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

Minutes of: Township Council Special Meeting  
Date of Meeting: March 15, 2006  
Time of Meeting: 7:30 P.M.  
Minute Page No: Page 1 of 3

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Mayor Joseph Di Donato called the Special Meeting of the West Milford Township Council to order.

**Adequate Notice Statement**

Mayor Di Donato read the following statement:

Please note that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Special meeting was advertised in the Herald News in its issue of March 5, 2006; copies were provided to the Record, Star Ledger, Suburban Trends and Greenwood Lake News 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**

Mayor Di Donato led all in attendance in a salute to the flag.

**Roll Call**

Present: Councilmembers Philip Weisbecker, Joseph Smolinski,  
Robert Nolan, James Warden, Carmelo Scangarello  
Mayor Joseph DiDonato  
Absent: Council President William Gervens  
Also Present: Township Administrator Richard Kunze, Township Clerk  
Antoinette Battaglia, Township Chief Financial Officer Arthur Magnotti

**Discussion Items**

Antoinette Battaglia, Township Clerk, advised the Council that she and the Administrator met with department heads earlier in the week to discuss the volunteer breakfast. At that meeting, it was noted that West Milford is served by over one thousand volunteers and the breakfast venue may not accommodate the attendees. The department heads suggested consideration of a summer time picnic event which would allow for greater numbers and possibly a better celebration. The Council concurred. Councilmen Scangarello and Warden agreed to serve on a committee with the Clerk and the Administrator to work out the details.

Administrator Kunze advised that Councilman Weisbecker had notified him that the Township has an agreement for an easement on a property in Upper Greenwood Lake. The terms of the agreement include a caveat that the Township will remove dead trees from the property. The property owner has advised Mr. Weisbecker that there are some dead trees that have to be removed. However, the trees are not located on the easement thus requiring that we obtain a right-of-entry from the homeowner. Mr. Semrau is drafting the right-of-entry and it will be scheduled for approval by the Council for the next meeting. Councilman Nolan asked if the Township would be cutting the trees or if we will be hiring a contractor. Administrator Kunze advised that the DPW will be cutting the trees as we have two trained people on staff.

**Budget Overview**

Mayor DiDonato noted that the primary purpose of this meeting is to hear back from the Administrator and CFO with answers to questions posed at previous budget meetings. Administrator Kunze noted that he sent a memo out to the Council and that those items that are not ready as yet are expected to be completed soon. He advised that all changes to the original document are a result of the previous meetings, auditor opinions, and meetings with the Administrator and CFO. He advised that the overtime on sheet one does not reflect all overtime. There is a correction in the DPW budget for streets and roads. There is a change in the appropriation for the library due to state mandates which increase this budget by \$106,541. The funding is based on the equalized value of the homes in town and the number has been increasing. Councilman Nolan asked that Council receive a copy of their annual audit. The Administrator advised that he cut an appropriation of \$10,000 in the capital budget for a document imager. The appropriation for a recreation trailer was also cut and that expenditure will come out of their operating budget. The down payment for the rehabilitation of the tennis courts is being added. The cost for defibrillators can come from surplus. He anticipates reducing the solid waste overtime by \$5,000. Councilman Scangarello asked if our DPW can make the sign for the museum, thus saving the \$3,000 cost. Administrator Kunze advised that the DPW can make a sign but they cannot produce the type of sign the Heritage Committee has requested.

The changes in revenue numbers are a result of the financials received from the auditor. Surplus is down \$400,000 and there are a series of other adjustments to reflect various increases and decreases. The Administrator reviewed each of the changes. There is a net revenue change of \$185,570. Councilman Nolan questioned the decrease in fees and permits. The Administrator

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Minute Page No: Page 2 of 3

---

advised that we realized less in these areas than we had anticipated in last year's budget. That number can be increased with approval from the Division. He noted that the level of activity on permits has decreased. Councilman Nolan noted that we raised the fees for many services last year. Administrator Kunze stated that these increases came late in the year and the budget must be based on actual earnings. Councilman Nolan suggested applying surplus in the projected earnings amount knowing that we can replace that surplus when we realize a greater revenue as a result of the increased fees. Administrator Kunze advised that the primary reason the surplus is down is because of the deferred school tax. Discussion ensued about the school CAP and recent changes to the law that impact our budget. We will not know the school numbers until after the April election.

Mr. Magnotti advised that the interest on investments is down and he advised that, while we have negotiated better interest rates with our bank, the process only allows you to budget what you anticipate based on last year's earnings. He will research to see if we can change that figure based on the cash management plan amendment. He will also see if we can ask the Division for special consideration. Councilman Nolan stated that we can provide the Division with an assumption schedule.

Administrator Kunze directed the Council to the last sheet which shows the affect on the tax levy. The tax levy is currently at 14.88% which equates to a \$200.98 increase for the average home assessed at \$130,000. He advised the Council that he is seeking their guidance as to how to proceed as well as a decision as to whether or not we should apply for extraordinary aid. If we apply, we must introduce the budget by the end of this month. He advised that our surplus accounts are significantly decreased; snow removal costs are less for this time of year than they were last year and we will have a better projection at the end of the month. If we do not have March and April snow storms, we can cut that budget. Mr. Magnotti cautioned that the Council not forget that we have to budget for December's storms.

Councilman Warden stated that, based on statements made by the Governor and his staff, we will not qualify for extraordinary aid. He would like the Administrator and CFO to provide the governing body with figures that show a \$0, \$25, and \$50 increase and the impact this would have on the budget and services. He stated that a \$200 increase is simply unacceptable. Councilman Nolan concurred that we will not qualify for extraordinary aid and we need to make budget-cutting decisions. Mr. Magnotti reviewed the time frames for the budget if we apply for extraordinary aid and he reviewed the process. Councilman Scangarello stated that we all pay high taxes, but we cannot cut services to our residents. Councilman Nolan stated that the Administrator and CFO should be directed to present the Council with scenarios showing the impact of a \$50 increase and a \$100 increase. From there, the Council can decide if they are willing to live with the ramifications and cuts.

Administrator Kunze stated that a determination as to whether or not we will apply for extraordinary aid will determine when our budget must be introduced. The day after the Governor's budget address, we will know if we are getting watershed aid and, if we get watershed aid, we can assume we will not get extraordinary aid.

**Public Comments**

Mayor Di Donato opened the meeting to the public.

Martin O'Shea, 22 Greenwood Drive, West Milford noted that, while the State mandates our payment to the library, the Township in the past has made their payroll and other payments. He asked if this is still the case. He asked if we have ever received the expected funds for the bikeway. He stated that we have been speaking about the grants for years but asked if we have ever actually received the funds. He stated that the volunteer function is a great idea but cautioned against seeking contributions from local businesses. He noted that Mr. Gervens is absent from this meeting and asked if he plans to vote on the budget.

Dick Nobis, 401 Ridge Road, West Milford stated that he has spoken with some Council people about the fire towers in town. He suggested that the Council meet with the Chiefs to discuss this matter because there will be cuts in the State budget for fire towers.

Councilman Weisbecker made a motion to close the public portion of the meeting.

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

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Minute Page No: Page 3 of 3  
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Administrator Kunze advised that we started charging-off services to the library. The library is now paying those costs directly. We do not provide any services above what is mandated by the State of New Jersey.

**Adjournment**

There being no further business to come before the Council, the Township Council adjourned the meeting at 8:45 P.M.

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Moved: Weisbecker Seconded: Scangarello  
Voted Aye: By voice vote the Council gave unanimous consent.  
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