TOWNSHIP OF WEST MILFORD

THE FOLLOWING COMPRISES THOSE DOCUMENTS
SUBMITTED TO THE TOWNSHIP COUNCIL FOR
CONSIDERATION AND ACTION AT THE
JANUARY 15, 2020
REGULARLY SCHEDULED REGULAR GOVERNING BODY
MEETING.

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

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

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

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

Passaic County, New Jersey

~ Ordinance 2020 - 001 ~

ORDINANCE OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AMENDING CHAPTER 500 "ZONING", ARTICLE III "RESIDENTIAL DISTRICTS" TO ADD SHORT TERM RENTALS AS A PERMITTED USE

WHEREAS, the Township Council adopted Ordinance 2019-020 on December 4, 2019 which permits short-term rentals within residential dwellings; and

WHEREAS, the Mayor and Township Council have reviewed Ordinance 2019-020 and the Township Code and determined that the Zoning Ordinance must be amended to establish short-term rentals as a permitted use in residential districts.

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

SECTION 1. Chapter 500 "Zoning", Article III "Residential Districts", Section 500-8 "Principal permitted uses on the land and in buildings" is amended to read as follows:

§500-8 Principal permitted uses on the land and in buildings.

Principal permitted uses shall be as follows:

- A. Farms.
- B. Single-family detached dwelling units.
- C. Residential cluster development in the R-2, R-3 and R-4 Districts.
- D. Residential communities which provide central sewer and water facilities in the R-1, R-1/l, R-2 and R-3 Districts, and located within the service areas of the Wastewater Management Plan.
- E. Multifamily residential dwelling units in the R-1/PN District.
- F. Public utilities designed to serve the immediate community in which it is being proposed. This shall include water tanks and systems and sewerage plants.
- G. Community residences for the developmentally disabled and community shelters for victims of domestic violence, as defined in N.J.S.A. 40:55D-66.1.
- H. Equestrian centers in the R-3 and R-4 Zones.
- Shooting ranges in R-4 Zone.
- J. Bed-and-breakfast.
- K. Wireless telecommunications facilities.
- L. Short-term rentals, by permit, in accordance with Section 285-13.

All other sections of this Chapter shall remain unchanged.

Diane Curcio Acting Townshi	By: Michele Dale, Mayor p Clerk
	D
ATTEST	STATE OF NEW JERSEY
	TOWNSHIP OF WEST MILFORD COUNTY OF PASSAIC
Introduced: Adopted: Effective Date:	
SECTION 5.	This Ordinance may be renumbered for codification purposes.
SECTION 4.	This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.
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 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.

Passaic County, New Jersey

~ Resolution 2020 - 073 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO GZA, GEOENVIRONMENTAL, INC. FOR THE EVALUATION AND CONSTRUCTION COST DETERMINATION FOR THE REPLACEMENT OF THE HIGH CREST DRIVE BRIDGE.

WHEREAS, the Township owned structure (#1695-005) constructed in 1950 which spans the outfall structure of the High Crest Lake dam is failing and must be replaced; and

WHEREAS, structural analysis reports from contracted bridge engineer's in 2006, 2010 and 2017 have reaffirmed necessary replacement of the bridge; and

WHEREAS, due to the proximity of the bridge to the spillway, Township action to replace the bridge has been pending NJDEP approval of dam rehabilitation received by the High Crest Lake Association in October 2018; and

WHEREAS, since the two projects (dam and bridge) connect at key points it is advantageous to have them designed jointly; and

WHEREAS, a proposal was requested and received from the Association's engineering firm to provide a preliminary evaluation and construction cost determination for bridge replacement; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these services to be encumbered from account number 04-225-55-000-000; 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:

- The Mayor and Acting Municipal Clerk be and are hereby authorized to execute a contract with GZA, Geoenvironmental, Inc., 55 Lane Road, Suite 407, Fairfield, NJ 07004, for professional engineering services for the evaluation and construction cost determination for the replacement of the High Crest Drive bridge in an amount not to exceed \$20,000.
- 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 \$20,000, without prior written approval of the Township Council.
- 4. That notice of this action shall be published in accordance with law and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: January 15, 2020

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

Diane Curcio,	Acting	Township	Clerk
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Passaic County, New Jersey

~ Resolution 2020 - 074 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE EXPENDITURE OF PRELIMINARY ENGINEERING COSTS ASSOCIATED WITH THE HIGH CREST DRIVE BRIDGE PROJECT FROM THE CAPITAL IMPROVEMENT FUND

WHEREAS, the Governing Body hereby acknowledges that preliminary costs can be charged to the capital improvement fund and subsequently sent back to the capital improvement fund upon adoption of a bond ordinance when and if the project moves forward; and

WHEREAS, the purpose of these costs are for the preliminary testing and surveying to be performed in order to provide the Governing Body with a comprehensive construction cost estimate for bridge replacement; and

WHEREAS, the expenditures to be incurred would be properly chargeable to a bond ordinance if one had been adopted prior to the expenditure under N.J.S.A 40A2-1 et seg; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that the amount appropriated for preliminary costs shall not exceed \$20,000 and the Chief Financial Officer is authorized to set up a reserve for preliminary expenses out of the Capital Improvement Fund of the General Capital Fund.

Adopted: January 15, 2020	
	Adopted this 15th day of January 2020 and certified as a true copy of an original.
	<u> </u>
	Diane Curcio, Acting Municipal Clerk

Passaic County, New Jersey

~ Resolution 2020 - 075 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY RECOGNIZING THE IMPORTANCE OF THE 2020 CENSUS

WHEREAS, the U.S. Census Bureau is required by the U.S. Constitution to conduct a count of the population and provides a historic opportunity to help shape the foundation of our society and play an active role in American democracy; and

WHEREAS, West Milford is committed to ensuring every resident is counted; and

WHEREAS, federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based, in part, on census data and housing; and

WHEREAS, census data helps determine how many seats each state will have in the U.S. House of Representatives and is necessary for an accurate and fair redistricting of state legislative seats, county and municipal councils, and voting districts; and

WHEREAS, information from the 2020 Census and American Community Survey are vital tools for economic development and increased employment; and

WHEREAS, the information collected by the census is confidential and protected by law; and

WHEREAS, a united voice from business, government, community-based and faith-based organizations, educators, media and others will enable the 2020 Census message to reach more of our citizens.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic, State of New Jersey, is committed to partnering with the U.S. Census Bureau and the State of New Jersey and will:

- Support the goals and ideals for the 2020 Census and will disseminate 2020 Census information.
- 2. Encourage all West Milford residents to participate in events and initiatives that will raise the overall awareness of the 2020 Census and increase participation.
- 3. Provide Census advocates to speak to West Milford and Community Organizations. Support census takers as they help our West Milford complete an accurate count.
- 4. Strive to achieve a complete and accurate count of all persons within our borders.

Adopted: January 15, 2020

and certified as a t	rue copy of an original.
Diane Curcio,	Acting Township Clerk

Adopted this 15th day of January, 2020

Passaic County, New Jersey

~ Resolution 2020 - 076 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE PARTICIPATION IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE WEST MILFORD TOWNSHIP POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; 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 West Milford Township Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31st of the current calendar year from January 1st, 2020 to December 31, 2020; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that West Milford Township Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the West Milford Township Police Department, without restriction; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that West Milford Township Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes (1) utility truck, (1) 5.56 millimeter rifles, (1) 308 cal. Rifle; and

BE IT FURTHER RESOLVED that the West Milford Township Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the West Milford Township Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year from January 1st, 2020 to December 31, 2020.

Adopted: January 15, 2020

		i January, 2020
and certified as	a true copy	y of an original.

Passaic County, New Jersey

~ Resolution 2020 - 077 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE APPOINTMENT OF AN ADMINISTRATOR

-TO FOLLOW-

Adopted: January 15, 2020

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

Passaic County, New Jersey

~ Resolution 2020 - 078 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE APPOINTMENT OF A COMMUNITY SERVICES AND . RECREATION DIRECTOR

-TO FOLLOW-

Adopted: January 15, 2020

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

Passaic County, New Jersey

~ Resolution 2020 - 079 ~

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 2019 appropriation over and above the demand deemed to be necessary for the balance of the year:

APPROPRIATION	ACCOUNT NUMBER	TRANSFER PROPOSAL
Bubbling Springs, OE	28-371-686	\$25,000
	TOTAL TRANSFERS OUT	\$25,000

WHEREAS, the Township has a need to match the Passaic County Apple Acres Open Space Grant recognized in 2019:

Apple Acres Open Space Grant Match	41-786-000	\$25,000
	TOTAL TRANSFERS IN	\$25,000

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 2019 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: January 15, 2020

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

Passaic County, New Jersey

~ Resolution 2020 - 080 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING TO VOID AND REFUND AN INVALID TAX SALE CERTIFICATE

WHEREAS, the Collector of Taxes of the Township of West Milford had an online tax sale on March 19, 2013; and

WHEREAS, Certificate number 13-0120 known as block 17201 lot 008, Cherry Ridge Road, Hewitt, New Jersey was sold to Independence Equity, LLC, 1 Independence Way, Unit 403, Jersey City, New Jersey 07305; and

WHEREAS, the tax sale certificate should be null and void. The tax sale certificate is invalid at the time of the tax sale. The property should have been in the name of the State of New Jersey and tax exempt.

WHEREAS, the amount of the tax sale certificate was invalid at the time of the tax sale.

WHEREAS, the Collector of Taxes of the Township of West Milford to note the fact on her records and cancel the tax sale certificate.

NOW, THEREFORE, BE IT RESOLVED, refund the lien holder Independence Equity,, LLC, 1 Independence Way, Unit 403, Jersey City, New Jersey, 07305 the amount they paid for the tax sale certificate of \$151.23 plus the legal rate of interest of 0.25% on amount of the certificate of \$37.81 and any subsequent charges and interest the lien holder paid and fees for a total of \$706.79. The property is in the name of the State of New Jersey and tax exempt.

Adopted: January 15, 2020

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

Passaic County, New Jersey

~ Resolution 2020 - 081 ~

A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE CANCELLATION OF CERTAIN TAX SALE CERTIFICATES LISTED ON THE IN-REM TAX FORECLOSURE LIST

WHEREAS, the Tax Collector of the Township of West Milford prepared an in rem tax foreclosure list and certified the same to the governing body; and

WHEREAS, title searches for the properties on the in-rem tax foreclosure list were performed in anticipation of filing of the in-rem foreclosure complaint; and

WHEREAS, the title searches revealed that three of the properties listed on the in-rem tax foreclosure list are owned by the State of New Jersey; and

WHEREAS, due to the fact that the properties are owned by the State of New Jersey, they must be removed from the in-rem tax foreclosure list which had been prepared by the Tax Collector.

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

- That the Governing Body does hereby authorize the removal of the following properties from the in-rem tax foreclosure list and the cancellation of the tax sale certificates: Schedule No. 25 Block 17201 Lot 018 (15-0100)
- 2. That a certified copy of this resolution be forwarded to the Tax Collector, Foreclosure Attorney and Township Attorney.
- 3. This Resolution shall take effect immediately.

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

Passaic County, New Jersey

~ Resolution 2020 - 082 ~

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

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

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

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

REASON:

100% DISABLED VETERAN

Block & Lot	Name	Amount	Year
12501-006	John Talocco 65 Otterhole Road	\$557.17	2019
12301-000	West Milford, NJ 07480	\$258.00	2020
Total		\$815.17	

Adopted:

January 15, 2020

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

Passaic County, New Jersey

~ Resolution 2020 - 083 ~

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
				FNA DZ; LLC
19-0008	10/15/2019	02004-005	\$72,788.31	120 N LASALLE ST; SUITE 1
				CHICAGO, IL 60602
				FNA DZ; LLC
19-0023	10/15/2019	03104-002	\$27,133.23	120 N LASALLE ST; SUITE 1
				CHICAGO, IL 60602
10 0055	1011510010			CC1 NJ II LLC
19-0055	10/15/2019	07801-038.03	\$4,488.81	P.O.BOX 123800
				DALLAS, TX 75312
40.0000	4045/0040	000000011	40 -00 -	FIG CUST FIGNJ19LLC & SEC PTY
19-0066	10/15/2019	08802-044	\$3,582.31	PO BOX 54226
				NEW ORLEANS, LA 70154
				GREYMORR LLC
19-0096	10/15/2019	16306-001	\$59,417.91	BMO 85
			, ,	PO BOX 1414
TOTAL				MINNEAPOLIS, MN 55480
TOTAL			\$167,410.57	

Adopted: January 15, 2020

Adopted this 15th day of January, 2020
and certified as a true copy of an original.
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Passaic County, New Jersey

~ Resolution 2020 - 084 ~

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

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

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

REASON:

Incorrect Payment

2. Duplicate Payment

3. Senior Citizen

Veteran Deduction

5. Homestead Rebate

6. Tax Appeal County Board

7. State Court Tax Appeal

8. 100% Disabled Veteran

Block/Lot	Name		Amount	Year	Reason
10002-001	Joseph & Andrea Messineo 59 Pine Street Williamtown, NJ 08094		\$163.59	2018	6
		TOTAL	\$163.59		

Adopted: December 15, 2019

Adopted this 15th day of December, 2019 and certified as a true copy of an original.

Passaic County, New Jersey

~ Resolution 2020 - 085 ~

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

Dec Daytime Art Class 12/30			
Grace Faria-Matolyak	\$35.00	Grace Faris-Matolyak 30 Cold Spring Road Hewitt, NJ 07421	

Adopted: January 15, 2020

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

Passaic County, New Jersey

~ Resolution 2020 - 086 ~

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	\$478,340.04
3	Reserve Account	104,870.75
2	Grants	890.00
6	Refunds	168,315.95
11	General Ledger	66,263.95
26	Refuse	489.95
4	Capital	0.00
19	Animal Control	525.00
19	Heritage Trust	0.00
19	Open Space Trust	0.00
19	Trust	0.00
19	Scala Trust	0.00
16	Development Escrow	244.80
19	Tax Sale Trust	0.00
21	Assessment Trust	0.00
	Special Reserve	0.00
Total		\$819,940.44
Less Refund Resolution		-168,315.95
Actual Bills List		\$651,624.49
Other Payments	S	
Payroli		499,097.96
NJ Municipal Employee Benefits		319,159.00
		5.2,100100
Total Expenditures		\$1,469,881.45

Adopted: January 15, 2020

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