORDINANCES AND RESOLUTIONS THAT HAVE BEEN
ADOPTED BY THE TOWNSHIP COUNCIL ARE POSTED ON
THE TOWNSHIP WEBSITE UNDER "LOCAL LAW" AS SOON
AS PRACTICABLE AFTER THE MEETING AT WHICH
ACTION WAS TAKEN.

IT IS STRONGLY RECOMMENDED THAT ONE SEEKING A
COPY OF THAT WHICH WAS ADOPTED BY THE
TOWNSHIP COUNCIL OBTAIN THAT COPY UNDER THE
LINK TO "LOCAL LAW".

EACH OF THE FOLLOWING RECORDS IS SUBJECT TO
CHANGE AND/OR AMENDMENT BY THE TOWNSHIP
COUNCIL PRIOR TO ADOPTION.

Township of West Milford

Passaic County, New Jersey

~ Resolution 2020 – 284 ~

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 16th day of September, 2020 that:

1. Prior to the conclusion of this **Regular Meeting**, the Governing Body shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - (X) b. (4) A collective bargaining agreement including negotiations
 - Contract Negotiations - PBA Local 162/SOA Local 162
 - Contract Negotiations – AFSCME 2275
 - () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - () b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
 - () b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege
 - (X) b. (8) Personnel matters
 - () b. (9) Deliberations after a public hearing that may result in penalties.
2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Adopted: September 16, 2020

Adopted this 16th day of September, 2020
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2020 – 015 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING THE TOWNSHIP CODE CHAPTER 226 "NOISE" TO CONFORM TO THE STATE'S MODEL NOISE ORDINANCE

WHEREAS, the Township Code currently contains regulations and restrictions regarding noise throughout the Township; and

WHEREAS, the Township Administration has reviewed the Code and the State's Model Noise Ordinance and has recommended that the Township adopt the Model Noise Ordinance as established by the New Jersey Department of Environmental Protection; and

WHEREAS, the Mayor and Township Council have reviewed the recommended changes and believe that the changes promote public safety and are in the public interest.

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 226 "Noise" as it currently reads is repealed in its entirety.

SECTION 2. Chapter 226 "Noise" is hereby amended to read as follows:

§226-1. Definitions.

The following words and terms, when used in this ordinance, shall have the following meanings, unless the context clearly indicates otherwise. Terms not defined in this ordinance have the same meaning as those defined in N.J.A.C. 7:29.

"Construction" means any site preparation, assembly, erection, repair, alteration or similar action of buildings or structures.

"dBC" means the sound level as measured using the "C" weighting network with a sound level meter meeting the standards set forth in ANSI S1.4-1983 or its successors. The unit of reporting is dB(C). The "C" weighting network is more sensitive to low frequencies than is the "A" weighting network.

"Demolition" means any dismantling, destruction or removal of buildings, structures, or roadways.

"Department" means the New Jersey Department of Environmental Protection.

"Emergency work" means any work or action necessary at the site of an emergency to restore or deliver essential services including, but not limited to, repairing water, gas, electricity, telephone, sewer facilities, or public transportation facilities, removing fallen trees on public rights-of-way, dredging navigational waterways, or abating life-threatening conditions or a state of emergency declared by a governing agency.

"Impulsive sound" means either a single pressure peak or a single burst (multiple pressure peaks) that has a duration of less than one second.

"Minor Violation" means a violation that is not the result of the purposeful, reckless or criminally negligent conduct of the alleged violator; and/or the activity or condition constituting the violation has not been the subject of an enforcement action by any authorized local, county or state enforcement agency against the violator within the immediately preceding 12 months for the same or substantially similar violation.

"Motor vehicle" means any vehicle that is propelled other than by human or animal power on land.

"Muffler" means a properly functioning sound dissipative device or system for abating the sound on engines or equipment where such device is part of the normal configuration of the equipment.

"Multi-dwelling unit building" means any building comprising two or more dwelling units, including, but not limited to, apartments, condominiums, co-ops, multiple family houses, townhouses, and attached residences.

"Multi-use property" means any distinct parcel of land that is used for more than one category of activity. Examples include, but are not limited to:

1. A commercial, residential, industrial or public service property having boilers, incinerators, elevators, automatic garage doors, air conditioners, laundry rooms, utility provisions, or health and recreational facilities, or other similar devices or areas, either in the interior or on the exterior of the building, which may be a source of elevated sound levels at another category on the same distinct parcel of land; or

2. A building, which is both commercial (usually on the ground floor) and residential property, located above, below or otherwise adjacent to.

"Noise Control Officer" (NCO) means an employee of a local, county or regional health agency which is certified pursuant to the County Environmental Health Act (N.J.S.A. 26:3A2-21 *et seq.*) to perform noise enforcement activities or an employee of a municipality with a Department-approved model noise control ordinance. All NCOs must receive noise enforcement training as specified by the Department in N.J.A.C. 7:29 and is currently certified in noise enforcement. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons.

"Noise Control Investigator" (NCI) means an employee of a municipality, county or regional health commission that has a Department-approved model noise control ordinance and the employee has not received noise enforcement training as specified by the Department in N.J.A.C. 7:29. However, they are knowledgeable about their model noise ordinance and enforcement procedures. A Noise Control Investigator may only enforce sections of the ordinance that do not require the use of a sound level meter. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons.

"Plainly audible" means any sound that can be detected by a NCO or an NCI using his or her unaided hearing faculties of normal acuity. As an example, if the sound source under investigation is a portable or vehicular sound amplification or reproduction device, the detection of the rhythmic bass component of the music is sufficient to verify plainly audible sound. The NCO or NCI need not determine the title, specific words, or the artist performing the song.

"Private right-of-way" means any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased, or controlled by a non-governmental entity.

"Public right-of-way" means any street, avenue, boulevard, road, highway, sidewalk, alley or easement that is owned, leased, or controlled by a governmental entity.

"Public space" means any real property or structures thereon that are owned, leased, or controlled by a governmental entity.

"Real property line" means either (a) the vertical boundary that separates one parcel of property (i.e., lot and block) from another residential or commercial property; (b) the vertical and horizontal boundaries of a dwelling unit that is part of a multi-dwelling unit building; or (c) on a multi-use property as defined herein, the vertical or horizontal boundaries between the two portions of the property on which different categories of activity are being performed (e.g., if the multi-use property is a building which is residential upstairs and commercial downstairs, then the real property line would be the interface between the residential area and the commercial area, or if there is an outdoor sound source such as an HVAC unit on the same parcel of property, the boundary line is the exterior wall of the receiving unit). Note- this definition shall not apply to a commercial source and a commercial receptor which are both located on the same parcel of property (e.g., a strip mall).

"Sound production device" means any device whose primary function is the production of sound, including, but not limited to any, musical instrument, loudspeaker, radio, television, digital or analog music player, public address system or sound-amplifying equipment.

"Sound reduction device" means any device, such as a muffler, baffle, shroud, jacket, enclosure, isolator, or dampener provided by the manufacturer with the equipment, or that is otherwise required, that mitigates the sound emissions of the equipment.

"Weekday" means any day that is not a federal holiday, and beginning on Monday at 7:00 a.m. and ending on the following Friday at 6:00 p.m.

"Weekends" means beginning on Friday at 6:00 p.m. and ending on the following Monday at 7:00 a.m.

§226-2. Applicability.

(A) This noise ordinance applies to sound from the following property categories:

1. Industrial facilities;
2. Commercial facilities;
3. Public service facilities;
4. Community service facilities;
5. Residential properties;
6. Multi-use properties;
7. Public and private right-of-ways;
8. Public spaces; and
9. Multi-dwelling unit buildings.

(B) This noise ordinance applies to sound received at the following property categories:

1. Commercial facilities;
2. Public service facilities;
3. Community service facilities (i.e. non-profits and/or religious facilities)
4. Residential properties;
5. Multi-use properties;
6. Multi-dwelling unit buildings.

(C) Sound from stationary emergency signaling devices shall be regulated in accordance with N.J.A.C. 7:29-1.4, except that the testing of the electromechanical functioning of a stationary emergency signaling device shall not meet or exceed 10 seconds.

§226-3. Declaration of findings and Policy.

Whereas excessive sound is a serious hazard to the public health, welfare, safety, and the quality of life; and,

Whereas a substantial body of science and technology exists by which excessive sound may be substantially abated; and,

Whereas the people have a right to, and should be ensured of, an environment free from excessive sound,

Now therefore, it is the policy of the Township of West Milford to prevent excessive sound that may jeopardize the health, welfare, or safety of the citizens or degrade the quality of life.

This Chapter shall apply to the control of sound originating from sources within the Township of West Milford.

§226-4. Noise control officers.

(A) Noise Control Officers shall have the authority within their designated jurisdiction to investigate suspected violations of any section of this ordinance and pursue enforcement activities.

(B) Noise Control Investigators shall have the authority within their designated jurisdiction to investigate suspected violations of any section of this ordinance that do not require the use of a sound level meter (i.e., plainly audible, times of day and/or distance determinations) and pursue enforcement activities.

(C) Noise Control Officers and Investigators may cooperate with NCOs and NCIs of an adjacent municipality in enforcing one another's municipal noise ordinances.

(D) Sound measurements made by a Noise Control Officer shall conform to the procedures set forth at N.J.A.C. 7:29-2, except that interior sound level measurements shall also conform to the procedures set forth in §226-4(E) of this Chapter and to the definition of "real property line" as contained herein.

(E) When conducting indoor sound level measurements across a real property line the measurements shall be taken at least three feet from any wall, floor or ceiling and all exterior doors and windows may, at the discretion of the investigator, be closed. The neighborhood residual sound level shall be measured in accordance with N.J.A.C. 7:29-2.9(b)2. When measuring total sound level, the configuration of the windows and doors shall be the same and all sound sources within the dwelling unit must be shut off (e.g., television, stereo). Measurements shall not be taken in areas which receive only casual use such as hallways, closets and bathrooms.

§226-5. Maximum Permissible Sound Levels

(A) No person shall cause, suffer, allow, or permit the operation of any source of sound on any source property listed in §226-2(A) above in such a manner as to create a sound level that equals or exceeds the sound level limits set forth in Tables I, II or III when measured at or within the real property line of any of the receiving properties listed in Tables I, II or III except as specified in §226-6(B).

(B) Impulsive Sound

Between 7:00 a.m. and 10:00 p.m., impulsive sound shall not equal or exceed 80 decibels. Between 10:00 p.m. and 7:00 a.m., impulsive sound which occurs less than four times in any hour shall not equal or exceed 80 decibels. Impulsive sound which repeats four or more times in any hour shall be measured as continuous sound and shall meet the requirements as shown in Tables I and II.

§226-6. Sound Production Devices

No person shall cause, suffer, allow, or permit the operation of any sound production device in such a manner that the sound crosses a property line and raises the total sound levels above the neighborhood residual sound level by more than the permissible sound level limits set forth in Table IV when measured within the residence of a complainant according to the measurement protocol in §226-6(B) of this ordinance. These sound level measurements shall be conducted with the sound level meter set for "C" weighting, "fast" response.

§226-7. Restricted uses and activities.

The following standards shall apply to the activities or sources of sound set forth below:

(A) Excluding emergency work, power tools, home maintenance tools, landscaping and/or yard maintenance equipment used by a residential property owner or tenant shall not be operated between the hours of 8:00 p.m. and 8:00 a.m., unless such activities can meet the applicable limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in these activities shall be operated with a muffler and/or sound reduction device.

(B) Excluding emergency work, power tools, landscaping and/or yard maintenance equipment used by nonresidential operators (e.g. commercial operators, public employees) shall not be operated on a residential, commercial, industrial or public (e.g. golf course, parks, athletic fields) property between the hours

of 6:00 p.m. and 8:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends or federal holidays, unless such activities can meet the limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in these activities shall be operated with a muffler and/or sound reduction device.

(C) All construction and demolition activity, excluding emergency work, shall not be performed between the hours of 6:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 6:00 p.m. and 9:00 a.m. on weekends and federal holidays, unless such activities can meet the limits set forth in Tables I, II or III. At all other times the limits set forth in Tables I, II or III do not apply. All motorized equipment used in construction and demolition activity shall be operated with a muffler and/or sound reduction device.

(D) Motorized snow removal equipment shall be operated with a muffler and/or a sound reduction device when being used for snow removal. At all other times the limits set forth in Tables I, II or III do not apply.

(E) All interior and exterior burglar alarms of a building or motor vehicle must be activated in such a manner that the burglar alarm terminates its operation within five (5) minutes for continuous airborne sound and fifteen (15) minutes for intermittent sound after it has been activated. At all other times the limits set forth in Tables I, II or III do not apply.

(F) Self-contained, portable, non-vehicular music or sound production devices shall not be operated on a public space or public right-of-way in such a manner as to be plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 8:00 a.m., sound, operated on a public space or public right-of-way, from such equipment shall not be plainly audible at a distance of 25 feet in any direction from the operator;

(G) It shall be unlawful for any property owner or tenant to allow any domesticated or caged animal to create a sound across a real property line which unreasonably disturbs or interferes with the peace, comfort, and repose of any resident, or to refuse or intentionally fail to cease the unreasonable noise when ordered to do so by a Noise Control Officer or Noise Control Investigator. Prima facie evidence of a violation of this section shall include but not be limited to:

1. Vocalizing (howling, yelping, barking, squawking etc.) for five (5) minutes without interruption, defined as an average of four or more vocalizations per minute in that period; or,
2. Vocalizing for twenty (20) minutes intermittently, defined as an average of two vocalizations or more per minute in that period.

It is an affirmative defense under this subsection that the dog or other animal was intentionally provoked to bark or make any other noise.

(H) Violations of each paragraph of this section shall be considered purposeful and therefore non-minor violations.

1. No person shall remove or render inoperative, or cause to be removed or rendered inoperative or less effective than originally equipped, other than for the purposes of maintenance, repair, or replacement, of any device or element of design incorporated in any motor vehicle for the purpose of noise control. No person shall operate a motor vehicle or motorcycle which has been so modified. A vehicle not meeting these requirements shall be deemed in violation of this provision if it is operated stationary or in motion in any public space or public right-of-way.

2. No motorcycle shall be operated stationary or in motion unless it has a muffler that complies with and is labeled in accordance with the Federal Noise Regulations under 40 CFR Part 205.

3. Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that it is plainly audible at distance of 25 feet in any direction from the operator between the hours of 10:00 p.m. and 8:00 a.m.

4. Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that is plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m.

§226-8. Enforcement; violations and penalties.

(A) Violation of any provision of this Chapter shall be cause for a Notice of Violation (NOV) or a Notice of Penalty Assessment (NOPA) document to be issued to the violator by the Noise Control Officer or Noise Control Investigator.

(B) Any person who violates any provision of this Chapter shall be subject to a civil penalty for each offense of not more than the maximum penalty pursuant to N.J.S.A. 40:49-5, which is \$2,000 as of December 2014. If the violation is of a continuing nature, each day during which it occurs shall constitute an additional, separate, and distinct offense.

(C) Upon identification of a violation of this Chapter the Noise Control Officer or Noise Control Investigator shall issue an enforcement document to the violator. The enforcement document shall identify the condition or activity that constitutes the violation and the specific provision of this Chapter that has been violated. It shall also indicate whether the violator has a period of time to correct the violation before a penalty is sought.

(D) If the violation is deemed by the Noise Control Officer or Noise Control Investigator to be a minor violation (as defined in Section 226-1 of this Chapter) a NOV shall be issued to the violator.

1. The document shall indicate that the purpose of the NOV is intended to serve as a notice to warn the responsible party/violator of the violation conditions in order to provide them with an opportunity to voluntarily investigate the matter and voluntarily take corrective action to address the identified violation.

2. The NOV shall identify the time period (up to 90 days), pursuant to the Grace Period Law, N.J.S.A. 13:1D-125 *et seq.* where the responsible party's/violator's voluntary action can prevent a formal enforcement action with penalties issued by the Health Department. It shall be noted that the NOV does not constitute a formal enforcement action, a final agency action or a final legal determination that a violation has occurred. Therefore, the NOV may not be appealed or contested.

(E) If the violation is deemed by the Noise Control Officer or Noise Control Investigator to be a non-minor violation, the violator shall be notified that if the violation is not immediately corrected, a NOPA with a civil penalty of not more than the maximum penalty allowed pursuant to N.J.S.A. 40:49-5, which is \$2,000 as of December 2014, will be issued. If a non-minor violation is immediately corrected, a NOV without a civil penalty shall still be issued to document the violation. If the violation occurs again (within 12 months of the initial violation) a NOPA shall be issued regardless of whether the violation is immediately corrected or not.

(F) The violator may request from the Noise Control Officer or Noise Control Investigator an extension of the compliance deadline in the enforcement action. The Noise Control Officer or Noise Control Investigator shall have the option to approve any reasonable request for an extension (not to exceed 180 days) if the violator can demonstrate that a good faith effort has been made to achieve compliance. If an extension is not granted and the violation continues to exist after the grace period ends, a NOPA shall be issued.

(G) The recipient of a NOPA shall be entitled to a hearing in a municipal court having jurisdiction to contest such action.

(H) The Noise Control Officer or Noise Control Investigator may seek injunctive relief if the responsible party does not remediate the violation within the period of time specified in the NOPA issued.

(I) Any claim for a civil penalty may be compromised and settled based on the following factors:

1. Mitigating or any other extenuating circumstances;
2. The timely implementation by the violator of measures which lead to compliance;
3. The conduct of the violator; and

4. The compliance history of the violator.

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

SECTION 5. 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 6. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

SECTION 7. This Ordinance may be renumbered for codification purposes.

Introduced: August 12, 2020
Adopted:
Effective Date:

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST

William Senande,
Township Clerk

By: _____
Michele Dale, Mayor

**TABLE I
 MAXIMUM PERMISSIBLE A-WEIGHTED SOUND LEVELS
 WHEN MEASURED OUTDOORS**

RECEIVING PROPERTY CATEGORY	Residential property, or residential portion of a multi-use property		Commercial facility, public service facility, non-residential portion of a multi-use property, or community service facility
TIME	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 hours
Maximum A- Weighted sound level standard, dB	65	50	65

**TABLE II
 MAXIMUM PERMISSIBLE A-WEIGHTED SOUND LEVELS
 WHEN MEASURED INDOORS**

RECEIVING PROPERTY CATEGORY	Residential property, or residential portion of a multi-use property		Commercial facility or non-residential portion of a multi-use property
TIME	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 Hours
Maximum A-Weighted sound level standard, dB	55	40	55

Note: Table II shall only apply when the source and the receptor are separated by a real property line and they also share a common or abutting wall, floor or ceiling, or are on the same parcel of property.

**TABLE III
MAXIMUM PERMISSIBLE OCTAVE BAND
SOUND PRESSURE LEVELS IN DECIBELS**

Receiving Property Category	Residential property, or residential portion of a multi-use property		Residential property, or residential portion of a multi-use property		Commercial facility, public service facility, non-residential portion of a multi-use property, or community service facility	Commercial facility or non-residential portion of a multi-use property
	OUTDOORS		INDOORS		OUTDOORS	INDOORS
Octave Band Center Frequency, Hz.	Octave Band Sound Pressure Level, dB		Octave Band Sound Pressure Level, dB		Octave Band Sound Pressure Level, dB	Octave Band Sound Pressure Level, dB
	Time	7 a.m.-10 p.m.	10 p.m.-7 a.m.	7 a.m.-10 p.m.	10 p.m.-7 a.m.	24 hours
31.5	96	86	86	76	96	86
63	82	71	72	61	82	72
125	74	61	64	51	74	64
250	67	53	57	43	67	57
500	63	48	53	38	63	53
1,000	60	45	50	35	60	50
2,000	57	42	47	32	57	47
4,000	55	40	45	30	55	45
8,000	53	38	43	28	53	43

Note: When octave measurements are made, the sound from the source must be constant in level and character. If octave band sound pressure level variations exceed plus or minus 2 dB in the bands containing the principal source frequencies, discontinue the measurement.

TABLE IV

MAXIMUM PERMISSIBLE INCREASE IN TOTAL SOUND LEVELS WITHIN A RESIDENTIAL PROPERTY

Week nights 10:00 p.m. - 7:00 a.m. Weekend nights 11:00 p.m. and 9:00 a.m.	All other times
3 dB(C)	6 dB(C)

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2020 – 016 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 15 "ADMINISTRATION OF GOVERNMENT" OF THE REVISED GENERAL ORDINANCES AMENDED

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 15 "Administration of Government", Article XXIII. Senior Citizens Committee (Advisory) §15-102. Established; members; terms; term shall be amended as follows:

Chapter 15. Administration of Government

Article XXIII. Senior Citizens Committee (Advisory)

§15-102. Established; members; terms.

\There shall be a Senior Citizens Committee (Advisory), consisting of 10 members, one of whom shall be a member of the Township Council, and nine of whom shall be citizens who have attained the age of 60 years. The one representative of the Township Council shall be appointed by and shall serve at the pleasure of the Township Council. The term of each senior citizen member shall be two years, commencing on January 1, after the term of the initially appointed member. An initially appointed member shall be appointed for a term of either one year or two years, the length of the term to be determined by the Council so that the terms of 1/2 of the members expire each year. The members shall serve until their respective successors are appointed and qualified. Members shall serve without compensation.

All other sections of this Chapter shall remain unchanged.

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: August 12, 2020

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 2020 – 285 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A LEASE / PURCHASE AGREEMENT TO ATLANTIC TOMORROWS OFFICE TECHNOLOGY

WHEREAS, the Township of West Milford Community Service & Recreation needs to replace the existing copy machine; and

WHEREAS, the Township of West Milford will take ownership of said equipment after the expiration of the sixty (60) month lease period for no additional cost; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this Lease / Purchase agreement, said funds are to be encumbered from account number 01-201-28-372-431.

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

1. The Mayor and Township Council hereby authorizes the Director of Community Services & Recreation to execute a Lease/Purchase Agreement not to exceed \$3,055.00 at a rate of \$62.00 per month for sixty months in an amount not to exceed \$744.00 annually with Atlantic Tomorrows Office Technolgy, 400 Broadacres Drive, Bloomfield, NJ 07003
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: September 16, 2020

Adopted this 16th day of September, 2020
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2020 – 286 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF #2 ULTRA LOW SULFUR DIESEL FUEL THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL (MCCPC) CONTRACT #12 THROUGH GRIFFITH-ALLIED TRUCKING, LLC

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Pricing Council (MCCPC District #2); and

WHEREAS, the Morris County Cooperative Pricing Council has awarded Contract #12, #2 Ultra Low Sulfur Diesel Fuel , for 2020 to Griffith-Allied Trucking, LLC dba Allied Oil and 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 anticipates the need for #2 Ultra Low Sulfur Diesel Fuel for the period from October 1, 2020 through December 31, 2020; and

WHEREAS, the Director of Public Works has submitted a written recommendation that the Township of West Milford purchase #2 Ultra Low Sulfur Diesel Fuel through the MCCPC Contract #12 through Griffith-Allied Trucking, LLC in an amount not to exceed \$35,000.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these purchases, said funds to be encumbered from account number 01-201-31-460-316.

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 Department of Public Works to expend funds for the purchase of #2 Ultra Low Sulfur Diesel Fuel, for the period from October 1, 2020 through December 31, 2020 in a total not to exceed amount of \$35,000.00 to Griffith-Allied Trucking, LLC through MCCPC Contract #12.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This Resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: September 16, 2020

Adopted this 16th day of September, 2020
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2020 – 287 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONTRACT TO ATLANTIC SALT, INC. FOR ROCK SALT

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on August 28, 2020 for the purchase of rock salt as per bid specifications; and

WHEREAS, in response to the "Notice to Bidders" the Township received four (4) bids; and

WHEREAS, said bids have been duly reviewed and analyzed by the Township Attorney and the Director of Public Works; and

WHEREAS, the bid received from the lowest bidder Atlantic Salt Inc. in the amount of \$631,250.00 does comply with and meet all minimum bid requirements as outlined in the bid specifications and thus Atlantic Salt Inc., is deemed to be the lowest responsible bidder in accordance with N.J.S.A. 40A:11-2(27); and

WHEREAS, the Director of Public Works has submitted a written recommendation for the award of this contract to Atlantic Salt, Inc., 134 Middle Street, Suite 210, Lowell, MA 01852; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account numbers:(2020) 01-201-26-294-363 (\$275,000.00) and (2021) 01-201-26-294-363 (\$356,250.00); 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, the following:

1. The Township Council hereby awards a contract to Atlantic Salt, Inc. for rock salt in an amount not to exceed \$631,250.00.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Atlantic Salt, Inc., 134 Middle Street, Suite 210, Lowell, MA 01852 in accordance with its bid for rock salt.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

Adopted: September 16, 2020

Adopted this 16th day of September, 2020
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution 2020 – 288 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING EXPENDITURE OF FUNDS FOR THE PURCHASE OF PLEXIGLASS BARRIERS IN ACCORDANCE WITH THE STATES (DCA) EMERGENCY PURCHASING PROCEDURES RESULTING FROM THE GOVERNOR'S DECLARATION OF A STATE OF EMERGENCY VIA EXECUTIVE ORDER IN RESPONSE TO THE CORONAVIRUS OUTBREAK

WHEREAS, the Township Council of the Township of West Milford adopted ordinance 2013-020 to create the position of Qualified Purchasing Agent in the municipality and subsequently adopted resolution 2013-330 appointing a Qualified Purchasing Agent (QPA) and increasing the bid threshold from \$17,500.00 to \$40,000.00; and

WHEREAS, as a condition to the increase in the bid threshold, the Township Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase in excess of the former bid threshold of \$17,500.00 and that the purchase shall conform to all State purchasing laws and guidelines; and

WHEREAS, the Emergency Management Coordinator is requesting the purchase of the plexiglass barriers from American Mobile Glass to protect the health and safety of Township employees and the public and allow for the continuation of Municipal operations. This is in direct response to the Governor's declaration of a state of emergency in response to the corona virus outbreak. This expense would exceed the aggregate quote threshold of \$17,500.00; and

WHEREAS, the above purchase is being made in compliance with the directive of the Department of Community Affairs (DCA) for emergency procurement of goods or services where an emergency affecting the public health or safety requires such emergency purchases; and

WHEREAS, the Township Council has received a recommendation from the Emergency Management Coordinator indicating the need to purchase these plexiglass barriers which expenses would exceed the aggregate quote threshold of \$17,500.00; and

WHEREAS, this purchase shall be made pursuant to N.J.S.A. 40A:11-6 (local public contracts law) and N.J.S.A 19:44A-20.12 emergency exemption to Pay-to-Play regulations in response to the coronavirus outbreak. 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 in an amount not to exceed \$40,000.00 for the remainder of the 2020 calendar year and within the budget appropriation established for this purpose.

Adopted: September 16, 2020

Adopted this 16th day of September, 2020
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2020 – 289 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING AN AMENDMENT TO THE APPLICATION FOR GARAGE SALES

WHEREAS, pursuant to Chapter 174 of the Township Code, the Township of West Milford requires an application be submitted for any resident wishing to conduct a garage sale within the Township; and

WHEREAS, the Township cable television stations, WM77, has requested that individuals conducting garage sales be permitted to request such sale to be advertised on MW77 for a nominal fee; and

WHEREAS, the Township Administrator and the Township Council agree that advertising on WM77 would be beneficial to the individual conducting the garage sale and to the public.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, in the County of Passaic, State of New Jersey, the Township of West Milford, that an option to advertise on WM77 for a fee of \$5.00 shall be added to the application for a garage sale license pursuant to chapter 174 of the Township Code.

This Resolution shall take effect immediately.

Adopted: September 16, 2020

Adopted this 15th day of September 2020
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2020 – 290 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE INTENT TO PURCHASE FROM DELUXE INTERNATIONAL AS A VENDOR THROUGH BERGEN COUNTY COOPERATIVE PRICING SYSTEMS PURSUANT TO N.J.S.A. 40A:11-11 (6) 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 of West Milford pursuant to N.J.S.A. 40A:11-11 (6) 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 Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase in excess of the former bid threshold of \$17,500.00 and that the purchase shall warrant use of State contract, cooperative pricing contract or a minimum of three quotations; and

WHEREAS, the Township of West Milford has a need on a timely basis to purchase goods and services from Deluxe International Truck under the Bergen County Co-op pricing system contract for 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.

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: September 16, 2020

Adopted this 16th day of September 2020
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2020 – 291 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY APPROVING SUBMISSION OF THE CORRECTIVE ACTION PLAN FOR THE YEAR ENDED DECEMBER 31, 2019 TO THE STATE OF NEW JERSEY, DIVISION OF LOCAL GOVERNMENT SERVICES

WHEREAS, all municipalities operating under the Local Fiscal Affairs Law must prepare and submit a Corrective Action Plan as part of their annual audit process, and

WHEREAS, the Township of West Milford has by Resolution accepted the 2019 audit as prepared and presented by the Township Auditors, and

WHEREAS, Ellen Mageean, the Chief Financial Officer for the Township of West Milford has prepared a Corrective Action Plan to address the findings and recommendations for the 2019 audit and presented copies of same to the Mayor, Council, and Administrator,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, in the County of Passaic, that the Corrective Action Plan, attached hereto and made a part hereof, be approved for submission to the Division of Local Government Services.

Adopted: September 16, 2020

Adopted this 16th day of August, 2020
and certified as a true copy of an original.

William Senande, Township Clerk

**Township of West Milford
Corrective Action Plan
For Audit as of December 31, 2019**

Findings #1

Description: *That all vendors required to receive Form 1099 receive them.*
Analysis: *One vendor that should have received a Form 1099 did not receive one.*
Corrective Action: *All vendors that should receive a Form 1099 will receive them.*
Implementation Date: *June 2020*

Findings #2

Description: *That all employees required to be enrolled in the DCRP be enrolled.*
Analysis: *Several employees that were required to be enrolled in DCRP were not enrolled.*
Corrective Action: *A process has been put in place to ensure that all eligible employees are identified and enrolled in DCRP.*
Implementation Date: *August 2020*

Findings #3

Description: *That all escrow deposits over \$5,000.00 be maintained in a separate interest bearing account.*
Analysis: *Escrow accounts over \$5,000.00 were not maintained in a separate interest bearing account.*
Corrective Action: *Accounts will be set up for escrow accounts over \$5,000.00.*
Implementation Date: *September 2020*

Findings #4

Description: *That old escrow deposits be reviewed and the proper action taken*
Analysis: *The Township has several escrow deposits over 5 years old.*
Corrective Action: *The finance department will work with the Planning Board and Zoning Board Secretaries to dispose of the older escrow balances.*
Implementation Date: *August 2020*

Findings #5

Description: *That a Fixed Asset Inventory report be available for audit and be updated for additions and deletions.*
Analysis: *Fixed Asset report was not available for audit.*
Corrective Action: *Fixed Assets report will be updated and available for audit.*
Implementation Date: *September 2020*

Ellen Mageean, Chief Financial Officer

Township of West Milford

Passaic County, New Jersey

~ Resolution 2020 – 292 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUES AND APPROPRIATION

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of any item of appropriation for an equal amount; and

WHEREAS, the Township of West Milford wishes to amend its 2020 Budget to include an amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing body of the Township of West Milford hereby requests the Director of the Division of Local Government Services to approve the insertion of an item in the budget of the year 2020 which is now available as a revenue from:

Special Items of General Revenue Anticipated with Prior Written consent of the Director of Local Government Services: Public and Private Revenues Off-Set with Appropriations: NJACCHO COVID 2020;	\$22,097.00
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BE IT FURTHER RESOLVED that a like sum be and the same is hereby appropriated under the caption of:

General Appropriations (A) Operations – Excluded from CAPS Public and Private Programs Offset by Revenue NJACCHO COVID 2020	\$22,097.00
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BE IT FURTHER RESOLVED, that the Township Finance Department will electronically file with the State of NJ in accordance with LFN 2014-11.

Adopted: September 16, 2020

Adopted this 16th day of September, 2020
and certified as a true copy of an original

Approved _____, 2020
Director, Division of Local Government Services
Trenton, New Jersey

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2020 – 293 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES (ACTIVE) AND DISTRIBUTION LICENSE FOR THE 2020- 2021 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption Licenses for the 2020-2021 License year have been processed on the ABC POSSE website and reviewed; and

WHEREAS, the Township Council has conducted a public review of the applications as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control; and

WHEREAS, as a result of that review the Township Council has determined as follows:

1. The submitted applications are complete in all respects.
2. The applicants are qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicants have disclosed to the issuing authority the source of all additional financing obtained in the previous license year.

WHEREAS, the Police Department has recommended that the licenses be renewed to the current owners.

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk is directed to issue and deliver the license certificate for the Mayor and Township Council of the Township of West Milford.

2020-2021 ACTIVE LICENSES	
LICENSEE	LICENSEE
2 MOMENTO 2, INC. t/a Momento Restaurant 374 Morsetown Road, West Milford, NJ 07480 1615-33-012-005	STAMMY LLP t/a Country Cottage Restaurant & Bar 1745 Macopin Road, West Milford, NJ 07480 1615-33-015-010
	JOSEF LANG HOLDINGS LLC t/a The Lake Shore Inn Bar 399 Lake Shore Drive, Hewitt, NJ 07421 1615-33-035-008

2020-2021 PLENARY RETAIL DISTRIBUTION LICENSES
HIGHLAND WINE & LIQUOR LLC t/a Highland Wine & Liquor 1926 Union Valley Road Unit K Hewitt, NJ 07421 1615-44-038-001

Adopted: September 16, 2020

Adopted this 16th day of September, 2020
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2020 – 294 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSES WITH CONDITIONS FOR THE 2020-2021 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption Licenses for the 2020-2021 License year have been processed on the ABC POSSE website and reviewed; and

WHEREAS, the Township Council has conducted a public review of the applications as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control; and

WHEREAS, as a result of that review the Township Council has determined as follows:

1. The submitted applications are complete in all respects.
2. The applicants are qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicants have disclosed to the issuing authority the source of all additional financing obtained in the previous license year.

WHEREAS, the Police Department has recommended that the licenses be renewed to the current owners as active licenses with conditions.

NOW, THEREFORE, BE IT RESOLVED that the Acting Township Clerk is directed to issue the license certificates for the Mayor and Township Council of the Township of West Milford.

LICENSEE	CONDITIONS
<p>GRASSHOPPER IRISH PUB & RESTAURANT LLC t/a Grasshopper Irish Pub & Restaurant 2891 Route 23, Newfoundland, NJ 07435 1615-33-005-005</p>	<ol style="list-style-type: none"> 1. Persons are not to leave the property of the licensed premise or the extended premise with alcoholic beverages. 2. A written notice to advise patrons not to leave the extended premise with alcoholic beverages must be posted and the exit gate shall be alarmed. 3. Outdoor deck approved as a smoking area for existing customers not as an additional dining area. 4. A maximum occupancy for the outside deck area with tables and chairs is 42 patrons by NJAC 5:70-3.2(a)5, F-601.6 and the Township Building Construction Officials. 5. If noise becomes an issue additional restriction will be applied.
<p>J&S INVESTMENTS LLC t/a J&S Road House 17 Wooley Road, West Milford, NJ 07480 1615-33-008-005</p>	<ol style="list-style-type: none"> 1. "No Alcohol Beyond This Point" signs at ALL gates. 2. Gates to remain CLOSED with no entry from outside the venue unless there is an employee at each open gate checking ID's. 3. Persons are not to leave the property of the license premises or the extended premises with alcoholic beverages. 4. The outdoor bar under the pavilion is approved as a service bar with no drink preparation.

LICENSEE	CONDITIONS
SUNWOO TRADE LLC t/a Tuscany Brewhouse 3055 Route 23 N/S, Oak Ridge, NJ 07438 1615-33-016-007	1. Second floor occupancy load must be strictly adhered to.
4ZIP SQUARE CORP. t/a Blini Restaurant & Pizzeria 216 Cahill Cross Road, West Milford NJ 07480 1615-33-023-005	1. No food, drinks or alcoholic beverages served on porch area or patio area prior to resolution of Township Zoning and Site Plan requirements. 2. ADA parking to be in compliance with State requirements.
PIONEER BAR & GRILL, INC. t/a Pioneer Bar & Grill 350 Warwick Turnpike, Hewitt, NJ 07421 1615-33-028-007	1. Occupancy loads must be adhered to. 2. Exits are not to be blocked.

Adopted: September 16, 2020

Adopted this 16th day of September, 2020
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2020 – 295 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF POCKET (INACTIVE) PLENARY RETAIL CONSUMPTION LICENSES FOR THE 2020- 2021 LICENSE YEAR

WHEREAS, applications for renewal of Plenary Retail Consumption License for the 2020- 2021 License year have been processed on the ABC POSSE website and reviewed; and

WHEREAS, these licenses have received a Tax Clearance Certificate and Special Ruling for the 2020-2021 year; and

WHEREAS, the Township Council has conducted a public review of the application as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control; and

WHEREAS, as a result of that review the Township Council has determined as follows:

- 1. The submitted application is complete in all respects.
- 2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.

WHEREAS, the Police Department has recommended that the license be renewed to the current owners as a pocket (inactive) license with conditions.

- 1. Inactive/Pocket Licenses must submit a 12-page Place-to-Place Transfer application with detailed sketch of proposed site and a Police Investigation Request to the Township Clerk’s Office and receive satisfactory recommendations from the Health, Fire, Building, Zoning and Police Departments prior to siting this license.
- 2. Prior to activating the license, inspections of premises must be made and satisfactory recommendations must be received by the Fire, Health, Building, Zoning and Police Departments.
- 3. Licensee must submit applicable pages 1, 2, and 11 of the 12-page application to the Township Clerk’s Office with date of activation prior to activation or opening this license.
- 4. A Health Department Retail Food Establishment license must be acquired with detailed floor plans and satisfactory recommendation received in the Clerk’s Office prior to opening.

NOW, THEREFORE, BE IT RESOLVED that the Township Clerk is directed to issue and hold the license certificate for the Mayor and Township Council of the Township of West Milford.

LICENSEE	CONDITIONS
BREDA LLC 7 Manchester Way, Pine Brook, NJ 07058 1615-33-027-012	Conditions stated above in resolution

Adopted: September 16, 2020

Adopted this 16th day of September, 2020 and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2020 – 296 ~

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:

Rec Soccer			
\$150.00	Sharyn Matthews 1680 Macopin Road West Milford, NJ 07480	\$80.00	Elizabeth Reeves 615 Morsetown Road West Milford, NJ 07480

Adopted: September 16, 2020

Adopted this 16th day of September, 2020
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2020 – 297 ~

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
14-0031	10/14/2014	03907-001.01	\$2,419.59	FREDERIK LABAAR & CARLA A. LABAAR 6930 LIME AVE. LONG BEACH, CA 90805
17-0046	10/10/2017	09801-028.02	\$23,183.27	FNA DZ; LLC 120 N LASALLE ST; SUITE 1 CHICAGO, IL 60602
17-0047	10/10/2017	09801-028.04	\$22,706.35	FNA DZ; LLC 120 N LASALLE ST; SUITE 1 CHICAGO, IL 60602
17-0048	10/10/2017	09801-028.05	\$22,706.35	FNA DZ; LLC 120 N LASALLE ST; SUITE 1 CHICAGO, IL 60602
17-0049	10/10/2017	09801-028.07	\$22,727.75	FNA DZ; LLC 120 N LASALLE ST; SUITE 1 CHICAGO, IL 60602
18-0026	10/09/2018	03907-001.02	\$102,564.92	SUNSHINE STATE CERTIFICATES VII; LL 7900 MIAMI LAKES DRIVE WE MIAMI LAKES, FL 33016
19-0036	10/15/2019	05504-004.04	\$29,670.43	FNA DZ; LLC 120 N LASALLE ST; SUITE 1 CHICAGO, IL 60602
TOTAL			\$225,978.66	

Adopted: September 16, 2020

Adopted this 16th day of September, 2020
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2020 – 298 ~

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: | <ol style="list-style-type: none"> 1. Incorrect Payment 2. Duplicate Payment 3. Senior Citizen 4. Veteran Deduction 5. Homestead Rebate | <ol style="list-style-type: none"> 6. Tax Appeal County Board 7. Tax Appeal State Tax Court 8. 100% Disabled Veteran 9. Replacement Check |
|----------------|--|---|

Block/Lot	Name	Amount	Year	Reason
02016-005	Ciro Masucci 194 Plauderville Ave Garfield, NJ 07026	\$1,180.79	2020	1
02016-003	P. Harrier 194 Pauderville Ave Garfield, NJ 07026	\$1,069.38	2020	1
01816-011	Gregory Young 28 Mountainside Ave Stockholm, NJ 07460	\$1,988.00	2020	1
09201-001	Kugler, S & Etals 12 Meadows Lane Closter, NJ 07624	\$323.13	2020	1
09201-005	Kugler, S & Etals 12 Meadows Lane Closter, NJ 07624	\$380.62	2020	1
09201-002	Kugler, S & Etals 12 Meadows Lane Closter, NJ 07624	\$481.64	2020	1
01701-067	Oudumok LLC 5140 Northern Blvd Glen Head, NY 11545	\$2,587.26	2020	1
03203-001	Link , William m & John P, Paul 263 Lakeside Road Hewitt, NJ 07421	\$263.81	2020	1
09301-013	Mark R. Pych 63 Starlight Rd West Milford, NJ 07480	\$8,360.00	2020	8
13402-008	Shah Zil & Kimberly 569 Macopin Road West Milford, NJ 07480	\$6,962.00	2020	8
03101-001	Card, Scott & Bishop, Brenda 423 Lakeside Road Hewitt, NJ 07421	\$7,546.00	2020	8

Block/Lot	Name	Amount	Year	Reason
08701-026	Michael Wunderlick 1674 Macopin Road West Milford, NJ 07480	\$10,482.00	2020	8
10702-023	Cody Dunn 170 Schofield Road West Milford, NJ 07480	\$8,370.00	2020	8
13808-013	Sibley, Frank Weslie & Jenny El 10 Oakwood Ave West Milford, NJ 07480	\$4,809.68	2020	8
05302-003	Noah Reeves 615 Morsetown Rd West Milford, NJ 07480	\$6,773.80	2020	8
05504-002.01	Richard R Girardin 1201 Richmond Road West Milford, NJ 07480	\$1,305.47 \$3,516.00	2019 2020	8 8
13102-012	James D. Winfrey 366 High Crest Drive West Milford, NJ 07480	\$1,189.96 \$7,344.00	2019 2020	8 8
03007-007	Juan Martinez 9 Kushaqua Trail Hewitt, NJ 07420	\$250.00	2019	4
03012-005	Green Hill Title 39-B Kennedy Road P.O Box 487 Tranquility, NJ 07879	\$2,433.00	2020	2
07801-022.08	Carnegie Title 55 Harristown Road Suite 302 Glen Rock, NJ 07452	\$2,228.00	2020	2
00804-002	United Northern Mortgage Bankers Limited 630 Boulevard, Suite 201 Elmwood Park, NJ 07407	\$2,178.00	2020	2
02704-012	Belmont Title and Settlement LLC 886 Belmont Ave Suite D North Haledon, NJ 07408	\$1,935.00	2020	2
03903-004	Francis J. Battersby Attorneys At Law 4 Ramapo Valley Road P.O. Box 370 Oakland, NJ 07436	\$2,480.00	2020	2
05316-003.24	WFG Lenders Service 2625Townsgate Road Suite 101 Westlake Village, CA 91361	\$1,190.00	2020	2
06302-002	Omnia Title Corp 205 N. Armenia Ave Suite 101 Tampa, Florida 33609	\$2,270.00	2020	2
08802-022	Mortgage Connect 260 airside Drive Moon Township, PA 15108	\$2,806.00	2020	2
17004-002.05	Hudson United Title Service 95 South Middletown Road Nanuet, NY 10954	\$1,750.00	2020	2

Block/Lot	Name	Amount	Year	Reason
00705-003	Title Mark LLC 178 Dayton Street Ridgewood, NJ 07450	\$2,926.00	2020	2
07801-001.05	Cardinal Title Agency Inc. 19 Stonewall Court Ringwood, NJ 07456	\$1,674.00	2020	2
07801-010.05	Foundation Title LLC-Hackensack 401 Hackensack Avenue Suite 903 Hackensack, NJ 07601	\$1,593.00	2020	2
08401-015	Monument Title Agency LLC 101 Eisenhower Parkway Suite 300 Roseland, NJ 07068	\$2,443.00	2020	2
11104-005	Twp of WM Fire Bureau 1480 Union Valley Rd West Milford, NJ 07480	\$50.00	2020	1
09201-003	Kugler S & Etals 12 Meadows Lane Closter, NJ 07624	\$264.30	2020	1
TOTAL		\$103,403.84		

Adopted: September 16, 2020

Adopted this 16th day of September, 2020
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2020 – 299 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REINSTATEMENT OF TAXES

WHEREAS, there appears on the tax records receipt of payment of taxes; and

WHEREAS, the Collector of Taxes recommends the reinstatement of taxes due to reasons stated below.

NOW, THEREFORE BE IT RESOLVED, that the proper officers be and they are hereby authorized and directed to reinstate as listed below:

REASON: 1. **INSUFFICIENT FUNDS**

BLOCK/LOT	NAME	AMOUNT	YEAR
05205-007	Village On Ridge	\$402.00	2020
9302-006.01	Suchocki P & Giraldo K	\$2,291.00	2020
04301-024	Allen & Gay Weissmeir	\$3,449.00	2020
06713-006	Dorothy & William Novak	\$2,044.00	2020
01804-007	Christine Vorce	\$1,688.00	2020
9801-028.03	Christian Gartner	\$4,499.00	2020
11302-037	John Kasper	\$2,960.00	2020
11302-003	John Kasper	\$1,605.00	2020
01101-010	William Sidlovsky	\$757.00	2020
04401-012	Elizabeth & Carlo Lupano	\$4,829.00	2020
9703-005.02	Umansky, Kirill & Svetlana	\$3,227.81	2020
10808-042	William & Ruth Snyder	\$3,354.00	2020
10803-013	Constantaine Kazantziz	\$3,586.35	2020
13804-001	Deana Marie Mueller	\$1,000.00	2020
07207-001	Kevin Macnamara	\$8,716.66	2019/2020
16302-017	Glenn Craft	\$1,100.00	2020
TOTAL		\$45,508.82	

Adopted: September 16, 2020

Adopted this 16th day of September, 2020
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution 2020 – 300 ~

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

WHEREAS, there appears on the tax records balances as listed below; and

WHEREAS, the Collector of Taxes recommends the cancellation of taxes due to reasons listed below.

NOW, THEREFORE, BE IT RESOLVED that the proper officers be and are hereby authorized and directed to cancel as hereafter listed below:

- REASONS:**
1. 100% Disabled Veteran
 2. Township Owned Property

Block/Lot	Name	Amount	Year	Reason
13402-008	Shah Zil & Kimberly 569 Macopin Road West Milford, NJ 07480	\$9,350.23	2020	1
		\$4,676.00	2021	1
09301-013	Mark R Pych 63 Starlight Road West Milford, NJ 07480	\$11,229.83	2020	1
		\$5,614.00	2021	1
03101-001	Scott Card & Brenda Bishop 423 Lakeside Road Hewitt, NJ 07421	\$10,136.15	2020	1
		\$5,068.00	2021	1
08701-026	Michael Wunderlick 1674 Macopin Road West Milford, NJ 07480	\$14,075.41	2020	1
		\$7,038.00	2021	1
10702-023	Cody Dunn 170 Schofield Road West Milford, NJ 07480	\$11,241.07	2020	1
		\$5,620.00	2021	1
12501-006	John Talocco 65 Otterhole Road West Milford, NJ 07480	\$11,972.76	2020	1
		\$5,986.00	2021	1
13808-013	Sibley, Frank Weslie & Jenny El 10 Oakwood Ave West Milford, NJ 07480	\$6,724.58	2020	1
		\$3,748.00	2021	1
05302-003	Noah Reeves 615 Morsetown Road West Milford, NJ 07480	\$10,557.45	2020	1
		\$7,410.00	2021	1
05504-002.01	Richard R. Girardin 1201 Richmond Road West Milford, NJ 07480	\$1,305.47	2019	1
		\$4,890.77	2020	1
		\$2,446.00	2021	1
13102-012	James D Winfrey 366 High Crest Drive West Milford, NJ 07480	\$1,189.96	2019	1
		\$9,862.41	2020	1
		\$4,932.00	2021	1

Block/Lot	Name	Amount	Year	Reason
01001-014	Township of West Milford 1480 Union Valley Road West Milford, NJ 07480	\$327.34	2020	2
		\$164.00	2020	2
01005-012		\$327.34	2020	2
		\$164.00	2021	2
01201-003		\$315.78	2020	2
		\$158.00	2021	2
01201-004		\$439.01	2020	2
		\$220.00	2021	2
02014-016		\$346.59	2020	2
		\$174.00	2021	2
01701-024		\$308.08	2020	2
		\$154.00	2021	2
01701-025		\$311.93	2020	2
		\$156.00	2021	2
01815-001		\$146.34	2020	2
		\$74.00	2021	2
02405-017		\$3,119.31	2020	2
		\$1,560.00	2021	2
02405-020		\$150.19	2020	2
		\$76.00	2021	2
05307-011.04		\$2,468.49	2020	2
		\$1,234.00	2021	2
05611-006		\$311.93	2020	2
		\$156.00	2021	2
06303-011		\$716.29	2020	2
		\$358.00	2021	2
07215-001		\$3,242.54	2020	2
		\$1,622.00	2021	2
09601-007.01		\$3,777.83	2020	2
		\$1,888.00	2021	2
11001-008	\$146.34	2020	2	
	\$74.00	2021	2	
12001-018	\$385.10	2020	2	
	\$192.00	2021	2	
12305-017.01	\$3,708.51	2020	2	
	\$1,854.00	2021	2	
12305-017.02	\$3,585.28	2020	2	
	\$1,792.00	2021	2	
13802-003	\$146.34	2020	2	
	\$74.00	2021	2	
13809-022	\$146.34	2020	2	
	\$74.00	2021	2	
14301-014.04	\$2,476.19	2020	2	
	\$1,238.00	2021	2	
TOTAL		\$195,433.18		

Adopted: September 16, 2020

Adopted this 16th day of September, 2020
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution 2020 – 301 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY 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	\$128,282.89
3	Reserve Account	10,000.00
2	Grants	2,067.38
6	Refunds	330,612.50
1	General Ledger	8,000.00
26	Refuse	9,034.53
4	Capital	0.00
19	Animal Control	418.66
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	11,160.77
19	Scala Trust	0.00
16	Development Escrow	1,600.00
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	1,912.32
Total		\$503,089.05
	Less Refund Resolution	-330,612.50
	Actual Bills List	\$172,476.55
	Other Payments	
	Payroll	\$491,750.19
	BOE	4,817,962.00
	Total Expenditures	\$5,482,188.74

Adopted: September 16, 2020

Adopted this 16th day of September, 2020
and certified as a true copy of an original

William Senande, Township Clerk