

TOWNSHIP OF WEST MILFORD

THE FOLLOWING COMPRISES THOSE DOCUMENTS
SUBMITTED TO THE TOWNSHIP COUNCIL FOR
CONSIDERATION AND ACTION AT THE MARCH 2, 2022
REGULARLY SCHEDULED WORKSHOP MEETING.

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

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

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

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

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 107 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE PERSON-TO-PERSON AND PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE 1615-33-030-010 FROM SAHANA'S LIQUOR INC. TO LUCS GARAGE LLC TO BE LOCATED AT 1934 GREENWOOD LAKE TURNPIKE

WHEREAS, an application has been received for a Person to Person and Place to Place transfer of 2021-2022 Plenary Retail Consumption License 1615-33-030-010 presently held by Sahana's Liquor Inc. to be transferred to Lucs Garage LLC and sited at 1934 Greenwood Lake Turnpike, Hewitt, NJ 07421; and

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

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

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A.B.C. laws and regulations.
3. The applicant had disclosed to the issuing authority the source of all financing obtained.

WHEREAS, the license may be transferred with the following conditions:

1. Prior to activating or opening, Licensee must submit pages 1, 2, and 11 of the 12-page ABC application to the Township Clerk Office.
2. Prior to activating or operating the license, inspections of premises must be made and satisfactory recommendations must be received at the Township Clerk's Office from the Police Department.
3. Applicant should apply for a Zoning permit application that will be required for any new fencing and existing fences in the rear of the building.
4. Health stipulates that the total seating for the establishment must not exceed 78 bar/ restaurant seats as per NJPDES No. NJG0239038 PI ID#444444. The submitted drawing does not indicate any seating on rear outdoor deck.
5. Applicant must provide drawings to the Fire Marshall from a licensed architect with proposed layout, occupancy load with tables and seating and means of egress. Drawing from applicant shows combining of former ice cream shop into the existing restaurant. Drawing must also be submitted to the Construction Official for approval and permits issued.
6. After the above is completed the owner/operator must update Business Registration information with the Fire Prevention Bureau and register as a Life Hazard Use with the New Jersey Division of Fire Safety.

NOW, THEREFORE, BE IT RESOLVED that the transfer application is hereby approved and the Township Clerk is directed to endorse the transfer and hold the license certificate until conditions referenced above are satisfied for activation.

Adopted: March 2, 2022

Adopted this 2nd day of March, 2020
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 108 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC STATE OF NEW JERSEY AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR FUNDING FROM THE PASSAIC COUNTY OPEN SPACE, FARMLAND AND HISTORIC PRESERVATION TRUST FUND FOR BUBBLING SPRINGS PARK: ADA PARKING AND SEATING (ATHLETIC FIELDS) IN THE TOWNSHIP OF WEST MILFORD

WHEREAS, the Township's Department of Recreation and Engineering Division has recommended to the Township Council the submission of an application for funding for ADA parking and seating at the Bubbling Springs Park; and

WHEREAS, Bubbling Springs Park has recently undergone improvements to athletic fields utilizing past Passaic County Open Space grant funding; and

WHEREAS, the Township advertised a Public Notice on February 20, 2022 and February 27, 2022 for the public hearing on the application to be held at the Township Council Meeting on March 2, 2022;

WHEREAS, the Department of Recreation and Engineering Division submit the following application for consideration to the Township Council:

Project

Bubbling Springs Park: ADA Parking and Seating (Athletic Fields)

Block 9001 Lot 13	Grant Application:	\$30,000.00
	Township Contribution:	\$20,000.00
	Total Construction Cost Estimate:	\$50,000.00

WHEREAS, in accordance with the requirements of the Passaic County Open Space Trust Fund Grant Application, the Township notified, by Certified Mail, the property owners within 200 feet of the site being considered for improvement of the scheduled hearing on March 2, 2022; and

WHEREAS, a public hearing will be held on March 2, 2022, at which time public input will be solicited.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of West Milford and County of Passaic that the Township Administrator is hereby authorized to submit a Passaic County Open Space, Farmland and Historic Preservation Trust Fund application in the amount of \$30,000.00 for the Bubbling Springs Park: ADA Parking and Seating.

Adopted: March 2, 2022

Adopted this 2nd day of March, 2022
and certified as a true copy of original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2022 – 004 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY CREATING A NEW SECTION 300-10.1, ENTITLED ESCROW REQUIREMENTS FOR TREATMENT WORKS APPROVAL PERMITS, WITHIN THE CODE OF THE TOWNSHIP OF WEST MILFORD

WHEREAS, when a Treatment Works Approval (hereinafter “TWA”) Permit Application is associated with a land use application, Township of West Milford engineering review costs are paid from an associated land use escrow account; and

WHEREAS, not all TWA Permit Applications are associated with a land use, and as a result, do not have a land use escrow account and such applications may result in engineering costs to the Township of West Milford; and

WHEREAS, the Township of West Milford desires to require TWA escrow accounts to always satisfy such engineering review costs, including but not limited to include when a TWA permit does not have an associated land use escrow account.

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 create a new section within Article II, Sewer Systems, hereinafter codified at §300-10.1, and to be entitled “Escrow Requirements for Treatment Works Approval Permits” to read as follows:

SECTION 1. Chapter 300-10.1, Escrow Requirements for Treatment Works Approval Permits

Any application for a Treatment Works Approval Permit not already associated with a land use application shall also be required to create, in an amount approved by the Township Engineer, an escrow account to satisfy any costs of engineering review and approval. The applicant shall remain responsible for any costs in excess of the predetermined escrow account. Any unused escrow monies shall be returned to the applicant upon the approval of the Township Engineer and/or the Township Administrator.

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: February 2, 2022

Adopted:

Effective Date:

ATTEST:

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

William Senande,
Township Administrator

By: _____
Michele Dale, Mayor

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2022 – 005 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 135 "FEES AND COSTS" OF THE REVISED GENERAL ORDINANCES AMENDED

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

SECTION 1. Chapter 135 "Fees and Costs", §135-3. G. Recycling fees are amended as follows:

§ 135-3 Department of Public Works and Engineering.

Recycling is authorized to charge the following fees:

G. Recycling fees:

- (1) Resident noncommercial and commercial vehicles not engaged in lawn care, landscaping or tree removal services: no charge for compost site decal.
- (2) Motorcycle and wheelbarrow tires, with or without rims: \$2.00 per tire.
- (3) Passenger car tires, without rims: \$3.00 per tire.
- (4) Passenger car tires, with rims: \$3.50 per tire.
- (5) Truck tires, up to 23 inches, without rims: \$6.00 per tire; with rims: \$6.50
- (6) Used motor oil: \$0.50 per gallon.

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: February 2, 2022

Adopted:

Effective Date:

ATTEST

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

William Senande, Township Clerk

By: _____
Michele Dale, Mayor

Township of West Milford
Passaic County, New Jersey

~ Ordinance 2022 – 006 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 239 “OPEN SPACE, RECREATION, AND FARMLAND AND HISTORIC PRESERVATION TRUST FUND” OF THE REVISED GENERAL ORDINANCES AS AMENDED

SECTION 1. § 239-2 Funding; utilization of funds.

- A. The Open Space, Recreation, and Farmland and Historic Preservation Trust Fund shall be funded through the dedication to the fund of an amount of \$0.02 per \$100 of assessed valuation of each annual tax levy commencing with the year 2022. The fund shall also be permitted to accept donations and testamentary bequests.
- B. The funds accumulated within the trust fund may be utilized only for the acquisition of lands for recreation and conservation purposes and the payment of debt service on indebtedness issued or incurred by the Township for the purpose of acquisition of lands for recreation and conservation purposes and, for the funds collected beginning January 1, 2014, allocated as follows:
 - (1) At least 33.33% of open space trust funds for the acquisition of properties.
 - (2) Up to 33.33% of open space trust fund monies for the development of or capital improvements to lands acquired for recreation purposes at the discretion of the Township Council.
 - (3) Up to 33.33% of open space trust fund monies for the improvement of lands acquired for conservation or historic preservation purposes at the discretion of the Township Council.
- C. Lands acquired by the Township of West Milford using revenue raised pursuant to this tax authorization shall be held in trust and shall be used exclusively for the purposes authorized under N.J.S.A. 40:12-15.1 et seq. The governing body of the Township of West Milford may change the spending allocation for a given calendar year; however, it must be approved by five

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: February 2, 2022

Adopted:

Effective Date:

ATTEST

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

William Senande, Township Clerk

By: _____
Michele Dale, Mayor

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2022 – 007 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC STATE OF NEW JERSEY AMENDING CHAPTER 500 “ZONING” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP TO PERMIT AND UPDATE PERMITTED ZONING AREAS FOR THE CULTIVATION, MANUFACTURING, WHOLESALE, DISTRIBUTION, RETAIL AND DELIVERY OF CANNABIS WITH THE TOWNSHIP - AMENDED

WHEREAS, in 2021 the Township of West Milford adopted an ordinance allowing for the cannabis business licenses within the township, limited to certain zones; and

WHEREAS, the governing body wishes to expand the areas where such businesses might operate in the Township to include all zones with the exception of residential zones.

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey as follows that the following code sections only are repealed and replaced as follows:

SECTION 1.

Article XVII Cannabis Cultivation, Manufacturing, Wholesale, Distribution, Retail and Delivery

§ 500-192 Cannabis Cultivator, Manufacturer, Wholesaler and Distributor

A. Cannabis Cultivator, Manufacturer, Wholesaler and Distributors shall be a conditional use in all zones of the Township of West Milford, with the exception that no such conditional use shall occur in any residential zone, 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) Lot Area: The minimum lot area shall be one (1) acre.
- (3) Setback: The minimum front yard setback shall be 50 feet or the minimum zone standard, whichever is greater.
- (4) Buildings: All facilities shall be enclosed in heated/air-conditioned buildings, not in greenhouses, hoop houses or outdoors.
- (5) Odor Control: The facility shall provide an air treatment system with sufficient odor absorbing ventilation and exhaust systems such that and odor generated inside the facility is not detectable by a person of reasonable sensitivity at the property line of the subject property. Odor from the facility shall be monitored on an annual basis at the discretion of the Township by a licensed, qualified contractor chosen by the Township. All monitoring costs shall be incurred by the business.
- (6) Signage: Signs shall be limited to the address, name of the company and emergency contact information located on one (1) ground sign not to exceed 24 square feet.
- (7) State License: The facility must have a valid license to operate from the State of New Jersey.
- (8) Any cannabis facility is subject to compliance with all laws, regulations and guidelines with respect to cannabis licenses issued by the State of New Jersey and the Township of West Milford.

§ 500-193 Cannabis Retailer

A. Cannabis retailer shall be a conditional use in all zones of the Township of West Milford, with the exception that no such conditional use shall occur in any residential zone, 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 Delivery services shall submit a safety and security plan and emergency services access plan.
- (6) Accessibility: Any cannabis retailer shall have only 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 laws, regulations and guidelines with respect to cannabis licenses issued by the State of New Jersey and the Township of West Milford.

§ 500-194 Cannabis Delivery

- A. Cannabis Delivery shall be a conditional use in all zones of the Township of West Milford, with the exception that no such conditional use shall occur in any residential zone, 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 Delivery shall be separate and distinct from growing operations.
 - 3) Buildings: All Cannabis Delivery services 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 Delivery services shall submit a safety and security plan and emergency services access plan.
 - 6) Interior Security: Cannabis Delivery services interiors shall provide a secure location for storage of products.
 - 7) Exterior Loitering and Security: Customers shall not be permitted to pick up products from a Cannabis Delivery service.
 - 8) Product Consumption. No products shall be permitted to be consumed on-site.
 - 9) State License: The facility must have a valid license to operate from the State of New Jersey.
 - 10) Any cannabis facility is subject to compliance with all State laws, regulations and guidelines with respect to cannabis licenses issued by the State of NJ.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. The Township Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. The Township Clerk is further directed to refer this Ordinance to the Township Planning Board, pursuant to N.J.S.A. 40:55D-64. Upon the adoption of this Ordinance, after public hearing, the Township Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Passaic County Planning Board, as required by N.J.S.A. 40:55D-16

SECTION 5. This Ordinance shall take effect after publication and passage according to law.

Introduced: February 2, 2022

Adopted:

Effective Date:

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST

William Senande, Township Clerk

By: _____
Michele Dale, Mayor

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2022 – 013 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 63 ALCOHOLIC BEVERAGES ARTICLE II LICENSING REGULATIONS SECTION 135 “FEES & COSTS” SECTION 135-10 “ALCOHOLIC BEVERAGE LICENSES” WITHIN THE TOWNSHIP CODE

BE IT ORDAINED, by the Township Council of the Township of West Milford, in the County of Passaic, New Jersey that Chapter 135 “Fees and Costs” be amended as follows:

SECTION 1. § 135-10 Alcoholic beverage licenses.

A. The annual fees for the sale or distribution of alcoholic beverages in the Township shall be as follows:

		<u>2022</u>	<u>2023</u>	<u>2024</u>
(1)	*Plenary retail consumption license	\$720	\$864	\$1,037
(2)	*Club license	\$188		

B. Transfer of license fees. The fees to transfer a liquor license, per the Division of Alcoholic Beverage Control of the State of New Jersey, shall be as follows:

		<u>2022</u>	<u>2023</u>	<u>2024</u>
(1)	Transfer of plenary retail consumption license:			
	Person-to-Person	\$72	\$87	\$104*
	Place-to-Place	\$72	\$87	\$104*
(2)	*Transfer of club license:	\$19*		

*Authorize an increase in the current license fee of \$600 by 20% every year until the fee reaches \$1,000.
Club License capped at \$188

*\$ Amounts rounded to nearest dollar

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:

Adopted:

Effective Date:

ATTEST

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

William Senande, Township Clerk

By: _____
Michele Dale, Mayor

Township of West Milford

Passaic County, New Jersey

~ Ordinance 2022 – 014 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY REPEALING AND REPLACING SECTION 15-89 OF THE TOWNSHIP CODE

WHEREAS, the Township Council wishes to update the Township Code as to the Township Board of Health, and as exercised by Township Council pursuant to N.J.S.A. 26:3-1 et seq, as to the power to hear and decide appeals; and

WHEREAS, N.J.S.A. Section 26:3-1, Establishment of local board, directs that there shall be a board of health in every municipality in this state, which board shall consist of members appointed or designated, or both, as provided by this chapter, except that in any municipality operating under laws establishing a form of government for such municipality under which the full powers of a local board of health cannot be exercised by a local board of health so appointed or designated, the respective functions of a local board of health shall be exercised by such boards, bodies, or officers as may exercise the same according to law; and

WHEREAS, the Township Code currently authorizes, at Section 15-89(b), for the Township of West Milford Advisory Board of Health to hear appeals of decisions made by the Township Health Officer, but pursuant to N.J.S.A. Section 26:3-1, such appeals should instead be heard by the Board of Health, as exercised by Township Council, as the full powers of a local board of health cannot be exercised by a local board of health so appointed or designated; and

WHEREAS, Per N.J.S.A. 26:3-1 et seq., the Health Advisory Board will continue to provide policy and action recommendations, and act to support the Township Council in its capacity as the Board of Health, and serve as public health advocates to the community.

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 repealed and replaced and as to Section 15-89 only, to read as follows:

SECTION 1. § 15-89 Powers and duties; appeals

- A.** The Advisory Board of Health shall advise the Mayor and Council concerning matters of public health within the Township. It shall make recommendations to the Mayor and Council concerning or relating to the operation and administration of the Department of Health to the Township Council concerning or touching upon matters of policy or ordinances affecting the public health.
- B.** The Board of Health, and its respective functions as exercised by Township Council pursuant to N.J.S.A. 26:3-1 et seq, shall have the power to hear and decide appeals of all variance decisions rendered by the Township Health Officer. Notice of an appeal of a decision of the Health Officer shall be filed with the Township Administrator within 15 days of receipt of the Health Officer's decision. The Board of Health, and in its respective function as exercised by Township Council, shall conduct a hearing, at which the applicant for the variance shall have the right to appear and be heard, to cross examine opposing witnesses and to present witnesses in his own behalf. The Board of Health, and in its respective function as exercised by Township Council, shall conduct the hearing and render a decision within 30 days of receipt of the notice of appeal.

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: March 2, 2022

Adopted:

Effective Date:

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST

William Senande, Township Clerk

By: _____
Michele Dale, Mayor

Township of West Milford
Passaic County, New Jersey

~ Ordinance 2022 – 015 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 500 ENTITLED “ZONING” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP TO CREATE A NEW SECTION ENTITLED “MEASUREMENT AND BUFFERING” AS TO MEASURING DISTANCES BETWEEN ELIGIBLE LOCATIONS FOR CANNABIS BUSINESSES WITHIN THE TOWNSHIP

WHEREAS, in 2021 the Township of West Milford adopted an ordinance allowing for the cannabis business licenses as a conditional use within the Township, limited to certain zones and setting forth distances between any cannabis business and parks, schools and other cannabis businesses; and

WHEREAS, the Governing Body wishes to update the ordinance to better define how to measure such distances, so as to minimize confusion and allow prospective cannabis businesses to make informed decisions as to locations.

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Council of the Township of West Milford, County of Passaic, State of New Jersey as follows that the following code sections shall be added to Chapter 500 Entitled Zoning, creating a new Section § 500-205, to be entitled “Measurement and Buffering”, as follows:

SECTION 1. § 500-205 Measurement and Buffering

- A. There shall be a minimum distance of not less than 2,500 feet between licensed cannabis businesses.
- B. Such measurement shall be obtained by measuring the nearest entrance of one location which is licensed, to the nearest entrance of the second location which seeks to be licensed.
- C. Such measurement shall be measured on how a pedestrian would normally walk, and not in a straight line “as the crow flies.”
- D. As to distance prohibitions from parks and or schools and as reflected in this chapter, such distances shall be measured in the normal way that a pedestrian would normally walk from the nearest entrance, to such a park or school.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. The Township Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. The Township Clerk is further directed to refer this Ordinance to the Township Planning Board, pursuant to N.J.S.A. 40:55D-64. Upon the adoption of this Ordinance, after public hearing, the Township Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Passaic County Planning Board, as required by N.J.S.A. 40:55D-16

SECTION 5. This Ordinance shall take effect after publication and passage according to 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

~ Ordinance 2022 - 016 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 10 "TRAFFIC" WITHIN THE CODE OF THE TOWNSHIP OF WEST MILFORD

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 10 Traffic, Section 10-5 Speed Limits, is hereby amended to read as follows:

§ 10-5.1 Streets

- A. The speed limits for both directions of traffic along the streets or parts of streets described in Schedule V attached to and made a part of the chapter are hereby established at the rate of speed indicated.
- B. Regulatory and warning signs shall be erected and maintained to effect the designated speed limits as authorized by the Department of Transportation.

§ 10-5.1 Municipal Parks and/or Grounds

- A. The speed limits for both directions of traffic upon the following municipal parks and/or grounds shall be designated and established at 15 miles per hour.

Name of Municipal Park and/or Grounds	Limits
Bubbling Springs Park	Entire Length
Echo Lake Park	Entire Length
Farrell Field Complex	Entire Length
Mt. Laurel Park	Entire Length
Nosenzo Pond Park	Entire Length
Recreation Center Complex (Melody Lake Park)	Entire Length
Town Hall Municipal Complex	Entire Length
Westbrook Park	Entire Length

- B. Regulatory and warning signs shall be erected and maintained to effect the designated speed limits as authorized by the Department of Transportation.

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

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

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

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

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

Introduced: March 2, 2022

Adopted:

Effective Date:

ATTEST:

TOWNSHIP OF WEST MILFORD
COUNTY OF PASSAIC
STATE OF NEW JERSEY

William Senande, Township Clerk

By: _____
Michele Dale, Mayor

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 - 109 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO STORMWATER COMPLIANCE SOLUTIONS, LLC TO PROVIDE STORMWATER MANAGEMENT SERVICES

WHEREAS, the Township of West Milford has a need to appoint a stormwater management professional as a non-fair and open contract pursuant to the provision of N.J.S.A. 19:44A-20.4 et seq. or 20.5 as appropriate to comply with the Municipal Stormwater Permit under N.J.A.C. 7:14, Tier A Municipal Stormwater General Permit; and

WHEREAS, it is beneficial to retain assistance of appropriately registered experts in the field of stormwater management with knowledge and experience in these matters, to assist in assuring compliance with NJPDES Permit for stormwater discharge; and

WHEREAS, Stormwater Compliance Solutions LLC of Chester, NJ will provide stormwater management services as sought by the Township of West Milford and outlined in a contract in an amount not to exceed \$6,750.00; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1, et. seq. requires that the resolution authorizing the award of contracts for professional services without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, Stormwater Compliance Solutions LLC has completed and submitted a Business Entity Disclosure Certification which certifies that the business has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit Stormwater Compliance Solutions, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds pursuant to N.J.A.C. 5:30-5.4 in an amount not to exceed \$6,750.00 from account #01-201-26-290-451.

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

1. The Mayor and Clerk be and are hereby authorized to execute a contract for stormwater management services with Stormwater Compliance Solutions, LLC., 180 Main Street, P.O. Box 572, Chester, NJ 07930 to assist the Township with compliance to the NJPDES Permit in an amount not to exceed \$6,750.00.
2. This contract is awarded without competitive bidding 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 \$6,750.00 without the prior written approval of the Township Council.
4. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolutions authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: March 2, 2022

Adopted this 2nd day of March, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 110 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING AN AGREEMENT FOR THE COLLECTION OF BRUSH AND SMALL TREE LIMBS FROM WEST MILFORD RESIDENTS AND STORM DEBRIS FROM WEST MILFORD DPW TO SKYTOP RECYCLING, INC. FOR 2022 IN AN AMOUNT NOT TO EXCEED \$47,400.00

WHEREAS, the Township of West Milford has a need for residential brush and small tree limb collection; and

WHEREAS, due to strict NJDEP regulations, West Milford Township has a very limited permit allowing for the acceptance of leaves and grass only and any brush or small tree limbs dropped off at the West Milford Recycling Center creates a violation of the permit, and subjects the township to fines and other penalties; and

WHEREAS, Skytop Recycling, Inc. has agreed to accept resident's brush and small tree limbs from West Milford residents and storm debris from West Milford DPW for a monthly fee of \$3,950.00 for an annual total of \$47,400.00; and

WHEREAS, the Director of Public Works and Recycling Coordinator have submitted a written recommendation for the Township to enter into this agreement; 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: 26-201-55-500-450.

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

1. The Mayor and Township Council hereby authorizes an agreement to Skytop Recycling, Inc, 80 Airport Road, West Milford, NJ 07480 for the collection of residential brush and small tree limbs from West Milford residents and storm debris from West Milford DPW for 2022 in an amount not to exceed \$47,400.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: March 2, 2022

Adopted this 2nd day of March, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 111 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF CRUSHED STONE AND SAND FROM EASTERN CONCRETE MATERIALS, INC. THROUGH MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #9 (CRUSHED STONE AND SAND) IN AN AMOUNT NOT TO EXCEED \$20,000.00

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Pricing Council (State ID # 6-MCCoOp); and

WHEREAS, the Morris County Cooperative Pricing Council has awarded Contract #9 (Crushed Stone and Sand) to Eastern Concrete Materials, Inc.; 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 Director of Public Works has submitted a written recommendation that the Township of West Milford utilize Eastern Concrete Materials, Inc. for the purchase of crushed stone and sand through the use of the Morris County Cooperative Pricing Council, Contract #9 in an amount not to exceed \$20,000.00; 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: 01-201-26-290-360.

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

1. The Mayor and Township Council hereby authorizes an expenditure of funds through the Morris County Cooperative Pricing Council, Contract #9 (Crushed Stone and Sand) to Eastern Concrete Materials, Inc, 250 Pehle Ave., Suite 503, Saddle Brook, NJ 07663 for the purchase of crushed stone and sand for a not to exceed amount of \$20,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: March 2, 2022

Adopted this 2nd day of March, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 112 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF PAVING MATERIALS FROM TILCON NEW YORK, INC. THROUGH MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT #5 (PAVING MATERIALS) IN AN AMOUNT NOT TO EXCEED \$30,000.00

WHEREAS, the Township of West Milford is a member of the Morris County Cooperative Pricing Council (State ID # 6-MCCoOp); and

WHEREAS, the Morris County Cooperative Pricing Council has awarded Contract #5 (Paving Materials) to Tilcon New York, Inc.; 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 Director of Public Works has submitted a written recommendation that the Township of West Milford utilize Tilcon New York, Inc. for the purchase of paving materials through the use of the Morris County Cooperative Pricing Council, Contract #5 in an amount not to exceed \$30,000.00; 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: 01-201-26-290-361.

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

1. The Mayor and Township Council hereby authorizes an expenditure of funds through the Morris County Cooperative Pricing Council, Contract #5 (Paving Materials) to Tilcon New York, Inc., 9 Entin Road, Parsippany, NJ 07054 for the purchase of paving materials for a not to exceed amount of \$30,000.00.
2. The Township's Chief Financial Officer has certified the availability of funds for same.
3. This resolution shall be available for public inspection in the office of the Township Clerk.

Adopted: March 2, 2022

Adopted this 2nd day of March, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 - 113 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY ACCEPTING THE BIDS FOR THE SALE OF CERTAIN MUNICIPAL LANDS AND PROPERTIES FROM THE TOWNSHIP AUCTION OF FEBRUARY 16, 2022

WHEREAS, on February 16, 2022, the Township of West Milford conducted the sale of municipal properties no longer needed by the Township in accordance with Resolution 2022-052; and

WHEREAS, the Township Clerk reports that the schedule below outlines the bidders and their respective proposals to purchase said lands and recommends that the Township Council accept these bids.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Milford that the proposals set forth in the schedule below are hereby accepted and incorporated herein.

BE IT FURTHER RESOLVED, that the terms of such acceptance will be set forth in the Contracts of Sale to be prepared by the Township Attorney as set forth in Resolution 2022-052.

This Resolution shall be effective immediately.

Adopted: March 2, 2022

Adopted this 2nd day of March, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Block	Lot	Name & Address	Bid Amount
1002	6 & 7	Christopher Marrero 86 Westwood Blvd. Westwood, NJ 07675	\$5,500
1809	8	Linda Brownlee 45 Cedarbrook Road Hewitt, NJ 07421	\$1,000
2311	26	Robert McDowell Jr. 1 Linwood Road Hewitt, NJ 07421	\$3,000
2606	12	Nicholas Scott PO Box 529 New Vernon, NJ 07976	\$7,000
5301	40	William & Ramona Walsh 350 Ridge Road West Milford 07480	\$18,000
8510	4 & 5	Michael Chazukow 67 Pinecrest Trail West Milford, NJ 07480	\$1,700

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 114 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SALE OF MUNICIPALITY-OWNED PROPERTY THROUGH SOURCEWELL NATIONAL COOPERATIVE THROUGH GOVDEALS.COM CONTRACT #012821-GDI

WHEREAS, the Township Council of the Township of West Milford has previously acted in accordance with New Jersey public procurement statutes and regulations as promulgated by formally joining a recognized and compliant national cooperative being the Sourcewell National Cooperative; and

WHEREAS GovDeals.com has contract #012821-GDI with the corresponding Sourcewell National Cooperative that provides on-line auction services; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:14-157 and N.J.S.A. 40A:11-6, the Township of West Milford may sell any municipality-owned personal property at a public auction that is no longer needed for public use; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notices 2008-9 and 2008-21R; and

WHEREAS, N.J.S.A. 40A:14-157 and the Division of Local Government Services' Local Finance Notice 2008-9 outline specific advertising requirements to provide for transparency and public participation in such sales; and

WHEREAS, prior to the commencement of such sale, GovDeals.com shall confirm that the Township Clerk is appraised of all necessary information to provide such public notice and the date of sale shall be such that there is sufficient time within the law to advertise in the Township's official newspaper.

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 Township is hereby authorized to sell the municipality-owned property as indicated in Attachment A – Property Auction Manifest below on an online auction website entitled www.GovDeals.com; and

BE IT FURTHER RESOLVED, that the terms and conditions of the agreement entered into between GovDeals.com and the Township of West Milford are available at www.GovDeals.com and in the Office of the Township Clerk; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded by the Township Clerk to the Division of Local Government Services, Department of Community Affairs, and that a notice will be published in the official newspaper in accordance with N.J.S.A. 40A:11-36.

Adopted: March 2, 2022

Adopted this 2nd day of March, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

ATTACHMENT "A" PROPERTY AUCTION MANIFEST			
QTY	DESCRIPTION	SERIAL # / Service Tag #	WM FIXED ASSET INV.
1	Smithco 3 – Wheel Drive Center Mount Scarifier Ballfield Groomer – Super Rake Infield Conditioner Model 13-550D	6661	

Township of West Milford
Passaic County, New Jersey

~ Resolution 2022 - 115 ~

A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY ENDORSING THE SUBMITTAL OF A LOAN APPLICATION TO BE MADE BY HIGH CREST LAKE LODGE, INC. TO THE STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION, DAM SAFETY SECTION, DAM RESTORATION LOAN AND AUTHORIZING THE EXECUTION OF SAID LOAN AGREEMENT AS CO-BORROWER WITH HIGH CREST LAKE LODGE, INC.

WHEREAS, High Crest Lake Lodge, Inc. ("Association") is a private lake association in West Milford; and

WHEREAS, the Association is the operator of a dam and resulting recreational lake known as High Crest Lake which lake is over 60 years of age; and

WHEREAS, the normally occurring stormwater runoff, erosion and sediment buildup have in many places reduced the useable depth of the lake, resulting in peninsular areas and increased growth of weeds which have a negative impact on the recreational use and conservational health of the lake; and

WHEREAS, the State of New Jersey, Department of Environmental Protection, Dam Safety Section, Dam Restoration Loan offers loans to private entities to effectuate the removal of silt and sediment and provide for recreational and conservational improvements of lakes with the condition that the municipality within which the lake is located signs a loan agreement as Co-Borrower; and

WHEREAS, the Association has secured an initial State of New Jersey, Department of Environmental Protection, Dam Safety Section, Dam Restoration Loan in the amount of \$575,000.00 for dam refurbishment for which the Township has signed a loan agreement as Co-Borrower; and

WHEREAS the Association has requested a second State of New Jersey, Department of Environmental Protection, Dam Safety Section, Dam Restoration Loan in the amount of \$1,250,000.00 for dam refurbishment for which the Township has conditioned its agreement to sign the Loan as Co-Borrower upon the Association's successful application and execution of a satisfactory Co-Borrower Agreement; and

WHEREAS, the Association wishes to make a third application to the DEP loan funding program to effectuate the removal of silt and sediment and provide for recreational and conservational improvements of the lake; and

WHEREAS, the Township determines that the removal of silt and sediment to improve the recreational and conservational health of High Crest Lake and execution of the DEP Loan for this purpose is in the best interests of the residents of the Township; and

WHEREAS, the Township has conditioned the Township's agreement to sign the Loan as Co-Borrower upon the Association's successful application and execution of a satisfactory Co-Borrower Agreement, the application of which has been submitted to the State of New Jersey, Department of Environmental Protection, Dam Safety Section; and

WHEREAS, the Township Council desires to grant the Mayor and Township Clerk the authority to execute the DEP Loan Agreement in the event that the Association executes a Co-Borrower Agreement acceptable to the Township.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of West Milford that the Township does hereby endorse the application of a DEP loan to effectuate the removal of silt and sediment and provide for recreational and conservational improvements to High Crest Lake in the Township of West Milford.

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

1. Upon DEP approval and upon the Association's agreement to, and execution of, an acceptable Co-Borrower Agreement, the Mayor and Township Clerk are authorized to execute the DEP Loan Agreement as the Co-Borrower for a loan in an amount of not more than \$500,000.00 and to execute any amendments thereto.
2. In the event the Township executes the DEP Loan as a Co-Borrower, the Township of West Milford agrees to complete the silt and sediment removal and recreational and conservational improvements project as set forth in the DEP Loan and to reimburse the State in accordance with the terms and conditions of the DEP Loan in the event of a default on the part of the Association.
3. The Township of West Milford agrees to comply with all applicable deferral, State, and municipal laws, rules and regulations in its performance pursuant to the DEP Loan.

Adopted: March 2, 2022

Adopted this 2nd day of February, 2022
and certified as a true copy of an original.

William, Senande, Township Clerk

Township of West Milford
Passaic County, New Jersey

~ Resolution 2022 - 116 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR A BARRIER-FREE PARKING SPACE AND ACCESS WITH A.D.A. IMPROVEMENTS TO THE BUBBLING SPRINGS PARK (LOWER POND AREA)

WHEREAS, the County of Passaic anticipates having \$700,000 available to twelve eligible municipalities of the County and to eligible non-profit agencies under the 2022 CDBG program; and

WHEREAS, the CDBG program funding is provided by the US Department of Housing and Urban Development and project selection is determined by the national objective to assist low and moderate income individuals; and

WHEREAS, barrier free access retrofits and projects, in accordance with the Americans with Disabilities Act (A.D.A.), are a qualified exception to the low-mod requirement; and

WHEREAS, the Bubbling Springs Lower Pond Pavilion does not provide A.D.A. parking and accessibility to enter the Lower Pond Pavilion; and

WHEREAS, the Township seeks to improve the overall accessibility and public use of the Bubbling Springs Park for activities now and for future use; and

WHEREAS, the Township anticipates future development and increased municipal and public use and A.D.A. compliant parking and access is a desirable project.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Township Council of the Township of West Milford hereby authorize the submission of an application entitled 2022 Community Development Block Grant for \$40,000 for A.D.A. improvements at Bubbling Springs Park (Lower Pond Pavilion).

Adopted: March 2, 2022

Adopted this 2nd day of March, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 117 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REFERRING A MATTER TO THE TOWNSHIP OF WEST MILFORD PLANNING BOARD

WHEREAS, the Township of West Milford Council recently discussed at a Township Regular Meeting the possibility of permitting two-family homes and townhouses in zones that they are not currently allowed within the Township; and

WHEREAS, the Township Council wishes to specifically refer the question of permitting two-family homes and townhouses in zones that they are not currently allowed to the Township of West Milford Planning Board for its consideration and review as to the Township Master Plan; and

WHEREAS, the Township Council requests that the Township of West Milford Planning Board conduct a Master Plan reexamination to determine if two-family homes and townhouses should be permitted in zones where they are not currently allowed and to make that update to the Master Plan if not in conformity with the Master Plan; and

WHEREAS, assuming permitting two-family homes and townhouses is in conformity, either with the existing Master Plan or upon update, the Township of West Milford might introduce an ordinance that might allow for such change consistent with the Master Plan.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of West Milford that the Township does hereby refer the question below to the Township of West Milford Planning Board for its consideration and action:

Permitting two-family and townhouses in zones that they are not currently allowed.

Adopted: March 2, 2022

Adopted this 2nd day of March, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 - 118 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY REGARDING MUNICIPAL COUNCIL FAIR HOUSING

WHEREAS, the Township of West Milford supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. It is the policy of the Township of West Milford to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The Township of West Milford further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. Therefore, the Municipal Council of the Township of West Milford do hereby approve the following resolution.

BE IT RESOLVED, that within available resources, the Township of West Milford will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New Jersey Division on Civil Rights and the U.S. Department of Housing and Urban Development, as appropriate.

BE IT FURTHER RESOLVED, that the Township of West Milford shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New Jersey Law Against Discrimination, and any local laws or ordinances.

BE IT FURTHER RESOLVED, that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

Adopted: March 2, 2022

Adopted this 2nd day of March, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 119 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING PASSAGE OF CONSENT AGENDA

WHEREAS, the Mayor and Township Council of the Township of West Milford has reviewed the Consent Agenda consisting of various proposed Resolutions.

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

Resolutions:

- a) **2022-120** – Refund Other Liens

Adopted: March 2, 2022

Adopted this 2nd day of March, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 – 120 ~

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

WHEREAS, this resolution was inadvertently omitted from the agenda of February 16, 2022; and

WHEREAS, Administration authorized payment since failing to pay would have resulted in interest fees; and

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

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

Certificate No.	Certificate Date	Block/Lot/Qual	Reimbursement Amount	Pay to Lien Holder
19-0047	10/15/2019	07605-003	\$50,081.35	GREYMORR, LLC BMO 85 PO BOX 1414 MINNEAPOLIS, MN 55480
20-0022	10/13/2020	02406-0220	\$12,729.53	NJSL 301 LLC 650 E PALISADES AVE. STE 2 ENGLEWOOD CLIFFS, NJ 07632
20-0074	10/13/2020	16602-006	\$17,018.88	CHRISTIANA T C/F CE1/FIRSTTRUST PO BOX 5021 PHILADELPHIA, PA 19111
21-0040	10/12/2021	07701-014	\$78,546.93	EVOLVE BANK & TRUST 6070 POPLAR AVENUE, STE. 200 MEMPHIS, TN 38119
21-0058	10/12/2021	16703-003	\$112,714.36	FNA VI LLC 120 N LASALLE ST SUITE 1220 CHICAGO, IL 60602
TOTAL			\$271,091.05	

Adopted: March 2, 2022

Adopted this 2nd day of March, 2022
and certified as a true copy of an original.

William Senande, Township Clerk

Township of West Milford

Passaic County, New Jersey

~ Resolution No. 2022 - 121 ~

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	\$226,967.72
3	Reserve Account	23,565.90
2	Grants	2,355.25
6	Refunds	0.00
1	General Ledger	6,805.60
26	Refuse	7,366.80
4	Capital	3,216.38
19	Animal Control	0.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	15,237.65
19	Scala Trust	0.00
16	Development Escrow	5,247.50
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$290,762.80
Less Refund Resolution		0.00
Actual Bills List		\$290,762.80
Other Payments		
Payroll		544,406.13
Total Expenditures		\$835,168.93

Adopted: March 2, 2022

Adopted this 2nd day of March, 2022
and certified as a true copy of an original

William Senande, Township Clerk