

Township Clerk Kevin J. Byrnes announced that the Mayor and West Milford Township Council are meeting on this first day of January, 2004 at 12:00 Noon for the purpose of conducting the First Annual Organization Meeting of the West Milford Mayor and Township Council.

Invocation

Reverend Philip LeBeau, St. Joseph's Church

Pledge of Allegiance

Doris Osterhoudt

Administration of Oath to Mayor and Township Council

The Oath of Office was administered by Congressman Scott Garret, 5th.
Congressional District:

Mayor Joseph A. DiDonato
Councilman Paul S. Bailey
Councilman Joseph A. Elcavage
Councilman William G. Gervens
Councilman Dennis J. Kirwan
Councilwoman Patricia A. Lotz-Moore
Councilman Carmelo P. Scangarello

Township Clerk Kevin J. Byrnes officially turned the meeting over to Mayor Joseph A. DiDonato who then presided.

Mayor Joseph A. DiDonato called a break in the meeting at this point.

Mayor Joseph A. DiDonato called the meeting back to order.

Mayor DiDonato advised that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this regular meeting was advertised in the Aim Community News in its issues of December 14, 2003 and December 21, 2003; copies were provided to the Record, North Jersey Herald & News, Greenwood Lake News and Suburban Trends and posted continuously on the bulletin board in the main corridor of the Town Hall and on file in the Office of the Township Clerk.

Mayor DiDonato

Mayor DiDonato asked the Council for nominations for the position of Council President.

Councilman Elcavage nominated William Gervens to serve as Council President for a term ending December 31, 2004.

There being no further nominations, nominations were closed and confirmed.

Move: Bailey

Second: Elcavage

Voted Aye: Councilmembers Paul Bailey, Joseph Elcavage, William Gervens,
Dennis Kirwan, Patricia Lotz-Moore, and Carmelo Scangarello.

Voted Nay: None.

RESOLUTION ESTABLISHING A CASH MANAGEMENT PLAN

WHEREAS, pursuant to Chapter 8, Laws of 1982, the Township of West Milford is required to adopt a Cash Management Plan, including the designation of a depository or depositories.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, a municipal corporation of the County of Passaic, in the State of New Jersey that the Lakeland Bank, Fleet Bank and Columbia Bank be and are hereby designated as the official depositories of Township funds; and

BE IT FURTHER RESOLVED, that no withdrawal be made from any account in either depository except as authorized by statute or resolution of the Mayor and Council; and

BE IT FURTHER AUTHORIZED, that the following accounts, together with the person or persons authorized to make withdrawals from said accounts are hereby authorized to be maintained:

CHECKING			
<u>BANK</u>	<u>ACCOUNT</u>	<u>ACCT NO.</u>	<u>SIGNATURES</u>
Lakeland Bank	Current	513000179	Mayor or Administrator and Treasurer
CHECKING			
<u>BANK</u>	<u>ACCOUNT</u>	<u>ACCT NO.</u>	<u>SIGNATURES</u>
Columbia Bank	Assessment	24800495	Mayor or Administrator and Treasurer
Lakeland Bank	Capital	612300241	Mayor or Administrator and Treasurer
Columbia Bank	Dog Trust	24800510	Mayor or Administrator and Treasurer
Columbia Bank	Heritage Trust	24800509	Mayor or Administrator and Treasurer
Lakeland Bank	Payroll	513000160	Administrator or Treasurer
Columbia Bank	Public Assistance	24800521	Mayor or Administrator and Treasurer

Lakeland Bank	Public Assistance Trust Fund	612300098	Mayor or Administrator and Treasurer
Lakeland Bank	Escrow Thomas Scala, Jr.	6123000268	Mayor or Administrator and Treasurer
Lakeland Bank	Escrow	6123000284	Mayor or Administrator and Treasurer
Columbia Bank	Unemployment Trust	248800484	Mayor or Administrator and Treasurer
Lakeland Bank	Trust	61200292	Administrator and Treasurer
Lakeland Bank	Developers Trust	612300055	Mayor or Administrator and Treasurer
Fleet Bank	Open Space Trust	9417-785457	Mayor or Administrator and Treasurer
Fleet Bank	LOSAP Trust	9417-785545	Mayor or Administrator and Treasurer

BE IT FURTHER RESOLVED, that the funds of the Township shall be invested in interest bearing accounts. The Treasurer shall see that minimum funds shall be maintained in any non-interest bearing account in such amounts as he shall deem necessary to provide the orderly transition of business by the Township and to take advantage of any services provided to the Township by the depository through maintenance of minimum balances in said accounts where the Treasurer deems it in the best interest of the Township to do so.

All other monies shall be invested in interest bearing accounts, in investments in which municipal funds may lawfully be invested, in the State of New Jersey Cash Management Fund or Class New Jersey offered through MBIA in such amounts and at such times, from time to time, as the Treasurer shall deem in the best interest of the Township.

Adopted: January 1, 2004

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Agenda No. **V1 d**  
RESOLUTION NO. 2004 - 5

**RESOLUTION TO PROVIDE FOR THE HOURS OF COLLECTION OF TAXES**

**RESOLVED** by the Township Council of the Township of West Milford that the following shall be the hours for the collection of taxes, assessments and other monies due the Township:

1. West Milford Town Hall - Daily, 9:00 A.M. to 4:00 P.M. prevailing time except Saturday, Sunday and legal holidays.
2. West Milford Town Hall - First Wednesday of February, May, August, and November from 4:30 P.M. to 6:30 P.M.

Adopted: January 1, 2004

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Agenda No. **V1 e**
RESOLUTION NO. 2004 - 6

**RESOLUTION TO PROVIDE FOR THE RATE OF INTEREST TO BE CHARGED
ON UNPAID TAXES AND IMPROVEMENT ASSESSMENTS**

RESOLVED by the Township Council of the Township of West Milford that the rate of interest to be charged and collected by the Tax Collector and her department shall be as follows:

1. On all unpaid and delinquent taxes, the rate of eight percent (8%) per annum on the first \$1,500.00 of the delinquency, and eighteen percent (18%) per annum on any amount in excess of \$1,500.00.
2. On all unpaid and delinquent improvement assessments, the rate of eight percent (8%) per annum on the first \$1,500.00 of the delinquency, and twelve percent (12%) per annum on any amount in excess of \$1,500.00.
3. No interest shall be charged on taxes if payment is made within ten (10) calendar days after the date upon which the same becomes payable.
4. That a penalty be charged to a taxpayer in the amount of 6% of a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the calendar year, as authorized by N.J.S.A. 54:4-67.
5. That when the taxes, interest and costs on a tax sale certificate shall exceed the sum of \$5,000.00, an additional penalty shall be charged equal to 4% of the amount paid; and when that sum exceeds \$10,000.00, such additional penalty shall be equal to 6% of such amount paid, as authorized by N.J.S.A. 54:5-61.
6. That the provisions of this resolution shall apply to all existing tax sale certificates.

Adopted: January 1, 2004

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Agenda No. **V1 f**  
RESOLUTION NO. 2004 - 7

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD APPOINTING A PUBLIC AGENCY COMPLIANCE OFFICER**

**WHEREAS** NJAC 17:17 authorizes Public Agencies to annually designate a Public Agency Compliance Officer as the Liaison Official responsible for the Agency's contracting procedures;

**NOW, THEREFORE BE IT RESOLVED**, that the governing body of the Township of West Milford in the County of Passaic, in the State of New Jersey hereby appoints KEVIN J. BYRNES, Township Administrator to serve as the Public Agency Compliance Officer from January 1, 2004 through June 30, 2004.

**BE IT FURTHER RESOLVED**, that in accordance with NJAC 17:27 the Township Clerk is hereby authorized and directed to forward a certified copy of this resolution to the State of New Jersey Department of the Treasury Division of Contract Compliance and EEO in Public Contracts.

Adopted: January 1, 2004

Agenda No. **V1 g**  
RESOLUTION NO. 2004 - 8

**RESOLUTION FOR THE RE-ESTABLISHMENT OF THE TOWNSHIP HERITAGE COMMITTEE (ADVISORY)**

**WHEREAS**, the Township Council of the Township of West Milford did establish the West Milford Township Heritage Committee (Advisory) to undertake the following:

1. To work cooperatively on the renovation of the designated Township museum site in conjunction with various Township departments and other professionals appointed by the Township.
2. To gather in, catalog and properly store records, artifacts, photographs and other historical materials for placement into the West Milford Township museum.
3. To oversee the operation of and scheduling at the West Milford Township museum.

**WHEREAS**, upon consideration, it is the opinion of the Mayor and Township Council that the Committee should continue its efforts; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council that it does hereby re-establish a West Milford Township Heritage Committee (Advisory) to undertake this work with the following provisions:

1. *MEMBERSHIP*: The total number of members of this committee shall be seventeen (17) members; one of whom shall be a liaison member of the Township Council, one of whom shall be a liaison member of the Township staff, and fifteen (15) of whom shall be citizens of the Township of West Milford.

2. *APPOINTING AUTHORITY*: The member of the Township Council shall be appointed by and serve at the pleasure of the Mayor and Township Council.

The member of the Township staff shall be appointed by and serve at the pleasure of the Mayor.

The fifteen citizen members shall be appointed by the Mayor and Township Council. Upon the expiration of the respective terms of the initially appointed citizen members, the term of each member thereafter appointed shall be two years, commencing on January 1st. The members shall serve until their respective successors are appointed and qualified. They shall serve without compensation. In the event that a member fails to attend three unexcused consecutive meetings of the committee, the Chairman will advise the appointing authority in order to have a replacement appointed.

3. *SUNSET*: The Committee shall cease to exist unless re-established by the Township Council at its Organizational Meeting scheduled for January 1, 2005.

Adopted: January 1, 2004

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Agenda No. **V1 h**
RESOLUTION NO. 2004 - 9

**RESOLUTION FOR THE RE-ESTABLISHMENT
OF A BEAUTIFICATION/RECYCLING TASK FORCE COMMITTEE (ADVISORY)**

WHEREAS, the Township Council of the Township of West Milford did establish the Beautification/Recycling Task Force Committee (Advisory); and

WHEREAS, the Beautification Committee was directed to develop and promote a beautification program within the Township of West Milford; and

WHEREAS, upon consideration, it is the opinion of the Mayor and Township Council that the Beautification/Recycling Task Force Committee (Advisory) should continue its efforts; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council that it does hereby re-establish the Beautification/Recycling Task Force Committee with the following provisions:

1. *MEMBERSHIP* The number of members shall be (14) fourteen members, one of whom shall be a liaison member of the Township Council; one shall be a member of the West Milford League of Women Voters; ten

Voted Nay: None.
Motion carried.

Mayor DiDonato announced the appointment of **Thomas Bigger** to serve as a **Citizen Member** to the **West Milford Zoning Board of Adjustment** for a term ending December 31, 2005.

Mayor DiDonato announced the appointment of **Joseph Giannini** to serve as a **Citizen Member** to the **West Milford Zoning Board of Adjustment** for a term ending December 31, 2006.

Mayor DiDonato announced the appointment of **Daniel Jurkovic** to serve as a **Citizen Member** to the **West Milford Zoning Board of Adjustment** for a term ending December 31, 2007.

Mayor DiDonato announced the appointment of **Robert Brady** to serve as a **Citizen Member** to the **West Milford Zoning Board of Adjustment** for a term ending December 31, 2007.

Mayor DiDonato announced the appointment of **Francis Hannan** to serve as a **Citizen Member** to the **West Milford Zoning Board of Adjustment** for a term ending December 31, 2005.

Mayor DiDonato announced the appointment of **Arthur McQuaid** to serve as a **Citizen Member** to the **West Milford Zoning Board of Adjustment** for a term ending December 31, 2006.

Mayor DiDonato announced the appointment of **Anthony DeSenzo** to serve as a **Citizen Member** to the **West Milford Zoning Board of Adjustment** for a term ending December 31, 2005.

Environmental Commission

MAYOR'S APPOINTMENT

Mayor Joseph DiDonato announced his appointment of **Steven Sangle** and **Douglas Ott** to serve as Citizen Members of the **West Milford Environmental Commission** for terms ending December 31, 2005, and asked that the Council confirm this appointment.

Mayor Joseph DiDonato announced his appointment of **Bernie Stapleton** and **Gillian Hempstead** to serve as Citizen Members of the **West Milford Environmental Commission** for terms ending December 31, 2004, and asked that the Council confirm this appointment.

Mayor Joseph DiDonato announced his appointment of **Daniel Kochajki** to serve as a Citizen Member of the **West Milford Environmental Commission** for a term ending December 31, 2006, and asked that the Council confirm this appointment.

The Council confirmed the Mayor's appointments.

Moved: Lotz-Moore

Seconded: Kirwan

Voted Aye: Bailey, Elcavage, Gervens, Kirwan, Lotz-Moore, Scangarello,

Voted Aye: Bailey, Elcavage, Gervens, Kirwan, Lotz-Moore, Scangarello.
Voted Nay: None.
Meeting adjourned.

MAYOR JOSEPH DIDONATO
PRESIDING OFFICER

KEVIN J. BYRNES
TOWNSHIP CLERK