

The Regular Meeting of the West Milford Township Council was called to order by Council President William Gervens.

Council President Gervens 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**

### **Invocation**

Reverend Allan Mather, Green Pond Bible Chapel

### **Roll Call**

Present: Township Councilmen Paul Bailey, Joseph Elcavage, Patricia Lotz-Moore,  
Carmelo Scangarello, and Council President William Gervens.

Absent: Councilman Dennis Kirwan and Mayor Joseph DiDonato.

Also Present: Acting Township Administrator Kevin J. Byrnes and Township Attorney William DeMarco.

Council President William Gervens noted that Mayor DiDonato and Councilman Kirwan are both attending a County meeting on Highlands legislation.

### **Reading of or Approval of Unapproved Minutes**

Councilman Elcavage moved to adopt the minutes of the January 1, 2004 Organization Meeting, the January 15, 2004 Portion Workshop, the January 15, 2004 Executive Session, the January 21, 2004 Regular Meeting, the February 12, 2004 Portion Workshop, the February 12, 2004 Executive Session, the February 18, 2004 Regular Meeting, and the March 17, 2004 Regular Meeting.

Moved: Elcavage

Seconded: Lotz-Moore

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

Voted Nay: None.

Motion carried.

### **Bids & Awards**

Mayor DiDonato noted that the bid for the Maintenance of Ballfields and Other Sites would be held for action at the April 7, 2004 Regular Council Meeting.

### **Proclamations**

Music in Our Schools Month

Youth Art Month

Radon Action Month

**Presentations**

- Eagle Scout Joseph Calvin Ponzio, Jr. Troop 146
- Eagle Scout Eric Thomas Gloede Troop 44
- Eagle Scout Taylor Gillan Troop 146
- Eagle Scout Jason Glenn Okoniewski Troop 114
- Eagle Scout Timothy Van Dyke Troop 44
- Eagle Scout Andrew J. Yeats Troop 44

**Unfinished Business, Final Passage of Ordinances**

None.

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

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

RESOLUTION NO. 2004 - 92

**RESOLUTION AUTHORIZING THE INTRODUCTION OF THE 2004 MUNICIPAL BUDGET AND SOLID WASTE BUDGET**

**BE IT RESOLVED**, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Year 2004;

**BE IT FURTHER RESOLVED**, that said Budget be published in the Aim Community News in the issue of March 28, 2004;

**BE IT FURTHER RESOLVED**, that the Governing Body of the Township of West Milford does hereby approve the following as the Budget for the year 2004;

**REVENUE AND APPROPRIATION SUMMARIES**

<u>Summary of Revenues</u>	<u>2004</u>	<u>Anticipated</u>	<u>2003</u>
1. Surplus	3,375,000.00	3,675,000.00	
2. Total Miscellaneous Revenues	6,176,435.00	6,265,305.59	
3. Receipts from Delinquent Taxes	900,000.00	900,000.06	
4. a) Local Tax for Municipal Purposes	15,154,335.00	13,255,825.00	
b) Addition to Local District School Tax			
Tot Amt to be Rsd by Taxes for Sup of			
Mun. Bud	15,154,335.00	13,255,825.00	
<b>TOTAL GENERAL REVENUES</b>	<b>25,605,770.00</b>	<b>24,096,130.65</b>	

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<u>Summary of Appropriations</u>	<u>2004 Budget</u>	<u>Final 2003 Budget</u>
1. Operating Expenses: Salaries & Wages	11,923,640.00	11,496,378.00
Other Expenses	8,500,221.00	7,830,934.65
2. Deferred Charges & Other Appropriations	775,000.00	803,782.00
3. Capital Improvements	846,909.00	557,400.00
4. Debt Service (Include for School		
Purposes)	1,785,000.00	1,657,636.00
Reserve for Uncollected Taxes	1,775,000.00	1,750,000.00













times of the event.

3. It shall ensure that the parks & grounds are clean and free of debris at the event's conclusion.

4. It shall contact the West Milford Veteran's Council representative and advise them of the use of Veteran's Park.

Adopted: March 17, 2004

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Moved: Lotz-Moore                      Seconded: Bailey  
Voted Aye: Bailey, Elcavage, Gervens, Kirwan, Lotz-Moore, Scangarello.  
Voted Nay: None.  
Resolution adopted.  
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Agenda No. **F 8**  
RESOLUTION NO. 2004 - 99

**RESOLUTION AUTHORIZING ACCEPTANCE OF AN NJDEP NPS GRANT  
(FY2004  
SECTION 319h) FOR DEVELOPMENT OF A REGIONAL STORMWATER  
MANAGEMENT  
PLAN FOR POST BROOK AND GORDON LAKE EAST**

**WHEREAS**, in August 2003 the Township Council of the Township of West Milford supported the grant application of Gordon Lake East Homeowners Assn. designed to develop a Regional Stormwater Management plan involving Posts Brook and the East Gordon Lake area; and

**WHEREAS**, the Township Council is cognizant of the need to reduce pollutants that adversely affect lakes in the municipality; and

**WHEREAS**, the New Jersey Department of Environmental Protection, Division of Watershed Management, in conjunction with the EPA, has announced its intention to fund the development of a Regional Stormwater Management Plan for Posts Brook.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford that the Mayor be authorized to accept an NJDEP 319h grant in the amount of \$144,872, with no monetary in-kind contribution, for the purpose of developing a Regional Stormwater Management Plan to address non-point source pollution in the Post Brook and East Gordon Lake area.

Adopted: March 17, 2004

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



Agenda No. **G 1**  
RESOLUTION NO. 2004 - 101

**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

**WHEREAS**, none of the Councilmembers or Mayor of the Township of West Milford is desirous of removing Resolutions or Applications for individual action from this Agenda,

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

- a. **Resolution** Authorizing Refund of Overpayments
- b. **Resolution** Authorizing Refund of Other Liens
- c. Application for Off-Premise Draw Raffle License RL-2004-14 by Friends of Long Pond Ironworks, Inc. for September 12, 2004.
- d. Application for On-Premise 50/50 Raffle License RL-2004-15 by St. Joseph's Church for April 23, 2004.

Adopted: March 17, 2004

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Moved: Lotz-Moore                      Seconded: Elcavage  
Voted Aye: Bailey, Elcavage, Gervens, Kirwan, Lotz-Moore, Scangarello.  
Voted Nay: None.  
Resolution adopted.

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Included in and adopted by the Resolution Authorizing Passage of the Consent Agenda were the following resolutions:

Agenda No. **G1 a**  
RESOLUTION NO. 2004 - 102

**RESOLUTION AUTHORIZING REFUND OF OVERPAYMENTS**

**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; and

**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                      4. Homestead Rebate  
              2. Duplicate Payment                      5. Tax Appeal  
              3. Senior Citizen/Veteran Deduction

Block/Lot	Name	Amount	Year	Reason
1908-5	John R. Kostick 46 Wendt Lane Wayne, NJ 07470	\$ 967.00	2004	2
3610-29	Thomas L. Irwin, P.A. 45 North Broad Street Suite 105 Ridgewood, NJ 07450	2,130.00	2004	2
Block/Lot	Name	Amount	Year	Reason
4103-6	Michael & Edith Muray 100 Long Pond Road Hewitt, NJ 07421	\$2,230.00	2004	2
4302-1	Markman & Leo, L.L.P. 391 Franklin Street PO Box 524 Bloomfield, NJ 07003-0524	759.00	2004	2
6713-5	Hans-Peter & Virginia M. Reitz 15 Aspen Lane West Milford, NJ 07480	1,478.00	2004	2
7801-14.07	Laurie Sova 14G Concord Road West Milford, NJ 07480	1,125.00	2004	2
7801-51.07	Lawrence Jr. & Veronica Gonnello 51-G Beacon Hill Road West Milford, NJ 07480	33.53	2004	2
10201-2	De Marco & De Marco Counsellors at Law 912 Belmont Avenue North Haledon, NJ 07508	2,064.00	2004	2
12211-3	John T. Muir 13 Wildwood Street West Milford, NJ 07480	\$ 589.00	2004	2
<b>TOTAL</b>		<b>\$11,375.53</b>		

Adopted: March 17, 2004

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Agenda No. **G1 b**  
RESOLUTION NO. 2004 - 103

**RESOLUTION AUTHORIZING REFUND OF OTHER LIEN**

Pursuant to the facts as stated therein, I respectfully request the adoption of the following resolution:









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MAYOR JOSEPH DIDONATO  
PRESIDING OFFICER

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KEVIN J. BYRNES  
TOWNSHIP CLERK