
TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, NEW JERSEY

Minutes of: Township Council
Date of Meeting: November 2, 2005
Time of Meeting: 7:30 P.M.
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The appointment shall be for staggered terms commencing January 1, 2006. The Commissioner shall serve a term of three years. The remaining Commission members, except for the Township Administrator, shall serve for periods of two years, except that, of the members first appointed, two shall serve for periods of one year and two shall serve for periods of two years. A vacancy in the Commission occurring other than by expiration of the term shall be filled by the Mayor with the advice and consent of the Township Council for the unexpired term in the same manner as the original appointment. All Commission members shall serve without compensation in performance of their duties.

_ 2.35.5 Meetings.

The Commission shall meet a minimum of four times during a calendar year. Notices of the time, date and place of all meetings shall be submitted in advance with sufficient public notice. The Commission shall be considered a "public body" for the purpose of complying with the provisions of the Open Public Meetings Act, N.J.S.A 10:4-6 et seq. The Commission shall not conduct business at any meeting without a majority of its members present. A majority of the members of the Commission shall constitute a quorum for the transaction of business. At the conclusion of the meeting, the Commissioner shall forward to the Township Administrator in a timely manner a copy of the minutes of the meeting.

_ 2.35.6 Powers and Functions.

The Commission may appoint a Vice-Commissioner and Secretary and adopt a schedule of meetings. The Commission shall, upon request, submit a proposed Tourism and Economic Revitalization Commission budget for each calendar year. The governing body may annually appropriate, in its budget such funds as it deems necessary to carry out the goals and objectives of the Commission in promoting tourism. The functions of the Commission on Tourism and Revitalization shall be to:

- 1) Advise and submit recommendations to the Mayor and Council of the Township of West Milford on matters related to the role Township government may play to improve tourism promotion and revitalization within the Township.
- 2) Provided educational and technical assistance to foster tourism development, revitalization and to enhance the quality of nonresident visitor experience in the Township of West Milford.
- 3) Strengthen the Township of West Milford's tourism industry marketing efforts through increased communication, educational opportunities, participation in industry activities and cooperative marketing activities.
- 4) Increase public awareness regarding the importance of tourism and revitalization to the local economy.
- 5) Review and make recommendations on pending federal and state legislation.

SECTION 2. All ordinances of the Township of West Milford which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 4. This ordinance shall take effect November 22, 2005 and upon final passage and approval in accordance with law.

Introduced: October 13, 2005
Adopted: November 2, 2005
Effective Date: November 22, 2005

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Public Comments

Several residents addressed the Council regarding matters of concern:

- * Freida Liebenstein of the New Jersey First Aid Council and the West Milford First Aid Squad addressed the Council to read a letter received from the New Jersey First Aid Council regarding hurricane Katrina rescue efforts in Louisiana.
- * David Volpe, Richmond Road addressed the Council regarding:
 - 1) Baseball field
 - 2) Jungle Habitat property
- * Celeste Byrne, Macopin Road addressed the Council regarding:
 - 1) Opposing the Open Space referendum
 - 2) Historic properties
 - 3) Eagle Ridge
- * Ada Erik, Macopin Road, addressed the Council regarding:
 - 1) Supporting the Open Space referendum
 - 2) The helmet law
- * Wayne Gottlieb, 20 South Richfield Road addressed the Council:
 - 1) To thank the Council for the agendas on the website
 - 2) Clinton Road improvements
 - 3) Open Space Tax - cost of repairing fields
- * William Remia addressed the Council regarding:
 - 1) Recreation Advisory Committee
 - 2) Bicycle Safety Program
- * Lehman Mann, 12 Postbrook Road addressed the Council regarding:
 - 1) Football fields on old dump
- * Dr. Salvatore Schimmenti, 71 Vreeland Road addressed the Council regarding:
 - 1) Supporting the Open Space referendum
 - 2) Parks and Recreation Department
- * Phil Weisbecker, 36 Race Track Road addressed the Council regarding:
 - 1) UGL Ambulance Corp
 - 2) Supporting the Open Space referendum
- * Gary Oppenheimer, 24 Clover Road addressed the Council regarding: 1) Helmet law
2) Opposing the Open Space referendum
- * Art McQuaid, 31 Morsetown Road addressed the Council regarding:
 - 1) West Milford Republican Club
 - 2) Supporting the Open Space referendum
- * Robert Pawlo, 7 Madelyn Avenue addressed the Council regarding:
 - 1) Highlands issues
 - 2) Support Councilmen Nolan and Warden
 - 3) Town Center Plan
- * Mark Blackowski, 1405 Macopin Road addressed the Council regarding:
 - 1) Supporting the Open Space referendum
 - 2) Personal responsibility for water
- * Karen Ponzo, Morsemere Road addressed the Council regarding:
 - 1) Supporting the Open Space referendum
- * John Walko, 86 Ridge Road, addressed the Council regarding:
 - 1) Supporting Tourism with Ringwood

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Councilman Bailey moved to close petitions & requests of public.
Moved: Bailey Second: Elcavage
Voted Aye: Bailey, Elcavage, Gervens, Nolan, Warden, Scangarello.
Voted Nay: None.
Motion carried.

Council Comments

Members of the Council commented on several Government matters as follows:

- Councilman Joseph Elcavage - Bearproof garbage cans, grant for helmets,
web site
- Councilman Robert Nolan - Tax increase
Opposition of Open Space Referendum
- Councilman James Warden - Board of Education
Opposition of Open Space Referendum
- Councilman Carmen Scangarello - History of the need for ballfields

New Business, Introduction of Ordinances, Resolutions

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

Agenda No. VIII 1
RESOLUTION NO. 2005 - 276

**RESOLUTION AUTHORIZING PERSON TO PERSON TRANSFER
OF LIQUOR LICENSE NO. 1615-33-024-010
FROM 1A RANCH CORP - BARBARA EDWARDS, BANKRUPTCY TRUSTEE LOCATED AT
1555 GREENWOOD LAKE TURNPIKE, HEWITT TO THOMAS J. MCGURR
FOR PREMISES AT THE SAME LOCATION**

WHEREAS, an application has been received for a Person to Person transfer of 2005 - 2006 Plenary Retail Consumption License No. 1615-33-024-010 presently held by 1A Ranch Corp - Barbara Edwards, Bankruptcy Trustee at 1555 Greenwood Lake Turnpike, Hewitt to Thomas J. McGurr for premises at the same location; and

WHEREAS, the Township Council has conducted a public investigation of the applicant as stipulated in the guidelines of the Director of the Division of Alcoholic Beverage Control dated April 14, 1980, and

WHEREAS, as a result of that investigation the Township Council has determined the following:

1. The submitted application is complete in all respects.
2. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental A. B. C. laws and regulations.
3. The applicant has disclosed to the issuing authority the source of all additional financing obtained in the previous license year (July 1, 2004 - June 30, 2005).

WHEREAS, as a further result of the public investigation and upon the recommendation of the Police Department the license be transferred with the following conditions:

1. The premises must be inspected prior to reopening.

NOW, THEREFORE, BE IT RESOLVED that the application is hereby approved

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

Agenda No. **IX 1a**
RESOLUTION NO. 2005 - 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/Lot	Name	Amount	Year	Reason
202-16	Kevin & Barbara Houser 89 Goldfinch Lane Hewitt, NJ 07421	\$ 15.12	2005	1
703-3	Surjit Singh 93 Highland Lakes Road Highland Lakes, NJ 07422	\$ 1,996.00	2005	2
1605-4	Laura R. Thompson 135 Fairlawn Drive Hewitt, NJ 07421	\$ 12.48	2005	1
1807-12	Stanley S & Joyce A Van Dunk 34 Cedarbrook Road Hewitt, NJ 07421	\$ 118.56	2005	1
2611-15	Richard & Wendy Donnelly 60 Race Track Drive Hewitt, NJ 07421	\$ 148.80	2005	2
3013-20	Ingrid Serra 20 Twin Oaks Trail Hewitt, NJ 07421	\$ 16.92	2005	1
4801-7	Michael T & Guo Xin Cassetta 39 Skyview Road West Milford, NJ 07480	\$ 16.24	2005	1
6604-13	Sandro & Barilari Bellini 26 Borrego Drive West Paterson, NJ 07407	\$ 46.11	2005	2
7801-4.01	Kenneth DeFilippo 4-A New Bedford Road West Milford, NJ 07480	\$ 81.68	2005	1

Block/Lot	Name	Amount	Year	Reason
7801-35.01	Albert & Isabel Braniecki 35-A Salem Alley West Milford, NJ 07480	\$ 11.12	2005	1

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7801-44.03	David J. Ober, Atty. Oak Hill Park 1680 Route 23 North Ste 130 Wayne, NJ 07470	\$ 11.36	2005	1
9501-48	Rafael & Zulmana Cardona 15 Bisset Drive West Milford, NJ 07480	\$ 17.80	2005	1
9702-9	Romualdo Turelli 13 Warren Place West Milford, NJ 07480	\$ 359.52	2005	1
10204-5.03	Barbarula Law Office 1242 Route 23 North Butler, NJ 07405	\$ 22.72	2005	1
10706-8	Philip F. Blanch, Atty. P.O. 91 Hamburg, NJ 07419	\$ 7.44	2005	1
10815-8	Joanne M. Klosz 11 Highview Avenue West Milford, NJ 07480	\$ 135.28	2005	1
12208-27	John Mirabelli 318 51st Street West New York, NJ 07093	\$ 53.80	2005	1
12209-2	Feldman Grodeck 80 Main Street West Orange, NJ 07052	\$ 7.44	2005	1
12304-3	Frank Sr. & Frank Jr. Volpe 202 Otterhole Road West Milford, NJ 07480	\$ 10.24	2005	1
13702-8	Galante & Matthews Esq. 50 Galesi Drive Wayne, NJ 07470	\$ 14.16	2005	1
15302-19	Margaret & Diane Kastner 58 Charcoal Road Newfoundland, NJ 07435	\$ 287.16	2005	1
15601-6Q	Philip Pace 151 Clinton Road Newfoundland, NJ 07435	\$ 10.27	2005	2
7207-9	Terrence Connolly 5 Grandview Lane West Milford, NJ 07480	\$ 1,177.75	2005	1
10510-9	Rodman & Evelyn Marshall 11 Baldwin Drive West Milford, NJ 07480	\$ 839.16	2004	3
16601-1	John & Sue Ellen Lillis 165 Paradise Road Oak Ridge, NJ 07438	\$ 3,196.88	2004	3

TOTAL \$ 8,614.01

Adopted: November 2, 2005

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 Agenda No. **IX1 b**  
 RESOLUTION NO. 2005 - 286

**RESOLUTION AUTHORIZING CANCELLATION OF PROPERTY 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

Tax Exempt Property

| <b>BLOCK &amp; LOT</b> | <b>NAME</b>                | <b>AMOUNT</b> | <b>YEAR</b>      |
|------------------------|----------------------------|---------------|------------------|
| 1808-10                | Catherine & Stuart DeLeeuw | \$2,968.00    | 2005 First Half  |
| 1808-10                | Catherine & Stuart DeLeeuw | \$1,642.00    | 2005 3rd Qtr.    |
| 8801-16                | Mary & Adam Fox            | \$2,664.00    | 2005 First Half  |
| 8801-16                | Mary & Adam FoX            | \$1,332.00    | 2005 4th Qtr.    |
| 2704-5                 | Arthur P. White            | \$1,860.00    | 2005 First Half  |
| 2704-5                 | Arthur P. White            | \$1,026.00    | 2005 3rd Qtr.    |
| 10510-9                | Rodman & Evelyn Marshall   | \$ 839.16     | 2004 4th Qtr     |
| 10510-9                | Rodman & Evelyn Marshall   | \$2,398.00    | 2005 First Half  |
| 16601-1                | John & Sue Ellen Lillis    | \$3,196.88    | 2004 Second Half |
| 16601-1                | John & Sue Ellen Lillis    | \$3,232.00    | 2005 First Half  |
| 12501-41.1             | Camp Vacamas Assoc. Inc.   | \$ 21.00      | 2005 4th Qtr.    |
| 6404-10                | Church of Incarnation      | \$10,714.00   | 2005 First Half  |
| 3907-3                 | County of Passaic          | \$ 40.00      | 2005 First Half  |
| 101-24                 | City of Newark MUA         | \$ 584.00     | 2005 First Half  |
| 101-24                 | City of Newark MUA         | \$ 321.00     | 2005 3rd Qtr.    |
| 11601-24               | State of New Jersey        | \$ 276.00     | 2005 First Half  |
| 3506-11.02             | Township of West Milford   | \$1,423.97    | 2004 Second Half |
| 3605-11.02             | Township of West Milford   | \$ 698.00     | 2005 First Half  |
| 3506-11.02             | Township of West Milford   | \$ 384.00     | 2005 3rd Qtr.    |
| 3608-11                | Township of West Milford   | \$1,310.05    | 2004 Second Half |
| 3608-11                | Township of West Milford   | \$ 642.00     | 2005 First Half  |
| 3608-11                | Township of West Milford   | \$ 353.00     | 2005 3rd Qtr.    |
| 3704-17                | Township of West Milford   | \$1,015.77    | 2004 Second Half |
| 3704-17                | Township of West Milford   | \$ 498.00     | 2005 First Half  |
| 3704-17                | Township of West Milford   | \$ 274.00     | 2005 3rd Qtr.    |
| 5608-3                 | Township of West Milford   | \$ 248.00     | 2005 First Half  |
| 5614-1                 | Township of West Milford   | \$ 248.00     | 2005 First Half  |
| 10204-5.04             | Township of West Milford   | \$ 15.00      | 2004 4th Qtr.    |
| 10204-5.04             | Township of West Milford   | \$ 360.00     | 2005 First Half  |
| 10204-5.04             | Township of West Milford   | \$ 198.00     | 2005 3rd Qtr.    |

**TOTAL** **\$40,781.83**

Adopted: November 2, 2005

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 Agenda No. **IX 1c**
 RESOLUTION NO. 2005 - 287

RESOLUTION AUTHORIZING PARTIAL REFUND OF PERFORMANCE GUARANTEES

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

Name & Address Blk - Lot Amount Refunded Pg. No.

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Eugene Prais 8401/23 \$ 3,600.00 72
114 Dockerty Hollow Road
P.O. Box 342
West Milford, NJ 07480

Adopted: November 2, 2005

Agenda No. **IX 1d**
RESOLUTION NO. 2005 - 288

RESOLUTION AUTHORIZING REFUND OF PERFORMANCE GUARANTEE

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

<u>Name & Address</u>	<u>Block & Lot</u>	<u>Amount Refunded</u>	<u>Pg. No.</u>
George Blood 186 Lakeside Road Hewitt, NJ 07421	1404/5.01	\$ 1,175.00	66
David Sinke 302 Godwin Avenue Wyckoff, NJ	12401/15.01	\$ 700.00	66

Adopted: November 2, 2005

Agenda No. **IX 1e**
RESOLUTION NO. 2005 - 289

RESOLUTION AUTHORIZING REFUND OF RECREATIONAL FEES

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

<u>Name & Address</u>	<u>Reason</u>	<u>Amount Refunded</u>
Dan Callaghan 46 Sussex Drive West Milford, NJ 07480	Cancel Swim lessons	\$ 90.00
Catherine Scott 32 Elm Street Hewitt, NJ 07421	Cancel Sewing class	\$ 15.00

Adopted: November 2, 2005

Agenda No. **IX 1f**
RESOLUTION NO. 2005 - 290

RESOLUTION AUTHORIZING REFUND OF RECREATIONAL FEES

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

<u>Name & Address</u>	<u>Reason</u>	<u>Amount Refunded</u>
Alan Wheeler 620 Morsetown Road West Milford, NJ 07480	Cancel Kidsafe Karate	\$110.00

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<u>Name & Address</u>	<u>Reason</u>	<u>Amount Refunded</u>
Mary Van Wart 23 High Street West Milford, NJ 07480	Cancel PS Costumes & Characters	\$ 45.00
Sandra Monks 16 Lookout Lane West Milford, NJ 07480	Cancel Creative Art classes	\$ 45.00
Anna Fletcher 95 Kitchell Lake Drive West Milford, NJ 07480	Cancel Creative Art classes	\$ 45.00
Debra Pfeifer 15 Starlight Road West Milford, NJ 07480	Cancel Creat a Character class	\$110.00
Siobhainn Lopez 91 Fairlawn Drive Hewitt, NJ 07421	Cancel Creat a Character class	\$110.00
Diane Oselador 2 Heather Lane West Milford, NJ 07480	Cancel Creat a Character class	\$110.00
Diane Perez 34 Colfax Avenue Wanaque, NJ 07465	Cancel Creat a Character class	\$ 7.50

Adopted: November 2, 2005

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**Payment of Bills**

Agenda No. X 1  
RESOLUTION NO. 2005 - 291

**RESOLUTION APPROVING THE PAYMENT OF BILLS**

**WHEREAS**, the Township Treasurer has submitted to the members of the 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 .....           | \$ 395,743.54 |
| 02         | Reserve .....                   | \$ 14,844.00  |
| 03         | Dog Tax .....                   | \$ 282.00     |
| 04         | Recycling .....                 | \$ 0.00       |
| 05         | Recreation .....                | \$ 0.00       |
| 06         | Capital .....                   | \$ 43,461.42  |
| 07         | Grants .....                    | \$ 4,935.96   |
| 08         | Refuse .....                    | \$ 81,705.06  |
| 09         | Refunds.....                    | \$ 8,719.01   |
| 10         | Neighborhood Preservation ..... | \$ 0.00       |
| 12         | General Ledger .....            | \$ 58,636.11  |
| 16         | Heritage Trust .....            | \$ 0.00       |
| 14         | Open Space Trust .....          | \$ 0.00       |
| 17         | Trust .....                     | \$ 6,411.47   |
| 18         | Development Escrow .....        | \$ 195.00     |
| 19         | LOSAP .....                     | \$ 0.00       |



