

Public Comments

A resident addressed the Council regarding matters of concern:

* Frank Hannan, Krattiger Ct. - Congratulations to the Girl Scout and Eagle Scouts

Congratulations to the Mayor and Council on the passable of the Water Surcharge Resolution which should be dedicated to tax relief

Mayor Joseph DiDonato asked if there are additional members of the public who wish to address the Council.

There being none Mayor DiDonato asked for a motion to close Public Comments.

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

Council Comments

Members of the Council made no comments.

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 - 301

**RESOLUTION AUTHORIZING THE PERSON TO PERSON AND PLACE TO PLACE
TRANSFER OF INACTIVE PLENARY RETAIL CONSUMPTION LICENSE NO. 1615-33-023-
001 PINE VILLAGE GROVE INN TO WINE IN THE WOODS, L.L.C. FOR PREMISES
LOCATED AT 216 CAHILL
CROSS ROAD FOR THE 2005 - 2006 LICENSE YEAR**

WHEREAS, an application for the person to person and place to place transfer of Plenary Retail Consumption License 1615-33-023-001 Pine Village Grove Inn for the 2005 - 2006 License year has been received and reviewed; and

WHEREAS, the Mayor and Township Council has conducted a public review of the application 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 review the Mayor and Township Council has determined as follows:

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).
4. Licensee must file an amendment to the current license application, pages 1, 2 and 11 of the 12 page application, within ten days before or after the opening of the business to receive current license certificate.

WHEREAS, the Police Department has recommended that the license be transferred as an inactive license subject to final inspection and approval of the licensed premises by the Police Department;

NOW, THEREFORE, BE IT RESOLVED that the transfer application is hereby approved and the Township Clerk is authorized to endorse the transfer and hold the license certificate for the

Bonds, will be required to deposit the bond certificates with DTC, registered in the name of Cede & Co. So long as Cede & Co. is the registered owner of the Bonds, principal and redemption price, if any, of and interest on the Bonds will be payable by the Township or its agent to DTC or its nominee as registered owner of the Bonds. The Bonds shall be executed in the name of the Township by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, under the seal of the Township affixed, imprinted or otherwise reproduced thereon and attested by the manual signature of its Township Clerk.

Section 3. Redemption. The Bonds maturing prior to January 15, 2017 are not subject to redemption prior to maturity at the option of the Township. The Bonds maturing on or after January 15, 2017 are subject to redemption prior to maturity at the option of the Township upon notice as described below in whole or in part, in any order of maturity and by lot within a maturity if less than all the Bonds of such maturity are to be redeemed, on any date on or after January 15, 2016, at a redemption price equal to 100% of the principal amount thereof, together with interest accrued, if any, to the date fixed for redemption. Notice of redemption shall be given by first-class mail, postage prepaid, to the registered owners of the Bonds or portions thereof to be redeemed, not less than thirty (30) days nor more than sixty (60) days prior to the redemption date, but such mailing shall not be a condition precedent to such redemption and failure so to mail any such notice shall not affect the validity of any proceedings for the redemption of Bonds. If notice of redemption shall have been given as aforesaid, the Bonds or portions thereof specified in said notice shall become due and payable at the redemption price on the redemption date therein designated and if, on the redemption date, moneys for payment of the redemption price of all the Bonds to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, then from and after the redemption date interest on such Bonds shall cease to accrue and become payable. Less than all of a Bond in a denomination in excess of \$5,000 may be so redeemed, and in such case, upon the surrender of such Bond, there shall be issued to the registered owner thereof, without charge therefor, for the unredeemed balance of the principal amount of such Bond, Bonds of like series, designation, maturity and interest rate in any of the authorized denominations.

Section 4. Form of Bonds. The Bonds shall be in substantially the following form with such changes and modifications as may be required, necessary, convenient or desirable for delivery thereof (including the inclusion of mandatory sinking fund provisions if term Bonds are specified by the successful bidder):

**UNITED STATES OF AMERICA
STATE OF NEW JERSEY
THE TOWNSHIP OF WEST MILFORD,
IN THE COUNTY OF PASSAIC
GENERAL BOND OF 2006**

Number: R-G
Registered Owner: Cede & Co
Principal Amount:
Dated Date: January 15, 2006
Interest Rate:
Maturity Date: January 15,
CUSIP Number:

THE TOWNSHIP OF WEST MILFORD, IN THE COUNTY OF PASSAIC (the "Township"), a municipal corporation of the State of New Jersey, situate in said County of Passaic, hereby acknowledges itself indebted and for value received promises to pay to the above-stated Registered Owner or registered assigns, the above-stated Principal Amount on the above-stated Maturity Date upon presentation and surrender of this bond, and to pay to the registered owner hereof interest on such sum, from the date of this bond until it matures or is redeemed, at the above-stated Interest Rate per annum payable semi-annually on January 15 and July 15 in each year, commencing July 15, 2006. Principal or redemption price, if any, of this bond will be paid in lawful money of the United States of America at the office of the Chief Financial Officer, Municipal Building, 1480 Union Valley Road, West Milford, New Jersey. Interest on this bond will be payable by check or draft mailed to the registered owner hereof whose name appears on the registration books of the Township on January 1 and July 1 next preceding each interest payment date.

This bond is transferable only upon the books of the Township kept for that purpose at the office of the Chief Financial Officer, Municipal Building, 1480 Union Valley Road, West Milford, New Jersey (the "Transfer Agent"), by the registered owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or such duly authorized attorney, and thereupon the Township shall issue in the name of the transferee a new bond or bonds of the same aggregate principal amount and series, designation, maturity and interest rate as the surrendered bond. The Township, the Transfer Agent and any paying agent of the

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers
unto
**PLEASE INSERT SOCIAL
SECURITY OR OTHER
IDENTIFYING NUMBER
OF ASSIGNEE
(FOR COMPUTER RECORD ONLY)**

(Please Print or Typewrite Name and Address of Transferee)

the within Bond, and all rights thereunder, and hereby irrevocably constitutes and appoints
_____ Attorney, to transfer the within Bond on the books kept for the
registration thereof, with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name as it appears upon
the face of the within Bond in every particular, without alteration or enlargement or any change
whatever.

Section 5. Sale of Bonds and Publication of Notice. The Bonds shall be sold upon sealed
proposals delivered to the Municipal Building in the Township or electric proposals submitted on
either Grant Street Group's MuniAuction website or the Parity Electronic Bid System of i-Deal
LLC (as shall be determined by the Chief Financial Officer of the Township after consultation with
the Township auditor and bond counsel) on December 29, 2005 at 11:00 o'clock A.M. (or such
other date or time as shall be determined by the Chief Financial Officer of the Township after
consultation with the Township auditor and bond counsel) and the Township Clerk is hereby
authorized and directed to (a) cause a notice of such sale to be published at least once, the first
publication to be at least seven days prior to said sale in the "Herald News", a newspaper
published in the County of Passaic, and circulating in the municipality, and (b) cause a summary
of the notice of sale to be published at least once, the first publication to be at least seven days
prior to said sale in "The Bond Buyer", a financial newspaper published and circulating in the City
of New York, New York.

Section 6. Forms of Notices. Said notice of sale and said summary of notice of sale shall be in
substantially the following forms, respectively, with such changes and modifications as may be
approved by the Chief Financial Officer of the Township after consultation with the Township
auditor and bond counsel:

**SUMMARY OF NOTICE OF SALE
THE TOWNSHIP OF WEST MILFORD,
IN THE COUNTY OF PASSAIC, NEW JERSEY
\$5,166,000 GENERAL BONDS OF 2006**

SEALED PROPOSALS for the above-described bonds (the "Bonds") will be received by the
Chief Financial Officer of the Township of West Milford, in the County of Passaic, New Jersey
(the "Township"), at the Municipal Building, 1480 Union Valley Road, West Milford, New Jersey
07480-1303, until 12:00 p.m., local time, and **ELECTRONIC PROPOSALS** for the Bonds will be
received via Grant Street Group's MuniAuction website, in a closed auction, from 10:45 a.m. to
11:00 a.m., local time, on Thursday, December 29, 2005. As described in the full Notice of Sale,
a good faith check must be received by the Chief Financial Officer of the Township prior to or
simultaneously with the submission of a proposal.

The Bonds shall mature on January 15 as follows, either as serial Bonds or as term Bonds with
sinking fund installments in accordance with the full Notice of Sale:

Year	Principal Amount	Year	Principal Amount
2013	\$700,000	2016	\$1,500,000
2014	800,000	2017	1,316,000
2015	850,000		

The Bonds will be dated January 15, 2006, and will bear interest, payable on January 15 and
July 15 in each year until maturity or earlier redemption (ascending rates and only one rate per
maturity), commencing July 15, 2006, at the rate or rates per annum specified, in multiples of 1/8
or 1/20 of 1%, by the winning bidder in accordance with the full Notice of Sale. The Bonds will be
issued in book-entry form only and will be designated as "qualified tax-exempt obligations" for
purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. The Bonds
are subject to redemption at prior to their stated maturities at the option of the Township in
accordance with the full Notice of Sale.

Copies of the full Notice of Sale and the Preliminary Official Statement are available at www.GrantStreet.com and may also be obtained by contacting Hawkins Delafield & Wood LLP, bond counsel to the Township, One Gateway Center, Newark, New Jersey, 07102-5311 (Telephone: 973-642-8584).

KEVIN J. BYRNES
Township Clerk

Dated: December 15, 2005

Section 1. Additional Matters Contained in Bonds. The Township Clerk is hereby authorized and, if necessary or advisable in the opinion of Hawkins Delafield & Wood LLP, directed (a) to cause the applicable CUSIP numbers (if any) assigned for each of said bonds by the CUSIP Service Bureau of Standard & Poor's Corporation of New York, New York, to be printed on the Bonds, and (b) to cause, in the event that the Bonds shall qualify for issuance of any policy of municipal bond insurance, at the option of the purchaser thereof, such legend or reference (if any) of such insurance to be printed (at the expense of such purchaser) on the reverse of the Bonds in such form as shall be satisfactory to Hawkins Delafield & Wood LLP.

Section 2. Delivery of Related Documents. Upon the date of issue of the Bonds, being the date of delivery of the Bonds to the successful bidder and the payment of the purchase price thereof in accordance with the contract of sale, the Township Clerk is hereby authorized and directed, as of the date of issue, to deliver to said bidder (a) an arbitrage and use of proceeds certificate with respect to the Bonds in such form as shall be satisfactory to Hawkins Delafield & Wood LLP under and for the purposes of Section 148 of the Internal Revenue Code of 1986, as amended to said date of issue (the "Code"), (b) an undertaking to provide continuing disclosure in order to assist said bidder in complying with Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12") in a form satisfactory to Hawkins Delafield & Wood LLP and (c) such other documents as may be useful, necessary, convenient or desirable in connection with the issuance of the Bonds.

Section 3. Delegation of Power to Award Bonds. The Township Council of the Township, as the governing body thereof, does by this resolution designate the Chief Financial Officer of the Township, or such other Township official as may be deemed appropriate, to sell and award the Bonds in accordance with the advertised terms of public sale. Said Chief Financial Officer or other Township official making such sale shall report in writing to this governing body at its next meeting thereafter as to the principal amount, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser. Such Chief Financial Officer or other Township official is hereby further authorized and directed to do and accomplish all matters and things necessary or desirable to accomplish the sale of the Bonds including, after consultation with the Township auditor and bond counsel, postponing and rescheduling from time to time the sale of the Bonds in accordance with the provisions set forth in the notice of sale and as provided by law.

Section 4. Bank-Qualified Designation. The Bonds are hereby designated as "qualified tax-exempt obligations" pursuant to and for the purposes of Section 265(b)(3) of the Code, or to the extent the Bonds refund other obligations of the Township, the Bonds are "qualified tax-exempt obligations" pursuant to Section 265(b)(3)(D)(iii) of the Code. Not more than \$10,000,000 of obligations, including the Bonds, of the Township and all subordinate entities thereof are expected to be designated by the Township for purposes of Section 265(b)(3) of the Code. As of the date hereof, the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds, as referred to and defined in Section 141 of the Code and current refundings of other obligations of the Township), which will be issued by the Township and all subordinate entities thereof during the 2006 calendar year does not exceed \$10,000,000.

Section 5. Preliminary Official Statement. All action taken to date by the officials, employees and agents of the Township with respect to the issuance of the Bonds, including the preparation of a Preliminary Official Statement with respect thereto be and the same hereby are approved, ratified, adopted and confirmed and the Chief Financial Officer of the Township is hereby authorized to deliver said Preliminary Official Statement for its use in the sale, resale and distribution of the Bonds. The Chief Financial Officer of the Township or such other Township official as may be appropriate is hereby authorized and directed to deem said Preliminary Official Statement final as of its date for purposes and within the meaning of Rule 15c2-12.

Section 6. Final Official Statement. The execution, delivery and dissemination of a final Official Statement in substantially the same form as said Preliminary Official Statement with such changes, insertions and omissions as may be approved by the Chief Financial Officer of the Township with respect to the issuance of the Bonds by and on behalf of the Township, is hereby authorized, and the Chief Financial Officer of the Township or such other Township official as may be deemed appropriate is hereby authorized and directed to execute the same in the name and on behalf of the Township Council and is further authorized to deliver said final Official Statement in executed form for its use in the sale, resale and distribution of the Bonds. The execution of said final Official Statement by the Chief Financial Officer of the Township or such

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

Agenda No. **IX 1a**

RESOLUTION NO. 2005 - 312

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	Amount	Year	Reason
1913-6 Anthony & Linda Guarino 574 Lakeshore Drive Hewitt, NJ 07421	\$ 250.00	2005	3
2002-2 Mary Ellen Hallam 13 North Sailors Quauy Brick, NJ 08723	\$ 67.00	2005	1
2002-6 William & Donna Jean Doyle 45 Paterson Road Hewitt, NJ 07421	\$ 1,710.81	2005	2
2401-3 Robert G. Stibick 22 Rubin Hill Road Montaque, NJ 07827	\$ 26.56	2005	1
3602-8 Frank & Denise Janitz 4 Burr Court Hewitt, NJ 07421	\$ 26.84	2005	5
5318-12.03 Emerson & Virginia Callahan 123 Richmond Road West Milford, NJ 07480	\$ 500.00	2005	3
5501-17 David M. Payne Atty 1 Viking Village Suite B P.O. Box 1304 Route 94 McAfee, NJ 07428	\$ 16.16	2005	1
5708-17 Nelda Cummings 395 12th Street Atlantic Beach, FL 32233	\$ 78.00	2005	1
5708-18 Nelda Barker Cummings & R.Barker 395 12th Street Atlantic Beach, FL 32233	\$ 223.00	2005	1
Block/LotName	Amount	Year	Reason
6101-21 Weichert Title Agency 1909 Route 70 E Cherry Hill, NJ	\$ 961.52	2005	2
6204-8.03 Richard L. Lauretta 84 McKinley Place West Milford, NJ 07480	\$ 175.68	2005	5
7006-5 Louisa Michaelson 6 Gwyneth Road West Milford, NJ 07480	\$ 61.00	2005	5

7207-11	Leonard & Linda Resch 4 Shadowy Lane West Milford, NJ 07480	\$ 250.00	2005	3
7801-44.05	Paul Petralia 44E Manchester Lane West Milford, NJ 07480	\$ 1,499.64	2005	2
8301-3.02	Ali Syed Imran & Hamdauni Ambreen 1793 Macopin Road West Milford, NJ07480	\$ 363.56	2005	5
8401-22	Eugene & Elaine Prais P.O. Box 342 West Milford, NJ 07480	\$ 10.68	2005	1
9703-1	Pedro & Yuvette Guerrero 9 Monmouth Avenue West Milford, NJ 07480	\$ 25.00	2005	1
9801-28.09	Your Home Team 1499 Union Valley Road West Milford, NJ 07480	\$ 46.36	2005	5
10102-22	Gary & Marilyn Oppenheimer 24 Clover road Newfoundland, NJ 07435	\$ 566.08	2005	5
10811-8	Jane & Ralph York 588 Otterhole Road West Milford, NJ 07480	\$ 1,711.20	2005	2
11001-58	Barbara & Ernest Suto 24 Dudley Street West Milford, NJ 07480	\$ 244.00	2005	5
14113-5	Bryon & Patricia Miller 165 Germantown Road West Milford, NJ 07480	\$ 1,752.76	2005	2
16006-3	Goldstein & Bachman Atty. Fourteen Woodward Drive Old Bridge,NJ 08857	\$ 36.00	2005	1
16801-4	Theodore & Carrie Clark 81 Greendale Drive West Milford, NJ 07480	\$ 1,918.16	2005	2

TOTAL \$12,520.01

Adopted: December 7, 2005

Agenda No. **IX 1b**
RESOLUTION NO. 2005 - 313

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

1. Tax Exempt

BLOCK/LOT	NAME	AMOUNT	YEAR
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3903-27 County of Passaic \$1,118.00 2005 First Half

Adopted: December 7, 2005

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Agenda No. **IX 1c**  
RESOLUTION NO. 2005 - 314

**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:

| For the             |             |                       |               |                                                                                     |  |
|---------------------|-------------|-----------------------|---------------|-------------------------------------------------------------------------------------|--|
| Redemption of       | Certificate | Reimbursement         | Pay to the    |                                                                                     |  |
| <u>Lien Cert. #</u> | <u>Date</u> | <u>Block/Lot/Qual</u> | <u>Amount</u> | <u>Lienholder</u>                                                                   |  |
| 04-014              | 04/05/2004  | 02001-015             | \$21,586.09   | FIDELITY TAX LLC.<br>P.O. BOX 5707<br>FORT LAUDERDALE,, FL<br>33310                 |  |
| 04-049              | 04/05/2004  | 07503-004             | \$28,547.56   | AMERICAN TAX<br>FUNDING; LLC<br><br>PO BOX 862658<br>ORLANDO,, FL<br><br>32886-2658 |  |
| 04-068              | 04/05/2004  | 10803-001             | \$14,521.90   | LIEN TIMES LLC<br>203 STEPHENS ROAD<br>WEST MILFORD, NJ<br><br>07480                |  |
| 05-002              | 03/09/2005  | 00202-006             | \$ 85.35      | LAURA GREEN<br>14 CRESCENT DRIVE<br>GOSHEN, NY 10924                                |  |

| For the             |             |                       |                     |                                                                                                                                          |  |
|---------------------|-------------|-----------------------|---------------------|------------------------------------------------------------------------------------------------------------------------------------------|--|
| Redemption of       | Certificate | Reimbursement         | Pay to the          |                                                                                                                                          |  |
| <u>Lien Cert. #</u> | <u>Date</u> | <u>Block/Lot/Qual</u> | <u>Amount</u>       | <u>Lienholder</u>                                                                                                                        |  |
| 05-098              | 03/09/2005  | 12401-006             | \$20,226.22         | WACHOVIA CUST/SASS5<br>MUNI V DTR<br><br>123 S. BROAD ST. PA<br>1328S<br>TAX LIEN SERVICES<br><br>PHILADELPHIA, PA<br><br>GROUP<br>19109 |  |
| 05-109              | 03/09/2005  | 14301-002             | \$27,403.07         | ROBERT ROTHMAN<br>411 GRAND AVENUE<br>ENGLEWOOD,, NJ<br><br>07631                                                                        |  |
| <b>Grand Total</b>  |             |                       | <b>\$112,370.19</b> |                                                                                                                                          |  |

Adopted: December 7, 2005

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Agenda No. **IX 1d**
RESOLUTION NO. 2005 - 315

that the resolution be circulated
UGL Fire Department assistance
Township Administrator Richard Kunze Report and list of roads needing
repair

Tree lighting ceremony

2006 Council Meeting schedule

Councilman Joseph Elcavage moved to adopt the 2006 Council Meeting schedule provided by
the Township Administrator.

Moved: Elcavage Seconded: Gervens

Voted Aye: Bailey, Elcavage, Gervens, Scangarello.

Voted Nay: Nolan, Warden.

Motion carried.

Councilman Paul Bailey Tourism Revitalization Committee
"Bear Country" seminar

Councilman Joseph Elcavage Asked for a Resolution for a Water
Surcharge be placed on the next
agenda

Discussion with Board of Education

member Mrs. Touw regarding
Domestic Violence

Councilman William Gervens "Dead Mans Curve" repair out to bid
Commemorate Pearl Harbor Day

December 7th.

Councilman Robert Nolan Tree lighting ceremony/thank you to
recreation department

Heritage Committee/members needed

First Aid Blood Drive

Thank you to Fred Semrau for work

done as Township Attorney

Councilman James Warden Water Surcharge
Greenwood Lake Bi-State Commission

meeting

Request for Township Administrator

to draft a Resolution commending
the Township Attorney

Councilman Carmen Scangarello Lease of Jungle Habitat property
State of New Jersey closing on the
redevelopment area property

County repair of the retaining wall

at the Presbyterian Church

Thank Renee Palermo for her work

Thank Congressman Scott Garrett for
his help in procuring a \$350,000 grant

Report of Township Clerk

None.

Report of Township Attorney

Eagle Ridge/Hovnanian seeking reversal of decision.

Weed harvester

Tax Appeal matters

Redevelopment property closing will take place by the end of the year.

Appointments

Library Board of Trustees

Mayor Joseph DiDonato noted two openings on the Library Board of Trustees, and asked that the
council confirm his appointments.

Mayor DiDonato noted his appointment of Paul Bailey to the Library Board of Trustees for a term
ending December 31, 2008.

The Township Council discussed the nomination.

Councilman Elcavage moved to confirm the appointment of Paul Bailey as a citizen member to
the West Milford Library Board of Trustees for a term ending December 31, 2008.

Moved: Elcavage

Seconded: Scangarello

