

TOWNSHIP OF WEST MILFORD

THE FOLLOWING COMPRISES THOSE DOCUMENTS
SUBMITTED TO THE TOWNSHIP COUNCIL FOR
CONSIDERATION AND ACTION AT THE OCTOBER 4, 2023
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 2023 – 022 ~

ORDINANCE AMENDING SECTION 300-42 REMOVAL OF SEPTIC TANK SLUDGE AND 300-46 FEES OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP

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

SECTION 1. Chapter 300 Sewers Section 42 Removal of Septic Tank Sludge is amended as follows:
§300-42 Removal of septic tank sludge

A. Any person, partnership, firm or corporation who or which empties, relieves or pumps out all or a portion of an individual or non-individual sewage disposal system within the Township of West Milford shall first apply to the Department of Health to become a licensed septic sludge removal operator and submit a list of addresses of all sludge removal performed during the prior licensing term in the Township and the date of the removal. Any such license shall be for a term of one year from July 1st through June 30th and shall be subject to the payment of a fee as provided in §300-46.

E. The Department of Health may suspend or refuse to renew the license of any septic sludge removal operator who fails to comply with this article. The license shall be revoked if the licensee fails to timely submit permits of more than 10% of the sludge removals performed during the prior three-month period and/or submitted with incomplete or inaccurate information. Renewal shall be denied if 5% of the sludge removals performed during the prior license term were not submitted in a timely manner and/or submitted with incomplete or inaccurate information.

SECTION 2. Chapter 300 Sewers Section 46 Fees is amended as follows:

§300-46 Fees – fees and changes are herewith established as set forth below:

\$100 for up to 10 septic pumping permits;

\$200 for up to 25;

\$300 for up to 50;

\$400 for up to 100; and

\$500 for unlimited permits

If a licensee requires additional permits during the license term, they shall be credited with the amount previously paid.

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: September 13, 2023

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 2023 - 023 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 195 JUNK, JUNKYARD AND MOTOR VEHICLE JUNKYARDS OF THE TOWNSHIP CODE

WHEREAS, the Township seeks to update its Code to remove redundant provisions within its Code; and

WHEREAS, within Chapter 195 Junk, Junkyards and Motor Vehicle Junkyards, the Township Code includes a section as to requiring "Monitoring Wells" at Section 195-8; and

WHEREAS, enforcement of this provision has never occurred, due in part to requiring identification of a multitude of specific environmental contaminants; and

WHEREAS, further amendment of the provision to set forth such prohibited environmental contaminants would be both costly and burdensome, but not otherwise further the ends of Chapter 195 as to licensure of junkyards; and

WHEREAS, Section 195 does set forth a number of other inspection criteria, to effectuate such licensure of junkyards and so as to protect the public's health, safety and welfare.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Township Council of the Township of West Milford, County of Passaic, and the State of New Jersey that the Township of West Milford Code shall be amended and updated, only as follows: To revoke and repeal only Section 195-8, Monitoring Wells within Chapter 195, Junk, Junkyard and Motor Vehicle Junkyards of the Township Code.

- SECTION 1.** Within the Township Code, Township of West Milford, Part II, General Legislation, Chapter 195-8, shall herein be revoked and repealed in its entirety.
- SECTION 2.** All ordinances or parts of ordinances of the Township of West Milford inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.
- SECTION 3.** If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.
- SECTION 4.** This Ordinance may be renumbered for purposes of codification
- SECTION 5.** This Ordinance shall take effect upon final passage, approval, and publication as required by law.

Introduced: September 13, 2023
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 2023 - 024 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 500 ZONING SECTION 500-12 AREA AND YARD REQUIREMENTS AND SECTION 500-72 NON-CONFORMING LOTS, STRUCTURES AND USES TO CHANGE THE PERMITTED MAXIMUM BUILDING COVERAGE OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP

WHEREAS, the Mayor and Township Council determined that maximum building coverage for accessory structures was not consistent for residential zones and unnecessarily limited the maximum size of said structures; and

WHEREAS, the Mayor and Township Council wish to clarify the ordinance provisions for the maximum size and coverage for accessory structures in residential zones; 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 500-12 Area and Yard Requirements is amended to read as follows:

§ 500-12 Area and Yard Requirements

A. Individual sewerage and water facilities.

		Detached Dwellings			
Minimum Requirements		R-4	R-3	R-2	R-1
Principal building					
Lot area (acres)		4	3	2	1
Lot frontage (feet)		300	250	200	150
Lot width (feet)		300	250	200	150
Lot depth (feet)		275	250	225	200
Side yard, each (feet)		60	50	40	30
Front yard (feet)		125	100	75	50
Rear yard (feet)		125	100	75	50
Accessory building					
Minimum distance to:					
Side line (feet)		50	50	30	15
Rear line (feet)		50	50	30	15
Other buildings (feet)		20	20	20	20
Maximum building coverage					

Minimum Requirements	Detached Dwellings			
	R-4	R-3	R-2	R-1
Principal building	10%	10%	10%	10%
Accessory building, maximum square feet footprint	3,000	3,000	3,000	3,000
Accessory structures, maximum coverage	3%	3%	3%	3%

B. With central sewerage and water facilities and located within a wastewater management service area.

Minimum Requirements	Detached Dwellings			
	R-3	R-2	R-1	R-1/I
Principal building				
Lot area (square feet)	25,000	20,000	15,000	15,000
Lot frontage (feet)	140	125	110	110
Lot width (feet)	140	125	110	110
Lot depth (feet)	175	150	125	125
Side yard, each (feet)	40	30	25	25
Front yard (feet)	50	40	35	35
Rear yard (feet)	70	60	45	45
Accessory building Minimum distance to:				
Side line (feet)	15	10	10	10
Rear line (feet)	15	10	10	10
Other building (feet)	20	15	15	15
Maximum building coverage				
Principal building	10%	10%	10%	10%
Accessory building, maximum square feet footprint	3,000	3,000	3,000	3,000
Accessory structures, maximum coverage	3%	3%	3%	3%

SECTION 2. Chapter 500 "Zoning" Section 500-72 Nonconforming lots, structures and uses is amended to read as follows:

§ 500-72 Nonconforming lots, structures and uses

A. Lots

- (4) Any lot not conforming to the present zoning regulations and being developed pursuant to this chapter shall be subject to the May 7, 1969, zoning standards, including the standards for maximum lot coverage, except that the following building coverage limitations shall not be exceeded:

Present Zone	Accessory Building (square feet)
LR	3,000
R-1	3,000
R-2	3,000
R-3	3,000
R-4	3,000

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: September 13, 2023

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 2023 - 025 ~

ORDINANCE AMENDING CHAPTER 500 "ZONING" ADDING A NEW SECTION 500-72B ENTITLED "STRUCTURES" OF THE CODE OF THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Mayor and Township Council determined that that there are no provisions with regards to non-Conforming structures that are specified within the zoning code.

WHEREAS, the Mayor and Township Council wish to clarify the ordinance provisions for non-conforming structures that are specified within the zoning code; and

WHEREAS, the Mayor and Township Council have determined that allowing the provision in 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 500-72 Nonconforming lots, structures and uses is amended to add Section 50-72.B as follows:

§ 500-72 Nonconforming lots, structures and uses.

B. Structures.

(1) A pre-existing structure which is nonconforming with the standards of this code may be continued, maintained, remodeled, or reconstructed; provided, that the new construction does not further intrude into the required setbacks. Vertical construction within the existing setback encroachment is permitted. New construction or related activity shall not be considered further intruding into a required setback so long as the footprint of the structure lying within the setback is not increased by more than 500 square feet and meets the following standards:

- (a) The addition is aligned parallel with the existing building footprint to connect at a perpendicular point with the intent of squaring off the structure.
- (b) No portion of the structure is located closer to the property lines than the original footprint of the structure.

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: September 13, 2023

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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 2023 - 026 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 500 ZONING TO PERMIT LICENSED CANNABIS RETAILERS TO HAVE A WALK-UP WINDOW AND AMENDING SECTION 500-193 CANNABIS RETAILER SECTION TO ESTABLISH WALK-UP WINDOW STANDARDS AND ADDING DEFINITIONS TO SECTION 500-195 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP

WHEREAS, the Mayor and Township Council determined that there may be a necessity for walk-up windows at cannabis retailers; and

WHEREAS, the Mayor and Township Council wish to clarify the ordinance provisions for cannabis retailers to permit walk-up windows and to provide standards for those facilities; and

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

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

SECTION 1. Chapter 500 "Zoning" Section 500-193 Cannabis Retailer is amended and supplemented to read as follows:

§ 500-193 Cannabis retailer.

- A. Cannabis retailer shall be a permitted use in all zones of the Township of West Milford, with the exception that no such permitted use shall occur in any residential zone (LR, R-1, R-2, R-3, R-4, R-1I, R-1PN, SHD/R-2 Zones), and subject to the following:
- (1) Eligible locations: Facilities shall be at least 500 feet from any parks and 1,000 feet from any schools.
 - (2) Location: Cannabis retailers shall be separate and distinct from growing operations.
 - (3) Buildings: All cannabis retailers shall be enclosed in heated/air-conditioned permanent buildings, not trailers, outdoors, movable kiosks, etc.
 - (4) Signage: Signs shall be limited to location identification/name of business. Signage shall not promote consumption of any cannabis products.
 - (5) Site plan approval: When seeking site plan approval, the applicant for cannabis retailers services shall submit a safety and security plan and emergency services access plan.
 - (6) Accessibility: Any cannabis retailer shall only have one primary public access point, which shall be directly adjacent to the right-of-way or parking area of the building. Access should not be through common entrances with other uses.
 - (7) Hours of operation for cannabis retailers shall be limited to 9:00 a.m. to 10:00 p.m.
 - (8) Interior security: Cannabis retailers interiors shall provide a secure location for storage of products with minimum products in any customer service area.
 - (9) Exterior loitering and security: People shall not be permitted to congregate outside of a cannabis retailer, loiter or wait in line to access the cannabis retailer. The facility shall have a plan in place if interior capacity is exceeded, i.e., numbers are given and customers wait in their vehicles until called.
 - (10) Product consumption: No products shall be permitted to be consumed on-site.
 - (11) State license: The facility must have a valid license to operate from the State of New Jersey.

- (12) Any cannabis facility is subject to compliance with all state laws, regulations and guidelines with respect to cannabis licenses issued by the State of New Jersey and the Township of West Milford.
- (13) Walk-up or service windows ("curbside retail sales"): Licensed cannabis retailers are permitted to operate walk-up windows subject to the following regulations:
 - (a) Service windows must comply with N.J.A.C. 17:30-14.4 "Curbside retail sales."
 - (b) Walk-up windows shall be used only for online pick-up orders placed prior to the customer arriving on site.
 - (c) An informational sign must be posted at each walk-up window, in a place visible to customers utilizing the service window, informing customers of the retailer's procedures for walk-up windows and the legal age to purchase cannabis products.
 - (d) Walk-up windows must remain securely closed at all times except when opened to take an order or complete a transaction. The window must not be left open when unattended. When the service window is closed to the public, the window must be secured using security shutters.
 - (e) Procedure: the cannabis retailer shall establish a process for the utilization of the walk-up window, to include at least the following and in accordance with N.J.A.C. 17:30-14.4:
 - [1] Customers must have their government-issued identification and online order confirmed.
 - [2] As required by N.J.A.C. 17:30-14.3(d)1-5, the employee will confirm that the customer has not exceeded the daily allowed limit of cannabis products.
 - [3] A secure method to transfer payment and product(s) must be established.
 - (f) The receipt given to the customer must include the company's name, address, license number, telephone number, the date of retail sale, and the cannabis items purchased and their prices, the customer's ID, and all information as required by N.J.A.C. 17:30-14.3.
 - (g) The cannabis retailer shall have a process in place to avoid the formation of a queue of customers at the walk-up window.

SECTION 2. Chapter 500 "Zoning" Section 500-195 Medical and Recreation Cannabis Activity Definitions is amended and supplemented to read as follows:

§ 500-195 Definitions.

CURBSIDE RETAIL SALE

When a cannabis retailer sells a cannabis item to a consumer who is on the exterior of the facility on the cannabis retailer premises, which includes any parking lot and adjacent sidewalk that are located at the physical address listed on the cannabis business license, pursuant to N.J.A.C. 17:30-14.4.

SERVICE/WALK-UP WINDOW

A window where customers of a licensed retail cannabis establishment can walk up for the purpose of purchasing cannabis products. See also **CURBSIDE RETAIL SALE**.

SECURITY SHUTTERS

Interior or exterior accordion, rolling, or bifold shutters made of steel or aluminum.

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: September 13, 2023

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 2023 - 027 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 500 ZONING SECTION 500-90 FARM ANIMALS TO PERMIT CERTAIN EXOTIC ANIMALS AND TO AMEND SECTION 500-66 ACCESSORY BUILDINGS WITH RESPECT TO REQUIREMENTS FOR POULTRY AND LIVESTOCK SHELTERS TO REMOVE INCONSISTENCIES OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP

WHEREAS, the Mayor and Township Council determined that the keeping of certain exotic animals is in keeping with farming practices within the Township; and

WHEREAS, the Mayor and Township Council wish to clarify the ordinance provisions for Farm Animals in the Township and eliminate inconsistencies with other ordinance sections; 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 500-90 Farm Animals is amended to read as follows:

§ 500-90 Farm Animals.

- A. Notwithstanding any other provisions of this chapter, farm animals shall be housed and kept in a manner which will not constitute a public nuisance.
- B. A minimum tract for the keeping of farm animals shall be:
- (1) One acre for the keeping of horses. The number of horses permitted shall be determined by the size of the accessory structure(s) housing the animals, using 100 square feet of roof area per animal as the criteria for determining the number of horses permitted on the property. A minimum of 32 square feet of roof area shall be required per animal.
 - (2) One acre for the keeping of cows, sheep, pigs, goats, llamas, alpacas, ostriches, rheas, and emus. No more than one animal shall be kept per acre of lot area.
 - (3) One acre for the keeping of poultry and fowl, except as provided in Subsection B(5) of this section except that there shall be allowed a maximum amount of 12 chicken hens allowed on lots of less than one acre. No more than 32 animals shall be kept per acre of lot area. Roosters are only permitted on lots of five acres or more.
 - (4) There shall be no minimum lot size for the keeping of rabbits. No more than 25 rabbits shall be kept on lots of one acre or less and no more than 75 rabbits shall be kept on lots of over one acre.
 - (5) The housing and keeping of all other farm animals, except those determined by the Zoning Officer to be substantially similar to one or more farm animals listed above, is prohibited.
 - (6) All poultry and livestock shelters shall be a minimum distance of 25 feet to any off-site residential structures.
- C. No farm animals shall be kept unless they can be contained on the property of their owner or the agent of their owner.

- D. Any use for the keeping of farm animals prior to the adoption of this chapter shall be considered nonconforming, provided that the owner registers the use with the Township Zoning Officer within 90 days of the passage of this chapter.
- E. The provisions of this section shall not apply to farms or commercial horse stables as defined in § 420-6, Definitions.

SECTION 2. Chapter 500 "Zoning" Section 500-66 Accessory Buildings is amended to read as follows:

§ 500-66 Accessory buildings.

- C. Distance between adjacent buildings. The minimum distance between an accessory building and any other buildings on the same lot shall be as prescribed in §§ 500-12, 500-28, 500-40 and 500-48. Minimum distance between an outdoor wood burning furnace and any other buildings on the lot shall be as per manufacturer's specifications and zoning standards for the respective zone district.
- D. Location. An accessory building may be erected in side or rear yard areas only, and shall be set back from side and rear lot lines as prescribed in §§ 500-12, 500-23C(4)(b), 500-28, 500-40, and 500-48, except that, if erected on lots with more than one street frontage, the accessory building shall be set back from the secondary street to comply with the setback line applying to the principal building for that side street. Outdoor wood burning furnaces must meet accessory building setbacks in the respective zone district.
- 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 25 feet to any adjacent -off-site residential structure.
- G. Accessory buildings not exceeding 100 square feet. All accessory buildings that do not exceed 100 square feet in total area and are not used to shelter livestock or poultry may be located within five feet of any side or rear lot line.

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: September 13, 2023

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 2023 – 028 ~

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

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

DEPARTMENT AND OFFICE HEADS

JOB TITLE	MINIMUM	MAXIMUM
Deputy Emergency Management Coordinator	\$3,000.00	\$5,000.00

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

Introduced: September 13, 2023
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 2023 – 371 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A COMPETITIVE BIDDING CONSTRUCTION CONTRACT TO SPARWICK CONTRACTING, INC. FOR THE SUPERSTRUCTURE REPLACEMENT OF STOWAWAY ROAD OVER BELCHER CREEK

WHEREAS, Stowaway Road is a non-Township road and the Stowaway Road bridge is a privately owned and constructed bridge; and

WHEREAS, the Township of West Milford advertised for the receipt of sealed competitive bids to be received on June 30, 2023 at 10:00 am for the Superstructure Replacement of Stowaway Road over Belcher Creek as per the bid specifications; and

WHEREAS, the Township of West Milford received one (1) bid for this contract; and

WHEREAS, said bid has been duly reviewed and analyzed by the consulting bridge engineer and Township Attorney; and

WHEREAS, the bid received from the low bidder, Sparwick Contracting, Inc., has been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written; and

WHEREAS, the Chief Financial Officer has certified that encumbrances for these services shall come from account number 04-215-55-842-001; and

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

1. The Township Council hereby awards a contract to Sparwick Contracting, Inc., 21 Sunset Inn Road, Lafayette, NJ 07848, for the Superstructure Replacement of Stowaway Road over Belcher Creek in an amount not to exceed \$385,953.00.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Sparwick Contracting, Inc. in accordance with its bid for said Superstructure Replacement of Stowaway Road over Belcher Creek in the Township of West Milford.
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: October 4, 2023

Adopted this 4th day of October, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 - 372 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF COMPETITIVE BIDDING CONTRACTS FOR 2023-2024 SNOWPLOWING SERVICES

WHEREAS, the Township of West Milford advertised for the receipt of sealed bids for 4x4 pickups and single axle dump trucks to be received on September 22, 2023 for 2023-2024 Snowplowing Services; and

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

WHEREAS, the award of contracts to vendors whose bids have been found to be in proper form and in compliance with the provisions of N.J.S.A. 40A:11-23.5 and the specifications as written, noting a five percent (5%) increase of the awarded Class 1 rate for operations on Class 2 areas and Special Rates for additional equipment to be used if and when needed per rates bid; and

WHEREAS, the Township Attorney has rendered an opinion; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds, said funds to be encumbered from account number 01-201-26-294-364.

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 Mayor and Township Clerk be and are hereby authorized to execute contracts for 2023-2024 Snowplowing Services in accordance with the following outline:

	CONTRACTOR	# TRKS	\$ Per Hr Class 1 4x4 Pickup	\$ Per Hr Class 1 Single Axle
1	Longstaff Paving, LLC	10	\$202.00	N/A
2	Tom Buske & Son Construction, LLC	8	\$204.50	N/A
3	Crevina Enterprises, Inc.	2	\$205.00	\$205.00
4	Silver Stone Landscaping LLC	4	\$205.00	N/A
5	Cowboys Landscaping	6	\$205.00	N/A
6	NextGen Solutions, LLC	20	\$225.00	\$235.00
	TOTAL TRUCKS	50		

BE IT FURTHER RESOLVED that this resolution and these contracts shall be available for public inspection in the office of the Township Clerk.

Adopted: October 4, 2023

Adopted this 4th day of October, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 373 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF REPAIR PARTS THROUGH ESCNJ CONTRACT #23/24-04 FROM CLIFFSIDE BODY CORP.

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

WHEREAS, ESCNJ- (Educational Services Commission of New Jersey) has awarded Contract #23/24-04 for repair parts to Cliffside Body Corp.; and

WHEREAS, said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40A:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township of West Milford has a need on a timely basis to purchase goods and services utilizing the above contract awarded to Cliffside Body Corp., which expenses would exceed the threshold of \$17,500.00; and

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

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(b), no orders of materials shall be undertaken until such time as the funding for the goods or services are certified by the Chief Financial Officer; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute purchases to the above referenced vendor within the budget appropriation established for this purpose.

Adopted: October 4, 2023

Adopted this 4th day of October, 2023
and certified as a true copy of an original

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 374 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF SWEEPER REPAIR PARTS THROUGH ESCNJ CONTRACT #23/24-04 FROM W. E. TIMMERMAN

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

WHEREAS, ESCNJ- (Educational Services Commission of New Jersey) has awarded Contract #23/24-04 sweeper repair parts to W. E. Timmerman; and

WHEREAS, said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40A:11 et seq., Local Public Contracts Law; and

WHEREAS, the Township of West Milford has a need on a timely basis to purchase goods and services utilizing the above contract awarded to W. E. Timmerman, which expenses would exceed the threshold of \$17,500.00; and

WHEREAS, W. E. Timmerman has complied with state pay-to-play regulation by completing and submitting a Business Entity Disclosure Certification; and

WHEREAS, pursuant to N.J.A.C. 5:30-5.5(b), no orders of materials shall be undertaken until such time as the funding for the goods or services are certified by the Chief Financial Officer; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute purchases to the above referenced vendor within the budget appropriation established for this purpose.

Adopted: October 4, 2023

Adopted this 4th day of October, 2023
and certified as a true copy of an original

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 375 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE TOWNSHIP TO PARTICIPATE IN THE EQUALIS GROUP COOPERATIVE PURCHASING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-1 et. seq., authorizes contracting units to enter into Cooperative Purchasing Agreements; and

WHEREAS, the Equalis Group hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Cooperative Purchasing System for the purchase of work, materials and supplies; and

WHEREAS, the Township of West Milford, County of Passaic, State of New Jersey desires to participate in the Equalis Group Cooperative Purchasing Agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Township of West Milford, County of Passaic, State of New Jersey that the Township Council hereby authorizes the Township of West Milford to participate in the Equalis Group Cooperative Purchasing Agreement and execute a Cooperative Purchasing Agreement with the Equalis Group upon its approval by the Division of Local Government Services; and

BE IT FURTHER RESOLVED, that the Equalis Group as Lead Agency is expected to comply with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq. and all of the provisions of the revised statutes of the State of New Jersey).

Adopted: October 4, 2023

Adopted this 4th day of October 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 376 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING RESOLUTIONS 2023-039, 2023-268 AND 2023-347 WITH DECOTIIS, FITZPATRICK, COLE & GIBLIN, LLP FOR SPECIAL LABOR COUNSEL SERVICES TO INCREASE THE CONTRACT VALUE IN AN AMOUNT NOT TO EXCEED \$20,000.00

WHEREAS, by virtue of Resolution 2023-039 adopted January 4, 2023 the Township Council did authorize the engagement of Special Legal Counsel services to be provided by Decotiis, Fitzpatrick, Cole & Giblin, LLP; and

WHEREAS, Resolution 2023-039 and the related Professional Services Contract did authorize services in an amount not to exceed \$60,000; and

WHEREAS, Resolution 2023-268 increased the not to exceed amount by an additional \$40,000 to cover special labor counsel services; and

WHEREAS, Resolution 2023-347 changed the township's primary contact at Decotiis, Fitzpatrick, Cole & Giblin, LLP from Mark Semeraro, Esq. to Deena Rosendahl, Esq. due to Mark Semeraro's departure; and

WHEREAS, the Township Administrator has been advised that the township requires an additional amendment to include an another \$20,000 for labor counsel services; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds and said funds to be encumbered from account 01-201-20-155-502 for \$20,000.00; and

WHEREAS, that a notice of this action shall be published in accordance with law, and said notice to provide that the originally awarded Professional Services Contract, and this resolution serving as the Addendum to the Contract are available for public inspection in the office of the Township Clerk and that the professional services by Deena Rosendahl, Esq. are extended by an additional twelve months or until the conclusion of the legal matter, whichever comes first.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that they do hereby authorize the Township Administrator to approve an amendment of \$20,000 to Deena Rosendahl, Esq. for Special Legal Services which amount is in excess of the approved contract amount of \$100,000 bringing the contract total to an amount not to exceed \$120,000 and engaging the services of Deena Rosendahl, Esq. for an additional twelve months or until the conclusion of this legal matter, whichever comes first.

This Resolution shall take effect immediately.

Adopted: October 4, 2023

Adopted this 4th day of October, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 377 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ACCEPTING OF A GRANT FROM THE COLUMBIA BANK FOUNDATION BY THE FRIENDS OF WALLISCH HOMESTEAD FOR THE WALLISCH HOMESTEAD HISTORIC PRESERVATION PLAN, PHASE 2, PART 1 IN THE AMOUNT OF \$2,500

WHEREAS, the Township Council of the Township of West Milford, County of Passaic, State of New Jersey via Resolution 2023-092 authorized the submission of a grant to the Columbia Bank Foundation by the Friends of Wallisch Homestead for the Wallisch Homestead Historic Preservation Plan, Phase 2, Part 1; and

WHEREAS, the Friends of Wallisch Homestead received a check in the amount of \$2,500; and

WHEREAS, this grant will be effective for the period of January 1, 2023 through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey hereby approves the acceptance of the Columbia Bank Foundation grant in the amount of \$2,500 for the Wallisch Homestead Historic Preservation Plan, Phase 2, Part 1, in the amount of \$2,500.

Adopted: October 4, 2023

Adopted this 4th day of October, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 378 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ACCEPTING OF A GRANT FROM THE PASSAIC COUNTY HISTORIC TRUST REGRANT PROGRAM BY THE FRIENDS OF WALLISCH HOMESTEAD FOR THE WALLISCH HOMESTEAD TIMBER BARN STABILIZATION PROJECT IN THE AMOUNT OF \$39,000.

WHEREAS, the Township Council of the Township of West Milford, County of Passaic, State of New Jersey via Resolution 2023-162 authorized the submission of a grant to the Passaic County Historic Trust Regrant Program by the Friends of Wallisch Homestead for the Wallisch Homestead Timber Barn Stabilization Project; and

WHEREAS, the Friends of Wallisch Homestead received a letter of intent from the Passaic County Board of County Commissioners awarding the grant in the amount of \$39,000; and

WHEREAS, this grant will be effective for the period to be advised in the forthcoming formal grant agreement and purchase order.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey hereby approves the acceptance of the grant in the amount of \$39,000 for the Wallisch Homestead Timber Barn Stabilization Project.

Adopted: October 4, 2023

Adopted this 4th day of October, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 379 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING RESOLUTION 2022-413 FOR THE APPROVAL OF APPLICATION TO CHANGE THE BUSINESS NAME OF TREEHOUSE VENTURES LLC TO DOOBIEZ, LLC’S CANNABIS BUSINESS AND IN SUPPORT OF SAME

WHEREAS, the Cannabis Regulatory Commission is charged with implementing the provisions of P.L. 2021c.16, known and cited as the “New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act”; and

WHEREAS, the regulations for personal-use cannabis provide a process at N.J.A.C. 17:30-9.2 for changes to an issued adult-use cannabis license or award, including changes of the business’s name; and

WHEREAS, Treehouse Ventures, LLC did request to change their respective business name; and

WHEREAS, Treehouse Ventures, LLC followed the requirements set forth at N.J.A.C. 17:30-9.2; and

WHEREAS Treehouse Ventures, LLC has submitted documentation of a valid Business Registration Certificate on file with the New Jersey Department of the Treasury, Division of Revenue and Enterprise Services with its amended business name; and

WHEREAS, the New Jersey Cannabis Regulatory Commission (CRC) pursuant to N.J.A.C. 17:30-9.2 concerning changes of the business name, the adult-use cannabis conditional license awardee was APPROVED to change their business names as proposed in their submission to the CRC below:

Applicant Name	Approved New Name
Treehouse Ventures, LLC	Doobiez, LLC

WHEREAS, on December 7, 2022 by Resolution 2022-413 the West Milford Township Council gave support for Treehouse Ventures LLC now Doobiez, LLC and has expressed interest in siting such a retail cannabis dispensary at 1612 Union Valley Road (Block 7006, Lot 1); and

WHEREAS, the proposed location is within the Township’s Community 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 Cannabis Community Commercial Zone by Doobiez, LLC to the extent consistent with applicable state and local statutes, rules, regulations and ordinances.

BE IT FURTHER RESOLVED, the Township of West Milford supports the safe and appropriate siting of a retail cannabis dispensary within the Township’s Community 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.

Adopted: October 4, 2023

Adopted this 4th day of October, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 380 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING A TITLE TRANSFER FOR ONE (1) 2016 FORD F-350 FROM TOWNSHIP OF WEST MILFORD TO ENTERPRISE FLEET MANAGEMENT FOR THE PURPOSE OF SELLING SAME

WHEREAS, the Township of West Milford has owned one (1) 2016 Ford F-350 Pick-up Truck VIN #1FTRF3B6XGEC09459; and

WHEREAS, the Township of West Milford wishes to enter into an agreement with Enterprise Fleet Management (EFM) for the purpose of selling said vehicle; and

WHEREAS, EFM requires a clear title for said vehicle to be sold and requires possession of clear titles to effectuate the sale; and

WHEREAS, the Township has possession of said title to be transferred; and

WHEREAS, the transfer is being done in conjunction with the leasing of replacement vehicles.

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

1. The Administrator is hereby authorized to execute an Agreement to sell one (1) 2016 Ford F-350 Pick-up Truck VIN #1FTRF3B6XGEC09459 and transfer a title from said vehicle to Enterprise Fleet Management.
2. The Administrator is authorized to take any other incidental actions to effectuate this transaction.

Adopted: October 4, 2023

Adopted this 4th day of October, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 381 ~

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,

WHEREAS, the Township of West Milford wishes to amend its 2023 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 2023 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:

County Open Space, Farmland and Historic Preservation Trust Fund; \$750,000.00

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

County Open Space, Farmland and Historic Preservation Trust Fund; \$750,000.00

Local Match \$ 0.00

BE IT FURTHER RESOLVED, that the Township Finance Department will electronically file with the State of NJ in accordance with LFN 2014-11.

Adopted: October 4, 2023

Adopted this 4th day of October, 2023
and certified as a true copy of an original

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 382 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING PAYMENT TO CROSS BRIDGE TITLE LLC FOR THE REPORT OF TITLE RELATED TO DEED FOR BLOCK 6404 LOT 7 WITHIN THE TOWNSHIP OF WEST MILFORD

WHEREAS, pursuant to Resolution 2022-12 adopted on March 16, 2022 the Township accepted the donation of property located at 301 Marshall Hill referred to as Block 6404 Lot 7; and

WHEREAS, the Township of West Milford accepted the donated property and requested to receive a report of title from Cross Bridge Title LLC; and

WHEREAS, the Township Attorney reviewed the report of title showing the owner has good title to the property and can convey same to the Township; and

WHEREAS, Cross Bridge Title LLC submitted their invoice in the amount of \$1,724.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of West Milford, County of Passaic and State of New Jersey that the invoice of Cross Bridge Title LLC in the amount of \$1,724.00 is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor and Township Council of the Township of West Milford, County of Passaic and State of New Jersey hereby authorize the Township Administrator to process the gift and donation of Block 6404 Lot 7 from the owners for the sum of One Dollar and No Cents (\$1.00); and

BE IT FURTHER RESOLVED the Township Administrator authorize the payment to Cross Bridge Title LLC in the amount of \$1,724.00 for an Affidavit of Title to process the property donation above.

Adopted: October 4, 2023

Adopted this 4th day of October 2023
and certified as a true copy of an original

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 383 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY IN SUPPORT OF BEYOND BLEAF 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 Community 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, Beyond Bleaf LLC has expressed an interest in siting such a retail cannabis dispensary at 753 Macopin Road, West Milford, NJ (Block 14001, Lot 10); and

WHEREAS, the proposed location is within the Township's Community 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 Cannabis Community Commercial Zone by Beyond Bleaf LLC to the extent consistent with applicable state and local statutes, rules, regulations and ordinances.

Adopted: October 4, 2023

Adopted this 4th day of October, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 384 ~

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) **2023-385** – Recreation Fee Refunds
- b) **2023-386** – Overpayment Refunds
- c) **2023-387** – Health Refund

Adopted: October 4, 2023

Adopted this 4th day of October, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 385 ~

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:

PICKLEBALL CLINIC			
\$50.00	74 Mountainview Court Riverdale, NJ 07457	\$50.00	276 Germantown Road West Milford, NJ 07480
\$50.00	12 Distillery Road Warwick, NY 10990		
FALL SOCCER			
\$100.00	19 Lakewood Road Hewitt, NJ 07421		
DAY CAMP			
\$940.00	Treasurer, State of NJ 50 East State St PO Box 717 Trenton, NJ 08625		

Adopted: October 4, 2023

Adopted this 4th day of October, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 - 386 ~

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
03703-017	c/o Masessa & Cluff, Esqs. 1524 Route 23 North Butler, NJ 07405	\$1,524.14	2023	8
TOTALS		\$1,524.14		

Adopted: October 4, 2023

Adopted this 4th day of October, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 - 387 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND FOR THE HEALTH DEPARTMENT

BE IT RESOLVED, that the Cygnus Home Service, LLC be refunded:

Name & Address	Account No.	Amount to be Refunded
Cygnus Home Service, LLC PO Box 178 Marshall, MN 56258	Food License Renewal Application- 2023	\$40.00

Adopted: October 4, 2023

Adopted this 4th day of October, 2023
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution No. 2023 – 388 ~

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	\$937,438.95
3	Reserve Account	11,281.95
2	Grants	94,823.27
6	Refunds	5,194.14
1	General Ledger	245.10
26	Refuse	286,238.84
4	Capital	182,064.67
19	Animal Control	750.00
19	Heritage Trust	0.00
19	Open Space Trust	4,860.50
19	Trust	10,735.72
19	Scala Trust	0.00
16	Development Escrow	9,283.75
19	Tax Sale Trust	0.00
21	Assessment Trust	21,424.58
	Special Reserve	149.00
Total		\$1,564,490.47
	Less Refund Resolution	-5,194.14
	Actual Bills List	\$1,559,296.33
	Other Payments:	
	Payroll	1,137,466.15
	Enterprise Lease	21,253.68
	NJ DOL, Unemployment	1,515.15
	Depository Trust Co.	1,417,640.63
	Total Expenditures	\$4,137,171.94

Adopted: October 4, 2023

Adopted this 4th day of October, 2023
and certified as a true copy of an original

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2023 – 389 ~

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 Historic Preservation Committee:

<u>Name</u>	<u>Position</u>	<u>Date Tendered</u>
Brandon Romaine	Historic Preservation Committee Citizen Member Term expires 12/31/23	September 19, 2023

Adopted: October 4, 2023

Adopted this 4th day of October, 2023
and certified as a true copy of an original.

William Senande, Township Clerk