
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

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recently been posted on a website known as *fleeingwestmilford.com*. He also provided information that, he believes, shows that Councilman Elcavage posted this information from his Township e-mail account. Since the recent election, he and Councilman Nolan have been subject to continuous slanderous attacks and Councilman Elcavage is repeatedly implicated in these attacks. Councilman Warden questioned why e-mail attachments on this subject are attached to a Township e-mail address. He asked the Council to consider a censure of Councilman Elcavage.

Council President Gervens stated that he has never, in his whole life, condoned personal attacks on anyone. Rather than make such attacks, he would attack with his hands. He found out about this matter when he was asked to comment by a newspaper reporter. Because he is not technologically inclined, he asked his daughter to assist him in accessing the website to see this situation for himself. He is personally appalled because it is incumbent on elected officials to fight about the issues facing the Town. However, he has asked questions in his own way and he does not know who formed the information or from whence it came. At this time, it has not been proven where the information came from. Therefore, at this time he will not be involved in condemning anyone until the facts are known. He implored the Council to roll up their sleeves and work for West Milford. He asked that the personal attacks cease now.

Councilman Weisbecker asked where this gets us. The premise of the election process is to move forward and get beyond partisan bickering for the betterment of the town. These incidents appear to be more frequent and worse now than they were in the Township's non-partisan days. He personally believes in partisan politics because of the benefits to the municipality. Bettina has been a friend of his for 10-12 years. He is very disappointed to see these things happen. There were also personal attacks in non-partisan days and everyone survived. Councilman Weisbecker stated that he wants to see facts, wants to know exactly what happened, wants proof, and then the Council can address this matter through the proper channels. If the perpetrator is some one on the dais, they have not seen his wrath yet. This is negative for the town and for the Council.

Councilman Scangarello stated that he has been on the receiving end of personal attacks. He has never been trashed on the internet, but there were times when such incidents occurred through the newspapers. There was a time when he instructed his family to cease reading the papers because of the negativity contained therein. Perhaps everyone will learn a lesson from this situation. These attacks have to stop and he asked each Councilmember, on each side of the dais, to commit to ending these practices now.

Councilman Elcavage stated that does not nor does he know who owns or authors *fleeingwestmilford.com* and that he resents the accusations made here tonight.

Action Items

The Township Council took action on the following items:

Agenda No. VI 1
RESOLUTION NO. 2006 – 018

RESOLUTION APPROVING THE PAYMENT OF BILLS (AMENDED)

WHEREAS, the Township Treasurer has submitted to the members of the Township Council a report listing individual disbursement checks prepared by his office in payment of amounts due by the Township.

NOW, THEREFORE, BE IT RESOLVED that the Township Treasurer's report of checks prepared by him be approved and issued as follows:

Acct. ID #		
01	Current Account	\$ 210,526.26
02	Reserve	\$ 00.00
03	Dog Tax	\$ 1,710.00
04	Recycling	\$ 0.00
05	Recreation	\$ 0.00
06	Capital	\$ 16,290.76
07	Grants	\$ 16,765.52
08	Refuse	\$ 102,598.04
09	Refunds	\$ 41.00
10	Neighborhood Preservation	\$ 0.00
12	General Ledger	\$ 1,363.25
16	Heritage Trust	\$ 0.00
14	Open Space Trust	\$ 0.00
17	Trust	\$ 500.00

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increase each year over the previous contract. The Council instructed the Administrator to review last year's actual time used to ensure that we have received full service under that contract. They also asked for an explanation of the TOPS program.

4. Volunteer of the Year
Mayor DiDonato deferred to Councilman Nolan on this subject as he led a committee to make the selection for 2004 and 2005. Councilman Nolan advised that he, Councilman Warden and Councilman Scangarello served on the committee and reviewed six very worthy nominations. They are recommending to the Council tonight that Jim Gilligan be nominated Volunteer of the Year for 2004 for his work on the blood drive. They also recommended that Mark Lynch be nominated Volunteer of the Year for 2005 for his work with the recreation commission. The audience received these recommendations with a round of applause. Mayor DiDonato advised that the former mayors are working on the Lifetime Achievement Award nomination and the Council will hear from them in the very near future. We will then schedule a meeting to make the presentations. The Council instructed that they wish to have a resolution accepting the nominations from the committee for consideration at the January 25th meeting.
5. Resolution Approving the Issuance of Firearms Range Permit No. 2006-1 to Meadowbrook Rifle and Pistol Club with Stipulation of Provisions and Restrictions
Councilman Gervens complemented the owners of this range as well as the Township departments who conduct the inspections. He stated that this operation is very well run. Councilman Weisbecker concurred. The Clerk advised that the application was submitted in order and there was no objection from the department heads.
6. Bond Sale Results
Administrator Kunze advised that eight on-line bids were received and one bid was delivered in person. Conducting an on-line bond sale attracted bids from larger nationwide institutions and thus benefited the Township. We received a rate of 3.765%.
7. Designation of Official Newspapers for the Publication of Legal Notices and Other Items for the Township of West Milford
Mayor DiDonato referred to the Clerk's memorandum addressing this subject. He clarified, in answer to previously posed questions, that the Herald News is the only paper that qualifies under the state statute for designation as official newspaper for West Milford. He outlined some specifics of the statute that speak to publication. Discussion ensued as to where various papers are published and whether or not other circulations are published in Passaic County. The Council instructed the Township Attorney to investigate this situation further and to provide some clarification on the statute, specifically defining "publish."
8. Status of the Greenwood Lake Management District and Greenwood Lake Bi-State Commission
Administrator Kunze directed the Council to a letter in their packages from Mr. Olsen from the Management District. The management district no longer functions at the level it once did. Discussion ensued as to the best use of a liaison from the Council. The Council agreed that a liaison to the Bi-State Commission would better serve the Township. By consensus the Council instructed that a resolution be presented for consideration at the January 25th meeting moving the liaison from the Greenwood Lake Management District to the Greenwood Lake Bi-State Commission.
9. Board of Health Appointments
The Township Attorney advised that a Councilmember can serve as a citizen member on this board.
10. Formation of Lakes Committee
Councilman Weisbecker asked the Council to consider establishing a lakes committee to provide a format for discussion of mutual concerns of all our lake communities. There are many lake communities in West Milford who have mutual concerns about dams, stormwater runoff, and other issues. Councilman Nolan questioned whether such a committee is simply adding more bureaucracy to the town. Councilman Weisbecker stated that he believes that such a committee would help the Council understand the concerns and needs of these communities. He suggested having representation from existing lake associations and one council liaison with either quarterly or bi-monthly meetings. If such a committee had existed the West Milford Lake problem may have been averted because of more dialogue and better communications. The Council instructed the Administrator and Attorney to draft something for further discussion on February 1st.
11. Codification of Heritage, Beautification and Municipal Alliance Committees

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Administrator Kunze recommended taking action on such ordinances later in the year and utilizing standard formats for all boards and commissions.

12. Order of Council Voting

Each member of the Council expressed an opinion with regard to the voting order. Some members felt that it would be better to rotate the voting format to prevent one person from always being the first or last vote. Other members stated that one must always vote with one's conscience and therefore there is no need for change. The Council agreed to leave the voting order alone.

13. Professional Services Agreement for Labor Counsel

Administrator Kunze recommended reappointing Fred Knapp as labor council with a cap of \$45,000. He stated that he is pleased with Mr. Knapp's performance and his rate of \$135 per hour is very competitive. Council agreed.

14. Bid: One 2005 6 Cubic Yard Dump Truck w/ Plow and Central Hydraulics

15. Bid: Warwick Turnpike – Section 7

16. Bid: Tub Grinder

Administrator Kunze reported on all three bids. Councilman Nolan expressed concerns that we only received one bid for the dump truck and stated that he would like to rebid this item. The Township Attorney stated that the bid did not exceed the estimate so we may not have the ability to reject it. Councilman Elcavage asked that a cost estimate be prepared on this item. Councilman Gervens asked the Administrator to determine from DPW what items are being ground in the tub grinder. He stated that we should be grinding brush and not stumps. He also advised that this equipment requires significant maintenance. Discussion ensued about the cost to purchase and maintain such equipment rather than renting. The Council instructed the Administrator to proceed with the award resolutions for January 25th but to provide answers to questions posed prior to that date.

17. Resolution for Renewal of a Motor Vehicle Junkyard License for the 2006 License Year

West Milford Auto Recyclers, Inc. Block 12501, Lots 18 & 19, 112 Weaver Road

The Clerk advised that the application was correctly submitted and no objections to renewal of this license were received from the various departments.

Township Administrator's Report

Administrator Kunze stated that the pothole repairs on Terrace Road are temporary fixes and the DPW will effectuate permanent repairs when they can.

The preliminary budget is being prepared and will be ready just after Monday's holiday.

Mayor's Report

None.

Township Council Reports

Councilman Weisbecker stated that he wishes to speak with the Administrator in the near future to discuss the establishment of a finance committee. Councilman Weisbecker stated that he spoke with Assemblyman DeCrose with regard to the power outages in the southern part of town. The Assemblyman advised that, if he were to receive a letter asking for direction from the Mayor and Council, he can address and resolve the problems. He stated that there are problems enforcing the bicycle helmet laws for a host of reasons. Police enforcement is difficult because it is often tough finding the parents of repeat offenders. Oftentimes kids leave home with their helmet on only to remove it when they are out of their parent's sight. We should consider starting a campaign to alert and educate people. He stated that he is not happy about the website situation and advised that not all republicans are involved in this, it is not the republican party.

Councilman Elcavage asked the Council and the Clerk to look at digital imaging for electronic copies of documents. This would provide for an ability to find documents in minutes instead of hours. He mentioned that the ambulance corps is celebrating its 50th anniversary in 2006 and commended them for the increased membership.

Council President Gervens reminded all present that he previously voted to table a proposal on pay-to-play. Now that the state has adopted rules and the county has their own set of rules, he would like the Township Attorney to analyze both set of rules and come to the Council with something that is in keeping with these regulations but serves our Township better.

Councilman Nolan stated that he has no problem with people expressing disagreements and/or signing their names to the same. However, anonymous websites are no good. He disseminated

