

The Workshop Meeting of the West Milford Township Council was called to order at 7:30 p.m. by Mayor Joseph DiDonato.

Mayor DiDonato advised that in accordance with Chapter 231, Public Laws of 1975 of New Jersey, adequate advance notice of this Workshop meeting was advertised in the Aim Community News in its issue of September 19, 2004; copies were provided to the Suburban Trends, The Record, North Jersey Herald & News, the Star Ledger, 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

Roll Call

Present: Councilmembers Paul Bailey, Joseph Elcavage, William Gervens, Dennis

Kirwan, Patricia Lotz-Moore, Carmen Scangarello and Mayor Joseph DiDonato.

Absent: None.

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

Meetings

Mayor Joseph DiDonato noted the future meeting schedule:

October 13, 2004 - 7:30 P.M. - Regular Meeting

November 3, 2004 - 7:30 P.M. - Workshop

November 10, 2004 - 7:30 P.M. - Regular Meeting

December 7, 2004 - 7:30 P.M. - Workshop

December 15, 2004 - 7:30 P.M. - Regular Meeting

Township Administrator's Report

Township Administrator Kevin J. Byrnes and Township Attorney William DeMarco reported on the following matters:

Settlement of Peosha Administrative Penalties

The Township Council took action on the Resolution Authorizing Settlement of Peosha Administrative Penalties as follows:

Agenda No. **F 3**
RESOLUTION NO. 2004 - 270

RESOLUTION AUTHORIZING SETTLEMENT OF PEOSHA ADMINISTRATIVE PENALTIES

WHEREAS, the Township received notice on April 30, 2004 of the imposition of civil administrative penalties of \$97,408;00 for non-compliance with fair Penalty

Council Comments

The Mayor and Members of the Council made comments on pending Government matters.

Executive Session

MOTION FOR EXECUTIVE SESSION

BE IT RESOLVED by the Township Council of the Township of West Milford on the 5th day of October 2004, 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, subsection (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 right to receive funds from the Government of the United States.
- () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
- (X) b. (4) A collective bargaining agreement including negotiations.
- () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
- () b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
- (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
- () b. (8) Personnel matters.
- () b. (9) Deliberations after a public hearing that may result in 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: Scangarello

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

Voted Nay:None.

Resolution adopted.

MAYOR JOSEPH DIDONATO
PRESIDING OFFICER

KEVIN J. BYRNES
TOWNSHIP CLERK