

The Regular Meeting of the West Milford Township Council was called to order by Township Clerk Kevin J. Byrnes. In the absence of Mayor Joseph DiDonato and Council President William Gervens, Township Clerk Byrnes asked for a motion to elect a member from the Township Council to preside over the meeting. A motion was made by Councilman Paul Bailey for Councilman Joseph Elcavage to preside over the meeting.

Moved: Bailey Seconded: Scangarello

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

Voted Nay: None

Motion carried.

Councilman Elcavage 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.

### **Pledge of Allegiance**

### **Roll Call**

Present: Township Councilmembers Paul S. Bailey, Joseph Elcavage, Dennis Kirwan, Patricia Lotz-Moore, and Carmelo Scangarello.

Also Present: Acting Township Administrator Kevin J. Byrnes, Township Attorney William J. DeMarco and Assistant Municipal Clerk Denise M. Loeffel.

### **Meetings**

February 18, 2004 - 7:30 P.M. - Regular Meeting

February 26, 2004 - 7:30 P.M. - Workshop

March 3, 2004 - 7:30 P.M. - Regular Meeting

March 11, 2004 - 7:30 P.M. - Workshop

March 17, 2004 - 7:30 P.M. - Regular Meeting

The Township Council made note of the scheduled meetings listed for February and March.

### **Township Administrator's Report**

Councilman Joseph Elcavage asked the Township Administrator for his report.

Township Administrator Kevin J. Byrnes noted James Aiello owner of the James Anthony Deli Restaurant is present to address the Council regarding the Resolution Authorizing Place to Place Transfer of Liquor License of James Anthony Deli Restaurant, Inc. to Expanded Premises at 2019 Greenwood Lake Turnpike.

Several Councilmembers addressed James Aiello regarding plans for the expansion of premises at the James Anthony Deli Restaurant, Inc., 2019 Greenwood Lake Turnpike.

Township Administrator Kevin J. Byrnes explained the circumstances of the Resolution Authorizing the Repair of an Uninhabitable Structure and Providing for the Payment and Collection of Costs of Same scheduled for the February 18 regular Council meeting. The Township Administrator noted that the Building Standards Board ordered the repair and cleanup of property located at 1899 Clinton Road (Block 102, Lot 17/Clinton Motel), West Milford, New Jersey, as a result of its uninhabitable condition, and that the owner refused to complete the repairs and cleanup. The Township Administrator noted that the cost of completing the necessary cleanup and repairs was certified in March, 2003 to the Township Council as \$2,000.00; but that the final cost of completing the necessary cleanup and repairs included an additional \$1,000.00, and is now certified as \$3,000.00.

Township Administrator Kevin J. Byrnes noted Minutes to be approved at the February 18th. regular meeting, and several Resolutions scheduled for that agenda.

Township Administrator Kevin J. Byrnes introduced Ken Bailer of Fire Company No. 1 who was in attendance to request the approval of the Council to hold a fire parade in June 2005.

The Township Council discussed the proposed fire parade with Ken Bailer.

The Council discussed the deeds to property on Greenwood Lake Turnpike and payment to the State of New Jersey for the purchase of that property with the Township Administrator Kevin J. Byrnes.

Councilman Joseph Elcavage asked for Township Council reports.

#### **Township Council Reports**

Councilman Paul Bailey had no report.

Councilman Joseph Elcavage had no report.

Councilman Dennis Kirwan commented on changing the Council meeting to one meeting per month and the Heritage Committee and the Museum.

Councilwoman Patricia Lotz-Moore commented on a report she had regarding Fire Marshall Mike Woch, and wished him well noting what an asset he is to the Township.

Councilman Joseph Elcavage asked the Township Administrator to send a get-well card to Mike Woch from the Mayor and Council.

Councilman Carmelo Scangarello stated concern with the Creative Playground being demolished, and asked the Council to donate towards rebuilding a playground.

Councilman Joseph Elcavage asked the Township Attorney for his report.

#### **Township Attorney**

Township Attorney William DeMarco reported on the commercial garbage pickup contract. The Township Attorney also commented on the fees for copies ordinance adopted by the former council noting that the ordinance incorrectly deleted a section dealing with the Destruction of Public Records law, and noted that this ordinance must be changed and re-adopted.

The Township Council discussed the Commercial garbage contract with Township Attorney William DeMarco and Township Administrator Kevin J. Byrnes.

Township Attorney William DeMarco reported on the Morsetown Road widening issue.

Councilman Joseph Elcavage asked the Township Administrator/Clerk for his report.

### **Township Clerk's Report**

Township Administrator/Clerk Kevin J. Byrnes commented on information regarding MUA vehicles and stated that the MUA is a separate entity who licenses and insures their own vehicles.

Township Administrator/Clerk Kevin J. Byrnes noted that the council should hold a closed session at the end of the regular meeting.

### **Public Comments**

Councilman Elcavage opened the meeting to the public who wished to speak on matters of concern.

Several residents addressed the Council regarding matters of concern.

Councilman Bailey moved to close the Petitions & Requests of Public.

Moved: Bailey    Seconded: Scangarello

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

Voted Nay:None.

Motion carried.

### **Executive Session**

#### **MOTION FOR EXECUTIVE SESSION**

**BE IT RESOLVED** by the Township Council of the Township of West Milford on the 12<sup>th</sup> day of February, 2003, that:

1. Prior to the conclusion of this **Workshop Meeting**, the Township Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):

- ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
- ( ) b. (2) A matter in which the release of information would impair a





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COUNCILMAN JOSEPH ELCAVAGE  
PRESIDING OFFICER

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DENISE M. LOEFFEL  
ASSISTANT MUNICIPAL CLERK