

Motion carried.

Councilman Kirwan moved to adopt the minutes of the September 15, 2004 Regular Meeting.

Moved: Kirwan

Seconded: Scangarello

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

Voted Nay: None.

Motion carried.

Bids & Awards

Acting Township Administrator Kevin J. Byrnes reported on the bids received for Snow Plow Services on September 24, 2004.

The Township Administrator recommended that the Council accept the recommendation of the Township Engineer and award contracts to the bidders per bid specifications, and Treasurer's certification of funds available as follows:

The Township Council concurred with the Acting Township Administrator's recommendation and awarded contracts as follows:

Agenda No. **B 1**

RESOLUTION NO. 2004 - 271

RESOLUTION AWARDING CONTRACT SNOW PLOWING SERVICES

WHEREAS, the Township Council has received a tabulation of bids received for the following:

Subject of Bid:**SNOW PLOWING SERVICES**

Bid Date Received:September 24, 2004

Time Received: 11:15 A.M.

WHEREAS, the Township Treasurer has certified that funds are available for the proposed expenditure from the following account:

5-01-26-294-364

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford that a contract is hereby awarded per the Township Manager's recommendation to the following bidders in accordance with specifications and bids received and on file in the Office of the Township Clerk and as follows:

Contract Item:Snow Plowing Services

Bidders : Jeanne Monteleone; Joseph A. Padham, Jr.; Richard D. Seigel; Ray's Landscaping, LLC; Tom Buske Construction, Inc.; Decker & Decker Construction; Lee Excavating Co.; T. S. Anderson, Jr., Excavating, Inc.; Ralph Utter, Jr.; P & W Excavating; Phil Shanahan Excavating, LLC; James Utter; J.J. Munier, LLC; J. D. Ragonese, Jr.; Freese Enterprises; Family

RESOLVED, that upon the report and request of the Township's Planning Director the following Escrow monies be refunded:

<u>Name & Address</u>	<u>App. No.</u>	<u>Escrow Amount</u>	<u>Amount Refunded</u>
Sprint Spectrum, LP c/o Czura Stilwell LLC 48 Ringwood Avenue Ringwood, NJ 07456	0240-0555	\$ 2,970.00	\$ 999.24

Adopted: October 13, 2004

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Agenda No. **G1 b**  
RESOLUTION NO. 2004 - 282

**RESOLUTION AUTHORIZING REFUND OF SOIL LOG FEE**

**WHEREAS**, the Health Official has recommended refunding the amounts shown below for a canceled Soil Test in the Township of West Milford; and

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers be and they are hereby authorized and directed to refund the amount indicated below:

| <b>Received From</b>                                            | <b>Receipt No.</b> | <b>Amount</b>   |
|-----------------------------------------------------------------|--------------------|-----------------|
| Robert Coyman<br>P.O. Box 788<br>West Milford, New Jersey 07480 | 8089               | \$100.00        |
| <b>Total</b>                                                    |                    | <b>\$100.00</b> |

Adopted: October 13, 2004

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Agenda No. **G1 c**
RESOLUTION NO. 2004 - 283

RESOLUTION AUTHORIZING REFUND OF PERFORMANCE GUARANTEES

RESOLVED, that upon the report and request of the Township's Engineering Department the following Performance Guarantees be refunded:

<u>Name & Address</u>	<u>Block & Lot</u>	<u>Amount Refunded</u>	<u>Pg. No.</u>
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Edward B. & Tara E. Pick 9711/3 \$ 250.00 68
64 Bergen Drive
West Milford, NJ 07480

Adopted: October 13, 2004

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Agenda No. **G1 d**  
RESOLUTION NO. 2004 - 284

**RESOLUTION AUTHORIZING REFUND OF RECREATIONAL FEES**

**RESOLVED**, that the following Recreational fees upon the report of the Recreation Director be refunded:

| <u>Name &amp; Address</u>                                     | <u>Reason</u>                              | <u>Amount Refunded</u> |
|---------------------------------------------------------------|--------------------------------------------|------------------------|
| Beata Filipowska<br>17 Paterson Road<br>Hewitt, NJ 07421      | Withdrawal<br>Art Class II                 | \$ 45.00               |
| Nicole Caldaro<br>13 Hemlock Lane<br>West Milford, NJ 07480   | Withdrawal<br>Art Class II                 | \$ 35.00               |
| Jennifer DeGraf<br>137 Wooley Road<br>West Milford, NJ 07480  | Cancel enrollment<br>Costumes & Characters | \$ 40.00               |
| Suzanne Bryjak<br>13 Pawnee Terrace<br>West Milford, NJ 07480 | Cancel enrollment<br>Earth & Me            | \$ 15.00               |

Adopted: October 13, 2004

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Agenda No. **G1 e**
RESOLUTION NO. 2004 - 285

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/LotName	AmountYear	Reason
8801-16 Adam & Mary Fox 1588 Macopin Road West Milford, NJ 07480	\$ 3,743.38 2004	3
9101-54 Wells Fargo Home Mortgage ATT: Michele Pratt MAC X2505-02H 1 Home Campus Des Moines, IA 50328	1,569.00 2004	1
TOTAL	\$ 5,312.38	

Adopted: October 13, 2004

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 Agenda No. **G1 f**  
 RESOLUTION NO. 2004 - 286

**RESOLUTION AUTHORIZING CANCELLATION OF 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;

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers be and they are hereby authorized and directed to cancel as hereafter listed below:

REASON

REASON: Property Deeded to the Township of West Milford

| <b>BLOCK &amp; LOT</b> | <b>NAME</b>              | <b>AMOUNT</b>     | <b>YEAR</b> |
|------------------------|--------------------------|-------------------|-------------|
| 5608-3                 | Township of West Milford | \$497.55          | 2004 2 ½    |
| 5614-1                 | Township of West Milford | 497.55            | 2004 2 ½    |
| 13803-3                | Township of West Milford | 3,934.85          | 2004 2 ½    |
| <b>TOTAL</b>           |                          | <b>\$4,929.95</b> |             |

Adopted: October 13, 2004

**RESOLUTION AUTHORIZING REFUND OF OTHER LIENS**

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

**WHEREAS**, the Collector of Taxes has reported receiving the amounts shown below for the redemption of the respective lien, and

**NOW, THEREFORE, BE IT RESOLVED** that the proper officers be and they are hereby authorized and directed to pay the indicated amount to the holder of the lien certificate as hereinafter shown below:

| <u>For the</u><br><u>Redemption of</u> | <u>Date</u>             | <u>Pay to the</u> |                                                                                                                           |
|----------------------------------------|-------------------------|-------------------|---------------------------------------------------------------------------------------------------------------------------|
| <u>Lien Cert. #</u>                    | <u>of SaleBlock/Lot</u> | <u>Amount</u>     | <u>Lienholder</u>                                                                                                         |
| 04-013<br>LLC                          | 04/05/2004              | 01816-017         | \$15,391.04 AMERICAN TAX FUNDING;<br>PO BOX 862658<br>ORLANDO;, FL 32886-2658                                             |
| 04-038<br>PHOENIX                      | 04/05/2004              | 03705-055         | \$ 6,491.35 WACHOVIA AS CUST FOR<br>FUND<br>TAX LIEN SERVICES GROUP<br>123 SO BROAD ST PA 1328P<br>PHILADELPHIA, PA 19109 |
| 04-061<br>LLC                          | 04/05/2004              | 09406-023         | \$ 1,863.89 AMERICAN TAX FUNDING;<br>PO BOX 862658<br>ORLANDO;, FL 32886-2658                                             |
| 04-064<br>PHOENIX                      | 04/05/2004              | 10001-009         | \$ 8,957.46 WACHOVIA AS CUST FOR<br>FUND<br>TAX LIEN SERVICES GROUP<br>123 SO BROAD ST PA 1328P<br>PHILADELPHIA, PA 19109 |

**GRAND TOTAL** **\$32,703.74**

Adopted: October 13, 2004

**RESOLUTION AUTHORIZING REFUND OF ESCROW MONIES**

**RESOLVED**, that upon the report and request of the Township's Planning Director the following Escrow monies be refunded:

| <u>Name &amp; Address</u>                                                   | <u>App. No.</u> | <u>Escrow Amount</u> | <u>Amount Refunded</u> |
|-----------------------------------------------------------------------------|-----------------|----------------------|------------------------|
| Terry Donnelly<br>Misty's Patch, Inc.<br>16 Skytop Road<br>Sussex, NJ 07461 | 0020-0092       | \$ 704.00            | \$ 85.07               |

Adopted: October 13, 2004

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Agenda No. **G1 i**
RESOLUTION NO. 2004 - 289

RESOLUTION AUTHORIZING REFUND OF ESCROW MONIES

RESOLVED, that upon the report and request of the Township's Planning Director the following Escrow monies be refunded:

<u>Name & Address</u>	<u>App. No.</u>	<u>Escrow Amount</u>	<u>Amount Refunded</u>
NYSMA Limited Partnership (Verizon) c/o Czura Stilwell, LLC 48 Ringwood Avenue Ringwood, NJ 07456	0340-0615	\$ 3,612.00	\$ 919.52

<u>Name & Address</u>	<u>App. No.</u>	<u>Escrow Amount</u>	<u>Amount Refunded</u>
Sprint Spectrum, LP c/o Vogel, Chait, Collins & Schneider 25 Lindsley Drive Suite 200 Morristown, NJ 07960-4454	0040-0427	\$ 1,335.00	\$ 1,635.30

Adopted: October 13, 2004

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Agenda No. **G1 j**  
RESOLUTION NO. 2004 - 290

**RESOLUTION AUTHORIZING PARTIAL REFUND OF PERFORMANCE  
GUARANTEE**

**RESOLVED**, that upon the report and request of the Township's Engineering Department the following Performance Guarantee be partially refunded:

| <u>Name &amp; Address</u>                                           | <u>Blk - Lot</u> | <u>Amount Refunded</u> | <u>Pg. No.</u> |
|---------------------------------------------------------------------|------------------|------------------------|----------------|
| Mr. & Mrs. David Mills<br>237 Weaver Road<br>West Milford, NJ 07480 | 12201/4          | \$ 625.00              | 47             |

Adopted: October 13, 2004

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Approval of Expenditures

Agenda No. H 1

RESOLUTION NO. 2004 - 291

RESOLUTION APPROVING THE PAYMENT OF BILLS

WHEREAS, the Township Treasurer has submitted to the members of the Mayor and 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	\$ 146,397.02
02	Reserve	\$ 3,901.72
03	Dog Tax	\$ 2,208.74
04	Recycling	\$ 0.00
05	Recreation	\$ 0.00
06	Capital	\$ 50,446.41
07	Grants	\$ 8,585.04
08	Refuse	\$ 108,988.85
09	Refunds.....	\$ 38,251.12
10	Neighborhood Preservation	\$ 0.00
12	General Ledger	\$ 0.00
16	Heritage Trust	\$ 0.00
	Open Space Trust	\$ 0.00
17	Trust	\$ 44,759.64
18	Development Escrow	\$ 8,677.67
19	LOSAP	\$ 1,490.60
20	Special Reserve	\$ 0.00
	<i>Total</i>	\$ 413,706.81
	<i>Less Refund Resolution</i>	- \$ (38,251.12)
	<i>Actual Bill List</i>	\$ 375,455.69
	<i>Other Payments</i>	\$ 0.00
	<i>Less Refund Resolution</i>	- \$ (0.00)

TOTAL Expenditures..... **\$ 375,455.69**

Adopted: October 13, 2004

penalties.

2. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Moved: Kirwan Seconded: Bailey

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

Voted Nay:None.

Resolution adopted.

Present: Councilmembers Paul Bailey, William Gervens, Dennis Kirwan, Patricia Lotz-Moore, Carmen Scangarello and Mayor Joseph DiDonato.

Absent: Councilmember Joseph Elcavage.

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

Items discussed during the Executive Session were as follows:

Reflection Lakes tax appeal

Personnel Administration

a) Confidential Employee Salaries

b) Hiring Freeze/Rehire of retirees

Apple Acres

Councilman Bailey moved to adjourn the Executive Session at 11:45 P.M.

Moved: Bailey Seconded: Lotz-Moore

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

Voted Nay: None.

Executive Session adjourned.

Adjournment

There being no further business to come before the Council, the Township Council adjourned the meeting at 11:48 P.M.

Moved: Kirwan Seconded: Scangarello

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

Voted Nay: None.

Meeting adjourned.

MAYOR JOSEPH DIDONATO
PRESIDING OFFICER

KEVIN J. BYRNES
TOWNSHIP CLERK