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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

Minutes of: Township Council  
Date of Meeting: February 8, 2006  
Time of Meeting: 7:30 P.M.  
Minute Page No: Page 2 of 16

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**Presentations**

Mayor DiDonato invited the Special Police Officers, the Police Chief and Police Lieutenant to come forward for the Special Police Officers swearing in. The Mayor thanked these Special Officers for serving the community and they each took their oaths of office.

**Proclamations**

None.

**Unfinished Business, Final Passage of Ordinances**

None.

**Public Comments**

At 7:39 p.m. Mayor Joseph DiDonato asked if there are members of the public who wish to address the Council.

Don Partington, 572 Snake Den Road, West Milford advised the Council that he has been experiencing on-going problems with his neighbor. They have attempted to resolve these matters through legal channels and mediation. The result is that his neighbor has reverted to harassing the Partington family. His neighbor constructed a building on the wrong lot years ago. He subsequently applied to the zoning board for a variance and was denied causing the building to be removed. In retribution, he has installed a fence along his property line which borders the Partington property. The fence is not uniform in color or material, and is not properly installed. Mr. Partington advised that he has contracted the building and zoning officials about this matter. The Zoning Officer has indicated that the fence does not violate any Township ordinance. Mr. Partington asked the Council to instruct the planning and zoning boards to amend the ordinance so that fences must be uniform and be safely installed. He left pictures with the Council so that they could visualize the problem he is encountering. He indicated that the resolution he and his family can think of is to install their own fence in front of the neighbor's fence.

Jim Novack, 53 Larchmont Drive, Hewitt, noted that agenda item number 13 is for presentations, communications, and petitions. He advised that, in the past, this agenda item was at the beginning of the meeting. He asked the Council to return to placing that at the beginning of the meeting and moving the Public Comments section to the end of the meeting. He questioned why Scanlon Landscaping was raking leaves in front of the library today. Were they paid in advance for this? If so, who signed off for a leaf clean up that did not happen until this time of year? He questioned an item on a previous bill list wherein G&H was paid \$16,299 for a backhoe rental. He noted that the Township purchased a backhoe a few years ago. If we bought a backhoe, why are we renting one at such an exorbitant amount? He advised the Clerk that he will be coming to Town Hall tomorrow for answers.

Ada Erik, 1693 Macopin Road, West Milford, stated that *AIM Newspaper* had an article recently about bicycle helmets. Ms. Erik has noted that there appears to be more compliance with the law since the newspaper article which advised that the police will be enforcing the law. She was thanked by a young child's mother for insisting that the police enforce this law. She advised that she will continue to harp on this subject until there is full compliance among our children.

Councilman Weisbecker moved to close the Public Comments portion of the meeting at 7:50 p.m.

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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Gervens, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.

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**Council Comments**

Mayor DiDonato stated that he will have the Administrator ask the Attorneys to look into the fence ordinance.

**New Business, Introduction of Ordinances, Resolutions**

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The Mayor and Township Council proceeded to take action on the following ordinances and resolutions:

Agenda No. VIII 1  
 ~ Ordinance 2006-001 ~

**AN ORDINANCE CONCERNING SALARIES AND COMPENSATION FOR ADMINISTRATIVE, CONFIDENTIAL AND UNAFFILIATED EMPLOYEES**

**BE IT ORDAINED**, by the Township Council of the Township of West Milford, in the County of Passaic, New Jersey that pursuant to Chapter IV entitled Personnel of the Revised General Ordinances of the Township of West Milford, New Jersey, 1976, the following Officers and Employees here below stated shall be classified by job title with the corresponding pay ranges;

1. ADMINISTRATIVE, CONFIDENTIAL AND UNAFFILIATED EMPLOYEES

**DEPARTMENT AND OFFICE HEADS**

<b>JOB TITLE</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Township Administrator	\$70,000.00	\$125,000.00
Director of Public Safety (Police Chief)	\$70,000.00	\$124,500.00
Township Engineer	\$65,000.00	\$120,000.00
Planning Director	\$65,000.00	\$115,000.00
Chief Financial Officer (Treasurer)	\$55,000.00	\$100,000.00
Township Clerk	\$55,000.00	\$92,500.00
Director of Parks & Recreation	\$55,000.00	\$80,000.00
Court Administrator	\$45,000.00	\$75,000.00
<b><u>DIVISION HEADS</u></b>		
Tax Assessor	\$50,000.00	\$92,000.00
Tax Collector	\$50,000.00	\$93,500.00
Director of Public Works	\$55,000.00	\$92,500.00
Construction Official	\$45,000.00	\$85,000.00
Fire Commissioner	\$3,000.00	\$6,000.00
<b><u>CONFIDENTIAL AND UNAFFILIATED EMPLOYEES</u></b>		
Assistant Public Works Superintendent	\$45,000.00	\$75,000.00
MIS Coordinator	\$35,000.00	\$70,000.00
Personnel Coordinator	\$35,000.00	\$70,000.00
Administrative Analyst	\$45,000.00	\$62,500.00
Chief Custodian	\$25,000.00	\$59,500.00
Recreation/Pool Coordinator	\$25,000.00	\$42,500.00
Judge \$15,000.00	\$55,000.00	
Prosecutor \$10,000.00	\$25,000.00	
Fire Marshal	\$3,000.00	\$6,500.00
Emergency Management Officer	\$3,000.00	\$6,500.00
Director of Welfare	\$3,000.00	\$6,000.00
Telecommunications Systems Analyst	\$2,500.00	\$5,000.00
Deputy Fire Commissioner	\$1,500.00	\$3,500.00
Veteran Officer	\$500.00	\$1,500.00
Secretary Board/Commission Secretary P/T (A) –General	\$130 per mtg.	\$200 per mtg.
Secretary Board/Commission Secretary P/T (B)–Zoning Bd.	\$250 per mtg.	\$500 per mtg.

2. The aforelisted Officers and Employees shall be compensated in accordance with the preceding Salary Range.
3. **BENEFITS:** Benefits relating to vacation, sick days, personal days, longevity, holidays, bereavement leave and medical insurance shall be those as contained in the contract between the West Milford Municipal Employees Guild and the Township of West Milford and any employment agreement consistent with applicable law.

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4. OVERTIME: If not otherwise eligible for overtime compensation by contract or law, each full-time department and division head, in lieu of overtime compensation as provided in the Guild contract, shall receive three (3) vacation days and up to 35 compensatory hours annually, the latter earned hour for hour for hours worked above forty per week. All other full-time employees listed in this ordinance if not otherwise eligible for overtime compensation by contract or law, shall receive 21 compensatory hours annually, plus one half hour for each hour worked above thirty-five or forty hours per week depending on the applicable contract for the employee's department. Vacation and compensatory time may be used or accumulated as follows: vacation days may be carried for up to one year from January 1 following the year earned, and compensatory hours may be taken no later than April 1 of the year following the year earned.
  5. This Ordinance is effective retroactive to January 1, 2006.
  6. Any ordinance or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed to such extent as they are in conflict or inconsistent. This ordinance shall take effect 20 days after its final passage by the Township Council.

Adopted: February 8, 2006

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Moved: Nolan Seconded: Weisbecker  
 Voted Aye: Weisbecker, Smolinski, Gervens, Nolan, Warden, Scangarello.  
 Voted Nay: None.  
 Motion carried.

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Mayor DiDonato asked the Clerk for the date for the public hearing on this ordinance. The Clerk advised that the public hearing will be held at the next Regular Meeting of the Township Council on March 1, 2006.

Agenda No. VIII 2  
~ Resolution 2006-046 ~

**A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD,  
COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING  
THE AWARD OF A CONTRACT FOR  
CODIFICATION OF THE TOWNSHIP CODE**

**WHEREAS**, the Township of West Milford has a need to obtain professional services for re-codification of the Township Code; and,

**WHEREAS**, General Code of 72 Hinchey Road, Rochester, NY 14624 has submitted a proposal for this project; and,

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this service, said funds to be paid from line item number 01-20-200 in the Township budget in an amount not to exceed \$13,480.00.

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

1. The Township Council hereby awards a contract to General Code in an amount not to exceed \$13,480.00 for Re-Codification of the Township Code.
2. The Administrator be and is hereby authorized and directed to execute a contract with General Code in accordance with its proposal for said Re-Codification Services.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Municipal Clerk.
5. Notice of this action shall be published once in the Township's legal newspaper.

Adopted: February 8, 2006

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Moved: Weisbecker Seconded: Scangarello  
 Voted Aye: Weisbecker, Smolinski, Gervens, Nolan, Warden, Scangarello.  
 Voted Nay: None.

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Motion carried.  
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Agenda No. VIII 3  
~ Resolution 2006-047 ~

**A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD,  
COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING  
CHANGE ORDER NO. 1 FOR THE WEST MILFORD BIKEWAY CONTRACT SECTION 2  
(CONTRACT 2)**

**WHEREAS**, the Township Engineer has recommended approval of a change order to the West Milford Bikeway Contract, Section 2, Contract 2 previously awarded to Tilcon New York, Inc. in the amount of \$243,323.30; and,

**WHEREAS**, the increased cost recommended in the approval of the change order is \$10,702.26 which amount represents an increase of 4.4% above the original amount representing an updated contract amount of \$254,025.56; and,

**WHEREAS**, the change is recommended due to the need to install additional base course in the reconstructed section after milling out the existing pavement and a need to level areas to produce an acceptable cross-section prior to paving the final top course; and

**WHEREAS**, the final contract amount of \$254,025.56 is below the engineer's original estimate for the project; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this change order, said funds to be paid from line item number C-04-41-713-201 in the Township budget.

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

6. The Administrator be and is hereby authorized and directed to execute a contract amendment with Tilcon New York, Inc. in an amount not to exceed \$10,702.26 representing an increase to the original contract amount not to exceed \$245,025.56
7. The Township's Chief Financial Officer has certified the availability of funds for same.
8. This resolution and contract shall be available for public inspection in the office of the Municipal Clerk.

Adopted: February 8, 2006  
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Moved: Weisbecker Seconded: Gervens  
Voted Aye: Weisbecker, Smolinski, Gervens, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VIII 4  
~ Resolution 2006-048 ~

**Number not used.**

Agenda No. VIII 5  
~ Resolution 2006-049 ~

**A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD,  
COUNTY OF PASSAIC AND STATE OF NEW JERSEY  
ESTABLISHING AN ENERGY COMMITTEE**

**WHEREAS**, the Mayor and Township Council have discussed the escalating energy costs and demands in order to maintain municipal operations; and

**WHEREAS**, energy competition and alternative sources of energy have resulted in a variety of possibilities that may result in a cost savings to the Township; and

**WHEREAS**, in order to identify methods to conserve energy, it is necessary to continue to investigate these various alternative sources and programs to provide energy to the Township; and

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**WHEREAS**, the Mayor and Township Council desire that an Energy Committee be established to achieve these objectives.

**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 a seven member Energy Committee be established that will strive to identify ways to conserve energy, minimize energy costs and identify alternative energy sources and resources which includes special programs and rebates in the course of conducting municipal operations.

**BE IT FURTHER RESOLVED**, that the Mayor and Township Council shall annually identify seven members to serve one-year terms as members of the Energy Committee consisting of the Township Business Administrator, Township Engineer, one member from the Township Council, one member from the West Milford Township Environmental Commission and three citizen members.

**BE IT FURTHER RESOLVED**, that the Energy Committee shall report to the Mayor and Council, make recommendations, render opinions and input with respect to issues affecting the Township's energy resources and programs.

Adopted: February 08, 2006  
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Moved: Weisbecker Seconded: Nolan  
Voted Aye: Weisbecker, Smolinski, Gervens, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Agenda No. VIII 6

Mayor DiDonato asked for nominations prior to taking action on this resolution.

Councilman Nolan nominated Councilman Warden and Councilman Warden nominated Councilman Weisbecker to serve as liaisons to the City of Newark.

Councilman Weisbecker made a motion to Close and Confirm.  
Councilman Scangarello seconded the motion.

~ Resolution 2006-050 ~

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST MILFORD  
ESTABLISHING TWO COUNCIL LIAISON POSITIONS BETWEEN THE TOWNSHIP AND THE  
CITY OF NEWARK AND APPOINTING  
COUNCILMAN JAMES WARDEN AND COUNCILMAN PHILIP WEISBECKER  
TO SERVE AS COUNCIL LIAISON BETWEEN TOWNSHIP OF WEST MILFORD AND CITY OF  
NEWARK**

**WHEREAS**, West Milford Township Council wishes to appoint two (2) Council members to serve as liaisons between the Township and the City of Newark; and

**WHEREAS**, the purpose of these appointments is to facilitate the sharing of information between the two entities relative to items of mutual interest and concern; and

**WHEREAS**, the appointed liaisons shall not express any positions or take any action on behalf of the Township Council without full Council input and consensus.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of West Milford that they do hereby create two Council Liaison positions to facilitate communications between the Township of West Milford and the City of Newark; and

**BE IT FURTHER RESOLVED** that the Township Council does hereby appoint Councilman James Warden and Philip Weisbecker to serve as Council Liaisons between the Township of West Milford and the City of Newark, said appointments to be for a one-year term, retroactive to January 1, 2006 and said term to expire on December 31, 2006.

Adopted: February 08, 2006  
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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Gervens, Nolan, Warden, Scangarello.



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2003	\$150,000	\$135,000	004161-2003
2004	\$150,000	\$125,000	006238-2004
2005	\$150,000	\$110,000	005203-2005

2. This settlement is conditioned upon the taxpayer waiving any interest due on the refund of taxes.
3. The Tax Assessor is hereby authorized to apportion the value between the land and improvements for each settlement.
4. The Tax Collector is authorized to credit/refund or change amounts reflected in this resolution upon receipt of a Judgment of the Tax Court.
5. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.
6. This Resolution shall take effect immediately.

Adopted: February 8, 2006  
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Moved: Nolan Seconded: Gervens  
 Voted Aye: Weisbecker, Smolinski, Gervens, Nolan, Warden, Scangarello.  
 Voted Nay: None.  
 Motion carried.  
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Agenda No. VIII 7c  
 ~ Resolution 2006-051C ~

**A RESOLUTION OF THE TOWNSHIP OF WEST MILFORD,  
 COUNTY OF PASSAIC AND STATE OF NEW JERSEY  
 AUTHORIZING THE SETTLEMENT OF THE 2004 AND  
 2005 TAX APPEALS INVOLVING BLOCK 15804, LOT 12**

**WHEREAS**, appeals of the 2004 and 2005 real property tax assessments of Block 15804, Lot 12, 7 Oak Ridge Road, in the Township of West Milford have been filed; and

**WHEREAS**, said property is owned by J.T. Mase Properties, L.L.C.; and

**WHEREAS**, settlement of the 2004 and 2005 appeals is in the best interest of the Township.

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

1. Settlement of the tax appeals filed with the Tax Court of New Jersey challenging the assessed valuation of Block 15804, Lot 12 is hereby authorized as follows:

Tax Year	Original Assessment	Proposed Assessment	Docket No.
2004	\$716,100	\$550,000	006439-2004
2005	\$716,100	\$500,000	005202-2005

2. This settlement is conditioned upon the taxpayer waiving any interest due on the refund of taxes.
3. The Tax Assessor is hereby authorized to apportion the value between the land and improvements for each settlement.
4. The Tax Collector is authorized to credit/refund or change amounts reflected in this resolution upon receipt of a Judgment of the Tax Court.
5. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.
6. This Resolution shall take effect immediately.

Adopted: February 8, 2006  
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Moved: Nolan Seconded: Scangarello  
 Voted Aye: Weisbecker, Smolinski, Gervens, Nolan, Warden, Scangarello.  
 Voted Nay: None.  
 Motion carried.  
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Agenda No. IX 1a

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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**~ Resolution 2006-052 ~**

**RESOLUTION 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 and Applications; and

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

- Resolution 2006-052** – Authorize Cancellation of Lien
- Resolution 2006-053** – Authorize Cancellation of Tax
- Resolution 2006-054** – Authorize Refund of Overpayments
- Resolution 2006-055** - Authorize Refund of Dog License Fee
- Resolution 2006-056** - Authorize Refund of Amusement License Fee
- Resolution 2006-057** - Authorize Refund of Liens
- Resolution 2006-058** - Authorize Release of Performance Bond

Adopted: February 8, 2006

Councilman Weisbecker moved to approve the Consent Agenda as presented.  
Councilman Scangarello seconded the motion.

The Township Attorney asked the Council to amend the language in Resolution 2006-053 and Resolution 2006-058 from "Illegal Sale" to "Repurchase of Tax Sale Certificate".

Councilman Weisbecker moved to amend his motion to approve the Consent Agenda pursuant to the attorney's recommended change.  
Councilman Scangarello seconded the motion.

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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Gervens, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried as amended.  
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Agenda No. IX 1b  
**~ Resolution 2006-052 ~**

**RESOLUTION AUTHORIZING PASSAGE OF CONSENT AGENDA**

- Application for Social Affair Permit:**  
Our Lady Queen of Peace Rosary Altar Society  
April 29, 2006, 6:30 p.m. to 10:00 p.m.
- Application for Off Premise 50/50 Raffle License:**  
RL 2006-11 by West Milford Rotary Club for May 1, 2006
- Application for On Premise 50/50 Raffle License:**  
RL 2006-12 by West Milford Chapter of Deborah Hospital Foundation for September 15, 2006
- Application for On Premise 50/50 Raffle License:**  
RL 2006-13 by West Milford Chapter of Deborah Hospital Foundation for September 15, 2006

Adopted: February 08, 2006

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Moved: Nolan Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Gervens, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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Included in and adopted by the Resolution Authorizing Passage of the Consent Agenda were the following resolutions:

Agenda No. IX 1a i  
**~ Resolution 2006-053 ~**

**RESOLUTION AUTHORIZING CANCELLATION OF LIEN (AMENDED)**

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

**WHEREAS**, the Collector of Taxes recommends the cancellation of liens for the reason listed;

REASON: ILLEGAL SALE  
 REPURCHASE OF TAX SALE CERTIFICATE

**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 cancel as hereafter listed below:

<u>BLOCK/LOT</u>	<u>NAME</u>	<u>CERTIFICATE NO.</u>	<u>DOLLAR AMOUNT</u>
8101-25.02	Gail Rheinlander & Donald Ehrmann	05-079	\$3,314.59

Adopted: February 8, 2006

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 Agenda No. IX 1a ii  
 ~ Resolution 2006-054 ~

**RESOLUTION AUTHORIZING CANCELLATION OF PROPERTY TAX**

**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:

REASON: 1. DELETED FROM DUPLICATE

**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 cancel as hereafter listed below:

| <u>BLOCK/LOT</u> | <u>NAME</u>                 | <u>AMOUNT</u> | <u>Year</u>      | <u>Reason</u> |
|------------------|-----------------------------|---------------|------------------|---------------|
| 14105-1.2 Bldg   | City of Newark Div of Water | \$1,786.00    | 2006 First Half  | 1             |
| 14106-1.2 Bldg   | City of Newark Div of Water | \$1,120.00    | 2006 First Half  | 1             |
| 14106-1.3 Bldg   | City of Newark              | \$912.00      | 2006 First Half  | 1             |
| 11106-16 Q       | Assessors Appeal            | \$34.16       | 2005 SECOND HALF | 1             |
| 11106-16 Q       | Assessors Appeal            | \$18.00       | 2006 First Half  | 1             |
|                  | TOTAL                       | \$3,870.16    |                  |               |

Adopted: February 8, 2006

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 Agenda No. IX 1a iii  
 ~ Resolution 2006-055 ~

**RESOLUTION AUTHORIZING REFUND OF OVERPAYMENTS (AMENDED)**

**WHEREAS**, there appears on the tax records overpayments as shown below; and

**WHEREAS**, the overpayments were created by reasons stated below and the Collector of Taxes recommends the refund of such overpayments.

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

**REASONS:**

- |                                     |                                 |
|-------------------------------------|---------------------------------|
| 1. Incorrect Payment                | 2. Duplicate Payment            |
| 3. Senior Citizen/Veteran Deduction | 4. Homestead Rebate             |
| 5. Tax Appeal                       | 6. Illegal Sale                 |
|                                     | 6. Repurchase of Tax Sale Cert. |

Block/Lot	Name	Amount	Year	Reason
811-14	R. Nikolovski & B. Markoski 566 Jersey Avenue Greenwood Lake, N.Y. 10925	\$17.00	2006	1
1612-8	Michael & Rozalia Juhasz 23 <sup>RD</sup> Street Astoria, N.Y.11102	\$803.28	2006	1
3107-4	Michael Andres 12 Eastside Road Hewitt, New Jersey 07421	\$11.00	2006	1
7502-2	Ruth M. Leonard 5 Compass Avenue West Milford, NJ 07480	\$317.24	2006	1
7509-3	Wopat T. C/O W. Smith & Co. P.C. 900 Division Street Nashville, Tennessee 37203	\$97.36	2006	1
7613-10	Kay Wahler 120 Pinecliff Lake Drive West Milford, NJ 07480	\$1,296.00	2006	2
7801-26.01	Charles James Stanton 26 A Concord Road West Milford, NJ 07480	\$32.53	2006	1
14113-27	Patrick & Sheri Tuite 2 Peach Lane West Milford, NJ 07480	\$1,289.44	2005	2
15501-11	Debra & Thomas Santa Lucia 5 Circle Boulevard Newfoundland, NJ 07435	\$1,528.01	2006	2
8101-25.02	Larry Nach C/O LGN Communications 8 Colfax Avenue Clifton, NJ 07013	\$3,132.31	2005	6
15901-12	James & Carol Rose 153 Oak Ridge Road Oak Ridge, NJ 07438	\$1,760.00	2006	2
2001-16	CitiMortgage, Inc. 5280 Corporate Drive Frederick, MD 21703	\$1,141.00	2006	2
2408-8	Donald & Cynthia Babula 11 Newfield Road Hewitt, NJ 07421	\$1,118.00	2006	2
4801-2	LSI Tax Service 6851 Jericho Turnpike Ste.125 Syosset, NY 11791	\$2,081.00	2006	2
8701-6	Bassetti Law, LLC 25 B Vreeland Road Suite 102 Florham Park, NJ 07932	\$2,200.00	2006	2
10102-22	G. & M. Oppenheimer 24 Clover Road Newfoundland, NJ 07435	\$2,144.96	2006	2
13703-16	Francis J. Battersby, Esq. 4 Ramapo Valley Road Oakland, NJ 07436	\$1,316.00	2006	2
7801-13.04	Crossroads Title Service, Inc. 78 South White Horse Pike Berlin, NJ 08009	\$1,379.00	2006	2

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3705-38	Jaycen & Jennifer Stillman 9 Olcott Road Hewitt, NJ 07421	\$11.00	2006	2
	<b>TOTAL</b>	<b>\$21,675.13</b>		

Adopted: February 08, 2006

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 Agenda No. IX 1a iv  
 ~ Resolution 2006-056 ~

**RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF DOG LICENSING FEE**

**WHEREAS**, Ediberto Ramires of 23 Leonard Avenue, West Milford, NJ 07480 paid requisite license fees for a 2006 Dog License pursuant to State and Local Statutes; and

**WHEREAS**, the licensee, subsequent to the issuance of said license, provided proof of neutering of the licensed animal; and

**WHEREAS**, the cost for licensing a spayed/neutered animal is \$6.00 less than for the licensing of an animal that has not been spayed or neutered.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of West Milford that the appropriate officials be and are hereby authorized to issue a refund check in the amount of \$6.00 to Ediberto Ramires of 23 Leonard Avenue, West Milford, NJ 07480 to refund the aforementioned license fee.

Adopted: February 8, 2006

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 Agenda No. IX 1a v  
 ~ Resolution 2006-057 ~

**RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF AMUSEMENT GAME LICENSE FEE**

**WHEREAS**, Trillick, LLC dba Lakeview Pub & Liquors of 1934-36 Greenwood Lake Turnpike, Hewitt, NJ 07421 paid requisite application fees for a 2006 Amusement Game License to the Township's Clerk Department; and

**WHEREAS**, the licensee's payment included a payment of \$50.00 for the operation of a Juke Box on the licensed premises; and

**WHEREAS**, the Township of West Milford does not issue licenses for the operation of Juke Boxes.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of West Milford that the appropriate officials be and are hereby authorized to issue a refund check in the amount of \$50.00 to Trillick, LLC dba Lakeview Pub & Liquors of 1934-36 Greenwood Lake Turnpike, Hewitt, NJ 07421 to refund the aforementioned license fee.

Adopted: February 8, 2006

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 Agenda No. IX 1a vi  
 ~ Resolution 2006-058 ~

**RESOLUTION AUTHORIZING 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 the Lien Holder
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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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03-080	04/07/2003	16101-004	\$61,616.66	WACHOVIA-COLL AGT/SASS MUNI IV M. GRASSO TAX SPECIALIST 123 S. BROAD ST. PA1328S PHILADELPHIA,, PA 19109
05-015	03/09/2005	01806-004	\$413.38	LAURA GREEN 14 CRESCENT DRIVE GOSHEN, NY 10924
05-053	03/09/2005	05005-007	\$33,106.38	CRUSADER SERVICING CORP 179 WASHINGTON LANE JENKINTOWN, PA 19046
05-070	03/09/2005	06902-028	\$11,811.32	FIDELITY TAX LLC. P.O. BOX 5707 FORT LAUDERDALE,, FL 33310
05-092	03/09/2005	11103-005.01	\$16,050.31	WACHOVIA CUST/SASS5 MUNI V DTR 123 S. BROAD ST. PA 1328S TAX LIEN SERVICES GROUP PHILADELPHIA, PA 19109
05-114	03/09/2005	16605-022	\$39,508.93	FIDELITY TAX LLC. P.O. BOX 5707 FORT LAUDERDALE,, FL 33310
<b>Grand Total</b>			<b>\$162,506.98</b>	

Adopted: February 8, 2006

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 Agenda No. IX 1a vi  
 ~ Resolution 2006-059 ~

**RESOLUTION AUTHORIZING REFUND OF PERFORMANCE GUARANTEE**

**BE IT RESOLVED**, by the Council of the Township of West Milford that, upon the report and request of the Township's Engineering Department, the following Performance Guarantees be refunded:

| <u>Name &amp; Address</u>                                     | <u>Block &amp; Lot</u> | <u>Amount Refunded</u> | <u>Pg. No.</u> |
|---------------------------------------------------------------|------------------------|------------------------|----------------|
| Richard & Carolyn Jakimas<br>P.O. Box 883<br>Hewitt, NJ 07421 | 14301/14.02            | \$ 1,025.00            |                |

Adopted: February 8, 2006

**Payment of Bills**

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 Agenda No. X 1  
 ~ Resolution 2006-060 ~

**RESOLUTION APPROVING THE PAYMENT OF BILLS**



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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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hospital emergency rooms without any questions. He advised that the Association for Special Children and Families in conjunction with local pastors will be placing posters throughout the town and offering assistance to anyone who may need it. He advised that, at a recent Planning Board Workshop meeting, discussion took place about Eagle Ridge. They want to be proactive in this matter and prepare for the results of the current litigation. They have instructed township personnel to review permits and allowable uses under the Highlands Act. A memo is forthcoming to the Council.

Councilman Smolinski thanked Ada Erik for her concern about children's safety and specifically the helmet laws. He noted that the Recreation Advisory Board is working on a safety program that they hope will be up and running before spring. They advised that the High School is offering a production of "footloose" this year and tickets and information can be obtained at 973-697-1701. He thanked all those who purchased sandwiches from the High School band last Sunday.

Council President Gervens noted that the High School music department has a special senior citizens performance of "Footloose" on February 27 and 28<sup>th</sup> at no charge for seniors. There is also a dinner at 4:30 p.m. in the High School cafeteria for seniors at a cost of \$6.00. He provided contact information for reservations. The Senior Advisory Committee is offering a seminar and assistance to people who wish to enroll in Medicare Part D. Appointments can be made for March 23<sup>rd</sup> and April 21 by calling Gail Anderson at 973-728-2701 and Council President instructed the Clerk to post the information on the bulletin board.

Councilman Nolan congratulated Councilman Smolinski. He urged the Council to put partisan issues aside and work for West Milford. He noted that the Governor's budget address has been moved to March 21<sup>st</sup> so the Township is not likely to be notified about state aid before that date. The Council began budget reviews on Saturday and will continue throughout February. He commended the Administrator and the CFO for the quality of the budget document. He asked that Pay to Play discussion be placed on the agenda for the February 22<sup>nd</sup> workshop. He also asked that the Council have a resolution to establish the telecommunications task force available for action on February 22<sup>nd</sup>. He reminded all that the next blood drive is on Sunday February 19<sup>th</sup> from 8:30 to 2:30. He commended the Clerk for generating comprehensive and understandable minutes.

Councilman Warden congratulated Councilman Smolinski. He advised that he has had contact with a representative from *Concerts East* a company that is interested in a partnership to bring some big-name concert acts to West Milford. They would like to visit West Milford next week to review the site and Councilman Scangarello will make himself available. The weed-harvesting program is on track. He asked the Township Attorney to send the contract to Steve DeFeo. For anyone who is interested in a wonderful sporting event, Councilman Warden recommended that they go to Paterson Catholic on Saturday at 4p.m. to watch the Milford High School basketball team compete in the county tournament. This year's team is comprised of awesome players who will go far.

Councilman Scangarello welcomed Councilman Smolinski to the Council. He stated that a non-profit group is receiving \$600,000 from Passaic County open space funds to purchase the Sheridan property that is worth \$1.3 million. The Township of West Milford is receiving \$250,000 from the open space funds (that have been paid by taxpayers) toward the purchase of a property worth over \$10 million. The non-profit group came from Bergen County into Passaic County where they bought property in Pompton Lakes with green acres funds and subsequently sold the property back to the town at a profit. It hardly seems fair that taxpayer funds are used for private entities to purchase land, sell it for a profit to a municipality funded by taxpayer dollars, keep the money, and use more taxpayer-funded grant money to buy more land. He asked the Township Attorney to investigate this matter further.

**Report of Township Clerk**

None.

**Report of Township Attorney**

Township Attorney Fred Semrau advised that he will respond to Mr. Scangarello at the next meeting. He noted that a summary disposition has been denied with regard to Eagle Ridge. The Attorney General's office and West Milford must file briefs by March 1<sup>st</sup> for the last round of litigation in this matter. He expressed concern about Councilman Weisbecker's indication that the planning board discussed a matter that is in litigation. He asked the Council to authorize him to speak with the Planning Board attorney about this to ensure that such discussion has no impact

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**TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY**

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on the litigation. He advised the Council that all the responses from contiguous property owners of the redevelopment property have been cooperative. Thus far, each party has agreed to remove any property from the redevelopment site so that the state can release the funds to West Milford. He expects this matter to be resolved by the spring. He spoke with the Tax Assessor, Brian Townsend, and either he or Brian will attend the Tax Stabilization meeting to address the Highland Act concerns. He will discuss property donations with the Council at the next meeting.

**Presentations of Communications, Petitions**

None.

**Executive Session**

None.

**Adjournment**

There being no further business to come before the Council, the Township Council adjourned the meeting at 8:35 P.M.

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Moved: Gervens Seconded: Scangarello  
Voted Aye: Weisbecker, Smolinski, Gervens, Nolan, Warden, Scangarello.  
Voted Nay: None.  
Motion carried.  
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APPROVED:

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MAYOR JOSEPH DIDONATO  
PRESIDING OFFICER

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ANTOINETTE BATTAGLIA  
TOWNSHIP CLERK