

TOWNSHIP OF WEST MILFORD

THE FOLLOWING COMPRISES THOSE DOCUMENTS
SUBMITTED TO THE TOWNSHIP COUNCIL FOR
CONSIDERATION AND ACTION AT THE NOVEMBER 3, 2021
REGULARLY SCHEDULED WORKSHOP & 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 No. 2021 – 037 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ADDING A NEW CHAPTER 350 ENTITLED “FIVE-YEAR TAX ABATEMENT PROGRAM FOR WEST MILFORD REHABILITATION AREAS” TO THE CODE OF THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Township Council has determined that tax abatement programs permitted by statute are beneficial to property owners, and might encourage further improvements to residential properties within the Township; and

WHEREAS, a review of the Township Code demonstrates that there are currently no provisions for such abatement programs to be available to property owners in the Township; and

WHEREAS, the Township Council has determined that it is necessary to amend the Code, to establish provisions and procedures for a five-year tax abatement program for renovations within West Milford’s designated rehabilitation areas for residential properties, but excluding new construction.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of West Milford, Passaic County, New Jersey, that the Code of the Township of West Milford shall be amended to add a new Chapter 350 entitled “Five-Year Tax Abatement Program for West Milford Rehabilitation Areas” to read as follows:

SECTION 1. Chapter 350 Five-Year Tax Abatement Program for West Milford Rehabilitation Areas

§350-1 Definitions.

All terms utilized in this Chapter not specifically defined herein shall conform to the meanings set forth in the Five-Year Exemption and Abatement Law (“Act”). For ease of reference, the definitions set forth in the Act as of the date of the adoption of this Chapter are attached hereto as Exhibit A. However, if the definitions set forth in the Act shall be subsequently amended, then the Act, and not Exhibit A, shall control.

§350-2 Statement of Purpose.

The Township hereby determines to utilize the authority granted under Article VIII, Section I, paragraph 6 of the New Jersey Constitution to establish the eligibility of certain dwellings for exemptions, as provided in this Chapter and as permitted by the Act, throughout West Milford’s Rehabilitation Areas.

§350-3 Exemptions Authorized to be Implemented by Tax Assessor.

The Township hereby determines to provide for the exemption from taxation of certain improvements to existing residential properties occurring within Rehabilitation Areas throughout the Township. To the extent that a property owner shall apply to the Tax Assessor within the time period prescribed by the New Jersey Department of Treasury in accordance with the Act, which currently requires submission within thirty (30) calendar days following completion of the improvements or construction for which the exemption is sought, and shall provide documentation to the Tax Assessor, in a form and manner acceptable to the Tax Assessor and consistent with the Act, of compliance with this section, such property owner shall be entitled to the relevant exemption enumerated herein without any need for action by the Township Council.

§350-4 Residential - Improvements.

The Township hereby determines to provide for the exemption from taxation of certain improvements made to dwellings, on the following terms and conditions:

- (1) The term "dwelling", for purposes of this Section shall include residential properties and condominium residential units, but not cooperative ("Co-op") type residential properties.
- (2) The term "dwelling", for purposes of this Section shall not include "multiple dwellings", as defined by the Act.
- (3) Only residential properties shall be eligible for the benefit of the tax abatement under this section.
- (4) An applicant must continue to live at the property to continue to receive the benefit of the tax abatement.
- (5) The term "improvements", for purposes of this subsection, shall include rehabilitation, to include modernization, renovation, alteration or repair which produces a physical change in an existing building or structure, which improves the safety, sanitation, decency or attractiveness of the structure as a place for human habitation, and which does not change its permitted use.
- (6) To the extent that a dwelling shall comply with the requirements set forth at subsections (1) through (6), above, in determining the value of real property for each dwelling unit, the Township shall regard the first \$15,000 in the Assessor's full and true value of improvements for each dwelling unit primarily and directly affected by the improvements, as not increasing the value of the property for a period of five years, notwithstanding that the value of the property to which the improvements are made is increased thereby. During the exemption period, the assessment on any property pursuant to this paragraph shall not be less than the assessment thereon existing immediately prior to the improvements, except if there is damage to the dwelling through action of the elements sufficient to warrant a reduction.
- (7) The "Five-Year Tax Abatement Program for West Milford Rehabilitation Areas" shall be effective January 1, 2022, and applications shall only be accepted in the 2022 calendar year.

§350-5 Residential - Multiple Dwellings - Improvements.

- (1) The Township hereby determines to provide for an exemption of 100% of the Assessor's full and true value for a period of five years following the construction of improvements to multiple dwellings. The term "multiple dwelling" shall have that meaning ascribed to it by the Act. The definition of "multiple dwelling" set forth in the Act as of the date of adoption of this Chapter is set forth at Exhibit A, attached hereto.
- (2) This exemption is to be granted notwithstanding that the value of the property upon which the construction occurs is increased thereby. During the exemption period, the assessment on any property pursuant to this Section shall not be less than the assessment thereon existing immediately prior to the improvements, except if there is damage to the multiple dwelling through action of the elements sufficient to warrant a reduction.

§350-6 Effective Date; Sunset Provision.

Upon final passage and publication as provided by law, this Ordinance shall take effect upon final passage, approval and publication as required by law and shall authorize the Township to grant exemptions up to a 5-year period.

SECTION 2. All ordinances of the Township of West Milford, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

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

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

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

Introduced: October 6, 2021
Adopted:
Effective Date:

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST

William Senande, Township Clerk

By: _____
Michele Dale, Mayor

EXHIBIT A

DEFINITIONS SET FORTH IN THE ACT AS OF THE DATE OF ADOPTION

N.J.S.A. 40A:21-3. Definitions

As used in this act:¹

a. "Abatement" means that portion of the assessed value of a property as it existed prior to construction, improvement or conversion of a building or structure thereon, which is exempted from taxation pursuant to this act.

b. "Area in need of rehabilitation" means a portion or all of a municipality which has been determined to be an area in need of rehabilitation or redevelopment pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c. 79 (C.40A:12A-1 et al.), a "blighted area" as determined pursuant to the "Blighted Areas Act," P.L.1949, c. 187 (C.40:55-21.1 et seq.), or which has been determined to be in need of rehabilitation pursuant to P.L.1975, c. 104 (C.54:4-3.72 et seq.), P.L.1977, c. 12 (C.54:4-3.95 et seq.), or P.L.1979, c. 233 (C.54:4-3.121 et al.).

c. "Assessor" means the officer of a taxing district charged with the duty of assessing real property for the purpose of general taxation.

d. "Commercial or industrial structure" means a structure or part thereof used for the manufacturing, processing or assembling of material or manufactured products, or for research, office, industrial, commercial, retail, recreational, hotel or motel facilities, or warehousing purposes, or for any combination thereof, which the governing body determines will tend to maintain or provide gainful employment within the municipality, assist in the economic development of the municipality, maintain or increase the tax base of the municipality and maintain or diversify and expand commerce within the municipality. It shall not include any structure or part thereof used or to be used by any business relocated from another qualifying municipality unless: the total square footage of the floor area of the structure or part thereof used or to be used by the business at the new site together with the total square footage of the land used or to be used by the business at the new site exceeds the total square footage of that utilized by the business at its current site of operations by at least 10%; and the property that the business is relocating to has been the subject of a remedial action plan costing in excess of \$250,000 performed pursuant to an administrative consent order entered into pursuant to authority vested in the Commissioner of Environmental Protection under P.L.1970, c.33 (C.13:1D-1 et al.), the "Water Pollution Control Act," P.L. 1977, c. 74 (C.58:10A-1 et seq.), the "Solid Waste Management Act," P.L.1970, c. 39 (C.13:1E-1 et seq.), and the "Spill Compensation and Control Act," P.L.1976, c. 141 (C.58:10-23.11 et seq.).

e. "Completion" means substantially ready for the intended use for which a building or structure is constructed, improved or converted.

f. "Condominium" means a property created or recorded as a condominium pursuant to the "Condominium Act," P.L.1969, c. 257 (C.46:8B-1 et seq.).

g. "Construction" means the provision of a new dwelling, multiple dwelling or commercial or industrial structure, or the enlargement of the volume of an existing multiple dwelling or commercial or industrial structure by more than 30%, but shall not mean the conversion of an existing building or structure to another use.

h. "Conversion" or "conversion alteration" means the alteration or renovation of a nonresidential building or structure, or hotel, motel, motor hotel or guesthouse, in such manner as to convert the building or structure from its previous use to use as a dwelling or multiple dwelling.

¹ L.1991, c. 441 (N.J.S.A. § 40A:21-1 et seq.)

i. "Cooperative" means a housing corporation or association, wherein the holder of a share or membership interest thereof is entitled to possess and occupy for dwelling purposes a house, apartment, or other unit of housing owned by the corporation or association, or to purchase a unit of housing owned by the corporation or association.

j. "Cost" means, when used with respect to abatements for dwellings or multiple dwellings, only the cost or fair market value of direct labor and materials used in improving a multiple dwelling, or of converting another building or structure to a multiple dwelling, or of constructing a dwelling, or of converting another building or structure to a dwelling, including any architectural, engineering, and contractor's fees associated therewith, as the owner of the property shall cause to be certified to the governing body by an independent and qualified architect, following the completion of the project.

k. "Dwelling" means a building or part of a building used, to be used or held for use as a home or residence, including accessory buildings located on the same premises, together with the land upon which such building or buildings are erected and which may be necessary for the fair enjoyment thereof, but shall not mean any building or part of a building, defined as a "multiple dwelling" pursuant to the "Hotel and Multiple Dwelling Law," P.L.1967, c. 76 (C.55:13A-1 et seq.). A dwelling shall include, as they are separately conveyed to individual owners, individual residences within a cooperative, if purchased separately by the occupants thereof, and individual residences within a horizontal property regime or a condominium, but shall not include "general common elements" or "common elements" of such horizontal property regime or condominium as defined pursuant to the "Horizontal Property Act," P.L.1963, c. 168 (C.46:8A-1 et seq.), or the "Condominium Act," P.L.1969, c. 257 (C.46:8B-1 et seq.), or of a cooperative, if the residential units are owned separately.

l. "Exemption" means that portion of the assessor's full and true value of any improvement, conversion alteration, or construction not regarded as increasing the taxable value of a property pursuant to this act.

m. "Horizontal property regime" means a property submitted to a horizontal property regime pursuant to the "Horizontal Property Act," P.L.1963, c. 168 (C.46:8A-1 et seq.).

n. "Improvement" means a modernization, rehabilitation, renovation, alteration or repair which produces a physical change in an existing building or structure that improves the safety, sanitation, decency or attractiveness of the building or structure as a place for human habitation or work, and which does not change its permitted use. In the case of a multiple dwelling, it includes only improvements which affect common areas or elements, or three or more dwelling units within the multiple dwelling. In the case of a multiple dwelling or commercial or industrial structure, it shall not include ordinary painting, repairs and replacement of maintenance items, or an enlargement of the volume of an existing structure by more than 30%. In no case shall it include the repair of fire or other damage to a property for which payment of a claim was received by any person from an insurance company at any time during the three-year period immediately preceding the filing of an application pursuant to this act.

o. "Multiple dwelling" means a building or structure meeting the definition of "multiple dwelling" set forth in the "Hotel and Multiple Dwelling Law," P.L.1967, c. 76 (C.55:13A-1 et seq.) [which is set forth below], and means for the purpose of improvement or construction the "general common elements" and "common elements" of a condominium, a cooperative, or a horizontal property regime.

p. "Project" means the construction, improvement or conversion of a structure in an area in need of rehabilitation that would qualify for an exemption, or an exemption and abatement, pursuant to P.L.1991, c. 441 (C.40A:21-1 et seq.).

q. "Annual period" means a duration of time comprising 365 days, or 366 days when the included month of February has 29 days, that commences on the date that an exemption or abatement for a project becomes effective pursuant to section 16 of P.L.1991, c. 441 (C.40A:21-16).

**DEFINITION OF MULTIPLE DWELLING SET FORTH IN THE HOTEL AND MULTIPLE DWELLING
LAW AS OF THE DATE OF ADOPTION**

N.J.S.A. 55:13A-3. Definitions.

(k) The term "multiple dwelling" shall mean any building or structure of one or more stories and any land appurtenant thereto, and any portion thereof, in which three or more units of dwelling space are occupied, or are intended to be occupied by three or more persons who live independently of each other. This definition shall also mean any group of ten or more buildings on a single parcel of land or on contiguous parcels under common ownership, in each of which two units of dwelling space are occupied or intended to be occupied by two persons or households living independently of each other, and any land appurtenant thereto, and any portion thereof. This definition shall not include:

- (1) any building or structure defined as a hotel in this act, or registered as a hotel with the Commissioner of Community Affairs as hereinafter provided, or occupied or intended to be occupied exclusively as such;
- (2) a building section containing not more than four dwelling units, provided the building has at least two exterior walls unattached to any adjoining building section and the dwelling units are separated exclusively by walls of such fire-resistant rating as comports with the "State Uniform Construction Code Act," P.L.1975, c. 217 (C.52:27D-119 et seq.) at the time of their construction or with a rating as shall be established by the bureau in conformity with recognized standards and the building is held under a condominium or cooperative form of ownership, or by a mutual housing corporation, provided that if any units within such a building section are not occupied by an owner of the unit, then that unit and the common areas within that building section shall not be exempted from the definition of a multiple dwelling for the purposes of P.L.1967, c. 76 (C.55:13A-1 et seq.). A condominium association, or a cooperative or mutual housing corporation shall provide the bureau with any information necessary to justify an exemption for a dwelling unit pursuant to this paragraph; or
- (3) any building of three stories or less, owned or controlled by a nonprofit corporation organized under any law of this State for the primary purpose to provide for its shareholders or members housing in a retirement community as same is defined under the provisions of the "Retirement Community Full Disclosure Act," P.L.1969, c. 215 (C.45:22A-1 et seq.), provided that the corporation meets the requirements of section 2 of P.L.1983, c. 154 (C.55:13A-13.1).

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2021 – 038 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY TO AMEND AND SUPPLEMENT CERTAIN PORTIONS OF CHAPTERS 420 “LAND USE PROCEDURES” AND 500 “ZONING” REGULATING SHIPPING CONTAINERS

WHEREAS, upon discussion the Township Council of the Township of West Milford finds it desirable and necessary to provide certain clarifications to the standards regulating shipping containers to ensure proper and efficient implementation of same.

NOW, BE IT ORDAINED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey, that the Land Development Ordinance shall be amended and supplemented as provided herein.

Section 1. Chapter §420 **Land Use Procedures**
§420-6 **Definitions**

ACCESSORY BUILDING, STRUCTURE, OR USE

HAZARDOUS MATERIALS

Any material, solid, liquid or gas, listed as a hazardous substance or material, including but not necessarily limited to the NFPA Guide of Hazardous Materials, the Department of Transportation Guide Book, the list of hazardous substances and toxic pollutants designated by the Federal Environmental Protection Agency (EPA) and the New Jersey Department of Environmental Protection pursuant to Section 311 of the Federal Water Pollution Control Act, Amendment of 1972, as amended by the Clean Water Act of 1977 (33 U.S.C. § 1251 et seq.) and the list of toxic pollutants designated by Congress or the EPA pursuant to Section 307 of the Federal Water Pollution Control Act, and hospital or medical waste, including but not limited to syringes, bandages and discarded pharmaceutical products and any material warranting removal or cleanup in the opinion of the West Milford Township Office of the Fire Official.

SHIPPING CONTAINER, ISO CONTAINER, ISO SHIPPING CONTAINER, SEA CONTAINER

Any standardized shipping container constructed in accordance with the standard sizes promulgated by the International Standards Organization (ISO) for use in international intermodal transportation of goods by ship, rail, or truck, which shall include but shall not be limited to containers that are 20 feet in length and 8 feet in width, 40 feet in length and 8 feet in width, and 53 feet in length and 8 feet in width. Shipping containers that have been modified into a permanent structure and no longer appears to be a shipping container, shall follow accessory building or principal building standards depending on the proposed use.

Section 2. §500 Zoning
§500-XX **Shipping containers.**

- A. Shipping containers placed on any site shall comply with the provisions of this section, except that portable moving containers/moving pods placed on private property for no more than 30 days in any twelve-month period shall not be regulated by this section.
- B. Nonconforming structures. Structures rendered non-conforming by this ordinance may obtain a certification pursuant to N.J.S.A. 40:55D-68 that a use or structure existed prior to the adoption of the ordinance which rendered the use or structure nonconforming by applying for a zoning permit, subject to the following conditions:
 - a. The applicant shall have the burden of proof that the structure existed prior to the adoption of this ordinance.
 - b. The structural integrity of the existing container must receive approval from the Construction Official or the Construction Official's Designee.

- c. The replacement of any existing shipping container must comply with the Zoning Ordinance, including the limit of one (1) shipping container per every four (4) acres in residential districts.
- C. Temporary shipping containers. Shipping containers under 200 square feet that meet accessory structure setback requirements of the underlying zone may be placed on any property for up to 180 days in one calendar year beginning on the date of zoning permit approval.
- D. Permit required. Placement of shipping containers in any zone district are required to submit a zoning permit application. Placement of a shipping container over 200 square feet will also require a building permit application. Shipping containers in commercial or industrial districts, or on farm-assessed properties, shall adhere to additional requirements set forth in § 500-XX.E.
- E. Residential districts. Permanent shipping containers over 200 square feet are prohibited in residential districts. Upon submission and approval of a zoning permit application, a shipping container under 200 square feet may be used as permanent storage but must adhere to the following standards:
 - a. Shipping containers shall meet accessory building area and bulk requirements of the underlying zone district. If the shipping container is in any yard that is adjacent to another residential property, or visible from any street, the container must either be screened or improved with cladding or siding.
 - b. No more than one shipping container per every four (4) acres shall be placed on a residential property.
- F. Commercial districts and industrial districts.
 - a. Shipping containers must adhere to the accessory building area and bulk requirements of the underlying zone district.
 - b. Shipping containers shall not be used for storage of hazardous material (as defined in § 420-6) and may not be used as dwelling units, commercial sales or service, or other use types.
 - c. Shipping containers may not be stacked.
 - d. Screening or buffering must be implemented if a shipping container is within 50 feet of any residential use or district or visible from any public street.

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:
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 2021 - 039 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 10 "TRAFFIC" SECTION 10.8 "NO LEFT TURN" SPECIFICALLY SCHEDULE VIII "LEFT TURN PROHIBITIONS" AS ATTACHED TO THE END OF CHAPTER 10 OF THE REVISED GENERAL ORDINANCES ADDING AN ADDITIONAL PROHIBITED LEFT TURN ONTO HIGHLANDER DRIVE FROM THE EASTERN MOST DRIVEWAY OF MACOPIN SCHOOL DURING THE HOURS OF 7:00 AM TO 7:30 AM

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. Schedule VIII "Left Turn Prohibitions" as attachment to Chapter 10 "Traffic" of the aforesaid Revised General Ordinances, is hereby amended to add an additional prohibited left hand turn. The addition to Schedule VIII as attached to Chapter 10 shall read as follows:

<u>LOCATION</u>	<u>TURN PROHIBITED</u>	<u>MOVEMENT PROHIBITED</u>
Highlander Drive and Macopin School Driveway	Left Hand Turn	Northwest onto Highlander Drive from Macopin School Driveway between 7:00 am and 7:30 am

SECTION 2. Regulatory signs shall be erected to affect the above designated No Left Turn.

SECTION 3. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other section or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION 4. 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 5. 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 6. This Ordinance shall take effect as required by law and upon the posting of appropriate signs.

Introduced:
Adopted:
Effective Date:

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST:

William Senande, Township Clerk

By: _____
Michele Dale, Mayor

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2021- 040 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE REPLACING OF THE YIELD SIGNS WITH STOP SIGNS AT THE CHANNELIZED ISLAND WHICH SEPARATES ALL APPROACHES TO HIGH CREST DRIVE

WHEREAS, in response to the email from the High Crest Board that an investigation be performed regarding High Crest Drive and Upper High Crest Drive intersections; and

WHEREAS, the Mayor and Township Council received an investigatory memorandum from Township Engineering Aide, Charles Carbone, on October 7, 2021 which indicated the investigation was performed; and

WHEREAS, the Mayor and Township Council desire to ensure that all travelers on High Crest Drive and intersections are safe; and

WHEREAS, it is the recommendation of the investigation to replace the Yield Signs at the channelized island which separates all approaches to High Crest Drive with Stop Signs.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of West Milford, County of Passaic as follows:

- SECTION 1.** Replace the Yield Signs at the channelized island which separates all approaches to High Crest Drive with Stop Signs.
- SECTION 2.** All violations shall be punished in accordance with Township Ordinances for traffic violations.
- 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 twenty (20) days following final passage, approval, and publication as required by law.

Introduced:
Adopted:
Effective Date:

ATTEST

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

William Senande, Township Clerk

By: _____
Michele Dale, Mayor

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 - 403 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO J CALDWELL & ASSOCIATES, LLC FOR THE REDEVELOPMENT STUDY - 960 BURNT MEADOW ROAD

WHEREAS, Resolution 2021-353 directed the Planning Board to study 960 Burnt Meadow Road, Block 4601 Lot 17 to see if the proposed Study Area meets the criteria outlined in N.J.S.A. 40A:12A-1 et seq. to deemed a non-condemnation area in need of redevelopment; and

WHEREAS, the Planning Board utilized Jessica Caldwell PP to conduct the study and

WHEREAS, a proposal has been submitted by J Caldwell & Associates, LLC to complete the Area in Need of Redevelopment Study and scope of work; and

WHEREAS, the Administrator has reviewed said proposal and recommends the award of a professional services contract to Jessica Caldwell of J Caldwell & Associates, LLC to conduct the study; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these services, said funds to be encumbered from account 01-201-20-161-452; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1. The Mayor and Township Clerk be and are hereby authorized to execute a contract with J. Caldwell & Associates, LLC 145 Spring Street, Suite E, Newton, NJ 07860, to complete the study for 960 Burnt Meadow Road Redevelopment Study in an amount not to exceed \$11,510.00.
2. This contract is awarded as "Professional Services" pursuant to N.J.S.A. 19:44A-20 *et seq.* and the Local Public Contracts Law.
3. The total fee authorized for this contract shall not exceed \$11,510.00, without prior written approval of the Township Council.
4. Notice of this action shall be published once in the Township's official newspaper as required by law

Adopted: November 3, 2021

Adopted this 3rd day of November, 2021
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 404 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AMENDING RESOLUTION 2021-041 WITH J CALDWELL & ASSOCIATES LLC TO INCREASE THE CONTRACT VALUE IN AN AMOUNT NOT TO EXCEED \$11,000.00

WHEREAS, by virtue of Resolution 2021-041 adopted January 6, 2021 the Township Council did authorize the engagement of Planning and Zoning Officer services to be provided by J Caldwell & Associates LLC; and

WHEREAS, Resolution 2021-041 and the related Professional Services Contract did authorize services in an amount not to exceed \$130,000.00; and

WHEREAS, the Township Administrator has been advised that the Township's needs, necessitates an amendment in an additional amount not to exceed \$11,000; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds and said funds to be encumbered from account 01-201-21-185-450 for \$11,000.00; 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.

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 \$11,000.00 to J Caldwell & Associates for professional services which amount is in excess of the initially approved contract amount of \$130,000 bringing the contract total to an amount not to exceed \$141,000.00

This Resolution shall take effect immediately.

Adopted: November 3, 2021

Adopted this 3rd day of November, 2021
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 405 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING ENTRY INTO AND EXECUTION OF AN AGREEMENT WITH THE SOMERSET COUNTY COOPERATIVE PRICING SYSTEM #2SOCCP

WHEREAS, N.J.S.A. 40A:11-11 (5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Somerset, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, the Township of West Milford desires to become a member of the Somerset County Cooperative Pricing System #2SOCCP, effective November 3, 2021, and that such membership shall be for the period ending December 31, 2023 and each five year renewal thereafter of the system, unless the Township of West Milford elects to formally withdraw from the system; and

WHEREAS, on November 3, 2021, the Governing Body of the Township of West Milford, County of Passaic, State of New Jersey duly considered participation in a Cooperative Pricing System for the purchase of goods and services.

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

1. The Township Council of the Township of the West Milford hereby authorize the Mayor and Township Clerk to execute an Agreement with the Somerset County Cooperative Pricing System by the County of Somerset as Lead Agency pursuant to N.J.S.A. 40A:11-11(5).
2. The Municipal Clerk of the Township of West Milford is hereby directed to submit a copy of this adopted Resolution, along with an executed Agreement, to Somerset County as Lead Agency of the #2SOCCP.
3. This Resolution shall take effect immediately upon final passage according to law.
4. All appropriate officials in the Township of West Milford are authorized and directed to perform all required acts to affect the purpose of the Resolution.

Adopted: November 3, 2021

Adopted this 3rd day of November 2021
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 406 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PAVEMENT REPAIR OF A PORTION OF WARWICK TURNPIKE AND MORSETOWN ROAD IN ACCORDANCE WITH THE TOWNSHIP'S PURCHASING POLICIES AND PAY-TO-PLAY LAW N.J.S.A. 19:44A-20.5 ET SEQ.

WHEREAS, the Township Council did establish a policy whereby a resolution shall be presented for their consideration for any purchase or purchases in excess of the former bid threshold of \$17,500.00 and that the purchases shall warrant use of State contract, Cooperative Pricing contract or a minimum of three quotations; and

WHEREAS, a portion of Warwick Turnpike, approximately 125 feet north of Lake Shore Drive (North) and a portion of Morsetown Road, approximately 1,450 feet south of Rockburn Pass, requires surface course asphalt repair; and

WHEREAS, the extents of both areas require repair prior to the winter season; and

WHEREAS, the Engineering Division requires the pavement repair of the roads which expense shall exceed the \$17,500.00 threshold; and

WHEREAS, three (3) quotes were solicited and three (3) quotes were received and Crossroads Pavement Maintenance, LLC was the lowest quote at \$31,845.00; and

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

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purchase, said funds to be encumbered from account number 04-215-55-831-001; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey that the appropriate Township officials be and are hereby authorized to execute a purchase order to Crossroads Pavement Maintenance, LLC, 512 Newark Pompton Turnpike, Pompton Plains, NJ 07444 in an amount not to exceed \$31,845.00 for the pavement repair of a portion of Warwick Turnpike and Morsetown Road.

Adopted: November 3, 2021

Adopted this 3rd day of November, 2021
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 407 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF WEST MILFORD LIBRARY TO PROVIDE SNOW REMOVAL SERVICES

WHEREAS, the Township of West Milford Library has expressed a need for snow removal services; and

WHEREAS, it is deemed to be in the best interests of the residents of the Township of West Milford and the Township of West Milford Library to enter into an agreement to enable the Township of West Milford to provide snow removal services to the Township of West Milford Library; and

WHEREAS, to effectuate this agreement, the Township of West Milford wishes to enter into shared services agreement from November, 2021 through May, 2022 with the Township of West Milford Library that will fully set forth the complete terms of the agreement; and

WHEREAS, prior to execution of the agreement, the governing body of the Township of West Milford Library will also adopt a resolution approving execution of the agreement.

NOW THEREFORE BE IT RESOLVED by the Township of West Milford, in the County of Passaic and State of New Jersey, that the Mayor is hereby authorized to execute the above referenced shared services agreement with the Township of West Milford Library for snow removal services.

This Resolution shall take effect immediately.

Adopted: November 3, 2021

Adopted this 3rd day of November, 2021
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 408 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY APPROVING THE CERTIFICATION LIST OF VOLUNTEER MEMBERS OF THE TOWNSHIP OF WEST MILFORD FIRE DEPARTMENTS AND FIRST AID SQUADS

WHEREAS, the Township adopted Ordinance No. 1999-26 which created the Length of Service Awards Program (LOSAP); and

WHEREAS, N.J.S.A. 40A: 14-191 requires that the Emergency Service Organizations furnish the Township Council with an annual certification list of all volunteer members who have qualified for credit under the award program for the previous year;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Council of the Township of West Milford, formally approve the list of the volunteer members of the Township of West Milford fire departments and first aid squads submitted by each fire department and first aid squad for the year 2020, a copy of which list is attached here as an addendum; and

BE IT FURTHER RESOLVED that a copy of this list will be posted for at least thirty (30) days in the respective fire houses, first aid squads and municipal clerk's office.

Approved: November 3, 2021

Adopted this 3rd day of November 2021
and certified as a true copy of the original.

William Senande, Township Clerk

**West Milford Township
Roster for Resolution**

Last Name	First Name	Fire Co. or Squad	Payment Amount	Points 2020
BARRETT	RACHAEL	FIRE CO #1	\$ 700.00	199
BARTHOLOMEW	PAUL	FIRE CO #1	\$ 700.00	202
BLOCK	ROBERT	FIRE CO #1	\$ 700.00	242
CRATER	DAVID	FIRE CO #1	\$ 700.00	182
GILLEN	MICHAEL P.	FIRE CO #1	\$ 700.00	198
HEMPEL	ROBIN	FIRE CO #1	\$ 700.00	182
HIGGINS	SEAN	FIRE CO #1	\$ 700.00	182
KIRK	ROBERT C	FIRE CO #1	\$ 700.00	242
KIRK	ROBERT W.	FIRE CO #1	\$ 700.00	213
LONGAKER	GENNA	FIRE CO #1	\$ 700.00	198
LONGAKER	JOHN	FIRE CO #1	\$ 700.00	227
MILLER	RICHARD	FIRE CO #1	\$ 700.00	171
MOLNAR	ANTHONY	FIRE CO #1	\$ 700.00	198
MORALES	NICHOLAS	FIRE CO #1	\$ 700.00	227
MUSTAFA	TARA	FIRE CO #1	\$ 450.00	198
O'CONNOR	MATHEW	FIRE CO #1	\$ 700.00	179
POSTLEWAITE	GARY	FIRE CO #1	\$ 700.00	168
RAGO	ANTHONY	FIRE CO #1	\$ 700.00	242
ROSE	LEWIS J. JR.	FIRE CO #1	\$ 700.00	104
ROSE	RYAN	FIRE CO #1	\$ 700.00	120
SMITH	BRYNN	FIRE CO #1	\$ 700.00	178
STABILE	ANTHONY	FIRE CO #1	\$ 700.00	156
STRUBLE	DAVID E.	FIRE CO #1	\$ 700.00	207
STRUBLE	DIANE A.	FIRE CO #1	\$ 700.00	207
STRUBLE SR	TIMOTHY T.	FIRE CO #1	\$ 700.00	242
STRUBLE SR	VINCENT	FIRE CO #1	\$ 700.00	184
TIMONEY	SEAN	FIRE CO #1	\$ 700.00	172
CASTRO	ROBERT J.	FIRE CO #2	\$ 700.00	154
DRAKE	PETE	FIRE CO #2	\$ 700.00	117
LOPORTO	FRANK	FIRE CO #2	\$ 700.00	155
MCCALL	KEVIN	FIRE CO #2	\$ 700.00	101
ANTONELLI	RALPH	FIRE CO #2	\$ 700.00	106
BISHOP	PHIL	FIRE CO #3	\$ 700.00	134
BLONDIN	MICHAEL	FIRE CO #3	\$ 700.00	147
COSTA	SAMUEL J.	FIRE CO #3	\$ 700.00	153
DOWSON	GLENN	FIRE CO #3	\$ 700.00	105
GRAF	JOHN	FIRE CO # 3	\$ 700.00	130
HETTEMA	STEPHEN J.	FIRE CO #3	\$ 700.00	126
PULAIFICO	JOHN J	FIRE CO #3	\$ 700.00	117
SCHEIL	GERARD	FIRE CO #3	\$ 700.00	153
SCHEIL	JANET	FIRE CO #3	\$ 700.00	157
SIMON	JOHN T	FIRE CO #3	\$ 700.00	118
SPOELSTRA	JUSTIN	FIRE CO #3	\$ 700.00	182
SPOELSTRA	MICHAEL	FIRE CO #3	\$ 700.00	168
TOWNSEND	KEVIN	FIRE CO #3	\$ 700.00	153
VIERHEILIG	ERIK	FIRE CO #3	\$ 700.00	124

Last Name	First Name	Fire Co. or Squad	Payment Amount	Points 2020
WEBER	KATHRYN	FIRE CO #3	\$ 700.00	153
WEBER	KEITH	FIRE CO #3	\$ 700.00	161
BALLIN	RANDY J.	FIRE CO #4	\$ 700.00	103
BARKER	PAUL	FIRE CO #4	\$ 700.00	167
BATHMANN	RICHARD J.	FIRE CO #4	\$ 700.00	111
DRAKE	KEVIN	FIRE CO #4	\$ 700.00	117
IRWIN	JOHN	FIRE CO #4	\$ 700.00	161
KLOSZ	KENNETH	FIRE CO #4	\$ 700.00	143
KLOSZ	KEVIN	FIRE CO #4	\$ 700.00	141
LEMAY	AARON	FIRE CO #4	\$ 700.00	161
LEMAY	DAVID	FIRE CO #4	\$ 700.00	175
MILLER	JEFF G	FIRE CO #4	\$ 700.00	135
MILLER	MICHAEL	FIRE CO #4	\$ 700.00	199
MORLEY	LUKE	FIRE CO #4	\$ 700.00	144
POPLASKI	RICH, JR	FIRE CO #4	\$ 700.00	147
POPLASKI	RICH, SR	FIRE CO #4	\$ 700.00	153
POPP	KEITH	FIRE CO #4	\$ 700.00	103
WILLIAMS	DARREN	FIRE CO #4	\$ 700.00	149
BARTILUCCI	ROBERT	FIRE CO #5	\$ 700.00	188
BARTILUCCI	MICHAEL	FIRE CO #5	\$ 700.00	173
BINKO	JOHN W.	FIRE CO #5	\$ 700.00	148
BUONANNO	JOHN	FIRE CO #5	\$ 700.00	151
CALABRO	FRANK	FIRE CO #5	\$ 700.00	133
CASBARO	JASON	FIRE CO #5	\$ 700.00	163
CHAPMAN	DOUGLAS K.	FIRE CO #5	\$ 700.00	148
CLEGG	ROBERT	FIRE CO #5	\$ 700.00	104
COYTE	DONALD C.	FIRE CO #5	\$ 700.00	142
FANTOZZI	CASEY	FIRE CO #5	\$ 700.00	161
FERREIRA	MATTHEW	FIRE CO #5	\$ 700.00	161
FERREIRA	MICHAEL	FIRE CO #5	\$ 700.00	169
FREY JR	STANLEY	FIRE CO #5	\$ 700.00	171
GAGE	JAMES	FIRE CO #5	\$ 700.00	173
GIARDIELLO	MATTHEW	FIRE CO #5	\$ 700.00	165
HEUER	JOHN L.	FIRE CO #5	\$ 700.00	171
KIEL	KEVIN	FIRE CO #5	\$ 700.00	188
KUCERA	JOSEPH	FIRE CO #5	\$ 700.00	132
LAMANNA	ANTHONY	FIRE CO #5	\$ 700.00	173
MAILLY	WILLIAM J.	FIRE CO #5	\$ 700.00	157
OLLEARO JR	EDWARD	FIRE CO #5	\$ 700.00	173
OLLEARO SR	EDWARD	FIRE CO #5	\$ 700.00	109
PONZO	JOSEPH C, JR	FIRE CO #5	\$ 700.00	148
PONZO	JOSEPH C. SR	FIRE CO #5	\$ 700.00	148
RYAN	KEVIN	FIRE CO #5	\$ 700.00	171
SEBASTAIN	CANDICE D.	FIRE CO #5	\$ 700.00	146
SILVERIA	ROBERTO	FIRE CO #5	\$ 700.00	137
STINZIANO	MARK S.	FIRE CO #5	\$ 700.00	124
VRESECKY	JOHN	FIRE CO #5	\$ 700.00	148
WIELHOUWER	PAUL M.	FIRE CO #5	\$ 700.00	171
ALDRICH JR	EDWIN C.	FIRE CO #6	\$ 700.00	167
CAPUZZO	CHRISTOPHER	FIRE CO #6	\$ 700.00	155
CORCORAN	JOSEPH	FIRE CO #6	\$ 700.00	180

Last Name	First Name	Fire Co. or Squad	Payment Amount	Points 2020
CZUJ	KRZYSZTOF	FIRE CO #6	\$ 700.00	116
DEWILDE	CHRISTOPHER J.	FIRE CO #6	\$ 700.00	167
DURAN	LUKE	FIRE CO #6	\$ 700.00	100
DYGOS	JAMES	FIRE CO #6	\$ 700.00	148
DYGOS	RONALD	FIRE CO #6	\$ 700.00	190
DYGOS	MICHAEL	FIRE CO #6	\$ 700.00	152
GERACE	ROCCO	FIRE CO #6	\$ 700.00	169
LINDSTROM	ERIC	FIRE CO #6	\$ 700.00	122
MORRISSEY	WAYNE	FIRE CO #6	\$ 700.00	133
NICHOLAS	MICHAEL, SR	FIRE CO.#6	\$ 700.00	101
NICHOLAS	MICHAEL, JR	FIRE CO.#6	\$ 700.00	112
SCONFIENZA	ROY	FIRE CO #6	\$ 700.00	100
SIRNIK	ROBERT	FIRE CO #6	\$ 700.00	149
STEINES	EDWARD	FIRE CO #6	\$ 700.00	126
WEAVER	MATTHEW	FIRE CO #6	\$ 700.00	147
WEAVER	WILLIAM R.	FIRE CO #6	\$ 700.00	169
WEYANT	JAKE	FIRE CO #6	\$ 700.00	122
ZALESKI	CHRISTOPHER	FIRE CO #6	\$ 700.00	120
ARVIDSON	JOANNA	UGLFAS	\$ 700.00	130
CENTURIONE	DANIELLE	UGLFAS	\$ 700.00	200
COYNE	ELLEN	UGLFAS	\$ 700.00	120
FEDYSHYN	TIMOTHY	UGLFAS	\$ 700.00	114
HAJEK	THEODORE	UGLFAS	\$ 700.00	176
HEUER	NICOLE	UGLFAS	\$ 700.00	171
KELLY	JEAN C	UGLFAS	\$ 700.00	126
NEWTON	KATIE	UGLFAS	\$ 700.00	154
TAREKY	ZACKERY	UGLFAS	\$ 700.00	126
WEST	CLAUDIA	UGLFAS	\$ 700.00	168
WEST	CLIFF	UGLFAS	\$ 700.00	120
ALDRICH	STACIA	WMFAS	\$ 700.00	210
ARMELLINO	RACHEL	WMFAS	\$ 700.00	112
BECK	CAROLE	WMFAS	\$ 700.00	103
BURNS	PATRICIA	WMFAS	\$ 700.00	170
COX	JUSTIN	WMFAS	\$ 700.00	119
CUNEO	KENNETH	WMFAS	\$ 700.00	190.5
GONZALEZ	SARA	WMFAS	\$ 700.00	122.5
HANKINSON	STANLEY	WMFAS	\$ 700.00	101
LEWIS	ROSEMARIE	WMFAS	\$ 700.00	158
LIGUS	TIMOTHY	WMFAS	\$ 700.00	156
LONGAKER	GRETHEN	WMFAS	\$ 700.00	115
LUJBLI	BEVERLY	WMFAS	\$ 700.00	103
MUSTAFA	TARRA	WMFAS	\$ 700.00	101
MILLER	GEORGE	WMFAS	\$ 700.00	168.5
O'BRIEN	LISA	WMFAS	\$ 700.00	102
O'BRIEN	RAINA	WMFAS	\$ 700.00	102
PAPPAS	SUE	WMFAS	\$ 700.00	160
PISKADLO	DARCIA	WMFAS	\$ 700.00	140
REYES	ELAINE	WMFAS	\$ 700.00	157
REZZONICO	ERNEST	WMFAS	\$ 700.00	120
RYANS	KIMBERLY	WMFAS	\$ 700.00	128
SEWARD	JAMES	WMFAS	\$ 700.00	124

Last Name	First Name	Fire Co. or Squad	Payment Amount	Points 2020
SHAFFER	WILLIAM	WMFAS	\$ 700.00	125
STALBAUM	RALPH	WMFAS	\$ 700.00	100
STEVENS	ANTHONY	WMFAS	\$ 700.00	112
WOOD	ANDREW	WMFAS	\$ 700.00	148
ZAHUTA	ANNA	WMFAS	\$ 700.00	100

\$106,850.00

Township of West Milford

Passaic County, New Jersey

~ Resolution – 2021 - 409 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING CONSENT TO FILE A TREATMENT WORKS APPROVAL (TWA) APPLICATION TO ALTER AN EXISTING INDIVIDUAL SUBSURFACE DISPOSAL SYSTEM (ISSDS) ON LOT 2 IN BLOCK 2801 AT 350 WARWICK TURNPIKE WHICH IS UNDER THE JURISDICTION OF THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION POLLUTANT DISCHARGE ELIMINATION SYSTEM, DISCHARGE TO GROUNDWATER (NJPDES-DWG) AUTHORIZATION NUMBER NJG0324868

WHEREAS, "350 Warwick Turnpike, LLC" is the owner of the property at 350 Warwick Turnpike, West Milford, NJ 07480 in the Township of West Milford, which is otherwise known as Lot 2 in Block 2801; and

WHEREAS, the aggregate peak daily wastewater design flow for the use(s) on the property exceeds 2,000 gpd; and

WHEREAS, the construction, alteration or repair of an ISSDS designed to treat and dispose of wastewater flows in excess of 2,000 gpd is regulated by the NJDEP NJPDES program; and

WHEREAS, 350 Warwick Turnpike, LLC has submitted a request to the Township of West Milford for Consent to File a TWA with the NJDEP to alter the existing ISSDS on the property; and

WHEREAS, the Township Engineer has reviewed the request and has determined that the ISSDS is regulated by the NJDEP, conforms with the requirements of all municipal ordinances pertaining to the proposed disposal system; and

WHEREAS, a permit to alter the existing wastewater treatment and disposal systems must be authorized by the NJDEP through the TWA application process; and

WHEREAS, submittal of a TWA application to the NJDEP requires the municipality to, by way of Resolution, consent to the project; and

WHEREAS, the Township Engineer recommends to the Mayor and Township Council that it in fact consent to this application.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Milford, County of Passaic, State of New Jersey hereby consents to the Treatment Works Application with respect to septic alterations as submitted for the 350 Warwick Turnpike, LLC realty improvement located on Lot 2 in Block 2801 in the Township of West Milford.

Adopted: November 3, 2021

Adopted 3rd day of November, 2021
and certified as a true copy of an original.

Williaml Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 410 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF A STRATEGIC PLAN FOR THE WEST MILFORD MUNICIPAL ALLIANCE GRANT BY THE MUNICIPAL ALLIANCE COMMITTEE (CASA)

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, The Township Council of the Township of West Milford, County of Passaic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Council adopted Resolution 2021-191 authorizing the submission of a strategic plan for the West Milford Municipal Alliance grant; and

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Passaic.

NOW, THEREFORE, BE IT RESOLVED by the Township of West Milford, County of Passaic, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby accept a grant of a strategic plan for the West Milford Municipal Alliance grant for the period of July 1, 2021 to June 30, 2022 (FY2022) in the amount of:

DEDR	\$8,276.48
Cash Match	\$2,069.12
In-Kind	\$6,207.36

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.
3. The Chief Financial Officer has certified as to the availability of funds for this match, said funds to be encumbered from account number 19-295-56-120-215.

Adopted: November 3, 2021

Adopted this 3rd day of November, 2021
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 411 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING AND UPDATING THE PERSONNEL POLICIES AND PROCEDURES MANUAL THAT WAS APPROVED BY THE GOVERNING BODY ON OCTOBER 20, 2021 WHICH INCORPORATES THE EMPLOYEE HANDBOOK THEREIN AND APPROVING THE UPDATED DRUG AND ALCOHOL POLICIES FOR CDL HOLDERS AND SAFETY SENSITIVE EMPLOYEES - AMENDED

WHEREAS, pursuant to Resolution 2021-388 adopted October 20, 2021, the updated Personnel Policies and Procedures Manual which incorporated the Employee Handbook and updated Drug Policy was distributed; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of West Milford, in the County of Passaic that the Township of West Milford's Personnel Policies and Procedures Manual and the Township of West Milford's Drug Policy has been recently amended; and

BE IT FURTHER RESOLVED that a copy of the updated Township of West Milford's Personnel Policies and Procedures Manual and updated Drug Policy dated November 3, 2021 is on file with the Clerk's office; and

BE IT FURTHER RESOLVED that a copy of this Resolution and the amended Personnel Policies and Procedures Manual and Drug Policy will be forwarded to the Township Administrator for distribution to all Township employees.

This Resolution shall take effect immediately.

Adopted: November 3, 2021

Adopted this 3rd day of November, 2021
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 - 412 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, TO TRANSFER ITEMS OF CURRENT FUND APPROPRIATIONS IN ACCORDANCE WITH THE PROVISION OF N.J.S.A. 40:4 - 58

WHEREAS, there appears to be a surplus in the 2021 appropriation over and above the demand deemed to be necessary for the balance of the year:

APPROPRIATION	ACCOUNT NUMBER	TRANSFER PROPOSAL
Streets & Roads, S&W	26-290-100	\$28,000
Animal Control, S&W	27-340-101	\$43,928
Bubbling Springs, S&W	28-371-100	\$40,100
Green Acres Loan	45-940-200	\$1
TOTAL TRANSFERS OUT		\$112,029

WHEREAS, there appears to be insufficient funds in the following appropriations to meet the demands thereon for the balance of the 2021 budget year:

Tax Assessment, S&W	20-150-100	\$1,500
Zoning, OE	21-181-200	\$11,000
Police Patrol, OE	25-240-200	\$25,000
Public Health, S&W	27-330-100	\$28,000
Vital Statistics, S&W	27-331-100	\$200
Environmental Health, S&W	27-335-100	\$1,500
Animal Control, OE	27-340-450	\$43,928
Recreation Administration, S &W	28-372-100	\$500
Senior Citizens Services, S&W	28-376-100	\$400
Municipal Debt Service	45-000-000	\$1
TOTAL TRANSFERS IN		\$112,029

NOW, THEREFORE BE IT RESOLVED, by the Council of the Township of West Milford in the County of Passaic, State of New Jersey, that in accordance with the provisions of N.J.S.A. 40A:4-58, part of the 2021 appropriation heretofore mentioned be and the same are hereby transferred to the appropriations mentioned as being insufficient to meet prior demands, and

A certified copy of this Resolution shall be forwarded by the Township Clerk to the Township Treasurer.

Adopted: November 3, 2021

Adopted this 3rd day of November, 2021
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 413 ~

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 2021 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 2021 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: Drive Sober or Get Pulled Over campaign;	\$3,600.00
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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 Drive Sober or Get Pulled Over campaign;	\$3,600.00
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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: November 3, 2021

Adopted this 3rd day of November, 2021
and certified as a true copy of an original

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 - 414 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC STATE OF NEW JERSEY AUTHORIZING THE ESTABLISHMENT OF A "DEDICATION BY RIDER" TO THE BUDGET OF THE TOWNSHIP OF WEST MILFORD FOR UNIFORM FIRE SAFETY ACT PENALTY MONEYS FUND PURSUANT TO N.J.A.C. 5:70-2.12

WHEREAS, N.J.S.A. 40A:4-39 provides for the insertions of a "Dedication by Rider" in the budget of any local unit which dedicates revenues anticipated during the fiscal year from revenues, subject to written prior consent of the Director of the Division of Local Government Services, when the revenue is not subject to reasonably accurate estimate in advance; and

WHEREAS, N.J.A.C. 5:70-2.12(f)2 states all moneys that are recovered as a result of the assessment of penalties shall be paid into the designated trust account and shall be appropriated to support the local enforcing agency's operation; and

WHEREAS, additionally N.J.A.C.5:70-2.12A(b) states all monies collected shall be placed in a special municipal trust fund to be applied to the cost to the municipality of firefighter training and/or new firefighting equipment ; and

WHEREAS, such dedicated revenues shall be appropriated for the purpose to which said revenue is dedicated by statute or other legal requirements.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford, County of Passaic, State of New Jersey that all Uniform Fire Safety Act Penalty Moneys revenue received by the Township of West Milford, be placed in a specific trust fund and such trust fund shall be considered a "Dedication by Rider" to the budget of the local unit, pursuant to N.J.A.C.5:70-2.12(F)2, for the purposes stated above.

Adopted: November 3, 2021

Adopted this 3rd day of November, 2021
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 415 ~

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) **2021-416** – Cancel Outstanding Checks Over 3 Months
- b) **2021-417** – Refund Recreation Fees
- c) **2021-418** – Refund of Other Liens
- d) **2021-419** – Refund Street Bond Fee
- e) **2021-420** – Reinstatement of Taxes
- f) **2021-421** – Refund Police Unused Balance of Escrow

Adopted: November 3, 2021

Adopted this 3rd day of November, 2021
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 - 416 ~

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

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

DATE	CHECK #	AMOUNT
6/10/21	27470	\$ 80.00
	TOTAL	\$ 80.00

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

Adopted: November 3, 2021

Adopted this 3rd day of November, 2021
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 417 ~

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:

COED VOLLEYBALL	
\$40.00	Dan Fletcher 1004 Eagleview Terrace Lake Ariel, PA 18436
SKATEBOARD CLINIC	
\$125.00	Elena Myasnikova 21 Capstan Road West Milford, NJ 07480

Adopted: November 3, 2021

Adopted this 3rd day of November 2021
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 418 ~

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
21-0016	10/12/2021	03006-011	\$53,747.27	CHRISTIANA TRUST AS CUSTODIAN P.O. BOX 71276 PHILADELPHIA, PA 19176
21-0030	10/12/2021	05501-002.03	\$167,190.71	FNA VI LLC 120 N LASALLE ST, SUITE 1220 CHICAGO, IL 60602
21-0033	10/12/2021	05501-006	\$4,577.96	EVOLVE BANK & TRUST 6070 POPLAR AVENUE, SUITE 200 MEMPHIS, TN 38119
19-0021	10/15/2021	02608-005	\$15,216.96	TLOA OF NJ LLC 11 TALCOTT NOTHC RD 2 ND FLOOR FARMINGTON, CT 06032
21-0042	10/12/2021	07801-030.03	\$53,471.31	FNA VI LLC 120 N LASALLE ST, SUITE 1220 CHICAGO, IL 60602
21-0027	10/12/2021	05301-020	\$71,997.51	EVOLVE BANK & TRUST 6070 POPLAR AVENUE, SUITE 200 MEMPHIS, TN 38119
21-0029	10/12/2021	05405-008	\$29,118.70	LB-HONEY BADGER SBMUNI CUST P.O. BOX 31191 Tampa, FL 33631
21-0018	10/12/2021	03405-005	\$102,587.89	FNA VI LLC 120 N LASALLE ST, SUITE 1220 CHICAGO, IL 60602
19-0034	10/15/2021	04404-014	\$65,838.04	TLOA OF NJ LLC 11 TALCOTT NOTCH RD 2 ND FLOOR FARMINGTON, CT 06032
21-0012	10/12/2021	02404-012	\$36,816.96	FNA VI LLC 120 N LASALLE ST, SUITE 1220 CHICAGO, IL 60602
TOTAL			\$600,563.31	

Adopted: November 3, 2021

Adopted this 3rd day of November, 2021
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 419 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF A STREET EXCAVATION BOND FEE

BE IT RESOLVED, that the following street opening bond fee upon the recommendation of the Township Engineering Department be refunded:

Receipt No.	Refund Amount	Refund to	Street Excavation Project Permit No.
561815	\$473.58	Samir Izejroski 65 Reidy Place West Milford, NJ 07480	65 Reidy Place 2020-26

Adopted: November 3, 2021

Adopted this 3rd day of November, 2021
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 420 ~

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: INSUFFICIENT FUNDS

BLOCK/LOT	NAME	AMOUNT	INT	YEAR
03103-003	Brian A. Uhr	\$2,014.71	\$71.69	2021
	Total	\$2,086.40		

Adopted: November 3, 2021

Adopted this 3rd day of November, 2021
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 - 421 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING REFUND OF POLICE OUTSIDE SERVICES UNUSED BALANCE OF ESCROW

BE IT RESOLVED, that the following balance of a police outside services escrow be refunded:

Name	Account No.	Amount to be Refunded
Highpoint Utilities 150 Ryerson Avenue Wayne, NJ 07470	19-295-56-140-321	\$104.74
Atlantic Infra-Red 5042 Industrial Road Wall, NJ 07727	19-295-56-140-322	\$5,879.12
Greenwood Lake Power Boat 22 Neilson Place Oak Ridge, NJ 07438	19-295-56-140-325	\$1,461.32
Communication Specialists 143 Old Route 9 Fishkill, NY 12524	19-295-56-140-337	\$4,346.03
Statewide Striping 499 Pomeroy Road Parsippany, NJ 07054	19-295-56-140-345	\$1,825.20
ARCADIS 630 Plaza Drive, Suite 600 Highlands Ranch, CO 80129	19-295-56-140-349	\$566.21
ABC Studios 500 S. Buena Vista Burbank, CA 91521	19-295-56-140-351	\$795.09
H.E.A.T. 126 Airport Road West Milford, NJ 07480	19-95-56-140-417	\$474.46
Pinecliff Lake Club House 16 Milford Lane West Milford, NJ 07480	19-295-56-140-420	\$50.00
West Milford Band Parents P.O. Box 603 West Milford, NJ 07480	19-295-56-140-428	\$162.95
Betts Environmental 160 Hamburg Turnpike Butler, NJ 07405	19-295-56-140-445	\$142.96

Name	Account No.	Amount to be Refunded
Universal Television LLC 100 Universal City Plaza Universal City, CA 91608	19-295-56-140-447	\$3,559.34
Onorati Construction Co., Inc. 19D Elcock Avenue Boonton, NJ 07005	19-295-56-140-449	\$56.06
Joel Schneid 19 South Ridge Road Pomona, NY 10970	19-295-56-140-461	\$26.40

Adopted: November 3, 2021

Adopted this 3rd day of November, 2021
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution No. 2021 - 422 ~

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	\$707,751.98
3	Reserve Account	3,027.37
2	Grants	2,666.04
6	Refunds	620,651.77
1	General Ledger	5,116,529.12
26	Refuse	68,324.83
4	Capital	451,296.76
19	Animal Control	3,145.93
19	Heritage Trust	850.00
19	Open Space Trust	0.00
19	Trust	12,872.79
19	Scala Trust	0.00
16	Development Escrow	0.00
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$6,987,116.59
	Less Refund Resolution	-\$620,651.77
	Actual Bills List	\$6,366,464.82
	Other Payments	
	Payroll	\$497,687.34
	NJ DMV	60.00
	Total Expenditures	\$6,864,212.16

Adopted: November 3, 2021

Adopted this 3rd day of November, 2021
and certified as a true copy of an original

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 - 423 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY REQUESTING THE ACCEPTANCE OF A GRANT FROM THE NEW JERSEY HIGHLANDS COUNCIL FOR THE REMAINING BALANCE FOR THE TOWNSHIP-WIDE WATERSHED MANAGEMENT PROGRAM

WHEREAS, pursuant to Resolution 2020-142 adopted on March 18, 2020, the Township Council of West Milford approved the submission of a New Jersey Highlands Council formal request for funding for a Township-wide Watershed Management Program; and

WHEREAS, the requested \$286,250.00 resulted in a grant award of \$200,000.00 by New Jersey Highlands Council Resolution 2020-16.

WHEREAS, on December 16, 2020, the Township Council of West Milford formally accepted the partial grant award by Resolution 2020-378; and

WHEREAS, on September 23, 2021, the New Jersey Highlands Council approved the remaining grant funding request of \$86,250.00 by authorizing Resolution 2021-23.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Council of the Township of West Milford formally accept the \$86,250.00 grant balance received for the above stated project.

Adopted: November 3, 2021

Adopted this 3rd day of November, 2021
and certified as a true copy of an original.

William Senande, Township Clerk



State of New Jersey
 Highlands Water Protection and Planning Council
 100 North Road (Route 513)
 Chester, New Jersey 07930-2322
 (908) 879-6737
 (908) 879-4205 (fax)
www.nj.gov/njhighlands



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CARL J. RICHKO
Chairperson

LISA J. PLEVIN
Executive Director

October 26, 2021

VIA EMAIL ONLY
 The Honorable Michele Dale
 West Milford Township
 1480 Union Valley Road
 West Milford, NJ 07480

Subject: Township Watershed Management Program, Phase II – Task #8
 Amended Plan Conformance Grant #09-033-011-1615

Dear Mayor Dale:

On behalf of the Highlands Water Protection and Planning Council (Highlands Council), I am pleased to advise you that additional grant funding in the amount of \$86,250 for completion of the Township's Watershed Management Program has been approved.

Authorization for this grant is provided via Highlands Council Resolution #2021-23, which the Council adopted on September 23, 2021 (copy attached). A revision to West Milford's Amended Plan Conformance Grant Agreement (replacing page 6) is also attached, which now includes the not-to-exceed sum of \$312,250 under Plan Conformance Grant Agreement Task 8, "Lake Management Plan." As you know, this funding is contingent on the Township's ability to complete all work described in the scope of work and within the proposed schedule.

The project may now continue through completion of Phase II, in accordance with the already-approved scope of work (SOW) prepared for West Milford by the West Milford Lakes Committee and Princeton Hydro, dated March 11, 2020.

Please do not hesitate to contact me (lisa.plevin@highlands.nj.gov) or your staff liaison, Judy Thornton, Principal Planner (judy.thornton@highlands.nj.gov) should you have questions or require further assistance regarding this matter. Thank you for your continued efforts to protect and enhance the resources of the Highlands Region.

Sincerely,

Lisa J. Plevin
 Executive Director

Enc: Highlands Council Resolution #2021-23
Revised Grant Agreement (p.6 replacement)

c: William Senande, Township Administrator
Ellen Mageean, CFO
Paul Neitzer, Chair-West Milford Lakes Committee
Christopher Mikolajczk, CLM, Princeton Hydro

RESOLUTION 2021-23
APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR A REGIONAL
LAKE MANAGEMENT PLAN FOR WEST MILFORD TOWNSHIP, PASSAIC
COUNTY

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act) has created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (Highlands Council); and

WHEREAS, Section 6.g of the Highlands Act authorizes the Highlands Council to enter into any and all agreements or contracts and execute any and all instruments to carry out any power, duty or responsibility assigned to it under the Highlands Act; and

WHEREAS, Section 14 of the Highlands Act expressly requires mandatory Plan Conformance for municipalities located wholly or partially in the Preservation Area, which must revise and conform their local master plan and development regulations, as they relate to development and use of land in the Preservation Area, with the goals, requirements and provisions of the Regional Master Plan (RMP); and

WHEREAS, Section 15 of the Highlands Act provides for voluntary Plan Conformance where any municipality located wholly or partially in the Planning Area may voluntarily revise and conform their local master plans and development regulations, as they relate to the development and use of land in the Planning Area, with the goals, requirements and provisions of the Regional Master Plan at any time; and

WHEREAS, the Highlands Act provides that Highlands Council approval of a Petition for Plan Conformance confers specific benefits on the conforming municipality including: planning grants, technical assistance, state aid, priority for projects, a strong presumption of validity and extraordinary deference in the event of legal challenge, and legal representation; and

WHEREAS, Section 18 of the Highlands Act obligates the Highlands Council to establish a grant funding program to reimburse municipalities for reasonable expenses associated with Plan Conformance; and

WHEREAS, on December 18, 2008, the Highlands Council approved Resolution 2008-73 to provide grant funding for the Highlands municipalities to cover the reasonable expenses associated with revisions to master plans, development regulations or other regulations to conform them to the Regional Master Plan; and

WHEREAS, the Highlands Council encourages every Highlands municipality to participate in the implementation of the Regional Master Plan and provides grants to assist Highlands municipalities in conforming with and implementing the goals, policies and objectives of the Regional Master Plan; and

WHEREAS, the Township of West Milford in Passaic County is in need of reimbursement-based grant funding in order to implement Phase II of a regional lake management plan which covers in-lake water quality monitoring, trophic state analyses, and final reporting; and

RESOLUTION 2021-23
APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR A REGIONAL
LAKE MANAGEMENT PLAN FOR WEST MILFORD TOWNSHIP, PASSAIC
COUNTY

Plan Conformance Funding (not-to-exceed amount):

Municipality	Purpose	Amount
West Milford Township	Lake Management Plan	\$86,250
Total	FY 2022 Plan Conformance	\$86,250

WHEREAS, the Highlands Council staff recommends that the Highlands Council authorize the execution of a Plan Conformance Grant Agreement with the aforementioned municipality for the funding allotted to the above-referenced tasks in the amounts designated, not to exceed in the aggregate, \$86,250; and

WHEREAS, the above-referenced \$86,250 allocation will be included in a forthcoming FY 2022 Highlands Protection Fund Capital Budget; and

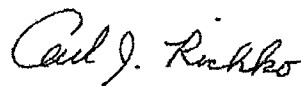
WHEREAS, pursuant to N.J.S.A. 13:20-5.j, no action authorized by the Highlands Council shall have force or effect until ten (10) days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the meeting of the Council has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED that the Highlands Council hereby authorizes the Executive Director to execute a Plan Conformance Grant Agreement with the above-listed municipality, in the not-to-exceed amount as set forth above; and

BE IT FURTHER RESOLVED that the Highlands Council hereby approves the above-referenced municipal funding in the Highlands Protection Fund Capital Budget for Fiscal Year 2022 in order to provide grant funding for that Highlands municipality to cover the reasonable expenses associated with revisions to master plans, development regulations or other regulations to conform them to the Regional Master Plan, not to exceed \$86,250 in the aggregate.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 23rd day of September 2021.



Carl J. Richko, Chairman

RESOLUTION 2021-23
APPROVAL OF PLAN CONFORMANCE GRANT FUNDING FOR A REGIONAL
LAKE MANAGEMENT PLAN FOR WEST MILFORD TOWNSHIP, PASSAIC
COUNTY

Vote on the Approval of The Resolution	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede			✓			
Councilmember Dougherty						✓
Councilmember Dressler			✓			
Councilmember Francis			✓			
Councilmember Holtaway	✓		✓			
Councilmember James			✓			
Councilmember Sebetich			✓			
Councilmember Van Abs		✓	✓			
Councilmember Visioli			✓			
Councilmember Vohden			✓			
Chairman Richko			✓			

9. Budget	
Amount of Prior Financial Assistance	\$80,141.19
Amount of Grant Funding Expended	\$80,141.19
Project Cost Breakdown	
Project Components	Cost Estimate
Task 1 - Fair Share Planning	\$25,000.00
Task 2 - Highlands ERI	\$1,775.00
Task 3 - Highlands Element & MP Reexam	\$18,842.00
Task 4 - Land Use Ordinances	\$8,465.96
Task 5 - Checklist Ordinance	\$1,934.04
Task 6 - Municipal Zoning Map Update	\$225.00
Task 7* - WUCMP	\$10,000.00
Task 8 - Lake Management Plan	\$312,250.00
Task 9 - Wastewater Management Plan	\$5,000.00
Task 10 - Highlands Redevelopment Planning	\$73,000.00
Task 11 – Highlands Council Training Sessions	\$1,258.00
Task 12 – Stormwater Infrastructure Plan	\$70,900.00
Total (All Tasks)	\$528,650.00
TOTAL	\$528,650.00
*Highlands Council lead, per Section 8.	
Source of Estimates	
As approved by the Highlands Council in the Highlands Implementation Plan and Schedule pursuant to Highlands Council Resolutions 2011-8, February 17, 2011; 2020-16, October 15, 2020; and, 2021-23, September 23, 2021.	

Revised 10/20/2021

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 424 ~

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 2021 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 2021 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:	
Highlands Council Watershed Management;	\$86,250.00

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	
Highlands Council Watershed Management;	\$86,250.00

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

Adopted: November 3, 2021

Adopted this 3rd day of November, 2021 and certified as a true copy of an original

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2021 – 425 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY RESCINDING RESOLUTION 2021-382

WHEREAS, on October 6, 2021 the Township Council adopted Resolution 2021-382 reallocating funds from the Township's existing post 2014 Open Space Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that Resolution No. 2021-382 adopted on October 6, 2021 is hereby rescinded.

Adopted: November 3, 2021

Adopted this 3rd day of November 2021
and certified as a true copy of an original.

William Senande, Township Clerk